



CHAPTER CCXV.

An Act to enable the Corporation of Glasgow to effect further improvements within the city to lease and work the Vale of Clyde or Govan Tramways and the Glasgow and Ibrox Tramway to construct new Tramways and for other purposes. A.D. 1897.
[6th August 1897.]

WHEREAS by the Glasgow Improvements Act 1866 (herein-after referred to as "the Act of 1866") the Corporation of the city of Glasgow (herein-after referred to as "the Corporation") were appointed trustees for carrying into effect the improvements in the city of Glasgow therein specially described and referred to and for the other purposes therein mentioned and were authorised to acquire lands by compulsion or agreement to erect buildings thereon from time to time to sell and dispose of the same to borrow money and generally subject to the provisions of that Act to deal with the lands so acquired as absolute proprietors:

And whereas by the Glasgow Improvements Act 1871 (herein-after referred to as "the Act of 1871") the period limited by the Act of 1866 for the compulsory purchase of lands for the purposes of that Act was extended as regards the lands therein described for five years:

And whereas the Corporation acquired the lands which they were authorised to take by compulsion so far as the same were deemed to be necessary for the purposes of the Act of 1866 and they also acquired by agreement other lands for those purposes:

And whereas the Corporation in virtue of the provisions of the Act of 1866 proceeded with the execution of the powers thereby conferred upon them and have formed new streets altered widened and diverted existing streets taken down and removed many old dilapidated and insanitary buildings have erected new buildings and have sold considerable portions of the lands acquired by them for the erection thereon of new buildings:

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A.D. 1897. And whereas the Corporation were by the Act of 1866 and by the Glasgow Improvements Amendment Act 1880 (herein-after referred to as "the Act of 1880"), authorised to borrow for the purposes of the recited Acts any moneys not exceeding in the whole one million five hundred thousand pounds and there was due and owing by them on the thirty-first day of May one thousand eight hundred and ninety-six the sum of one million one hundred and ninety-two thousand one hundred and ten pounds thirteen shillings and fourpence they having repaid previous to that date out of the proceeds of lands sold the sum of two hundred and forty-eight thousand eight hundred and sixty-three pounds six shillings and twopence to which extent their borrowing powers are extinguished :

And whereas the Corporation were by the Act of 1866 authorised to assess and levy upon and from the occupiers of all lands and heritages within the city an annual assessment not exceeding sixpence per pound on the rental or annual value of such lands and heritages during the first five years from the date of the Act coming into operation and not exceeding threepence per pound during ten years after the expiration of the first period of five years and by the Act of 1880 the power of assessment under the Act of 1866 was continued but limited in amount so as not to exceed the sum of twopence per pound and the Corporation have from time to time imposed and levied for the purposes of the recited Acts such portion of the assessment as they deem necessary :

And whereas by the Glasgow Bridge &c. Act 1894 (herein-after called "the Act of 1894") certain lands vested in the Glasgow Police Commissioners under the powers conferred by the Glasgow Police Acts 1873 and 1877 were transferred to and vested in the Corporation for the purposes referred to in the Act of 1894 subject to the provisions of that Act and to payment by the Corporation to the police commissioners of the value thereof which was determined to be the sum of one hundred and three thousand two hundred and forty-five pounds eighteen shillings and that sum has since been paid :

And whereas it is expedient that the Corporation for the purpose of dealing with the last-mentioned lands and the other lands acquired under the Act of 1866 should have the further power of raising money by this Act granted :

And whereas by the Glasgow Corporation and Police Act 1895 (herein-after called "the Act of 1895") it was enacted that on and after the commencement of that Act the whole lands and other property authorities jurisdictions duties obligations rights powers

and privileges belonging to or incumbent upon inter alios the Corporation as trustees foresaid should be transferred to and be exerciseable by the Corporation :

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And whereas it is expedient that the Corporation should be empowered to widen Nelson Street in the city parish and coupty of the city of Glasgow :

And whereas the powers of the Corporation for the acquisition of lands by compulsion in portions of the city authorised to be dealt with by the Act of 1866 have long since ceased and other portions of the city that is to say the lands houses and buildings mentioned in the section of this Act whereof the marginal note is "Power to execute works and acquire lands" except those mentioned in sub-section (3) of that section are now in such a congested and insanitary condition as to be injurious to the moral and physical welfare of the inhabitants and it would be for public and local advantage if the powers herein-after contained for acquiring lands and removing old and insanitary buildings and reconstituting certain portions of the city were conferred on the Corporation and that in connexion with the réconstitution of those portions of the city provision were made for the erection of dwellings for the labouring classes :

And whereas it is expedient that the Corporation should be empowered to purchase by agreement other lands for carrying into effect certain of the purposes of this Act :

And whereas it is expedient that the Corporation should be authorised to take on lease from the commissioners of the burgh of Govan (herein-after referred to as "the Govan Commissioners") the Vale of Clyde or Govan tramways and the Glasgow and Ibrox tramway and the extension of the last-mentioned tramway herein-after referred to and to construct an additional tramway in the city of Glasgow and that the Govan Commissioners should by this Act also be authorised to construct an extension of the said Glasgow and Ibrox tramway to be leased by them to the Corporation and to borrow money for that purpose :

And whereas it is expedient that provision should be made for enabling the Corporation to transfer lands or property from one department of the Corporation to another department of the Corporation as circumstances may require or render expedient :

And whereas it is expedient that the Corporation should be authorised to levy an assessment and to borrow moneys for the purposes of this Act or some of them :

And whereas plans and sections showing the lines and levels of the tramways and other works authorised by this Act and also plans

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A.D. 1897. of the lands to be taken for the purposes of this Act and books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of such lands have been deposited with the principal sheriff clerk of the county of Lanark and those plans sections and books of reference are herein-after respectively referred to as the deposited plans sections and books of reference :

And whereas the objects aforesaid 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 :—

PART I.—PRELIMINARY.

Citation. 1. This Act may be cited as the Glasgow Corporation (Improvements and General Powers) Act 1897 This Act and the Acts of 1866 1871 1880 and 1895 may be cited as the Glasgow Corporation (City Improvements) Acts 1866 to 1897 This Act and the Glasgow Corporation Tramway Acts 1870 to 1895 may be cited as the Glasgow Corporation Tramway Acts 1870 to 1897.

This Act and the Glasgow Corporation Acts 1855 to 1896 and any Act passed during the present session relating to the Corporation may be cited as the Glasgow Corporation Acts 1855 to 1897.

Act divided into Parts.

This Act is divided into Parts as follows :—

Part I.—Preliminary.

Part II.—City improvements—

(A) Works and lands.

(B) Financial.

Part III.—Tramways.

Part IV.—General.

Commence-ment of Act.

2. This Act shall come into operation on the expiration of twenty-one days after the date of its passing.

Incorporation of Lands Clauses Acts.

3. The Lands Clauses Acts are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation.

4. In this Act the several words and expressions to which meanings are assigned by the Acts incorporated herewith have (except where expressly varied by this Act) the same respective meanings unless there be something in the subject or context repugnant to such construction.

5. The following words and expressions in this Act have the meanings hereby assigned to them (that is to say) :—

- “The city” means the city and royal burgh of Glasgow ;
- “The Corporation” means the Corporation of the city of Glasgow ;
- “Sheriff” means the sheriff of the county of Lanark and includes his substitutes ;
- “The Act of 1866” means the Glasgow Improvements Act 1866
- “the Act of 1871” means the Glasgow Improvements Act 1871
- “the Act of 1880” means the Glasgow Improvements Amendment Act 1880 and “the Acts of 1866 1871 and 1880” mean the Glasgow Improvements Acts of 1866 1871 and 1880 ;
- “The Act of 1891” means the City of Glasgow Act 1891 ;
- “The Act of 1894” means the Glasgow Bridge &c. Act 1894 ;
- “The Act of 1895” means the Glasgow Corporation and Police Act 1895.

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Further
interpreta-
tion.

PART II.—CITY IMPROVEMENTS.

(A) WORKS AND LANDS.

6. Subject to the provisions of this Act the Corporation may make and maintain in the line and according to the levels shown on the deposited plans and sections a widening of Nelson Street in the city parish and county of the city of Glasgow commencing at the junction of Nelson Street with Trongate and terminating at the junction of Nelson Street with Bell Street and subject to the provisions of this Act and of the Lands Clauses Acts (as those Acts are modified or varied by this Act) the Corporation may for the purpose of executing the widening of Nelson Street and for the other purposes of this Part of this Act enter upon take and use such of the lands herein-after mentioned and delineated on the deposited plans and described in the deposited books of reference as may be necessary (that is to say) :—

Power to
execute
works and
acquire
lands.

Certain lands houses and buildings in the city parish and city of Glasgow situate—

- (1) On the north-west side of High Street and on the south side of Rottenrow within the area bounded by George Street Rottenrow High Street and Balmano Street respectively ;
- (2) On the south-east side of High Street between Duke Street and Burrell's Lane ;
- (3) On the north side of Trongate and the south side of Bell Street between High Street and Candleriggs ;

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(4) On the east side of New Wynd the west side of King Street the north side of Osborne Street and the south side of Trongate within the area bounded by those streets respectively;

(5) On the west side of Saltmarket Street and the south side of Bridgegate within the area bounded by Bridgegate Saltmarket Street Jail Square and Market Street respectively;

(6) On the east side of Stockwell Street within the area bounded by Stockwell Street Goosedubs Aird's Lane and Bridgegate respectively; and

Certain other lands houses and buildings in the parish of Govan in the city of Glasgow situate on the south side of Adelphi Street the west side of Saint Ninian Street and the east side of Muirhead Street within the area bounded by those streets and Govan Street respectively:

Provided that the powers by this section conferred shall not apply to the lands and properties in the city parish of Glasgow numbered 30 to 52 64 to 94 and 160 to 166 upon the deposited plans and described in the deposited books of reference.

Period for compulsory purchase of lands.

7. The powers of the Corporation for the compulsory purchase of the lands referred to and described in the immediately preceding section shall cease after the expiration of three years from the passing of this Act.

Power to stop up streets and vesting solum in Corporation.

8. The Corporation may temporarily or permanently stop up the following roads streets and courts in the city parish and city of Glasgow or some of them or some part thereof viz. Nelson Street Back Wynd Margaret Place Antigua Place Antigua Court Wallace Court Tontine Lane and Union Court The solum of the roads streets and courts or parts thereof respectively which may be permanently stopped up under the powers of this section shall when and so soon as the Corporation become the owners of the lands on both sides of such roads streets and courts be vested in them for the purposes of this Part of this Act Provided always that the Corporation shall make full compensation to all persons injuriously affected by the provisions of this section.

Special provisions as to compensation.

9. Whenever the compensation payable in respect of any lands or of any interests in any lands proposed to be taken compulsorily in pursuance of this Part of this Act for the purpose of sanitary improvements and the erection of buildings for workmen's dwellings with or without shops or other business premises in such buildings requires to be assessed—

(1) (A) The estimate of the value of such lands or interests shall be based upon the fair market value as estimated at the time of the valuation being made of such lands and of the several interests in such lands due regard being had to the nature and then condition of the property and the probable duration of the buildings in their existing state and to the state of repair thereof without any additional allowance in respect of the compulsory purchase of any lands which in the opinion of the arbiter or jury are in an insanitary condition ; A.D. 1897.

(B) In such estimate any addition to or improvement of the property made after the notice to treat shall not (unless such addition or improvement was necessary for the maintenance of the property in a proper state of repair) be included nor in the case of any interest acquired after the said dates shall any separate estimate of the value thereof be made so as to increase the amount of compensation to be paid for the lands :

(2) On the occasion of assessing any such compensation evidence shall be receivable by the arbiter or jury to prove—

(1st) that the rental of the house or premises was enhanced by reason of the same being used for illegal purposes or being so overcrowded as to be dangerous or injurious to the health of the inmates ; or

(2ndly) that the house or premises are in such a condition as to be a nuisance within the meaning of the Acts relating to nuisances or are in a state of defective sanitation or are not in reasonably good repair ; or

(3rdly) that the house or premises are unfit and not reasonably capable of being made fit for human habitation ;

and if the arbiter or jury is satisfied by such evidence then the compensation—

(A) shall in the first case so far as it is based on rental be based on the rental which would have been obtainable if the house or premises were occupied for legal purposes and only by the number of persons whom the house or premises were under all the circumstances of the case fitted to accommodate without such overcrowding as is dangerous or injurious to the health of the inmates ; and

(B) shall in the second case be the amount estimated as the value of the house or premises if the nuisance had been abated or if they had been put into a sanitary condition

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or into reasonably good repair after deducting the estimated expense of abating the nuisance or putting them into such condition or repair as the case may be; and
(c) shall in the third case be the value of the land and of the materials of the buildings thereon:

(3) The provisions of this section shall not apply to any lands taken for the widening of Nelson Street.

Extinction of rights of way and other servitudes.

10. Upon the purchase by the Corporation of any lands acquired for the purpose of carrying this Part of this Act into effect all rights of way rights of laying down or of continuing any pipes sewers or drains on through or under such lands or part thereof and all other rights and servitudes in or relating to such lands or any part thereof shall be extinguished and the solum of such ways and the property in the pipes sewers or drains shall vest in the Corporation Provided always that compensation shall be paid by the Corporation to any persons who may sustain loss or may be injuriously affected in consequence of the operation of this section and such compensation shall if not agreed be determined under the provisions of the Lands Clauses Acts.

Power to Corporation to enter on and value lands.

11. Any person authorised by the Corporation may at all reasonable times of the day on giving twenty-four hours notice in writing to the occupier of his intention to do so enter upon any lands which the Corporation are or may be authorised to purchase compulsorily under this Part of this Act for the purpose of surveying and valuing such lands.

Power to take lands by agreement.

12. The Corporation may from time to time purchase by agreement any lands not exceeding in the whole twenty-five acres either within the city or within a radius of half-a-mile from the boundary of the city and any interest right of user power or privilege in over or affecting such lands as they may think expedient for the purpose of erecting thereon dwellings for the poorest classes but nothing in this Act shall exempt the Corporation from any action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon any lands so taken Provided always that the Corporation shall not expend on the purchase of such lands and the erection of buildings thereon a greater amount than one hundred thousand pounds.

Power to take down buildings to sell the materials and sites and

13. The Corporation may take down the whole or any part of the buildings situated on any part of the lands acquired by them under the authority of the section of this Act of which the marginal note is "Power to execute works and acquire lands" and sell and dispose of the materials thereof they may lay out such lands of new

in such manner as they deem expedient and may sell or dispose of the same or any portion thereof either for a price absolutely or in consideration of a feu duty or ground annual they may lay out and maintain such portions of the lands as they think proper for the purpose of providing open spaces or places of recreation they may lease the lands on such terms and subject to such conditions as they may fix or they may themselves erect and maintain thereon buildings and specially such dwelling-houses (including model lodging-houses) for mechanics labourers and other persons of the working and poorer classes as they from time to time deem expedient and they may let the same when so erected at such weekly or other rents and upon such terms and conditions as they may from time to time think fit or they may sell and dispose of the same and subject to the provisions aforesaid they may deal with the lands acquired by them as aforesaid as absolute proprietors thereof Provided that the Corporation shall use any of the lands acquired by them under subsection (3) of the section of this Act herein-before referred to for the widening of Nelson Street so far as required for that purpose Provided also that the Corporation shall sell and dispose of all buildings erected on any lands acquired under this Part of this Act except buildings for workmen's dwellings with or without shops or other business premises in such buildings within ten years from the time of completion thereof unless the Secretary for Scotland shall otherwise order.

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otherwise
deal with
the lands.

14.—(1) The Corporation shall not under the powers by this Act granted purchase or acquire in any district within the meaning of the Public Health (Scotland) Act 1867 ten or more houses which on the fifteenth day of December last were or have been since that day or shall hereafter be 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
classes.

(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 circumstances of the case; and

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(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 in 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 scheme or of any modifications of any 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.

(5) If the Corporation 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 Corporation 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 90 of the Public Health (Scotland) Act 1867 shall be incorporated with this Act and shall apply to the purchase of lands by the Corporation for the purposes of any scheme under this section in the same manner in all respects as if the scheme were one of the purposes of that Act.

(7) The Corporation 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 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 purposes of the Corporation : A.D. 1897.

Provided that all lands on which any buildings have been erected or provided by the Corporation in pursuance of any scheme under this section shall for a period of twenty-five years from the date of the scheme be appropriated solely for the purpose of dwellings and every conveyance or lease of such lands and buildings by the Corporation shall contain proper covenants to secure during such period of twenty-five years the exclusive use of the buildings on such lands for the purposes of such dwellings and 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 for giving effect to any of the provisions of this section and he and any person appointed by him to hold an inquiry shall have and may exercise for any purpose in connexion with any scheme under this section all or any of the powers vested in them respectively under the Public Health (Scotland) Act 1867 in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of that Act.

(9) The Corporation 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 in pursuance of 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 person appointed to hold any such inquiry and a sum to be fixed by the Secretary for Scotland not exceeding three guineas a day for the services of the person so appointed.

(10) For the purposes of this section the expression "labouring class" means and includes mechanics artizans 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

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A.D. 1897. — domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

(B) FINANCIAL.

Power to borrow for certain purposes of Acts of 1866 and 1894.

15. The Corporation may for carrying into effect any of the purposes of the Act of 1866 with reference to the lands acquired under that Act and the lands acquired under section 45 of the Act of 1894 from time to time borrow such further moneys as they think proper not exceeding in the whole the sum of one hundred and three thousand two hundred and forty-five pounds eighteen shillings being the sum which has been paid by them to the Glasgow Police Commissioners in respect of the last-mentioned lands out of moneys already authorised to be borrowed under the Acts of 1866 and 1880 and they may from time to time re-borrow any part of the said sum of one hundred and three thousand two hundred and forty-five pounds eighteen shillings which may have been repaid by them otherwise than by means of the moneys received by them upon the sale of any of the lands referred to in this section.

Power to borrow for purposes of this Part of this Act.

16. The Corporation may for executing and carrying into effect the powers and purposes of this Part of this Act from time to time borrow such moneys as they think proper not exceeding in the whole the sum of five hundred and sixty thousand pounds and they may from time to time re-borrow any part of the said sum of five hundred and sixty thousand pounds which may have been repaid by them otherwise than by means of the sinking fund herein-after provided or out of the moneys received by them upon the sale of any lands acquired by them under the powers of this Part of this Act.

Sinking fund.

17. The Corporation shall from and after the first day of June one thousand eight hundred and ninety-eight annually set apart as a sinking fund such sum as will secure that the amount from time to time borrowed by them for the purposes of this Part of this Act and not paid off by other means than such sinking fund shall be repaid within a period not exceeding sixty years and they shall from time to time apply such sinking fund in paying off the principal sum so borrowed.

New assessment.

18. For defraying the expense attending the execution of this Part of this Act and the carrying the purposes thereof into effect the Corporation may assess and levy upon and from the owners and occupiers of all lands and heritages situate within the city (except as herein-after provided) and that in the proportion of one-half

thereof upon and from the owner and the remaining one-half upon and from the occupier of such lands and heritages an annual assessment not exceeding one penny per pound on the rental or annual value of such lands and heritages Provided always that such assessment shall not be assessed and levied upon and from the occupier of any lands or heritages of less rental or annual value than four pounds nor upon or in respect of any lands or heritages which are wholly exempted from payment of police assessments in the city and provided also that the owner and occupier of any land used as arable meadow or pasture ground only or as woodlands market gardens or nursery grounds and the owner and occupier of any land used only as a canal or towing-path for the same or as the line of any railway or tramway constructed under the powers of any Act of Parliament for public conveyance or of the pipes or other underground works of any gas water or electric lighting company or corporation shall be assessed in respect of the same in the proportion of one-fourth part only of the annual value thereof as appearing in the valuation roll.

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19. The assessment authorised to be imposed and levied by the Corporation for the purposes of this Part of this Act shall be collected by the collectors of police assessments for the city or by any other person appointed by the Corporation and shall be recoverable by the like summary process and subject to the same mode of appeal as the police assessments of the city are for the time being by law recoverable or subject to and such collectors shall keep a separate and distinct account of such assessments and shall pay the amount of the same when collected to the Corporation.

Collection of assessment.

20. The Corporation shall from time to time apply all moneys received by them for or in respect of the sale of any lands acquired by them under the powers of this Part of this Act in paying off a proportionate part of the principal moneys borrowed under the authority of the section of this Act the marginal note of which is "Power to borrow for purposes of this Part of this Act" and thereupon the borrowing powers of the Corporation shall to the extent of the sums so paid off be extinguished.

Power to apply moneys.

21.—(1) The Corporation shall cause books to be kept in which shall be entered true and regular accounts of all moneys received and expended by them for the purposes of the improvements authorised by this Act The books and accounts so to be kept shall be balanced as at the thirty-first day of May in each year.

Books and accounts.

A.D. 1897. (2) The said books and accounts shall be audited annually by an auditor to be appointed by the Corporation in terms of section 5 sub-section (2) of the Act of 1895. The auditor shall either make a special report on the said accounts or simply confirm the same and such report or confirmation shall be read at the meeting of the Corporation to which the accounts are submitted for approval.

PART III.—TRAMWAYS.

Power to Corporation to lease Vale of Clyde or Govan tramways and Glasgow and Ibrox tramway.

22. The Corporation may accept a lease from the commissioners of the burgh of Govan (herein-after referred to as "the Govan Commissioners") and the Govan Commissioners may grant a lease to the Corporation of (first) the Vale of Clyde or Govan tramways and the Glasgow and Ibrox tramway which belong to the Govan Commissioners and were formerly held on lease by the Glasgow Tramway and Omnibus Company. Limited and (second) the extension of the Glasgow and Ibrox tramway by this Act authorised to be constructed by the Govan Commissioners and that on such terms and subject to such conditions as may be agreed between the Corporation and the Govan Commissioners and the Corporation may during the currency of any such lease work use and maintain the tramways so to be leased to them (including the levying of tolls thereon) in the same way as in the case of the other tramways belonging to them subject nevertheless to the special provisions so far as applicable of the Vale of Clyde Tramways Acts 1871 1876 and 1888 the Glasgow and Ibrox Tramway Act 1877 and the Govan Burgh (Tramways) Act 1893.

Power to Corporation to make new tramway.

23. Subject to the provisions of this Part of this Act and of Parts II. and III. of the Tramways Act 1870 so far as extended and applied to and as varied by this Part of this Act the Corporation may make form lay down use and maintain the tramway herein-after described in the lines and according to the levels shown on the deposited plans and sections with all proper rails chairs plates wires poles conduits tubes ropes engines engine-houses subways manholes shafts sleepers junctions points turntables works and conveniences connected therewith. The tramway herein-before referred to and authorised by this Part of this Act is—

A tramway No. 1 7 furlongs and 6.15 chains in length wholly double line situate in the parish of Govan in the city of Glasgow commencing by a junction with Tramway No. 3 herein-after described at its point of termination opposite the centre line of Dumbreck Road at the junction of that road

with Paisley Road and thence proceeding in a westerly direction across the bridge which carries Paisley Road over the Glasgow and Paisley Joint Railway and along Paisley Road and terminating in Paisley Road at a point 16 yards or thereabouts measured in a north-westerly direction from the north-western corner of Maryland Buildings at Half-Way House Paisley Road. A.D. 1897.

24. Whereas Tramway No. 1 will be laid along Paisley Road over the bridge by which a railway belonging jointly to the Caledonian Railway Company and the Glasgow and South Western Railway Company (herein-after called "the two companies") and known as the Glasgow and Paisley Joint Line (herein-after called "the joint line") is carried under that road Therefore the following provisions shall apply for the protection of the two companies—

For protection of Glasgow and Paisley Joint Railway.

(1) The Corporation shall not in the construction maintenance or use of the said tramway injure alter or interfere with the structure or masonry or brickwork of the said bridge or any of the works thereof or cause any interruption to the traffic on the joint line and before commencing any works or operations over such bridge the Corporation shall submit plans and sections of their intended works to the engineer for the time being of the joint line and shall obtain his approval thereof and the said works and operations shall be constructed and carried out in conformity with the plans and sections so approved at the sight and to the reasonable satisfaction of such engineer and shall thereafter be maintained and repaired under his superintendence :

(2) If any injury to or interference with the said bridge or works thereof or interruption to the traffic on the joint line shall arise or be occasioned at any time by the works or operations of the Corporation in connexion with such tramway and not by reason of any fault or neglect of the two companies or their servants or any person using the joint line the Corporation shall forthwith make good or remove such injury interference or interruption at their own expense or in default of their doing so the two companies may execute the necessary works for that purpose at the expense of the Corporation and the Corporation shall repay to the two companies all costs and expenses incurred by them in so doing and all loss or damage sustained by the two companies in consequence of such injury interference or interruption :

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(3) Nothing contained in this Act or which may be done in pursuance thereof shall prevent the two companies so far as they have power to do so from maintaining and repairing and when necessary altering or reconstructing the said bridge or any of the works thereof or widening the lines of railway under the said bridge without interference on the part of the Corporation in respect of the said tramway and without incurring any liability to the Corporation or any lessees of the tramway or other parties working or using the same for any loss injury damage expense or interruption of traffic on the said tramway which may arise from such maintenance repair alteration widening or reconstruction and any extra expense which the two companies may incur in such maintenance repair alteration widening or reconstruction by reason of the formation maintenance working or user of the tramway shall be paid by the Corporation. Provided that all such operations shall be executed by the two companies in such manner as to cause as little interruption or inconvenience as practicable to the traffic on the said tramway and that the two companies shall if necessary lay temporary tramways to maintain the continuity of the tramway traffic and that the two companies shall give fourteen days notice in writing to the Corporation before commencing any of such operations and that the same so far as interfering with the said tramway shall be conducted at the sight and to the reasonable satisfaction of the engineer of the Corporation :

(4) If any difference shall at any time arise between the Corporation and the two companies or their engineers with respect to any of the matters referred to in this section such difference shall be referred to and determined by an arbiter to be agreed on or failing agreement to be appointed by the Board of Trade on the application of either the Corporation or the two companies and such arbiter shall have power to determine the matter in difference and the costs of the reference shall be borne and paid as such arbiter shall direct.

Power to
Govan Com-
missioners
to make new
tramways.

25. Subject to the provisions of this Part of this Act and of Parts II. and III. of the Tramways Act 1870 so far as extended and applied to and as varied by this Part of this Act the Govan Commissioners may make form lay down use maintain and lease 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 wires poles conduits tubes ropes engines engine-

houses subways manholes shafts sleepers junctions points turntables works and conveniences connected therewith The tramways last herein-before referred to and authorised by this Part of this Act are—

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A Tramway No. 2 1 furlong and 0·35 chains in length wholly double line situate in the burgh of Govan and parish of Govan in the county of Lanark commencing by a junction with the existing Glasgow and Ibrox tramway in Paisley Road at a point 8 yards or thereabouts measured in an eastwardly direction along the centre line of Paisley Road from a point in line with the eastern building line of Lorne Street and thence passing into and proceeding in a northerly direction along Lorne Street to Brand Street and thence passing westwardly and crossing Brand Street into and proceeding westwardly along the carriageway which passes through Lorne Square and thence into Govan Road and terminating in Govan Road by a junction with the existing Vale of Clyde or Govan tramways at a point 19 yards or thereabouts measured in a westwardly direction along the centre line of Govan Road from a point in line with the western building line of Harvie Street:

A Tramway No. 3 2 furlongs and 1·9 chains in length wholly double line situate in the burgh of Govan and parish of Govan in the county of Lanark commencing by a junction with the existing Glasgow and Ibrox tramway at its western termination in Paisley Road at a point 17 yards or thereabouts south-eastward from the south-eastern corner of Bellahouston Terrace and thence proceeding in a westerly direction along Paisley Road and terminating in that road at a point opposite the centre line of Dumbreck Road at the junction of that road with Paisley Road.

26. The tramways authorised by this Part of this Act shall be completed within five years from the passing of this Act and on the expiration of that period the powers by this Part of this Act granted to the Corporation and the Govan Commissioners respectively for executing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Period for completion of tramways.

27. The provisions of sections 2 4 8 to 13 15 to 18 22 to 28 30 to 35 and 48 of the Glasgow Corporation Act 1893 shall extend and apply to the Tramway No. 1 by this Part of this Act authorised to be constructed by the Corporation.

Application of certain Act to extension of Glasgow tramways.

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Application
of certain
Acts to Glas-
gow and
Ibrox tram-
way.

Power to
Govan Com-
missioners to
borrow for
tramways.

Prohibiting
the raising
of fares on
Sundays and
holidays.

For the pro-
tection of the
Postmaster-
General.

Correction
of errors &c.
in deposited
plans and
books of
reference.

28.—(1) The provisions of the Govan Burgh (Tramways) Act 1893 and of sections 2 4 7 to 14 and 16 to 25 of the Glasgow and Ibrox Tramway Act 1877 shall extend and apply to the Tramways Nos. 2 and 3 by this Part of this Act authorised to be constructed by the Govan Commissioners.

(2) The Govan Commissioners may from time to time borrow such sums of money as may be necessary to defray the cost of constructing Tramways Nos. 2 and 3 by this Act authorised and all expenses (including their proportion of the costs of this Act) which may be incurred by them in relation thereto in the same manner and subject to the same conditions as if those tramways had formed part of the tramways acquired by them under the Govan Burgh (Tramways) Act 1893.

29. It shall not be lawful for the Corporation or their lessees or any company or person working or using the tramways of the Corporation to take or demand on Sunday or on any public holiday any higher tolls or charges than those levied by them on ordinary week days.

30. The provisions of section 7 of the Glasgow Corporation Act 1891 and of section 21 of the Govan Burgh (Tramways) Act 1893 for the protection of the Postmaster-General shall extend and apply to the respective tramways by this Act authorised to be constructed by the Corporation and by the Govan Commissioners as the case may be to the same extent and effect as if those sections were re-enacted by this Act.

PART IV.—GENERAL.

31. If there be any omission mis-statement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or described in the deposited books of reference the Corporation after giving ten days notice to the owners affected by such proposed correction may apply to the sheriff for the correction thereof and if it appear to the sheriff that such omission mis-statement or wrong description arose from accident or mistake he shall certify the same accordingly and shall in such certificate state the particulars of the omission and in what respect any such matter is mis-stated or wrongly described The certificate of the sheriff shall be deposited with the sheriff clerk of the county of Lanark and a duplicate thereof with the clerk to the parish council of the parish in which the lands in question lie and such certificate and duplicate respectively shall be kept by the said sheriff clerk

and parish council clerk respectively with the other documents to which it relates and thereupon the deposited plans and books of reference shall be deemed to be corrected in accordance with such certificate and the Corporation may purchase take and use for the purposes of this Act any lands in accordance with such certificate as if such omission mis-statement or wrong description had not been made.

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32. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Corporation any servitude right or privilege (not being a servitude right or privilege of water in which others than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges or feu duties so far as the same are applicable in this behalf shall extend and apply to such grants and to such servitudes rights and privileges as aforesaid respectively.

Power to take servitudes &c. by agreement.

33. In every case where after the passing of this Act any application is made to the dean of guild of the city for power to lay out and form any street within the city the dean of guild shall have power if in the circumstances of the case he thinks it proper and expedient so to do to make it a condition of granting such application that such street shall be so laid out and formed that the same shall not terminate in a cul de sac and such condition shall be enforceable and carried into effect by the master of works of the city.

Provisions for preventing culs de sacs in formation of streets.

34. The Corporation may from time to time and for such purposes as they deem expedient transfer to any department of the Corporation any lands or property for the time being held by some other department of the Corporation subject to payment by the department to which such lands or property may be transferred to the department making the transfer of the value thereof as such value may be determined by the city engineer or by a valuator to be appointed by the Corporation and the price so paid shall be applied by the department receiving the same towards the extinction pro tanto of the debt due by such department Any lands which the Corporation may resolve to transfer from one department to another department under the powers of this section shall as at the date when the resolution to make the transfer is passed ipso facto vest in the department of the Corporation to which the same are transferred.

Transfer of property from one department to another.

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Service of
notices &c.

35. Any notice order resolution declaration requisition demand or other proceeding made or given under this Act by the Corporation may be either in print or in writing or partly in print and partly in writing and it shall be sufficient in all cases where any such notice order resolution declaration requisition demand or other proceeding is required to be given to or served upon the owner or occupier of any property to address the same to such owner or occupier by his description as owner or occupier (as the case may be) of the premises (naming them) in respect whereof the same is given or served without further name or description and any such notice order resolution declaration requisition demand or other proceeding may be served upon any owner occupier or other person either personally or by sending the same prepaid by post addressed to him by name at his last known place of abode or business or by delivering the same to some inmate at his last known or usual place of abode or business or in case of an occupier to any inmate of the building in respect whereof the same is given or served or if the building is unoccupied and the place of abode of the occupier to be served is unknown after due inquiry it shall be sufficient to affix the same or a copy thereof upon some conspicuous part of such building.

Costs of Act.

36. The 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 Corporation and the Govan Commissioners respectively in such proportions as they may mutually agree and fix (or in the event of difference as may be fixed by an arbiter to be mutually appointed by them) out of the moneys rates revenues and assessments which they are respectively authorised to raise and impose.

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