

CHAP. clxxv.

An Act to authorise the construction of Street Tramways in certain parts of the city of Glasgow and its suburbs ; and for other purposes. A.D. 1870.  
[10th August 1870.]

**W**HEREAS the laying down in certain streets and roads in this Act mentioned in the city of Glasgow and its suburbs of tramways to be worked by animal power only, and constructed so as not to impede or injure the ordinary traffic of the streets and roads, would be of great local and public advantage :

And whereas it is expedient that the persons herein-after named, with others, should be incorporated into a company, and should be empowered to lay down, use, work, and maintain the several street tramways in this Act particularly described :

And whereas an agreement respecting the aforesaid tramways has been made with the Lord Provost, magistrates, and council of the city of Glasgow, which agreement is set forth in the schedule to this Act, and it is expedient that the same be carried into full effect, and that divers provisions be made in relation thereto :

And whereas the undertaking by this Act authorised is formed by the union of portions of the undertakings proposed to be authorised by two several Bills introduced into Parliament in the present session, the short titles of which Bills were the "Glasgow Street Tramways" Bill and the "Glasgow Tramways" Bill :

And whereas plans and sections showing the lines and levels of the tramways and works proposed to be authorised by the said Bills respectively, and the lands to be taken for the purposes thereof, and books of reference to those plans, containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of those lands, were deposited in the month of November one thousand eight hundred and sixty-nine with the principal sheriff clerks for the counties of Lanark and Renfrew, and amended plans of certain portions of some of the tramways proposed to be authorised by the Glasgow Tramways Bill were deposited in the month of June one thousand eight

[Ch. clxxv.] *The Glasgow Street Tramways* [33 & 34 VICT.]  
Act, 1870.

A.D. 1870.

hundred and seventy in the Private Bill Office of the House of Commons, and in the month of August one thousand eight hundred and seventy in the office of the Clerk of the Parliaments :

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

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

Short title.

1. This Act may be cited for all purposes as "The Glasgow Street Tramways Act, 1870."

Provisions of general Acts herein named incorporated.

2. "The Companies Clauses Consolidation (Scotland) Act, 1845," Part I. (relating to cancellation and surrender of shares) and Part III. (relating to debenture stock) of "The Companies Clauses Act, 1863," "The Companies Clauses Act, 1869," "The Lands Clauses Consolidation (Scotland) Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," (except the provisions thereof with respect to the purchase of lands otherwise than by agreement), and sections 56, 57, and 58 of "The Commissioners Clauses Act, 1847," are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation of terms.

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



of "The Commissioners Clauses Act, 1847," incorporated with this Act, the term "the commissioners" shall be taken to mean the corporation in this Act and in any Act wholly or in part incorporated herewith; and the word "contingencies" in "The Companies Clauses Consolidation (Scotland) Act, 1845," (section 125,) as incorporated with this Act, shall include the contingency of the undertaking being sold to the corporation at a sum less than the aggregate amount of the capital and debts of the Company.

A.D. 1870.

4. William Morris, William White, John Derrick Ayers, Joseph Colen Wakefield, William Beers Huggins, and James Reid Stewart, and all other persons and corporations who have already subscribed or shall hereafter subscribe to the undertaking, and their executors, administrators, successors, and assigns respectively, shall be united into a company for the purpose of making and maintaining the tramways and for other the purposes of this Act, and for those purposes shall be incorporated by the name of "The Glasgow Street Tramways Company," and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes of this Act.

Company in-  
corporated.

5. Subject to the provisions of this Act, the Company may make, form, lay down, work, use, and maintain the street tramways hereinafter described in the lines and according to the levels shown on the deposited plans and sections hereinafter mentioned in connexion with the respective tramways, and in all respects in accordance with the respective plans and sections, with all proper rails, plates, works, and conveniences connected therewith, and may enter upon, take, and use such of the lands delineated on the said plans, and described in the deposited books of reference to those plans respectively, as may be required for that purpose. The tramways herein-before referred to and authorised by this Act are:

Power to  
make tram-  
ways accord-  
ing to depo-  
sited plans.

(A.) The following tramways, in this section referred to as "Glasgow street tramways," shown on the plans and sections deposited as aforesaid with respect to the Glasgow Street Tramways Bill, and on those plans and sections distinguished by the numbers hereinafter mentioned in connexion with the respective tramways; (that is to say,)

A tramway (No. 1) commencing in Dumbarton Road in the barony parish of Glasgow in the county of Lanark, opposite or nearly opposite Corunna Street, passing thence in an easterly direction along Dumbarton Road into and along Main Street, Anderston, and Argyle Street, and terminating in the last-mentioned street, in the city parish of Glasgow in the same county, at a point

A.D. 1870.

thirty-two feet or thereabouts north of the west corner of Jamaica Street at its junction with Argyle Street ;

The tramway No. 1 shall from its commencement to a point thirty feet south-west of the south-east corner of Elderslie Street be laid in the centre of Dumbarton Road, and thence shall gradually diverge northward from, until in the length of three-quarters of a chain it reaches the distance of four feet six inches from and north of the imaginary centre line of Main Street, and shall thence continue at that distance from and on that side of the imaginary centre line of each of the streets through which it is intended to pass to a point three-quarters of a chain from the termination of the tramway, from which point its centre line shall again gradually approach until at its termination it reaches the centre of Argyle Street :

A tramway or passing place (No. 1A) wholly in Dumbarton Road in the barony parish of Glasgow aforesaid, commencing and terminating by junctions with the Glasgow street tramway No. 1, the point of commencement being opposite the west corner of Minerva Street at its junction with Dumbarton Road, and the point of termination being opposite the east corner of Finnieston Street at its junction with Dumbarton Road ;

The tramway or passing place No. 1A shall be throughout at the distance of nine feet from and on the south side of the imaginary centre line of Dumbarton Road, except that for a length of three-quarters of a chain at the commencement, and for a like length at the termination, of the tramway or passing place its centre line shall gradually approach until at the commencement and termination respectively of the tramway or passing place it reaches the centre of the street :

A tramway (No. 1B) commencing in the barony parish of Glasgow aforesaid by a junction with the Glasgow street tramway No. 1 at a point about thirty feet south-west of the eastern corner of Elderslie Street at its junction with Main Street, Anderston, passing thence in an easterly direction along Main Street, Anderston, and Argyle Street, and terminating in the last-mentioned street at the point of termination of the Glasgow street tramway No. 1 ;

The tramway No. 1B shall be throughout at the distance of four feet six inches from and on the south side of the imaginary centre line of each of the streets through which it is intended to pass, except that for a length of three-quarters of a chain at the commencement, and for a like length at the termination, of the tramway its centre line shall gradually approach until at the



commencement and termination respectively of the tramway it reaches the centre of the street: A.D. 1870.

A. tramway (No. 2) commencing in Argyle Street at a point about twenty-eight feet south of the east corner of Union Street at its junction with Argyle Street, passing thence along Argyle Street in an easterly direction, and into and along Trongate, and proceeding thence in a south-easterly direction across the open space known as "the Cross," at the junction of Salt Market, London Street, and Gallowgate, and thence into and along London Street, and in a northerly direction along Greendyke Street, and thence into and along Great Hamilton Street and Canning Street, and terminating in the last-mentioned street at a point thirty feet or thereabouts north-west from the north corner of Dalmarnock Road at its junction with Canning Street;

The tramway No. 2 shall at its commencement be laid in the centre of Argyle Street, and thence its centre line shall gradually diverge northward until in the length of three-quarters of a chain it reaches the distance of four feet six inches from and on the left-hand side (proceeding from the commencement to the termination of the tramway) of the imaginary centre line of that street, and shall thence continue at that distance from and on that side of the imaginary centre line of each of the streets through which it is intended to pass until it reaches a point fifty feet south-west of the west corner of Tobago Street at its junction with Canning Street, from which point the centre line of the tramway shall gradually approach until in the length of three-quarters of a chain it reaches the imaginary centre line of Canning Street, and thence the tramway shall be laid in the centre of that street until it reaches a point one and a half chains south-east of the south-east corner of Cumberland Street, Calton, at its junction with Canning Street, and thence the centre line of the tramway shall gradually diverge northward until in the distance of three-quarters of a chain it reaches the distance of four feet six inches from and north of the imaginary centre line of Canning Street, and shall continue at that distance from and on that side of the said imaginary centre line until it reaches a point twenty-five feet south-east of the east corner of Clyde Street, Calton, at its junction with Canning Street, and shall then again gradually approach until in the distance of three-quarters of a chain it reaches the imaginary centre line of that street, and thence to its termination the tramway shall be laid along the centre of the street:

A.D. 1870.

A tramway (No. 2A) commencing in Argyle Street at the point of commencement of the Glasgow street tramway No. 2, and passing thence along Argyle Street in an easterly direction and into and along Trongate, and proceeding thence in a south-easterly direction across the open space above mentioned known as "the Cross," and thence into and along London Street, and in a northerly direction along Greendyke Street, and thence into and along Great Hamilton Street and Canning Street, and terminating in Canning Street by a junction with the Glasgow street tramway No. 2 opposite the south-west corner of Tobago Street at its junction with Canning Street ;

The tramway No. 2A shall be throughout at the distance of four feet six inches from and on the south side of the imaginary centre line of each of the streets through which it is intended to pass, except that for a length of three-quarters of a chain at the commencement, and for a like length at the termination, of the tramway its centre line shall gradually approach until at the commencement and termination respectively of the tramway it reaches the centre of the street :

A tramway or passing place (No. 2B) wholly in Canning Street in the parish of Calton, commencing and terminating by junctions with the Glasgow street tramway No. 2, the point of commencement being one and a half chains south-east of the south-eastern corner of North Cumberland Street, Calton, at its junction with Canning Street, and the point of termination being about seventy-five feet south-east of the east corner of Clyde Street, Calton, at its junction with Canning Street ;

The tramway or passing place No. 2B shall be throughout at the distance of four feet six inches from and on the south side of the imaginary centre line of Canning Street, except that for a length of three-quarters of a chain at the commencement, and for a like length at the termination, of the tramway or passing place its centre line shall gradually approach until at the commencement and termination respectively of the tramway or passing place it reaches the centre of the street :

A tramway or passing place (No. 2c) wholly in Canning Street in the parish of Calton, commencing and terminating by junctions with the Glasgow street tramway No. 2, the point of commencement being opposite or nearly opposite the east corner of Landressy Street at its junction with Canning Street, and the point of termination being one chain north of the termination of the Glasgow street tramway No. 2 ;



The tramway or passing place No. 2c shall be throughout at a distance of nine feet from and on the west side of the imaginary centre line of Canning Street, except that for a length of three-quarters of a chain at the commencement, and for a like length at the termination, of the tramway or passing place its centre line shall gradually approach until at the commencement and termination respectively of the tramway or passing place it reaches the centre of the street : A.D. 1870.

A portion of tramway (No. 3), and a portion of tramway (No. 3A), commencing respectively in the parish of Govan in the county of Lanark at a point in Morrison Street eighty feet or thereabouts east of the junction of that street with Paisley Road, and passing thence respectively in an easterly direction along Morrison Street and Nelson Street into and in a northerly direction along Bridge Street and over Glasgow Bridge, and thence into and along Jamaica Street, and terminating respectively in the last-mentioned street in the city parish of Glasgow at a point about thirty-eight feet south-east of the west corner of that street at its junction with Argyle Street ;

The centre line of each of the tramways No. 3 and No. 3A shall be throughout at the distance of four feet six inches from the imaginary centre line of each of the streets through which the respective tramway is intended to pass, the tramway No. 3 being on the left-hand side, and the tramway No. 3A being on the right-hand side, (proceeding from the commencement to the termination of the respective tramway,) of the said imaginary centre line, except that for a length of three-quarters of a chain at the termination of the respective tramway its centre line shall approach until at the termination of the tramway it reaches the centre of Jamaica Street :

A tramway (No. 4), and a tramway (No. 4A), wholly situate respectively in the parish of Govan in the county of Lanark, and commencing respectively in Eglinton Street at a point about fifty-five feet south-east of the south corner of Lillybank Street at its junction with Eglinton Street, and thence passing respectively along Eglinton Street and into and along Bridge Street, and terminating respectively in the last-mentioned street at a point (in the case of tramway No. 4 about thirty-eight feet, and in the case of tramway No. 4A about forty-seven feet) east of the north corner of Nelson Street at its junction with Bridge Street ; tramway No. 4 there forming a junction with the Glasgow street tramway No. 3, and tramway No. 4A there forming a junction with the Glasgow street tramway No. 3A ;



A.D. 1870.

Each of the tramways No. 4 and No. 4A shall for a length of one chain from the commencement of the respective tramway be laid along the centre of Eglinton Street, and thence for a further length of three-quarters of a chain the centre line of the respective tramway shall gradually diverge, tramway No. 4 to the west, and tramway No. 4A to the east, from the imaginary centre line of that street until the centre of the respective tramway reaches the distance of four feet six inches from the said imaginary centre line, and thence to the termination of the respective tramway its centre line shall continue at that distance from, and as to tramway No. 4 on the west side, and as to tramway No. 4A on the east side, of the imaginary centre line of the street :

A tramway (No. 5), and a tramway (No. 5A), commencing respectively in the Great Western Road in the parish of Maryhill and the barony parish of Glasgow, or one of them, all in the county of Lanark; at a point about twenty-six feet south-east of the east end of the north-eastern wing of the bridge which carries the said road over the river Kelvin, thence passing respectively in an easterly direction along the Great Western Road, New City Road, and Cowcaddens Street, and into and along Renfield Street and Union Street, and terminating respectively in the last-mentioned street at a point about forty feet north-west of the east corner of Union Street at its junction with Argyle Street ;

The centre line of each of the tramways No. 5 and No. 5A shall be throughout at the distance of four feet six inches from the imaginary centre line of each of the streets through which the respective tramway is intended to pass, the tramway No. 5 being on the left-hand side, and the tramway No. 5A being on the right-hand side, (proceeding from the commencement to the termination of the respective tramway,) of the said imaginary centre line, except that (A) for the length of one chain at the commencement of the respective tramway it shall be laid along the centre of the Great Western Road, and thence the centre line of the respective tramway shall gradually diverge, tramway No. 5 northward, and tramway No. 5A southward, from, until in the length of three-quarters of a chain it reaches the distance of four feet six inches from the said imaginary centre line, and (B) for a length of three-quarters of a chain at the termination of the respective tramway its centre line shall approach until at the termination of the tramway it reaches the centre of Union Street :

A tramway (No. 6), and a tramway (No. 6A), situated wholly in the barony parish of Glasgow, commencing respectively in



Sauchiehall Street at the junction of that street with the east side of Elderslie Street, and passing thence respectively in an easterly direction along Sauchiehall Street, and thence in a south-easterly direction into Renfield Street, and terminating respectively in that street about twenty feet south of the junction of Renfield Street with the south side of Sauchiehall Street; tramway No. 6 there forming a junction with the Glasgow street tramway No. 5, and tramway No. 6A there forming a junction with the Glasgow street tramway No. 5A ;

A.D. 1870.

Each of the tramways No. 6 and No. 6A shall for a length of one chain from the commencement of the respective tramway be laid along the centre of Sauchiehall Street, and thence for a further length of three-quarters of a chain the centre line of the respective tramway shall gradually diverge (tramway No. 6 to the north, and tramway No. 6A to the south) from the imaginary centre line of that street until the centre line of the respective tramway reaches the distance of four feet six inches from the said imaginary centre line, and thence to the termination of the respective tramway its centre line shall continue at that distance from the imaginary centre line of the street, tramway No. 6 being on the left-hand side, and tramway No. 6A on the right-hand side, (proceeding from the commencement to the termination of the respective tramway,) of the said imaginary centre line :

A short junction tramway (No. 7), wholly in Argyle Street in the city parish of Glasgow, commencing by a junction with the Glasgow street tramways No. 1 and No. 1B at their point of termination, and terminating by a junction with the Glasgow street tramways No. 2 and No. 2A at their point of commencement ;

Tramway No. 7 shall be laid along the centre of Argyle Street :

A short junction tramway (No. 8) commencing in Jamaica Street in the city parish of Glasgow by a junction with the Glasgow street tramways No. 3 and No. 3A at their point of termination, and thence passing into and along Union Street, and terminating in that street in the barony parish of Glasgow by a junction with the Glasgow street tramways No. 5 and No. 5A at their point of termination ;

Tramway No. 8 shall be laid along the centre of Jamaica Street and Union Street respectively :

A short junction tramway (No. 8A), wholly in the city parish of Glasgow, commencing in Jamaica Street by a junction with

A.D. 1870.

the Glasgow street tramways No. 3 and No. 3A at their point of termination, and terminating in Argyle Street by a junction with the Glasgow street tramways No. 2 and No. 2A at their point of commencement ;

Tramway No. 8A shall be at its commencement in the centre of Jamaica Street, and at its termination in the centre of Argyle Street, and shall pass from the one point to the other by a curved line :

A short junction tramway (No. 8B) commencing in Union Street in the barony parish of Glasgow by a junction with the Glasgow street tramways No. 5 and No. 5A at their point of termination, and terminating in Argyle Street in the city parish of Glasgow aforesaid by a junction with the Glasgow street tramways No. 2 and No. 2A at their point of commencement ;

Tramway No. 8B shall be at its commencement in the centre of Union Street, and at its termination in the centre of Argyle Street, and shall pass from the one point to the other by a curved line :

A tramway (No. 9) commencing in the Dumbarton Road in the parish of Govan and county of Lanark at a point about forty yards east of the west corner of Crow Road or Jordanhill Street at its junction with the said Dumbarton Road, and terminating in the said road in the barony parish of Glasgow and county of Lanark by a junction with the Glasgow street tramway No. 1 at its commencement ;

Tramway No. 9 shall for the length of one chain from its commencement be laid in the centre of the road, and thence the centre line of the tramway shall gradually diverge from, until in the length of three-quarters of a chain it reaches the distance of four feet six inches from and north of the imaginary centre line of the road, and shall then continue at that distance from and on that side of the said imaginary centre line to a point fifty feet north-west from the line of the face of the northern abutment of the bridge carrying the Dumbarton Road over the river Kelvin, and thence shall gradually approach until at the line of the face of the said abutment of the said bridge it reaches the centre of the road ; and the tramway shall then be laid along the centre of the roadway for a distance of sixty yards, from which point the centre line of the tramway shall gradually diverge from, until in the length of three-quarters of a chain it reaches the distance of four feet six inches from and north of the imaginary centre line of the road, and thence to a point opposite the centre of Kelvinhaugh



Street the centre line of the tramway shall continue at the last-mentioned distance from and on the north side of the said imaginary centre line, and thence shall gradually approach until in the length of three-quarters of a chain it reaches the centre of the road, and thence to its termination the tramway shall be laid in the centre of the road : A.D. 1870.

A tramway (No. 9A) wholly in the Dumbarton Road in the parish of Govan and county of Lanark, commencing by a junction with the Glasgow street tramway No. 9 at a point one chain east of its commencement, and terminating in the centre of the said road by a junction with the same tramway at the line of the face of the northern abutment of the said bridge carrying the said road over the river Kelvin ;

The centre line of tramway No. 9A shall be throughout at the distance of four feet six inches from and on the south side of the imaginary centre line of Dumbarton Road, except that for a length of three-quarters of a chain at the commencement, and for a like distance at the termination, of the tramway its centre line shall gradually approach until at the commencement and termination respectively it reaches the centre of the road :

A tramway (No. 9B), wholly in the Dumbarton Road, in the barony parish of Glasgow and county of Lanark aforesaid, commencing by a junction with the Glasgow street tramway No. 9 at a point about sixty yards or thereabouts from the line of the face of the northern abutment of the said bridge over the river Kelvin, and terminating by a junction with the same tramway opposite or nearly opposite the east corner of Derby Street at its junction with Dumbarton Road ;

The centre line of tramway No. 9B shall be throughout at the distance of four feet six inches from and on the south side of the imaginary centre line of Dumbarton Road, except that for a length of three-quarters of a chain at the commencement, and for a like distance at the termination, of the tramway its centre line shall gradually approach until at the commencement and termination respectively it reaches the centre of the road :

A tramway (No. 11) wholly situate in the Great Western Road, commencing in the parish of Govan and county of Lanark aforesaid at a point opposite or nearly opposite the centre of Byar's Road, and terminating in the parish of Maryhill and barony parish of Glasgow, or one of them, in the county of Lanark, by a junction with the Glasgow street tramways No. 5 and No. 5A at their commencement ;

A.D. 1870.

Tramway No. 11 shall for a length of one chain at its commencement be laid in the centre of the Great Western Road, and thence the centre line of the tramway shall gradually diverge from the imaginary centre line of that road until in the length of three-quarters of a chain it reaches the distance of four feet six inches from and on the north side of the said imaginary centre line, and thence to a point eighteen yards west of the west end of the northern wing walls at the west end of the bridge carrying the Great Western Road over the river Kelvin the centre line of the tramway shall continue at that distance from and on that side of the said imaginary centre line, and thence to its termination the tramway shall be laid in the centre of the road :

A tramway (No. 12) wholly situate in the Great Western Road in the parish of Govan and county of Lanark, commencing by a junction with the Glasgow street tramway No. 11 at a point one chain east of its commencement, and terminating by a junction with the same tramway about two chains east of the east corner of Otago Street at its junction with the Great Western Road ;

The centre line of tramway No. 12 shall be throughout at the distance of four feet six inches from and south of the imaginary centre line of the Great Western Road, except that for a length of three-quarters of a chain from the commencement of the tramway its centre line shall gradually approach until at the commencement of the tramway it reaches the centre of the road, and except also that at a point one chain from the termination of the tramway its centre line shall gradually approach until it intersects the imaginary centre line of the road, from which it shall again diverge to the northward, until at the termination of the tramway it attains the distance of four feet six inches from and north of the said imaginary centre line.

(B.) The following tramways (in this section referred to as "Glasgow tramways"), shown on the original plans and sections, and in part on the amended plans deposited as aforesaid with respect to the Glasgow Tramways Bill, and on those plans and sections respectively distinguished by the numbers herein-after mentioned in connexion with the respective tramways :

A portion of tramway (No. 2), and a portion of tramway (No. 2a), wholly situate respectively in the Dumbarton Road in the parish of Govan in the county of Lanark, commencing respectively at a point at or near the intersection of the said road by the Whiteinch Burn, and terminating at a point about one



hundred and twenty feet east of the junction of Rosevale Street with Dumbarton Road aforesaid; the Glasgow tramway No. 2 there forming a junction with the Glasgow street tramway No. 9, and the Glasgow tramway No. 2a there forming a junction with the Glasgow street tramway No. 9a;

The centre line of tramway No. 2 shall be throughout its entire length on the north-eastern side of and at a distance of five feet from the imaginary centre line of the street along which it is to be made;

The centre line of tramway No. 2A shall be at its commencement on the north-eastern side of and at a distance of five feet from the imaginary centre line of Dumbarton Road, and shall thence gradually approach until it intersects the imaginary centre line at a point distant one chain from its commencement, and shall thence gradually diverge from the imaginary centre line to a point distant two chains from its commencement, where it shall be and whence it shall continue throughout its entire length to its termination to be five feet from and on the south-west side of the imaginary centre line of the street along which it is to be made:

Another portion of tramway No. 2, and another portion of tramway No. 2a, wholly situate respectively in the barony parish of Glasgow, commencing respectively in Dumbarton Road at a point opposite the west side of Derby Street, and terminating respectively in Main Street, Anderston, at a point one hundred and twenty feet east of the junction of Elderslie Street with Main Street, the portion now describing of the Glasgow tramway No. 2 commencing by a junction with the Glasgow street tramway No. 9, and terminating by a junction with the Glasgow street tramway No. 1, and the portion now describing of the Glasgow tramway No. 2a commencing by a junction with the Glasgow street tramway No. 9b, and terminating by a junction with the Glasgow street tramway No. 1b;

The centre line of tramway No. 2 shall be throughout its entire length on the north-eastern side of and at a distance of five feet from the imaginary centre line of the streets and roads along which it is to be made;

The centre line of tramway No. 2a shall be throughout its entire length to its termination five feet from and on the south-west side of the imaginary centre line of each of the streets and roads along which it is to be made:

A portion of tramway No. 3, and a portion of tramway No. 3a, wholly situate respectively in the Great Western Road in the parish of Govan in the county of Lanark, commencing respec-

A.D. 1870.

tively at or near the west end of the range of houses called Windsor Terrace, and terminating respectively at a point about one hundred and twenty feet east of the main entrance gate of the Royal Botanic Gardens; the Glasgow tramway No. 3 there forming a junction with the Glasgow street tramway No. 11, and the Glasgow tramway No. 3a there forming a junction with the Glasgow street tramway No. 12;

The centre line of tramway No. 3 shall be throughout its entire length on the north-eastern side of and at a distance of five feet from the imaginary centre line of the Great Western Road;

The centre line of tramway No. 3A shall be at its commencement on the north-east side of and five feet from the imaginary centre line of the said Great Western Road, and shall thence gradually approach until it intersects the imaginary centre line at a point distant one chain from its commencement, and shall thence gradually diverge from the imaginary centre line to a point distant two chains from its commencement, where it shall be and whence it shall continue throughout its entire length to its termination to be five feet from and on the south-west side of the imaginary centre line of the Great Western Road:

A portion of tramway No. 4, and a portion of tramway No. 4a, commencing in Cowcaddens Street in the barony parish in the county of Lanark, at or near the junction of that street with Renfield Street (the Glasgow tramway No. 4 there forming a junction with the Glasgow street tramway No. 5, and the Glasgow tramway No. 4a there forming a junction with the Glasgow street tramway No. 5a), and thence passing respectively along Cowcaddens Street and Buchanan Street to and terminating respectively in the city parish of Glasgow and county of Lanark in Buchanan Street at the south end thereof, where that street joins Argyle Street;

The centre line of tramway No. 4 shall be in Cowcaddens Street on the north-eastern side of, and in Buchanan Street on the eastern side of, and at a distance of five feet from the imaginary centre line of each of those streets respectively, except that from a point distant four chains from its termination it shall gradually approach the imaginary centre line until at a point two chains from its termination it coincides with it, and thence to its termination the centre line of such tramway shall be coincident with the imaginary centre line;

The centre line of tramway No. 4a shall be in Cowcaddens Street on the south-western side of, and in Buchanan Street on the western side of, and at a distance of five feet from the imaginary centre line of each of those streets respectively, except



that from a point distant four chains from its termination it shall gradually approach the imaginary centre line until at a point two chains from its termination it coincides with it, and thence to its termination the centre line of such tramway shall be coincident with the imaginary centre line :

A tramway (No. 5) situate wholly in the city parish of Glasgow and county of Lanark, commencing at the south end of Buchanan Street by a junction with the Glasgow tramways No. 4 and No. 4a at the point herein-before described as the termination of those tramways, passing thence in a southerly direction across Argyle Street into and along the street or carriageway leading from Argyle Street into and called Saint Enoch's Square, and thence diverging in an easterly direction and passing along the carriageway on the east side of that square, thence in a westerly direction along the carriageway on the north side of Saint Enoch's Church, thence in a northerly direction along the carriageway on the west side of the said square to and terminating by a junction with itself at the point of divergence before specified at the south end of the said street or carriageway leading from Argyle Street into and called Saint Enoch's Square ;

The centre line of tramway No. 5 shall coincide throughout its entire length with the imaginary centre line of each of the streets and carriageways along which it is to be laid :

A tramway (No. 5a) situate wholly in the city parish of Glasgow and county of Lanark, commencing in Saint Enoch's Square by a junction with the Glasgow tramway No. 5 near the north-east corner of Saint Enoch's Church, thence passing into and along the carriageway on the east side of that church into and along Howard Street, Maxwell Street, and East Howard Street, and terminating in East Howard Street at or near the end of Rope Work Lane ;

The centre line of tramway No. 5a shall coincide throughout its entire length with the imaginary centre line of the respective streets and carriageways along which it is to be laid :

A short connecting tramway (No. 5b), three chains in length, situate wholly in the city parish of Glasgow and county of Lanark, commencing at the south end of Buchanan Street by a junction with the Glasgow tramways No. 4 and No. 4a at the point above described as the termination of those tramways, thence passing in an easterly direction into and terminating in Argyle Street by a junction with the Glasgow street tramway No. 2a at a point two chains or thereabouts eastward of the junction of Buchanan Street with Argyle Street ;

A.D. 1870.

The centre line of tramway No. 5b shall at its commencement in Buchanan Street be coincident with the imaginary centre line of that street, and at a point distant about three-quarters of a chain from its commencement it shall be five feet from and on the north side of the imaginary centre line of Argyle Street, and thence it shall gradually approach until it intersects the imaginary centre line of Argyle Street at a point distant two chains from its commencement, and it shall thence gradually diverge from the imaginary centre line to its termination, where it shall be five feet from and on the south side of the imaginary centre line of Argyle Street :

A portion of tramway No. 6, and a portion of tramway No. 6a, wholly situate respectively in the barony parish in the county of Lanark, commencing respectively in the Dumbarton Road at or near the south end of Derby Street, where that street joins the Dumbarton Road (the Glasgow tramway No. 6 there forming a junction with the Glasgow street tramway No. 9, and the Glasgow tramway No. 6a there forming a junction with the Glasgow street tramway No. 9b), thence passing respectively along Derby Street into and along Sandyford Street and Sauchiehall Street, and terminating respectively in Sauchiehall Street at a point about one hundred and twenty feet east of the junction of Elderslie Street with Sauchiehall Street; the Glasgow tramway No. 6 there forming a junction with the Glasgow street tramway No. 6, and the Glasgow tramway No. 6a there forming a junction with the Glasgow street tramway No. 6a;

The centre line of tramway No. 6 in Derby Street shall be on the west side of and at a distance of five feet from the imaginary centre line of that street, and throughout the remainder of its course it shall be on the north side of and at a distance of five feet from the imaginary centre line of each of the streets along which it is to be laid;

The centre line of tramway No. 6a in Derby Street shall be on the east side of and at a distance of five feet from the imaginary centre line of that street, and throughout the remainder of its course it shall be on the south side of and at a distance of five feet from the imaginary centre line of each of the streets along which it is to be laid :

A tramway (No. 7), and a tramway (No. 7a), commencing respectively in New City Road at or near the junction of Shamrock Street with that road in the city parish in the county of Lanark, thence passing respectively into and along Cambridge Street to the south end thereof, and terminating



respectively in Sauchiehall Street at the junction of Cambridge Street with that street in the barony parish in the county of Lanark; the Glasgow tramway (No. 7) commencing by a junction with the Glasgow street tramway No. 5, and terminating by a junction with the Glasgow street tramway No. 6, and the Glasgow tramway No. 7a commencing by a junction with the Glasgow street tramway No. 5a, and terminating by a junction with the Glasgow street tramway No. 6a;

The centre line of tramway No. 7 shall throughout its entire length be on the eastern side of and at a distance of five feet from the imaginary centre line of Cambridge Street, and the centre line of tramway No. 7A shall throughout its entire length be on the western side of and at a distance of five feet from the imaginary centre line of Cambridge Street:

A tramway (No. 8), and a tramway (No. 8a), commencing respectively in the barony parish and parish of Maryhill, or one of them, in the county of Lanark, in the Great Western Road, at or near the junction of Park Road with the Great Western Road, thence passing into and along Park Road, Eldon Street, Woodlands Road, and Saint George's Road into and terminating in Sauchiehall Street in the barony parish and county of Lanark at or near the point where Newton Street joins Sauchiehall Street; the Glasgow tramway No. 8 commencing by a junction with the Glasgow street tramway No. 5, and terminating by a junction with the Glasgow street tramway No. 6, and the Glasgow tramway No. 8a commencing by a junction with the Glasgow street tramway No. 5a and terminating by a junction with the Glasgow street tramway No. 6a;

The centre line of tramway No. 8 shall be on the east side of and at a distance of five feet from the imaginary centre line of each of the streets and roads along which it is to be laid;

The centre line of tramway No. 8a shall be throughout its entire length on the west side of and at a distance of five feet from the imaginary centre line of each of the streets and roads along which it is intended to be laid:

A tramway (No. 10), and a tramway (No. 10a), commencing respectively in the city parish in the county of Lanark in Buchanan Street, at or near the junction of Bath Street with Buchanan Street; tramway No. 10 there forming a junction with the Glasgow tramway No. 4a, and tramway No. 10a there



A.D. 1870.

forming a junction with Glasgow tramway No. 4, thence passing into and along Cathedral Street, Stirling Road, Castle Street, and Kennedy Street, and terminating in Kennedy Street in the barony parish and county of Lanark, at or near the point where the last-mentioned street is intersected by Hartfield Street ;

The centre line of tramway No. 10 shall, in passing along Cathedral Street, Stirling Road, and Castle Street, be on the north-west side of, and in passing along Kennedy Street on the south side of, and at a distance of five feet from the imaginary centre line of each of the streets and roads along which it is to be laid ;

The centre line of tramway No. 10A shall be, in passing along Cathedral Street, Stirling Road, and Castle Street, on the south-east side of, and in passing along Kennedy Street on the north side of, and at a distance of five feet from the imaginary centre line of each of the streets and roads along which it is to be laid :

A tramway (No. 11), and a tramway (No. 11a), commencing respectively in the barony parish in the county of Lanark in Renfield Street, at or near the junction of Renfield Street with Saint Vincent Street (the Glasgow tramway No. 11 there forming a junction with the Glasgow street tramway No. 5, and the Glasgow tramway No. 11a there forming a junction with the Glasgow street tramway No. 5a), thence passing respectively in an easterly direction into and along Saint Vincent Street, Saint Vincent Place, the carriageway on the west side of George Square, George Street, including the carriageway on the north side of George Square, Duke Street, and terminating respectively in Duke Street, at or near the junction of Duke Street with Sydney Street, in the city parish and parish of Springburn and the royal burgh of Glasgow, or one or more of them ;

The centre line of tramway No. 11 shall be throughout its entire length on the north side of and at a distance of five feet from the imaginary centre line of each of the streets and roads along which it is to be laid, except in passing along the carriage road on the west side of George Square, where it shall be on the west side of and at a distance of five feet from the imaginary centre line of the said carriage road, and except also that from a point distant two chains from its termination it shall gradually approach the imaginary centre line until it intersects it at a point distant about one chain from its termination, and shall thence gradually diverge from the imaginary centre line until it



attains at its termination a distance of five feet from and on the south side of the imaginary centre line ; A.D. 1870.

The centre line of tramway No. 11A shall be throughout its entire length on the south side of and at a distance of five feet from the imaginary centre line of each of the streets and roads along which it is to be laid, except along the carriage road on the west side of George Square, where it shall be on the east side of and five feet from the imaginary centre line :

Short connecting tramways (11b and 11c), each about one chain in length, wholly in the city parish in the royal burgh of Glasgow, in the county of Lanark, commencing in Buchanan Street at or near the west end of Saint Vincent Place, the tramway No. 11b there forming a junction with the Glasgow tramway No. 4a, and the tramway No. 11c there forming a junction with the Glasgow tramway No. 4, thence respectively passing eastward into and terminating in Saint Vincent Place at or near the west end thereof, the tramway No. 11b there forming a junction with the Glasgow tramway No. 11, and the tramway No. 11c there forming a junction with the Glasgow tramway No. 11a ;

The centre line of tramway No. 11b shall be at its commencement on the west side of and five feet from the centre of Buchanan Street, and at its termination shall be on the north side of and five feet from the imaginary centre line of Saint Vincent Place ;

The centre line of tramway No. 11c shall be at its commencement on the east side of and five feet from the imaginary centre line of Buchanan Street, and at its termination shall be on the south side of and at a distance of five feet from the imaginary centre line of Saint Vincent Place :

A tramway (No. 12), and a tramway (No. 12a), commencing respectively in the city parish and parish of Springburn and royal burgh of Glasgow, or one or more of them, in Duke Street, at or near the end of Barrack Street, where that street joins Duke Street, tramway No. 12 commencing there by a junction with the Glasgow tramway No. 11, and tramway No. 12a commencing in Duke Street, at or near the end of Sydney Street, by a junction with the Glasgow tramway No. 11a at the termination thereof, thence passing respectively along Duke Street, and terminating in that street in the barony parish, or parish of Springburn, or one of them, in the county of Lanark, at or near the end of Cumbernauld Road, where that road joins Duke Street ;

A.D. 1870.

The centre line of tramway No. 12 shall be throughout its entire length on the northern side of and at a distance of five feet from the imaginary centre line of Duke Street, except that from a point distant two chains from its termination it shall gradually approach the imaginary centre line until it intersects it at a point distant one chain from its termination, and shall there gradually diverge from the imaginary centre line until it attains at its termination a distance of five feet from and on the south side of the imaginary centre line ;

The centre line of tramway No. 12A shall be throughout its entire length on the southern side of and at a distance of five feet from the imaginary centre line of Duke Street :

A tramway (No. 15) commencing in the parish of Govan in the county of Lanark by a junction with the Glasgow street tramway No. 4A in Eglinton Street, at or near the junction of that street with Lilybank Road, and passing thence along Eglinton Street, Pollokshaws Road, and Maxwell Street to Pollokshaws village, and terminating in the Pollokshaws Road in the parish of Eastwood and county of Renfrew at or near the west end of Cross Street ;

The centre line of tramway No. 15 shall be throughout its entire length on the east side of and at a distance of five feet from the imaginary centre line of each of the streets and roads along which it is to be laid, except that from a point distant two chains from its termination it shall gradually approach the imaginary centre line until it intersects it at a point distant one chain from its termination, and shall thence gradually diverge from the imaginary centre line until it attains at its termination a distance of five feet from and on the west side of the imaginary centre line :

A tramway (No. 15A) commencing in the parish of Govan in the county of Lanark by a junction with the Glasgow street tramway No. 4 in Eglinton Street, at or near the junction of Lilybank Street with Eglinton Street, thence passing along Eglinton Street, Pollokshaws Road, and Maxwell Street to Pollokshaws village, and terminating in the Pollokshaws Road in the parish of Eastwood and county of Renfrew at the point above described as the termination of tramway No. 15 ;

The centre line of tramway No. 15A shall be throughout its entire length on the western side of and at a distance of five feet from the imaginary centre line of each of the streets and roads along which it is to be laid.



6. Where a junction is authorised by this Act between any one of the Glasgow street tramways and any one of the Glasgow tramways the Company may alter for a length of not more in any case than twenty feet the position of either tramway, so as to enable the junction to be effected.

A.D. 1870.  
Alterations  
at junctions.

7. Provided always, that, notwithstanding anything in this Act contained, the Company shall not lay down more than one tramway consisting of two rails along or across any road or part of a road where the trustees of such road shall require only one such tramway to be laid down, and in all such cases such tramway shall be laid down on such road or part of a road in such line or position as such trustees may direct, not being further from the centre of the road than the line or position of one of the tramways authorised to be laid thereon, as shown on the deposited plans: Provided also, that no siding, works, or other convenience in connexion with the said tramway which is not delineated on the deposited plans shall be made on any road or part of a road without the previous consent of the trustees of such road.

Only one  
tramway to  
be laid on  
roads in  
certain  
cases.

8. Every tramway to be made, formed, or laid down under this Act shall be constructed with two grooved rails, to be laid at a distance (reckoning from the inside edge of each rail) of four feet eight inches and half an inch from each other, and to be laid and maintained in such manner that the uppermost surface of the rail shall be on a level with the surface of the street, and shall not be opened for public traffic until the same has been inspected and certified to be fit for such traffic in the manner (if any) prescribed by the Board of Trade by any rules for the time being in force made by them under the powers of any Act of Parliament enabling them in that behalf.

Mode of for-  
mation of  
tramways.

9. If any road authority shall hereafter alter the level of any road along or across which any tramway of the Company is laid or authorised to be laid, the Company may and shall from time to time alter or (as the case may be) lay their rails so that the uppermost surface thereof shall be on a level with the surface of the road as altered.

Tramways to  
be kept on  
level with  
surface of  
roads.

10. The Company from time to time, for the purpose of making, forming, laying down, maintaining, and renewing the tramways by this Act authorised, or any part or parts thereof respectively, may open and break up any road, subject to the following regulations:

Power to  
break up  
streets, &c.

1. They shall give to the road authority notice of their intention, specifying the time at which they will begin to do so, and the portion of road proposed to be opened or broken up, such

Restrictions  
as to break-  
ing up of  
streets for

A.D. 1870.

laying down tramways.

notice to be given seven days at least before the commencement of the work :

2. They shall not open or break up or alter the level of any road except under the superintendence and to the reasonable satisfaction of the road authority, unless that authority refuses or neglects to give such superintendence at the time specified in the Company's notice, or discontinues the same during the work :
3. They shall pay all reasonable expenses to which the road authority is put on account of such superintendence :
4. The Company shall not, without the consent of the road authority, open or break up at any one time a greater length than one hundred yards of any road which does not exceed a quarter of a mile in length, and in the case of any road exceeding a quarter of a mile in length the Company shall leave an interval of at least a quarter of a mile between any two places at which they may open or break up the road, and they shall not open or break up at any such place a greater length than one hundred yards.

Works affecting bridges to be superintended by owners.

11. Where the carriageway over any bridge forms part of or is a road within the jurisdiction of a road authority, but such bridge is vested in some person or persons, corporation, or company distinct from such road authority, any work which the Company may be empowered to construct, and which affects or in anywise interferes with the structural works of such bridge, shall be constructed under the superintendence (at the cost of the Company) and to the reasonable satisfaction of such person, persons, corporation, or company, unless after notice to be given by the Company seven days at least before the commencement of such work such superintendence is refused or withheld.

Completion of works and reinstatement of streets.

12. When the Company have opened or broken up any portion of any road they shall be under the following further obligations ; namely,

1. They shall with all convenient speed, and in all cases within six weeks at the most (unless the road authority otherwise consents in writing), complete the work on account of which they opened or broke up the same, and (subject to the formation, maintenance, or renewal of the tramway) fill in the ground and make good the surface, and to the satisfaction of the road authority restore the portion of the road to as good condition as that in which it was before it was opened or broken up, and clear away all surplus paving, or metalling material, or rubbish occasioned thereby :



2. They shall in the meantime cause the place where the road is opened or broken up to be fenced and watched, and to be properly lighted at night: A.D. 1870.

3. They shall bear or pay all reasonable expenses of the repair of the road for six months after the same is restored, as far as those expenses are increased by the opening or breaking up.

If the Company fail to comply in any respect with the provisions of the present section they shall for every such offence (without prejudice to the enforcement of specific performance of the requirements of this Act or to any other remedy against them) be liable to a penalty not exceeding twenty pounds, and to a further penalty not exceeding five pounds for each day during which any such failure continues after the first day on which such penalty is incurred, and any such penalty shall belong and be paid over to the road authority.

**13.** The Company shall, at their own expense, at all times maintain and keep in good condition and repair, with such materials and in such manner as the road authority shall direct, and to their satisfaction, so much of any road whereon any tramway of the Company is laid as lies between the rails of the tramway and (where two tramways of the Company are laid in any road at a distance of not more than five feet from each other) the portion of the road between the tramways, and in every case so much of the road as extends eighteen inches beyond the rails of and on each side of any tramway of the Company. If the Company abandon their undertaking, or any part of the same, and take up any tramway or part of any tramway belonging to them, they shall with all convenient speed, and in all cases within six weeks at the most (unless the road authority otherwise consents in writing), fill in the ground and make good the surface, and to the satisfaction of the road authority restore the portion of road upon which such tramway was laid to as good a condition as that in which it was before such tramway was laid thereon, and clear away all surplus paving, or metalling material, or rubbish occasioned by such work, and they shall in the meantime cause the place where the road is opened or broken up to be fenced and watched, and to be properly lighted at night: Provided always, that if the Company fail to comply with the provisions of this section, the road authority, if they think fit, may themselves at any time, after seven days notice to the Company, open and break up the road and do the works necessary for the paving, repair, and maintenance of the road to the extent in this section above mentioned, instead of the Company, and the expense incurred

Repair of  
part of street  
where tram-  
way is laid.

[Ch. clxxv.] *The Glasgow Street Tramways* [33 & 34 VICT.]  
*Act, 1870.*

A.D. 1870. by the road authority in so doing shall be repaid to them by the Company.

Tolls or assessments payable in respect of traffic on roads to be payable in respect of similar traffic using tramways laid thereon.

14. Except as by this Act otherwise specially provided, any tramway laid along any turnpike or other road under the authority of this Act shall for all purposes be and remain a part of such road; and, notwithstanding anything in this Act contained, the trustees of any such road may levy and recover in respect of horses and other motive power drawing or propelling carriages of any description used in the conveyance of passenger or other traffic upon any tramway laid along such road, and in respect of such carriages themselves and their loading, the same tolls or assessments that such trustees are or may be entitled by law to levy and recover in respect of horses and other motive power drawing or propelling carriages used in the conveyance of traffic of a similar description upon such road, and in respect of such last-mentioned carriages themselves and their loading: Provided always, that the tolls or assessments to be so levied by such trustees in respect of the traffic upon any such tramway shall not at any time be higher than those which such trustees shall be actually levying at the time in respect of traffic of a similar description passing upon the road along which such tramways shall be laid: Provided also, that the Company and the trustees of any road along which any tramway may be laid under the authority of this Act may from time to time enter into agreements with each other for the payment of a composition to such trustees in respect of the user of such road for such tramway and the conveyance of traffic thereon.

Caledonian Railway Company's rights as respects West Street not to be affected.

15. Neither the passing of this Act nor the formation, maintenance, or use, under the powers of this Act, of any tramway or tramways across West Street shall prejudice or affect any right which the Caledonian Railway Company may have to relay and replace on that street the rails and other works of the Polloc and Govan Railway (which was by the Caledonian, Polloc, and Govan and Clydesdale Junction Railways Amalgamation Act, 1846, made part of the undertaking of that Company), or impede the exercise of that right.

Road authority and Company may contract for paving roads on which tramways are laid.

16. The road authority on the one hand, and the Company on the other hand, may from time to time enter into and carry into effect, and from time to time alter, renew, or vary, contracts, agreements, or arrangements with respect to the paving and keeping in repair of the whole or any portion of the roadway of any road on which the Company shall lay any tramway, and the proportion to be paid by either of them of the expense of such paving and keeping in repair, and other purposes relating to the undertaking.



17. Notwithstanding anything in this Act contained, the Company shall not acquire or be deemed to acquire any right other than that of user of any road along or across which they lay any tramway.

A.D. 1870.  
Right of  
user only.

18. Nothing in this Act shall take away or affect any power which any road authority now has by law to widen, alter, divert, or improve any street or road.

Reserving  
powers of  
street autho-  
rities to  
widen, &c.  
streets.

19. For the purpose of making, forming, laying down, maintaining, repairing, or renewing any of their tramways, the Company may from time to time, where and as far as it is necessary, alter the position of any mains or pipes for the supply of gas or water, or any tube, wires, or apparatus for telegraphic or other purposes, subject to the provisions of this Act, and also subject to the following restrictions; (that is to say,)

Provision as  
to gas and  
water com-  
panies.

1. Before laying down or altering a tramway in a road in which any mains or pipes, tubes, wires, or apparatus may be laid (other than private service pipes), the Company shall, whether they contemplate altering the position of any such mains or pipes, tubes, wires, or apparatus, or not, give seven days notice to the company, person, or persons to whom such mains or pipes, tubes, wires, or apparatus may belong, or by whom they are controlled, of their intention to lay down or alter the tramway, and shall at the same time deliver a plan and section of the proposed work. If it should appear to any such company or person that the construction of the tramway as proposed would endanger the same, or interfere with or impede the supply of water or gas, or the telegraphic or other communication, such company or person (as the case may be) may give notice to the company or person to lower or otherwise alter the position of the said mains or pipes, tubes, wires, or apparatus in such manner as may be considered necessary; and any difference as to the necessity of any such lowering or alteration shall be settled in manner provided by this Act for the settlement of differences between the Company and other companies or persons, and all alterations to be made under this section shall be made with as little detriment and inconvenience to the company or person to whom such mains or pipes, tubes, wires, or apparatus may belong, or by whom they are controlled, or to the inhabitants of the district, as the circumstances will admit, and under the superintendence of such company or person, or of their or his surveyor or engineer, if they or he think fit to attend, after receiving not less than

Company  
may alter  
position of  
gas and  
water pipes.

A.D. 1870.

Company not to disturb pipes until they have laid down others for continuing the supply of water or gas.

forty-eight hours notice for that purpose, which notice the Company are hereby required to give :

2. The Company shall not remove or displace any of the mains or pipes, valves, syphons, plugs, tubes, wires, or apparatus, or other works belonging to or controlled by any such company or person, or do anything to impede the passage of water or gas, or the telegraphic or other communication, into or through such mains or pipes without the consent of such company or person, or in any other manner than such company or person shall approve, until good and sufficient mains, pipes, valves, syphons, plugs, and other works necessary or proper for continuing the supply of water or gas, or telegraphic or other communication, as sufficiently as the same was supplied by the mains or pipes, tubes, wires, or apparatus proposed to be removed or displaced, shall, at the expense of the Company, have been first made and laid down in lieu thereof and ready for use, and to the satisfaction of the surveyor or engineer of such water or gas or other company, or of such person, or, in case of disagreement between such surveyor or engineer and the Company, as an engineer appointed by the Board of Trade shall direct :

Pipes not to be laid contrary to Acts.

Company to make good all damage done to property of water or gas company.

3. The Company shall not lay down any such pipes contrary to the regulations of any Act of Parliament relating to such water or gas or other company, or relating to telegraphs :
4. The Company shall make good all damage done by them to property belonging to or controlled by any such company or person, and shall make full compensation to all parties for any loss or damage which they may sustain by reason of any interference with such property or with the private service pipes of any person supplied by any such company or person with water or gas :
5. If by any such operations as aforesaid the Company interrupt the supply of water or gas in or through any main or main pipe, they shall be liable to a penalty not exceeding twenty pounds for every day during which such supply shall be so interrupted.

If Company obstruct supply of water or gas to forfeit 20% per day.

For protection of sewers.

**20.** Where any of the tramways or any work connected therewith interferes with any sewer, drain, watercourse, defence, or work under the jurisdiction or control of the corporation or the road authority, or with any sewers or works to be made or executed by the corporation or road authority, or in any way affects the sewerage or drainage of the districts under their or any of their control, the Company shall not commence any tramway or work until they shall



A.D. 1870.

have given to the road authority fourteen days previous notice in writing of their intention to commence the same by leaving such notice at the principal office of such road authority for the time being, with all necessary particulars, nor until such road authority shall have signified their approval of the same, unless they do not signify their approval, disapproval, or other directions within fourteen days after service of the said notice and particulars as aforesaid, and the Company shall comply with and conform to all reasonable directions and regulations of such authority in the execution of the said works, and shall provide by new, altered, or substituted works in such manner as the said road authority shall reasonably require for the proper protection of and for preventing injury or impediment to the sewers and works herein-before referred to, or by reason of the tramways, and shall save harmless the road authority against all and every the expense to be occasioned thereby, and all such works shall be done under the direction, superintendence, and control of the engineer or other officer or officers of the road authority, at the reasonable costs, charges, and expenses in all respects of the Company; and when any new, altered, or substituted work as aforesaid, or any work or defence connected therewith, shall be completed by or at the costs, charges, or expenses of the Company under the provisions of this Act, the same shall thereafter be as fully and completely under the direction, jurisdiction, and control of the road authority, and be maintained by them, as the case may be, as any sewers or works now or hereafter may be; and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the rights, powers, or authorities vested or to be vested in the corporation or road authority with respect to any such sewer, drain, watercourse, defence, or work as aforesaid; but all such rights, powers, and authorities shall be as valid and effectual as if this Act had not been passed.

**21.** Nothing in this Act shall take away or abridge any power to open or break up any road along or across which any tramway is laid, or any other power vested in the corporation or any road authority for any of the purposes for which the corporation or road authority is constituted, or in any company, body, or person for the purpose of laying down, repairing, altering, or removing any pipe for the supply of gas or water, or any tubes, wires, or apparatus for telegraphic or other purposes; but in the exercise of such power the corporation, road authority, company, body, or person shall be subject to the following restrictions; (that is to say,)

Saving rights of authorities to open streets for repair of sewers, &c.

1. They shall cause as little detriment or inconvenience to the Company and their lessees as circumstances will admit:

A.D. 1870.

2. Before they commence any work whereby the traffic on the tramway will be interrupted they shall (except in cases of urgency, in which cases no notice shall be necessary) give to the Company and their lessees notice of their intention to commence such work, specifying the time at which they will begin to do so, such notice to be given eighteen hours at least before the commencement of the work:
3. They shall not be liable to pay to the Company or their lessees any compensation for injury done to the tramway by the execution of such work, or for loss of traffic occasioned thereby, or for the reasonable exercise of the powers so vested in them as aforesaid :
4. Whenever for the purpose of enabling them to execute such work the corporation or the respective authority, company, body, or person shall so require, the Company or their lessees shall either stop traffic on the tramway to which the notice shall refer, where it would otherwise interfere with such work, or shore up and secure the same at their own risk and cost during the execution of the work there ; provided that such work shall always be completed by the authority, corporation, company, body, or person with all reasonable expedition :
5. Any company, body, or person shall not execute such work, so far as it immediately affects the tramway, except under the superintendence of the Company, unless they refuse or neglect to give such superintendence at the time specified in the notice for the commencement of the work, or discontinue the same during the progress of the work, and they shall execute such work at their own expense and to the reasonable satisfaction of the Company ; provided that any additional expense imposed upon them by reason of the existence of the tramway in any road or place where any such mains, pipes, tubes, wires, or apparatus shall have been laid before the construction of such tramway shall be borne by the Company.

Protecting  
bridges over  
railways.

**22.** Wheresoever the tramway shall be constructed upon a bridge carrying a road over a railway the following provisions shall apply :

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



(B.) If the engineer of the railway company shall be of opinion that the mode proposed of constructing the tramway will render the bridge insecure or injure it, and no method is agreed on of constructing the tramway to the satisfaction of the said engineer, the matter shall be referred to some engineer to be agreed upon between the parties, or if they cannot agree, to be appointed by the Board of Trade, and the award of such referee shall be binding on both companies : A.D. 1870.

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

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

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

1. Every notice shall be in writing or print, or partly in writing and partly in print, and if given by the corporation shall be sufficiently authenticated by being signed by their engineer or by the town clerk, and if given by any road authority by being signed by their clerk or secretary :

2. Any notice to be delivered by or to the Company, to or by any road authority or other body, or any company, may be delivered by being left at the principal office of that authority, body, or company, or of the Company, as the case may be, or by being sent by post in a registered letter addressed to their respective clerk or secretary at their principal office, and every such letter shall be deemed to be received by the authority, body, or company, or by the Company (as the case may be), on the day on which the same ought to be delivered at their principal office in the ordinary course of post.

**24.** If any difference arises between the Company on the one hand, and any road authority, or any gas or water company, or any company, body, or person to whom any sewer, drain, tube, wires, or apparatus for telegraphic or other purposes may belong, or any other company, on the other hand, with respect to any interference or control exercised or claimed to be exercised by them or him, or on their or his behalf, or by the Company, by virtue of this Act, in relation to any of the Company's tramways or works, or in relation to any Difference between Company and street authority, &c.



A.D. 1870. work or proceeding of the road authority, body, company, or person, or with respect to the necessity or propriety of or the mode of execution of any work relating to any tramway, or with respect to the amount of any compensation to be made by or to the Company, or on the question whether any work is such as ought reasonably to satisfy the road authority, body, company, or person concerned, or with respect to any other subject or thing regulated by or comprised in this Act, the matter in difference shall (unless otherwise specially provided by this Act) be settled by an engineer or other fit person nominated as referee by the sheriff of Lanarkshire on the application of either party, and the expenses of the reference shall be borne and paid as the referee directs.

Penalty for obstruction of Company in laying out tramway.

**25.** If any person wilfully obstructs any person acting under the authority of the Company in the lawful exercise of their powers in setting out or making, forming, laying down, repairing, or renewing a tramway, or defaces or destroys any mark made for the purpose of setting out the line of the tramway, or wilfully damages or destroys any property of the Company or of any lessees under this Act, he shall for every such offence be liable to a penalty not exceeding five pounds.

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

**26.** The Company may use on their tramways carriages with flange wheels, or wheels specially adapted to run on a grooved rail, and, subject to the provisions of this Act, the Company shall have the exclusive use of their tramways for carriages with flange wheels or other wheels specially adapted to run on a grooved rail. All carriages used on any tramway shall be moved by animal power only. No carriage used on any tramway of the Company shall extend beyond the outer edge of the wheels of such carriage more than eleven inches on each side.

Licenses to use the tramway may in certain events be granted to third parties by the Board of Trade.

**27.** If at any time after any tramway or part of any tramway by this Act authorised shall have been for three years opened for public traffic it shall be represented in writing to the Board of Trade by the corporation or the road authority of any road in which such tramway or part of a tramway is laid, or by twenty inhabitant rate-payers of any parish in which any tramway or part of any tramway of the Company is laid, that the public are deprived of the full benefit of the tramway, the Board of Trade may (if they consider that *primâ facie* the case is one for inquiry) direct an inquiry by a referee under this Act into the truth of the representation, and if the referee report that the truth of the representation has been proved to his satisfaction, the Board of Trade may from time to time grant licenses to any company or person, other than and in addition



to the Company, to use the tramways by this Act authorised for the conveyance only of passengers and their personal luggage, with carriages to be approved by the Board of Trade, subject to the following provisions, conditions, and restrictions; (that is to say,) A.D. 1870.

1. The license shall be for any period not less than one year nor more than three years from the date of the license, but shall be renewable by the Board of Trade if they upon inquiry think fit :
2. The license shall be to use the whole of the tramways by this Act authorised or for the time being opened for public traffic, or such part or parts of the tramways as the Board of Trade, having reference to the cause for granting the license, shall think right :
3. The license shall direct the number of carriages which the licensee or licensees shall run upon the tramways, and the mode in which and times at which such carriages shall be run :
4. The licenses shall specify the tolls to be paid to the Company by the licensee or licensees for the use of the tramways :
5. The licensee or licensees and their officers and servants shall permit one person duly authorised for that purpose by the Company to ride free of charge in or upon each carriage of the licensee or licensees run upon the tramways for the whole or any part of the journey :
6. The Board of Trade may at any time after the granting of any license revoke, alter, or modify the same for good cause shown to them.

**28.** If on demand any licensee fail to pay the tolls due in respect of any passengers carried in any carriage, it shall be lawful for the Company to detain and sell such carriage, or, if the same shall have been removed from the tramways or premises of the Company, to detain and sell any other carriages on such tramways or premises belonging to such licensee, and out of the moneys arising from such sale to retain the tolls payable as aforesaid, and all charges and expenses of such detention and sale, rendering the overplus (if any) of such moneys, and such of the carriages as shall remain unsold, to the person entitled thereto.

In default of payment of tolls Company may detain and sell licensee's carriages.

**29.** Every licensee shall on demand give to an officer or servant authorised in that behalf by the Company or their lessees an exact account in writing signed by such licensee of the number of passengers conveyed by any and every carriage used by him on the tramways.

Licenseses to give account of passengers carried by them.

A.D. 1870.

Licensees  
not giving  
account of  
passengers  
carried liable  
to penalty.

**30.** If any such licensee fail to give such account to such officer or servant demanding the same as aforesaid, or if any such licensee, with intent to avoid the payment of any tolls, give a false account, he shall for every such offence forfeit to the Company or their lessees a sum not exceeding five pounds, and such penalty shall be in addition to any tolls payable in respect of the passengers carried by any such carriage.

Disputes as  
to amount of  
tolls to be  
settled by  
justice.

**31.** If any dispute arise concerning the amount of the tolls due to the Company or their lessees from any licensee, or concerning the charges occasioned by any detention or sale of any carriage under the provisions herein contained, the same shall be settled by the sheriff or a justice, and it shall be lawful for the Company or their lessees in the meanwhile to detain the carriage or (if the case so require) the proceeds of the sale thereof.

Owners of  
carriages  
liable for  
damage  
done by their  
servants.

**32.** Every licensee shall be answerable for any trespass or damage done by his carriages or horses, or by any of the servants or persons employed by him, to or upon the tramway, or to or upon the property of any other person, and, without prejudice to the right of action against the licensee or any other person, every such servant or other person may lawfully be convicted of such trespass or damage before the sheriff or a justice, either by the confession of the party offending or by the oath of some credible witness, and upon such conviction every such licensee shall pay to the Company or persons injured, as the case may be, the damage to be ascertained by such sheriff or justice, so that the same do not exceed fifty pounds.

Persons  
using tram-  
ways with  
carriages  
with flange  
wheels, &c.  
to forfeit  
twenty  
pounds on  
each occa-  
sion to the  
Company.  
Authorising  
agreements  
for use of  
tramways.

**33.** If any person (except by agreement with the Company, or under license from the Board of Trade as by this Act provided) use the tramways or any of them, or any part thereof, with vehicles having flange wheels or other wheels specially or particularly adapted to run on the tramways, such person shall for every such offence be liable to a penalty not exceeding twenty pounds.

**34.** The Company on the one hand, and any other company, or any corporation or person, on the other hand, from time to time may enter into and carry into effect contracts, agreements, and arrangements for or with reference to the use by such other company, or by such corporation or person, of the tramways, or any of them, or any part or parts thereof respectively, and the tolls, rates, and charges to be paid for such use, and the terms and conditions of such user, and all incidental matters.

Penalties for  
wilful injury  
or obstruc-

**35.** If any person without lawful excuse (the proof whereof shall lie on him) wilfully does any of the following things; namely,



Interferes with, removes, or alters any part of a tramway of the Company or of the works connected therewith; A.D. 1870.

Places or throws any stones, dirt, wood, refuse, or other material on any part of the tramway; tion to tramways, &c.

Does or causes to be done anything in such manner as to obstruct any carriage using a tramway, or to endanger the lives of persons therein or thereon;

Or knowingly aids or assists in the doing of any such thing;

he shall for every such offence be liable (in addition to any proceedings by way of indictment or otherwise to which he may be liable) to a penalty not exceeding five pounds.

**36.** The Company or their lessees shall be answerable for all accidents, damages, and injuries happening through the act or default of the Company, or of any person in their employment, by reason or in consequence of the construction or use of any of the Company's works or carriages, and shall save harmless all road and other authorities, companies, or bodies, collectively and individually, and their officers and servants, from all damages and costs in respect of such accidents, damages, and injuries. Company to be responsible for all damages.

**37.** Nothing in this Act shall limit or affect the power of the corporation or road authority to regulate the passage of any traffic along or across any road along or across which any of the Company's tramways are laid down, and the corporation or road authority may exercise their authority as well on as off the tramway, and with respect as well to the traffic of the Company as to the traffic of other persons. Power for police authorities to regulate traffic in streets.

**38.** Nothing in this Act shall take away or abridge the right of the public to pass along or across every or any part of any road along or across which any tramway of the Company is laid, whether on or off the tramway, with carriages having ordinary wheels. Reservation of right of public to use streets.

**39.** If at any time after the opening of any tramway for traffic the Company shall discontinue the working of such tramway, or of any part thereof, for the space of three calendar months (such discontinuance not being occasioned by circumstances beyond the control of the Company, for which purpose the want of sufficient funds shall not be considered a circumstance beyond their control), it shall be lawful for the road authority, on proof of such discontinuance to the satisfaction of the Board of Trade, and under the authority of a certificate to that effect by the said Board, to remove the tramway or part of the tramway so discontinued, and the Company shall pay to the road authority the cost of such removal and of the making good of the road by the road authority, such cost Tramways if discontinued to be removed.

A.D. 1870. — to be certified by the clerk for the time being of the road authority, whose certificate shall be final and conclusive; and if the Company fail to pay the amount so certified within one calendar month after delivery to them of such certificate, or a copy thereof, the road authority may, without any previous notice to the Company (but without prejudice to any other remedy which they may have for the recovery of the amount), sell and dispose of the materials of the tramway or part of the tramway removed, either by public auction or private sale, and for such sum or sums, and to such person or persons, as the road authority may think fit, and may out of the proceeds of such sale pay and reimburse themselves the amount of the cost certified as aforesaid, and of the cost of sale, and the balance (if any) of the proceeds of the sale shall be paid over by the road authority to the Company.

Proceedings  
in case of  
insolvency  
of Company.

40. If at any time after the opening of any tramway for traffic it appears to any road authority that the Company are insolvent, so that they are unable to work such tramway with advantage to the public, and such road authority makes a representation to that effect to the Board of Trade, the Board of Trade may direct an inquiry by a referee into the truth of the representation, and if the referee shall find that the Company are so insolvent as aforesaid the Board of Trade may, by order, declare that the powers of the Company under this Act shall at the expiration of six calendar months from the making of the order be at an end; and the powers of the Company shall cease and determine at the expiration of the said period, and thereupon the road authority may remove the tramway, in like manner, and subject to the same provisions as to the payment of the costs of such removal, and to the same remedy for recovery of such costs in every respect as in cases of removal under the next preceding section.

Regulating  
inquiries  
before  
referee ap-  
pointed by  
the Board of  
Trade.

41. Every inquiry which by this Act the Board of Trade are empowered to make or direct shall be made in accordance with the following provisions:

1. The inquiry shall be held before an officer to be appointed in that behalf by the Board of Trade, herein-after called the referee, whose appointment shall be by writing, which shall specify all the matters referred to him:
2. Ten days notice at the least shall be given by the referee to the Company, and to the parties upon whose representation the Board of Trade shall have directed the inquiry, of the time and place at which the inquiry is to be commenced:



A.D. 1870.

3. The inquiry shall be commenced at the time and place so appointed, and the referee may adjourn the inquiry from time to time, as may be necessary, to such time and place as he may think fit:

4. The referee, by summons, shall, on the application of any party interested in the inquiry, require the attendance before himself, at a place and time to be mentioned in the summons, of any person to be examined as a witness before him, and every person summoned shall attend the referee and answer all questions touching the matter to be inquired into :

5. The referee may and shall administer an oath, or an affirmation, where an affirmation in lieu of an oath would be admitted in a court of justice, to any person tendered or summoned as a witness on the inquiry :

6. Any person who upon oath or affirmation wilfully gives false evidence before the referee shall be deemed guilty of perjury :

7. The referee shall make his report to the Board of Trade in writing, and shall deliver copies of the report, upon request, to all or any of the parties to the inquiry.

42. The capital of the Company shall be three hundred thousand pounds, in thirty thousand shares of ten pounds each. Capital.

43. The Company shall not issue any share created under the authority of this Act, nor shall any share vest in the person accepting the same, unless and until the amount of such share shall have been paid up in full. Shares not to be issued until fully paid up.

44. Subject to the provisions of this Act, the Company, with the authority of three fourths of the votes of the shareholders present in person or by proxy at a general meeting of the Company specially convened for the purpose, may from time to time divide any share fully paid up as aforesaid in their capital into half shares, of which one shall be called "preferred half share," and the other shall be called "deferred half share." Power to divide shares.

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

A.D. 1870.

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

**46.** Each preferred half share shall be entitled out of the profits of each year to the dividend which may have been attached to it by the Company as aforesaid in priority to the deferred half share bearing the same number; but if in any year ending the thirty-first day of December there shall not be profits available for the payment of the full amount of dividend on any preferred half share for that year, no part of the deficiency shall be made good out of the profits of any subsequent year, or out of any other funds of the Company.

Half shares to be registered and certificates issued.

**47.** Forthwith after the creation of any half shares the same shall be registered by the directors, and each half share shall bear the same number as the number of the entire share certificate in respect of which it was issued, and the directors shall issue certificates of the half shares accordingly, and shall cause an entry to be made in the register of the entire shares of the conversion thereof: Provided always, that the directors shall not be bound to issue a certificate of any half share until the certificate of the existing share be delivered to them to be cancelled, unless it be shown to their satisfaction that the certificate is destroyed or lost, and on any certificate being so delivered up the directors shall cancel it.

Terms of issue to be stated in certificates.

**48.** The terms and conditions on which any preferred half share or deferred half share created under this Act is issued shall be stated on the certificate of each such half share.

Preferred shares not to be cancelled or surrendered.

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

Half shares to be half shares in capital.

**50.** The several half shares under this Act shall be half shares in the capital of the Company, and every two preferred or deferred half shares held by the same person shall confer such right of voting at meetings of the Company, and (subject to the provisions hereinbefore contained) shall confer and have all such other rights, qualifications, privileges, liabilities, and incidents as attach and are incident to an entire share.

Receipts on behalf of incapacitated persons.

**51.** If any money be payable to any shareholder being a minor, idiot, or lunatic, the receipt of his guardian or committee, as the case may be, shall be a sufficient discharge to the Company for the same.

Power to borrow.

**52.** The Company may from time to time borrow on mortgage any sum or sums not exceeding in the whole seventy-five thousand pounds, and of that sum they may borrow from time to time not exceeding five thousand pounds in respect of every twenty thousand pounds of their capital, but no part of any such sum of five thousand



A.D. 1870.

pounds shall be borrowed until the whole of the respective twenty thousand pounds of capital in respect of which it is to be borrowed is subscribed for, issued, and accepted, and fully paid up, and the Company have proved to the sheriff who is to certify under the forty-second section of "The Companies Clauses Consolidation (Scotland) Act, 1845," (before he so certifies) that the whole of the respective twenty thousand pounds of capital has been bonâ fide subscribed for, issued, and accepted, and fully paid up; and upon production to such sheriff of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

**53.** The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver, and in order to authorise the appointment of a receiver in respect of principal, or principal and interest, the amount owing to the mortgagees by whom the application for a receiver shall be made shall not be less in the whole than one tenth part of the sum for the time being borrowed by the Company.

Arrears may be enforced by appointment of a receiver.

**54.** All moneys to be borrowed on mortgage under this Act, from the time when the same shall be advanced, and the interest for the time being due thereon, shall have priority against the Company, and all the property from time to time of the Company, over all other claims on account of any debts incurred or to be incurred or engagements entered into or to be entered into by them; but nothing in this section shall affect any claim in respect of land acquired by the Company for the purposes of this Act or injuriously affected by the construction of the tramway, or by the exercise of any of the powers conferred upon the Company.

Moneys borrowed on mortgage to have priority.

**55.** The Company may create and issue debenture stock.

Debenture stock.

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

Application of moneys.

**57.** The Company shall have and keep an office or place of business within the city of Glasgow, and such office or place of business shall be deemed to be the principal office or place of business of the Company.

Principal office to be in Glasgow.

**58.** The first ordinary meeting of the Company after the passing of this Act shall be held not earlier than seven months nor later than twelve months next after the passing of this Act.

First ordinary meeting.

[Ch. clxxv.] *The Glasgow Street Tramways* [33 & 34 VICT.]  
Act, 1870.

- A.D. 1870.
- Quorum of general meetings. **59.** The quorum of a general meeting of the Company, whether ordinary or extraordinary, shall be ten shareholders holding in the aggregate not less than three thousand pounds of the capital of the Company.
- Scale of voting. **60.** The prescribed scale of voting shall be one vote in respect of every fifty pounds of paid-up capital of the Company.
- Number of directors. **61.** The number of directors shall be nine, but the Company may from time to time reduce the number of directors, so that the number be not less than six.
- Qualification of directors. **62.** The qualification of a director shall be the possession in his own right of not less than twenty shares.
- Quorum. **63.** The quorum of a meeting of directors shall be three.
- First directors. **64.** William Morris, William White, John Derrick Ayers, Joseph Colen Wakefield, William Beers Huggins, James Reid Stewart, Alexander Davidson, John Rennie, and James Alexander shall be the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act. At that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act or any of them, or may elect a new body of directors, or directors to supply the place of those not continued in office, the directors appointed by this Act being, if qualified, eligible for re-election; and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall (subject to the power herein-before contained for reducing the number of directors) elect persons to supply the places of the directors then retiring from office, agreeably to the provisions in "The Companies Clauses Consolidation (Scotland) Act, 1845," contained; and the several persons elected at any such meeting, being neither removed nor disqualified nor having resigned, shall continue to be directors until others are elected in their stead in manner provided by the same Act.
- Election of directors.
- Period for completion of works. **65.** The tramways shall be completed within five years from the passing of this Act, and on the expiration of that period the powers by this Act granted to the Company for executing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.
- Land by agreement. **66.** The Company may from time to time purchase and acquire (by agreement) such land as they may require for their undertaking, not exceeding in the whole twenty acres.
- Tolls for passengers. **67.** The Company may demand and take for every passenger travelling upon any or either of the tramways, or any part or parts



thereof respectively, including tolls for the use of the tramway and of carriages, and for motive power, and every other expense incidental to such conveyance, any tolls or charges not exceeding one penny per mile, and for this purpose the fraction of a mile beyond an integral number of miles shall be deemed a mile. A.D. 1870.

**68.** Every passenger travelling upon the tramways may take with him his personal luggage, not exceeding twenty-eight pounds in weight, without any charge being made for the carriage thereof. Passengers luggage.

**69.** The Company shall and they are hereby required at all times after the opening of the tramways for public traffic to run at least two carriages each way every morning in the week and every evening in the week (Sundays excepted), at such hours, not being later than seven in the morning or earlier than six in the evening respectively, as the Company think most convenient, for artisans, mechanics, and daily labourers, at fares not exceeding one halfpenny per mile (the Company nevertheless not being required to take any fare less than one penny): Provided that in case of any complaint made to the Board of Trade of the hours appointed by the Company for the running of such carriages, the Board of Trade shall have power to fix and regulate the same from time to time. Cheap fares for labouring classes.

**70.** The Company shall not be bound to carry, unless they think fit, any parcel, goods, articles, or things other than passengers luggage not exceeding the weight in this Act in that behalf mentioned. Company not bound to carry goods.

**71.** A list of all the tolls and charges authorised by this Act to be taken, and which shall be exacted by the Company, shall be exhibited in some conspicuous place on the inside of each of the carriages used by the Company upon any of their tramways. List of tolls, &c. to be exhibited in carriages.

**72.** The tolls and charges by this Act authorised shall be paid to such persons and at such places upon or near to the tramways, and in such manner and under such regulations, as the Company shall by notice to be annexed to the list of tolls appoint. Tolls to be paid as directed by the Company.

**73.** If any person travelling or having travelled in any carriage of the Company avoids or attempts to avoid payment of his fare, or if any person having paid his fare for a certain distance knowingly and wilfully proceeds in any such carriage beyond such distance, and does not pay the additional fare for the additional distance, or shall attempt to avoid payment thereof, or if any person knowingly and wilfully refuses or neglects on arriving at the point to which he has paid his fare to quit such carriage, every such person shall for every such offence be liable to a penalty not exceeding forty shillings. Penalty on passengers practising frauds on the Company.



A.D. 1870.

Transient offenders.

**74.** It shall be lawful for any officer or servant of the Company, and all persons called by him to his assistance, to seize and detain any person who shall be discovered either in or after committing or attempting to commit any such offence as in the next preceding section mentioned, and whose name or residence is unknown to such officer or servant, until such person can be conveniently taken before a justice, or until he be otherwise discharged by due course of law.

Penalty for bringing dangerous goods on the tramway.

**75.** No person shall be entitled to carry or to require to be carried on any tramway any goods which may be of a dangerous nature, and if any person send by any tramway any such goods without distinctly marking their nature on the outside of the package containing the same, or otherwise giving notice in writing to the book-keeper or other servant with whom the same are left at the time of such sending, he shall be liable to a penalty not exceeding twenty pounds for every such offence, and it shall be lawful for the Company to refuse to take any parcel that they may suspect to contain goods of a dangerous nature, or require the same to be opened to ascertain the fact.

Byelaws.

**76.** Subject to the provisions of this Act, the corporation may from time to time make regulations as to the following matters:

The rate of speed to be observed in travelling upon the tramway;

The distances at which carriages using the tramway shall be allowed to follow one after the other;

The stopping of carriages using the tramway;

The traffic on the road in which the tramway is laid.

The Company may from time to time make regulations—

For preventing the commission of any nuisance in or upon any carriage or in or against any premises belonging to them;

For regulating the travelling in or upon any carriage belonging to them.

And for better enforcing the observance of all or any of such regulations it shall be lawful for the corporation and the Company respectively to make byelaws for all or any of the aforesaid purposes, and from time to time repeal or alter such byelaws and make new byelaws, provided that such byelaws be not repugnant to the laws of Scotland. No such byelaw shall have any force or effect until the same be confirmed by the sheriff and be authenticated by his signature, and the sheriff shall on the application of the corporation or the Company examine and inquire into any byelaws tendered to him for that purpose, and may allow or disallow



the same as he thinks fit; and a true copy of every such proposed byelaw shall, not less than two calendar months before such byelaw shall come into operation, be delivered to the Company if the same was made by the corporation, and to the corporation and road authority if made by the Company.

A.D. 1870.

77. Any such byelaw may impose reasonable penalties for offences against the same, not exceeding forty shillings for each offence, with or without further penalties for continuing offences, not exceeding for any continuing offence ten shillings for every day during which the offence continues, but all byelaws shall be so framed as to allow in every case part only of the maximum penalty being ordered to be paid.

Penalties in byelaws.

78. The production of a written or printed copy of any byelaws made under the authority of this Act, authenticated by the signature of the sheriff, shall, without proof of the signature of the sheriff, be evidence of the existence of such byelaws, and that all preliminaries requisite to the making and operation thereof have been duly observed and fulfilled.

Proof of byelaws.

79. The Lord Provost and magistrates of Glasgow shall have the like power of making and enforcing rules and regulations and of granting licenses with respect to all carriages using the tramways, and to all drivers, conductors, and other persons having charge of or using the same, and to the standings for the same, as they are for the time being entitled to make, enforce, and grant with respect to hackney carriages and the drivers and other persons having the charge thereof, and to the standings for the same in the streets and district of or under the control of the corporation.

Power to Lord Provost, &c. of Glasgow to license drivers, conductors, &c.

80. Nothing in this Act contained shall prejudice or affect the powers, rights, or privileges of the commissioners of police of the burgh of Hillhead, or the magistrates of the said burgh, over or with respect to the roads and streets of the said burgh and the regulation of the traffic thereon, under "The General Police and Improvement (Scotland) Act, 1862," and the said commissioners shall, with respect to any tramways formed or laid down on any road or street in the said burgh under the authority of this Act, have the same powers of making and enforcing regulations and byelaws as to the rate of speed to be observed in travelling upon the tramway, the distances at which carriages using the tramway shall be allowed to follow one after the other, the stopping of carriages using the tramway, and the traffic on the road or street in which the tramway is laid, as are by this Act conferred on the corporation, and no bye-

Saving powers and rights of police commissioners of Hillhead.

[Ch. clxxv.] *The Glasgow Street Tramways* [33 & 34 VICT.]  
*Act, 1870.*

A.D. 1870. law made by the corporation with respect to the matters above mentioned, or any of them, shall be of any force or effect in the said burgh; and the said commissioners and magistrates shall have the like power of making and enforcing rules and regulations and of granting licenses with respect to all carriages using the tramways, and to all drivers, conductors, and other persons having charge of or using the same, and to the standings for the same, as they are for the time being entitled to make, enforce, and grant with respect to hackney carriages and the drivers and other persons having the charge thereof, and to the standings for the same in the said burgh, under "The General Police and Improvement (Scotland) Act, 1862."

Recovery of  
tolls, penal-  
ties, &c.

**81.** All tolls, charges, penalties, and other moneys which under this Act may become payable to or by the Company may be recovered in any court of competent jurisdiction, or (at the option of the party claiming the payment, or, as the case may be, of the Company) in manner provided by "The Companies Clauses Consolidation (Scotland) Act, 1845," with respect to the recovery of damages not specially provided for, and penalties.

Future  
purchase of  
undertaking  
by corpora-  
tion.

**82.** The corporation, if by resolution passed at a special meeting of the members constituting the council of the city they so decide, may within six months after the expiration of a period of twenty-one years from the passing of this Act, and within six months after the expiration of every subsequent period of seven years, with the approval of the Board of Trade, by notice in writing require the Company to sell, and thereupon the Company shall sell, to them their undertaking upon terms of paying the then value (exclusive of any allowance for goodwill or prospective increase in value, or any compensation for compulsory sale, or other consideration whatsoever) of the tramway, and all lands, buildings, works, materials, and plant of the Company suitable to and used by them for the purposes of their undertaking, such value to be in case of difference determined by an engineer or other fit person nominated as referee by the Board of Trade, on the application of either party, and the expenses of the reference to be borne and paid as the referee directs; and when any such sale has been made all the rights, powers, and authorities of the Company in respect to the undertaking sold shall be transferred to, vested in, and may be exercised by the corporation, in like manner as if the corporation had been authorised by this Act to construct such tramways, and had been named in this Act instead of the Company. No such resolution shall be valid unless a month's previous notice of the meeting and of the purpose thereof has been given in manner in which notices of meetings of the



corporation are usually given, nor unless two thirds of the members of the corporation are present at the meeting, and a majority of those present and voting concur in the resolution, and it shall be lawful for the chairman of any such meeting, with the consent of a majority of the members present, to adjourn the same from day to day.

A.D. 1870.

**83.** The Company shall not, out of any money by this Act authorised to be raised by calls or by borrowing, pay interest or dividend to any shareholder on the amount of calls made in respect of the shares held by him: Provided always, that this Act shall not prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with "The Companies Clauses Consolidation (Scotland) Act, 1845."

Interest not to be paid on calls paid up.

**84.** The Company shall not, out of any money by this Act authorised to be raised, pay or deposit any sum which, by any standing order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other tramway or to execute any other work or undertaking.

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

**85.** The agreement set forth in the schedule to this Act is hereby confirmed, and the same shall have full effect, and this Act and that agreement shall be carried into execution in like manner in all respects as if that agreement were set forth in the body of this Act, and were thereby in terms enacted.

Confirmation of scheduled agreement.

**86.** In the event of a sale of the undertaking of the Company being made to the corporation under the provisions of this Act, or in the event of the corporation electing, as provided in the said agreement, to be substituted in place of the Company, the corporation shall be subject to the provisions of this Act with respect to the construction, maintenance, use, and working of the tramways by this Act authorised, and the conveyance and regulation of the traffic thereon, and shall be bound to perform and observe all the obligations and conditions by this Act imposed on the Company with respect to the several matters above mentioned in the same manner and to the same extent and effect as if the corporation had been authorised by this Act to construct such tramways, and had been named in this Act instead of the Company.

Corporation to be subject to the provisions of this Act if they acquire tramways.

**87.** If the corporation elect as aforesaid, they may lease from time to time to any person or body the right of user of any tramway made by the corporation, and of demanding and taking in respect

Power for corporation to lease use &c. of tramways.

[Ch. clxxv.] *The Glasgow Street Tramways Act, 1870.* [33 & 34 VICT.]

A.D. 1870. — thereof the tolls and charges authorised by this Act, or they may leave any tramway made by them open to be used by the public, and may in respect of such last-mentioned user demand and take the tolls and charges authorised by this Act, or they may place and run carriages thereon, and demand and take tolls and charges in respect of the use of such carriages, not exceeding the tolls and charges authorised by this Act.

Application of receipts and expenses.

**88.** All money coming to the corporation under the scheduled agreement or under this Act shall be applied to the general purposes of the corporation, and all expenses of the execution by the corporation of the scheduled agreement or of this Act, or of or connected with the exercise by the corporation of any power of purchase or other power vested in the corporation by this Act, shall be defrayed by the corporation.

Provision as to voting at meetings of turnpike road trustees in certain events.

**89.** If the corporation elect as in the said agreement provided, no person whose qualification as a road trustee of any road is derived from his holding the office of Lord Provost, provost, bailie, dean of guild, deacon, convener, treasurer, or master of works in the said corporation shall be entitled to vote as a trustee at any meeting of road trustees in relation to the undertaking.

Tramways not exempt from provisions of general Acts.

**90.** Nothing herein contained shall be deemed or construed to exempt the tramways from the provisions of any general Act relating to tramways now in force or which may hereafter pass during this or any future session of Parliament.

Expenses of Act.

**91.** 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 Company.



The SCHEDULE referred to in the foregoing Act.

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AGREEMENT between the Lord Provost, magistrates, and town council of the city of Glasgow (herein-after referred to as "the corporation") of the first part, and the promoters of the Glasgow Street Tramways Bill and the promoters of the Glasgow Tramways Bill of the second part (herein-after referred to as "the promoters").

A.D. 1870.

THE promoters having applied to the corporation for their consent to the said two Tramway Bills being proceeded with upon the conditions hereafter mentioned, and the parties of the first part having given that consent, it is agreed as follows, subject to the sanction of Parliament :

First. The two Bills shall be consolidated into one, with a view to the authorisation of the comprehensive system of tramways shown upon a plan signed with reference hereto by John Carrick, Esquire, the architect of the corporation, and by Thomas Bouch, Esquire, and George Hopkins, Esquire, the engineers for the promoters of the two Bills.

Second. The exercise of every power whatsoever conferred by the Act on the Company thereby incorporated shall, in the case of the Company, and unless the corporation elect as herein-after mentioned, be suspended for the period of six months from the passing of the Act.

Third. The corporation shall have power within the said six months after the passing of the Act to intimate to the Company their desire to be substituted in place of the Company, and on such intimation, and on payment by the corporation to the Company of the expense which the Company may have been put to in obtaining the Act (including the expenses of both Bills), not exceeding six thousand pounds, then the Company shall execute a notarial instrument declaring such transference, and the same shall be published once in the Edinburgh Gazette and twice in a newspaper published in Glasgow, and thereupon the corporation shall have all the powers conferred by the Act on the Company as to the construction, maintenance, use, and working of the tramways, which powers shall thereupon be transferred to and vested in the corporation, with all authorities and privileges connected therewith, and the same shall, so far as applicable, attach to and apply to the corporation in the same manner and to the same effect as if in respect of these provisions the corporation had been expressly named in the Act instead of the Company, and the powers of the Act may be forthwith executed by the corporation, and the Company shall wind up their affairs, and on payment of their debts shall be dissolved.

Fourth. In the event of the corporation not so electing, then the Company shall, as soon and so long as and whenever the divisible profits of the Company are sufficient to pay to the shareholders a minimum dividend at the rate of five

[Ch. clxxv.] *The Glasgow Street Tramways* [33 & 34 VICT.]  
*Act, 1870.*

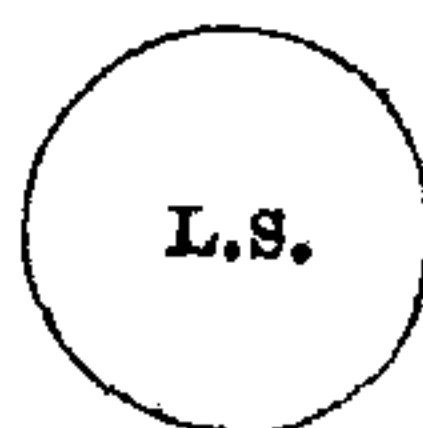
A.D. 1870. — per centum per annum on the stock or shares of the Company, pay to the corporation a sum equal to the sum of one hundred and fifty pounds per annum for every mile of street on which the tramways shall be laid (except in so far as such streets are for the time being turnpike roads) in respect of the use by them of the streets of the city and royal burgh of Glasgow, such payments to be made at the same time as the dividends are payable to the shareholders, and to be recoverable, in case of default, in any court of competent jurisdiction in Scotland: Provided that such payments shall only be made to the extent to which the Company shall have earned profits in excess of the minimum dividend at the rate of five per centum paid to their shareholders.

Fifth. The whole expense of prosecuting the Bill or obtaining the Act shall be paid and borne by the promoters and the Company, and no part of the expense shall attach to or be payable by the corporation unless in the event of their electing to be substituted for the Company as before provided.

Sixth. The Company, provided the corporation so elect, shall not apply for any further parliamentary power either to alter or amend the Act, or for a provisional order under any general Act, without the consent of the corporation.

Dated this thirtieth day of June one thousand eight hundred and seventy.

Seal of the Corporation of Glasgow.



JOHN DERRICK AYERS,

For the promoters of the Glasgow Street Tramways Co.

FISHER & PARRISH,

For the promoters of the Glasgow Tramways Co.