



ANNO VICESIMO & VICESIMO PRIMO

# VICTORIÆ REGINÆ.

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## *Cap. xcii.*

An Act to continue or renew the Powers conferred on the Trustees on the River *Clyde* and Harbour of *Glasgow* to take Lands and execute Works for the Improvement of the Navigation; and for other Purposes. [27th July 1857.]

**W**HEREAS an Act was passed in the Third and Fourth Year of the Reign of Her present Majesty, intituled *An Act for farther deepening and improving the River Clyde, and enlarging the Harbour of Glasgow, and for constructing a Wet Dock in connexion with the said River and Harbour*: And whereas under the Powers granted by the said Act and the other Acts passed in relation to the said River and Harbour great Improvements have been made in the Navigation of the said River by widening and deepening the same, and otherwise carrying into execution the Purposes of the said Acts: And whereas the Powers granted to the said Trustees by the first-recited Act for the compulsory Purchase of certain Lands for effecting the further Improvement of the said Navigation have expired, and it is expedient that the same should be renewed, and that additional Powers should be granted for acquiring

3 & 4 Vict.  
c. cxviii.

[*Local.*]

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Lands,

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Lands, and for enlarging and improving the said Navigation: And whereas the said Trustees have acquired the Right of Ferry over the said River at *Govan* and *Pertinents*, with the Ground adjacent, as herein-after mentioned, and it is expedient that the Conveyance thereof should be confirmed; but these Purposes cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may be cited for all Purposes as "*The Clyde Navigation Act, 1857.*"

"The Trustees."

II. The Expression "the Trustees" in this Act shall mean the Parliamentary Trustees on the River *Clyde* and Harbour of *Glasgow* for the Time being.

8 & 9 Vict.  
c. 19. incorporated.

III. "*The Lands Clauses Consolidation (Scotland) Act, 1845,*" is hereby incorporated with this Act.

Trustees to execute Act.

IV. The Trustees shall be and are hereby empowered to carry this Act into execution.

Power to apply Funds for the Purposes of the Act.

V. For defraying the Expense of acquiring the Lands by this Act authorized to be taken, and of the Works by this Act authorized to be executed, it shall be lawful for the Trustees from Time to Time to apply such Portion of the Money authorized to be borrowed by an Act passed in the Seventeenth Year of the Reign of Her present Majesty, intituled *An Act to authorize the Parliamentary Trustees on the River Clyde and Harbour of Glasgow to raise a further Sum of Money, and to fund the Debt of the Trust, and for other Purposes,* and also such Portion of the Rates authorized to be levied by the several Acts passed in relation to the said River and Harbour, as may be sufficient for the Purposes aforesaid.

17 & 18 Vict.  
c. lxii.

Works to be executed according to deposited Plans.

VI. Whereas a Plan and Sections describing the Lines, Situation, and Levels of the proposed Works for the Improvement of the said Navigation, and also a Book of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands in, through, or upon which the same are to be executed, have been deposited with the Sheriff Clerk of the County of *Lanark* at *Glasgow*, and the Sheriff Clerk of the County of *Renfrew* at *Paisley*: It shall be lawful for the Trustees, and they are hereby authorized, subject to the Provisions of this Act and the Act incorporated herewith, to enter upon and compulsorily or otherwise to take and acquire permanently or temporarily the Lands delineated

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delineated on the said Plan and Sections, and described in the said Book of Reference; and in addition to the Powers granted by the several Acts passed in relation to the said River and Harbour, it shall be lawful for the Trustees to make, execute, and maintain the several Works for straightening, deepening, and otherwise enlarging and improving the said River and Navigation which are shown and described on the said Plan and Sections in the Lines and according to the Levels defined thereon.

VII. In executing the Works by this Act authorized it shall be lawful for the Trustees to make lateral Deviations from the Lines of such Works, not exceeding the Limits of lateral Deviation marked on the said Plan, and to make vertical Deviations from the Levels of such Works as shown on the said Sections to any Extent not exceeding Three Feet. Powers of Deviation.

VIII. If any Omission, Mis-statement, or erroneous Description shall have been made of any Lands described on the said Plan or in the said Book of Reference, or of the Owners, Lessees, or Occupiers thereof, the Trustees, after giving Ten Days Notice to such Owners, Lessees, and Occupiers, may apply to the Sheriff of the County in which such Lands are situated, or any One of his Substitutes, for the Correction thereof; and if it shall appear to such Sheriff or Sheriff Substitute that such Omission, Mis-statement, or erroneous Description arose from Mistake, he shall certify the same accordingly, and shall in such Certificate state the Particulars of any such Omission, Mis-statement, or erroneous Description; and such Certificate shall be deposited with the Sheriff Clerk of the County, and with the Schoolmaster, or, if there be no Schoolmaster, with the Session Clerk of the Parish in which such Lands are situated, and shall be kept by such Sheriff Clerk and Schoolmaster or Session Clerk respectively along with the other Documents to which it relates, and thereupon such Plan and Book of Reference shall be deemed to be corrected according to such Certificate; and it shall be lawful for the Trustees to take and acquire such Lands in accordance with such Certificate as if such Omission, Mis-statement, or erroneous Description had not been made. Errors and Omissions may be corrected by Sheriff or his Substitute, who shall certify the same.  
Certificate to be deposited.

IX. The Powers hereby granted for the compulsory Purchase of Lands shall not be exercised after the Expiration of Three Years from the passing of this Act. Powers for compulsory Purchases limited.

X. In addition to the Powers herein-before granted for the compulsory Purchase of Lands, it shall be lawful for the Trustees to acquire by private or voluntary Purchase or Contract, or to feu, any Quantity of Land not exceeding in the whole Twenty-five Acres, for the Purpose Lands for extraordinary Purposes.

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Purpose of constructing Sheds or Workshops or other similar Accommodations in connexion with the said Harbour and Navigation.

Plans to be deposited at Admiralty Office previous to commencing Works.

XI. Previously to commencing the Ferry Slip at *Govan*, in so far as below High-water Mark at Spring Tides, the Trustees shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the Work for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and such Slip or Work shall be constructed only in accordance with such Approval.

Periods for Completion of Works.

XII. The Ferry Slip at *Govan* hereby authorized, in so far as below High-water Mark at Spring Tides, shall be completed within Five Years from the passing of this Act, and the other Works hereby authorized, in so far as below the said High-water Mark, shall be completed within Ten Years from the passing of this Act.

Officers of Customs not to clear Ships Outwards till Rates are paid.

XIII. And to the Intent that the Rates and Duties for the Payment of which any Ship shall be liable under the first-recited Act may be duly answered and paid, the Collector or other Officer of Customs for the District within which the River and Harbour are situate shall not, after the passing of this Act, take or receive any Entry, Discharge, or Clearance Outwards for any such Ship until the Master or Owner thereof shall show to such Collector or other Officer of Customs a Receipt for such Rates and Duties from the Person authorized and empowered by the first-recited Act to demand and receive the same.

Agreement with respect to the Estate of *Elderslie*.

XIV. Whereas during the Dependence of this Act as a Bill in Parliament an Agreement, dated the Fourteenth and Fifteenth Days of *May* One thousand eight hundred and fifty-seven, was entered into between *Andrew Orr* Lord Provost of *Glasgow*, Chairman of and as acting for and authorized by the Trustees, and *Henry Gordon Dickson* junior, Writer to the Signet, as acting for and authorized by *Archibald Alexander Speirs* of *Elderslie*, and his Guardians, for determining the Amount of Compensation to be paid by the Trustees in respect of the Interference with the Estate of *Elderslie*, and the Operations of the Trustees hereby authorized so far as affecting that Estate: Be it enacted, That notwithstanding the Powers of lateral Deviation herein-before contained, it shall not be lawful for the Trustees in executing the Works by this Act authorized through or along that Estate to take any Land beyond the Lines of such Works as delineated on the Plan deposited as aforesaid, nor to lay down any Sand, Soil, Gravel, Stuff, Materials, or Things on any of the remain-  
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ing Lands belonging to or possessed by the said *Archibald Alexander Speirs* otherwise than as specified in the said Agreement; and in other respects the Rights of the said *Archibald Alexander Speirs* and his Successors, Proprietors of the said Estate of *Elderslie*, in such remaining Lands shall be the same as if the Land to be taken from that Estate for the Purposes of this Act had been taken by the Trustees under the Powers and Provisions of the first-recited Act, and as if Dykes had been formed as provided by that Act.

XV. Whereas by a Feu Contract, dated the Twenty-fourth Day of *September* and Seventh Day of *October* Eighteen hundred and fifty-six, Mrs. *Jane Graham Gilbert* of *Yorkhill*, Wife of *John Graham Gilbert* Esquire, of *Yorkhill*, with Consent of her Husband, and the said *John Graham Gilbert* for his Interest, in consideration of an annual Feu Duty of Eight hundred Pounds, conveyed to the Trustees a Piece of Ground containing Two thousand Square Yards or thereby, with the Ferry House and Pertinents erected thereon, adjoining the *Govan* Ferry, and also the Right which she had in Terms of her Titles to the Ferry and Ferry Boats, and Implements of Ferry, and all Ferry Dues, Profits, and Emoluments arising or which might arise therefrom, with the whole Rights, Servitudes, and Privileges thereto belonging, on which Feu Contract the Trustees were infeft, conform to Instrument of Sasine in their Favour recorded in the Register of Sasines for the Shire of *Renfrew* and Regalities of *Glasgow* and *Paisley* the Fifth Day of *December* Eighteen hundred and fifty-six: Be it enacted, That it shall be lawful for the Trustees to demand and take the Rates specified in the Schedule hereunto annexed, or such lower Rates as may from Time to Time be fixed by the Trustees, at and for the said Ferry within the Boundaries thereof; that is to say, between the *Mile Bridge* or *Kinning House Burn* on the East and *Marlinford* on the West, and which Rates shall be applied for the Purposes of the said Navigation; and it shall also be lawful for the Trustees and they are hereby empowered, out of the Rates and Duties levied under the Authority of this Act and the several other Acts passed in relation to the said River and Harbour, to pay to the said Mrs. *Jane Graham Gilbert*, or to the Person legally entitled to receive the same for the Time being, the said annual Feu Duty of Eight hundred Pounds at the Terms and in the Manner specified in the said Feu Contract: Provided, that every Officer of Customs, when in the Execution of his Duty, shall be at liberty to pass and repass by the said Ferry without paying any Rate whatever.

Power to  
levy Rates  
at Govan  
Ferry and to  
pay Feu  
Duty.

XVI. It shall be lawful for the Trustees to lease the Ferry Rates authorized to be levied by them under this or the before-mentioned Acts for any Period not exceeding Three Years on such Terms and

Power to  
lease Fer-  
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under such Conditions as they shall consider expedient, and the Rents received in respect of such Ferries shall be applied by the Trustees for the Purposes of the said Acts and this Act.

Nothing to affect the established Ferry of Renfrew.

XVII. Nothing contained in this Act shall affect or be construed to affect in any Degree the established Ferry of *Renfrew* on the said River, but the same shall be used and enjoyed in as ample and beneficial Manner as in Time past, and without being subject to any other Jurisdiction than that to which the said Ferry was subject previous to the passing of this Act; and in executing the Works hereby authorized a reasonable and sufficient Space, not less than the presently existing Space, unenclosed by Walls, Dykes, Jetties, or other Works, shall be left at the Quay and Slip of the said Ferry for the free and convenient landing at all Times of Passengers, Cattle, Goods, and other Things; and the said Quay, Slip, and Landing Place, and the Ferry House and Offices thereat, shall, at the Expense of the Trustees, be altered or reconstructed, where such Alteration or Reconstruction shall be rendered necessary by the Works carried on by the Trustees for widening and deepening the River under the recited Acts or this Act, and so as the said Quay, Slip, and Landing Place, and Roads, Accesses, and Approaches thereto, shall not be of less Width or of a steeper Inclination than those presently existing, and shall be made as convenient and the working thereof as easy as before, or as nearly so as may be; provided that the Slip or Access to the said Ferry next to and on the North Side of the River, after the same shall be widened, shall not be of a steeper Gradient than One in Twelve and a Half for a Length not exceeding One hundred and thirty-five Feet from the South Point of such Slip as described on the said deposited Plan, and the remaining Gradients of the said Slip and Accesses or Approaches shall not be steeper than can be formed consistently with the Limits of Deviation delineated on the said Plan; and in the event of any Dispute between the Trustees and the Magistrates and Council of the Burgh of *Renfrew* in relation to the said Quay, Slip, and Landing Place, and the Roads, Accesses, or Approaches to the said Ferry, or of the Width and Inclinations of the same, or in relation to the Ferry House thereat, so far as the same or any of them shall be affected by the Works hereby authorized to be made, the Trustees shall be bound, at the Sight of Two Engineers, one to be named by the said Magistrates and Council, and the other by the Trustees, conform to Plans and Sections to be previously approved of by the said Engineers, and within a limited Time after commencing Operations to be fixed by the said Engineers, to alter, reconstruct, form, and execute the whole of the Works at and in connexion with the said Ferry and Ferry House, Roads, Accesses, and Approaches, to the entire Satisfaction of the said Engineers, and, in the event of their differing in opinion, of an Umpire to be named by them; reserving  
always

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always to the said Burgh of *Renfrew* all Claims of Compensation for any Damages which may be sustained by, through, or in consequence of the Operations of the Trustees on the said Ferry and Ferry House, Accesses, and Inclinations.

XVIII. The Trustees, as soon as they commence their Works upon the said Ferry, or upon the Quay, Slip, and Landing Place or Approaches connected therewith, or Ferry House thereat, shall carry on the same without Delay, so as to impede or obstruct as little as may be the free Passage and Traffic of the said Ferry, and shall, previous to the Alteration or Removal of the existing Quay, Slip, and Landing Place, or the Approaches thereto, or Ferry House thereat, at their own Costs and Charges, make and maintain such good and sufficient temporary Accommodation at the said Quay and Approaches thereto as may enable the Boatmen and others employed at or resorting to the said Ferry to carry on their Business as conveniently as before, or as nearly so as may be during the Continuance of the said Works: Provided, that the Trustees shall be liable in Damages to the said Magistrates and Council as Proprietors of the said Ferry, and to the Lessees thereof, for any Injury done to the same or for any Loss that may be sustained by them in consequence of the said Works or during the Execution thereof.

Ferry not  
to be ob-  
structed.

XIX. Nothing contained in this Act shall authorize the Trustees to take, use, or in any Manner interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights in respect thereof, belonging to the Queen's most Excellent Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty first had and obtained for that Purpose (which Consent such Commissioners are hereby respectively authorized to give), or to take away, prejudice, diminish, or alter any of the Estates, Rights, Privileges, Powers, or Authorities vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Saving  
Rights of the  
Crown.

XX. The Expenses of applying for, obtaining, and passing this Act, and incidental thereto, shall be paid by the Trustees out of the Rates and Duties authorized to be levied, or the Money authorized to be borrowed, by the Acts before mentioned.

Expenses of  
Act.

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**SCHEDULE referred to in this Act.**

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**RATES TO BE LEVIED AT GOVAN FERRY,**

Between Five o'Clock A.M. and Ten o'Clock P.M.

	<i>s.</i>	<i>d.</i>
Each Four-wheeled Carriage drawn by Four Horses - - -	2	0
Do. do. drawn by Two Horses - - -	1	0
Do. do. drawn by One Horse - - -	0	9
Do. do. crossing and returning empty, or with the same Fare - - -	1	0
Each Two-wheeled Carriage drawn by Two Horses - - -	0	9
Do. do. drawn by One Horse - - -	0	6
Each Horse and Rider or Leader - - -	0	2
Black Cattle - - - per Score	2	6
Sheep or Lambs - - - per Score	0	10
Calves, Swine, and Goats - - - each	0	1
Each Waggon with Four Wheels and Four Horses - - -	2	0
Do. do. with Two Horses - - -	1	0
Each Waggon with Two Wheels and Two Horses - - -	0	8
Each Cart and Horse crossing and re-crossing loaded - - -	0	9
Each Cart and Horse loaded - - -	0	6
Do. do. empty - - -	0	2
Hurley with One Man - - -	0	2
Wheelbarrow and Man - - -	0	1
Each Foot Passenger - - -	0	0½
Do. if between Govan and Meadowside - - -	0	1
A single Person landing from or embarking on board Steamers, 2 <i>d.</i> ; if more than One, 1 <i>d.</i> each.		

The above Rates to be doubled between Ten and Twelve o'Clock P.M.

Between Twelve o'Clock P.M. and Five o'Clock A.M.

If only One Passenger, 6*d.*; if Two, 8*d.*; if more than Two, 3*d.* each.

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LONDON :

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1857.