



CHAPTER xxxviii.

An Act to authorise the Trustees of the Clyde Navigation to construct a new Road with Tramways thereon in substitution for portions of certain authorised Roads and Tramways other Roads a Railway Dock Tramway and a Quay or Wharf at Clydebank to abandon the Railway and some of the works authorised by the Acts of 1883 and 1890 and for other purposes. [11th June 1891.]

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WHEREAS by the Clyde Navigation Consolidation Act 1858 (herein-after called the Act of 1858) the Trustees of the Clyde Navigation (herein-after called the Trustees) were incorporated and empowered to carry into effect the provisions of that Act and further powers were conferred on the Trustees by subsequent Acts amending and extending that Act:

And whereas it is expedient that the Trustees should be authorised to construct the new road and tramways herein-after described in substitution for portions of certain roads and tramways authorised by the Clyde Navigation Act 1883 (herein-after called the Act of 1883) and the Clyde Navigation Act 1890 (herein-after called the Act of 1890):

And whereas it is expedient that the Trustees should be authorised to construct the other roads and to construct and maintain the railway and the dock tramway herein-after described:

And whereas it is expedient that the Trustees should be authorised to construct and maintain a quay or wharf at Clydebank to levy tolls and rates for the use thereof and to lease the same to the commissioners of the police burgh of Clydebank (herein-after called the Clydebank Commissioners) or any other persons:

And whereas it is expedient that the Trustees should be authorised to abandon the construction of the railway and of portions of roads tramways and other works authorised by the Act of 1883 and the Act of 1890:

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And whereas it is expedient that further powers should be conferred on the Trustees as by this Act provided :

And whereas plans and sections showing the lines and levels of the intended road and tramways thereon other roads railway dock tramway and quay or wharf and other works authorised by this Act and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the land required or which may be taken for the purposes or under the powers of this Act were duly deposited with the principal sheriff clerk of the county of Lanark at his office in Glasgow and with the principal sheriff clerk of the county of Dumbarton at his office at Dumbarton and are herein-after respectively referred to as the deposited plans sections and books of reference :

And whereas the purposes 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 (that is to say) :—

Short title.

1. This Act may be cited as the Clyde Navigation Act 1891 This Act and the other Acts relating to the Clyde Navigation may be cited as the Clyde Navigation Acts 1858 to 1891.

Incorporation of general Acts.

2. The following Acts and portions of Acts are (except where expressly varied by this Act) incorporated with and form part of this Act (that is to say) :—

The Lands Clauses Acts ;

The Railways Clauses Consolidation (Scotland) Act 1845 ;

Part I. (relating to construction of a railway) and Part III. (relating to working agreements) of the Railways Clauses Act 1863 ;

The Harbours Docks and Piers Clauses Act 1847 with the exception of the clauses with respect to lifeboats with respect to keeping a tide and weather gauge and with respect to buoys lighthouses and beacons Provided that the said excepted clauses shall come into operation with respect to the quay or wharf herein-after defined if and when the Board of Trade so require And also with the exception of sections twenty-five twenty-six and thirty :

And in construing the said Acts as incorporated with this Act the expressions "the company" "the undertakers" respectively mean and include the Trustees.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction :

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Interpretation.

The expression "the Trustees" means the Trustees of the Clyde Navigation incorporated by the Act of 1858 ;

The expression "the two companies" means the Caledonian Railway Company and the Glasgow and South-western Railway Company.

4. Subject to the provisions of this Act the Trustees may make in the lines and according to the levels shown on the deposited plans and sections the works numbered 1 to 6 inclusive herein-after described and they may make and maintain in those lines and according to those levels the works numbered 7 8 and 9 herein-after described and they may enter upon take and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for the purposes of this Act.

Power to construct works.

The works herein-before referred to and authorised by this Act are—

Description of works.

(1) A road or street (in this Act called Road No. 1) commencing by a junction with the Road No. 2 authorised by the Act of 1883 at a point thereon fifty-one yards or thereabouts measured in a southerly direction from the south side of Elphinstone Street Govan at the junction of that street with Whitefield Road and terminating by a junction with the road authorised by the Act of 1890 at a point thereon one hundred and seventeen yards or thereabouts measured in an easterly direction from the north-east corner of Messrs. Anderson and Lyall's engine and boiler works in Whitefield Road ;

(2) A road or street (in this Act called Road No. 2) commencing by a junction with the east side of Whitefield Road Govan at a point thereon twenty yards or thereabouts measured in an easterly direction from the north-east corner of said engine and boiler works and terminating by a junction with Road No. 1 herein-before described at a point thereon ninety-seven yards or thereabouts measured in an easterly direction from the north-east corner of the said engine and boiler works ;

(3) A road or street (in this Act called Road No. 3) commencing by a junction with the west side of Maclean Street Govan at a point thereon directly opposite the junction of that street with Craigiehall Street Govan and terminating by a junction with the road authorised by the Act of 1890 at a point thereon one hundred and sixty-three yards or thereabouts measured in a

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- northerly direction from the junction of the south building line of Brand Street with the east building line of Lorne Street Govan ;
- (4) A road or street (in this Act called Road No. 4) commencing at the junction of the eastern end of Brand Street with the road provided for by section seven of the Act of 1883 and terminating by a junction with the road authorised by the Act of 1890 at a point thereon sixty-five yards or thereabouts measured in a north-westerly direction from the junction of the south building line of Brand Street with the east building line of Harvey Street Govan ;
- (5) A road or street (in this Act called Road No. 5) in line of Harvey Street Govan commencing by a junction with the north side of Brand Street and terminating by a junction with Road No. 4 herein-before described at a point forty-nine yards or thereabouts measured in a northerly direction from the junction of the south building line of Brand Street with the east building line of Harvey Street ;
- (6) A double line of tramway (in this Act called the tramway) one furlong four chains or thereabouts in length of the gauge of four feet seven and three-quarter inches to be laid upon and along the whole length of Road No. 1 herein-before described ;
- (7) A railway (in this Act called the railway) six furlongs two chains and eighty-eight one hundredth parts of a chain or thereabouts in length commencing at a point on the Govan branch of the Glasgow and Paisley Joint Railway belonging to the two companies sixteen yards or thereabouts measured in a north-westerly direction from the west side of the bridge over the said Govan branch at the west end of the south platform for the Govan branch at Ibrox station and terminating on the east side of Whitefield Road at a point thereon one hundred and fifty-nine yards or thereabouts measured in a northerly direction from the south-west corner of Ibrox Street Govan at its junction with Whitefield Road aforesaid ;
- (8) A dock tramway (in this Act called the dock tramway) five furlongs seven chains and one-tenth part of a chain or thereabouts in length of the gauge of four feet eight and a half inches commencing on the east side of Whitefield Road by a junction with the railway herein-before described at or near its termination and terminating by a junction with the Trustees existing tramway on Mavisbank Quay at a point twenty-one yards or thereabouts measured in an easterly direction from the north-east corner of the weigh-house of the Trustees harbour workshops ;

(9) A quay or wharf (in this Act called the quay or wharf) on the north side of the River Clyde commencing at a point on the present river wall four yards or thereabouts measured in a westerly direction along said river wall from the fence forming the west boundary of Clydebank shipbuilding yard and terminating on the said river wall thirty-six yards or thereabouts from the point of commencement with the necessary excavation and dredging in front of the said quay or wharf. A.D. 1891.

5. The Trustees may upon any land belonging to or to be acquired by them construct execute make or provide all necessary accesses roads junctions sidings communications buildings works and conveniences connected with or required for the construction maintenance and use of the works before described or some of them. Accessory works.

6. Subject to the provisions of this Act the Trustees in constructing the works by this Act authorised may deviate laterally from the lines thereof delineated on the deposited plans to any extent not exceeding the limits of deviation defined on the said plans and may deviate vertically from the levels of the said works as defined on the deposited sections to any extent not exceeding in the case of the roads the tramway and quay or wharf three feet and in the case of the railway and dock tramway six feet Provided that no deviation either lateral or vertical below high-water mark shall be made without the consent in writing of the Board of Trade. Power to deviate.

7. Every person who wilfully obstructs any person acting under the authority of the Trustees in setting out the lines of the quay or wharf by this Act authorised or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the quay or wharf or defaces or destroys the same or any part thereof shall be guilty of an offence and shall for every such offence be liable to a penalty not exceeding five pounds which may be recovered by the Trustees under the Summary Jurisdiction (Scotland) Acts 1864 and 1881. Penalty for obstructing works.

8. The powers of the Trustees for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act. Period for compulsory purchase of lands.

9. In addition to the lands acquired and held or to be acquired and held by the Trustees under the powers of the recited Acts and this Act the Trustees may by agreement purchase any quantity of land not exceeding ten acres for the purposes of the Trustees authorised by the recited Acts and this Act but nothing in this Act or the recited Acts shall exempt the Trustees from any indictment Additional land for purposes of undertaking.

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Power to sell or feu surplus lands.

10. In addition to the other powers of the Trustees with reference to the sale and disposal of surplus lands they may from time to time sell and dispose of or feu or lease any land acquired by them under the powers of the Clyde Navigation Acts 1858 to 1891 and which may not be required for the purposes of their undertaking on such terms and conditions at such times and for such price rent ground annual ground rent or other consideration as the Trustees may fix and at any time after the creation of any such feu duty ground annual or ground rent the Trustees may sell and dispose of the same in such manner as they deem most advantageous and such price rent or consideration shall be applied in reduction of money borrowed under the authority of the recited Acts and in addition to and not in substitution for any obligation to provide or set aside a sinking fund for repayment of borrowed money.

Power to take easements by agreement.

11. Persons empowered by the Lands Clauses Acts to sell and convey or release land may if they think fit subject to the provisions of those Acts and of this Act grant to the Trustees any easement servitude right or privilege (not being an easement of water) required for the purposes of this Act in or over or affecting any such land and the provisions of the said Acts with respect to land and feu duties or ground annuals as far as the same are applicable in this behalf shall extend and apply to such easements servitudes rights and privileges as aforesaid respectively.

Owners may be required to sell parts only of certain properties.

12. Whereas in the exercise of the powers of this Act it may happen that portions only of the houses or other buildings or manufactories shown on the deposited plans may be sufficient for the purposes of the same and that such portions may be severed from the remainder of the said properties without material detriment thereto Therefore notwithstanding section ninety of the Lands Clauses Consolidation (Scotland) Act 1845 the owners of and other persons interested in the houses or other buildings or manufactories described in the First Schedule to this Act whereof parts only are required for the purposes of this Act may (if such portions can in the opinion of the jury arbiter or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of such properties without material detriment thereto) be required to sell and convey to the Trustees the portions only of the premises so required without the Trustees being obliged

or bound to purchase the whole or any greater portion thereof the Trustees paying for the portions required by them and making compensation for any damage sustained by the owners thereof and other persons interested therein by severance or otherwise. A.D. 1891.

13. Section seven of the Act of 1883 so far as it enacts that the new road thereby authorised shall be completed and opened for public traffic simultaneously with the construction completion and opening for public traffic of Road No. 1 authorised by the Act of 1883 is hereby repealed. The Trustees may postpone the construction completion and opening of the new road authorised by that section (with the exception of the portion thereof in line of Lorne Street and extending from Brand Street on the south to the junction of such new road with the road authorised by the Act of 1890 on the north) for a period of ten years from the passing of this Act unless the commissioners of the police burgh of Govan (herein-after called the Govan Commissioners) shall give notice in writing to the Trustees at any time after the expiration of seven years after the passing of this Act that they require such new road to be forthwith constructed completed and opened for public traffic in which case the Trustees shall forthwith proceed to construct complete and open the same accordingly. The excepted portion of the new road shall be completed by the Trustees and opened for public traffic simultaneously with the road authorised by the Act of 1890. Nothing in this section shall prejudice or affect the respective rights duties and obligations of and on the Trustees and the several owners of lands abutting on the south side of such new road inter se under their respective titles with respect to the construction of or contribution towards the construction of such new road. In the event of any part or parts of such new road being formed before the expiration of the said period by the Trustees or by any of the proprietors of lands abutting thereon on the south the powers of the Govan Commissioners under section one hundred and fifty of the General Police and Improvement (Scotland) Act 1862 may thereafter be enforced by the Govan Commissioners with reference to any parts of such new roads so formed and the other provisions of the last-mentioned Act shall also apply to the parts of such new road so formed. Alteration of provisions of section seven of the Act of 1883.

14. For all purposes the roads numbers 1 2 3 4 and 5 by this Act authorised shall form part of the Renfrew Road and these roads and the new road authorised by section seven of the Act of 1883 when constructed shall be managed and maintained by the Govan Commissioners or the authority for the time entitled to manage and liable to maintain the Renfrew Road. Maintenance of roads.

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Tramway to be in substitution for portion of tramway to be stopped up and to form part of undertaking of Vale of Clyde Tramways Company.

Alteration of sewers and drains in the burgh of Govan.

Application of the provisions of section twenty-seven of Act of 1890 to Road No. 1 and alteration of radius of curve on road authorised by the Act of 1890.

15. The tramway by this Act authorised shall be in substitution for the tramways on the portion of the road authorised by the Act of 1890 and by this Act authorised to be abandoned and shall as respects the power to be employed for moving carriages or trucks thereon and for tolls and all other purposes form part of the undertaking of the Vale of Clyde Tramways Company and the provisions of the Vale of Clyde Tramways Act 1871 the Vale of Clyde Tramways Act 1876 and the Vale of Clyde Tramways Act 1888 and any other Acts relating to that company shall subject to the provisions of this Act apply to the tramway by this Act authorised and to the construction maintenance and management thereof.

16. Whereas an agreement dated the thirteenth and sixteenth days of January one thousand eight hundred and ninety-one has been entered into between the Trustees and the Govan Commissioners defining the lines extents levels and dimensions of the sewers which the Trustees have agreed to construct and the Govan Commissioners have agreed to accept as in full implement of the Trustees whole obligations under section twenty-two of the Act of 1883 and section fourteen of the Act of 1890 or otherwise in consequence of their interference with the drains and sewers of the burgh of Govan in connexion with the construction of the works authorised by those Acts and the works herein-before described excepting only the railway and the dock tramway herein-before described Therefore if it shall be necessary in the execution of the railway or the dock tramway to make any alteration or deviation of the present or future sewers or drains of the burgh of Govan or any of them for which further provision than is afforded by the new sewers described in such agreement is required such alteration or deviation shall be made by and at the expense of the Trustees in the lines and on the levels and in the manner required by and to the satisfaction of the surveyor for the time being of the Govan Commissioners or in case of difference between such surveyor and the engineer for the time being of the Trustees in the lines and on the levels and in the manner to be determined by and to the satisfaction of an engineer to be appointed by the sheriff of the county of Lanark on the application of the Trustees or the Govan Commissioners.

17. The provisions of section twenty-seven of the Act of 1890 shall extend and apply to Road No. 1 and to the tramway to be laid thereon in the same manner and to the same extent in all respects as if they had been authorised by the Act of 1890 but the Trustees may in constructing the road authorised by that Act make the curve on the south-eastern portion of the last-mentioned road of any radius not less than two hundred and seventy-five feet.

18. The Trustees may abandon the construction of the works authorised by the Act of 1883 and the Act of 1890 next herein-after described namely :—

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Portions of authorised works may be abandoned.

- (1) The railway authorised by the Act of 1883 the period for the completion of which was extended by the Clyde Navigation Act 1887 and the Act of 1890 ;
- (2) The Tramway No. 1 authorised by the Act of 1883 ;
- (3) That portion of Road No. 2 with the tramways thereon authorised by the Act of 1883 from the commencement of Road No. 1 authorised by this Act to a point on the said Road No. 2 seventy-four yards or thereabouts measured in a southerly direction from the south side of Elphinstone Street Govan at the junction of that street with Whitefield Road ;
- (4) The road with the tramways thereon authorised by the Act of 1890 from the point of its authorised commencement to a point two hundred and seventy-one yards or thereabouts measured in a southerly and easterly direction along the authorised centre line of said road.

19. The abandonment by the Trustees under the authority of this Act of any works shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Trustees on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out the line of the work and shall not prejudice or affect the right of the owner or occupier of any land which may have been temporarily occupied by the Trustees to receive compensation for such temporary occupation or for any loss damage or injury which may have been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation (Scotland) Act 1845 the Harbours Docks and Piers Clauses Act 1847 the Act of 1883 or the Act of 1890.

Compensation for damage to land by entry for purposes of works abandoned.

20. Where before the passing of this Act any contract has been entered into or notice given by the Trustees for the purchasing of any land for the purposes of or in relation to any portions of the works authorised to be abandoned by this Act the Trustees shall be released from all liability to purchase or to complete the purchase of any such land but notwithstanding full compensation shall be made by the Trustees to the owners and occupiers or other persons interested in such land for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands

Compensation to be made in respect of works abandoned.

A.D. 1891. Clauses Acts for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Repeal of section twelve of Act of 1890 and new provisions with reference to stopping up part of Renfrew Road and tramways.

21. Section twelve of the Act of 1890 is hereby repealed and the following provisions shall have effect (that is to say) When and so soon as first the Trustees shall have completed to the reasonable satisfaction of the surveyor for the time being of the Govan Commissioners and the engineer for the time being of the Vale of Clyde Tramways Company respectively as provided by the Act of 1890 and by this Act Road No. 1 with the tramways thereon herein-before described the road and tramways thereon authorised by the Act of 1890 except so far as by this Act authorised to be abandoned and the portions of Roads Nos. 1 and 2 with the tramways thereon authorised by the Act of 1883 except so far as by the Act of 1890 or by this Act authorised to be abandoned so that there will be from the respective points of junction of the tramways to be constructed by the Trustees on the said roads with the tramways on Renfrew Road two continuous lines of tramway and the same have been certified as fit for traffic by the Board of Trade and secondly the Trustees shall have completed to the reasonable satisfaction of the said surveyor Roads Nos. 2 4 and 5 herein-before described but not sooner the Trustees may exercise the powers conferred upon them by the Act of 1883 to stop up permanently and appropriate for the purposes of their undertaking the portion of Renfrew Road with the tramways thereon between a point twenty-two yards or thereabouts northward from the north-west corner of Whitefield Road and a point twenty-three yards or thereabouts north-westward from the north-west corner of Maclean Street at its junction with Renfrew Road.

Power to apply corporate funds to purposes of Act.

22. The Trustees may apply to the purposes of this Act to which capital is properly applicable any moneys which they now have in their hands or which they have power to raise by virtue of the Clyde Navigation Acts 1858 to 1890 and which may not be required for the purposes to which they are by any such Acts made specially applicable.

Period for completion of railway.

23. If the railway is not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Trustees for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

For protection of Caledonian and Glasgow and South-

24. Notwithstanding anything contained in this Act the Trustees shall in the construction of the railway observe and comply with the following provisions unless with the previous consent in writing of the two companies and the Trustees shall not without such consent

enter upon use or interfere with any part of the works or lands of the two companies further or otherwise than in accordance with those provisions (that is to say) :—

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western
Railway
Companies.

- (1) The junction of the railway with the Govan branch of the line of railway between Glasgow and Paisley belonging to the two companies jointly (and herein-after called respectively the Govan branch and the joint line) shall be by not more than a double line of rails and at such point within the limits of deviation of the railway shown on the deposited plans as shall be fixed by the engineer for the time being of the joint line ;
- (2) The levels of the Govan branch shall not be interfered with ;
- (3) The Trustees shall not take any part of the works or lands of the two companies but may in the manner provided by the Lands Clauses Consolidation (Scotland) Act 1845 with respect to the purchase and taking of lands purchase and take an easement or wayleave over so much thereof as may be necessary for forming a junction between the railway and the Govan branch in manner herein-before provided ;
- (4) All the works of the Trustees so far as passing through or in any manner interfering with any of the lands or works of the two companies shall be subject to the approval of the engineer for the time being of the joint line and shall be constructed and completed with all reasonable dispatch under the superintendence and to the reasonable satisfaction in all respects of such engineer and according to working plans sections and specifications to be submitted to and approved by him previously to the commencement of such works ;
- (5) If the two companies should at any time or times hereafter think fit to lay altered or additional lines of rails at or near the point of junction of the railway with the Govan branch the Trustees shall if required permit the two companies to make at their own cost such alterations of or additions to the railway as may be necessary for connecting the same with such altered or additional lines of rails either in substitution for or in addition to the junction authorised by this Act with the Govan branch as now existing and the junction of the railway with such altered or additional lines of rails shall be subject to the same provisions in all respects as the junction of the railway with the Govan branch as now existing Provided always that such alterations or additions shall be constructed and completed with all reasonable dispatch and so as to cause as little interruption or inconvenience as may be to the traffic of the Trustees ;
- (6) Except as hereby otherwise specially provided sections 9 10 11 and 12 of the Railways Clauses Act 1863 shall apply to the

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aforesaid junction and shall for the purposes thereof and of this section be read as if the two companies had been named therein as the company or person with whose railway the junction is made ;

- (7) The inclination of the road between Broomloan Road and Helen Street numbered 16 and 18 in the parish of Govan on the deposited plan of the railway shall not be made steeper than the inclination of that road as shown on the deposited sections ;
- (8) If any difference shall at any time arise between the two companies or the engineer of the joint line and the Trustees or their engineer with respect to any of the matters referred to in this section the settlement of which is not otherwise herein-before provided for such difference shall be determined by an engineer to be appointed by the sheriff of Lanarkshire on the application of any of the said parties and the decision of such engineer including the determination by him of all questions of costs of the reference shall be final.

Repeal of sections nineteen and twenty-four of the Act of 1883 and new provisions as to public roads.

25. Sections nineteen and twenty-four of the Act of 1883 are hereby repealed and in lieu thereof the following provision shall have effect for the protection of the Govan Commissioners The railway where it passes under the Broomloan Road Copeland Road and Whitefield Road Govan shall be constructed at such level as not to require the raising by more than three feet six inches of the present levels of any of those roads and so that the altered gradients on any of those roads shall not exceed at any point one in sixty.

For protection of the Glasgow Corporation Water Commissioners.

26. In forming the bridge carrying Copeland Road Govan across the railway the Trustees shall at their own cost make provision for carrying a water main of twenty-four inches in diameter between the girders forming such bridge in substitution for the present eighteen inch water main passing along Copeland Road with special protection from injury for such main and all stop cocks scour cocks and air valves in connexion therewith which may be rendered necessary by reason of the operations of the Trustees and in all respects to the reasonable satisfaction of the engineer for the time being of the Glasgow Corporation Water Commissioners and in case of difference between such engineer and the engineer for the time being of the Trustees then to the satisfaction of an engineer to be appointed by the sheriff of the county of Lanark on the application of the Trustees or the Water Commissioners Provided always that the foregoing special provisions shall not be deemed to supersede or dispense with the provisions of the Railways Clauses Consolidation (Scotland) Act 1845 sections 18 to 23 but the provisions of those sections except in so far as the same may be inconsistent with such special provisions shall be and remain in full force and effect.

27. The Trustees may demand and take in respect of the use of the railway or any part thereof the tolls and rates specified in and authorised by sections fifty-three to fifty-eight of the Act of 1883 as if the railway had been authorised by that Act and sections fifty-two and fifty-nine to sixty-four of that Act shall apply to the railway and to the tolls and charges to be taken in respect of the use thereof in all respects as if it had been the railway authorised by that Act.

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Tolls on railway and application of certain sections of Act of 1883.

28. The Trustees may levy in respect of traffic which may be conveyed on the dock tramway the tolls authorised by section fifty of the Act of 1883 as if the dock tramway had been authorised by that Act and sections fifty-two fifty-five and sixty-two of that Act shall apply to the dock tramway and to the tolls and charges to be taken in respect of the use thereof in all respects as if it had been one of the tramways authorised by that Act.

Tolls for use of dock tramway and application of certain sections of Act of 1883.

29. The Trustees may enter into and carry into effect agreements with the Clydebank Commissioners or any other persons with respect to the leasing or maintenance or user of the quay or wharf by this Act authorised and the said commissioners may apply their statutory rates for the purposes of such agreements.

Power to lease quay or wharf.

30. (1) The Trustees or any company or person using or working the tramways of the Trustees (who are in this section included in the expression the Trustees) 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 :—

Carrying of mails by Trustees of company working tramway.

(a) Nothing in this section shall authorise the Postmaster General to require mails in excess of the following weights to be carried by the Trustees 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 or if that maximum appears to the Postmaster General to be so low as to exclude him from availing himself of the use of any such carriage then as is for the time being fixed by agreement or in default of agreement by a referee to be appointed at the request of either party by the Lord President of the Court of Session in Scotland; and

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(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 but so nevertheless that the custody of the mails by any officer of the Post Office in charge thereof shall not be interfered with :

(c) Nothing in this section shall authorise the Postmaster General to require any mails to be carried by the Trustees 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 :

(d) If the Trustees carry goods as well as passengers and parcels the enactments relating to the conveyance of mails by railway shall subject to the provisions of this section apply in like manner as if the Trustees were a railway company and the tramway were a railway.

(2) The remuneration for any services which have been performed by the Trustees 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 Trustees or in default of agreement by a referee to be appointed by the Lord President of the Court of Session in Scotland at the request of either party and this provision shall have effect in lieu of any provisions respecting remuneration contained in the enactments relating to the conveyance of mails by railway which are applied by this section.

(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.

(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.

Provision
for protection
of the Post-
master
General.

31. In the event of any of the tramways of the Trustees being worked by electricity the following provisions shall have effect :—

(1) The Trustees or any company or person using or working such tramways (who are in this section included in the ex-

pression the Trustees) shall construct their electric lines and other works of all descriptions and shall work their undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by Her Majesty's Postmaster General and the currents in such telegraphic lines and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of their undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein. If any question arises as to whether the Trustees have constructed their electric lines or other works or work their undertaking in contravention of this sub-section such question shall be determined by arbitration and the Trustees shall be bound to make any alterations in or additions to their system which may be directed by the arbitrator :

- (2) (a) Before any electric line is laid down or any act or work for working the tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster General (other than repairs or the laying of lines crossing the line of the Postmaster General at right angles at the point of shortest distance and so continuing for a distance of six feet on each side of such point) the Trustees or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster General specifying the course of the line and the nature of the work including the gauge of any wire and the Trustees and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster General for the purpose of preventing any telegraphic line of the Postmaster General from being injuriously affected by the said act or work ;
- (b) Any difference which arises between the Postmaster General and the Trustees or their agents with respect to any requirements so made shall be determined by arbitration :
- (3) In the event of any contravention of or wilful non-compliance with this section by the Trustees or their agents the Trustees shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues or if the telegraphic communication is wilfully interrupted not exceeding fifty pounds for every day on which such interruption continues :
- (4) Provided that nothing in this section shall subject the Trustees or their agents to a fine under this section if they satisfy the court having cognizance of the case that the immediate doing

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of the act or execution of the work was required to avoid an accident or otherwise was a work of emergency and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice :

- (5) For the purposes of this section a telegraphic line of the Postmaster General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is whether through induction or otherwise in any manner affected by such act or work or by any use made of such work :
- (6) For the purposes of this section and subject as therein provided sections two eight nine ten eleven and twelve of the Telegraph Act 1878 shall be deemed to be incorporated with this Act as if the Trustees were undertakers within the meaning of those sections without prejudice nevertheless to any operation which the other sections of the said Act would have had if this section had not been enacted and in particular nothing in this section shall be deemed to exclude the provisions of section seven of the Telegraph Act 1878 in relation to the matters mentioned in that section :
- (7) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882 :
- (8) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections thirty to thirty-two of the Regulation of Railways Act 1868 shall apply in like manner as if the Trustees or their agents were a company within the meaning of that Act :
- (9) Nothing in this section contained shall be held to deprive the Postmaster General of any existing right to proceed against the Trustees by indictment action or otherwise in relation to any of the matters aforesaid.

Limits of
quay or
wharf.

32. The limits within which the Trustees shall have authority and within which the powers of the pier-master may be exercised and which shall be deemed the limits to which this Act in respect of the quay or wharf and the power to levy rates extend shall comprise the quay or wharf and works in connexion therewith authorised by this Act and the roads accesses and conveniences connected therewith and the following area bounded on the south-east by the Clydebank shipbuilding yard on the south-west by the River Clyde and on the

north-east and north-west by unfeued ground belonging or reputed to belong to William Dunn Black of Auchentoshan and Kilbowie and the whole area below the line of high-water mark within a distance of fifty feet riverwards from any part of the quay or wharf and works which limits are in this Act termed "the limits of the Trustees jurisdiction at Clydebank Wharf." A.D. 1891.

33. The Trustees or their lessees may subject and according to the provisions of this Act for the use of the quay or wharf demand and receive in respect of the vessels persons animals and things specified in the Third Schedule to this Act any sums not exceeding the rates in that schedule mentioned. Power to levy rates.

34. The Trustees may from time to time vary the rates which they may levy under the authority of this Act or the recited Acts or any of them in such manner as they may think expedient by reducing or raising the same provided that such rates do not in any case exceed the rates authorised by such Acts and provided also that such rates shall be at all times charged equally to all persons in respect of the same description of vessel performing a voyage between the quay or wharf and the same port or ports and in respect of the same description of goods but no reduction or variation in such rates shall take place unless with the consent of at least two thirds of the Trustees present at a special meeting of the Trustees. Power to vary rates.

35. The Trustees or their lessees may from time to time enter into compositions with any person with respect to the payment of any tolls rates and charges authorised to be taken by this Act or confer vary or extinguish exemptions therefrom but so that no preference be in any case given to any person and that anything done under this section shall not prejudice the other provisions of this Act. Power to enter into compositions.

36. The Trustees or their lessees shall apply all the rates dues and duties received under this Act for the use of the quay or wharf for the purposes and in the order following and not otherwise (that is to say) :— Application of rates and income.

- (1) In paying the expenses of the maintenance and repair of the quay or wharf and works including the access thereto and the management and regulation of the same ;
- (2) In the case of a lease by the Trustees to the Clydebank Commissioners or any other persons in payment by those commissioners or persons of the rent payable under and in the fulfilment of all the conditions of the lease and subject thereto in the case of the Trustees or the Clydebank Commissioners for their general purposes and in the case of any other persons for their own use and benefit.

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Separate
accounts to
be kept.Power to
appoint
pier-masters
and others.Byelaws
with respect
to quay or
wharf.

37. The Trustees or their lessees shall keep separate accounts of the moneys received and expended by them under this Act so far as relates to the quay or wharf.

38. The Trustees or their lessees may from time to time appoint and discharge such pier-masters meters and weighers at the quay or wharf as they may deem necessary.

39. Subject to the provisions of this Act the Trustees may from time to time make alter and rescind such byelaws with respect to the quay or wharf as they think fit for the following purposes viz:—

- (1) For regulating the collection and levying of the tolls rates and charges authorised by this Act ;
- (2) For regulating the use by vessels and boats of and traffic at or near the quay or wharf ;
- (3) For regulating the conditions of the use of any portion of the quay or wharf or any of the buildings erected thereon and for the erection maintenance and working of all necessary signals thereat ;
- (4) For preventing injury to and for protecting the buildings and property thereon or attached thereto ;
- (5) For regulating the conduct of persons using the quay or wharf or buildings thereon or attached thereto ;
- (6) For regulating the sale of refreshments on the quay or wharf or in the buildings thereon or attached thereto :

And may by such byelaws provide and impose penalties for the breach thereof.

40. No vessel or boat shall be anchored within the limits of the Trustees jurisdiction at Clydebank Wharf nor be moored alongside the quay or wharf without the consent of the Trustees or their pier-master.

41. Notwithstanding anything contained in section four of the Clyde Navigation Act 1888 the following provisions shall have effect:—

- (1) It shall not be necessary for the returning officer to cause a copy of the notice of the meeting of the electors for the nomination of candidates for election as Trustees and of the time and place at which such meeting is to be held to be sent by post to each elector ;
- (2) The nomination paper prescribed by sub-section four of the said section shall be lodged either by being delivered by the candidate his proposer or seconder to the secretary of the Trustees personally enclosed in a sealed envelope endorsed "Nomination of a Trustee" at any time within two days prior to the time fixed for the meeting or by being handed sealed or

Vessels not to
anchor within
certain limits
nor to moor
alongside quay
or wharf with-
out consent.Amendment
of section
four of Act
of 1888 and
new pro-
visions with
respect to
election of
Trustees.

open by one or other of them to the returning officer at the meeting and at the meeting the returning officer shall read to the persons then present all nomination papers so lodged; A.D. 1891.

(3) It shall not be necessary for any candidate for election as Trustee or for his proposer or seconder to attend personally at the meeting.

42. (1) The Trustees shall not under the powers by this Act granted without the consent of the Secretary for Scotland take 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 unless and until—

Restrictions
on displacing
persons of
labouring
class.

(a) They shall have obtained the approval of the Secretary for Scotland to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Secretary for Scotland shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the other circumstances of the case; and

(b) They shall have given security to the satisfaction of the Secretary for Scotland for the carrying out of the scheme.

(2) The approval of the Secretary for Scotland to any scheme under this section may be given either absolutely or conditionally and after the Secretary for Scotland has approved of any such scheme he may from time to time approve either absolutely or conditionally of any modifications on the scheme.

(3) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced:

Provided that the Secretary for Scotland may dispense with the last-mentioned requirement subject to such conditions (if any) as he may see fit.

(4) Any provisions of any scheme under this section or any conditions subject to which the Secretary for Scotland may have approved of any such scheme or of any modifications of any such scheme or subject to which he may have dispensed with the above-mentioned requirement shall be enforceable by an order of the Court of Session to be obtained by the Secretary for Scotland.

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(5) If the Trustees acquire or appropriate any house or houses under the powers by this Act granted in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Secretary for Scotland by action in the Court of Session and shall be carried to and form part of the Consolidated Fund of the United Kingdom. Provided that the court may if it think fit reduce such penalty.

(6) For the purpose of carrying out any scheme under this section the Trustees may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require and for the purpose of any such purchase section ninety of the Public Health (Scotland) Act 1867 shall be incorporated with this Act and shall apply to the purchase of lands by the Trustees for the purposes of any scheme under this section in the same manner in all respects as if the Trustees were a local authority within the meaning of that Act and the scheme were one of the purposes of that Act.

(7) The Trustees may on any lands belonging to them or purchased or acquired under this section or under any Provisional Order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply for the general purposes of their undertaking :

Provided that all lands on which any buildings have been erected or provided by the Trustees in pursuance of any scheme under this section shall for the period of twenty-five years from the passing of this Act be appropriated for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment :

Provided also that the Secretary for Scotland may at any time dispense with all or any of the requirements of this sub-section subject to such conditions (if any) as he may see fit.

(8) The Secretary for Scotland may direct any inquiries to be held which he may deem necessary in relation to any scheme under this section and he may appoint or employ inspectors for the purposes of any such inquiry and the inspectors so appointed shall for the purposes of any such inquiry have all such powers as the in-

inspectors under the Public Health (Scotland) Act 1867 have for the purposes of inquiries directed under that Act. A.D. 1891.

(9) The Trustees shall pay to the Secretary for Scotland a sum to be fixed by him in respect of the preparation and issue of any Provisional Order under this section and any expenses incurred by him in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by the Secretary for Scotland not exceeding three guineas a day for the services of such inspector.

(10) Any houses on any of the lands shown on the deposited plans occupied or which may have been occupied by persons of the labouring class within five years before the passing of this Act which have been acquired by or on behalf of the Trustees and for which houses no substitutes have been or are directed to be provided by any scheme approved by the Secretary for Scotland under the powers of any previous Act relating to the Trustees shall for the purposes of this section be deemed to have been acquired under the powers of this Act and to have been occupied on the fifteenth day of December last by the same number of persons belonging to the labouring class as were occupying the said houses at the date of their acquisition. Provided that if the Secretary for Scotland is unable to ascertain the number of such persons who were then occupying the said houses the said houses shall be deemed to have been occupied by such number of such persons as in the opinion of the Secretary for Scotland they might have been sufficient to accommodate.

(11) For the purposes of this section the expression "labouring class" means and 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.

43. The agreement contained in the Second Schedule to this Act made between the Trustees of the first part and Alexander Macdonald writer Glasgow as clerk to and representing and duly authorised by the Govan Commissioners of the second part is hereby confirmed and made binding on the parties thereto. Confirming agreement with Govan Commissioners.

44. The Trustees shall not construct on the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and reflows any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or Works below high-water mark not to be commenced without consent of Board of Trade.

A.D. 1891. — assistant secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of such approval being signified as last aforesaid and where any such work may have been constructed the Trustees shall not at any time alter or extend the same without obtaining previously to making any such alteration or extension the like consents or approvals. If any such work be commenced or completed contrary to the provisions of this Act the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the costs and charges of the Trustees and the amount of such costs and charges shall be a debt due from the Trustees to the Crown and shall be recoverable accordingly with costs.

Survey of works by Board of Trade.

45. If at any time the Board of Trade deems it expedient for the purposes of this Act to order a survey and examination of a work constructed by the Trustees on in over through or across tidal lands or tidal water or of the intended site of any such work the Trustees shall defray the expense of the survey and examination and the amount thereof shall be a debt due from the Trustees to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Trustees.

Abatement of work abandoned or decayed.

46. If a work constructed by the Trustees on in over through or across tidal lands or tidal water is abandoned or suffered to fall into decay the Board of Trade may abate and remove the work or any part of it and restore the site thereof to its former condition at the expense of the Trustees and the amount of such expense shall be a debt due from the Trustees to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Trustees.

Saving rights of the Crown in the fore-shore.

47. Nothing contained in this Act shall authorise the Trustees to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exercisable by the Queen's Majesty Her heirs or successors.

Saving rights of Crown under Crown Lands Act.

48. Nothing contained in this Act or to be done under the authority thereof shall in any manner affect the title to any of the

subjects or any rights powers or authorities mentioned in or reserved by sections twenty-one and twenty-two of the Crown Lands Act 1866 and belonging to or exercisable on behalf of Her Majesty Her heirs or successors. A.D. 1891.

49. Subject to the provisions of this Act nothing contained in this Act shall exempt the quay or wharf or the Trustees from the provisions of the Merchant Shipping Acts or of any general Act relating to harbours or to dues on shipping or on goods carried in ships now in force or which may be passed during the present or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the rates and tolls authorised by the recited Acts or this Act. Reserving Merchant Shipping and general Acts.

50. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Trustees out of the rates authorised to be levied or the money authorised to be borrowed by the recited Acts. Expenses of Act.

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SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

LANDS BUILDINGS AND MANUFACTORIES WHEREOF PARTS ONLY MAY BE TAKEN.

Works authorised.	Numbers on deposited Plans.
Works Nos. 1 to 6 and No. 8	Sheet No. 1.—Nos. 12 12A 55 59 and 61 to 72 both inclusive.
Work No. 7	Sheet No. 2.—Nos. 1 to 6 both inclusive 12 23 25 28 and 34.

THE SECOND SCHEDULE.

MINUTE OF AGREEMENT between the Trustees of the Clyde Navigation incorporated by the Clyde Navigation Consolidation Act 1858 (herein-after called “the Trustees”) of the first part and Alexander Macdonald writer Glasgow as Clerk to and representing and duly authorised by the Commissioners of Police of the Burgh of Govan acting under the General Police and Improvement (Scotland) Act 1862 (herein-after called “the Commissioners”) of the second part.

Whereas by the Clyde Navigation Acts 1883 and 1890 the Trustees obtained authority to construct certain roads with tramways thereon and upon the completion of the same to stop up permanently and appropriate the portion of Renfrew Road Govan with the tramways thereon from a point thereon near the junction of that road with Whitefield Road Govan to a point on said Renfrew Road near the junction of Maclean Street Govan with said road And whereas the Trustees have arranged with the Commissioners to abandon certain portions of the said authorised roads and in substitution therefor to construct certain new roads all as herein-after described and that upon the conditions and for the considerations herein-after mentioned And whereas the Trustees also obtained authority by their Act of 1883 to construct a railway from the Govan branch of the Glasgow and Paisley joint line to the east side of Whitefield Road afore-said and a tramway (therein called Tramway No. 1) from the termination of said railway to the south side of Mavisbank Quay the powers for completing

which railway were renewed and extended by the Clyde Navigation Acts 1887 and 1890 And whereas the Trustees have arranged with the Commissioners that instead of constructing the said railway and tramway (which were intended to have been on a high level) they should construct a railway and dock tramway in substitution therefor on lower levels and chiefly in cutting and the Commissioners for the considerations after specified have agreed to such substitution and to the alterations of the roads and streets after mentioned thereby rendered necessary Therefore it is hereby agreed by and between the Trustees and the said Alexander Macdonald as clerk to and representing and duly authorised by the Commissioners as follows viz. :—

First.—For the considerations after specified the Commissioners agree not to oppose but on the contrary to support by petition if desired the Bill which the Trustees are now promoting in Parliament authorising them inter alia (1) to abandon that portion of Road No. 2 authorised by the Trustees Act of 1883 extending from a point thereon fifty-one yards or thereabouts measured in a southerly direction from the south side of Elphinstone Street Govan at the junction of that street with Whitefield Road to a point on the said Road No. 2 seventy-four yards or thereabouts measured in a southerly direction from the same junction and also the road authorised by the Trustees Act of 1890 from its authorised point of commencement to a point thereon two hundred and seventy-one yards or thereabouts measured in a southerly and easterly direction along the centre of said road and (2) to substitute therefor a road (in the Bill called Road No. 1) sixty feet in width with tramways thereon commencing by a junction with the said Road No. 2 authorised by the Act of 1883 at a point thereon fifty-one yards or thereabouts measured in a southerly direction from the south side of Elphinstone Street Govan at the junction of that street with Whitefield Road and terminating by a junction with the road authorised by the Act of 1890 at a point thereon one hundred and seventeen yards or thereabouts measured in an easterly direction from the north-east corner of Messrs. Anderson and Lyall's engine and boiler works in Whitefield Road The curved portion of this new road shall have a radius not less than the curved portion of the road authorised by the Act of 1890 and above described as to be abandoned and notwithstanding the provisions of sub-section eight of section twenty-seven of the Act of 1890 the Trustees may in constructing the road authorised by that Act make the radius of the curve on the south-eastern portion of that road not less than two hundred and seventy-five feet The Bill shall also authorise the Trustees to construct other four new roads viz.:—a road sixty feet in width (in said Bill called Road No. 2) commencing by a junction with the east side of Whitefield Road at a point 20 yards or thereabouts measured in an easterly direction from the north-east corner of said engine and boiler works and terminating by a junction with the said intended Road No. 1 at a point thereon ninety-seven yards or thereabouts measured in an easterly direction from the north-east corner of said engine and boiler works another new road or street sixty feet in width (in said Bill called Road No. 3) extending from Maclean Street Govan directly opposite its junction with Craigiehall Street to the said road authorised by the Act of 1890 another new road or street sixty feet in width (in said Bill called Road No. 4) commencing at the eastern end of Brand Street and terminating by a junction with the road authorised by the Act of 1890 at a point thereon sixty-five yards or thereabouts measured in a north-westerly direction from the junction of the south building line of Brand Street with the east building line of Harvey Street Govan and another road or street

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(in said Bill called Road No. 5) continuing the line of Harvey Street northward to join the said intended Road No. 4 at a point forty-nine yards or thereabouts measured in a northerly direction from the junction of the south building line of Brand Street with the east building line of Harvey Street. The Bill shall also provide that all of the said five new roads with the exception of Road No. 3 shall be completed and opened for traffic simultaneously with the diversion of Renfrew Road authorised by the Act of 1890 and that all of them as well as the new road provided for by section seven of the Act of 1883 shall when constructed be managed and maintained by the Commissioners and it shall also authorise the Trustees to abandon the railway authorised by the Act of 1883 and the Tramway No. 1 and also if desired by the Trustees the Tramway No. 2 authorised by the Act of 1883 and in substitution therefor to construct a railway and dock tramway between the same points respectively said new railway to be at such a level as to pass under Broomloan Road Copeland Road and Whitefield Road without raising by more than three feet six inches the present levels of any of the said roads the authorised level of the road provided for by section seven of the Act of 1883 at its western end being also raised not more than three feet six inches to form a proper connexion with Whitefield Road and due provision being made that the altered gradients in any of these roads shall not exceed at any point one in sixty. The Bill shall also provide for the amendment of the said Acts of 1883 and 1890 to the effect of authorising the Trustees to stop up permanently and appropriate the said portion of Renfrew Road between Whitefield Road and Maclean Street so soon as but not sooner than they shall have completed to the reasonable satisfaction of the surveyor for the time being of the Commissioners and the engineer for the time being of the Vale of Clyde Tramways Company respectively. First the road and tramways thereon authorised by the Act of 1890 except so far as abandoned as aforesaid and the portions of Roads Nos. 1 and 2 authorised by the Act of 1883 except so far as abandoned as aforesaid and also the said intended new Road No. 1 with the tramways thereon so that there will be from the respective points of junction of the tramways constructed by the Trustees with the tramways on Renfrew Road two continuous lines of tramway and the same have been certified as fit for traffic by the Board of Trade and secondly the said intended new road called in said Bill Road No. 4.

Secondly.—The said Bill shall also contain provisions to the effect following viz. :—

- (1) To repeal that portion of section seven of the Act of 1883 enacting that the new road thereby provided for shall be completed and opened for public traffic simultaneously with the construction completion and opening for public traffic of Road No. 1 of the Act of 1883 and in lieu thereof to provide that the Trustees may delay the construction completion and opening of the said new road provided for by said section (with the exception of the portion thereof in line of Lorne Street and extending from Brand Street on the south to its junction with the authorised diversion of Renfrew Road on the north which portion of the new road shall be completed and opened for public traffic simultaneously with the said authorised diversion of Renfrew Road) for the period of ten years after the passing of the intended Act but in the event of the Commissioners giving written notice to the Trustees at any time after the expiration of seven years after the passing of the intended Act that they require the said new road to be forthwith constructed completed and opened for public traffic the Trustees shall with all reasonable expedition thereupon proceed to construct complete and open the same

accordingly but nothing thereby provided shall prejudice or affect the respective rights duties and obligations of and on the Trustees and the several owners of lands abutting on the south side of such new road inter se under their respective titles with respect to the construction or contribution towards the construction of such new road. In the event however of any part or parts of said new road being formed before the expiry of said period by the Trustees or by any of the proprietors of lands abutting thereon on the south the powers of the Commissioners under section one hundred and fifty of the General Police and Improvement (Scotland) Act 1862 may thereafter be enforced by the Commissioners with reference to any parts of said road so formed and the other provisions of the said last-mentioned Act shall also apply to the parts of said road so formed ;

- (2) Whereas an agreement has been entered into between the Trustees and the Commissioners defining the lines extents levels and dimensions of the sewers which the Trustees have agreed to construct and the Commissioners have agreed to accept as in full implement of the Trustees whole obligations under section twenty-two of their Act of 1883 and section fourteen of their Act of 1890 or otherwise in consequence of their interference with the drains and sewers of the burgh of Govan in connexion with the construction of the works authorised by the said Acts and the works described in said Bill excepting only the railway and dock tramway described in said Bill it shall be enacted that if it shall be necessary in the construction of the railway or the dock tramway to be authorised by the intended Act to make any alteration or deviation of the present or future sewers or drains of the said burgh or any of them for which further provision than is afforded by the new sewers described in said agreement is required such alteration or deviation shall be made by and at the expense of the Trustees in the lines and on the levels and in the manner required by and to the satisfaction of the surveyor for the time being of the Commissioners or in case of difference between the said surveyor and the engineer for the time being of the Trustees in the lines and on the levels and in the manner to be determined by and to the satisfaction of an engineer to be appointed by the sheriff of the county of Lanark on the application of the Trustees or of the Commissioners.

Thirdly.—The second party on behalf of the Commissioners further agrees for the considerations after specified that they shall grant their consent as the local and road authority of the district to the laying down of the said tramways on the said intended new road called in said Bill Road No. 1.

Fourthly.—In consideration of the premises the Trustees agree upon the said Bill becoming law (first) to pay to the Commissioners the sum of five hundred pounds ; and (secondly) to assign and dispose to the said Alexander Macdonald as clerk foresaid and his successors in office free of expense and without payment of any price or other consideration the three plots of ground coloured respectively red blue and yellow on the plan hereto annexed and subscribed as relative hereto but always under the real lien burden condition and declaration that the said plots of ground shall in all time coming remain unfenced and unbuilt upon (except with the written consent of the Trustees) and be maintained in good order and condition by the Commissioners and their successors in office as open spaces for the benefit and use of the public in all time coming reserving to the Commissioners and their successors the right of paving the said plots of ground or such parts thereof as they may consider expedient and of erecting thereon

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lamp-posts or other conveniences for the public use and benefit and also under the real lien burden condition and declaration that the Trustees shall be entitled at any time or times to demand from the second party or his successor in office as representing the Commissioners a reconveyance or reconveyances of the said plots of ground or any part or parts thereof in exchange for payment to them of one pound per square yard for each yard of ground so reconveyed which sum of five hundred pounds and the price of any of said plots of ground or parts thereof which may be reconveyed to the Trustees as aforesaid shall be applied by the Commissioners or their successors for the public benefit in such manner as they may think fit all which real liens burdens conditions and declarations shall be inserted ad longum in the disposition by the Trustees in favour of the said Alexander Macdonald as clerk aforesaid and be duly entered on the appropriate register of sasines and shall also either be verbatim engrossed in all future conveyances deeds and instruments transmitting or completing the title to said plots of ground or any parts or portions thereof or shall be validly referred to therein in terms of law otherwise all such conveyances deeds and instruments shall be null and void.

Fifthly.—The said Bill shall also make provision for confirming this agreement which is made subject to the approval of Parliament and to such modifications thereon as Parliament may require.

Lastly.—In the event of any disputes or differences arising between the parties as to the true intent meaning and effect of these presents or the due implement thereof the same are hereby submitted and referred to the amicable decision final sentence and decree arbitral of James Moir Esquire Professor of Conveyancing in the University of Glasgow whom failing of Alexander Watt Esquire writer Glasgow as sole arbiter in the order above named whose awards and decisions interim as well as final shall be binding upon the parties and their successors and the parties consent to the registration hereof and of any decree or decrees arbitral interim or final to follow hereon for preservation and execution In witness whereof these presents written on this and the five preceding pages of stamped paper by Alexander Clark Tullis clerk to Wright Johnston Mackenzie and Roxburgh writers Glasgow are (under the declaration that the word "which" occurring in the twenty-ninth line of page first hereof is delete) subscribed in duplicate by the parties hereto as follows viz.: by John Ure merchant Glasgow and George Browne ship and insurance broker there two of and as acting for and on behalf of the said Trustees of the Clyde Navigation both at Glasgow on the thirteenth day of January one thousand eight hundred and ninety-one (the common seal of the said Trustees being at the same time adhibited hereto) before these witnesses James Deas engineer and Thomas Riach Mackenzie secretary both to the said Trustees of the Clyde Navigation and by the said Alexander Macdonald also at Glasgow on the sixteenth day of the said month and year last mentioned before these witnesses James Adamson Houston and William Gavin Chalmers Clark both clerks to the said Alexander Macdonald.

(Signed) JAMES DEAS Witness.
 (") T. R. MACKENZIE Witness.
 (") J. A. HOUSTON Witness.
 (") WM. G. C. CLARK Witness.

L.S.

(Signed) JOHN URE Trustee.
 (") GEORGE BROWNE
 Trustee.
 (") A. MACDONALD
 Clerk to Police Com-
 missioners of Govan.

THE THIRD SCHEDULE.

A.D. 1891.

RATES FOR USE OF QUAY OR WHARF.

I.—ON PASSENGERS PASSENGERS LUGGAGE &c.

	s.	d.
For every passenger or other person who shall land on or embark from the quay or wharf for each time any sum not exceeding - - -	0	2
For every person who shall use the quay or wharf for the purpose of walking for exercise pleasure or any other purpose except for embarking or disembarking for each time any sum not exceeding - - -	0	1
For every carriage-horse any sum not exceeding - - -	0	6
For every four-wheeled vehicle any sum not exceeding - - -	1	0
For every two-wheeled vehicle any sum not exceeding - - -	0	6
For every perambulator any sum not exceeding - - -	0	1
For every bicycle tricycle or other such machine any sum not exceeding -	0	2
For every trunk portmanteau box parcel or package brought by but not carried by the passenger not exceeding 28 lbs. - - -	0	1
Over 28 lbs. and not exceeding 112 lbs. - - -	0	2
Over 112 lbs. and not exceeding 2 cwt. - - -	0	4
And for every cwt. beyond 2 cwt. - - -	0	1

II.—ON ANIMALS TO OR FROM GLASGOW OR ELSEWHERE ON THE RIVER CLYDE EAST OF CLYDEBANK.

For every horse any sum not exceeding - - -	0	6
For every pony foal mule ass bull bullock or cow any sum not exceeding -	0	3
For every quey stirk or head of small cattle any sum not exceeding -	0	2
For every calf sheep lamb goat dog or head of swine any sum not exceeding - - -	0	1

III.—ON GOODS OR MERCHANDISE TO OR FROM GLASGOW OR ELSEWHERE ON THE RIVER CLYDE EAST OF CLYDEBANK.

Not exceeding in weight 28 lbs. in all - - -	0	1
Over 28 lbs. and not exceeding 112 lbs. in all - - -	0	2
Over 112 lbs. and not exceeding 2 cwt. in all - - -	0	4
And for every cwt. or fraction of a cwt. beyond 2 cwt. - - -	0	1

Provided that those rates shall be in addition to the rates on vessels goods animals and merchandise leviable by the Trustees of the Clyde Navigation under their other statutory powers.

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

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