

**Papers regarding the extension of the boundaries of the burgh of Hillhead  
so as to include the asylum**

**Publication/Creation**

1875

**Persistent URL**

<https://wellcomecollection.org/works/qupbb3ug>

**License and attribution**

You have permission to make copies of this work under a Creative Commons, Attribution license.

This licence permits unrestricted use, distribution, and reproduction in any medium, provided the original author and source are credited. See the Legal Code for further information.

Image source should be attributed as specified in the full catalogue record. If no source is given the image should be attributed to Wellcome Collection.



Wellcome Collection  
183 Euston Road  
London NW1 2BE UK  
T +44 (0)20 7611 8722  
E [library@wellcomecollection.org](mailto:library@wellcomecollection.org)  
<https://wellcomecollection.org>

# HILLHEAD EXTENSION.

---

SHERIFF COURT OF LANARKSHIRE,  
GLASGOW,

BEFORE

WILLIAM GILLESPIE DICKSON, ESQ., LL.D., ADVOCATE,  
SHERIFF OF THE COUNTY.

---

## PROOF IN PETITION,

AT THE INSTANCE OF

ARCHIBALD CUNINGHAME WILSON, CLERK TO, AND AS REPRESENTING,  
THE COMMISSIONERS OF POLICE FOR THE BURGH OF HILLHEAD,  
FOR  
REVISION AND EXTENSION OF THE BOUNDARIES OF SAID BURGH.

# THE HISTORY OF THE

REIGN OF

CHARLES THE FIRST

BY

JOHN BURNET

OF THE UNIVERSITY OF OXFORD

## CONTENTS.

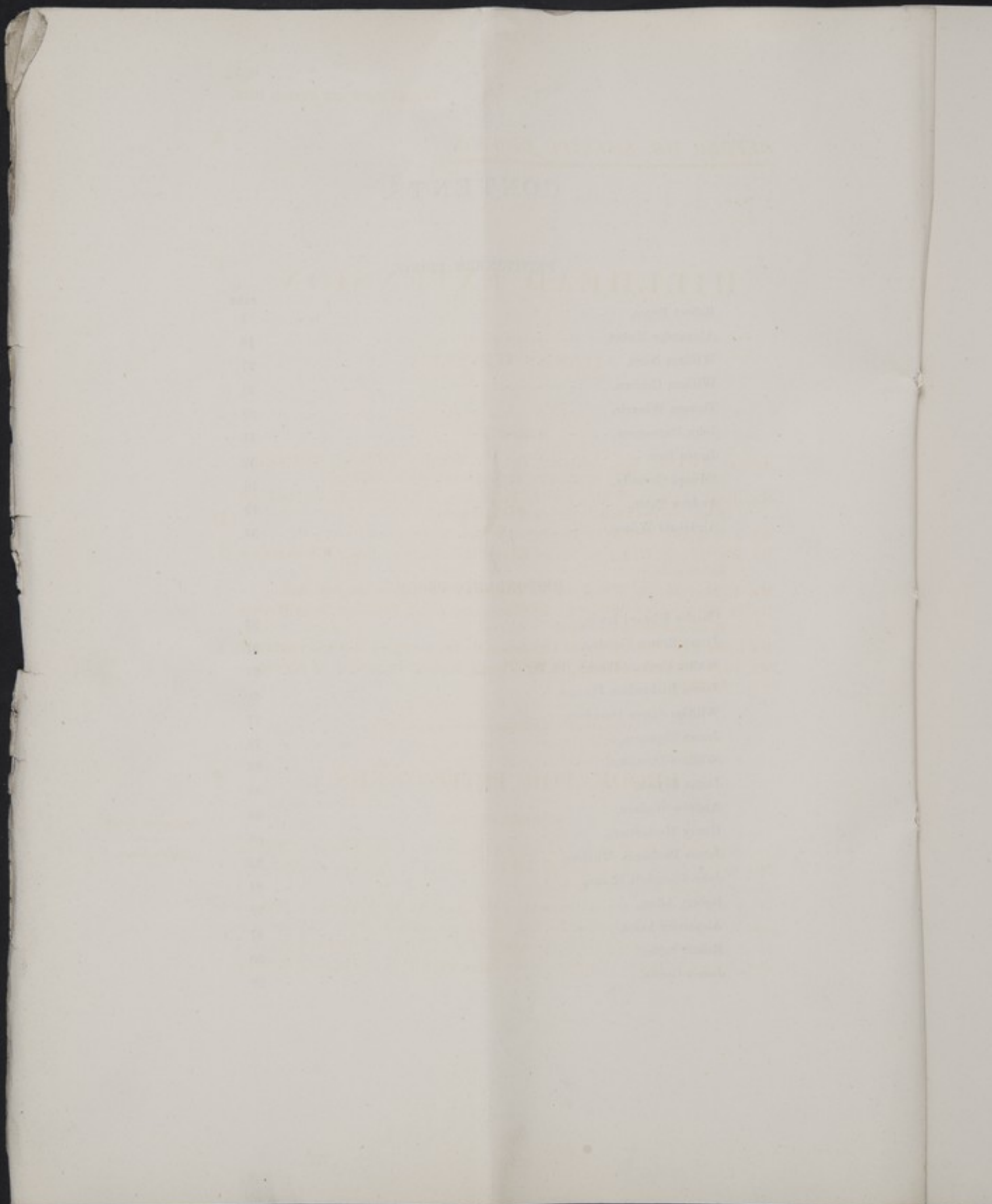
### PETITIONERS' PROOF.

	PAGE
Robert Bruce, - - - - -	1
Alexander Nisbet, - - - - -	18
William Nicol, - - - - -	21
William Graham, - - - - -	21
Thomas Wharrie, - - - - -	23
John Duncanson, - - - - -	41
James Barr, - - - - -	42
Edward Cornelly, - - - - -	46
Andrew Paton, - - - - -	49
Archibald Wilson, - - - - -	51

### RESPONDENTS' PROOF.

Charles Edward Irwin, - - - - -	53
James Brown Fleming, - - - - -	57
Walter Graham Blackie, Ph.D., - - - - -	65
James Richardson Forman, - - - - -	68
William James Davidson, - - - - -	77
James Thomson, - - - - -	78
William Dennison, - - - - -	83
James Bryson, - - - - -	86
Andrew Wallace, - - - - -	88
Henry Herbertson, - - - - -	88
James Buchanan Mirrieles, - - - - -	92
John Campbell Monro, - - - - -	94
Robert Allan, - - - - -	95
Alexander Laird, - - - - -	97
Robert Sorley, - - - - -	98
James Goldie, - - - - -	98





BEFORE MR. SHERIFF DICKSON.

A

## HILLHEAD EXTENSION.

B

TUESDAY, JUNE 29, 1875.

C

### PRESENT :—

ROBERT MACLEAN, Esq., Advocate; and MR. MUIRHEAD (of Messrs. Dill, Smillie, & Wilson), for the Petitioners, the Commissioners of Hillhead.

MR. JOHN FLEMING, Writer, for the Proprietors of Kelvinside Estate, and 127 Feuars in the District proposed to be Annexed.

D

MR. J. B. AIKEN, Writer, for Proprietors in Dowanhill Gardens.

MR. WM. GILLIES, Writer, for Messrs. Edward Collins & Sons, Paper Manufacturers, Kelvindale.

MR. ROBERT HOWIE, Writer, for Mr. Davidson, Proprietor of Balgray Park.

MR. D. MACFARLANE, Writer, for Mr. Blackie, and others, Feuars on Great Western Road and Neighbourhood.

MR. JOHN KERR, Writer, for the Directors of the Royal Lunatic Asylum, Gartnavel.

E

MR. JOHN KIDSTON, Writer, for Mr. Thomas Russell, Proprietor of Kelvinside Gardens.

## PROOF FOR PETITIONERS.

F

ROBERT BRUCE.

Petitioners' Proof.

Robert Bruce.

*Examined by Mr. MacLean on behalf of the Petitioners.*—I was Provost of Hillhead from its formation as a Burgh in 1869 until 15th June last. I was also a member of the Barony Parochial Board for 8 or 9 years.

I was one of the original promoters of the scheme for the formation of Hillhead into a burgh. The application for that purpose was made in 1869. At that time the proposal was to include within the boundaries of the burgh the district which it is now proposed to annex. The whole of the district which it is now proposed to attach

G

Petitioners' Proof.

Robert Bruce.

A to the Burgh of Hillhead is within the county of Lanark; but it is separated from the other parts of the county by the Burgh of Partick on the one side, and the Burgh of Maryhill on the other; while on the other side of Hillhead is the city boundary; and to the west are the counties of Renfrew and Dumbarton; so that it may be described as a detached and isolated portion of the county of Lanark—no other portion of that county being nearer than about a mile or a mile and a-half.

B Since the application was made in 1869, there has been a great amount of building in the district proposed to be attached to the burgh. The markings in red outside the Burgh of Hillhead boundaries on the plan produced with the petition show, I think, the most of the building that has taken place outside the boundaries of the burgh since then; but there has been a very large increase in the feuing and building there, and it is still going on. There has also been a large amount of building within the burgh boundaries since 1869.

C Within the present burgh boundaries there has been erected, on the south side of Great Western Road, a row of houses facing the road, near the east boundary of the burgh as at present constituted; and also, at right angles to that, a row of houses fronting Great Kelvin Terrace. South of that, in Bank Street, there are at present being erected two large blocks of houses, not shown on the plan produced with the petition. In 1869, Belgrave Terrace and Kelvin Terrace were the only rows of buildings which had been erected on the south side of Great Western Road. There were

D no buildings on that side from Belgrave Terrace until you came to Kelvinside Free Church. The whole frontage to the Great Western Road there is now occupied by continuous rows of terraces, houses, and shops. The whole of the space between the Great Western Road and Great George Street (which runs east and west, parallel to Great Western Road) is now built. The buildings shown in red in Kerrsland Street and Cecil Street are all new, and there are other buildings going on in Kerrsland Street, which are not shown on the plan. The west side of Kerrsland Street is now in course of completion. Then, there is a large block of handsome self-contained houses going up on Lilybank, off Great George Street, which are not shown on the plan. These are the principal buildings which have been erected on the south side of Great Western Road up to 'Kelvinside Free Church, with the exception of what are marked "Burgh Buildings," which have also been erected since the formation of the burgh. A number of projected streets have been opened up on the south side of Great Western Road

F within the burgh boundaries, and building is going on rapidly; and I have no doubt that, in course of time, the whole area of building ground will be completely filled up with shops and dwelling-houses.

Then, on the north side of Great Western Road, Belmont Terrace and Belmont Crescent have been erected since 1869, and the rest of the ground there is being levelled up so as to be ready for building. It is not in building order yet, and won't be for some years; but it is in process of formation for building purposes.

G Then, there are two bridges which have been erected over the Kelvin since the burgh was formed,—one from Belmont Street, which connects Maryhill with that street; and the other opposite North Park Terrace, in Hamilton Drive, also connecting Maryhill and



Hillhead. These bridges connect the building areas on the properties of North Woodside and Kelvinside, and also connect Hillhead and the district about it with the Burgh of Maryhill. The Kelvin divides the Burghs of Maryhill and Hillhead; but these bridges have greatly increased the traffic between the two burghs, and brought a great influx of strangers into the locality.

Outside the present boundaries of the burgh, also, there has been a great deal of building and feuing since 1869. I think Montgomerie Crescent is about the farthest west that building and feuing for building purposes has gone, on the north side of the Great Western Road; while on the south side of Great Western Road it has gone as far west as Hyndland Road. The western boundary of the burgh at present is the centre of Byres Road; and beyond that, on the south side of Great Western Road, there is Loudoun Terrace, which has been erected since 1869. It is almost opposite the Burgh Buildings—a portion of it facing Byres Road or Victoria Street, and the remainder of it running at right angles west towards the Observatory Hill. On the north of that, a street or road has been opened up which leads you up to the Observatory Hill, and a new church is being erected there. The ground on either side of that road appears to be laid out for the purposes of feuing and building. Going west by that road, there are a number of houses which have been erected on the east side of Observatory Hill, shown by the patches coloured red on the plan, about the word "Observatory"; and there are buildings going on, on the south and east sides of the road, which are not shown on the plan. That road, going from Byres Road to Observatory Hill, is called Loudoun Terrace, or Observatory Road. South of Loudoun Terrace there are other buildings which have been erected since 1869, and two new streets have been opened up. Apparently the whole of that district, south of Loudoun Terrace, and until you reach the Partick boundary, is in course of being opened up as feuing and building ground, and part of it is being built upon with dwelling houses, and, in some instances, shops. Generally the buildings there are of a similar character to those which have been erected in the Burgh of Hillhead, although at that place they are not quite so good as in Hillhead. To the north of Loudoun Terrace, and west of Byres Road, still keeping to the south side of the Great Western Road, there has, since 1869, been building at Horselethill, between the Observatory and the line of houses to the north. In 1869 they were quarrying at the foot of that ground, and it was lying in a state of nature, in grass. Since then it has been all laid off for streets and terraces. That applies to the whole space between Loudoun Terrace on the south, and Grosvenor Terrace on the north, except a portion which is still a quarry, and which will take some time to fill up, in order to be built upon; but the streets are all laid off. Then there are two terraces—Huntly Gardens and Rosslyn Terrace—which have been built since 1869. In order to reach these from Byres Road you go up Observatory Road, and then there are streets which have been formed leading off from Observatory Road to the north, which join in with Huntly Gardens and Rosslyn Terrace. Then Belhaven Terrace is one street to the north of Rosslyn Terrace. The whole, or the greater portion of it, is new. It is approached from Byres Road in the same way as Rosslyn Terrace. West Belhaven Terrace, immediately to the west of Belhaven Terrace, and fronting Great Western Road, is also new, and it may be approached from Byres Road in the same way, by Observatory Road.

A Petitioners' Proof.

Robert Bruce.

B

C

D

E

F

G

Petitioners' Proof.

Robert Bruce.

- A Still farther west are Great Western Terrace and Westbourne Gardens, which are also new terraces since 1869; and still farther west, but upon the east side of Hyndland Road, there are other rows of buildings erected, and in course of erection, for dwelling-house purposes. Mr. Gardiner's self-contained house occupies the corner, and there is nothing west of his house yet on that side of the road. Westbourne Terrace goes down to the south, at the side of his house. Some portions of the remaining ground, on the south side of the Great Western Road, which it is proposed to annex to the Burgh of Hillhead, have been laid out
- B apparently with a view to building purposes, in the same manner as those to the east of the Observatory; and I have no doubt it is the wish and intention of the parties interested in that ground that it should be devoted to feuing and building purposes. I have no doubt that, in the course of time, the whole area, at all events up to Hyndland Road, will be built upon, and that very shortly.

- On the north side of Great Western Road, and to the west of Byres Road there are, first of all, the Botanic Gardens. These are as they were in 1869, with the exception of
- C the Crystal Palace. At the west side of the Botanic Gardens, I think there has been an addition to Windsor Terrace; and there is a row of cottages, or rather of villas, going down the Kirklee Road, and a new road has been formed there, extending practically to the Kelvin, where the ground has been laid off with a view to a building area on both sides. West of Kirklee Road there is a large space of ground, occupied by Mr. Mirrieles, that comes down, I think, to the Kirklee Road, or a road immediately adjoining it. I
- D think there are some houses there that have been built since 1869; but I cannot tax my memory with that. Practically, Mr. Mirrieles occupies the block marked 190 on the plan, with a very large and handsome house. Then, west of his ground, there is Montgomerie Crescent, and a lot of self-contained houses that I have not seen for some time. These are immediately to the west of a continuation of Hyndland Road, which is there called Crossloan Road, and sometimes it is called Balgray Road. The ground on both sides of Crossloan Road has apparently been laid out to some extent for building purposes, and buildings
- E have in point of fact been erected upon it up to the place marked 41 on the plan. The ground there is apparently being restricted to one-acre lots for villas. The gas manager's house is there, and he has one acre. Then, Montgomerie Crescent is to the west of Crossloan Road, and a new road in a semicircular form has been laid off from Crossloan Road, leading westward to connect it again with the Great Western Road—on both sides of which the ground has been laid off apparently with the view of having buildings erected upon it. Intermediately between that semi-circular road and Great Western Road there
- F have been cross streets laid off, apparently with the view of using that portion of the ground for feuing purposes. I believe there has been a very great demand for feuing ground in the district to the west of Glasgow that I have been speaking of, and buildings have been progressing there very rapidly. I cannot say whether there has been any preparation of the ground for feuing to the west of the point where that semicircular road joins the Great Western Road. I don't think there has been any building yet
- G to the west of that point. The ground there, however, is suitable for feuing ground, and I have no doubt whatever that it will ultimately be taken up for that purpose. The ground on the south side of Great Western Road, to the west of Hyndland Road, is of



much the same character, except where they are working out the minerals ; but so far as it fronts the Great Western Road, it also is suitable for feuing purposes. With the exception of the portion which is embraced by the Lunatic Asylum, it is used at present for agricultural purposes. The distance between Hyndland Road and Anniesland Toll-bar will be nearly three-quarters of a mile. At the limit of the proposed extension on the west and north-west, you come upon Dumbartonshire ; and on the south-west upon Renfrewshire. The population of the district proposed to be annexed has increased considerably since the formation of the burgh.

The Commissioners of Hillhead, since their appointment, have done a great deal in the discharge of their statutory duties. First, with regard to roads,—the Great Western Road being a turnpike road, we had no control over it, except with regard to the footpaths ; but these have been thoroughly laid with either Caithness or asphalt, from the bridge over the Kelvin up to the western boundary of the burgh. The footpaths there are now in first-rate order. They were not so in 1869. At that time the greater portion of them were unpaved, and what were paved were only partially done—a small bit in front of shops and such like. Every one did as he liked, and carried the pavement out or in as he thought proper ; but now there is a continuous line of pavement, with proper channel and kerb-stones, leaving the exact breadth of the turnpike road to the trustees, and the full breadth of the pavement to the Commissioners. Then, lamps have been put up at regular distances along the road, on both sides, within the burgh boundaries. In 1869, there were a few lamps scattered up and down, which had been put up by voluntary assessment ; but they were both few and far between, with large breaks betwixt them, so that you found one part of the place well lit, and another part in total darkness. It was neither safe nor satisfactory ; and it would have become still more unsafe as the population increased. The erection of the bridges over the Kelvin, and the opening up of the new streets, have increased the traffic so much that the roads would have been rather dangerous now without these appliances. We have gone over almost all the streets in Hillhead, and causewayed them. In one or two we are waiting upon the builders completing the new buildings now in course of erection, so as not to destroy the streets ; but with these exceptions, most of them have been gone over. That includes kerb-stones, gutters, and channels ; these were attended to in the same way as in the Great Western Road.

With regard to Woodlands Road, there is no part of Woodlands Road proper within the burgh ; whenever it crosses the Kelvin, it changes its name to Gibson Street ; it begins at Kelvin Bridge and goes along Gibson Street to Lilybank. Before 1869, the road had a slope from the bridge towards Hillhead, and the hill coming down from the other side left a hollow in the lower part, where, in time of heavy rain, a pool of water always stood. I think the first thing the Burgh Commissioners did was to give notice to Mr. Duncanson, who was to build there, to get his levels fixed by the surveyor of the burgh. We got a new plan, and got him to take a new level altogether. There were heavy stones laid down, and that raised the road about 8 feet 6 inches at one point, and made it a nice level access to the whole of the hill, instead of the deep hollow that was there before. That was done at a cost to the Burgh of fully £1,000. The access there before 1869 was far from being a

A Petitioners' Proof.

Robert Bruce.

B

C

D

E

F

G

Petitioners' Proof.

Robert Bruce.

A convenient one. There is a good deal of traffic over that road now from Woodlands Road, more so than in 1869—which, I have no doubt, has been caused partly by that improvement, and partly also by the extension of building to the west. Besides being an access to Hillhead, Woodlands Road branches off at Oakvale House to what is called University Avenue, and a great number of the people in Dowanhill and other parts to the west drive round that way when coming into Glasgow, in order to get a cheaper toll. It forms a convenient access, and one which is largely used, by University Avenue to Glasgow from Byres Road, and the district to the west of that, including Dowanhill, and the feus of the Victoria Park Feuing Company, already spoken of as Horselethill. The toll on the Great Western Road is 6d. per horse, while the toll by the small bridge over the Kelvin is now 2d. per horse, and 3d. is the utmost limit they can charge.

With regard to University Avenue, the Commissioners made an agreement with the College authorities by which they gave off a piece of ground for the improvement of that road, and we have more than doubled the width of it and put it in good order. In 1869 it was so narrow and damp that we could never keep it in order and it was a very difficult access; but now, from the width which has been got, and the order in which it is kept, it is a very good road, and it has comparatively a very easy gradient. It was more like a country lane than anything else in 1869; but now it has been macadamized, and channel and kerb-stones properly put into it. It has also been lighted at regular intervals. The side next Hillhead has been very well lighted indeed. On the other side, the College fail to light it, if it is to be done. The boundary of the burgh at University Avenue was originally the mean wall between the old College ground and Hillhead proper. That has been altered now by the City acquiring the ground, and, the street having been widened, I don't know very well how the boundary stands there. I don't know whether they claim into the old wall or by their present boundary. The south side of University Avenue has been lighted this spring; I don't know whether by the City or by the College; but the Commissioners of Hillhead formed both sides of the street with kerbs and channels. The improvement of University Avenue cost them, I think, about £1,700. There are not many houses close upon University Avenue in Hillhead as yet, and therefore the parties who are deriving the chief benefit from that improvement are those who live to the west of Byres Road and also in Partick.

Then, as to Byres Road, which is the present western boundary of Hillhead, and the only direct thoroughfare from Dumbarton Road on the south to Great Western Road on the north between Hyndland Road and St. George's Road, the Commissioners have acquired a piece of ground between the old county police office and the present Burgh Buildings, from Mr. Duncanson, builder, for the purpose of widening the road, and making a proper footpath, and they are doing so just now in order to make it a suitable accommodation for traffic. The old police office is masked by an old building, marked 679 on the Ordnance plan. The footpath is being widened I think about ten feet on the average, and that widening is proposed to be carried on up the road. The Commissioners have already got the Free Church at the corner to put back their boundary parapet wall and railing all round about twelve feet, so as to widen the access there from Great Western Road into Byres Road. The church



gave the ground, and the Commissioners were at the expense of removing the parapet wall and replacing the railing and putting things in order. It is a very unsatisfactory thing, when making improvements upon a road, to have jurisdiction over only one half of it. Byres Road was lighted on the west side by the Turnpike Road Trustees by means of small jets that made darkness visible on that side until the Hillhead Commissioners directed a few lamps to be put up which lighten the road. The west side is still lighted in the same way as before by these small jets of the Road Trustees. We cannot get the lighting on our side properly completed until we get the widening of the street, which is now in progress, carried through; but it will be properly lit next winter. The portion of the street which is not proposed to be widened is fully lighted, and that is a considerable portion of it. There is a small piece for which we have not yet got the ground, between Viniecombe Street and the Church, but we are negotiating with Mr. Allan about that, although we have not yet come to terms. If we do come to terms, then the whole of Byres Road within our jurisdiction will be widened about ten feet; and so far as we are at present engaged in widening it, the lamps, although not yet up, will be put up as soon as the street is widened. So far as we have not yet acquired the ground to widen the street from Viniecombe Street to the Church, we have erected lamps at suitable intervals. The lighting of the other side of the road is, in my judgment, very defective.

If the proposed extension is got, the whole of the Great Western Road Turnpike Trust would be within the bounds of Hillhead. The trust road extends from Kelvin Bridge westward to Anniesland Toll, and there is a portion of it that goes down the Byres Road, I think the length of the boundaries of our burgh; and the extension would bring the whole of these trust roads within the jurisdiction of the Act. At the present rate at which the toll is let, the debt should be cleared off in the course of two years, that is, the cost of the original formation, and the upkeep of the road to that time. Therefore, the only necessity for maintaining the trust would be for repairs; and in place of the cumbersome and harassing mode of collecting, by means of having a toll there and letting it, the Commissioners would propose to employ the powers of the Act, and take the road over and maintain it by an assessment. We would propose to extinguish the trust over the whole road, and maintain the road in the same way as a street. The Trust Act is a yearly Act; the General Act expired some two or three years ago, so that there would really be no necessity for the Trust continuing, except for the purpose of doing that which could be more conveniently and more cheaply done by an assessment. I may state that the other bridge on the Kelvin, at the Woodlands Road, is in much the same position; other two years would clear the debt off it; and we would propose to do the same with it. If the debt on the road was extinguished, the cost of management in that way would be very moderate as compared with the system of tolls. A very small thing would do it; but I could not give an estimate of the amount of saving. The Woodlands Road Bridge is under a different trust, and a different Act, from the bridge over the Kelvin at Great Western Road. At present, besides the toll on Great Western Road at the bridge over the Kelvin, there is a check at the junction of Great Western Road and Byres Road; and down Byres Road there is another, a considerable distance before you come to the University Avenue; it is rather on this side

A Petitioners' Presd.

Robert Bruce.

B

C

D

E

F

G

Petitioners' Proof.

Robert Bruce.

A of the old County Police Office. The object of that check is just to catch all. There is also another check in the centre of Hillhead, at the corner of Nelson Street and Hamilton Drive. Although they have not got a box there, they have posts up, and they put a man there occasionally to catch people who may cross from the one to the other. There is also a toll bar for the bridge at Woodlands Road, so that practically there are two toll bars, and three checks on these roads, and no one who lives west of Byres Road, or in Hillhead, can approach Glasgow by either the Great Western Road or Woodlands Road, which are the two main accesses, without paying toll. We propose to take over the trusts, and so to abolish the tolls entirely.

B  
C *By the Sheriff.*—The proprietors of Kelvinside have been putting up new lamps on the Great Western Road in front of Kew Terrace within the last month or two; but I have not been out there lately, and I cannot say at what distances these lamps are placed, or how far west they extend. The Road Trustees had an odd lamp here and there before, but the road was really not well lit. I cannot tell whether or not it is well lighted now. The houses there, of course, have all got lamps within the terraces, which are separated from the road by gardens, and the terraces are well lighted, but the lights in front of the houses afford no lighting to the road.

*By Mr. MacLean.*—The whole of the streets and lanes within the Burgh of Hillhead proper have been lighted by the Commissioners.

D The Commissioners, when they came into office, found the drains in Hillhead in a very unsatisfactory state. Generally, the drainage there at that time was without any plan or system. A builder would put in a small drain to suit himself, and then another party alongside of him would put in another; so that they were quite inefficient. The Commissioners, in order to remedy this, have carried up a large well-built sewer from the Kelvin Bridge, through Bank Street and along the Great Western Road; and now I may say that we have got a main sewer into every street in Hillhead. The houses on the east side of the hill drain into that sewer which we brought up from the bridge over the Kelvin.

E With regard to the houses on the west side of the hill, before the burgh was formed, the houses in Sardinia Terrace or Cecil Street,—that being then the farthest west building in the burgh as at present constituted,—used to drain into an open field. The inhabitants there had petitioned the parochial authorities of Govan to do something for them, and they, along with Mr. Kerr, the proprietor of a large portion of ground there, took proceedings before the Sheriff, and got a large common sewer brought up from Dumbarton Road, in Partick, to near the Burgh Buildings. There was only drainage to enter that sewer from the east side of Byres Road; none was to be allowed from the west.

F By agreement with the Partick Commissioners, the Hillhead Commissioners acquired that sewer from the parochial authorities, paying them the balance of their original outlay which they had not recovered. I think the original cost was about £1,300 or £1,400. The Commissioners paid Mr. Kerr about £600, and Mr. Blackie of Lilybank I think about £100 that he had paid; and they paid the parochial authorities a balance of £200 which they had not recovered of the original outlay. After that they exempted certain other proprietors who had paid so much per house; and now they levy a tax for the whole of this sewer over the whole burgh. The Partick authorities were at no cost in connection with the construction of the sewer. They



merely gave leave to enter it into their sewer in Dumbarton Road. In that way the Hillhead Commissioners paid Mr. Kerr and the Parochial Board the expense which they had been at in the construction of the sewer and took it over from them; arranging with the proprietors in Sardinia Terrace that their outlay should be made good to them by their not being charged any rates; and now the Commissioners have got the sewer, but with the restriction, as in a question with Partick, that we will only drain into it from the east of Byres Road. By that sewer and its continuations, the whole of the west part of the Burgh of Hillhead is effectually drained. We have continued the sewer from the point where it stopped near the Burgh Buildings right round to the foot of Granby Terrace in the same style and at a large cost. That sewer in Byres Road, besides being suitable for the west part of Hillhead, forms in my opinion the natural drainage course for the drainage of Victoria Park, Grosvenor and Kew Terraces, and the whole area lying upon the east side of Observatory Hill. The Victoria Park people, and those other buildings down there, have in point of fact put their sewage into it without obtaining leave from the Commissioners of Hillhead. We have not interfered with that, because it is not doing us any harm; but they have got no right from us to do it. Rosslyn Terrace and Huntly Gardens drained for a time into an old quarry right behind Grosvenor Terrace, until it was becoming a perfect nuisance. Then they conducted a pipe down Observatory Road, and thrust it into this sewer in Byres Road. So far as I understand, therefore, the whole of the houses to the east of Observatory Hill, except Kew and Grosvenor Terraces, are using our sewer without any communication with the Commissioners. They just did it without asking anybody's leave. Kew and Grosvenor Terraces have a pipe—I cannot tell the diameter of it—which runs parallel to this large sewer of ours down Byres Road, and gets somewhere into Partick; but we have had complaints from proprietors in both terraces that it was frequently choked up, and was not satisfactory at all. I know, as matter of fact, that it has frequently required to be opened up in order to remove obstructions. That pipe is capable of taking the drainage from the east of Observatory Hill as well as our sewer, so that there will be no expense in the construction of a sewer for that portion of the area which we propose to annex. I do not anticipate that there will be any difficulty in getting the Partick authorities to agree to allow the Byres Road sewer to be used for the drainage from the west as well as from the east of the Byres Road; but if they should object, there are powers under the Public Health Act whereby the matter could be referred to the Sheriff.

The drainage of the district proposed to be annexed is attended to at present, I suppose, by the superiors of the buildings. The Local Authority is the Parochial Board of Govan; but I don't think they interfere in the construction of drainage, unless there is any complaint lodged; and even then we cannot get them to move, except when a nuisance is formed; so that practically the construction of the drainage, and the attention which is paid to it, depends entirely upon the will of the proprietors and their feuars or tenants. I think some of the Dowanhill houses drain into the sewer in Byres Road; but I cannot be positive. There is a portion of Dowanhill in Partick; but the portion of it which we propose to annex is not. I know that builders very often put in imperfect

A Petitioners' Proof.

Robert Bruce.

B

C

D

E

F

G



Petitioners' Proof.

Robert Bruce.

- A drains, even although the system under which they are working may be first-rate; and unless there is some authority or supervision over builders, the place will be continually unhealthy, and there will be continual complaints of bad sewage connection with what are called the private drains from the houses to the main sewer. Hillhead itself was one feu, and was laid out on one feuing plan under Mr. Gibson; but we found the drains constructed by the builders there to be very bad indeed, and therefore I think it is a matter of importance that there should be some authority having a power of supervision over the carrying out of building plans. I know that in some cases in Hillhead the pipes were so imperfect that the whole of the sewage was going below the dining room, and spreading there, through the carelessness of the builders. We, as Commissioners, very frequently had complaints from private parties as to smells, and we at once sent to have the nuisance removed. In Hillhead we put a common sewer into every street. The proprietor of houses makes application to the Commissioners for leave to connect his property with the sewer, and then he does it at his own expense, under our supervision. We act in this matter both under the Police Act and the Public Health Act. We keep up the common sewers in the streets, but not the private connecting sewers. A complete system of drainage now prevails in the Burgh of Hillhead, so far as at present embraced within its boundaries, and so far as built upon. If we were to embrace the district now sought to be annexed, we have power under the Act to form it into a special sewage district; the effect of which would be that no part of the expense we have already incurred in draining Hillhead as at present constituted would be thrown upon it. If any portion of the drainage of that district was taken into the sewer in Byres Road, they would have to bear a portion of the expense of it, but that would be all. That, however, would practically be bearing the expense of their own sewers, because the Byres Road sewer would, in that case, be a part of their own system. It is not the case that there is a quarry behind Kelvinside Church into which drainage from Hillhead runs.
- With regard to police matters, before the constitution of the burgh, Hillhead was, of course, under the county; and we are still under the county police. After the burgh was formed, we, along with several gentlemen outside, petitioned the Commissioners of Supply to get it formed into a special district of the county, and that was done. That made this alteration, that we, by paying for it, could get a sufficient number of police without any of the county gentlemen saying that we were getting any more or any less than our share. The place used for police purposes within the burgh was so inadequate before, that when we erected the halls, we also erected comfortable accommodation for the police. There are three men who live in the Burgh Buildings—the inspector, a sergeant, and another able man, so that they can be always on the ground. After the formation of the burgh, we raised the number of our force from 8 policemen, without any inspector, to, I think, 14; then there were two sergeants and an inspector, and there were other 4 men added—making 21 in all. These men attend to the interests of the burgh, as presently constituted, and also to the district proposed to be annexed. Police offences, and all offences under the statutes under which we act, committed within the burgh limits as presently defined, are tried in the Burgh Court Hall. By these statutes a number of matters are constituted offences which are not so at common law. Police offences committed in the district pro-

posed to be annexed are tried in the Justice of Peace Court Hall, in the centre of the city. It is a very inconvenient thing for the jurisdiction to be so divided. It takes the officers off their beat when they have to go down to the city with offenders or to be witnesses, and in that way breaks up the force. That has been a constant source of inconvenience. The men are sometimes required as witnesses in Hillhead when they are in Glasgow, and *vice versa*, and fires or accidents may occur when they are away. The addition of the area we propose to annex would enable us to have a special force of police of our own, entirely under our control. When the population is over 7,000, we are entitled to have a force under our own command. That would be a saving of expense. There are also some items of expenditure in connection with the force, as at present arranged for by the Burgh of Hillhead, which would not be increased although we were to annex the district now proposed, such as the roll-room, and cells, and policemen's assembling room, and other things for the general management of the force. The addition would be in the constables and sergeants, who would need to be increased as the population increases. We at present pay £75, 16s. as our proportion of the Chief Constable's salary, and we are liable to contribute for the general expenditure of the county force. These are two items on which there would be a saving, if we had the police under our own control.

Then, with regard to fires, the Commissioners have put down fire plugs at regular intervals throughout the whole burgh. I don't think there is anything of that kind in the outlying district that we propose to annex; but I could not be positive. There is Loch Katrine water in both districts. Besides providing plugs, we have got a two wheeled machine constructed for the purpose of carrying reels and hose; and we have about 800 feet of piping, with nozzles and hatchets, and all the other etceteras that are considered necessary for extinguishing fires. We have no fire engine. We have found the levels to be such that an engine is not required. The pressure is enough to carry the water to the top of any house within the burgh; and that I expect would apply to the district we propose to annex. I am not sure that that would be the case with the top of Observatory Hill; but, if the burgh were to be extended, we would have a fire engine if necessary, because we would then have more funds to come and go upon. (It was noted that the height on the Ordnance Plan of Observatory Hill was 168 feet, and Sardinia Terrace, 159 feet.) We have not had fires in Sardinia Terrace; but we have tried the hose there, and have found the pressure sufficient to go to the top of the highest house. I have seen fires extinguished by the city people by the same mode as we employ of simply attaching a hose.

I know the neighbouring Burghs of Partick, Maryhill, and Govan; and I know in a general way that they have all been erected into burghs, either under the present or under former Police Acts of a similar kind. They all have very large unbuilt extents of ground embraced within their limits. In particular, Partick has a large quantity of ground unbuilt upon, lying immediately to the south of the west portion of the district which we propose to annex; but it is extending rapidly towards it, in the same way as we are rapidly extending west towards Hyndland Road. Maryhill is very much in the same position. (It was noted that Partick was erected into a burgh in 1851, and Maryhill in 1856.) Of course, what I have now said with regard to Partick and Maryhill as to the large extent of unbuilt ground now embraced within them, applies

A Petitioners' Proof.

Robert Bruce.

B

C

D

E

F

G



Petitioners' Proof.

Robert Bruce.

A with greater force to 1851 and 1856, when they were erected into burghs, because building progresses now much more rapidly than it did at these times.

Our Burgh Buildings were erected at two different times, as it were. They cost nearly £10,000. We erected an additional shed for fire engine and police constables' accommodation and other things after the first erection, at a cost of about £2,000 or £3,000. Our Burgh Hall, or Court Hall as it is called, will accommodate four hundred persons. It is not always used for court purposes. It has been considered an advantage not only to Hillhead, but to the district proposed to be annexed. It is the only hall in the west end, with the exception of Kibble's.

B In view of an outbreak of epidemic or infectious diseases, we have entered into a combination, under the Public Health Act, with Partick and Maryhill, to build a joint hospital, which is now in progress, about half a mile west of Anniesland Toll, nearly opposite the Jordanhill ground—that is, west of any portion of the district we propose to annex, and in the county of Renfrew. That hospital is to be erected in a very suitable style, and the plans of it have been approved by the Board of Supervision. It is expected to be completed this year; and it will afford hospital accommodation in cases of contagious disease for the inhabitants of the burghs I have named. The inhabitants of the district proposed to be annexed, if they required accommodation for such diseases, would require to go to Belvidere Hospital, on the east side of the City altogether, down the London Road. The Royal Infirmary refuse to take such cases; and the Western Infirmary are not allowed to do it.

D *By the Sheriff.*—The inhabitants of the district proposed to be annexed would have no right to send such cases to the Belvidere Hospital without making some arrangement or bargain for doing so. They could make arrangements with our new hospital as well as with the other. They have exactly the same power of making arrangements with the one as with the other.

E *Cross-examined by Mr. Kerr, for Proprietors of Lunatic Asylum.*—I cannot tell how many houses there are in Westbourne Terrace or Hyndland Road, but there is only one row of houses there yet on one side of the street. There will be fully half-a-mile of space unbuilt upon between Westbourne Terrace and the Asylum. I don't know that the Commissioners could do anything for the Asylum, if it were included in the burgh, unless with regard to drainage. If there was any system of main drains, it would take away the whole sewerage of the district. I know nothing about the present drains of the Asylum.

F I have no reason to suppose that they are in any way defective. So little, however, do I think the benefit is which the Asylum would derive from being included within the burgh that my advice to the Commissioners was to take advantage of the 43rd section of the General Police and Improvement (Scotland) Act in order, while including it within the district, to except it from rates. Its position would then be, that, if there was a general scheme of sewage, it would perhaps have to contribute its proportion towards that, but otherwise it would pay for nothing connected with the burgh. It was merely in order to keep

G the police force in one body that the Commissioners proposed to take it in; they had no wish to take it in for assessment; and I believe they would formally agree to its exemption

from rates as a condition of the annexation of that part of the district. That was the unanimous feeling of the Commissioners while I was among them. A

Petitioners' Proof.

Robert Bruce.

*Cross-examined by Mr. Fleming, for Kelvinside Proprietors and others.*—I suppose the district proposed to be annexed may be called an outgrowth of Glasgow—not of Hillhead. I am not aware that any of the people living there carry on business in Hillhead. There are numerous people living there who live on their means; but the general population are people in business in Glasgow.

Grosvenor Terrace and Kew Terrace were in existence when the Burgh of Hillhead was formed, and also part of Windsor Terrace; I am not sure of the whole of it. Part of Belhaven Terrace was also in existence then. Some of the houses in the district proposed to be annexed are of a better class than the houses in Hillhead. I would not say that the most of them are so now. I think there are houses in Hillhead as good as those in Windsor, Grosvenor, Kew, and Belhaven Terraces. I think those in Alfred Terrace are as good, and also in North Park Terrace. B

The residents in Rosslyn Terrace and Huntly Gardens can go to Great Western Road by Byres Road, and I have seen them going that way. It is the natural way for them to go into town, if they are going by University Avenue. A person residing in Rosslyn Terrace, and wanting a tramway car, would naturally go to Great Western Road for it by the east of Belhaven Terrace, and not by Byres Road. If I were living there, and had a carriage, I would be inclined to go down Byres Road and University Avenue, and pay a cheaper toll, rather than go by Great Western Road. I have no doubt the residents in Hillhead occasionally use roads belonging to other people. In going into Glasgow, they of course pass over some of the roads belonging to the city. The majority of the residents in Hillhead do business in Glasgow. C

I know nothing about Mr. Mirrlees' ground, except from seeing it in passing. I believe there is no house on it except his own. I don't know what his intentions are with regard to building. I don't know Mr. Mirrlees at all.

There are a considerable number of mineral workings on the ground to the west of Balgray farm, opposite the entrance to the Asylum, on the Great Western Road. It depends a good deal on when the minerals are exhausted whether there will soon be houses erected on that ground. That is a matter about which I have no information. E

Before the Burgh of Hillhead was erected, the Great Western Road was very poorly lighted. There was just a straggling lamp here and there. There was scarcely the same occasion for lighting it well then that there is now. The Road Trustees did not improve the lighting of the road to the west of the burgh as the population increased; and the proprietors of Kelvinside have erected lamps there this year in their default. I don't think the lamps which have been erected by the proprietors of Kelvinside are better lamps than those in Hillhead. I do not see better lighting anywhere than there is there. We regulate our lighting in Hillhead so as to keep it within certain bounds. We have placed the lamps very thick, so that the lighting may be uniform. We light only a portion of our lamps from 15th May to 15th August. The greater number of them are out between these dates, except in very populous districts. I am not aware that in the district proposed to be annexed all the lamps F G



Petitioners' Proof.

Robert Bruce.

A are lighted every night at present. I know that the Road Trustees put out their lamps a month earlier than the Commissioners, and they were two months later in lighting them. I have not been out the Great Western Road, beyond the burgh, for I think about a couple of months. I think the lamps put up by the proprietors of Kelvinside were then in course of erection. I think they were erected after this petition was presented.

B I do not know whether the piece of ground got to widen University Avenue is within the municipality of Glasgow or not. The widening was made beyond the mean wall. I cannot say whether the people who use that part of the road, which includes the ground given off for the widening, use a street belonging to the Burgh of Hillhead or not; but they use a street which was widened and formed by the Commissioners of Hillhead, at the cost of the burgh. Mr. Paterson agreed at one time to pay £200 towards the formation of it; but he has forgot to do it. That agreement is still in existence. The City of Glasgow did not contribute anything towards the formation of the road. The University agreed to pay £50 over and above giving off the ground; but I don't think they have paid it yet either. The Commissioners did not press them for it, as they have not much funds. They are still liable to pay that sum of £50, under agreement. Mr. Paterson disputes his liability for his proportion.

D With regard to the lighting of Byres Road, it is not the case, that even keeping out of view the lamps opposite the Burgh Buildings, that road is better lighted on the west side than on the east side. It is lighted on the east side so far as there are any buildings with any pavement in front. It is lighted in front of the church; it is lighted in front of the old police office; and also in front of a small public house there, the only one in the district. At the other portions of the road, as they get the kerb-stones in and widen the street, the lamps will be put up. There are no lamps up at present, except opposite the points I have named. I am not aware whether the Road Trustees contemplate erecting any more lamps on the other side of the road. They may intend to do so for anything I know.

E I am not aware that, besides the debt on the Great Western Road, which I spoke of, and which would be cleared off in two years, the whole cost of the ground taken to form the road, and the interest accumulated thereon are still due; but I know that in Hillhead the feuars got their ground measured to the centre of the road, and it is their property. I am not aware whether or not in Kelvinside the feus are measured to the centre of the road.

F I never heard that the proprietors of Kelvinside paid a large sum to the Police Commissioners of Partick for right to put a drain down the Byres Road, and to connect it with the Partick drain. The Commissioners of Partick could give them no right to put their sewage into the sewer belonging to Hillhead, for they are expressly excluded by the agreement with the Parochial Board from allowing any sewage except from within their own bounds entering the sewer. I know that there is a pipe from Grosvenor and Kew Terraces that runs parallel to the large sewer in Byres Road. The Hillhead Commissioners could afford facilities for the drainage of the district proposed to be annexed, down the Byres Road. The Commissioners would require to send the drainage on to Partick, if sent that way, but they have powers, under the Public Health Act, to make arrangements with a corporate body for doing that. The Commissioners are the Local Authority under the



Public Health Act. I am aware that, under the Public Health Act, there is a Local Authority outside as well as inside the burgh. The Local Authority outside the burgh have not so large powers as the Authority inside the burgh. We have powers under the Police Act which they have not. Under the Public Health Act the powers are the same, but we generally work them a little better than they do. I suppose that, under the Public Health Act, the Local Authority outside the burgh could construct a drainage system as well as the Commissioners. There would be a considerable district to which facilities could be afforded for draining into the sewer in Byres Road; there would be the whole of the district on the east side of Observatory Hill. That, however, is not a large district, compared with the whole district proposed to be annexed. Being shown copy of Ordnance Survey, now produced for the proprietors of Kelvinside, and coloured so as to show the drainage districts, and his attention being directed to the part coloured green, called Horselethill, and asked—Is not that the only portion of the district that you could drain through Byres Road?—Depones, I cannot speak to the drainage as indicated there, unless I had the levels. We cannot take any additional sewage into the drain in Byres Road without consulting Partick. It would be a matter for the Partick people to consider whether it would not be better that the district now proposed to be annexed to Hillhead should not be annexed to Partick. The district proposed to be annexed does not lie into the Burgh of Partick at all. It lies naturally into Hillhead, and would naturally form a portion of that burgh.

With regard to the drainage of the district west of Horselethill, and on the north side of Great Western Road, I know that a sewer has been taken down the Kirklee Road above the Botanic Gardens into the Kelvin, which, however, will likely be stopped by the river pollution. Most of our drains in Hillhead also run into the Kelvin, and it is expected that they will be stopped also; but these drains have all been formed with a view to being taken up as part of a general scheme of drainage. I cannot say whether or not the proprietors of Kelvinside will be in a worse position than us in that respect, because I don't know how they bring their drain into the river.

I cannot say what is the distance between the fire-plugs in Hillhead; but I know that they were all submitted to Mr. Gale, of the Corporation Water Works, and he adjusted them with the consent of our Commissioners, so that they might be at proper distances. We have, as firemen, men who have acted over and over again on such occasions—slaters and such people as that. They are specially engaged to attend to any fires occurring in the burgh. One of them has a retainer, and the others are men in the employment of the Commissioners as lamplighters, cleaners, and such like. There are two of them who reside in the Burgh Buildings, and whose duty it is to turn out for a fire when ordered. There are five families in all who live in the Burgh Buildings,—two connected with the burgh and three with the police; and then there is a policeman on duty night and day in the office, so that there are half a dozen people ready to turn out to a fire at a moment's notice. I cannot give the names of the men from memory. We do our business by committees of the Commissioners; and that was not my department. I know that these men have extinguished fires. Kelvinside Free Church would have been burned down one morning but for

A Petitioners' Proof.

Robert Bruce.

B

C

D

E

F

G

Petitioners' Proof.

Robert Bruce.

A them, three or four years ago. They extinguished the fire after £50 worth of damage had been done. I also saw Sheriff Murray's house on fire one morning, and the fire there was also extinguished by these men. I recollect a fire which took place in a greengrocer's shop in Buckingham Buildings, in November last; but I did not see it.

There is a debt on the Burgh Buildings which we are extinguishing annually; but I cannot tell the amount of it. I have not been paying much attention to these matters for the last few months.

B With regard to epidemics, the Local Authority under the Public Health Act could provide accommodation in the event of such an outbreak occurring outside the burgh. They have certain statutory powers and duties, but in this case the Local Authority has not exercised them, in so far that the parish of Govan has no hospital. I am not aware whether they have made arrangements with Glasgow for getting their patients into the Belvidere. I know that the Royal Infirmary, to which I have been a subscriber for many years, passed a resolution twelve or eighteen months ago that no cases of that kind were to be taken into the Infirmary. I am not aware that they also passed a resolution to the effect that subscribers were to be entitled to pass patients on to the Belvidere.

C I don't think, so far as my knowledge goes, that the Burgh of Partick could afford greater facilities for drainage to the district proposed to be annexed than the Burgh of Hillhead can. I don't think it would be a good thing for the district proposed to be annexed to be erected into a burgh by itself. Hillhead could give to this district all the benefits that arise to a place from being under the authority of a corporate body, and from having a supervision of your own affairs. The debt on the Burgh Buildings would be the best bargain the district could get, for the spare ground is now worth almost as much as the whole buildings cost. I know that the acreage of Hillhead is very small compared with that of the district proposed to be annexed. The district may be seven times as large.

E It was the Commissioners of Hillhead who commenced the movement for having this place created into a special police district. The gentlemen outside did not move until they were asked to do so by the Commissioners. Crime is increasing in the district proposed to be annexed. I would not call it a den of thieves; but there are a great many loose characters going about it now who did not use to go there. I cannot tell anything about the number of police cases from that district. We have frequently suffered inconvenience from the police being taken away from their duty in order to take into town persons who have committed offences in the district proposed to be annexed. I saw three men, I think the week before last, going into the town with two prisoners. I think the prisoners were from the district proposed to be annexed. I am aware that the county police are entitled to go beyond their district in order to apprehend people. The constables whom we have are constables of the county, but specially attached to that district. The prisoners whom I saw being taken to the town may not have been from the outside district.

G *By the Sheriff.*—We have no system of drainage at present which would be applicable for the west portion of the district proposed to be annexed on either side of the Great Western Road, but the drainage of that part of the district should all be carried away



down towards Yoker. None of the district after you get over the top of the hill could be drained into the main drains which we now have. We must drain westward when we get to the crest of the rising ground opposite Gartnavel. I am not aware of any drainage to the westward from the Crow Road. Any system of drainage there would require to be created.

*Cross-examined by Mr. Howie, for Mr. Davidson of Balgray.*—The lands of Balgray are not laid out for feuing. There are some feus taken off, but they are not laid out for that. There is the gas manager's house, and I think Mr. Collins' house is also on these lands. All beyond that is an agricultural subject, and I know that it is occupied as a farm by Mr. Collins. The lands of Balgray lie very much outside the present boundaries of Hillhead. They do not adjoin them at all. There is a good deal of space betwixt these lands and the present boundaries. I was one of the parties who arranged for the feuing of the acre for the gas manager's house; and we were told that the land was to be restricted to one-acre lots. I think it was the agent, Mr. Peter Hamilton, who told us that. He negotiated the sale. We would have taken half-an-acre at the time if we could have got it; but we were told that we could not get less than an acre. The lands of Kelvinside intervene to a considerable extent between the lands of Balgray and the present boundaries of the Burgh of Hillhead.

*Cross-examined by Mr. Aiken, for Proprietors in Dowanhill Gardens.*—I know Dowanhill Gardens, but I do not know where they begin or where they end. The houses there are large and are mostly self-contained, with a good deal of ground round them. The Gardens are bounded on the south by the road which forms the boundary of Partick. The road up to Dowanhill Gardens is by Victoria Crescent and Victoria Terrace, and these terraces are within the Burgh of Partick. That road joins the Byres Road at a point also within the Burgh of Partick. Besides using University Avenue, the Dowanhill proprietors have an access by the Byres and Partick Roads southward to Dumbarton Road, and thence into the town. There are tramways along that road. There are none in University Avenue; so that, in order to get the benefit of tramway accommodation to Glasgow, they have to go down to Dumbarton Road or up to Great Western Road. To get to the Exchange and to the business parts of the town, the natural access from Dowanhill is by the University Avenue. I could not say that that is the natural access from Dowanhill to Argyle Street; but at any rate, it is not by Great Western Road. Dumbarton Road is an extension almost in a straight line from Argyle Street westwards; and if the Dowanhill proprietors go down the Byres Road to Dumbarton Road they do not require to use the Great Western Road at all. I cannot tell the rate of toll at Clayslaps. When I stated that the cheapest way of getting into Glasgow was by University Avenue, I had not Dumbarton Road in view at all; but I may say that Mr. Balloch, one of the feuars in Dowanhill Gardens, told me twelve months ago that the greatest boon we had given was opening up University Avenue for him to get in by his machine; he does not take the tramways.

The ground in Dowanhill Gardens slopes, I think, both towards the west and the south. In speaking of the district which the Byres Road sewer would serve, I had reference only to a portion of the Dowanhill Gardens—the portion which lies in a

A Petitioners' Proof.  
Robert Bruce.

B

C

D

E

F

G

Petitioners' Proof.

Robert Bruce.

A southerly direction towards the burgh of Partick. We claim a right in that sewer down to Dumbarton Road. The Partick Commissioners are at perfect liberty to allow any sewage arising out of their own burgh to enter into the sewer; but they have no right to allow the proprietors in Dowanhill Gardens, or any one else beyond their bounds, to pass sewage into the sewer without our leave.

I do not know much about the lighting of Dowanhill Gardens. I cannot say whether the district is ill or well lighted within that limited area. I cannot tell whether there are any fire-plugs in Dowanhill Gardens, or how high the Loch Katrine water would go there. We have not made any special arrangement for Dowanhill Gardens about that. I cannot say anything about the watching in Dowanhill Gardens.

*Re-examined by Mr. MacLean, for Petitioners.*—The majority of the people in Hillhead, as well as in the district proposed to be annexed, have their business in Glasgow. The whole of these outlying parts are off-shoots of Glasgow. I think the present boundary of the Burgh of Hillhead is a very awkward one. The Burgh is too small. Our general arrangements would cover a much larger area. We could improve our fire brigade, and many other things, if we had a larger area to look after. I do not think it would be convenient to erect a separate burgh in the Kelvinside district. Some of the people in the outside district which we propose to annex concurred with us in thinking it was a proper thing to have a special police district formed there, believing with us that it would be wise to have an increase of the police force. I think the prisoners whom I saw being taken into town must have come from the outside district, because you get into a different county at the west end of the district, while Maryhill and Partick enclose it on the north and south sides.

Alexander Nisbet.

ALEXANDER NISBET.

*Examined by Mr. MacLean, for Petitioners.*—I am lands' valuation assessor for part of the county of Lanark. My district includes the parishes of Govan, Cadder, New Monkland, Kirkintilloch, and Cumbernauld. I have been assessor for that district for twelve years, and I was previously employed in the same way in the county of Roxburgh.

I have made up a statement showing the amount of valued rent of the Burgh of Hillhead, as at present constituted, for the last six years, and also for the outside district which it is proposed to annex. I now produce a copy of that statement, which is correct (marked No. 40).

The Burghs of Govan, Hillhead, and Kirkintilloch have been formed since I became assessor. The Burghs of Partick and Maryhill were formed prior to that, but Partick has since that time adopted the General Police Act of 1862. I have had occasion to go a good deal about the buildings in Hillhead and the outlying district, both before and since the formation of the burgh. I cannot say much about how the formation of Hillhead into a burgh has operated upon the character of the buildings, further than that I should think the provisions of the Act, in providing a Dean of Guild Court, will have the effect of causing precautions to be taken with regard to building better than



before. In all the burghs that I have a knowledge of, and particularly in Hillhead, there has been a very great improvement, both as to lighting and as to roads, since they came under the General Police Act. I attach a good deal of importance to the existence of a Dean of Guild Court. With regard to drainage, the result of my observation is that where there is no constituted authority, meaning by that a Municipal Authority as contrasted with a mere Parochial Board, there is less attention paid to it. I have observed that in connection with the Burgh of Hillhead, and also with the Burgh of Govan; and I know populous districts where the drainage has been such that I have had complaints regarding it.

The lighting of the district proposed to be annexed is not to be compared by any means with the lighting in the Burgh of Hillhead. I consider the Burgh of Hillhead to be one of the best-lighted places that I have seen. The lighting on the Great Western Road, outwith the burgh limits, is fairish for a place outside a burgh; but it cannot be called well lighted, except in front of some of the terraces. The road itself is not well lighted.

I made reports as to the population of the Burgh of Hillhead at the time when it was constituted a burgh in 1869; and I have also prepared reports with regard to the present population of Hillhead, and the outlying district. Both the old and the new reports are correct, to the best of my knowledge. Nos. 41 and 42 are correct copies of the reports which I made for the erection of the burgh in 1869, and No. 29 is the report which I have made for this process.

*Cross-examined by Mr. Fleming, for Proprietors of Kelvinside and others.*—I remember an accident occurring in Belmont Crescent, which is within the Burgh of Hillhead. The foundation of one corner of a tenement gave way, and part of it fell. I don't think the whole house fell. I don't remember whether anybody was hurt, or whether the builders were tried before the Circuit Court. I cannot say whether the Dean of Guild Court was attending to its duty or not with regard to the inspection of that building. I don't recollect ever hearing of any accident of that kind outside the Burgh of Hillhead, in the district proposed to be annexed. I am not aware what supervision the Dean of Guild Court takes of houses in the burgh. I merely express my own opinion, that where there is a Dean of Guild Court there is likely to be a better supervision than where there is not. I don't know, so far as Hillhead is concerned, whether any meetings of the Dean of Guild Court are held.

I know Windsor Terrace, Grosvenor Terrace, Kew Terrace, and Great Western Terrace. Speaking generally, I should say that the houses in these terraces are as well built as in the majority of terraces, either within or without the City, or anywhere else. The majority of the terraces in the burgh of Hillhead were built before I had anything to do with the district, and I cannot say whether they are equal to the terraces I have now spoken of; but I should say that there are some in Hillhead that are equally good with those that have been named. The average value of the houses outside the burgh is much higher than of the houses inside, because there are so many highly-valued self-contained houses outside the burgh. I should not say, taking them overhead, that the population outside the burgh, along the Great Western Road on the Kelvinside Estate, are a higher

A Petitioners' Proof.

Alexander Nisbet.

B

C

D

E

F

G



Petitioners' Procf.  
 Alexander Nisbet.

- A class of people socially than those in the Burgh of Hillhead, because there is a much lower class of population outside than there is inside. I refer to the population at the paper mills and at the colliers' rows. I should say there will be from eight to ten colliers' rows in the district, outside the burgh. These rows are both at the western and northern extremities of the district. Speaking roughly, I should say that the population in houses of that class, including those at the paper mills, would be about 500 or 600. The total population, excluding Gartnavel Asylum, is 2,453. The total population, including Gartnavel, is 3,149. Excluding Gartnavel and the population in the colliers' rows, the population of the district will be nearly 2,000. The colliers' rows are in the rural part of the district, —not in the urban part. In the urban part the houses are nearly all self-contained. All of them in the Great Western Road are self-contained. I have been along the whole of these terraces. I cannot say that I have ever seen terraces anywhere in Glasgow or anywhere else that were better laid off. I think the sanitary condition of these houses could be better attended to than it is at present, for this reason, that at present there is no authority taking any cognizance of them; and if there was a constituted authority, such as the Burgh of Hillhead, or any other, there would be more likelihood of attention being paid to that matter. Kelvinside is a very large part of the district proposed to be annexed. (Shown plan now produced by Mr. Fleming, as being of the whole district proposed to be annexed, including Kelvinside Estate, marked No. 43.) I believe that plan to be correct, but I cannot speak to exact details. It would be to the interest of the superiors of Kelvinside Estate to attend to the sanitary matters I have referred to, especially looking to the class of houses that are being put up. I cannot say whether they attend to them or not. I never saw the drains opened up there, and I cannot speak to the drainage system. I cannot say that I have ever seen any symptoms that the Kelvinside Estate was not properly drained. I have seen symptoms of inefficient drainage in connection with some of the colliers' rows in the district proposed to be annexed.
- I cannot say whether the houses in these colliers' rows are of a temporary character.
- Some of them have been rebuilt, I believe; some of them were there before the Burgh of Hillhead was erected. I cannot say whether, so far as they are concerned, there is any more occasion for taking them into the burgh now than there was at the date the Burgh of Hillhead was formed. I am not aware of any change of circumstances that would make it necessary to include them in the burgh.
- Cross-examined by Mr. Aiken, for Proprietors in Dowanhill Gardens.*—In the report which I have prepared for this process, the increase in the population both in the Burgh of Hillhead and in the district proposed to be annexed is given in the aggregate. I know the district of Dowanhill Gardens. It was in existence in 1869, when my first report was made up, and it was built upon then as it is at present. I believe there have been no additional buildings there. They are all large houses, with a considerable portion of ground round each. I should say that the advantage of a Dean of Guild Court authority in a district was more in connection with houses of a smaller class than those in Dowanhill Gardens; but even for villas, a Dean of Guild Court is an advantage. I would say that that applied to houses of all classes, because there are so many houses, even villas, built on speculation by builders, that it is necessary there should be some supervision.

When a party builds a house himself, there is not the same occasion for supervision, A Petitioners' Proof.  
because he will then look to it himself. Even where such large houses were built upon  
one general feuing plan, my remarks about a Dean of Guild Court would apply to a certain  
extent, but only to a small extent. Alexander Nisbet.

I know nothing about the drainage of Downhill Gardens. The lighting is  
fairish, but not extra good. I was there last winter. The lamps were at considerable  
distances apart; but of course the last time I was there I had no expectation of being  
examined on the matter, and therefore I did not pay much attention to it. I am B  
only speaking from recollection in saying that the district was fairly lighted.

## WILLIAM NICOL.

William Nicol.

*Examined by Mr. MacLean, for Petitioners.*—I am a civil engineer in Glasgow.  
In 1870 I was assistant to Mr. Francis Colledge, C.E., Glasgow. He was at that C  
time employed to make a calculation with respect to the areas of certain burghs  
in the neighbourhood of Glasgow, showing how much of these areas was built upon,  
and how much was unbuilt upon. I took part in the preparation of his report.  
I now produce a copy of it (marked No. 44). It is correct. The report shows that  
in Hillhead, at that time, there was very little difference between the amount of  
ground unbuilt upon and the land occupied by and connected with buildings.

*Cross-examined by Mr. Fleming, for Kelvinside Proprietors and others.*—I have no  
plan showing that. D

## WILLIAM GRAHAM.

William Graham.

*Examined by Mr. MacLean, for Petitioners.*—I am a chartered accountant in Glasgow.  
I am treasurer of the Burgh of Hillhead, and I have been so since the burgh was formed. E  
The assessable rental for last year was £47,000 odds. The rates of assessment were—

On occupiers—Police, . . . . .	11d.
Improvement Rate, . . . . .	$\frac{1}{2}$ d.
Sanitary Assessment, . . . . .	3d.
	<hr/>
	1s. 2 $\frac{1}{2}$ d.
On owners—Improvement Rate, . . . . .	$\frac{1}{2}$ d.
For Repayment of the Construction of Sewers, . . . . .	3d.
	<hr/>
	3 $\frac{1}{2}$ d.

F

A considerable portion of the outlay for burgh purposes is such as would be applicable  
to an increased area; at least, a few items would apply to an increased area, for G  
instance, all the expenses connected with the Burgh Buildings; and there would not be  
any increase on the roll or on the repayment of the sinking fund, which is at the



Petitioners' Proof.

William Graham.

A rate of 5 per cent., or £450 per annum in all. The general revenue is a little over £3,500. It may be a matter of opinion whether the present limits of the burgh are too restricted for economical working; and it is hardly for me to express an opinion on that matter. There might be a little reduction of assessment in so far as the Burgh Buildings alone are concerned; other things might remain very much as they are; but I think the maximum assessment, as it stands at present in Hillhead, has been attained. I do not expect it will go beyond 11d.

B We purchased the ground on which the Burgh Buildings are erected from Mr. Kerr, at 8s. 6d. per square yard, I believe; and judging from the feuing that is going on in the neighbourhood, I think the unoccupied portion of the ground is worth a great deal more than that now. I should think it is worth at least £1 more. I think the revenue from the Burgh Hall will increase from year to year. The original cost of the Burgh Buildings was £9,354. Against that the Commissioners borrowed £9,000, of which about £700 has been paid off a sinking fund, so that the actual debt stands in our books at the present moment at £8,300, for which we are paying 4½ per cent. We are obliged to write off capital 5 per cent. annually, so that in twenty years the whole thing ought to be abolished. Just now the nett annual cost to the Commissioners for the Burgh Buildings, after crediting rents received, is about £250. I think that is the utmost the burgh will ever have to pay. The revenue from the hall last year was £193. The police constables occupy one part of the building, the Gas Company occupy another part of it, and the vacant ground is also let. The rent from it forms part of the £193.

D The total cost of the operations upon the drainage system as it exists up to date has been £6,532. That has been reduced to £4,566 by an assessment of 3d. per £, being the 3d. that I before mentioned as imposed upon owners. Assuming there was no addition to it, it would be cleared off at that rate in about fourteen years; I know no reason why there should be any addition, and that assessment will then cease.

E The Byres Road sewer was acquired by the Commissioners, they paying Mr. Malcolm Kerr £600 and the Govan Parochial Board £230, and settling with the proprietors in Sardinia Terrace who had contributed to its formation on the footing that they were to be relieved from taxation. In widening and straightening Byres Road, and in doing the same thing to University Avenue, a considerable sum has been spent by the Commissioners. In all there has been £2,300 spent on different improvements, of which these are part. Of that sum £1,038 has been repaid, leaving about £1,200 to be liquidated. There was somewhere about £700 spent on raising and improving the road at the bridge over the Kelvin at Woodlands Road. Mr. Bruce was quite correct so far in stating the cost at £1,000. The extra expense went to the sewage department, but £700 was the amount charged against the Improvement rate. Upon University Avenue, there was about £1,700 spent in all, of which £447 was for drainage. I understand Mr. Paterson promised to pay £200, but he has not paid it yet. Mr. Napier, who was the other obligant under that agreement, has paid his £50; the University have not been pressed for their £50, but it still remains a debt. In my opinion, the parties most benefited by that improvement on University Avenue are the whole inhabitants of Hillhead proper and Dowanhill, so far as access to Ashton Terrace is concerned, and Partick. There are not many buildings yet in the



Burgh of Hillhead proper on the line of University Avenue, but it gives an access to the adjoining streets. I believe University Avenue is largely used by the Downhill people. There has been a reduction of the pontage on the Woodlands Road bridge over the Kelvin to 2d. per horse, on account of the increased traffic so reducing the debt as to warrant the Trustees in reducing the pontage. I attribute the increase of traffic simply to these two improvements; that is, the improvement of the road at and about the bridge and the widening of University Avenue. University Avenue has been made available now as a carriage drive, and it is a beautiful road, while formerly it was almost impassable.

I am indirectly interested in the property of Hyndland, but I do not appear here as representing it, and I may explain that the proprietors of it remain neutral in the meantime. It has passed out of the hands of its late proprietor, Mr. Stirling Crawford, into the hands of a Feuing Company, the National Heritable Property Association. Hyndland contains somewhere about sixty-three acres. There has been no building upon it yet. It has been laid out partially with a view to building. I see some streets and roads laid out on the map; I think there is only one on the ground yet. We have the plans of the former proprietor, who intended to lay out the ground for feuing. We do not bind ourselves to carry out these plans, but it is our purpose to convert Hyndland into building ground. The great bulk of the lands of Hyndland which we have acquired lie to the west of Hyndland Road—I should fancy fifty acres at least. It adjoins Gartnavel on the west, and is between it and Downhill Gardens.

*Cross-examined by Mr. Fleming, for Kelvinside Proprietors and others.*—The sale of Hyndland is not yet completed. The missive is completed.

I believe that, in addition to the assessment of 11d. for police purposes in Hillhead, there is an assessment of 5d. for the county. There is also an assessment for statute labour of, I think, about one farthing. There is a prison assessment also, amounting, I believe, to 1½d. (Mr. Fleming here put in vidimus of taxation, marked No. 45.) In that vidimus, so far as I can see, the taxes applicable to Hillhead are slumped together with the county rates, and I cannot speak to them. So far as they relate to the burgh assessments only, they are correct.

*Re-examined by Mr. MacLean.*—2d. of the assessment of 3d. for sanitary purposes goes to the formation of the Hospital.

#### THOMAS WHARRIE.

*Examined by Mr. MacLean, for Petitioners.*—I am a civil engineer in Glasgow. I have been surveyor for the Burgh of Hillhead since it was formed. I know that then, as now, the portion which was formed into a burgh, and the portion which is now proposed to be annexed, constituted detached parts of the County of Lanark. Since 1869 a great deal of building has been erected within the limits of the burgh as then fixed. I prepared the plan which was produced with this petition. I have shown upon it, to a considerable extent, the alterations which have been made upon the burgh since 1869. There were some buildings in course of erection when the plan was prepared

A Petitioners' Proof.

William Graham.

B

C

D

E

F

Thomas Wharrie.

G

Petitioners' Proof.  
Thomas Wharrie.

A which it does not show. The same remark applies to the red markings of buildings in the district proposed to be annexed. I shall bring the plan up to date. [It was agreed by the parties present that Mr. Wharrie should put the additions upon the plan produced with the petition.]

With regard to the operations since 1869 within the limits of the burgh as at present constituted, a very considerable number of new terraces have been formed, and generally of a superior order. Some of the terraces which have been built since 1869  
B are as good as any in the neighbourhood. With regard to the social position of the residents, I am afraid that some of the Lilybank residents would object to any comparison which was unfavourable to them in that respect. Indeed, the buildings in the burgh of Hillhead are of a high-class order, and inhabited by first-class people. I think the whole of what is within the burgh of Hillhead is held of one superior. In the district proposed to be annexed there are several superiors. Beginning at the extreme west of our present boundary, we have the Feuing Company, which held from Kelvinside originally, but they are a distinct holding now, and they are responsible for their own acts. I don't suppose the Kelvinside superiors would be responsible for any dereliction they might be guilty of. Then we have Dowanhill Gardens, who hold from Mr. Paterson ; then Mr. Stirling Crawford, or the new Feuing Company which Mr. Graham spoke of just now in connection with Hyndland ; then we go from Hyndland on to Gartnavel, which I think was held from Kelvinside originally ; and then, lastly, we have Mr. Oswald  
D of Scotstoun, whose ground commences immediately to the west of Gartnavel. In addition to those I have mentioned, on the south side of Great Western Road, there is Mr. J. W. Anderson who has a great deal of ground lying between Dowanhill Gardens and Great Western Road. The Observatory is held partly under the Kelvinside proprietors and partly under Dowanhill. Then, on the other side of the Great Western Road, still keeping west of the west boundary of the Burgh of Hillhead, we have the Royal Botanic Gardens, who hold from the Kelvinside proprietors. Then there is Mr.  
E Mirriees who, I think, acquired from the Free Church Trustees, but it was originally a part of Kelvinside. Next we have Mr. Davidson's farm of Balgray, and then Kelvinside again. Beyond that there is a small portion belonging to Mr. Oswald of Scotstoun.

I am familiar with the way in which the district proposed to be annexed is at present laid out. [Counsel for the Petitioners put in a copy of the Post Office Directory plan, which had been specially coloured—marked No. 46.] I think that plan,  
F which only goes the length of Gartnavel, correctly represents the state of building, and the laying out of existing or proposed streets, so far as it shows the district. It shows that a large portion of the estate of Hyndland lies to the west of Hyndland Road, and it has been laid out in streets. I happen to know that that is the fact from my professional connection with the Company who have acquired the ground, or who are to acquire it at next term. The transaction is virtually closed, and I know that plans exist for carrying out the feuing. I have no doubt, from my knowledge of the  
G locality, that, so far as the area presently proposed to be embraced by the Burgh of Hillhead is concerned, it will, in course of time, and speedily, be all feued. I do not think that I will live to see the day, but I have no doubt that even Gartnavel will be forced out of its position.



With regard to the ground immediately to the west of Byres Road, I think it was just when the Burgh of Hillhead was created, that that property, now in the hands of the Victoria Park Feuing Company, began to be operated upon. I think it must have been about 1869 or 1870 that they acquired that ground from Mr. Fleming's Trustees; and they have been bent on pushing their ground very fast indeed. The result has been the erection of some very handsome terraces and villas; and I know that it is the intention of the Company to cover their entire property as rapidly as they can. That includes everything to the west of Byres Road, on the east side of Observatory Hill, and as far south as the north boundary of the Burgh of Partick. New lines of road have been opened up, and are being opened up, through that ground, and Loudoun Terrace has been erected, and also Huntly Gardens, Rosslyn Terrace, Bowmont Terrace, and all the buildings shown on the plan. They intend just now to build a new terrace, fronting Huntly Gardens, and in continuation of the line of Loudoun Terrace, upon the south side of the Observatory Road, until it joins another terrace, which has been partially erected on the south side of Observatory Hill. The whole of that ground is laid out for feuing, and is in course of being built upon; and I have no doubt that in less than five years the whole of that space will be covered. The same remarks apply to the ground on the west side of Observatory Hill, as far out as Hyndland Road. Mr. Anderson's property, which embraces the space between Dowanhill Gardens and the Great Western Road, has been partially built upon as far as Hyndland Road.

On the north side of the Great Western Road, the Kibble Conservatory has been erected since 1869.

*By the Sheriff.*—I don't anticipate that the Botanic Gardens will be built upon; at least, I hope they will not, although I know that some of the Directors have proposed such a thing over a portion of the ground.

*By Mr. MacLean.*—I think it would injure the grounds very much, as a garden, if a terrace were built upon the portion fronting the Great Western Road. I don't think there is any portion of the Gardens that could be laid off for building, without being detrimental to the whole. It would require to be abandoned as a Garden, if it was given over to any considerable extent for feuing. Then there is a field west of that, and immediately to the north of Windsor Terrace, which is being rapidly built upon. There are three or four villas there, and there is a terrace or crescent partially built, that will, no doubt, go on as quickly as they can get feuars to take it up. Then we come to the lands of Kelvinside, which are being rapidly built upon, and I have no doubt whatever that, if Glasgow goes on at the same ratio as it has done for the last ten years, the whole of that ground will very soon be taken up. That practically carries us out as far as Anniesland Toll-bar, so far as the frontage to the Great Western Road is concerned. Farther in Great Western Road, there is Crossloan Road, where there are some villas now being built; and a street, diverging east and west from Crossloan Road, will also, I have no doubt, be built upon within a very few years. Montgomerie Crescent is a very fine crescent, and it is in course of completion, and when that crescent is completed, I have no doubt there will be another terrace similar to it farther to the west. Crossloan Road has been put in communication with Great Western Road by a semicircular road, which is shown on the

A Petitioners' Proof.

Thomas Wharrie.

B

C

D

E

F

G

Petitioners' Proof.  
Thomas Wharrie.

A plan. In short, my view is, that a very large portion of the ground in the area proposed to be annexed, with the exception of the Botanic Gardens and the Lunatic Asylum, will, in course of time, and shortly, be made available for building purposes.

With regard to the operations of the Commissioners in Hillhead since the burgh was constituted, I may explain generally that almost every street within the present limits of the burgh has been overhauled, and I should say that three-fourths of them have been re-causewayed or causewayed from the beginning. Some of the streets were only blocked out, as I may say, when the burgh was created, and they have almost all been either causewayed with proper asphalt, or Caithness pavement, or macadamised roads. In regard to the Great Western Road, from the bridge over the Kelvin, which is the eastern boundary of the burgh, to the Botanic Gardens, very efficient footpaths have been made on either side of the road, which did not exist before; on the contrary, the road there was very uncomfortable in winter. In speaking of footpaths, I include the channels and gutters, which have all been attended to properly. It is now a very satisfactory portion of roadway.

Previous to 1869, my understanding is that the Great Western Road was lighted by the Road Trustees, and it was, comparatively speaking, very inefficiently done. It has now been lighted to my satisfaction, and to more than my satisfaction, for I think the lamps are rather too closely placed. The portion of the Great Western Road west of the Botanic Gardens, and outside the Burgh of Hillhead, compares not unfavourably at this moment with the lighting of the road in Hillhead itself, because the proprietors there have within the last few months put up lamps, extending from the Botanic Gardens west, I think, to Hyndland Road. I do not think they extend any farther. Beyond Hyndland Road there may be a stray lamp here and there. I know there is one at the junction of the road leading into the Asylum, but with that exception, I do not think there are any lamps between Hyndland Road and the Anniesland Toll-bar. Previous to the last month or two, the portion of the road west of the Botanic Gardens was lighted in very much the same way as the portion of the road in Hillhead was lighted before the burgh was constituted. There were wooden lamps erected by the Road Trustees, at as small an expense as possible, which had been put up, I suppose, when the road was formed, certainly thirty years ago.

With regard to what has been done by the Commissioners to the Woodlands Road at and near the place where it crosses the Kelvin, I may corroborate what Mr. Bruce has said as to that improvement—that I think it is one of the best improvements that has been carried out in Hillhead. I also concur with him in thinking that it has been a great boon, not only to the Hillhead people, but also to the people to the west. In fact, the road, before the improvement, was almost impassable either for passengers or vehicles. It is now as good as any access for private carriages to the district west of Byres Road. It is as good in gradients as the Dumbarton Road. It has been widened, and is now a fifty-foot roadway, but it is ultimately, by the agreement between the parties which has been mentioned, to be made a sixty-foot street. When the agreement was gone into with the University, they, of course, would only consent to give the strip which they have given, if the proprietors on the north side of the Avenue would also agree to do something when



their grounds came to be fenced, and they are bound to set back their building line ten feet within their present boundary, so that ultimately the roadway there will be sixty feet wide. I also corroborate Mr. Bruce with regard to the pontages, so far as I understand them.

The drainage of the district of Hillhead before it was formed into a burgh was almost as bad as it could be in a suburb; and I have had a good deal of experience as to the drainage of suburbs, having been employed about Glasgow and its neighbourhood for the last twenty-five years. I have been acting as surveyor for a very considerable number of proprietors all round Glasgow; and I find that, with all the care that I can bestow as an official in the interests of those gentlemen, it is almost impossible to check individual builders or feuars for their faulty drainage. The drainage of the burgh now, I think, stands very well indeed; because, since the creation of the burgh, we have arranged the whole of the drainage upon a system; that is to say, we take the whole sewage from the eastern side of the hill to two points on the Kelvin—but I hope ultimately to get permission to unite them into one outfall; and the drainage on the whole of the western side of the hill goes down into the large main sewer in the Byres Road. One outfall for the eastern drainage goes into the Kelvin at the Woodlands Road Bridge; I have another just now at the foot of Glasgow Street, but I hope to join these by a connecting pipe along the river side; so that practically the whole eastern sewage will go in at Woodlands Road Bridge. I might intercept it again by cutting at that point, because the whole drainage goes along the line of Bank Street, and it could be caught at any point between Bank Street and the river by any system of drainage that it is thought desirable to carry out. Bank Street, I should think, is fully twenty or twenty-five feet above the level of the river, so that there would be a good fall there to operate upon. I arranged that after communication with the City Architect, Mr. Carrick, for the purpose of making the drainage of Hillhead part and parcel of their grand scheme, if it ever came. The western district of Hillhead drains into the Byres Road sewer, which is capacious enough to take in that and a great deal more. I think it is what we call a three feet six capacity sewer, which means a height of something like four feet seven or four feet ten. It is an oval sewer, equal to three feet six in diameter, and it was put in at the instance of the Govan Parochial Board. That sewer, besides being the proper course of drainage for the west side of Hillhead Burgh, is also the natural course of drainage for East Observatory Hill. It is the only outlet they have that goes in so far as Kirklee Road, which is the natural water-shed of the district. I may almost say also that the drainage of Mr. Anderson's property at Westbourne Gardens could be all brought into Byres Road, because, to my knowledge, it all goes into the Kirklee Road sewer. There is a large main sewer down the Kirklee Road connecting with the Kelvin at a point above the Botanic Gardens, about the Threecree Well, but I think we could bring the Kirklee Road sewer still farther eastward to Byres Road by a deep cutting opposite the Botanic Gardens. I believe that could be done with the present level of the Byres Road sewer. It would involve a deep cutting; but I think it would be an advantage to the Burgh of Hillhead, and the district proposed to be annexed, to discharge the sewage of Anderson's property by the Byres Road sewer, instead of into the Kelvin at the higher point. That would carry out the point I have always

A Petitioners' Proof.  
Thomas Wharrie.

B

C

D

E

F

G

Petitioners' Proof.

Thomas Wharrie.

A been striving for, to keep the Kelvin as pure as possible. If that were carried out, it would not be affected by the drainage from any portion of Mr. Anderson's ground, because it would all be passed down into the Dumbarton Road. It would not reach the Kelvin at all in that way, because I think the Byres Road sewer goes into a large sewer in the Dumbarton Road, which finds its way into the Clyde, without touching the Kelvin at all. I advocate this place being converted into a burgh more upon the question of drainage than almost anything else; that is, drainage and Dean of Guild power—and there is here a very considerable difficulty to meet in the matter of drainage. To the west of Kirklee Road, the next natural point of drainage that we come to is the east boundary of the Gartnavel grounds, that is the natural water-shed from the Kirklee Road to Anniesland; and I am aware that the proprietors of Gartnavel are now arranging for all their sewage, or at least as much of it as they possibly can, to go into the Hayburn sewer, or rather into the Hayburn, because it is not a sewer there just now. The sewer is made so far north as Partick goes. It is covered in from the Clyde to the junction of the Hyndland property, and at present it drains all Partickhill.

*By the Sheriff.*—The sewage goes into it as well as the natural surface drainage. There is a sewer that goes up the Hyndland Road, but it does not drain Partickhill. There is a property that comes in between that road and Partickhill, but I think I am right in stating that the Hayburn carries off all the drainage of Partickhill property.

*By Mr. MacLean.*—Whether it drains Partickhill or not, I think it forms the natural drainage course for the area to the south of Great Western Road, proposed to be annexed, which lies to the west of Kirklee Road; and that would apply also to a large portion of ground on the north of Great Western Road and west of Kirklee Road. I think Gartnavel discharges all its sewage into the Hayburn, and Montgomerie Terrace must also discharge into it. The villas to the east of Montgomerie Terrace must, I think, discharge into the Kelvin. I think the Hayburn is open down the length of where Hyndland extends. In my view, that burn must ultimately come to be the sewage course of the district. I think, from its natural position, it would form a convenient course for a line of sewage, being the natural water-shed, and it is also the march of three or four different properties that run down that way. I therefore think it would be the duty of those who are made Commissioners over the area proposed to be annexed, to prosecute some such scheme as that with a view to the general benefit. I think that is the first question they would require to face, and it is also an important question, looking to this as a building area in a western suburb. If each one were allowed to look after his drainage as he thought best among these various proprietors, I would scarcely expect to find the drainage there so bad as it was in Hillhead in 1869; because, I may say, the interests of the proprietors there are much larger than we had to deal with in Hillhead. At the same time, it is a very difficult thing to see that all the conditions of a feu are implemented, and to secure uniformity of procedure. I am quite aware that the proprietors here have intended to make the Hayburn into a common sewer; and last year they had conferences on the subject. I do not know whether they ever ordered the work to be gone on with—it is not begun yet; but I



believe they have it in their view to make the burn into a common sewer, which is what must be done. A Petitioners' Proof.

Thomas Wharrie.

I think the whole of the east side of Observatory Hill, so far as built upon, and except Kew and Grosvenor Terraces, which have a separate pipe alongside, drains into the Byres Road sewer. I think the drainage of Dowanhill Gardens also falls into the Byres Road sewer, but below the present boundary of the burgh. I think it all drains into that sewer within the boundaries of Partick, but the Hillhead Commissioners I believe, have rights over the sewer extending down to Dumbarton Road. If the feuars on the east side of Observatory Hill had made application to any one to be allowed to drain into the Byres Road sewer, I would have been consulted about it, and I was not spoken to about it. That sewer has capacity enough to take their sewage and a great deal more. B

I have seen the drains which are being put in by the Victoria Park Company. They are just as good as I would expect from speculative builders, but they are not laid either in the lines or levels that they ought to be. The system is not good; I would not have allowed such a thing to go on in the Burgh. I should certainly have altered the course of some of them. With regard to the system of drainage from Kew Terrace and Grosvenor Terrace alongside the Byres Road sewer, I cannot say I have discovered anything wrong about it. I cannot say that it frequently gets out of order. It is a good many years since it was put in, but I have had occasion to look at it since. It so happens that I have a personal interest in it, as I am a proprietor in Kew Terrace, and I live there. Several of the proprietors in Kew Terrace have once and again expressed a doubt as to whether their drainage was flowing freely; and, knowing that I was personally interested, and was accustomed to look into these matters, I have been twice asked to examine whether the drain was going well. I did so, and I found it going pretty well; that is to say, there was no impediment to the sewage getting away from Kew Terrace to the pipe in Byres Road, but as to the state of the pipe as it goes north and south along Byres Road I cannot speak. When I opened it, I think three years ago, at the connection at the corner of Grosvenor Terrace, it was not very efficient there; some of the pipes were beginning to show symptoms of crumbling, so that it will require renewal in a short time; and I have no doubt the same thing will happen in Byres Road. So far as I am concerned, I would be much more easy in my mind if I knew that I had a connection with the large brick sewer in the road. The pipe is considerably higher in level than the brick sewer, and it could easily be drained into it. The one is a large well-built brick sewer, and the other is, I think, a 15-inch pipe. C  
D  
E  
F

The lighting and cleansing of the burgh is not done under my charge, but I am quite satisfied with it. The lighting and cleansing in Grosvenor and Kew Terraces is done by a voluntary assessment on each terrace, in proportion to the rental. I think it amounts to something like 8d. or 9d. per £ on the rental. That does not include any outlay upon the sewers or roads, or for any ordinary repairs. It is just for general cleansing, and keeping the place comfortable. It does not include any outlay for making or keeping up the pipes. That assessment is collected by a treasurer, one of our own number, who acts gratuitously. G

Petitioners' Proof.

Thomas Wharrie.

A *By the Sheriff.*—I don't think we would be assessed more for similar work if we were included in the burgh; but I think we would be assessed as much.

*By Mr. MacLean.*—I don't know that we would have better lighting there if we were included in the burgh. So far as these two terraces are concerned, they are as well lighted and kept as we would wish them to be; but we have been paying 9d. on an average for a number of years past, and the roads were not properly lighted for that until within the last few months. I may mention, with regard to that, that there was a movement in Kew Terrace to get more lights, and we were happy to find the Kelvinside proprietors moving in the direction of lighting the Great Western Road, which has done away with the necessity for it, so far as we were concerned. Our assessment would have been more than 9d. if we had had to light the road ourselves; and taking that into consideration, I do not think we will be more heavily charged if we are annexed to the burgh than we have been in time past. I think, so far as that is concerned, we would remain very much the same.

C

*Adjourned.*



WEDNESDAY, JUNE 30, 1875.

A

## PRESENT :—

- ROBERT MACLEAN, ESQ., Advocate, and MR. MUIRHEAD, for the Petitioners. B  
 MR. JOHN FLEMING, Writer, for the Proprietors of Kelvinside Estate, and 127  
 Feuurs in the District proposed to be Annexed.  
 MR. J. B. AIKEN, Writer, for Proprietors in Dowanhill Gardens.  
 MR. GILLIES, Writer, for Messrs. Edward Collins & Sons, Paper Manufacturers,  
 Kelvindale.  
 MR. ROBERT HOWIE, Writer, for Mr. Davidson, Proprietor of Balgray Park.  
 MR. NAISMITH, Writer, for Mr. Blackie and others, Feuurs on Great Western C  
 Road.  
 MR. JOHN KERR, Writer, for the Directors of the Royal Lunatic Asylum, Gartnavel.  
 MR. JOHN KIDSTON, Writer, for Mr. Thomas Russell, Proprietor of Kelvinside  
 Gardens.  
 MR. JOHN MARSHALL, Jun., Writer, for the Proprietors of the Victoria Park  
 Feuing Company (Limited).  
 MR. J. C. MITCHELL, for Mr. James Gordon Oswald, of Scotstoun. D

## THOMAS WHARRIE—Continued.

Petitioners' Proof.

Thomas Wharrie.

*Examination resumed by Mr. MacLean.*—I have now completed the plan produced with the petition, so as to show, by the red and brown markings, the buildings which have been erected both within and without the boundaries of Hillhead, since 1869. E  
 The brown markings show the buildings in progress.

The occupied frontage in Hillhead in 1869 was about 4,800 yards; the frontage occupied since 1869 to the present date is about 2,160 yards additional, making a total occupied frontage now within the limits of the burgh of about 6,960 yards. Outside the limits of the burgh, and within the district proposed to be annexed, the occupied frontage in 1869 was very small. Excluding Gartnavel, and the colliers' rows and houses of that class, there were only about 700 yards of occupied frontage in that district then. Since 1869, there have been about 3,650 yards of frontage occupied, not including houses in course of construction, or any of the colliers' rows or paper makers' F

Petitioners' Proof.  
Thomas Wharrie.

A houses or the Asylum buildings at Gartnavel. Therefore, the occupied frontage in that district now, about 4,350 yards, is nearly equal to the occupied frontage within Hillhead when it was formed into a burgh, which was 4,800 yards.

I think the acreage enclosed within Mr. Mirrlees' walls or fences is from 10 to 15 acres. He has acquired at two different dates. I do not think the feuing of the ground along the west side of Kirklee Road would interfere in any way with the amenity of his house. The ground there is quite suitable for feuing purposes.

B With regard to the Dean of Guild Court, I think, in a district such as we are now dealing with, it is a matter of essential moment to have the surveillance of some recognized authority, such as a Dean of Guild Court, for the purpose of checking, not only the style of buildings which are allowed to be put down on different lines of street, but also and especially, the stability of the structure. There has certainly in Glasgow, of late years, been a rage to put up buildings at as moderate a cost, and consequently as inefficiently, as they possibly can; and I know that the Commissioners in the present Burgh of Hillhead have had considerable difficulty in keeping things as correct as they ought to be in that matter. They have had a very considerable amount of trouble in checking and insisting on the plans of every building being submitted to them before the erection commenced. I am not aware that there is any authority of that kind outside the burgh.

D The Hillhead Commissioners possess a considerable amount of unoccupied ground adjoining the Burgh Buildings. They feued some years ago from Mr. Kerr 5,500 yards of ground, I think, and they paid 8s. 6d. per square yard for it. There remains 3,428 yards of that ground still to occupy, which is not required for the Burgh Building purposes. I take it to be worth now something like 23s. or 24s., including the original feu. Deducting the original feu at 8s. 6d., that would make it worth about 15s., which would be equal to about £2,500 of capital.

E *Cross-examined by Mr. Kerr, for Royal Lunatic Asylum.*—I think it is the case that the Asylum people have a covered sewer for taking away their sewage. Where it goes to, or whether it goes into the Hayburn or not, I cannot say; but I know that the Lunatic Asylum Directors were at considerable expense in carrying a covered drain, I think parallel to the Hayburn, towards Partick. I am not aware personally whether that is an effective drain. I did not see it built, and I have never seen it open; but I have no doubt the Directors of the Asylum did it efficiently at the time.

F *Cross-examined by Mr. Fleming, for Kelvinside Proprietors and others.*—I think the Kelvinside Estate and the district proposed to be annexed, where it has been laid out for feuing, has been laid out to considerable advantage. It is certainly the interest of the Kelvinside proprietors to continue to lay the estate out well. I am a feuar on the lands of Kelvinside. The new lines of road on Kelvinside, so far as they are made, are very well made. They are not better than the roads in Hillhead now. There is one of the roads on Kelvinside, the semicircular one, which I think is rather steep. I think I would have advised the cutting to be made a little deeper. The general width of the roads in Hillhead is 60 feet between the building lines. In some streets there are pleasure grounds in front of the houses, varying in width from 10 to 15 feet, which takes



probably 20 feet off the clear space. The roads and streets in Kelvinside, so far as they A  
are formed, are, I think, something like the same thing—60 feet wide. [Mr. Fleming  
here put in "Sketch Feuing Plan of part of the Lands of Kelvinside, 1873," marked No.  
47.] I have seen copies of that plan before; it is well known in Glasgow. I think the  
streets on Kelvinside, so far as made, have been laid down in conformity with it. I am  
aware that there are mineral workings in a large part of the estate of Kelvinside, beyond  
the point to which the feuing presently extends. I don't think the proprietors would B  
be able for a number of years to feu that portion of their ground where the minerals are  
presently being worked. There is no prospect of immediate feuing on that part of the  
estate of Kelvinside; it is not in the market.

With regard to the lighting in the district proposed to be annexed, my impression  
is that there are no lamps on the Great Western Road beyond Hyndland Road. I  
think there is great occasion for lamps beyond that point. It is the most populous  
road we have. There are no houses there, but it is a very favourite promenade at night C  
as well as by day. I am quite serious in saying that there are a number of people  
who promenade that district after dark. I think it would be better that that road  
should be lighted as far as the junction of the road leading to the Asylum. Of course,  
I would not light that part of the road so thickly as the Kelvinside proprietors have  
lighted the portion which they did a few months ago. The part of the road beyond  
Hyndland Road is still a country road; but the Kelvinside feuing scheme extends D  
to the point which I wish to have lighted, and I have no doubt that, in the course  
of a year or two, that portion of their property will be covered with buildings, or at  
least will be feued. I think the road is at present lighted as far as built. I think  
the new lamps have been put up as far as Hyndland Road, but not farther. These  
new lamps on the Great Western Road, between the Burgh of Hillhead and Hyndland  
Road, have all been put up certainly within the last six months; I could almost  
say within the last three months. I cannot say whether they were put up before the E  
date of this application; I don't know the date of the application; but I think the  
lamps beside my own house in Kew Terrace were not put up longer than perhaps  
three months ago.

The road leading from the bridge over the Kelvin at Woodlands Road has not a very  
good gradient where it turns off to join University Avenue, but it is a vast deal better than  
it was. It is not now what I would call a very bad gradient. I would not say that it is  
worse than the gradient of any road or street at Kelvinside. I think, speaking from F  
memory, that the gradient at the west end of the semicircular drive which I mentioned, is  
worse. I think we had a great many more difficulties to contend with in forming that  
road leading from the Bridge at Woodlands Road, than the Kelvinside proprietors had in  
forming that semicircular drive. When we began to improve Gibson Street we were tied  
in on both sides by buildings then erected, and cross streets going off, the levels of which  
we could not alter, so that all that could be done was to raise the level of the roadway just  
as it left the bridge. If I were a man using a carriage and living at Dowanhill, I would G  
certainly use the University Avenue in going to town, rather than the Great Western  
Road. The steep gradient at the foot of University Avenue would be all in my favour in

Petitioners' Proof.

Thomas Wharrie.

Petitioners' Proof.  
Thomas Wharrie.

A going to town. Coming from town I would still use that road, notwithstanding the steep gradient. The gradient of that portion of Gibson Street is not worse than the gradient of the hill on the Great Western Road. It is just the same hill that you have to climb, and you have it for a shorter distance by the University Avenue.

- There are three main out-falls just now for the drainage of Hillhead into the Kelvin—one at Woodlands Road Bridge, another at the foot of Glasgow Street, and another from the sewer in Byres Road. There is at present a drain running along the back of the buildings in St. James Street which I have a contract for taking into the Kelvin at the Woodlands Road Bridge. There is only the sewage of Hamilton Park Terrace that goes in by that drain. After being put into the Kelvin at present it goes round nearly the whole Burgh of Hillhead. What we now desire to do is to take in the whole drainage of Hillhead at one point, so that it may be caught by a general scheme; and of course we would take the lowest level as our principal out-fall, which is the Woodlands Road Bridge. That would take away all the sewage of Hillhead, except, of course, what goes down Byres Road. There is sewage discharged into the Kelvin from other districts, such as Maryhill, before the river reaches Hillhead; so that before the Kelvin reaches Hillhead it is a polluted river. The Kelvin, after it passes Hillhead, does not run through a very populous district; I think we have perhaps the most populous district through which it passes. It flows through the old town of Partick, of course, which is a very populous district on one side. The discharging of the whole sewage of the east side of Hillhead into the Kelvin at one point at Woodlands Road Bridge would not have the effect of sending more sewage down through the populous lower district than before; it must go there whether we discharge it at that point or not. I am only looking at the advantage of that as enabling us to combine it with a general scheme of sewage. I don't think it would be likely to form a part of any general scheme of sewage, to run the sewage into the Kelvin at that point. As I understand, any general scheme that has ever been proposed, would take all the sewage out of the Kelvin and lead it into the Clyde.
- E I consider the sewage and the Dean of Guild Court to be the two most important points in this inquiry. Interrogated—Are you aware that, with the exception of the sewage of Grosvenor Terrace and Kew Terrace, and the buildings behind these two terraces, the whole of the sewage in Kelvinside, and the district proposed to be annexed is run down to the Kelvin by the Kirklee Road?—Depones: I think I said yesterday that the sewage of Rosslyn Terrace and of Mr. Anderson's ground at Westbourne Gardens goes down the Kirklee Road, and is carried into the Kelvin at a point above the Botanic Gardens, somewhere about the Three-Tree Well. I think the sewage of Montgomerie Crescent must go by the Hayburn, but I am not certain. It might be taken down to the Kelvin to the north. I am not aware that, in point of fact, it is taken that way. Interrogated—Would there be any advantage to the district proposed to be annexed to alter that line of sewage by the Kirklee Road, so as to take it down towards the Burgh of Hillhead?—Depones: I cannot but think that there would be an advantage to the district proposed to be annexed by taking as much sewage as possible out of the higher portion of the river Kelvin. The Kelvin at that point is already a polluted stream. One advantage of taking that portion of



the sewage down towards Hillhead would be that it would leave the river less polluted where it passes the Burgh of Hillhead. It would not necessarily follow that the Burgh of Hillhead would be the only gainer by that change. I think the Kelvinside proprietors would also gain to a considerable extent, and the Botanic Gardens. I don't know that the Kelvinside proprietors have not already got a good sewer. I never heard of it being defective, and so far as I know it is a good sewer. Interrogated—Then, what advantage would it be to Kelvinside to have that sewer, which was made at great expense, taken away and carried down the Great Western Road towards Hillhead?—Depones: As I said before, it would keep the Kelvin clearer than by running the sewage into it. Interrogated: Is not this what you propose to do, simply to carry the sewage down to Hillhead and throw it into the Kelvin at a point near the extreme boundary of Hillhead?—Depones: I would bring it into what I would call one of our main trunk sewers, and into the general system, instead of allowing a single sewer to run into the Kelvin, which is a principle I don't approve of. Interrogated—Suppose it was thought proper to have some alteration in the flow of this sewage, would it not be better to carry it westward towards the Hayburn, and run it into the sewage of Partick and down to the Clyde beyond all populous localities whatever?—Depones: I don't think you could do that. The levels would not permit it.

*By the Sheriff.*—All the high feus on the Balgray Farm could be drained into the Hayburn quite easily, but the lower feus, and those round Mr. Mirrlees' ground could not drain into it.

*By Mr. Fleming.*—Interrogated—Would it not be possible to take the sewage from Great Western Terrace and Belhaven Terrace, and also from the houses to the westward, into the Hayburn, just as easily as to take it eastward into Hillhead?—Depones: Not so easily or so cheaply. You would have a longer hill to cut through—that is the hill from Kirklee Road to Hyndland Road; and I should say it would be a more expensive process; but it would be quite possible. Interrogated—And suppose we were taking it into the Hayburn, would it not have this advantage, that we could lead it past all the populous districts of Glasgow right into the Clyde?—Depones: The Hayburn goes through as populous a district at one part as the Kelvin. The Hayburn is a covered-in sewer, so far as it flows through Partick. [Mr. Fleming produced plan entitled "Section of part of Hayburn through the lands of Partickhill, Hyndland, &c., showing proposed culvert," dated 3rd September 1873, now marked No. 48.] Interrogated—Would not that be a more advantageous mode of dealing with the sewage than the mode you propose?—Depones: That is the mode I did propose yesterday. Interrogated—That would not carry the sewage into the Burgh of Hillhead?—Depones: Certainly not. Interrogated—And therefore the Burgh of Hillhead could afford this district not the least assistance as to sewage?—Depones: All I said yesterday was, that the drainage of Mr. Anderson's ground, which now goes down the Kirklee Road, might be brought into the Byres Road. I never for a moment dreamt of bringing the drainage of Montgomerie Crescent anywhere else than by the Hayburn. Interrogated—But if there is to be any change in the existing lines of sewage, would it not be better to carry this drainage westward into the Hayburn sewer, rather than eastward to the Burgh of Hillhead?—Depones: I think you cannot

A Petitioners' Proof.

Thomas Wharrie.

B

C

D

E

F

G

Petitioners' Proof.

Thomas Wharrie.

A help yourselves. You must carry three-fourths of the drainage of your property westward. It is only this identical piece which you have feued to Mr. Anderson, the drainage from which I say could be brought into the Byres Road sewer more cheaply than you can take it westward. The sewage of Belhaven Terrace could not be taken westward so cheaply as I say you can take it the other way. There is no engineering difficulty in the way of taking the sewage of the west portion of Belhaven Terrace westward—that is to say, money can do anything, but you would have a deeper cut to make. You have a shorter hill opposite Kew Terrace than you would have there. I have no doubt that the present line of sewer, down the Kirklee Road, is the cheapest and the best. It is in the natural lie of the ground. To carry it towards Hillhead would cause a good deep cutting, but I cannot say to what extent. The cutting to the westward would be considerably deeper.

I cannot say that I know from the feu-contracts on the Kelvinside Estate that they contain a provision to the effect that the plans of all houses must be submitted to the superior; but I know that it is a general condition in feu-contracts, that such plans must be submitted. I know that the class of houses that are being erected on Kelvinside just now do not possibly require the surveillance of a Dean of Guild Court so much as a class of property that may and must go on in this extended district. I am not aware that the whole of Kelvinside Estate is restricted against the erection of tenements of flatted houses. I am aware that it is restricted against shops, and that no public house or anything of that kind can be in Kelvinside. The houses in Kelvinside are all of a good class. I cannot say that they are better generally than those in Hillhead. As I said yesterday, there are houses being erected in Hillhead that are as good. These are the houses in Lilybank, which are in process of erection. Even excluding such houses as Mr. Napier's and Mr. Bell's, I would not say that the class of houses already erected in terraces and streets in Hillhead are not equal to those in Kelvinside. For instance, Alfred Terrace, which is a new terrace, is, I think, as substantially erected as any of the terraces that are now being erected in Kelvinside. In Buckingham Terrace, both east and west, the houses are as substantially, perhaps more substantially, erected, although not so valuable now, as those in Kelvinside, because we know that building is now costing perhaps one half more than it was when Buckingham Terrace was built; but I think the Buckingham Terrace houses hold their value as well, if not better than the houses now in Kelvinside. The houses in Buckingham Terrace would not sell for anything like the price that those in Belhaven Terrace and Grosvenor Terrace would bring, because Belhaven Terrace and Grosvenor Terrace have been built subsequently to Buckingham Terrace. I believe that, if you were selling a house in Buckingham Terrace now, you might get, say £3,000 for it; while, if you were selling a new house in Montgomerie Crescent, you might get £3,500, or perhaps £3,700. I am not aware that No. 1 has been sold for £5,000; but it is a corner house, and I should fancy that it would bring more than the other ones. Taking the buildings in Hillhead over all, and not merely those terraces which I have mentioned, there is no use trying to deny that, generally, the buildings in Kelvinside are of a better class. I only say that there are as good terraces in Hillhead as there are on the Kelvinside property; but, if you take Hillhead over all, and ask if the class of property you are now erecting in the



west end, and have erected, in the most fashionable suburb of Glasgow is not better, A Petitioners' Proof.  
of course, there can be no doubt that it is better.

There was a general plan prepared for the drainage of Hillhead when the burgh was created. I shall produce that plan.

There is a Dean of Guild Court in operation in Hillhead. It has been in existence, I think, since the burgh was created. I suppose I may call myself the Master of Works, but we have had the advice of professional architects in cases where it was required. It is the fact that every party erecting a house in Hillhead has previously to apply to the Dean of Guild Court. That practice was commenced years ago. I don't know whether the rule was in operation when Law's accident took place in Belmont Crescent. I think the Dean of Guild Court must have been in operation since very soon after the burgh was created. We have no powers under the Act as to the elevation or the internal division of the houses. We have powers as a Dean of Guild Court as to the sewers. I think we can compel proprietors to connect their houses with the main lines of sewer in the streets. The buildings are not allowed to be commenced until the plans have been submitted for inspection. The Dean of Guild Court sanctions the erection, or refuses its sanction, as the case may be. I inspect the buildings myself while they are in course of erection; but I may say, for the credit of the Commissioners of Hillhead, that they are almost always looking after these things personally. I do not regularly inspect every building, but I see almost every building that is erected from the date of its commencement. I examine them officially.

*Cross-examined by Mr. Naismith, for Mr. Blackie and others.*—The Burgh of Hillhead as it now stands is, I think, too small to be managed as economically as it would be if the area were extended, so that the advantage which I anticipate Hillhead will derive from the extension is a financial one.

The sewer in Byres Road was made before the burgh was formed. It was made on the application of the Local Authority; and that Local Authority has still the control of all the sewers in the Parish of Govan outwith the burgh, if they care to take anything to do with them at all.

One-half of Byres Road is in the burgh, and the other half is outwith the burgh. There is a footpath on the west side of the road, and there is none on the east side. I cannot say that the road on the east side is in a dilapidated condition. It is in process of being repaired.

With regard to the Dean of Guild Court, I am not aware that the recent Law Courts Commission recommended that the Dean of Guild Courts should be abolished, as being worse than useless, and their jurisdiction transferred to the Sheriff Court. Mr. R. D. Douglas, the Fiscal for the Glasgow J.P. Court, is the Fiscal for our Dean of Guild Court. I think he has held that office for some years.

*Cross-examined by Mr. Aiken, for Proprietors in Dowanhill Gardens.*—The district of Dowanhill Gardens was in existence in 1869 when Hillhead was formed into a burgh. The houses there are all large self-contained villas, with perhaps half an acre of ground round each. There has been no increase in the houses in that district since 1869: there cannot be. The district is not an outgrowth of Hillhead Burgh. It lies on the con-

Petitioners' Proof.

Thomas Wharrie.

- A fines of Hillhead Burgh, but it existed before the burgh. The only separation between it and the Burgh of Partick is a road. The lie of the ground in Dowanhill Gardens is towards the south, and the present approaches to it are from the south and east. The approach from the east is along Victoria Terrace, Victoria Crescent, and Albion Place. These terraces are within the Burgh of Partick. These crescents join the Byres Road at a point within the Burgh of Partick. Before the Dowanhill proprietors can reach University Avenue, they have to go along Ashton Terrace, which is also within Partick. If you look upon Argyle Street as being the centre of the city, then Dumbarton Road is the natural access to it from Dowanhill Gardens. The tramway cars can be got by going down that way as well as by going up to the Great Western Road. The road by Dumbarton Road is, however, the shortest way into the centre of the city for tramways. My late firm of Smith & Wharrie were surveyors on the estate of Dowanhill, including the Gardens, and the roads and sewers were put in under our superintendence, and on the lines and levels fixed by us. I am, therefore, thoroughly acquainted with the system of drainage in Dowanhill.
- C The drainage from the Gardens comes along Victoria Circus, down Victoria Terrace. Up to the east end of Victoria Circus, the drainage is by an 18-inch glazed pipe, and then east from the east end of Victoria Circus, down along Victoria Terrace to Albion Place, it is by a brick sewer, which is, I think, 2 feet 6 inches in diameter. From the east point of that brick sewer, the drainage goes south to Partick, down the old quarry road, joining the sewer in Dumbarton Road, so that no portion of the drainage of the Gardens goes into the Byres Road sewer. The drainage system of the district of Dowanhill Gardens was good when it was constructed, and, I believe, it is working efficiently now. The roads in the district were also laid down to our design. They were very well bottomed. There were drains for leading off the surface water, put in at proper distances. I am not sure that the kerb-stones along the margins were all whin, but there were proper foot-paths formed with kerb-stones. So far as I know, they were formed in a satisfactory way, and from what I have seen, they are still satisfactory. I have visited the district on various occasions since. I know nothing about the lighting of the district. I think that is done by the Partick Commissioners. It is not so well lighted perhaps as the Burgh of Hillhead, but speaking relatively to the other portions of the district to the west, I think it is better.
- E

*Cross-examined by Mr. Gillies, for Messrs. Edward Collins and Sons.*—I know the Balgray Estate, but only from passing over it. I cannot say that I know the boundaries between Balgray and Kelvinside very particularly, but I know the general lie of the properties. Balgray is an agricultural property in the meantime. I know nothing about the present arrangements for watching or lighting the property, or what the sanitary arrangements are. I don't think there are any sanitary arrangements required just now while it is an agricultural subject. I don't think there are any sewers in it. I think Mr. Collins' house is a feu from the property, but I cannot tell where his sewage goes. Although it is at present an agricultural subject, I look upon Balgray as a property that will ultimately be made a feuing subject; and, after it is made a feuing subject,

- G I consider that it ought to be under proper surveillance. I think it is a feuing subject now. There are no feus given off it yet, but I consider that if the proprietor was willing, he could get it feued. I am not aware that it has ever been advertised, but I look



upon it as a likely subject to be taken up by the feuing world whenever it is advertised. A It is quite possible that it will not be feued, but I don't think it will be allowed to lie there without feuing. B

Petitioners' Proof.

Thomas Wharrie.

With regard to the road from Kelvindale Works to Glasgow, a vehicle might go north by the Maryhill Road, or by Mr. Edward Collins' house and Crossloan Road, and the Great Western Road. Both these roads are very much the same as to gradient, because you have a hill to rise from the Kelvin either way. If I were driving from there I should certainly prefer the Great Western Road. I don't know which road is used most at present by Mr. Collins, but I think I have seen him coming in sometimes by the Great Western Road. B

*Cross-examined by Mr. Howie, for Mr. Davidson, of Balgray.*—I think the distance from the Botanic Gardens gate to the nearest point of the Balgray property will be nearly half-a-mile. A portion of the lands of Kelvinside lie between the lands of Balgray and the present boundaries of the Burgh of Hillhead. That portion of the lands of Kelvinside is being taken up for feuing purposes just now. I cannot say how many feus there are on it now, but there are houses being erected there every day between Balgray and the Great Western Road, and that will go on gradually. The greater portion of the land there, however, is still unfeued. I think there is no portion of Balgray feued upon, except Mr. Collins' house. I should say it is still an agricultural property entirely; but I say that if you were to offer it as a feuing property it would be taken up quickly. It could be feued if the proprietor wished it, but at present it is not in the feuing market. The distance of the farthest point of Balgray from the present Burgh of Hillhead will be perhaps a mile. C

*Cross-examined by Mr. Mitchell, for Mr. Oswald, of Scotstoun.*—I believe the portion of Scotstoun proposed to be annexed has still the minerals in it, lying alongside the Anniesland Road; and there are also minerals in other portions of the property, immediately to the west. Interrogated—Do you think it would be advantageous in any respect for Scotstoun to have the portion that you seek to annex detached from the rest, and possibly under another jurisdiction from the other part of the property?—Depones: The county boundary has been made the boundary of the proposed extension, and the portion you refer to is already under a different jurisdiction from the rest—the one being in Lanarkshire and the other in Renfrewshire; so that there would be no dislocation of the estate, but merely a transfer of that portion from one jurisdiction to another. I don't think that would militate against the interests of the estate in any way. The estate would be put to no disadvantage; and what I am advocating here is the general good that the extended district would derive. I don't think it would be more natural to throw that portion in with the rest of the estate to the west; because the Anniesland Road is a leading thoroughfare, and will continue to increase as a thoroughfare; and I consider that it would be better for both sides of the road to be under one jurisdiction. I am aware there are no buildings there at present, except miners' houses. Interrogated—With regard to the drainage, would there be any advantage gained by the annexation?—Depones: I think you would share in the advantage which always accrues from a district being under one jurisdiction. D E F G

Petitioners' Proof.

Thomas Wharrie.

- A *Re-examined by Mr. MacLean, for Petitioners.*—There is a considerable collier population at and around Anniesland Toll-bar, and there is a good deal of traffic along the Great Western Road west of Hyndland Road, both during the day and in the evening. I think the population at Anniesland, including Skaterig, may be between 500 and 1,000, and the Great Western Road is not only the natural road to Glasgow for that population, but it is a very leading thoroughfare to Dumbartonshire and to the town of Dumbarton. I don't think that, looking to the use of that road by the population I have mentioned, the road to the west of Hyndland Road is sufficiently lighted. I don't think it is safe at night.

- B At Kelvindale Paper Works, which are within the district proposed to be annexed, I should fancy there are probably between 200 and 300 people. There must be a drainage from that place into the Kelvin; it is the only outfall. That drainage does not tend to improve the Kelvin, but very much the reverse. It is a serious item in the pollution. The refuse from the manufactory is also discharged into the river periodically. At present, we have no control over that sewage which Mr. Collins throws into the Kelvin, but if the area was extended we would have such control.

- C With regard to the Byres Road sewer, the Hillhead Commissioners paid a large sum for it to the Parochial Board; and since then they have extended it northwards and eastwards. The Parochial Board stopped at the junction of Viniecombe Street and Byres Road, and we have carried it northwards to the Great Western Road, and eastward along the Great Western Road to the foot of Cecil Street. In that way, by our operations, we have made a junction possible at the corner of Great Western Road and Byres Road with the property to the west of the Botanic Gardens. In fact, so far as Grosvenor and Kew Terraces are concerned, I left an eye opposite the lane connected with these properties for the purpose, and in the hope, that these two terraces would be united with the Byres Road sewer.

- D *Re-cross-examined by Mr. Naismith, for Mr. Blackie and Others.*—The Byres Road sewer was put in about 1861, or shortly before it; so that it remained under the administration of the Parochial Board for at least seven or eight years. There was a good deal of new building going on during that time; but there was no additional sewerage allowed to be put into that sewer, unless, of course, the parties chose to pay for it. The Parochial Board, as it were, farmed it; and when any of the parties for whose use the sewer had been constructed desired an access to it, they got that access on paying for it. I don't see anything to prevent the Hillhead Commissioners from acting in the same way.

- E *Re-cross-examined by Mr. Fleming, for Kelvinside Proprietors and others.*—The Kelvindale Paper Works must, as I have said, drain into the Kelvin. We could not take away their sewage except by the Kelvin, unless we made an intercepting sewer. It might be taken in a covered way along the side of the Kelvin.

- F *Re-cross-examined by Mr. Howie, for Proprietor of Balgray.*—If Balgray is retained as an agricultural subject, I don't think it would obtain any benefit from being annexed to the Burgh of Hillhead; but if it is brought into the feuing market, then I say it shares in the general benefit.

G



## JOHN DUNCANSON.

A

Petitioners' Proof.

John Duncanson.

*Examined by Mr. MacLean, on behalf of the Petitioners.*—I am a builder in Glasgow. I have built a large quantity of property in Glasgow and its neighbourhood. I hold about £26,000 or £30,000 worth of house property in the district which it is proposed to annex to the Burgh of Hillhead. My property is in West Bellhaven Terrace and Westbourne Gardens.

B

I am familiar with the Burgh of Hillhead as it existed in 1869, and familiar with it as it is now, and I know the operations that have been made upon it by the Commissioners. In my opinion these operations have been beneficial. They have improved the streets very much, and paved them, and they have also improved the drainage and lighting. I think that I, as a proprietor in the district proposed to be annexed, would derive benefit from this annexation. In connection with repairing streets, I have felt a difficulty in the way of getting all the proprietors in one terrace to agree when anything goes out of order. It is principally in the way of remedying that, that I think I would derive benefit. I think there should be some governing body to superintend the erection of buildings where there is such a populous place, and there should also be a central authority to look after matters in the event of anything going wrong with the drainage. I don't think it is either a convenient or a proper thing that each proprietor or each superior should be allowed to pursue his own course in such a matter. I think it is better, seeing that this is becoming such a populous district, that it should be under some central authority. I entertain the same opinion with regard to police matters, and generally as to all matters of government.

C

D

*Cross-examined by Mr. Fleming, for Kelvinside Proprietors and Others.*—I am not aware of any central authority already existing in the district proposed to be annexed. On one occasion I had a difficulty with regard to drainage. When I built Westbourne Gardens, the houses were for some time without drains at all. Mr. Anderson put in sewers, but not until after the houses were up. The drains should always be properly laid before the houses are erected. The drains were there in some cases before the houses were up.

E

I am not aware that there is a sewer in the Kirklee Road; but I believe there is one, because that is the only way in which the place can be properly drained. I think it is from 6 to 8 years ago since I built Westbourne Gardens. I was the first person to break ground west of Kirklee Road. There may have been a sewer in Kirklee Road before I went there; but I don't know. I only know that the only way in which the drainage can run off is by Kirklee Road; it is the only outfall. It may have been an open ditch before; but I have no personal knowledge on the subject. I did not make any inquiry as to where the sewage was to go before I commenced to build.

F

On one occasion I felt a difficulty with regard to repairing the streets. That was about 4 years ago, in Westbourne Gardens. We could not get one of the proprietors to agree about paying his proportion of a voluntary assessment. I don't remember his name just now; but the thing stood for about a year before the voluntary assessment could be got up.

G

Petitioners' Proof.

John Duncanson.

A I was restricted to a particular plan when I built these houses.  
*Cross-examined by Mr. Naismith, for Mr. Blackie, and Others.*—I hold a block of ground in Hillhead at present, extending to about 6,000 or 7,000 yards. I have five houses in West Belhaven Terrace. I have one house unsold in Westbourne Gardens. These houses are all in the market. There is one of them finished; the others should be finished in about two months. The house in Westbourne Gardens has been occupied for five or six years. The rental is £95. I believe the last house that was sold there brought £2,300.

B I live in Sandringham Terrace, in Hillhead.

The making and maintenance of roads is provided for in our feu-contracts; but there is always a difficulty in every case with some of the feuars. There is no doubt that there is also sometimes a difficulty with Dean of Guild Courts, and sometimes long litigations with them.

C

James Barr.

JAMES BARR.

*Examined by Mr. MacLean, on behalf of the Petitioners.*—I am a Civil Engineer in Glasgow. I have been in business in Glasgow for about a year. I was Master of Works and Burgh Surveyor in Greenock for nearly seven years. I designed the construction and extension of the sewers in Greenock during that period.

D

I am familiar with the ground extending from Byres Road on the east to Hyndland Road on the west, and bounded by Great Western Road on the north, and Victoria Terrace on the south. I have examined it with the view of ascertaining the proper or possible lines of drainage. The natural drainage course of the area on the east side of Observatory Hill is towards Byres Road. I think that is the only proper drainage course for that district. I understand the drainage from Dowanhill Gardens, which may be described as on the west side of Observatory Hill, goes south and east, by the road

E

down Victoria Terrace, also towards Byres Road. I know Bowmont and Marchmont Terraces on the east side of Observatory Hill. The drainage from Bowmont Terrace apparently comes out from the front to a drain which is taken to the eastward. From Marchmont Terrace, which is built on sloping ground, it comes from the back and crosses and joins the same drain; and that drain is continued about half way down the field, when it is left off very abruptly, and the drainage is carried by an open ditch to a

F

quarry hole, situated about 200 yards west of Byres Road, nearly opposite Viniecombe Street, where it appears to remain. That is the sewage from these two terraces, now in course of erection, and not merely the surface drainage. According to my view, that drainage should be taken along the line of some of the intended streets to Byres Road. I think it is a most unsatisfactory state of matters to leave it in that quarry hole. There is very rank vegetation on the west side of the quarry hole; and I think it is likely to be productive of injury to a populous district. I should certainly say that it is a

G

nuisance.  
 I know Rosslyn, Belhaven, and High Windsor Terraces, and the villas opposite Rosslyn Terrace. These are more particularly to the north of Observatory Hill; they are



situated on what may be called the water-shed, between the top of Observatory Hill and the Great Western Road. I understand they drain to the westward to Kirklee Road, and find their way to the Kelvin.

At the west end of West Belhaven Terrace, in the lane at the back of that terrace, there is a brick-built eye or manhole about three feet square going down to a drain. I examined that eye as far as I could see it. I saw a stream of drainage coming into it from the westward—that is, in the direction of the lane towards the west; and also one coming in in a direction across the lane from the south; and apparently the drainage was finding its way from that built eye to the north side. Of course I had no means of knowing where it went to after that; but I supposed that it would find its way into the Kirklee Road drain.

I have also looked very carefully at the ground occupied by Great Western Terrace, Westbourne Gardens, and the new houses now being built opposite Westbourne Gardens. I have also examined Westbourne Terrace, and the lands of Hyndland, so far as situated on the east side of Hyndland Road. I know the general lie of the ground embraced between the Great Western Road and the proposed extended boundary at Partick. I think the natural drainage course for that district is from the Hyndland Road, through the natural glen or gully there in front of the new houses now building opposite the west end of Westbourne Gardens, to the lane behind the west end of High Belhaven Terrace, along that lane and into the junction of Great Western Road and Kirklee Road. That is what I consider to be the lowest point, and, as it were, a kind of ruling point for the depth of any outlet sewer—the sunk floor of the east end of High Belhaven Terrace being the lowest point that would require drainage from that district. That is what I consider to be the natural drainage course for the district west of Rosslyn Terrace, and east of Hyndland Road, and as far down to the south as the street marked Hyndland Avenue on the Directory map. Having got it to the junction of Kirklee Road and Great Western Road, I think a very natural outlet for that drainage would be down the Great Western Road to Byres Road, where, I understand, there is a very efficient outlet sewer. There would be no engineering difficulty, looking to the levels in the district, in carrying it between Kirklee Road and the Botanic Gardens gate, and connecting the sewage there with the Byres Road sewer. The level marked on the Ordnance map, at the junction of Byres Road and Great Western Road, is 92 feet above the Ordnance datum; it gradually rises until about the last quarter of Kew Terrace, where it is 95; it continues rising until about the centre of Belhaven Terrace, where it is 115 feet; and from that to a point somewhere about 100 feet west of the centre of Kirklee Road it is on the same level; so that if you start with a sewer at a depth of say 15 feet below the roadway at Kirklee Road, you would have a gradient of something like 1 in 200, which would be quite sufficient, and your sewer would not be at a greater depth than 17 to 20 feet, gradually getting less as it went eastward. That is by no means an unusual depth; and it would enable the sewer to get into the one in Byres Road, whatever its depth is, because the ground is descending. We had sewers in Greenock deeper than the one I propose to start with here; the cutting for the sewer is nothing unusual. I do not think there would be any difficulty in carrying the sewer out along the Great Western Road, from Kirklee Road to Hyndland Road.

A Petitioners' Proof.

James Barr.

B

C

D

E

F

G

Petitioners' Proof.

James Barr.

- A The summit level of the Great Western Road, before it begins to descend towards Anniesland Toll-bar, is 119 feet—4 feet higher than the height I spoke of before; and that height is within about 200 feet of the junction of Hyndland Road with the Great Western Road, opposite the Crossloan Road, that runs up towards Montgomerie Crescent. If that sewer were carried out as far west as Hyndland Road, I think it would afford a means of drainage for the sewage on the north side of Great Western Road, from Montgomerie Crescent, and probably the two westmost houses of Montgomerie Drive. It would not afford a drainage course for all to the north of Great Western Road, between Kirklee Road and Hyndland Road, because the ground there is very hilly. I cannot be quite sure whether it would drain all to the north of Great Western Road westward of Mr. Mirrlees' house, but I am quite certain with reference to the Crossloan Road, because that is a road that rises rapidly from Great Western Road up to Montgomerie Crescent. The whole of the Crossloan Road, on both sides, assuming it to be built upon, could, in my opinion, be drained into the sewer at the Great Western Road, assuming it to be prolonged to Hyndland Road.
- B
- C

I think the existence of a Dean of Guild court confers a benefit on a community in many respects. I think it secures that buildings shall be erected in a substantial way, and I think it also secures a common right to feuars. I think that builders, if left to themselves, may do work carelessly; although I don't think they do it intentionally, and I think they are the better of some controlling power over them such as a Dean of

D Guild court.

*Cross-examined by Mr. Fleming, for Proprietors of Kelvinside and Others.*—Marchmont Terrace is in course of erection; Bowmont Terrace is erected. Whether the sewage that I saw going into the quarry hole came solely from Bowmont Terrace, or from other houses, I have no means of knowing; but I am quite satisfied, from the appearance of it, that it was house sewage. There was not what I would call a great flow of it. There was a regular sewer made half way down the field, and there the pipe terminated; and the sewage was carried then in an open ditch towards the quarry. I think one or two of the northmost houses in Bowmont Terrace are inhabited; but I am not sure.

- E
- In my opinion, the drainage of the ground to the east of the Observatory cannot be taken anywhere else than down into the drain in Byres Road. I don't think it could be taken into Partick, unless there was some means of getting through Victoria Terrace, which, in my opinion, would not be a proper way for a sewer. [Shown plan of Kelvinside Estate, No. 43 of process, and the portion shaded yellow, marked Victoria Park]. That is the portion of ground I refer to which I think can only be drained into Byres Road. I don't think there is any way by which that ground could be drained directly into the Burgh of Partick at the corner of Victoria Street, between the lands of Dowanhill and Kelvinside, without touching the Burgh of Hillhead, because it seems to me to be built upon. You might bring the drainage of Bowmont Terrace, and Marchmont Terrace, and the other houses at the high shoulder of the hill, down the lane behind Albion Crescent; but I don't think the lower part of that yellow ground could be drained in that way.
- F
- G



With regard to the sewage to the east of Hyndland Road, which I proposed to bring down to the junction of Kirklee Road and Great Western Road, I think the more natural lie of the ground for it from that point is down Kirklee Road and into the Kelvin; but I understand it is an object of some moment to have the drainage concentrated and carried to a lower outfall, and towards that object I made an examination of the Great Western Road, and found there would be no difficulty in carrying the drainage by the way I have indicated. The making of a drain by Great Western Road, between Kirklee Road and Byres Road, would not, I daresay, be more expensive than continuing the drain northwards along Kirklee Road. Apart from the object I have mentioned, of concentrating the drainage, the most natural way of taking the drainage from Montgomerie Crescent and Montgomerie Drive would also be to the north, towards the Kelvin, by Kirklee Road. All I say is, that there would be no engineering difficulties in the way of carrying that drainage, by the Great Western Road, eastwards. I assumed that a depth of 15 feet would be sufficient for the sewer at the lowest point to be drained—that is at the east end of High Belhaven Terrace. I do not know anything about the existing sewers there. [Mr. Fleming put in tracing of plan and sections of a proposed common sewer along road now called Kirklee Road to the ford over the Kelvin, now marked No. 49 of process.] The depth shown there is 22 feet to the sill of the sewer from the crown of the road. I suppose the sewer had been made of that depth because it was necessary. I don't suppose that any one would make a sewer of an unnecessary depth. The difficulty of carrying the sewers west instead of east would be multiplied to the extent to which the road rises in that direction.

A Petitioners' Proof.

James Barr.

*Cross-examined by Mr. Naismith, for Mr. Blackie and Others.*—Besides the sewage running into the quarry hole which I have already mentioned, there was another instance behind High Belhaven Terrace, where there was an old stone drain running into a deep quarry hole, and conveying some sewage or drainage. I cannot tell whether that old drain is in actual use; but there was something coming out of it, and it appeared to be used for some purpose. There would be no difficulty in continuing the drain I have spoken of as running into the quarry hole forward to join the drain shown on the plan No. 49.

I have heard that the Law Courts Commission, in their report, made a recommendation to the effect that it was expedient that the Dean of Guild Court should cease, and its jurisdiction be transferred to the Sheriff, but I don't know the merits of it. The Sheriff has a jurisdiction over the whole of this district; and I understand that the Govan Parochial Board are the Local Authority. I cannot say whether the Parochial Board, before the Burgh of Hillhead was formed, made the most important sewer in the district; I don't know anything about the condition of Hillhead before the Burgh was formed.

*Cross-examined by Mr. Aiken, for Proprietors in Dowanhill Gardens.*—I am not acquainted with the drainage in the district of Dowanhill Gardens. I made no inspection of it. I do not know whether or not it goes into the sewer in Byres Road. The ground lies towards Partick, and would drain towards Partick.

*By the Sheriff.*—There is very little of Dowanhill Gardens that falls towards the

Petitioners' Proof. **A** north. The last two or three houses are very much on the level, I think, and then the ground begins to fall towards the south.

James Barr.

*Re-cross-examined by Mr. Fleming, for Kelvinside Proprietors and Others.*—The Greenock Dean of Guild Court have a special Act dated 1865, and last year they got an amendment of that Act, whereby they can recover penalties more speedily than under the old one. I gave my evidence as to the advantage of a Dean of Guild Court from the experience I had in working that Act in Greenock for seven years as Master of

**B** Works. I know nothing about the powers of the Dean of Guild Court in Hillhead.

#### EDWARD CORNELLY.

Edward Cornelly.

*Examined by Mr. MacLean, on behalf of the Petitioners.*—I am superintendent of police for the Lower Ward of Lanarkshire, under the Chief Constable of the County, and I have been so for nine years. The several inspectors at the different stations are under me. I have an inspector at Hillhead, Rutherglen, and so on. Previous to being appointed superintendent, I was inspector of police in Rutherglen. Hillhead has been erected into a special police district, comprehending not only the limits of the burgh as originally constituted, but the limits of the district proposed to be annexed. There is a division into burgh and county for police purposes of the Burgh of Hillhead and the area proposed to be annexed. That is not, in my experience, a satisfactory or convenient arrangement. Within the burgh we have to work under the Burgh Act, while outside we have to work under the General Police Act of 1857, and therefore you may commit a thing on the outside of the burgh which would be an offence inside. Under the Burgh Statutes there are a number of police offences provided for, which are not offences at common law. The persons who sit in judgment upon offenders are also different. Cases occurring outside the burgh are brought before the justices; those inside the burgh before the magistrates. The justices sit for the trial of offences committed within the area proposed to be annexed in the Justices' Hall, County Buildings. When an offence is committed outwith the burgh, we require to bring the offenders into Glasgow, which is about two miles from Hillhead. That withdraws the constables from their duty during the time they require to be in charge of the offenders, and also during the trial of the offences, if they are to be witnesses. I can hardly say, however, that that is a source of inconvenience, because it so rarely happens.

**F** There are 4 cells in the Burgh Buildings, and there are 21 constables for the Burgh of Hillhead and the area proposed to be annexed. The Burghs of Partick, Govan, and Maryhill have each a police of its own.

I think it would be a great advantage to the inhabitants of the district proposed to be annexed that that district should be incorporated with the Burgh of Hillhead for police purposes. For instance, in cases of obstruction in back areas and lanes, we have no power at common law to cause the obstruction to be removed, neither have we power at common law to deal with many offences, such as importuning. About two years ago, some women of bad character from Glasgow crossed the bridge to the burgh side of the Kelvin, and, of course, we had powers under the Police Act, which we had not at common law, to



deal with them there; but if they had known, they might have gone farther out and have evaded the law in front of Kew, Grosvenor, and the other terraces there. We don't have the same power of dealing with them summarily at common law as we have under the Police Act. We might, under the Bridewell Act, take them up as rogues and vagabonds; but that is not so convenient. Keeping brothels is not an offence punishable outwith the burgh, unless there is breach of the peace, or some disorderly conduct. I have, in my experience, met with cases of brothels in the suburbs, more especially in "No Man's Land." These we could have repressed under the Police Act, but we have no power over them at common law.

*Cross-examined by Mr. Fleming, for Proprietors of Kelvinside Estate and Others.*—There are no brothels in Kelvinside that I am aware of. The women of bad character came from Glasgow across the Kelvin, not from the district proposed to be annexed. I cannot say whether such characters frequent the district proposed to be annexed; but I have had reports lately that persons of very doubtful character frequently lie among the grass there on Sundays. These things happen in the rural parts of the district. The most of the offences under the Police Act are also offences at common law. I think the forms under the Bridewell Act are equal to the forms under the Summary Procedure Act. They are using them at Rutherglen at present, because they are better, according to the Fiscal's idea. There is no great difficulty, therefore, with regard to the forms of procedure in the case of such offences; but apart from that, I should fancy that it was a defect that we have no control over cases of obstruction in back courts and lanes, except under the Police Act. There are powers contained in clause 251 which we do not have at common law. Such obstructions, however, are more likely to occur where there are shops and warehouses, than in a district like Kelvinside. I believe there are private watchmen kept on each of the terraces in Kelvinside, in addition to the ordinary police; but I don't see the use of them. They cannot act as officers; they are not members of any police force, and have no police powers.

*Cross-examined by Mr. Naismith, for Mr. Blackie and Others.*—The number of crimes and offences committed in the district proposed to be annexed were, for the year from 15th June 1874, to 15th June 1875:—

Detected—Shebeening,	3
Road offences,	11
Assaults,	6
Breach of peace,	6
Drunk,	2
Thefts,	6
Malicious mischief,	7
Rogues and Vagabonds,	3
	— 44
Undetected—Embezzlement,	1
Thefts,	11
Housebreaking,	1
Assault,	1
Exposing person,	1
	— 15
In all,	59

A Petitioners' Proof.

Edward Cornelly.

B

C

D

E

F

G

Petitioners' Proof.  
Edward Cornelly.

A The assaults were generally at Skaterig, at the colliers' place there. The malicious mischief was caused by trampling down and destroying grass, and so on. I cannot say that there is any crime worth speaking of among the inhabitants of the district proposed to be annexed, except sometimes that there is a "drunk" or two.

*Cross-examined by Mr. Aiken, for Proprietors in Dowanhill Gardens.*—The police of Hillhead can follow an offender all over the county. They are district police, not burgh police.

B *Re-cross-examined by Mr. Fleming, for Kelsinside Proprietors and Others.*—Under the Police Act of 1862, the magistrates of Hillhead have power to try shebeeners, but not public-house keepers. They have no power under the Public Houses Act to try offences. They cannot try persons for breaches of certificate; neither can Govan, Partick, nor Maryhill. If a case of shebeening occurred outside the burgh, I would take it before the justices; if within the burgh, I would take it before the magistrates. I have had no cases of shebeening within the burgh.

C *Re-cross-examined by Mr. Aiken, for Proprietors in Dowanhill Gardens.*—The police of Partick patrol the road which is the southern boundary of Dowanhill Gardens. The police force is quite sufficient in the meantime. If Hillhead had a police force, they would require to cross a small portion of the Burgh of Partick in order to reach Dowanhill Gardens.

D *Re-examined by Mr. MacLean.*—The offences specified in sections 251, 336, 337, and 338, of the Police Act of 1862, are not offences at common law; and if they take place within the county, the county police cannot take cognisance of them. They are offences which are likely to occur in a populous district.

*By Mr. Fleming.*—There are a number of these offences that are offences under the Turnpike Act, and a few of them could be taken up under breaches of the peace.

*By Mr. Naismith.*—I think we keep a sufficient number of policemen in the district proposed to be annexed. We have three beats.

E *By the Sheriff.*—The office at Hillhead is used for the district proposed to be annexed as well as for the burgh. We make no distinction between burgh and county. Supposing the Burgh of Hillhead to have such an amount of population as would entitle them under the Police Act to have a police force of their own, I think it would be more advantageous for them to remain attached to the county police. I think that all the burghs round Glasgow should amalgamate with the county police for police purposes. It is quite the reverse of an advantage to have small isolated police forces in these several burghs, because in the case of any disturbance, they cannot command any extra force without an order from the Sheriff, whereas, by being amalgamated with a county like Lanarkshire, the force could be supplemented at any time, at the discretion of the commanding officer.

F *Interrogated.*—Suppose I found it necessary or proper to take in some portion of the proposed extended district—namely, that which is built upon, or is in course of being built upon very speedily, say in a line from Montgomerie Crescent, northwards (the rest being really at this moment in agricultural occupation and nothing else)—would that portion added



to Hillhead give it 7,000 of a population, which would enable the Commissioners to have a force of their own?—Depones : It is according to the last Census that there has to be a population of 7,000 there. A Petitioners' Proof.  
Edward Cornelly.

*Interrogated.*—In the case of there being such a police force, there would be a portion of the county to the west of that which the police of the county would require to attend to?—Depones : There would. It would be bounded on one side by Renfrewshire ; on another side by Maryhill ; on another by Hillhead ; and on another by Partick. It would be about half a mile square. If that part of the district had to be watched separately, we would require to keep one county officer there, and we would use the old county office in Byres Road. Any offenders from that part of the district would require to be brought into Glasgow. That would be very inconvenient. It would hardly be practicable to work that small part of the district, without great inconvenience and expense. In that view of the matter, it would be very inexpedient, in the event of part of the district being annexed, that a small portion like that should be left out. If any extension were to take place, it would be expedient to take in the whole. According to the Census of 1871, the population of the part of the district to which your Lordship has referred does not come up to 7,000, and therefore they would require to wait until the next Census before they could take steps for having a separate police force. B  
C

The County Police have no charge of Partick, or Maryhill, or Govan. They have charge of Rutherglen, which is amalgamated specially with the county for police purposes. D

ANDREW PATON.

Andrew Paton.

*Examined by Mr. MacLean, on behalf of the Petitioners.*—I am one of the Commissioners of the Burgh of Hillhead, and I have been so since the formation of the burgh. I am acquainted with the circumstances under which the Commissioners acquired right to the Byres Road sewer, which had been constructed by the Govan Parochial Board. We got right from the parish of Govan, and Mr. Kerr, and the Sardinia Terrace proprietors, who were the parties who had built the sewer, to the whole of it which they had built. I think they had built it from about Vinicombe Street. I am not sure how far they went down ; but I think they went beyond the point at which our southern boundary meets the Byres Road. After we acquired right to the portion which they had constructed, we extended it northward and eastward along the Great Western Road as far as Granby Terrace. We paid Mr. Kerr the sum which he had expended for the construction, and we arranged that the Sardinia Terrace proprietors should be free from any sewerage rates in consideration of what had been expended by them. The balance was paid to the Parochial Board. Since we acquired the sewer from the Parochial Board, we have held it and exercised the rights of proprietors over it. E  
F  
G

*Cross-examined by Mr. Naismith, for Mr. Blackie and Others.*—I am not aware that, while the Parochial Board possessed the sewer, they gave access to it to the

Petitioners' Proof.

Andrew Paton.

- A proprietors of new buildings for a consideration. There were no new buildings put up there during the time the sewer was in their hands. The sewer was not made originally for the accommodation mainly of Sardinia Terrace. It was made to carry off some stagnant water in a quarry hole farther down than Kelvinside Church. Part of that water came from Sardinia Terrace. After the sewer was made, the drainage of Sardinia Terrace was carried down by a small drain from behind the terrace to the Byres Road sewer. There was no sewer formed from Sardinia Terrace down to Great Western Road, and carried along Great Western Road until it joined the main sewer down to Partick. The sewer from Sardinia Terrace came down almost at right angles to where the sewer terminated at Viniecombe Street. The main sewer did not touch the Great Western Road at all at that time. The sewer which went along Great Western Road was constructed by the Hillhead authorities.

- C *Cross-examined by Mr. Aiken, for Proprietors in Dowanhill Gardens.*—The district of Dowanhill Gardens is bounded on the south by the Burgh of Partick. A part of that district lies towards Partick, while a part of it lies to the north. That is the part upon the ridge of the eminence. The district of Dowanhill Gardens, by being annexed to Hillhead, will share in the general benefits that will be obtained by all the district. One thing is, that there is a great deal of trouble with offenders in the district proposed to be annexed, who have all to be taken into Glasgow. I am not aware that the Partick police patrol the southern boundary of Dowanhill Gardens.

- D *Cross-examined by Mr. Howie, for Mr. Davidson, of Balgray.*—I know the boundaries of the properties in a general way that we propose to annex, but I do not know them definitively. I don't think the lands of Balgray lie adjacent to the present boundaries of the Burgh of Hillhead. I think there are two or three feus upon them. I think Mr. Collins' house is on them; and also the gas manager's. I think, if I was proprietor of these lands, I would get them feued to a considerable extent. I cannot tell why they have not been feued—that rests with the owner. I think it lies entirely with him.
- E There are some lands between Balgray and the Burgh of Hillhead which are not feued either; but we always find in a growing district round a city that there are spaces left, and that the building is not continuous. I don't think these other lands are remaining unfeued for the same reason as the lands of Balgray; but everything takes a time, and especially feuing, in the suburbs of a growing city.

- F *Re-examined by Mr. MacLean.*—There has been no consent given, at any time, by the Commissioners of Hillhead, to any proprietors west of Byres Road draining into the Byres Road sewer.

*Re-cross-examined by Mr. Naismith.*—We have never been asked for such a consent. We would have considered whether we should not give it if we had been offered a consideration. I have no power to commit the Commissioners by saying whether the consent would have been given or not.



## ARCHIBALD CUNINGHAME WILSON.

*Examined by Mr. MacLean on behalf of the Petitioners.*—I am Clerk to the Commissioners of the Burgh of Hillhead. I am also Assessor to the Burgh Court and to the Dean of Guild Court. The Burgh Court sits for Police purposes. A Petitioners' Proof.  
Archd. C. Wilson.

With regard to the Dean of Guild Court, I can only speak of it from the time when I became connected with the burgh, which was in 1873. The Dean of Guild Court was in existence then, and it has been in existence and in operation as a court ever since. I am not aware of any buildings being allowed to be put up within the burgh without the consent of the Dean of Guild Court. B

There have been attempts made to erect buildings without having previously obtained the sanction of the Dean of Guild Court, and we have used means to resist these attempts by interdict, and have done so successfully. Mr. Wharrie acts as Master of Works, and reports to the court upon the petitions. I believe that, in the event of anything occurring in the course of the erection of a building which he does not approve of, he is in the practice of reporting it to the members of the Dean of Guild Court. I do not think I can condescend upon any particular instance when he has done so, but he takes a general supervision, and that is his duty. C

*Cross-examined by Mr. Naismith, for Mr. Blackie and Others.*—I cannot tell exactly how many records have been made up in the Dean of Guild Court since I became clerk. I cannot say that there has been any litigation in the court since 1873,—that is, fights between proprietors; but I say that applications have regularly been made to the Commissioners for permission to erect buildings. There is no officer of court. The warrants of the court have been served by intimation sent through the post office; and, in some instances—I think in the majority of instances—that service has been accepted. I cannot condescend upon any particular authority for holding intimation through the post office to be a service of a warrant. We follow the procedure of the Dean of Guild Court in Glasgow as near as possible. The proceedings in that court commence by petition, and upon the petition a deliverance is pronounced appointing service on the adjoining proprietors, and also upon the Master of Works. Instead of appointing service, we appoint intimation to be made. We have never asked the police to serve these intimations. I do not suppose that we have any powers other than those contained in the Police Act of 1862. D

*Re-examined by Mr. MacLean.*—There has been opposition in more than one instance to applications for lining, and the opposition has been met and disposed of. E

It was agreed, in order to save the necessity of recalling Mr. Graham as a witness—he being detained upon other business—to hold the statement (now produced, and marked No. 50 of process) as being deponed to by him as correct, and as forming part of his evidence. F

Petitioners Proof.

Archd. C. Wilson.

- A *Mr. MacLean, for Petitioners*, put in copy minute of agreement, dated 14th March, and 15th October, 1860, between the Govan Parochial Board and the Commissioners of Partick (marked No. 51 of process); and copy extract decree obtained by the Govan Parochial Board (marked No. 52 of process). It was agreed to hold these copies as being equivalent to the originals. *Mr. MacLean* also put in conveyance by *Mr. Kerr* to *Mr. Dill*, on behalf of the Commissioners of the Burgh of Hillhead (marked No. 53 of process); agreement between the Commissioners of Hillhead and the University of Glasgow and others (marked No. 54 of process); and receipt by the Govan Parochial Board to the Commissioners (marked No. 55 of process).
- B

*Petitioners' Proof in chief closed.*



## RESPONDENTS' PROOF.

CHARLES EDWARD IRWIN.

*Adduced and examined as a witness by Mr. Fleming, for Kelvinside Proprietors and Others.*—I am a member of the Govan Parochial Board. I am, and have been, for the last five years, Chairman of the Sanitary Committee of that Board, which has the carrying out of the Public Health (Scotland) Act, within the district. I know the district proposed to be annexed. The whole of it is included in our parish, and is under our jurisdiction. The Parochial Board is the Local Authority under the Public Health Act, and the Sanitary Committee carries out the Act. I understand we have the same powers under the Public Health Act as the Burgh of Hillhead have within their district. A Respondents' Proof.

Chas. E. Irwin.

I am well acquainted with the sanitary condition of the district proposed to be annexed. It is in about the best condition of any part of our area. The class of residents in the district is, for the most part, merchants and professional men,—the best class of residents, I should say, in the neighbourhood of Glasgow. In that district we have had only five cases of nuisances within the past five years. It is a district requiring very little attention in that way. The proprietors are more anxious to remedy any defects or any nuisances that are in existence than we are to represent them to them. We have invariably found it to be the case that a letter from us commands attention at once. Any complaints we made were at once attended to, with the exception of the five cases I have mentioned, which required some little process in Court. I should say that, besides these five cases, there have not been more than thirty cases in which we have had to send complaints by letter, and they were all put right by correspondence. We have found the entire district to be well attended to. Speaking from my knowledge of the district proposed to be annexed, I think that the only part of that district which would derive any benefit with regard to drainage from being annexed to Hillhead is Dowanhill Gardens, and a small portion near the quarry hole, facing the public offices connected with the Burgh of Hillhead. There is a natural ridge about Belhaven Terrace which throws the drainage towards the Hayburn drain on the one side, before you come to the Asylum, and to the Kelvin on the other; so that in that part of the district there would be no advantage as to drainage from being annexed to Hillhead. Being shown plan No. 43, B C D E

Respondents' Proof. A  
Chas. E. Irwin.

and his attention being called to the portion marked Victoria Park, and shaded yellow—  
Depones: That is the part I refer to on the east side of Observatory Hill, as being the only part which, in my opinion, the Burgh of Hillhead could afford facilities to for drainage. The natural lie of that ground is towards the sewer which we made in Byres Road. We made the sewer under the powers contained in the Act, the different proprietors contributing a certain portion of the expense. There was a balance of £220 remaining over, and that was paid to us in 1873, with interest, by the Commissioners of Hillhead, and we then transferred to them the whole of our right in the sewer. I believe the district of Victoria Park could be drained into Partick without the assistance of Hillhead at all; but not being a professional person, I cannot give any definite information upon that point.

About two and a half years ago, in consequence of a building being erected at the extreme end of the ground where building is presently going on, we asked the proprietors of Kelvinside Estate to come before us and explain what they were to do in the way of drainage. They appeared before us, and produced plans of drainage which would cost, I think, about £7,000 or £8,000, and they stated that they were quite prepared to go along with the other proprietors in carrying out such a scheme. In the meantime, however, as there was only one house going up which would drain towards the Hayburn, they asked us to defer action until some other houses were erected, the drainage of which would go into it, and we agreed to do so; but we gave them to understand, that as soon as buildings were erected which would create a nuisance, they would have to construct a proper sewer.  
D (Shown plan No. 48.) That is the plan which they submitted to us. In my opinion, it is by that drain that the greater portion of the district proposed to be annexed can be drained.

The houses in Montgomerie Crescent and the villas in Montgomerie Drive drain into the Kelvin, at a point to the north of Montgomerie Crescent. The natural drainage for the whole unfeued ground between the Kelvin on the east and north, and Crossloan Road on the west, would be to the Kelvin on the one side, and the Hayburn on the other. I think  
E it would be impossible for the part on the back of the hill to drain towards Hillhead.

I know a considerable number of the people residing within the district proposed to be annexed. They are Glasgow people, having no connection with Hillhead. They are not a class requiring special police supervision, but the very reverse; nor are they a class among whom epidemics would be likely to arise. In the event of an epidemic arising, hospital accommodation could easily be obtained. We, as Local Authority, provide hospital  
F accommodation for the poorest class, and we have made arrangements with the City by which they will give us access for all our district while we are Local Authority. Our duty as regards epidemics is precisely the same as the duty of the Local Authority within the burgh. I think the majority of the inhabitants of the district proposed to be annexed are subscribers to the Royal Infirmary. We have had two cases of epidemic diseases in the district proposed to be annexed. One was a case of small-pox on Gartnavel Farm which was sent into the city. All our epidemic diseases are taken to the city.

G I think, looking at the map, that the district proposed to be annexed is about five or six times the size of Hillhead.

A considerable portion of the district proposed to be annexed is a mineral district.



Balgray is being worked, and the west part of Kelvinside towards Anniesland Toll and away up to Maryhill. A Respondents' Proof.

Chas. E. Irwin.

I know nothing personally about the appliances which the Burgh of Hillhead possess for extinguishing fires, but they have some of the same kind of reels that we have down at the Asylum. They would be useful in cases of fire on lower flats. Their efficiency would depend on the pressure of the water and the distance from the plug.

*Examined by Mr. Naismith, for Mr. Blackie and Others.*—The patch of ground called Victoria Park drains into Byres Road. The west district of Hillhead also drains into Byres Road, so that it would be convenient that the sewage of both should be carried down the same sewer; but it might also be carried down in separate pipes or sewers in the same way. B

*Examined by Mr. Aiken, for Proprietors in Dowanhill Gardens.*—I know the district of Dowanhill Gardens. I have had occasion, as Chairman of the Sanitary Committee, to go over that district very often. I found the sanitary matters there to be well attended to, nothing could be better. We have never had occasion to take action against any of the proprietors in that district, or even to write a letter to one of them. It was merely because of the natural lie of the ground that I said that the district of Dowanhill might derive advantage with respect to drainage from being annexed to Hillhead. The lie of Dowanhill is towards Partick, and so far as Dowanhill is concerned, the drainage would be towards Partick. C

*Cross-examined by Mr. MacLean, for Petitioners.*—It is from our Assistant Inspector of Nuisances that we derive information about nuisances. I am not aware that we have had complaints from the police about nuisances for a long time. There may have been some complaints from them about minor matters, such as surface water; but I cannot charge my memory with any particular instance. I remember one case, in which we received a complaint from one of the magistrates of Hillhead—I think Mr. Cowan—about a nuisance that came from the Gas Works, but on examination we found that it was not within our jurisdiction. I have no recollection of receiving any complaints about nuisances from Mr. Cornelly, or from the inspector in the Hillhead district. There may have been such complaints; but I do not remember. We interfere as a Sanitary Committee in other cases besides those of nuisances. We interfered, for instance, in the case of Kelvinside, where there was no nuisance, because the house was not inhabited at that time. We expected that something in the shape of nuisance might be created, in consequence of buildings going up there, and that was why we interfered. We do not interfere unless in the case of an existing or expected nuisance. We do not interfere with the construction of drains, provided they are properly put in. We do not in any way superintend builders who are putting in drains. D E F

I do not anticipate that any portion of the district proposed to be annexed will be laid out for shops. I have always understood that the Kelvinside Estate, which is a very important portion of it, is restricted. I believe there will be a strong effort on the part of the residents there to exclude shops, if they can get it done. I am aware that shops have come out the Great Western Road as far as Kelvinside Church; and there is no doubt that, when this district goes west, it will need shops too.

Respondents' Proof.

Chas. E. Irwin.

A There are some very small shops in the Byres Road. There is a large block being built on the west side of the Byres Road, but I don't know for what purpose it is intended. It looks as if there were meant to be shops on the lower flat; and in the district to the west, excluding Kelvinside, some shops must in the natural order of things accompany the increase of population.

B I think the provisions of the General Police Act are deficient in not being so stringent as the powers of the City of Glasgow Act are. I would have them more stringent for the public good. They are a good deal more stringent than the powers possessed by the county authorities. I think that everything that gives full jurisdiction and full powers to the local authorities, whoever they are, is beneficial to the public.

C Our attention as a Sanitary Committee has been drawn to the way in which Marchmont and Bowmont Terraces are carrying off their sewage. We had first an anonymous letter as to the state of the quarry hole which exists there, and then we had one or two letters signed by inhabitants in the neighbourhood, complaining that there was a nuisance, and we took action in consequence. There was a Mr. Moyes who was building on Victoria Place, and we compelled him to make a drain on the south of that quarry hole, down to Byres Road. I am now speaking of a drain behind Grosvenor Terrace, which went into a quarry; that was about two years ago. Our attention has been called by our Inspector to the want of drains at Marchmont and Bowmont Terraces—I think that was about two months ago. I don't think they are draining into that quarry hole now. There may be surface drainage going into the quarry hole, but our Inspector has been out and ascertained what they were doing, and the builders stated that they were in treaty with some party to get access to the main drain. We have taken no active steps yet to bring the matter of the drainage of Marchmont and Bowmont Terraces before the court.

*Re-examined by Mr. Fleming.*—I think there is only one of these houses inhabited just now. I think it is about two months since I was up there and saw it.

E *By the Sheriff.*—I have known cases of detached buildings or contemplated streets on the south side of the Clyde, where drains have been made by the builders leading into cesspools, these cesspools having no issue into public drains. I have never known any instance of that kind in Hillhead.

F We have power, as a Board, to make drains in new districts, and charge a proportion of the expense against the several proprietors as the place is built. We do nothing in the way of making drains except making them where they should have been made by the proprietors; and we do so at their expense, unless in cases where there is a nuisance created, and then we would do it independent of anybody; but we would be able to come on the proprietors afterwards. We do not carry out any system of making drains out of the common funds of the Parochial Board. I believe that the burghs have the same power, not only of making systems of drainage, but of paying for them out of the rates recovered from the whole burgh; but Glasgow is the only place where I know that that is done.

G I do not think there is the slightest advantage to a district in which dwelling-houses are being put up in crescents, streets, and the like, from being within a burgh jurisdiction as compared with being under a jurisdiction such as ours. I mean that



there is no advantage in respect of drainage. I believe that burghs are useful for other things; but I would do away with the small burghs altogether, and have a general authority.

The present extra-burghal population over which the Parochial Board of Govan have jurisdiction is, I think, about 35,000. We have one sanitary officer. I think the area over which our jurisdiction as Local Authority extends is about 3,000 or 4,000 acres. Our whole parish contains about 7,000 acres; but that includes Partick, Hillhead, Govan, and part of City. I think the Parochial Board of Govan is a well constituted body for having charge of the sanitary condition of such a district, because a large proportion of our parish is agricultural. I think the agricultural population will be about 14,000. The Sanitary Committee consists of eight members, and they are selected from the different districts over which we have authority. I think the Parochial Board of Govan is quite as efficient, as a sanitary authority, as the Municipal Commissioners of Hillhead or any other burgh of the size could be. The Local Authority have the same power as burghs with regard to assessing for drainage.

#### JAMES BROWN FLEMING.

Jas. Brown Fleming.

*Adduced and Examined by Mr. Fleming as a witness for Kelvinside Proprietors and Others.*—I am a writer in Glasgow, and a partner of the firm of Messrs. Montgomerie & Flemings, writers. I am one of the proprietors of the Estate of Kelvinside; and I have since, the death of my uncle, Mr. Montgomerie, in 1868, had the management of the estate. The district proposed to be annexed comprises 716 acres. Of that quantity Kelvinside comprises about 300 acres of unfenced ground, and about 100 acres of which we have the superiority where houses are being built. Kelvinside is the largest property in the district proposed to be annexed. The proprietors of Kelvinside are the actual superiors, with a nominal feu-duty, of Victoria Park, Mr. Mirrie's ground, Mr. J. W. Anderson's ground, and also all the ground feued to Mr. Thomas Russell. We are also superiors of the Botanic Gardens. They have redeemed the annual feu-duty, but they pay a duplication every 19th year.

The Estate of Kelvinside is being laid out solely for the erection of first-class houses, all self-contained, with the exception of a small portion of the estate on Byres Road facing the Burgh of Hillhead, whose character we are not so sure of. That is the only part of the estate in which flats or shops are allowed.

We have very carefully considered our position with reference to this proposed extension, and we are decidedly opposed to it. We decidedly object to go into a small burgh like Hillhead. If it should appear to the Court that we require some burghal jurisdiction, we are quite ready to go into the City of Glasgow, who could give us something for the rates we would have to pay. Hillhead can give us nothing. The Burgh of Hillhead can offer us nothing whatever that we have not got already. It can drain no part of the district proposed to be annexed, except a small portion, shaded yellow on the plan, which can drain itself independently of Hillhead. It has the same police as we have at present,

Respondents' Proof.  
Jas. Brown Fleming.

A and it is under precisely the same jurisdiction so far as police matters are concerned. As to drainage, no portion of the whole district proposed to be annexed is dependent on Hillhead at all. The portion shaded yellow on the plan, part of Victoria Park, lying to the east of the Observatory, drains towards, but not into, Hillhead. With reference to that portion I put into process a receipt by the Commissioners of the Burgh of Partick to the proprietors of Kelvinside, dated 9th February 1858 (marked No. 56), which shows that the proprietors of Kelvinside paid to the Commissioners of Partick the sum of £109 for the privilege, in all time coming, in favour of the proprietors of Kelvinside, and their feuars or disponees upon the estate, "of carrying away the sewage water from their lands and houses, through and by means of the drain constructed by the proprietors of Kelvinside, and passing down the turnpike-road," and so on. That is Byres Road. That refers to the drain that we formed ourselves on the west side of Byres Road. It is not a drain led into the large common sewer; but it is connected with the Partick main system of sewage at the boundary of the district proposed to be annexed.

C With regard to the general drainage of the district proposed to be annexed, the plan which has been produced is correctly coloured to show the drainage of the district of Kelvinside in all respects, in fact of the whole district. Dowanhill drains down towards Partick, and we have not anything to do with it. The portion that is not shaded, including the western half of Victoria Park, the ground sold by us to Mr. J. W. Anderson, and the ground sold by us to Mr. J. B. Mirrlees, and also Windsor Terrace, and all the ground behind that, naturally drains down the sewer which we formed down the Kirklee Road. The tracing, No. 49 of process, is a copy of the plan prepared for that drain in the Kirklee Road. It was originally intended to be connected with an old culvert which passed under the Great Western Road, a little to the west of the Kirklee Road, at the point marked A on the plan; but when the sewer was in course of formation, the proprietors in Belhaven Terrace, and Mr. J. W. Anderson, being particularly anxious to secure a good drainage for their ground, carried the sewer straight across the Great Western Road, and up the Horslethill Road, to the lane at the back of the two Belhaven Terraces. That sewer in Kirklee Road is an egg-shaped sewer, 3 feet in height, and 2 feet 3 inches in breadth. It was constructed by Mr. James Rankine, Contractor in Glasgow, at the sight and to the satisfaction of Mr. Andrew Laughlen, C.E., Glasgow, and it has worked thoroughly well since it was constructed.

F With regard to the ground to the west of the Hyndland Road, and the western half of Montgomerie Crescent, which is shaded blue on the plan No. 43, the drainage of it must be carried away by the Hayburn. It was pointed out to us and to Mr. Stirling Crawford, the proprietor of Hyndland, by the Sanitary Committee of the Govan Parochial Board, that if we meant to put any sewage into the burn, we must take steps to have it covered over. We accordingly instructed Mr. Dennison, of Messrs. Kyle, Dennison, and Frew, to prepare a plan for the covering in of the Hayburn with a circular brick culvert, four feet in diameter. I now refer to the plan prepared by him, dated 3rd September 1873, No. 48 of process. That plan was submitted to Mr. Blackley, factor for Mr. Stirling Crawford of Hyndland, and Mr. Hugh Kirkwood, factor for the Scotstoun Estate, which also bounds the Hayburn, and they were perfectly willing to go



into an arrangement with us for an equitable division of the cost of covering in this burn when necessary. Mr. Dennison prepared schedules and got estimates for the formation of the culvert, and I think he estimated that the cost would be between £7,000 or £8,000. We have intimated to the Sanitary Authorities that we are prepared to form that culvert whenever, in their opinion, it should be necessary. There are no houses in course of erection yet requiring to drain into it; but I have no doubt that feuing will come out there in time, and when the feuing does come out, that drain will be constructed.

The western part of the district, which is not shaded in the plan No. 43, drains into Whiteinch Burn. That is in the mineral part of the district, and no drainage is required there in the meantime. That burn is the natural flow of the drainage there.

So far as the district proposed to be annexed does not drain directly into the Kelvin, it drains entirely through Partick, and no part of it through Hillhead at all.

With regard to watching, I do not see that we would be any better off if we were annexed to Hillhead than we are at present; indeed, we would be worse off, in respect that we would lose the services of the private watchmen attached to the different terraces. There is a private watchman attached to each terrace in the district. I believe the proprietors of Dowanhill have two watchmen in their district. The district proposed to be annexed is not a criminal one.

*By the Sheriff.*—There will be more than half-a-dozen of these private watchmen altogether. They are subject to the orders of the proprietors, and there is an inspection of them by the gentleman who takes charge, and who is convener of the Committee. I know that the gentlemen who take charge of each terrace frequently go out at night to see that the watchmen are attending to their duty. There is no official inspection of these men.

*By Mr. Fleming.*—The terraces in Kelvinside are well lighted. I now produce a printed draft feu-contract in terms similar to which the titles are granted (marked No. 57 of process.) The MS. portion is also introduced into the more recent contracts. Besides what is copied into the printed draft, there has been a clause recently put in providing that the connections with main sewers formed by us shall be formed at the sight and to the satisfaction of our surveyor. We have recently erected lamps along the Great Western Road from the Botanic Gardens gate. These lamps were ordered in August 1874, and they were put up before May this year, but they were not lighted until May. Previous to our supplying these iron lamp posts, there were wooden lamp posts up belonging to the Road Trustees, so far as the western boundary of the Botanic Gardens, and lamps at the entrance to the different terraces. The lamps now extend to South Balgray Road, on which Mr. Thyne's Nursery is situated. That is the road leading down to the skating pond. I now produce a copy of our feuing plan (marked No. 58 of process) showing the different positions of the lamps throughout the different portions of the estate. The lamps are erected so far along the Great Western Road as the buildings at present extend. It is a country road beyond that point, and there is no more occasion for lighting it than there is for lighting the road down to Dumbarton. Since the contract of the Great Western Road Trustees with the Gas Company expired in May last, we have undertaken the lighting

A Respondents' Proof.  
Jas. Brown Fleming.

B

C

D

E

F

G

Respondents' Proof. A of these lamps ourselves. The lamps of the Hillhead Commissioners are not lighted just now, except very partially.  
 Jas. Brown Fleming.

The roads which we have formed on the Kelvinside Estate, and the streets formed for building purposes generally throughout the district proposed to be annexed, are wider and of easier gradients than those in the Burgh of Hillhead. With one exception of a 40 feet road, they are all 60 feet roads—that is, 40 feet of actual carriage way and 10 feet of foot-path on each side; and the buildings along the line of Great Western Road are restricted to be kept back a distance of 70 feet from the side of that road, making a clear distance from building line to building line of 200 feet. That restriction is already placed on our ground as far west as the road leading down to the Asylum. There was a portion that we sold to Mr. Russell, on the north side of the road beyond Hyndland Road, and he is under the same obligation to keep back 70 feet from his side; and there is a corresponding obligation upon ourselves to keep back 70 feet so far as opposite him, which carries the obligation out on both sides as far as the road down to the Asylum. On the other new roads formed by us, the building lines are 50 feet back from the sides of the roads, giving a free space of 160 feet between the building lines. The roads in Hillhead are narrow, and of very bad gradients, sometimes impassable. For instance, there is the access from the Great Western Road leading up to Granby Terrace. You could go up it with a carriage, but it would be very difficult; you could come down quicker. There was an accident caused to Mr. Daniel Crawford, wine merchant, by the steepness of these roads. I know the character of the houses in Granby Terrace and Sardinia Terrace, and throughout the whole district of Hillhead. In Sardinia Terrace they got a bad name with regard to substantiality, and in Granby Terrace also; while in Belmont Crescent they tumbled down.

With regard to the extinguishing of fires, the Burgh of Hillhead can afford no assistance to the district proposed to be annexed that would be of any practical benefit. They have no trained staff of firemen. I resided, during last winter, in a house in Kerrsland Street, and a fire took place in the shop of a greengrocer named Pollock, in Buckingham Buildings, Great Western Road. The Hillhead people appeared upon the scene with a reel and hose; but none of their men appeared to know where the fire plug was to be found; when found, they did not know how to open it; and when opened, they did not know how to work the pipes, the result being that all the water was spilt on the road, and not on the fire at all. Assistance had to be sent for from Glasgow. I may state that we are in terms with the Telegraphic Construction and Maintenance Company to have a wire from a small house to be put up opposite Bailie Morrison's, leading direct to Mr. Bryson's office in College Street, which will cost about £200, for the purpose of obtaining assistance from Glasgow in the case of fire.

There are no public works in the district proposed to be annexed, except Mr. Collins' Paper Works at Kelvindale; but very few of the people employed in these works reside in the district proposed to be annexed; the majority of them come from Maryhill.

Fires are of very rare occurrence in the district proposed to be annexed. Even although the district was attached to Hillhead, fires being so rare, no trained staff having practice could be kept up, and we would still have to send to Glasgow for assistance.

The district proposed to be annexed does not require any special hospital accommoda-



tion. The Govan Parochial Board afford all the necessary accommodation for the poorer classes, of whom there are very few in the district, and the better classes are, without a single exception, I daresay, contributors to the Glasgow Hospitals, which gives them right to pass on their patients to Belvedere, or wherever the hospitals are for contagious diseases.

There are a few, but very few, colliers who reside within the district at the extremity. The greater number of them come from Partick and Maryhill and from Glasgow. Our mineral tenants in the district are Messrs. Robert Addie & Sons and Messrs. James Dunlop & Company. The Monkland Iron & Steel Company are not tenants of ours; they are tenants of Scotstoun. I now produce lease between the proprietors of Kelvinside and Messrs. James Dunlop & Company of Clyde (marked No. 59), having a plan endorsed thereon showing that the workings come in to the Hyndland Road. I also produce Messrs. Addie & Sons' lease of the workings on the north side of the Great Western Road (marked No. 60 of process), which come in as far as North Balgray farm steading. The lands of Balgray are also a mineral subject. Messrs. Addie are working the ironstone there by our pits under a way leave, and we have the right to work the coal. Messrs. Dunlop's right of working extends up to Hyndland Road, on the south side of Great Western Road. Messrs. Addie's right on the north side extends to 200 feet westward of North Balgray farm steading. In Balgray Park, Messrs. Addie are working close to the bridge.

*Examined by Mr. Aiken, for Proprietors in Dowanhill Gardens.*—I have passed through the district of Dowanhill Gardens at night, and it seemed to me to be as well lighted as any part of the district. The accesses to the district are from Victoria Terrace and Partick, from the south-east and south.

*Cross-examined by Mr. MacLean, for Petitioners.*—We desire to keep Kelvinside Estate exclusively for dwelling-houses. We consider it to be for our interest to do so. If occasion should arise for our altering our views in that respect, we have power to erect shops and other kinds of tenements, except where we have specially restricted the ground in connection with what we have already given off. That restriction has been imposed by us upon the whole of Victoria Park, with the exception of the frontage towards the Byres Road, upon Mr. J. W. Anderson, upon Mr. J. B. Mirlees, and upon Mr. Russell, and also reciprocally upon ourselves, so far as regards the frontage to these different feus. It is also imposed upon the feu behind Windsor Terrace to Messrs. Goodall & Smillie. The portion upon which the restriction is thus imposed will be less than one-fourth of the estate; but we intend to go on feuing in the future as we have done in the past, for good houses. West of Byres Road, Victoria Park is restricted against shops, except so far as fronting Byres Road. I now put in a copy of the feu-disposition in favour of the feuars of Victoria Park, for the purpose of explaining the restrictions applicable to the ground (marked No. 61). (It was agreed to hold the copy as equivalent to the original.)

With regard to the drainage, the pipe which we acquired right to connect with the Partick system of sewage is a pipe which was put in for the drainage of Kew and Grosvenor Terraces alone. They were the only buildings then existing. It is a 12 or 15-inch pipe; I cannot say which; and it is parallel with the large sewer which was

Respondent's Proof.

Jas. Brown Fleming.

Respondent's Proof. **A** subsequently made by the Parochial Authorities. I don't know that that pipe would be insufficient for the drainage of the east of Observatory Hill.

Jas. Brown Fleming.

I am not aware whether parts of the Victoria Park feu have connected themselves with the Byres Road sewer; that ground went out of our hands when we sold it. I am not aware whether any portion of Dowanhill Gardens drains into the Byres Road sewer. We have received no permission from any one, having authority to give it, to drain any portion of our lands into the Byres Road sewer. We had no occasion to receive such permission; we had no interest in the matter. I cannot say whether the pipe which was put in for the accommodation of Kew and Grosvenor Terraces has been more than once flooded.

**B** With regard to the arching in of the Hayburn, the plan prepared by Mr. Dennison begins at a point near to the bowling green. The plan, No. 39, is specially shaded, to show the different districts flowing in. The drain is to be covered not only all the way from Great Western Road to the point at the bowling green, but also from the extremity of the county up at the gas work. The Partick Commissioners have covered in the drain from the Clyde up to the bowling green.

**C** The lighting of the Great Western Road, from the Botanic Gardens gate to Thyne's Nursery, was a voluntary matter on our part; but we expect to get the cost of the lighting back from the Road Trustees. They are entitled, under their Act, to light the road, but if they will not light it, we have an interest in making the road good. We were under no obligation to take the lighting out of the hands of the Road Trustees. Our feuars are under an obligation by their feu-contracts to light the Great Western Road, but they did not do it; and if we don't get it back from the Road Trustees, we will get it from the feuars. The paragraph about lighting is on page 9 of the printed copy of the Feu-Contract.

**D** Sardinia Terrace and Granby Terrace were formed before the formation of the burgh, and they had to be dealt with with regard to approaches as the Commissioners found them existing. The gradients there, I have no doubt, are as good as the Commissioners could make them; but they should not have had a carriage way up to Granby Terrace at all. It is just a temptation to people to commit suicide. I don't know that these gradients could be made lighter now by any arrangements that could be made by the Commissioners.

**E** The fire in Pollock's shop was not a serious matter, but it might have been. It was put out by the people in the neighbourhood, without the assistance of the officers of Hillhead.

(Adjourned.)



TUESDAY, JULY 6, 1875.

A

ROBERT MACLEAN, Esq., Advocate; and MR. JAMES MUIRHEAD, Writer, for Petitioners.  
 MR. J. B. AIKEN, Writer, for Proprietors in Downhill Gardens.  
 MR. JOHN FLEMING, Writer, for the Proprietors of Kelvinside Estate, and Others. B  
 MR. ROBERT HOWIE, Writer, for the Trustees of Miss Davidson, of Balgray.  
 MR. JOHN MARSHALL, jun., Writer, for Proprietors of Victoria Park Feuing Co.  
 (Limited).  
 MR. JOHN NAISMITH, Writer, for Mr. Blackie and Others.  
 MR. JOHN KERR, Writer, for Directors of Royal Lunatic Asylum at Gartnavel.  
 MR. WILLIAM GILLIES, Writer, for Messrs. Edward Collins & Sons, Paper Makers at C  
 Kelvindale.  
 MR. JOSHUA BUCHANAN, Writer, for Mr. Thomas Russell, Ironfounder, Glasgow.  
 MR. JOHN DOWNSIE, Writer, for Mr. James Gordon Oswald, of Scotstoun.

## JAMES BROWN FLEMING.—CONTINUED.

D Respondents' Presd.  
 Jas. Brown Fleming.

*Re-examined by Mr. Fleming, for Kelvinside Proprietors and Others.*—Besides the debt on the Great Western Road Trust, the price of the land taken from the estate of Kelvinside for the formation of the road is still unpaid. The price for the land extending from the Botanic Gardens gate, as far out as the Hayburn, has been fixed under a reference, but it is still a debt on the road, with interest accruing on it. That reference was exclusive of the portion of the road passing through the lands of Gartnavel, which we subsequently acquired. I now put in, Notes by the Oversman (marked No. 62 of Process), fixing the price for the land up to the point I have mentioned, where the Hayburn crosses the Great Western Road, at £990, 10s. 7d., as of date 4th January, 1847. The interest on that sum is still accumulating.

The proprietors of Kelvinside are owners of the *solum* of the west half of the Byres Road. The conveyance to the Victoria Park Feuing Company was by a bounding charter, F  
 bounded by the west side of the Byres Road.

Respondents' Proof. A  
Jas. Brown Fleming.

In corroboration of the statement I previously made, that Partick could afford us every facility in the way of drainage, I now put in a report on the sewerage of the Burgh of Partick, by Mr. John Gordon, with a very complete plan annexed to it, showing the whole sewage of the district (marked No. 63 of process). I have examined the plan and the system of sewerage described there, and from my knowledge of the district I consider that that would be a most efficient system for carrying the drainage of the district proposed to be annexed, from the Byres Road out to the Hayburn, through Partick.

There is a quarry hole at the back of Sandringham Terrace, in the Burgh of Hillhead, which receives into it a great deal of apparently bad matter—"seepage" from the manure of a stable at the back of Sandringham Terrace, and refuse from the fish and poultry shops there.

I see no advantage that the Burgh of Hillhead itself can derive from the proposed annexation. We can afford it no advantage. In the same manner with ourselves, it drains through Partick, and not through us.

The lease to Messrs. Addie & Sons, which I produced in my examination in chief, expires at Candlemas, 1876; but with reference to that, I omitted to state that an extension for four years, to 1880, has been agreed upon. The extension is marked on the plan, but has not yet been docketed on the lease.

The Great Western Road may be said to be, to all intents and purposes, the only access to Glasgow for the district proposed to be annexed.

*Re-cross-examined by Mr. MacLean, for Petitioners.*—I think the east side of Observatory Hill naturally falls to be drained into the sewer of the Partick Commissioners, shown on the plan I have now produced, (No. 63 of process,) coming up Byres Road. The sewage from that part of the district could be taken into the Byres Road, at the corner of the Partick boundary, or at any point along the west half of the Byres Road, which is still in our possession. It flows naturally towards the Byres Road.

The extension of Messrs. Addie's lease has been in negotiation for some time. The draft is prepared, and it has been fixed upon for more than six months.

The quarryhole which I have mentioned behind Sandringham Terrace, in the Burgh of Hillhead, was existing, to my knowledge, very recently. It was there within the last few months. I have not seen it lately. I am not now residing in Kerrsland Street; but when I was residing there about the middle of April, I looked at it and saw it then in a stagnant state. I observed the quarryhole, in the state I have described, for a couple of months from first to last. I am not aware that any steps have been taken to remedy the state of matters there. I complained verbally about it to Provost Bruce, and I am almost certain that I also wrote a letter on the subject; but there was nothing done to it while I was residing there. As I was leaving Hillhead, I had no personal interest in seeing the matter remedied, and I did not follow out my complaint.



- Adduced and examined by Mr. Nasmith, as a witness for the Objectors.—I am a publisher in Glasgow. I reside in Belhaven Terrace. I have resided there for eight years, since the terrace was built. Previous to that I resided for about fourteen years in Kew Terrace, so that I have resided for about twenty-two years in the district sought to be annexed.*
- I am generally acquainted with the Burgh of Hillhead and with the district sought to be annexed. I am decidedly opposed to the annexation of that district to Hillhead. My reason is simply that I do not see any advantage which the district can obtain from Hillhead; while the whole advantage to Hillhead, so far as I can see, is that they would obtain taxation from us with which to pay their own expenses.*
- Our watching at present is very satisfactory, and our draining and lighting are excellent. No part of the district sought to be annexed can by any possibility drain into Hillhead, except a small portion that drains towards Byres Road. There is a considerable portion of Hillhead that must also drain towards Byres Road, and the drainage of both of those districts could be taken down the Byres Road to Partick; but that drainage must pass through Partick before it reaches the Clyde. The district sought to be annexed is therefore dependent in no way upon Hillhead for drainage.*
- The drainage of Belhaven Terrace is carried right into the Kelvin by the Kirklee Road. I saw the sewer there when it was in course of construction: it is a very fine sewer indeed.*
- I see no material difference now in the state of the district proposed to be annexed from what it was in 1869, when the application for the formation of Hillhead into a burgh was before Mr. Sheriff Bell, except, of course, that there are now more buildings within it. I should say that its sanitary condition is better now than it was then. The buildings that have been put up are of the same class as were there before 1869.*
- I know the estate of Kelvin-side generally where it adjoins the Great Western Road. The minerals in it are still being worked to a large extent beyond the farm adjoining Gartnavel.*
- The people residing in the district proposed to be annexed are of the best class. I should say that, almost without exception, they are Glasgow people. None of them carry on business in Hillhead, so far as I know. They are not a class requiring special police supervision; the very least supervision of that kind would do with them. They are not a class among whom epidemics are likely to spread. I should think that a very large number of them must be subscribers to the Glasgow Infirmary, and subscribers have the privilege of sending patients to the Infirmary.*
- The roads in the district proposed to be annexed are very good. The gradients are excellent, and the roads are well laid out and well kept.*
- We have fire plugs at Belhaven Terrace and Kew Terrace, and I believe also at Grosvenor Terrace. I don't think Hillhead could assist us at all in the case of fire. We*

Respondents' Proof. A have got an arrangement with the central fire office in Glasgow, whereby fire engines will be sent out whenever we send for them.

W.G. Blackie, Ph.D.

I know the Byres Road. I went over it last night. So far as accommodation for foot passengers is concerned, the west side of it is in a better condition than the east side. The west side is also in a better condition as regards fences. On the east side there is a broken down hedge leading into a quarry.

*Cross-examined by Mr. MacLean, for Petitioners.*—I cannot say that Byres Road is in a transition state on the east side with regard to footpaths. It has been in its present condition in that respect ever since I went there. I did not observe that operations were going on with a view to widen the road on that side. I cannot say whether that would account for the unsatisfactory condition of the road there. I have never given myself much trouble to consider what might account for the unsatisfactory condition of the road. We foot passengers merely look to the fact that we get a footpath on the one side and not on the other. If the road is in a transition state at present, then I can only say that the transition must have been a very long one. I am not aware that the Commissioners of Hillhead have acquired ground to widen the road to the extent of 10 feet. If that is so, I have no doubt it would be an improvement on the former condition of the road.

The Commissioners of Hillhead have certainly improved their own district within the burgh, since the burgh was formed. The roads are good. I don't know about the drainage. The lighting is good. An improvement has been made on University Avenue; but whether by the Commissioners of Hillhead or not I am not aware. The road there is certainly very much improved. I would not say that it is yet a satisfactory access to Glasgow. I think the road requires to be straightened, in order to make it a satisfactory access; but, of course, that is a matter of opinion. It requires straightening at the corner where it turns into Hillhead Burgh. Interrogated—Do you mean that if you were laying out University Avenue of new, having the ground on either side unbuilt upon, and capable of being worked upon, you could make a better road of it?—Depones: I mean this, that, so far as they have gone, they have made a great improvement; but if you ask me if it is now a perfectly satisfactory access to Glasgow, I say, No. Interrogated—Is it not really a very excellent road from end to end?—Depones: It is very good. Interrogated—And consistently with maintaining the buildings which were erected on either side of it at the time Hillhead was formed into a burgh, can you suggest anything to be done to improve it which has not been done?—Depones: I think that one of the functions of a burgh is to straighten roads, and in order to do that they must buy property. If the Burgh of Hillhead chose to buy property and straighten this road, then they could make it a more direct access to Glasgow. That is the point to which I already referred where it turns in towards Gibson Street; it could be straightened to go across the Kelvin there, and make a much better access. I could not say without referring to the plans whether that involves cutting through part of the West End Park. I am merely speaking generally, for I don't retain all the boundaries of the burgh in my mind; but I think parties anxious to make that a very good road, could do what I have said; and until something of that kind is done, I would not call that a perfectly satisfactory access to



Glasgow. What I have suggested would involve the removal of the present bridge over the Kelvin, and the substitution of another bridge at a higher level, and that would necessitate a considerable expenditure.

A Respondents' Proof.  
W. G. Blackie, Ph. D.

I cannot say whether Gibson Street close by the bridge over the Kelvin has been improved by the Commissioners of Hillhead since the burgh was formed. The foot-path in Great Western Road has been improved by the commissioners. The lighting has also been improved, and I think it is now very good.

When I said that our lighting was excellent, I intended that to apply to the whole period since the buildings to which I referred in the district proposed to be annexed were erected. I cannot say that that applies to a period twenty years back, because the district was then imperfectly built; but ever since Grosvenor, Kew, and Belhaven Terraces have been built, the lighting there has been good. So far as Kew Terrace is concerned, that will go back for a period of 20 years; so far as Grosvenor Terrace is concerned, that will go back about 14 or 15 years; and so far as regards Belhaven Terrace, 8 years. I was a proprietor in Kew Terrace, and I had a feu contract there from Kelvinside. I could not say, without reference to the feu contract, whether there was an obligation imposed upon me by it to light the Great Western Road. We lighted the Great Western Road by means of the terrace lights; but I did nothing to the lighting on the road itself, and so far as I am aware, none of the other feuars did so, except that lights were put up on the foot-paths at the entrance to the terraces. The purpose of these lights was to light the access to the terraces, but they also served to light the road-way round about them. In Belhaven Terrace, also, I have a feu contract from Kelvinside. I am not sure whether there is an obligation imposed on me by that feu contract to light the Great Western Road. I have in point of fact done nothing to light the road since I became a proprietor in Belhaven Terrace, further than by contributing to putting up the entrance lights and the lights in the terraces which are placed on the margins of the ground; and so far as I know, the neighbouring proprietors in Kew, Grosvenor, and Belhaven Terraces have done nothing more than that either towards the lighting of the Great Western Road. It is a fact that until the lamps which have recently been put up by Mr. Fleming were erected and lighted, the Great Western Road from the Botanic Gardens gate and on the Botanic Gardens side was badly lighted. Assuming that the lamps which Mr. Fleming has erected go as far westward as Hyndland Road, I think that is quite a satisfactory condition of matters for the district. There are colliery workings a little way out beyond that, but the colliery population are still farther out. They do not frequent that road, so far as I see, after five o'clock in the afternoon. I am frequently out after that hour myself; and so far as my own observation goes, I am not accustomed to meet them on the road after about five or six o'clock. Interrogated.—Assuming that the colliery population to the west use that road west of Hyndland Road at all hours of the day and night, would you consider it would be an improvement to have it better lighted?—Depones: There can be no question that it would be an improvement if all the roads in the country were better lighted; but that is not the question here.

I approve of the erection of burghs in populous districts.

Respondents' Proof. A  
W. G. Blackie, Ph. D.

*Re-examined by Mr. Naismith.*—I do not approve of the erection of burghs in all populous districts. The erection of burghs is a question of prudence and expediency.

University Avenue is still a steep road. It is not a road which cabmen or other drivers of conveyances would select in preference to the Great Western Road in driving to out Downhill or to the terraces; I should think they would rather avoid it.

To the west of Hyndland Road, the Great Western Road is simply a country road; and there would be as much reason for lighting it all the way down to Dumbarton as there would be for lighting it out to Anniesland Toll. If it were practicable, it would be a very great improvement to have lights on every road, Highland and Lowland, throughout the country.

The terrace lights in front of Kew, Grosvenor, and Belhaven Terraces, with the addition of the Road Trustees' lamps, were thought at the time to be a perfectly sufficient lighting of the road on that side. There have always been a few lamps on the road, put up by the Road Trustees. The whole road was originally a country road, and was lighted by the Road Trustees in the way that country roads in the neighbourhood of populous places usually are; and afterwards the terrace lights were added to these. The width between the building face of the terraces and the footway is somewhere about 60 feet; and in the case of Belhaven Terrace, there are no trees interposed. The terrace lamps are on the margin of the vacant ground both there and in Grosvenor Terrace. I think the lamps must have been about 35 feet from the building line of the houses. They were the width of the area, of the footpath, and of the carriage-way, whatever that happens to be.

James R. Forman.

JAMES RICHARDSON FORMAN.

*Adduced and examined by Mr. Fleming as a witness for the Objectors.*—I am a civil engineer in Glasgow. I reside in Belhaven Terrace.

I am well acquainted with the district proposed to be annexed. The drainage of the greater portion of that district naturally is southwards into the Clyde or northwards into the Kelvin. A great portion of the district drains directly into the Clyde. I don't know the area of the portion which drains eastward towards Byres Road, but it is a very small portion. (Shown plan No. 43 of process). I think the portion shaded yellow on that plan and marked Victoria Park represents it pretty well. The whole of the other drainage in the district proposed to be annexed is in a different direction. Even with respect to the portion of ground shaded yellow, on the plan No. 43, I should think that any advantages for drainage which it could get from Hillhead would be infinitesimal. A portion of that ground certainly might be drained down to the Byres Road, and I believe some of the houses do drain into that road; but that is the boundary of the Burgh of Hillhead, and the drainage is carried down into sewers in the Burgh of Partick, and thence down to the Clyde. That drainage therefore could quite well be carried down the west half of Byres Road, right into Partick, without touching the Burgh of Hillhead at all. In point of fact it cannot be carried



away without arrangement with the Burgh of Partick, because it has to pass through A Respondents' Proof.  
that burgh.

James R. Forman.

Speaking roughly, about one-half of the western boundary of the Burgh of Hillhead is bounded by the Botanic Gardens. The Gardens require no drainage.

I took four feus in Belhaven Terrace, and I built four houses thereon. The houses in Windsor Terrace, Belhaven Terrace, Rosslyn Terrace, and the villas on the hill opposite that terrace drain into a sewer that goes down the Kirklee Road, towards the Kelvin on the north. The drainage of that locality is very well provided for by means of that sewer. I was there at the time when it was made, and I saw the whole thing done. I was not employed professionally to look after it; but I took a great interest in it from the fact that I had these houses in Belhaven Terrace, and I was a party to negotiations for getting the connections made from the whole of the surrounding localities, and I think the drainage there is just as good as it can be for the houses. It is the natural direction—in fact, it is the only direction in which to take the drainage. I don't see how it could be otherwise provided for, in the present system of drainage. I believe the time may come when some great general system of drainage may be thought of in connection with the purification of rivers, and perhaps an alteration of these limited works would then become necessary; but, in the present state of things, I don't think it is possible to improve the drainage from these terraces. The drainage of Great Western Terrace, Westbourne Terrace and Gardens, and of Mr. Mirrie's and Mr. Anderson's ground is carried into the same sewer. The sewer is a well built one. I saw it when it was in progress, and I paid especial attention to the connections that were made, especially from Belhaven Terrace.

With regard to the ground lying to the west of Hyndland Road and Crossloan Road, it would naturally drain into the Hayburn. There is a drain already built there, so far as it passes through the Burgh of Partick, and that district all drains naturally into Partick. The Burgh of Hillhead could afford no facilities whatever for the drainage of that district. In point of fact, it could not be carried towards the Burgh of Hillhead. It is quite out of the direction of it; it would be like forcing water uphill to take it into Hillhead. I believe the proprietors of Kelvinside have entered into an arrangement for the construction of the Hayburn into a sewer when necessary. I was shown a plan and section, elaborately got up, of very expensive works there, and offers, I believe, had been taken in some time ago for their construction; and I understand the object was to cover in the burn, so far as building operations at present were to be carried out, at a cost of £7,000 or £8,000.

As to the portion of the district west of the ridge at Gartnavel farm—that is, the portion immediately beyond the colouring on the plan No. 43, it would naturally drain into the Whiteinch Burn. The natural watershed of that part of the district is in that direction. I don't see that Hillhead could afford any facilities whatever for the drainage of that portion of the district.

The residents in the district proposed to be annexed are mostly Glasgow people. I should say ninety-nine out of a hundred are Glasgow business men. They are not of a class who require any special police supervision. I think the district is exceedingly well

Respondents' Proof.  
James R. Forman.

A watched at present—far better watched than Hillhead is, and far better watched than it could be if taken into Hillhead. I refer to the watching of our terraces. We have the same police as Hillhead, and each terrace has its own watchman besides. Personally, I do not think there is any necessity for additional police supervision.

I should think that most of the residents in the district proposed to be annexed are subscribers to the Royal Infirmary.

B I believe the district proposed to be annexed is at least five times as large as the present Burgh of Hillhead.

So far as the district proposed to be annexed has been laid out in feuing, it has been laid out in first-class style. Men of the very highest skill have been employed to lay it out, and it is laid out as well as I suppose it is possible for it to be. The streets are all wide and well formed, and of good gradients, and the houses built are very first-class houses. I have lived in the district myself in Belhaven Terrace since 1869, and I lived for eight years before that, since 1860, in Dowanhill Gardens, so that I know the place very well. The district also, I should say, is very well lighted.

C A considerable portion of the district proposed to be annexed is a mineral district. It will no doubt be a great many years before they have exhausted the minerals there, and made the ground fit for feuing. One of the pits was put down quite recently—I think not more than a year or two ago; and of course until the minerals are exhausted, you cannot consider that a feuing subject.

D Windsor Terrace, Kew Terrace, and Grosvenor Terrace were erected before the Burgh of Hillhead was formed. The east half of Belhaven Terrace was also erected. The west end of Belhaven Terrace was perhaps hardly completed, but it was just about completed. There has been no change on these terraces since the burgh was formed.

E I cannot conceive any benefit that this district would derive from being connected with the Burgh of Hillhead. On the contrary, I think such a connection would be prejudicial to the interests of the district. I don't see what Hillhead, and the class of people living in Hillhead, have to do in this district at all. I don't see how they can better themselves, and I don't see how they can better us; and I think any interference with the legitimate owners of the property here would be prejudicial in the present state of matters. I think the municipal representatives of the Burgh of Hillhead, and the class who are living there, have so little interest in the district lying beyond, that to unite them together would be introducing an element which would not be for the benefit of the district, because the

F Hillhead people would wish the interests of their own burgh more looked after without regard to the interests of the district beyond. If they had any interest in the district proposed to be annexed, if they had any object to serve by annexing it, if there was a population there that would bring in fever or epidemic, or anything detrimental to the interests of Hillhead, there might be some reason for their proposal; but such a thing does not exist. The district proposed to be annexed to Hillhead is as healthy as any portion of Great Britain; we never have epidemics there. Then, as regards the class of houses and the drainage, the people there are of that class, that they take care that the very best means of effecting the drainage is carried out. I am quite satisfied that the people living in these terraces would not allow a sewer to exist without being properly taken care of.



The streets in the burgh of Hillhead are not so wide as those in the district proposed to be annexed. Some of them are almost impassable. They are narrow, and they are extremely steep. There are only one or two of the roads in Hillhead that I would consider fairly passable. The Great Western Road, of course, is a turnpike road; it is not a street of Hillhead, properly speaking; but with the exception of it and University Avenue, and perhaps one of the roads down at Hamilton Drive, the roads in Hillhead are all very steep and almost inaccessible. Certainly, as thoroughfares, no one could drive over them. A Respondents' Proof.

James R. Forman.

I do not think that Hillhead has been so well laid out for feuing as Kelvinside and the district proposed to be annexed. It does not appear to me to have been skilfully laid out. I think more might have been made of it than has been done. The streets leading up from Great Western Road are very steep, and I think some means might have been adopted for getting better access. B

The Burgh of Hillhead of itself cannot afford any outlet for sewage except the sewage within its own boundaries. It discharges part of its own sewage into the river Kelvin, and whatever comes into it from the west must go through the Burgh of Partick or through the City of Glasgow. C

There are fire plugs in the district proposed to be annexed, the same as those in the Burgh of Hillhead. We were very particular about these fire plugs, and had many conversations about putting them down in convenient places when the terraces were built. I am not aware that we have any arrangement with the City of Glasgow Fire Brigade for obtaining assistance in the case of fire. D

*Examined by Mr. Aiken, for Proprietors in Dowanhill Gardens.*—I resided for eight years in Dowanhill Gardens before I went to Belhaven Terrace. I left Dowanhill Gardens in 1868 and went to Belhaven Terrace in 1869. The district of Dowanhill Gardens, which is marked as "Part of Dowanhill" on the plan No. 43, slopes towards Partick, to the south. The northern part of it is pretty level, but also slopes towards the south, except the extreme northern portion which slopes a little northward. The whole drainage of the gardens goes to the south. The drains pass Victoria Circus, down Victoria Terrace and Victoria Crescent, and south from Victoria Crescent down the old quarry road to Partick. The old quarry road is west from Byres Road. E

The sanitary condition of Dowanhill Gardens is good; it could not be better. The lie of the ground is such that there is every facility for drainage. The roads through it are capital roads, of ample breadth for the district, and well formed. They have footways on each side, with proper kerbstones, and drains at proper distances for taking off the surface water. I have not seen better roads in the Burgh of Hillhead. I don't think you will see better roads anywhere than in Dowanhill. They are macadamised roads, and just the sort of roads necessary for a locality of that kind. The gradients of the roads are also good—as good as the locality will admit of. F

The lighting of the district is very good indeed. There are lamps placed at short distances along the roads; and some of the proprietors have also lamps inside their grounds. In fact, the lighting there could not be improved. G

Respondents' Proof. **A**

James R. Forman.

When I resided in Dowanhill Gardens, in addition to the police force provided by the county, we kept two watchmen constantly employed for the villas alone, who knew every nook and corner of the whole district. The county police were there also, and took an oversight of that portion of the district as well as the rest of it. Dowanhill on the south is bounded by a road which separates it from Partick. The police of the Burgh of Partick patrolled along that road; so that we had the benefit of the police of Partick as well as of the county police in the district. I don't think the watching could be better than it was when I was there, because we were determined to have the very best arrangements in that respect. We commenced with one watchman of our own, and we thought that might be sufficient; but we afterwards thought we might be giving the man too much work to do, and that he might sleep at night, so we put on another, and then we had one for the night and one for the day.

**B**

The district of Dowanhill Gardens is supplied with water from Glasgow, and so is the Burgh of Hillhead.

**C**

When I resided in the Gardens, the proprietors had a system of assessment for attending to the maintenance of the roads and streets, and also for meeting the expense of lighting and watching. We acted in that matter through a committee. There were a certain number of gentlemen appointed, and one or two of them took a more special charge. That system of voluntary assessment worked very well indeed, and to the general satisfaction of all interested. In that way the proprietors in the Gardens acted as a united body in attending to their drainage, watching, and lighting, and did not trust to individual effort.

**D**

The accesses to Dowanhill Gardens are from the south and south-east. I should say that for driving from the City, the proper access is either by the Great Western Road or the Dumbarton Road. I think the best way for reaching the central parts of the city is by Dumbarton Road.

**E**

The Gardens are cut off from Hillhead by a portion of the Burgh of Partick; so that in order to reach them the Hillhead Commissioners would require to pass through a portion of that burgh. The access to Dowanhill Gardens from the east is from Byres Road along Albion Place, Victoria Crescent, and Victoria Terrace. These terraces and roads are within the Burgh of Partick; so that the Hillhead people in going from Hillhead to Dowanhill would require to use a portion of the roads of the Burgh of Partick.

**F**

I do not think the district of Dowanhill Gardens can derive any benefit from being annexed to the Burgh of Hillhead. I think that district, if it is to be annexed to any burgh at all, lies far more into Partick than Hillhead. Hillhead cannot afford any advantage to it in the way of drainage, so far as I can see. I think it is physically impossible. The outlet is in the direction of Partick. The access to the district is all through Partick, and of course the drainage naturally goes down that way. Then as to the watching, lighting, and maintenance of roads, I think these matters are already as well attended to as they can be; I don't think they could be better.

**G**

The proprietors in Dowanhill Gardens have an access to Glasgow along University Avenue. That road is considerably steeper than the Dumbarton Road, and in the



Dumbarton Road there are tramways; while there are none in University Avenue which is too steep for them. A Respondents' Proof.

*Examined by Mr. Naismith, for Mr. Blackie and Others.*—One advantage which the Burgh of Hillhead would derive from this extension would be that it would have a vastly extended area for taxation. I don't see any other advantage it would derive from it. The district proposed to be annexed would, in my opinion, derive no advantage whatever from the annexation.

*Cross-examined by Mr. MacLean, for Petitioners.*—When I lived in Dowanhill Gardens I used University Avenue, but merely for walking. It is a little improved now at the lower end; but I don't think there is very much traffic on it as a carriage road. It is wider, and it is a better road in many respects; but as regards the gradient of the main part of the road, I don't think it is very much improved. There has been a foot or two taken off the top of the hill, but it is a very steep road yet; and I know that in coming out from any of the railway stations to my own house, or to Dowanhill Gardens, a cabman would never drive me that way. I am not prepared to say that it is not used as a drive for private carriages, but I should say that people generally, when driving into town, would go in by the Dumbarton Road, or the Great Western Road. B

There were four terraces erected in the district now proposed to be annexed at the time Hillhead was created into a burgh in 1869. I was living in Belhaven Terrace in 1869; the whole terrace was finished at that time. Since then there has been a good deal of building going on in the district. I would not like to say that ultimately the district proposed to be annexed will be covered with buildings. "Ultimately" is a very broad word. I should think it would take a long time before that was the case. I should think it will take a good while before even the district up to Hyndland Road is covered with buildings. No doubt building has been going on very rapidly lately, but it is a question whether it has not been going on too rapidly. It is still progressing, but I don't think it is progressing so rapidly now as it was. I think it is rather decreasing. C

I cannot give an opinion as to where shops could most conveniently be placed for the benefit of the inhabitants in the district proposed to be annexed. That is a subject I have not considered. I should think, however, that if shops are to be built, the ground in Victoria Park, fronting Byres Road, would be a likely place for them. If shops are to be built there, that would likely be the most thickly populated district in the area to the west of Byres Road. There would likely then be flats above the shops, in place of self-contained houses. D

The ground shaded yellow on the plan, No. 43, could be drained down to the Byres Road, which is the boundary between the Burgh of Hillhead and the district proposed to be annexed. I don't know that it could be drained into the Byres Road sewer belonging to the Burgh of Hillhead. If that could be done it might be a matter of some importance for the small piece of ground there; but I would not attach very much importance to it. Perhaps another sewer could be put in there if it were required. Perhaps the present sewer would not suit that locality, or perhaps it is required for other purposes. Assuming that the present sewer is sufficient to accommodate the drainage of that ground to the west of Byres Road, I don't see any reason why it should not go into it. That would be an E

Respondents' Proof. A

James R. Forman.

- advantage so far which the Burgh of Hillhead could offer for the drainage; but then, not only would your sewer require to be sufficient, but you would require to get an outlet as well. You require to go through Partick. It is a very short distance they would require to go in order to connect with Partick; and I am by no means certain that the proper means of carrying off that sewage would not be to intercept it at a higher level. Perhaps the sewage of the very lowest part of the ground, along the edge of the road, could be carried into your sewer, or a sewer parallel to it; but it might be more convenient for the higher part of the ground to put a sewer into some of the roads that are now making, and intercept the sewage at a higher level.

- I think it might be possible, at a considerable expense, to intercept the drainage that goes down the sewer in the Kirklee Road, and carry it eastward down the Great Western Road to the Botanic Gardens gate; but it seems to me that it would be an absurdity to intercept the drain at the Kirklee Road, when you have the ground falling away from that point towards the Kelvin, and you can continue your sewer right on to the Kelvin in the natural course of the drainage. It would be absurd to intercept the drainage of two terraces at the top of the hill, when for your building purposes elsewhere you must carry the sewer down to the bottom. Of course, I would consider it a matter of importance to put the drainage into a river at as low a point as possible; but that raises the very broad question of a general scheme of sewerage, which is causing a good deal of discussion at the present moment. Interrogated—But I presume for the sanitary purposes of a district, such as the Burgh of Hillhead within its present limits, and for the district on the north side of the Kelvin, it would be of importance if you could discharge a certain quantity of sewerage below, rather than above, the boundaries?—Depones: Of course, the farther down you go the better. If the Burgh of Hillhead was situated direct on the Clyde, it would be better for it that the sewerage should not go into the Kelvin. I don't know exactly where the Byres Road sewer goes into the Kelvin; but I think it flows in about the Slit grain mills. That is not below all dwelling houses. The Kelvin, down at the lower end, before it goes into the Clyde, goes through the lower part of Partick, and I should think there is some population there, and just the sort of population that I think would be most prejudiced by that sewage. [It was stated by the Petitioners' Counsel that the sewer went into the Kelvin at the Stobcross viaduct.] That is practically below all the houses, and I would consider it an advantage in a sanitary point of view, apart from engineering considerations, that the sewage should be put into the river at a point as far below the limits of the burgh as possible. There is a district of building ground on the north bank of the Kelvin, opposite Hamilton Drive and North Park Terrace, which is at present being laid out for feuing purposes. The houses there must discharge their sewage into the Kelvin, or into some sewer parallel with it. They would, no doubt, also be benefited by the sewage from the houses further up the river being discharged into it at a point below them; but I wish to say that the ground on the north side of the Great Western Road does not lie in such a way that the sewage from it can be carried into the sewer in Byres Road. If it was thought necessary or desirable to intercept the drainage from the houses on the higher level and carry it clear of the Kelvin, I don't think it would be carried in the easterly direction at all; I think it would be carried westward, perhaps to the Hayburn.



With reference, however, to the advantage it would be to the houses on the north side of the Kelvin, opposite Hamilton Drive, to have the sewage from above carried into the Kelvin at a lower point, so long as the Kelvin is kept as an open ditch for all and sundry to drain into it, it makes very little difference whether one or two terraces be added to it or not. There is a paper mill above that point which, I believe, discharges a good deal of refuse into the Kelvin. I have not considered whether the drainage from that mill could be withdrawn from the Kelvin. I have no doubt it would be an advantage not only to the Burgh of Hillhead, but also to the district on the north bank of the Kelvin at present being laid out for building purposes, if that paper mill did not discharge into the river; but I really don't know much about that.

*By the Sheriff.*—The refuse discharged from paper mills is a very offensive kind of pollution, especially since the introduction of esparto. The white froth which is occasionally seen on the Kelvin is caused, I believe, by the discharge from the paper mills; but there is a burn that comes down from St. Rollox which does more harm to the Kelvin than anything else.

*By Mr. MacLean.*—The voluntary assessment imposed by the proprietors in Dowanhill Gardens was not at the rate of so much per pound on the rental. There was rather an estimate made in slump of so much for lighting, and so much for police, and so on, and then it was divided among the different proprietors, and they all paid in equal shares. I don't think we regarded one house as being of more value than another. I cannot recollect the amount of the assessment now, but I think I would probably pay about £5 or £6 a year. I don't think the difference in value of the various houses there would be more than 20 or 25 per cent. The population in that district are very much of one class. Victoria Terrace, which is on the road leading to Dowanhill, is in Partick, and of course they had nothing to do with us. The house which I occupied there was my own; and I don't think there was a house on the hill that was not the property of the occupant. I think Mr. Balloch rented his house for some time, but he bought it subsequently. There may have been one or two others in the same position, but I am not sure. I think my rental was put down for general assessment at either £110 or £120.

I am aware that the population of the district proposed to be annexed, if united to Hillhead, would have their share in the representation; but I don't see that we have got a very large population there just now to represent. Besides, there are some of the people residing there who are not of a kind that would care about looking after Hillhead. I think seriously that the population in the district proposed to be annexed would be prejudiced by the annexation. I think the bringing of an element into the district which has no interest in it whatever would be prejudicial to it. I don't see why we should want to import something into our district which can really do us no benefit, and whose interests in many cases may be opposed to our interests. I think that the owners of the property in the district proposed to be annexed, who have an interest in seeing the thing laid out to the best advantage, should be allowed to retain the management of their property in their own hands, rather than to have combined with them in the management of it an outside element which has no interest whatever in it. I don't know that the

A Respondents' Proof.

[James R. Forman.]

B

C

D

E

F

G

*Respondents' Proof.* **A** question has ever been raised as to whether it would be an advantage to form the district now proposed to be annexed into a burgh by itself. The time may come when it might be desirable either to erect it into a burgh by itself, or unite it to Hillhead or Glasgow, or provide for its government in some other form; but it has not come yet. I may say that when questions have risen requiring combined action, they have always been very readily met. For instance, in Belhaven Terrace the proprietors there have no difficulty in carrying out anything that is necessary for the good of the terrace; and when questions have arisen, such, for instance, as in connection with the Kirklee Road sewer, where others required to be brought in—namely, the proprietors of Rosslyn Terrace, at the back of Belhaven Terrace, and Mr. Anderson's ground, and Mr. Mirrlees's ground—we had no difficulty in arranging among ourselves to carry through the arrangement in the best manner possible. In the event of any of the feuars not acquiescing, they would not escape their share of liability, because under our feu contracts the majority have power to rule the minority. At least, we have always practically acted in that way. We have never required to proceed against a recalcitrant proprietor, who would not agree to contribute towards what was considered to be for the general benefit. The fact is, that no one would care about making himself so obnoxious to his neighbours, or perhaps some of the others would rather pay his share than raise an action. I cannot give any opinion as to the time within which it may be desirable either to erect this district into a burgh or to attach it to some other burgh. I merely say that a change of circumstances may arise which would make it desirable to adopt either one or other of these alternatives. I don't know when it will arise; nor do I know whether it will ever arise. I cannot say what the circumstances are which might make such a course desirable. I cannot say what may happen in the future, but if the district were to be altered in character from what it is now, and were to become a densely populated district, and partook of the characteristics of Glasgow, or perhaps of the more densely populated part of the Burgh of Hillhead, something of that kind might be desirable; but I don't think these circumstances exist at present. I think that where there are a great many conflicting interests, a local government is a desirable thing.

**B**

**C**

**D**

**E**

*Re-examined by Mr. Fleming, for the Objectors.*—I adhere to the statement I previously made that the greater part of the sewage of the district proposed to be annexed cannot be carried towards Hillhead. If it were thought of advantage from a sanitary point of view to intercept the sewage at the junction of Kirklee Road and Great Western Road, I think it would be better from that point of view to take it westward to the Hayburn rather than eastward towards Hillhead. From the Hayburn it would flow into the Clyde direct without going into the Kelvin at all.

I don't think that either side of the Byres Road is in very good condition at present; but I think the west side is in the better order of the two.

*By the Sheriff.*—Supposing it were thought expedient to carry the drainage lower down the Kelvin than the foot of the Kirklee Road and the other points where it is presently discharged into it, I don't think there would be any engineering difficulty in the way of intercepting it at these points, and carrying it by a main sewer down the line of the Kelvin and discharging it at a point as far down as the sewer in Byres Road is at present

**F**

**G**



discharged. I think that that will probably be the way in which it will be found that the district can be most effectually drained, when it is considered necessary to keep the sewage out of the Kelvin. That, however, would only apply to the drainage of a limited portion of the area sought to be annexed. It would not apply to the portion drained by the Hayburn, nor to Dowanhill Gardens; but it would apply to the whole of the area about which there is any dispute as to whether it can best be drained by Kirklee Road or Great Western Road and Byres Road. That, however, raises a pretty wide question, and I think any such scheme would be more a Glasgow work than one for such a place as Hillhead. It would, in fact, require a combination, because Glasgow, and Maryhill, and parts of Hillhead, and Partick, and a limited portion of the district proposed to be annexed would all have to combine in order to carry out such a work. It would not be worth while to carry out such a scheme merely for one side of the Kelvin; but it would require to include the north side as well, and be made part of a general scheme for purifying the river. Glasgow would have to join in, because the actual outlet to the Clyde belongs to Glasgow and Partick. The places affected by it, would be first, a portion of the district sought to be annexed; then there would be Hillhead and Maryhill; and then it would go past the boundary of the City of Glasgow, and through Partick before it reached the Clyde.

A Respondents' Proof  
James R. Forman.

WILLIAM JAMES DAVIDSON, OF RUCHILL.

*Adduced and examined by Mr. Fleming, as a witness for the Objectors.*—I know the Burgh of Hillhead, and I know generally the district proposed to be annexed. It embraces the lands of Balgray Park, which belong to my niece Miss Aimee Davidson. She is a minor, and I am one of her curators. I am averse to these lands being taken into the Burgh of Hillhead. They are almost entirely agricultural, and the minerals are being worked there. I don't think they are in want of any burghal authority. It is not my present intention to feu out any portion of these lands, because my niece is a minor; and we think that by holding the property on, it will become more valuable by the time she is of age.

The lands of Balgray Park are bounded by the Kelvin, and the natural drainage is into the Kelvin. So far as I am aware, they could not be drained towards Hillhead except by an intercepting sewer along the Kelvin. The lie of the ground is towards the Kelvin.

The district in which the lands of Balgray Park are situated is not a district in which crime abounds. In my opinion it does not require any additional police supervision to what it has at present. The inhabitants I may say are all of the better class.

The Kelvindale paper works are situated on the lands on which I am a trustee. They are erected on a feu off our ground. There are not many of the workers who reside on the lands. I don't know where they come from, but I suppose they come mostly from Maryhill.

There is a small row of colliers' houses at the extreme west of the property. I never heard any complaints as to the sanitary condition of these houses, or as to disorders,

D Wm. J. Davidson.

Respondents' Proof: A or breaches of the peace occurring there. These colliers' houses are of a temporary character. They will only be there during the time the mineral workings are going on.  
Wm. J. Davidson.

*Examined by Mr. Gillies, for Messrs. Collins & Son, of Kelvindale Paperworks.*—All that I have said with regard to the Balgray Park estate applies equally to the portion of the estate called the Kelvindale feu, on which the paperworks are situated. I am not aware of any advantage that would be gained by the annexation of the Kelvindale feu to Hillhead.

B *Cross-examined by Mr. MacLean, for Petitioners.*—I am not aware how many workers are employed at Kelvindale paperworks. I cannot tell how many colliers live upon Balgray; there are only a few houses there.

I cannot tell whether feuing is coming very close to the estate. I have not been out in the neighbourhood for a considerable time. I can tell what is on Balgray, but I cannot tell what is in the neighbourhood. I have not the least doubt that Balgray will in course of time be made a feuing subject, and be built upon. I cannot say that that will be soon, because my niece won't be of age for some eight or nine years yet. I would be entitled to put these lands into the feuing market at present for her behoof if I thought the proper time for feuing them had come. There is nothing to prevent the trustees from feuing the ground just now if we liked. But we have been asked to feu and have refused.

James Thomson.

D

JAMES THOMSON.

*Adduced and examined by Mr. Fleming, as a Witness for the Objectors.*—I am an architect in Glasgow. I have been so on my own account in Glasgow and the neighbourhood since 1859.

E I am well acquainted with the Burgh of Hillhead and the district proposed to be annexed. I know the whole boundaries. I have been professionally engaged as an architect for houses in both localities. I am acting as architect just now for some houses that are being erected in Montgomerie Drive, on the Kelvinside Estate, and others in the same neighbourhood. I was employed as architect in the erection of Mr. Mirrie's house, and I have also erected several buildings in Hillhead.

The buildings in the district proposed to be annexed are all of a very superior class. There is no other suburb of Glasgow in which the buildings are equally good. I do not know of any district where the roads, and streets, and terraces are so well laid off as they are in Kelvinside. I think the roads there are very superior, and they are well lit. They are very much better than those in Hillhead; although great improvements have certainly been made on those in Hillhead since the burgh was formed. They are wider. I think the roads in Hillhead are now as well lighted as those on Kelvinside. The roads in Kelvinside, however, are better in point of levels and in point of width. The Great Western Road is now well lighted. Before that road west of the boundary of Hillhead was lighted by new lamps erected some months ago, it was lighted by lamps with wooden standards. These lamps answered the purpose at the time.

I designed the whole of the houses in Belhaven Terrace, and I am intimately ac-



quainted with the drainage of those houses. Every care was taken with these drains; A Respondents' Proof.  
not only with the drains themselves that go under the ground, but also in seeing that James Thomson.  
the soil pipes should be well laid. Instead of the usual thin soil pipes which we find in a great many houses, the soil pipes there were made particularly heavy, so that the drainage of the plumber work should all be good. That applies to not only Belhaven Terrace, but also to Mr. Mirrlees' house, and all the houses that I have had to do with on Kelvinside. The soil pipes are made of very heavy cast-iron; the drain pipes are of glazed stoneware. B  
The soil pipes are those within the house itself, and they join the drains somewhere near the building line of the house, generally towards the back wall. There is a good natural fall in all the drains.

The whole of the roads in Kelvinside that are made are 60 feet wide, not including the pleasure grounds. In Grosvenor, Kew, Belhaven, and Great Western Terraces, there is a space of 100 feet from the building line to the centre of the road. At Mr. Mirrlees' house, the space is 150 feet from the building line to the centre of the road; and on the other side of the road there it is 100 feet, making a space of 250 feet between Great Western Terrace and the house of Redlands. C

A large part of the western portion of the district proposed to be annexed is a mineral district, and the minerals are being worked there at the present moment.

The people who reside in the district proposed to be annexed are of a superior class, requiring no special police supervision.

I don't know of any benefit that Hillhead could confer on the district proposed to be annexed. D

I know the drainage of the district proposed to be annexed. The plans of the drains were all submitted to me before the drains were laid. I have a general knowledge of the district of Victoria Park which is shaded yellow on the plan No. 43 of process. That is the only portion of the district proposed to be annexed which drains towards the Byres Road. There is a small portion of the district of Grosvenor and Kew Terraces which I see is included in that district shaded yellow. With regard to Mr. J. W. Anderson's ground, Mr. Mirrlees' ground, and the portion to the east between the Botanic Gardens and Mr. Mirrlees' feu, the natural drainage for that district is down the Kirklee Road towards the Kelvin; and I know in point of fact that it does drain down the Kirklee Road at the present moment. I have seen that sewer; I saw it made. That is the natural direction in which it should be taken, unless there was some general scheme of sewage for the whole City of Glasgow; but that sewer could be made part of any general scheme. With regard to the part of the district west of Hyndland Road and Crossloan Road, shaded blue on the plan No. 43 of process, the natural drainage for the whole of that district would be down by the Hayburn towards the Clyde or towards the Kelvin. I don't know very well where the Hayburn runs to. The lands of Balgray Park would naturally drain towards the Kelvin. The part of the district to the west of that shaded blue, which is not shaded at all on the plan, would naturally drain to the westward to the Whiteinch Burn. E  
F  
G

If it were considered to be an advantage, from a sanitary point of view, to intercept the sewage at the corner of Kirklee Road and Great Western Road, it would be of

Respondents' Proof. **A** more advantage to take the drainage westward towards the Hayburn than eastward towards the Byres Road. I think the only sort of general scheme that could be carried out would be one between the Kelvinside property and Mr. Stirling Crawford's property of Hyndland, to send it down to the Clyde westward, either by the Hayburn or by some newly constructed sewer. A sewer running in that direction would, I think, take the drainage past the whole population.

James Thomson.

**B** The principal access to the district proposed to be annexed is the Great Western Road.

*Examined by Mr. Aiken, for Proprietors in Dowanhill Gardens.*—I have known the district of Dowanhill Gardens for more than twenty years. For the last nine years I have been employed as architect on the estate. I am intimately acquainted with the buildings, and with the roads and drains in the district. The buildings there are all good, self-contained villas, ranging in value, I should say, from £4,000 up to £9,000. I may say that the first house erected there was a large, double, self-contained house, or semi-detached villa, which was erected by my late partner, Mr. John Baird, about twenty-two years ago. There is a considerable quantity of ground round each house in the district.

**C** The roads in the district are all of ample width, and well made with good footways on each side, and proper drains for taking off the surface water. The whole of these roads and footways are at present in excellent condition, they are equal to, if not better than anything in the Burgh of Hillhead. The gradients of the roads are good.

**D** The accesses to Dowanhill are from the south and south-east. There are no approaches to the Gardens at present from the west or the north; so that Dowanhill Gardens and Dowanhill itself are shut off, except through Partick, not only from the Burgh of Hillhead, but also from the west part of the district which it is proposed to annex.

**E** The drainage of Dowanhill is good. The lands slope southwards, and there is a good fall for drainage purposes. The main sewer from Dowanhill Gardens goes round Victoria Circus, down Victoria Terrace and Victoria Crescent; and at the point where Victoria Crescent joins Albion Place it turns southwards, and goes down the old quarry road. That old quarry road is west from Byres Road. None of the sewage of the Gardens drains into any of the sewers in Byres Road. That main sewer for Dowanhill Gardens is, in the first place, a large stoneware pipe, 18 inches in diameter; and then, after going some distance, it is a brick sewer of about 30 inches in diameter. In my opinion, the sewer is quite sufficient to carry off the drainage of the district, and it would carry off the drainage of a much larger district if required. The connections between the houses and that main sewer are made in the same way as I have already mentioned with regard to the houses on Kelvinside—by stoneware drains. They are good drains, and the connections are carefully made.

**F** The sanitary condition of Dowanhill Gardens is good.

**G** Looking to the relative positions of Hillhead and Dowanhill Gardens, I do not think that the Gardens could derive the least benefit from Hillhead, either in the way of better accesses, or better drainage, or in the way of having better roads.



The lighting of the district is good. There are lamps at regular distances. I have seen it frequently at night, and it is well lit. In addition to the lamps in the streets, the proprietors of several of the houses have lamps within their grounds.

A Respondents' Proof.

James Thomson.

Dowanhill Gardens are supplied with water from Glasgow, and so is Hillhead; so that there could be no benefit to the gardens in that way from annexation.

*Examined by Mr. Naismith, for Mr. Blackie and Others.*—The proposed annexation will confer no benefit on Hillhead, so far as I can see. I don't see any need for it at all. Hillhead does not drain in any way through the district proposed to be annexed. The only advantage that the annexation would confer on Hillhead would be that it would have a finer property attached to it, and a larger area for taxation.

B

*By the Sheriff.*—I have no doubt that, with an increased area for taxation, Hillhead would also have increased duties to discharge; but these additional duties would confer no benefit on Hillhead as at present constituted.

*Examined by Mr. Gillies, for Messrs. Edward Collins & Sons, Kelvindale Paper Works.*—I have had considerable experience in the feuing of property in the district proposed to be annexed. I know Kelvindale, and the Balgray Estate, of which Kelvindale forms a part. I have done some work there for the late Mr. Collins; in fact, his house was built by our firm. Interrogated—Do you consider there is any likelihood of that district being feued for many years to come?—Depones: There is a possible chance of every place round about Glasgow being feued, but I don't think this place will be feued for years to come. I don't think it will commence to be feued for at least ten years to come, because the young lady will be a minor for eight years yet.

C

Mr. Collins' house, for which my late partner acted as architect, is a most substantial house. It is as well built as any of the houses in Hillhead, or in the neighbourhood. I forget now where it drains into, but I know that it is well drained. It is not connected with any main system of drainage: the property of Kelvindale is drained by itself.

*Cross-examined by Mr. MacLean, for Petitioners.*—It is because the proprietrix of Balgray Park will not be of age for eight years that I think feuing on that estate will not begin for ten years. Assuming that she were not a minor, or that there were persons who had power to act on her behalf, I think that feuing and building on that estate might begin at an earlier period, although I am not sure that it would; there is so much ground in the neighbourhood of the main thoroughfare yet to be taken up. Feuing is going out rapidly in that direction. Kelvindale is one feu which has been taken off the estate of Balgray Park; there may be more for anything that I know.

D

E

The improvements which I spoke of as having been made in Hillhead of recent years have been made since the burgh was formed. The roads have been improved—some of them causewayed; new footpaths have been put in, and lamps set down, and better light given to them at night; and alterations have been made upon levels where necessary. Hillhead has been benefited by being created a burgh; the state of the place before was perfectly notorious. Interrogated—Then do you approve of the system of erecting a place into a burgh under a central government?—Depones: I am not so sure about that. In the case of the Burgh of Hillhead, for instance, I don't know whether the Master of Works has ever entered a single house, or caused the plumber work to be torn out. That

F

G

- Respondents' Proof. A is as bad a thing as bad drainage; and I don't know that the Master of Works there has power to see to that. I think we have greater powers in that way in Glasgow. They say they have a Dean of Guild Court in Hillhead, but it is a perfect myth; they have none. I would approve of the existence of a Dean of Guild Court, with substantial powers. There might be some advantage to the district proposed to be annexed if Hillhead had a proper Dean of Guild Court to give them; but the people in the district proposed to be annexed have a far better Dean of Guild Court just now of their own. I mean the supervision which is exercised by the Kelvinside proprietors. There should be some kind of authority to superintend building operations in every district where they are going on. When builders are left entirely to themselves they are apt to be careless with their work, both with regard to building and connection with the drainage system.
- I was the architect of Mr. Mirrlees' house. It was not built so as to form the centre of a projected terrace. It was to be the corner house. It has oriel windows at the side, showing that it was intended to face a side street. It was intended that the terrace should run westward; and on the ground to the eastward of the house we intended to erect another terrace. I hope to design another terrace there ere long.
- There is no access at present to Dowanhill Gardens from the district proposed to be annexed. I am not aware that there is an access at present in course of formation from Great Western Road, entering Dowanhill Gardens upon the north. There were some negotiations for that, but I believe the thing has not come to any point yet.
- D *By the Sheriff.*—There is no physical difficulty in the way of Dowanhill Gardens being connected with the system of roads to the north, but there is no connection made in point of fact. I think the sole cause of that is because there is some difficulty about the proprietors giving off the ground. It would certainly be a convenience to Dowanhill Gardens to have a connection there with Great Western Road, only the evil might be that a whole stream of people from Hillhead might flow through it.
- By Mr. MacLean.*—I think that at present people do walk from Great Western Road to Dowanhill Gardens, but it is a trespass. They go across ground which is at present unoccupied by buildings, but which may at any time be formed into a street. We have experienced the same difficulty with trespassers in other grounds there—for instance, in Mr. Mirrlees' ground—but we have put a stop to that.
- By Mr. Aiken.*—The forming of a street to Dowanhill Gardens from Great Western Road can only be done with the consent of the proprietors. At present any of the feuairs may allow his neighbour to go through his ground.
- F *By Mr. MacLean.*—The building of Dowanhill Gardens is complete, except a small bit to the north. I don't think Victoria Circus will ever be completed as a circus on the east side of Observatory Hill. When Dowanhill was built by Mr. Alexander Kay, merchant, Glasgow, there was a stone wall built facing to the east, shutting out the whole of Victoria Park; it was Horslethill then. That stone wall extended to the boundary at the south-side of the Observatory ground. In the course of laying out Victoria Park roads are being made from the west side of Byres Road, up the hill. There is one of these roads projected to lead into Victoria Circus, so that if the plan which is at present
- G



on paper be carried out, there will be a direct access from the west side of Byres Road, A up Observatory Road, into Dowanhill grounds. Respondents' Proof.

*By Mr. Aiken*—In order to do that, however, they will have to consult two separate proprietors; and there may be provisions in the feu contracts preventing them from doing that, of which I know nothing. I know that the feu there has absorbed one-half of the street, so that his pleasure ground contains one-half of the ground that that road would require to have. That is a portion of Dowanhill estate, belonging to Mr. Paterson.

James Thomson.

#### WILLIAM DENNISON.

William Dennison.

*Adduced and examined by Mr. Fleming, as a witness for the Objectors.*—I am a civil engineer in Glasgow, and a partner in the firm of Kyle, Dennison and Frew, civil engineers and land surveyors there. I have been in business on my own account for 7 or 8 years. I was with the firm of Kyle and Frew before that, and with the firm of Smith and Wharrie, with whom I served my apprenticeship. I have now had a good deal of experience in civil engineering for a considerable number of years. I am well acquainted with the Burgh of Hillhead, and I have a general knowledge of the whole of the district proposed to be annexed. C

I am acquainted with the drainage of the district proposed to be annexed. I prepared plans for a joint scheme of drainage for the proprietors of the estates of Kelvin-side, D Hyndland, and Scotstown, the object of which was the formation of a brick culvert on the line of the Hayburn. (Shown No. 48 of process.) That is the plan which I prepared. It is dated 3rd September, 1873, which is the time when I prepared it. (Shown No. 39 of process.) The coloured parts of that plan were laid down by me in order to show the different drainage systems of the district. The part shaded blue shows the lands capable of being drained into the Hayburn. The part shaded green shows the portion of the district capable of being drained eastward to the Byres Road. The part E of the district lying between the part shaded green and the part shaded blue, shows the portion of the district proposed to be annexed which drains down the Kirklee Road to the Kelvin. I put on the pencil markings in order to give a sort of general idea of how the ground falls there. I shall put these markings in ink. Taking the natural features of the ground into consideration, I think it would be almost physically impossible to drain any portion of the ground shaded blue eastward towards Hill-head. F There are one or two houses there I think that might drain eastward; but the natural drainage is towards the west. The greater portion of the district to the west of the Hyndland Road could not possibly drain towards Hillhead. The portion of the district proposed to be annexed lying between the green shading or hatching, and the blue hatching on the south of the Great Western Road, could I daresay be drained eastward; but I don't think that would be desirable, because it would entail a very considerable amount of cutting at the ridge opposite Windsor Terrace. It would be a very G costly sewer, and I don't know any advantage that would be gained by it. If it were thought necessary from a sanitary point of view to change the direction of the sewage from

Respondents' Proof.

William Dennison.

A the Kirklee Road, I think it would be better to take it westward into the Hayburn rather than eastward towards the Byres Road. The portion of the district proposed to be annexed which is west of the blue hatching drains into the Whiteinch Burn. It could not possibly drain towards Hillhead.

The sanitary condition of the district proposed to be annexed is good. From its situation the district is admirably adapted for drainage, and it is very well drained. I know the sewer down the Kirklee Road; it is a good substantial brick sewer. I cannot speak of my own knowledge to the state of the drains from the houses, but I believe they are good.

The district proposed to be annexed has been laid off in a first class way. Under a remit from Sheriff Dickson, I examined the roads on the Kelvinside estate, and I found them to be good. I now produce a copy of my report (marked No. 64 of process.) [The copy was agreed to be held as equivalent to the original.] The roads are wide, well formed, and of easy gradients. The report refers to the Kirklee Road, and the prolongation of the Hyndland Road and also to Montgomerie Drive, which was a substitution for the old parish road. It has a much easier gradient than the old parish road, and is much wider and a better road in every way. It was upon my report that the Sheriff authorised the old roads to be shut up and the new roads to be opened.

I am acquainted with the streets and roads in Hillhead. They are generally narrow streets; some of them are pretty steep streets, while others of them are good, but, generally speaking, they are of steepish gradients. I am not aware that they are used to any extent for access to the district proposed to be annexed. The Great Western Road is the chief access to the district proposed to be annexed.

I don't see any benefit that the Burgh of Hillhead could confer on the district proposed to be annexed. I have not considered whether the district proposed to be annexed could confer any benefit upon Hillhead except a financial one.

E A large portion of the district proposed to be annexed is a mineral one, and the minerals are at present being worked in it.

*Examined by Mr. Aiken, for Proprietors in Dowanhill Gardens.*—I am well acquainted with the district of Dowanhill Gardens which is marked "Part of Dowanhill" on the plan No. 43 of process. The estate of Dowanhill, including Dowanhill Gardens, was laid off by Messrs. Smith & Wharrie, civil engineers, while I was in their employment. I assisted in laying out a number of the roads, among others Victoria Terrace and the road passing Victoria Terrace into Princes Terrace, and leading up by Victoria Circus, round the base of the hill, past the Observatory. I assisted in laying out the drains in that street. The Gardens drain towards the south. The sewer from Dowanhill Gardens goes down Victoria Circus, Victoria Crescent and Terrace, and down to the old quarry road, at the point where Victoria Terrace joins Albion Place, where it is intercepted and goes down through Partick. The old quarry road is west of the Byres Road. None of the sewage from the Gardens goes into the sewer in the Byres Road. The upper portion of the sewer from Dowanhill Gardens—that is, the portion round by Victoria Circus and Victoria Terrace and Crescent, is an 18-inch pipe sewer; it ultimately goes into a brick sewer of the capacity, I think, of 2 feet 6 inches. I consider that sewer to be sufficient for



a larger district than Dowanhill. The connections between the houses and the sewer were made in the usual way by glazed pipes. They were carefully attended to.

*By the Sheriff.*—I inspected the connections of those houses that were going on at that time when I had occasion to be there. I should say that that was probably from one fourth to one-third of the whole. It was when the building area was first being laid out. I have not inspected them since.

*By Mr. Aiken.*—I am often in the district, and I have not the slightest doubt that the sanitary condition of it is good, from the way in which I saw the portion done which I had to do with. There is a splendid fall for the drainage, so that it is well adapted for having the sanitary appliances properly attended to.

The roads and footpaths in the district are well formed, and of ample width. I think the drains, sewers, and roads in Dowanhill Gardens compare favourably with anything that is in Hillhead.

In my opinion, the district of Dowanhill Gardens can derive no benefit from the Burgh of Hillhead, either in the way of better drainage, or better accesses, or better roads. The roads in Dowanhill Gardens are well lighted. I can see no benefit whatever that the district could derive from being annexed to Hillhead. The principal entrance to Dowanhill Gardens is along the Dumbarton Road, and up Byres Road. That is a more level road than University Avenue, and the benefit of tramways can be got at Dumbarton Road.

*Examined by Mr. Howie, for Davidson's Trustees.*—I know the lands of Balgray which are proposed to be annexed, but I am not acquainted with them particularly. I know that they lie at a considerable distance from the present boundaries of the Burgh of Hillhead. The nearest point of these lands to the present boundaries of the burgh will be nearly three-quarters of a mile distant. The lands of Kelvinside which intervene between these lands and the present burgh boundaries are only partially built upon at present. Balgray is at present an agricultural property. I don't think that in their present form these lands could derive any benefit from being annexed to the Burgh of Hillhead. They might derive some benefit if they were coming to be fenced; but they are not being fenced at present.

*Examined by Mr. Naismith, for Mr. Blackie and Others.*—Anniesland Toll, which, I believe, is the extreme west point of the district proposed to be annexed, is rather more than a mile and three quarters from the nearest point of the present burgh boundaries of Hillhead. The greatest breadth of the area proposed to be annexed is about a mile and a half. The present Burgh of Hillhead is about half a mile from north to south, and nearly three quarters of a mile from east to west.

*Cross-examined by Mr. MacLean, for Petitioners.*—The Burgh of Hillhead as at present bounded is nearly all built upon. There is more of the ground within it built upon than is actually shown on the plan. There are buildings in course of erection on the other side of Sardinia Terrace and all along the Great Western Road which are not shown there. There is every probability that ultimately the whole of Hillhead within the present limits will be covered with buildings. The district to the west also is all capable of being built upon within a certain number of years; I cannot say how many.

A Respondents' Proof.  
William Dennison.

B

C

D

E

F

G

Respondents' Proof. A Building is going on rapidly there, as far out as Hyndland Road at all events. I have no doubt it will quickly follow the same course as Hillhead. I think it is of importance to have some governing body to look after the wants of a populous district; but I have not given the attention to that matter which would enable me to give evidence upon it.

William Dennison.

The report which I made as to the casting about of the old parish road was made in an application by the Kelvinside proprietors with the view of feuing the district there.

- B I think Dumbarton Road would be the best way for coming to Dowanhill Gardens from any part of Glasgow, even north of Argyle Street. Although the Great Western Road may be the more direct and the straighter road, it is not the best. I think it is a shorter road. From any part of the city north of Argyle Street, I think the shortest road to Victoria Park would be along Sauchiehall Street and Woodlands Road, across the bridge, and through by University Avenue; but as I have said, it would not be the best. There would be a considerable pull up the University Avenue. I think C University Avenue is convenient as an access, so far as distance is concerned, to a considerable part of that locality, but I don't think it is convenient so far as gradients are concerned. So far as speed is concerned, Dumbarton Road is a better access, because you can get tramways there. I would not undertake to say which of these accesses is most used; but I know that Dumbarton Road is used to a considerable extent, because I have seen cabs, and carriages, and vehicles, of almost all descriptions going along D that road. With regard to the northern part of the district, I think the Great Western Road is the road that is most used.

James Bryson.

JAMES BRYSON.

*Adduced and examined by Mr. Fleming, as a witness for the Objectors.*—I am E Inspector of fires for the City of Glasgow. I have had twenty years experience as superintendent of the fire brigade in Glasgow; and previous to that I had five years experience as assistant.

- I am well acquainted with the Burgh of Hillhead and the district proposed to be annexed to it. The Commissioners of Hillhead have no fire engine, and I am not aware that they have any trained staff for the extinguishing of fires. They have a hose-reel, F and a quantity of hose which is carried upon a two-wheeled hand barrow, like a common barrow. In the case of a fire occurring, the hose is there to be used; but there is a want of experience to direct the jet of water properly on the fire, even although the pressure should be there; but in some instances the pressure won't be there. Fires, especially destructive fires, are of rare occurrence either in the Burgh of Hillhead or in the district proposed to be annexed. Such fires as occur there are generally put out with the bucket, or something of that kind. From the fact of there being so few G fires, it is unlikely there would be a trained staff of firemen even were this district annexed to the burgh. Even if they had a trained staff to commence with, there would be a want of practice, so that the efficiency of the staff would not likely be kept up.



The pressure of water in Hillhead and the district proposed to be annexed might be sufficient to extinguish small fires ; but if the fire was getting into the roof of one of these tenements the pressure of water would not be sufficient to reach it. A Respondents' Proof.

It requires a good deal of practice and a pretty long experience to make a good fireman. I generally find that a man requires to attend fires four or five years, before he can be trusted to do any of the duties efficiently.

I have had experience of fires in Hillhead. In none of these cases did the Hillhead people afford any efficient assistance. The last fire was in a bakery in Gibson Street, and the Hillhead people took charge of it after the fire was confined within certain limits when I left. The Glasgow brigade had been sent for. B

I remember a fire in Great Kelvin Terrace, sometime in the beginning of this year, at which the Hillhead people appeared. I was there also. The Hillhead people, so far as I saw, had the hose there when I arrived ; but they had no key to open the fire plugs. The key was got ultimately ; but it had not been got when I reached the place. The key for these plugs is exactly the same as for the plugs in the town, and the couplings are the same. C

Under the Glasgow Police Act, the inspector of fires has the power in his discretion of sending the engines beyond the boundaries of the City. In most of the terraces on the Great Western Road in the district proposed to be annexed, the proprietors have arranged with the Board of Police to pay any expense that may be incurred in sending the fire engines out to them when required. The Asylum at Gartnavel is in the same position. In some instances that arrangement is made by the individual proprietors ; but some of the terraces, I understand, are managed by Committees, and some of the guarantees are made out for the whole of the proprietors in name of the chairman of the committee. D

*Examined by Mr. Aiken, for Proprietors in Dowanhill Gardens.*—The proprietors in Dowanhill Gardens have also made an arrangement with us whereby we would send out the fire engines there if necessary. Mr. Gow, on behalf of the committee of the proprietors, made that arrangement with us, guaranteeing on behalf of the proprietors any expense that might be incurred in sending out the engines or the men. E

*Cross-examined by Mr. MacLean, for Petitioners.*—A number of these arrangements were made from seven to eight years ago. The one for Dowanhill Gardens was made a week or so ago. I cannot say that any of the others are pretty recent.

It is a matter of great importance that the hose and firemen should be early at a fire. Our principal station where our engines and men are stationed is in College Street. I should say that is under two miles from the Botanic Gardens gate. F

*By Mr. Fleming.*—The arrangements for the terraces on Kelvininside fronting the Great Western Road must have been made seven or eight years ago.

*By Mr. MacLean.*—I cannot tell when the fire plugs in Belhaven Terrace were put in ; but generally when people call upon me with the intention of lodging a guarantee for the expenses of the engines, the first thing I say is, "Put in the fire plugs in case of fire," and I have no doubt that the fire plugs are put in at the same time as the requisition is made to me with a guarantee. I know that there are plugs at Great Western G

Respondents' Proof. A Terrace. I cannot say at what time they were put in. It may have been this year; but I am not sure about it. I think it must have been six or seven months since they applied to me with a guarantee in Great Western Terrace. I cannot say how long that terrace had been up before they made their application. I think it is quite a new terrace.

James Bryson.

By Mr. Fleming.—I know that in Grosvenor Terrace, Kew Terrace, and Belhaven Terrace the fire plugs have been in for years.

By the Sheriff.—We have a guarantee for property in Hamilton Drive. I think that B is the only guarantee we have within the Burgh of Hillhead.

Andrew Wallace.

#### ANDREW WALLACE.

C Adduced and examined by Mr. Fleming, as a witness for the Objectors.—I am Inspector of Poor for the Govan Combination Board. I am Sanitary Inspector for the board. I have one assistant. I know the district proposed to be annexed. [It was agreed that Mr. Wallace should be held as concurring in the evidence of Mr. Irwin, a previous witness.]

Henry Herbertson.

#### HENRY HERBERTSON.

D Adduced and examined by Mr. Fleming, as a witness for the Objectors.—I am a measurer in Glasgow. I am one of the partners of the Victoria Park Feuing Company. I am convener of the Roads and Drains Committee of that company. I reside in Downhill Gardens, and have done so for the last eight years.

E I am well acquainted with the Burgh of Hillhead, and with the district proposed to be annexed. From Downhill Gardens, where I reside, the sewage goes down Victoria Terrace to the corner of Albion Place, and thence down to Partick. The north-west portion of Victoria Park drains towards the Kirklee Road, and the east portion drains down towards Byres Road. We have never been asked by the Burgh of Hillhead to pay anything towards the expense of the sewer in Byres Road. We are quite willing to pay a fair proportion of the cost of that sewer. Our sewage is connected with the sewage of the Burgh of Partick, but the Commissioners of that burgh did not ask us to pay anything. They know quite well that that connection exists. We could drain into Partick F independently of the sewer in Byres Road. We could form a separate sewer of our own if necessary.

G The drainage of Bowmont Gardens and Marchmont Terrace on the Observatory Hill is in course of formation; it is not quite complete. It will be finished by Thursday. We had made arrangements for it being completed prior to the occupation of any of the houses. The contractor promised to have it done before the houses were ready for occupation. I think there are two of the houses there that are occupied at present—one in Bowmont Gardens and the other in Marchmont Terrace. The other houses are not finished; and the families appear to be at the coast. In one of the houses that I have mentioned, the family appears to be in it; while in the other there appears to be a servant living in the basement



storey. The sewer to connect these houses not being ready, the drainage runs in the track that is cut to lay the pipes in; but at present there is nothing in it. I examined it to-day and it is quite dry. That cut does not lead to an old quarry—it leads to a drain which is already made, and which leads towards Byres Road. I now produce a lithographed plan (marked No. 65 of process) showing what was originally intended to be done in feuing out Victoria Park. The blue lines show the departure from the original plan, and represent what it is now proposed to carry out. I know that that plan is correct. Bowmont Gardens is shown on the plan to the east of the Observatory, and farther to the east is Marchmont Terrace. The double red line shows the existing drains, and it goes down as finished to the point where the double red lines cease at the point now marked A on the plan. From that it continues straight eastwards until it joins Saltoun Street, and is continued into Ruthven Street, and then from that it runs direct east until it joins Byres Road. The double line shows the portion of the drain which is completed; the single line shows the portion in progress. I know the old quarry hole near Bowmont Gardens, and Marchmont Terrace, about the spot marked "quarry" on the plan No. 65, to the west of Saltoun Street. There is no sewage running into that quarry hole at present so far as I can see. I examined it carefully to see whether there was any. I looked at it twice. I looked at it about seven o'clock this morning, and also on Friday afternoon between five and six o'clock. There was a small quantity of water running into it on Friday afternoon. It appeared to be clear water; I saw nothing the matter with it.

In the Byres Road, I think there are no lamps at all on the east side, except at the Burgh Hall. We have put up twelve lamps on the Observatory Road, shown on the plan No. 65, but these are only half of what will be put up. The road is only built on one side; there will be twelve on the other side also when the houses are built. The whole district there is well lighted so far as built.

There are to be no shops in Victoria Park, except fronting Byres Road; that is the part facing Hillhead. The blocks next Byres Road are to contain flatted tenements. They are represented by the oblongs to the west of what is called Victoria Street on the plan No. 65. There are to be no flatted tenements on any other part of the estate. The other portions of the estate of Kelvin-side are being laid out in first-class style, and for first-class houses only. There are no shops or flatted tenements there yet: of course, I don't know what is intended.

*Examined by Mr. Aiken, for the Proprietors in Dowanhill Gardens.*—As a residenter in Dowanhill Gardens, I am opposed to the proposed annexation. Interrogated—If you must be annexed, would you prefer to be annexed to Glasgow?—Depones: I would prefer to be let alone. Hillhead can offer no advantage to Dowanhill Gardens in the way of drainage, or better streets, or better watching or lighting. The drainage of the district is good, and its sanitary condition is also good. I consider the roads, and the manner of lighting and watching to be superior to any in the district. There is an assessment, according to the annual value of the houses, for the maintenance of the roads, drains, and sewers, and also for the watching. The proprietors elect a committee of their own number annually to attend to these matters. That system of voluntary assessment has been in existence—so far as I can remember—for, I think, about twelve or fifteen years; and it

A Respondents' Proof.

Henry Herbertson.

B

C

D

E

F

G

Respondents' Proof. A has worked during that time to the general satisfaction of those in the district. The proprietors act through that committee as a united body, and they take action whenever it is required.

Henry Herbertson.

I consider the watching of the district to be well attended to. Besides the men supplied by the county, the proprietors employ two private watchmen—one for day and one for night service; and in addition to that we have the protection of the police of the Burgh of Partick, which partly bounds the Gardens on the south. I don't think we would be any better watched if we were united to Hillhead.

Dowanhill is not an outgrowth of Hillhead Burgh. It has no connection with Hillhead at all. The inhabitants are all Glasgow people, having their businesses in Glasgow.

The inhabitants of Dowanhill Gardens require no hospital accommodation from the Burgh of Hillhead. They are generally of a class who subscribe to the Glasgow Infirmary. I subscribe both to the Glasgow Royal Infirmary, and to the Western Infirmary.

C *Cross-examined by Mr. MacLean, for Petitioners.*—The Victoria Park Feuing Company is a Limited Company, and I am one of its members. The plan, No. 65, which I have produced, shows the manner in which we proposed that the land we acquired should be laid out and built upon. I think the extent of ground acquired by the company is about 30 or 40 acres. The whole of that area is proposed to be covered with buildings—dwelling houses, shops, and villas, with the exception of the portions laid off for pleasure grounds, as shown on the plan.

D On the west side of Byres Road, and fronting that road, there are three blocks of buildings shown on the plan which are to be appropriated to shops and flatted tenements. These blocks are restricted to houses of not less than three rooms and kitchen, with the exception of the part already built. The *houses* will be for the accommodation of a class superior to workmen. The rents will run from £35 to £50, with the exception of the southmost tenement, which has already been built; and which is composed of shops and flatted tenements of two rooms and kitchen, with rents of about £18. There will be about 180 to 200 dwelling houses in all the three blocks. They will be partly three storeys and partly four storeys. Taking an average of five persons to each family, that will represent a population of about 900 to 1000. The balance of the ground is laid out for self-contained dwelling houses. The company are not themselves to build the houses. I don't think that any portion of the ground designed for self-contained houses will come to be appropriated for flatted tenements. Huntly Gardens south is all feued; the crescent south of Huntly Gardens is also all feued; and Marchmont Terrace is all feued; and the continuation of Victoria Circus—a church being to be placed upon a portion of it. We have, therefore, got about three-fourths of our ground already taken off. We have taken the feuars bound to build within one, or two, or three years; so that within three years at the outside, that part of the forty acres which we have already feued will, I have no doubt, be all built upon. We hope, within five years, to have the whole of the ground feued.

F Looking to the plan, there would appear to be about 120 self-contained houses that will be built upon that ground. These will be for families with servants; and I should say that the average to each house will be about nine, which would give a population of about



1,080. Therefore, I think there will be a population of about 2,000 altogether in Victoria Park; and I anticipate that that population will be there within the next five years, and the greater portion of it within the next three years.

A Respondents' Proof  
Henry Herbertson.

For the accommodation of these terraces of houses we have been opening up the several roads which are shown upon the plan No. 65, and by all of them we make a direct connection with Victoria Circus and Dowanhill Gardens. When our scheme is carried out, therefore, Victoria Circus and Dowanhill Gardens will be approached by a series of streets leading from Byres Road. There will only be one direct road from Byres Road, but access can be got by all. That would be the access to Victoria Circus and Dowanhill Gardens from the south. From the north it would be from Great Western Road, by a road at the end of Belhaven Terrace, which is being made just now for the Victoria Park. We are opening up a direct access to Dowanhill Gardens, from the Great Western Road, which will be available both as a carriage road and for foot passengers. We intend it to be a forty feet street. That will be a great advantage to the Dowanhill people by leading them into a road where there are tramways.

B

C

With regard to the drainage of Bowmont Gardens and Marchmont Terrace, we made a contract with a party, not the builder, that he was to have the sewer ready before the houses were to be occupied, which was on 28th May. It is barely finished yet. There are only two of the houses occupied yet. I don't know when they were occupied, but I suppose it would be about the beginning of June. Since then the sewage must have been going down the drain. It has not gone into the quarry; it has not reached that length. The little water that did go down was lying upon the low ground used for the old skating pond. It was lying upon the open surface.

D

*By the Sheriff.*—These houses have merely pipe cesspools—not box cesspools; but merely a swan-necked pipe, which is called a pipe cesspool.

*By Mr. MacLean.*—I am not aware that any more than two of these houses have been occupied since the term. This morning when I was going round, I noticed only one house occupied in Marchmont Terrace, the second from the end; the other had been occupied for a little time, but it is now shut. The other houses are not ready. In Bowmont Gardens the servants were in the basement storey of one house; so that there were three houses that had been partly occupied. The system of drainage which I have already described from Bowmont Gardens to Byres Road is quite satisfactory; it could not be better. The whole of the property which is to be erected on Victoria Park is to be drained into the Byres Road sewer with which we have already formed a connection for the portion already built. We did not ask the Commissioners of Hillhead for liberty to join that sewer; we did not know that they could give us liberty. The Partick Commissioners found fault with us for doing it, and claimed a right to the drain; but we did it, and they have not objected further in the full knowledge that we were doing it.

E

F

*Re-examined by Mr. Naismith, for Mr. Blackie and Others.*—I have already said we are quite willing to pay a fair proportion of the cost of that drain. I understand the drain was made, not by the Commissioners of Hillhead, but by the prior local authority,

G

Respondents' Proof. A the Parochial Board, and that the adjoining proprietors have paid a share of it. I believe the drain was originally made in connection with Sardinia Terrace. I cannot say whether other proprietors were subsequently allowed to connect their drains with it.

Henry Herbertson.

So far as Dowanhill and Victoria Park are concerned, I do not think the Burgh of Hillhead could afford any advantage to the district proposed to be annexed. The other portion of the district would, in my opinion, be in the same position as Victoria Park and Dowanhill; so that the Burgh of Hillhead could afford no advantage to any portion of the district.

Our object in erecting flatted houses in one portion of our ground is in order to get more rental. Byres Road is already a public thoroughfare, and an appropriate locality for shops and flatted houses; whereas the other part of our property to the west is more appropriate for residences. We expect there will also be shops and flatted houses on the other side of Byres Road.

C By the Sheriff.—I have not considered the question whether it would not be an advantage to have a municipal government for a district containing shops and flatted houses; but they form such a small portion of our property that I don't see there would be any necessity for it there. I would not desire, however, to express any opinion as to that matter. I would limit my opinion as to the extension not being required to the portion of our property on which the larger self-contained houses are to be erected.

D Re-examined by Mr. Aiken, for Proprietors in Dowanhill Gardens.—The road which I spoke of, leading from Dowanhill to the north, goes near Mr. M'Ewan's and Mr. Alexander's houses. We require Mr. M'Ewan's consent to cross a portion of his ground through which the street would go; and that consent has still to be got.

#### JAMES BUCHANAN MIRRLEES.

James B. Mirrlees.

E Adduced and examined by Mr. Fleming, as a witness for the Objectors.—I am an engineer in Glasgow. I am proprietor of Redlands, on the Great Western Road, being part of the estate of Kelvinside, and I reside there. My property extends to about 23½ acres. I hold of the proprietors of Kelvinside for payment of a nominal feu duty.

F I know the Burgh of Hillhead and the district proposed to be annexed. In my judgment, the Burgh of Hillhead can afford no advantages to the district proposed to be annexed. Glasgow might afford it some advantages; but I do not wish any change in the present condition of the district. I do not think any change is necessary in the locality where my property is. There may be other parts of the district that I know nothing about, where a change may be desirable; but in the district round my property, I know of no need for any change.

G The sewer in the Kirklee Road is a new one and a very good one. I paid one-half of the cost of it, and I believe the Kelvinside people paid the other half. The whole of my lands drain into it, and it is the natural course for that drainage.

I have erected a large dwelling house on my grounds, and enclosed about 3½ acres.



The rest of the ground is in grass and under crop. I have no present intention of feuing it, and I hope that no necessity will arise for changing that intention during my own life.

A Respondents' Proof.  
James R. Mirrieux.

The roads bounding my property are 60 feet wide. Mr. James Thomson, architect, acted for me in the erection of my house and looked after the formation of the roads. I have no reason to doubt that they are perfectly well made. The building line of my ground is 150 feet back from the centre of the Great Western Road, and the other building lines 80 feet from the centre of the other roads. I am restricted by my feu contract to the erection of self-contained houses on my ground. The Great Western Road is very well lighted.

B

*Cross-examined by Mr. MacLean.*—The chief advantage we would derive from annexation to Glasgow would be the advantage of the fire brigade. The idea of a fire never specially occurred to me until the question about this annexation arose, so that I have made no arrangement personally for having the engines sent out from Glasgow if required. I cannot tell whether or not it is in the option of the Glasgow people to come to our aid in such an event; but I have permission for the Corporation water pipes being laid down, and I have a fire plug and hose pipes. These things I have got without annexation. Interrogated—Mr. Bryson stated that the use of the fire brigade could be got without annexation, or paying for it; therefore, can you suggest any other instance in which you would be more benefited by union with Glasgow than with Hillhead?—Depones: I don't at present see any advantage to be gained from union either with Glasgow or with Hillhead. The chief superiority that union with Glasgow would have over union with Hillhead would be this, that, according to my experience, as a general rule, in corporations of a standing such as Glasgow the whole affairs are much better managed than they are in small towns. I consider it important that in a populous place there should be some system of management. That applies chiefly to police matters; but it is also important with regard to the whole mechanism of a corporation, police, Dean of Guild court, statute labour, and everything.

C

D

E

In saying that I considered no change was necessary in the locality with reference to my own property I meant to infer that I was not sufficiently acquainted with any other part of the locality to be able to give an opinion as to whether it would be benefited in any respect by a change. Interrogated.—Assuming that the west side of Byres Road is to be laid out for shops and flatted tenements, and that a population of a couple of thousands will be introduced there within the next few years, would it occur to you that that would be a suitable district to be placed under municipal superintendence?—Depones: That is a sort of locality that I have never had much experience of, or the kind of residents there; but I should say that that was a sort of margin of the idea that I had in my mind. I heard for instance, the last witness mention that the size of the houses was to be three rooms and kitchen. I should think it questionable whether there would be any special occasion for such government with houses of that size; but if they were smaller houses than that, say houses of one or two rooms, where the population was dense, I should think there was much greater occasion for it than in the case of houses of three rooms. I think that people who occupy three rooms are as a rule well conducted people. I am aware that then there are a good many houses in Hillhead that are not self-contained, but are divided

F

G

Respondents' Proof. A into flats of a similar kind. I cannot tell whether Hillhead has been benefited by being created into a burgh. I have heard no one giving expression to any opinion about that.

James B. Mirrlees.

I paid one-half of the cost of the sewer in the Kirklee road, because I understood it was one of the obligations of my feu contract. I bought my property there in the expectation that it would come some day to be used for feuing purposes, and I have occasionally been making plans to show how it could be laid out. Among other schemes, I projected, not a terrace, but buildings of some kind along the west side of the Kirklee Road; but it was more as a sort of amusement in the meantime that I did that, because I don't mean to feu off that ground. I had a sort of curiosity to see how the land could be advantageously laid out, and whether in future years it would repay my heirs for the loss of rental in my lifetime. Interrogated—Is it, in short, a question with you whether you are better to keep it or to feu it just now?—Depones: Of course you may put it in that way; but there are other personal considerations that may have weight with me in looking at the matter. Probably, from a money point of view, it might be more advantageous for me to feu; and I could feu it to-morrow if I liked.

Re-examined by Mr. Naismith, for Mr. Blackie and Others.—Interrogated—When you spoke of a Dean of Guild Court, did you mean a Court constituted as the Dean of Guild Court in Glasgow is, with a regular assessor, officers, and fiscal sitting regularly?—Depones: I was not referring in the least to matters of detail. I merely referred to some court which might in some way take a supervision of the proper construction and arrangement of streets and houses. I am not aware that a recent Royal Commission reported that it would be advantageous that the present Dean of Guild Courts should be abolished, and their jurisdiction transferred to the Sheriff. I merely wished to express my opinion that there should be some kind of jurisdiction, whether burghal or not, over the closely-built parts of a town.

John C. Monro.

E

#### JOHN CAMPBELL MONRO.

Adduced and examined by Mr. Fleming, as a witness for the Objectors.—I am with Messrs. Russell, Macfarlane, & Co., woollen merchants, National Bank Buildings. I live in Kerrsland Terrace, in the Burgh of Hillhead. My house overlooks an old quarry immediately behind Sandringham Terrace, which is also in the Burgh of Hillhead. One of my servants took ill in the end of March last, and I called in Dr. Moore to see her. She left my house and went to her relations. Her illness developed into typhoid fever. The quarry hole looks to me just like stagnant water now. It may be about the size of this room (about 40 feet by 30). I have no idea how deep it is. There has been nothing done by the Hillhead authorities, so far as I know, to cover in or fill up that quarry hole. There is a stable quite close to it, and I should fancy that the liquid manure from the stable percolates into the quarry. I have never examined it minutely, and I don't know whether it does so or not.

Cross-examined by Mr. MacLean, for Petitioners.—I made a complaint about the quarry hole to the sanitary authorities, in the end of March, in a letter which I addressed



to the sanitary inspector at Hillhead. I don't know his name. The letter was merely addressed to the Sanitary Inspector, at the Burgh Buildings, Hillhead. That was the first time I had made any complaint about it. I cannot say whether anything has been done by the Hillhead authorities since or not. I was judging entirely by the appearance of the water when I said it looked like stagnant water. It was motionless. I did not test it in any way. I did not smell it; I felt no offensive smell from it. The quarry was not in actual use at the time when my servant took ill, but it had been in use prior to that. I fancy they had been taking stones out of it this time last year (July), or possibly later than that. They may have been taking stones out of it in the beginning of this year for anything I know.

*Re-examined by Mr. Naismith, for Mr. Blackie and Others.*—I went to live in Kerrsland Terrace in May, two years ago.

ROBERT ALLAN.

*Adduced and examined by Mr. Fleming, as a witness for the Objectors.*—I live at Balgray Cottage, Crossloan Road. I am underground manager to Messrs. Robert Addie & Sons, ironmasters, Langloan, at their pits in North Balgray and Gartnavel, which are leased by them from the proprietors of the Kelvinside estate. I have been eighteen years in the district, and I have been for fourteen years in my present employment; for the last six years as manager. The present seam that we are working will last for five or six years yet; but there are other two seams that may be worked, and they may last for fifty years. I am acquainted with the mineral field in Balgray Park: we have that field also. The ironstone there will take about the same time to be worked out as the coal and ironstone in Gartnavel. By Gartnavel I mean the field on Kelvinside, on the north side of the Great Western Road. We have no mineral workings on the south side of the Great Western Road. There are some mineral workings there, but we have nothing to do with them. We have three pits working ironstone, and one sinking just now, which will be four. The three pits are on Gartnavel or Kelvinside, on the north side of the Great Western Road. There was one pit on Balgray, but it is stopped in the meantime. We are working the ironstone there out of one of the Kelvinside pits.

Most of our colliers come from Glasgow and Maryhill, and some from Partick. A few of them reside on the estate. We have twenty-two houses on Balgray, and we have seven or eight from the Kelvinside proprietors on their own ground. They built the houses and we got them from them on lease. They are down near the Stobcross Railway. The Balgray houses are close to the canal at the foot of the Balgray Road. We have none at Skaterig; we don't go so far out as that. Four of the houses have been taken down recently, and there have been none erected in their place.

The county police come out to this locality where the houses are, and to the pits. They come twice a day and twice at night; and each man carries a book in which we make an entry to show that they have been round. I have often signed the book.

A Respondents' Proof

John C. Munro.

C

Robert Allan.

D

E

F

G

Respondents' Proof.

Robert Allan.

A The sanitary condition of the colliers' houses in the district proposed to be annexed is very good. There have been no epidemic diseases there.

There have been no disturbances among the colliers but what the county police were quite able to put down. We are quite satisfied with the protection at present afforded to us; it is quite sufficient. There are no more colliers' houses on our grounds now than there were in 1869.

B I believe the present lease is to be extended to 1880. It is six months since I was told it was all settled. I think our lease of Davidson's portion of Balgray extends for eight or nine years yet; and the ground will take a good while to settle after the workings are completed.

*Examined by Mr. Howie for Davidson's Trustees.*—There has been no increase of colliers' houses on the lands of Balgray since 1869. The seams of ironstone in these lands may last for thirty years.

C *Cross-examined by Mr. MacLean for Petitioners.*—That does not refer to the seam we are at present working. The seams we are at present working both in Kelvinside and Balgray may be worked out in five or six years. There is one seam of ironstone eighteen fathoms above the one we are working just now, that is lying solid throughout the ground both in Balgray and Kelvinside. It was passed over, and the one we are working just now was taken because the upper one is not of such good quality. Then there is another seam forty fathoms below the present seam. That is

D quite a workable depth. It is a pretty good seam, and is being worked very largely in the district. It is worked in Garscadden and in Johnstone, and in other places. Both seams are being worked in the district; but they are not so good as the one we have in use. It will be a matter for the consideration of the proprietors of the ground whether they will work these seams or give out their ground for building purposes.

E The nearest pit going westward from the Botanic Gardens gate is near the top of the hill at Balgray; that is the eastmost pit that is working. It is about 400 or 500 yards north from the Great Western Road. The nearest point at which we have right to the minerals, looked at from the surface, is at the point where the road goes off to Gartnavel, and we go westward from that point on the north side to the railway bridge crossing the Great Western Road. We have no right to the minerals on the south side of the Great Western Road; they are in the hands of other tenants. The deep seam that I have mentioned has not been worked by us at all. The upper seam has not been worked by us either. The seam we are presently working is solid just now under any of the buildings that are on the ground; we have not had time to take it out. As far west from the Botanic Gardens gate as the buildings go the seams are solid and have not been worked.

F There are some colliers who live in the west part of the district near the boundary of the canal there. These men in going to and coming from their work use the Great Western Road. The men at Skaterig and the colliery district towards the west also use that road. We meet them coming and going at all hours of the day, morning and night.



## ALEXANDER LAIRD.

A Respondents' Proof

Alexander Laird.

*Adduced and examined by Mr. Fleming, as a witness for the Objectors.*—I live at 3 Sandbank Place, Partick. I am underground manager to Messrs. James Dunlop & Co., Clyde Ironworks, at their pits on Gartnavel, which are leased by them from the proprietors of the Kelvinside estate. These pits are on the south side of the Great Western Road. We have nothing to do with the north side of that road. The farthest east that we have worked is just opposite the Gartnavel gate. We have right under our lease to work as far east as Hyndland Road. We are not approaching that road with our workings; we are working towards the west just now. I believe our lease extends to 1880. I don't know how long it will be till the minerals there are exhausted; that depends on the rate at which they are worked. The present seam will last for the duration of the lease and longer. I am not certain that we will work so far east as Hyndland Road. We met with a dyke in that direction, and we have not penetrated it; we have not found the seam there again. We have plenty of minerals to work to the west at present without touching that dyke, and therefore we will not attempt to penetrate the dyke until the minerals which are more easily got are exhausted.

I am also acquainted with the mineral field on the north side of Great Western Road, which is let to Messrs. Robert Addie & Sons. It is capable of being worked for a great number of years.

There are very few of our miners who reside within the district proposed to be annexed. There are a few of them who live at Old Gartnavel farm-steading, on the south side of Great Western Road. There may be about a dozen or fourteen families who live there. These are all the colliers' houses on the south side of Great Western Road on our lands. I know the colliers' houses on the north side of the Great Western Road within the district proposed to be annexed. On the northmost portion, I think, there are five; and then going up to Balgray, there will be about twenty, I think, belonging to Messrs. Addie—that is about twenty-five families in all. There are some of the workers at the paper mills who live within the district proposed to be annexed. I think there will be about twenty or thirty families in all. The greater portion of workers at the paper mills come from beyond the district.

I have a general knowledge of the sanitary condition of the houses to which I have been referring. They are just houses that are adapted for the working classes. There has been no epidemic disease among them so far as I am aware.

We get an occasional visit at our pits from the county police. The protection which the police at present afford to the district is quite satisfactory.

*By the Sheriff.*—I am not aware that these colliers' houses have any drainage. I think they have just an open "siver" and ashpits.

*Cross-examined by Mr. MacLean, for Petitioners.*—There is no water in any of these houses.

Respondents' Proof. A

Alexander Laird.

We have found a dyke in the line of the entrance gate to Gartnavel. We have plenty of minerals to the west of that gate to last for the remainder of our lease.

*Re-examined by Mr. Fleming.*—There are no water closets in the colliers' houses, but there are privies outside, which is generally the case with such houses. There is water in connection with the houses, although not in them.

B

Robert Sorley.

ROBERT SORLEY.

*Adduced and examined by Mr. Fleming, as a witness for the Objectors.*—I am a jeweller in Glasgow, and I live at No. 1 Kerrsland Street in the Burgh of Hillhead.

I remember a fire taking place in a greengrocer's shop near Kerrsland Street in the Great Western Road. My house was not immediately above the shop, but it was near it. The house was filled with smoke. I heard a policeman's whistle, and I went down stairs to see what was the matter. I saw smoke coming out of the shop. I saw two policemen then. They seemed to be trying to find a fire plug; but they did not know where it was. They did not find one while I waited. There was a cab passing at the time and I hailed it and went into Glasgow for assistance, as there was no assistance to be got nearer hand. I went to the Northern Police Office in Cowcaddens, and asked for the fire engines. The men on duty then said they would require to get instructions from the Central Office. I waited until they telegraphed there, and the reply was that they would require to get a guarantee before the engine moved, and they would not come. I was not inclined at the time to give a guarantee on my own responsibility; but I stated that I would drive back, and if the fire was not under when I got out, I would give a guarantee then. The fire was out when I got back. I cannot tell how it had been put out. I do not know of my own knowledge what appliances the Commissioners of Hillhead keep for extinguishing fires.

E

*Cross-examined by Mr. MacLean, for Petitioners.*—It did not occur to me to go to the Burgh Buildings for assistance. I did not know that they had any fire brigade at all there. There was fortunately very little damage done by the fire.

James Goldie.

F

JAMES GOLDIE.

*Adduced and examined by Mr. Fleming, as a witness for the Objectors.*—I am a builder in Glasgow, and I live at No. 1 Kerrsland Street in the Burgh of Hillhead.

I remember a fire occurring during last winter in a greengrocer's shop in the Great Western Road. The tenant was a Mr. Pollock. I lived, not immediately above the shop, but in the same tenement. I felt a smell of burning and I opened the window and looked out, and then I went downstairs. When I got down the smoke was coming out at the shop door. There were two men, firemen, I think, trying to attach a nozzle to a fire plug at the corner. I think the men belonged to Hillhead. They found the plug, but they



could not attach the pipe. I cannot say whether they had any difficulty in finding the plug ; they had just got it when I got down. After trying the first plug, they tried another one farther along Great Western Road, and I think they managed to get their hose fitted on it. Ten minutes or so may have elapsed from the time when I first went down until the pipe was attached to that second plug. I don't remember whether water was got from that second plug which was available for extinguishing the fire. I did not go inside the shop. The tenant was inside, and I think he was getting some assistance from the neighbours in carrying water in buckets. From what I have seen of the Hillhead apparatus, I don't think very much of it. I don't think it did any good that night towards extinguishing the fire.

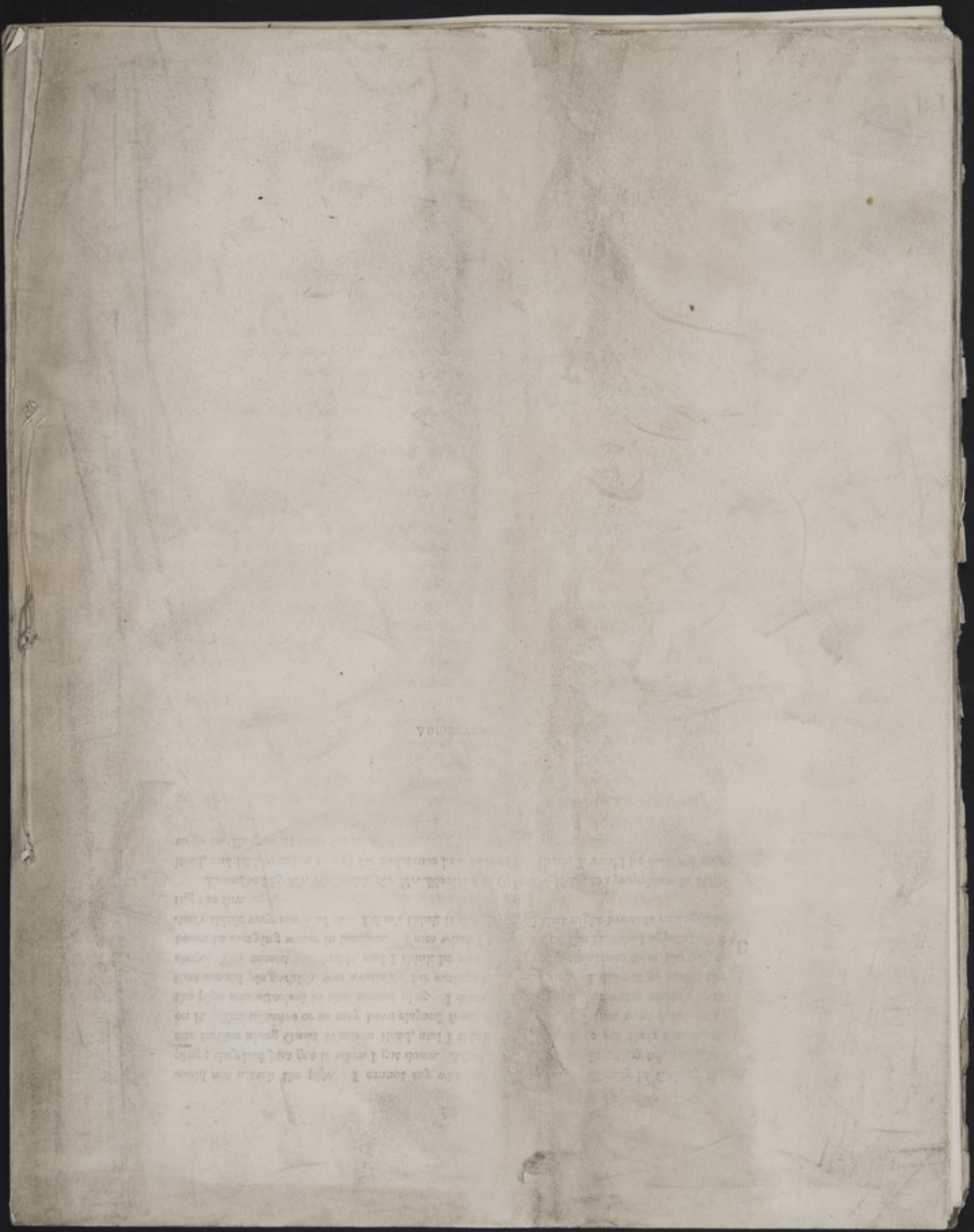
A Respondents' Prod.

James Goldie.

B

*Examined by Mr. Naismith, for Mr. Blackie and Others.*—If I was a proprietor in Hillhead, and had occasion to call for assistance in a case of fire there, I would be inclined now to go to Glasgow at once for it.

ADJOURNED.





Having heard parties' procurators as to the course of proceeding in the petition, the Sheriff Appoints & Directs Mr. Alexander Kirket, Lands Valuation Assessor, Glasgow, to make out & furnish within 14 days from the date of this deliverance a return to the best of his knowledge & belief showing the number of the population of the existing Burgh of Hillhead at present, & of the territory which the petitioner craves should be annexed to the said Burgh; Further upon mutual craving appoints the several co-appears to lodge within 14 days from the date of this deliverance notes stating without argument the grounds of their objections to the prayer of the petition, & appoints the petitioner to lodge answers to the said objections within 10 days after the same shall have been lodged, and continues the farther proceedings in the cause to a day to be afterwards fixed.

(Sd.)

W. S. Dickson

## PROPOSED EXTENSION OF THE BURGH OF HILLHEAD.

---

AT GLASGOW, AND WITHIN THE KELVINSIDE ESTATE OFFICE, 25th MARCH, 1875.

At a Meeting of Gentlemen resident in the neighbourhood of the Great Western Road  
beyond the boundaries of the City of Glasgow and Burgh of Hillhead.

### PRESENT—

DR. W. G. BLACKIE, 4 Belhaven Terrace.	MR. HUGH KIRKWOOD, Killermont Cottage, Maryhill.
MR. ROBERT BRODIE, 16 Kew Terrace.	" R. P. LAMOND, 6 Roslyn Terrace.
" WILLIAM BOYD, 1 Roslyn Terrace.	* " ALEXANDER MOORE, 11 Huntly Gardens.
" EDWARD COLLINS, West Balgray House.	* " J. W. M'GREGOR, 4 Great Western Terrace.
" J. H. COLLINS, Kelvindale House.	* " G. W. RAINEY, 13 Kew Terrace.
* " JAMES B. FLEMING, Beaconsfield.	* " JOHN ROBERTSON, 9 Grosvenor Terrace.
" JAMES R. FORMAN, 10 Belhaven Terrace.	* " JOHN SPENCER, 2 Roslyn Terrace.
" ROBT. HUTCHISON, 8 Gl. Western Terrace.	* " JOHN B. WRIGHT, 6 Belhaven Terrace.
* " WILLIAM KER, 1 Windsor Terrace, West.	

### DR. BLACKIE IN THE CHAIR.

The Chairman stated that the present meeting had been called in consequence of the publication of a notice by the Commissioners of the Burgh of Hillhead, intimating that a Petition had been presented to the Sheriff of Lanarkshire for the extension of the boundaries of that Burgh, so as to take in all West of the Byars Road, as far as Anniesland Toll, and between the Burghs of Partick on the South, and Maryhill on the North, and for the purpose of considering what action should be taken in the matter.

After some Conversation, the following resolution was put to the meeting and carried unanimously, "That this meeting is of opinion that, in the meantime, no change should be made in the position of the District referred to, and appoints a Committee," consisting of the Gentlemen whose names are marked with an asterisk (\*) in the foregoing list, along with Messrs. JOHN M'CLURE and JOHN MARSHALL, JUNR., "to ascertain the feeling of the Feuars generally regarding the present application by the Burgh of Hillhead."



We, the undersigned, concur in the expression of opinion contained in the foregoing resolution.

NAME.

ADDRESS.

# PROPOSED EXTENSION OF THE BURGH OF HILLHEAD.

AT GLASGOW, AND WITHIN THE KELVINSIDE ESTATE OFFICE, 25th MARCH, 1875.

At a Meeting of Gentlemen resident in the neighbourhood of the Great Western Road beyond the boundaries of the City of Glasgow and Burgh of Hillhead.

## PRESENT—

DR. W. G. BLACKIE, 4 Belhaven Terrace.	MR. HUGH KIRKWOOD, Killermont Cottage, Maryhill.
MR. ROBERT BRODIE, 16 Kew Terrace.	
" WILLIAM BOYD, 1 Roslyn Terrace.	" R. P. LAMOND, 6 Roslyn Terrace.
" EDWARD COLLINS, West Balgray House.	* " ALEXANDER MOORE, 11 Huntly Gardens.
" J. H. COLLINS, Kelvindale House.	* " J. W. MCGREGOR, 4 Great Western Terrace.
* " JAMES B. FLEMING, Beaconsfield.	* " G. W. RAINEY, 13 Kew Terrace.
" JAMES R. FORMAN, 10 Belhaven Terrace.	* " JOHN ROBERTSON, 9 Grosvenor Terrace.
" ROBT. HUTCHISON, 8 Gl. Western Terrace.	* " JOHN SPENCER, 2 Roslyn Terrace.
* " WILLIAM KER, 1 Windsor Terrace, West.	* " JOHN B. WRIGHT, 6 Belhaven Terrace.

## DR. BLACKIE IN THE CHAIR.

The Chairman stated that the present meeting had been called in consequence of the publication of a notice by the Commissioners of the Burgh of Hillhead, intimating that a Petition had been presented to the Sheriff of Lanarkshire for the extension of the boundaries of that Burgh, so as to take in all West of the Byars Road, as far as Anniesland Toll, and between the Burghs of Partick on the South, and Maryhill on the North, and for the purpose of considering what action should be taken in the matter.

After some Conversation, the following resolution was put to the meeting and carried unanimously, "That this meeting is of opinion that, in the meantime, no change should be made in the position of the District referred to, and appoints a Committee," consisting of the Gentlemen whose names are marked with an asterisk (\*) in the foregoing list, along with Messrs. JOHN M'CLURE and JOHN MARSHALL, JUNR., "to ascertain the feeling of the Feuars generally regarding the present application by the Burgh of Hillhead."



We, the undersigned, concur in the expression of opinion contained in the foregoing resolution.

NAME

ADDRESS

# PROPOSED EXTENSION OF THE BURGH OF HILLHEAD.

AT GLASGOW, AND WITHIN THE KELVINSIDE ESTATE OFFICE, 25th MARCH, 1875.  
At a Meeting of Gentlemen resident in the neighbourhood of the Great Western Road  
beyond the boundaries of the City of Glasgow and Burgh of Hillhead.

## PRESENT—

DR. W. G. BLACKIE, 4 Belhaven Terrace.	MR. HUGH KIRKWOOD, Killermont Cottage, Maryhill.
MR. ROBERT BRODIE, 16 Kew Terrace.	" R. P. LAMOND, 6 Roslyn Terrace.
" WILLIAM BOYD, 1 Roslyn Terrace.	* " ALEXANDER MOORE, 11 Huntly Gardens.
" EDWARD COLLINS, West Balgray House.	* " J. W. M'GREGOR, 4 Great Western Terrace.
" J. H. COLLINS, Kelvindale House.	* " G. W. RAINEY, 13 Kew Terrace.
* " JAMES B. FLEMING, Beaconsfield.	* " JOHN ROBERTSON, 9 Grosvenor Terrace.
" JAMES R. FORMAN, 10 Belhaven Terrace.	* " JOHN SPENCER, 2 Roslyn Terrace.
" ROBT. HUTCHISON, 8 Gt. Western Terrace.	* " JOHN B. WRIGHT, 6 Belhaven Terrace.
* " WILLIAM KER, 1 Windsor Terrace, West.	

## DR. BLACKIE IN THE CHAIR.

The Chairman stated that the present meeting had been called in consequence of the publication of a notice by the Commissioners of the Burgh of Hillhead, intimating that a Petition had been presented to the Sheriff of Lanarkshire for the extension of the boundaries of that Burgh, so as to take in all West of the Byars Road, as far as Anniesland Toll, and between the Burghs of Partick on the South, and Maryhill on the North, and for the purpose of considering what action should be taken in the matter.

After some Conversation, the following resolution was put to the meeting and carried unanimously,  
"That this meeting is of opinion that, in the meantime, no change should be made in the position of the  
"District referred to, and appoints a Committee," consisting of the Gentlemen whose names are marked with  
an asterisk (\*) in the foregoing list, along with Messrs. JOHN M'CLURE and JOHN MARSHALL, JUNR.,  
"to ascertain the feeling of the Feuars generally regarding the present application by the Burgh of Hillhead."



We, the undersigned, concur in the expression of opinion contained in the foregoing resolution.

NAME.

ADDRESS.

## PROPOSED EXTENSION OF THE BURGH OF HILLHEAD.

---

AT GLASGOW, AND WITHIN THE KELVINSIDE ESTATE OFFICE, 25th MARCH, 1875.

At a Meeting of Gentlemen resident in the neighbourhood of the Great Western Road  
beyond the boundaries of the City of Glasgow and Burgh of Hillhead.

### PRESENT—

DR. W. G. BLACKIE, 4 Belhaven Terrace.  
MR. ROBERT BRODIE, 16 Kew Terrace.  
" WILLIAM BOYD, 1 Roslyn Terrace.  
" EDWARD COLLINS, West Baignay House.  
" J. H. COLLINS, Kelvindale House.  
\* " JAMES B. FLEMING, Beaconsfield.  
" JAMES R. FORMAN, 10 Belhaven Terrace.  
" ROBT. HUTCHISON, 8 Gt. Western Terrace.  
\* " WILLIAM KER, 1 Windsor Terrace, West.

MR. HUGH KIRKWOOD, Killermont Cottage,  
Maryhill.  
" R. P. LAMOND, 6 Roslyn Terrace.  
\* " ALEXANDER MOORE, 11 Huntly Gardens.  
\* " J. W. M'GREGOR, 4 Great Western Terrace.  
\* " G. W. RAINEY, 13 Kew Terrace.  
\* " JOHN ROBERTSON, 9 Grosvenor Terrace.  
\* " JOHN SPENCER, 2 Roslyn Terrace.  
\* " JOHN B. WRIGHT, 6 Belhaven Terrace.

### Dr. BLACKIE IN THE CHAIR.

The Chairman stated that the present meeting had been called in consequence of the publication of a notice by the Commissioners of the Burgh of Hillhead, intimating that a Petition had been presented to the Sheriff of Lanarkshire for the extension of the boundaries of that Burgh, so as to take in all West of the Byars Road, as far as Anniesland Toll, and between the Burghs of Partick on the South, and Maryhill on the North, and for the purpose of considering what action should be taken in the matter.

After some Conversation, the following resolution was put to the meeting and carried unanimously,  
"That this meeting is of opinion that, in the meantime, no change should be made in the position of the  
" District referred to, and appoints a Committee," consisting of the Gentlemen whose names are marked with  
an asterisk (\*) in the foregoing list, along with Messrs. JOHN M'CLURE and JOHN MARSHALL, JUNR.,  
"to ascertain the feeling of the Feuars generally regarding the present application by the Burgh of Hillhead."



We, the undersigned, concur in the expression of opinion contained in the foregoing resolution.

NAME.

ADDRESS.

# PROPOSED EXTENSION OF THE BURGH OF HILLHEAD.

AT GLASGOW, AND WITHIN THE KELVINSIDE ESTATE OFFICE, 25th MARCH, 1875.

At a Meeting of Gentlemen resident in the neighbourhood of the Great Western Road  
beyond the boundaries of the City of Glasgow and Burgh of Hillhead.

## PRESENT—

DR. W. G. BLACKIE, 4 Belhaven Terrace.	MR. HUGH KIRKWOOD, Killermont Cottage, Maryhill.
MR. ROBERT BRODIE, 16 Kew Terrace.	" R. P. LAMOND, 6 Roslyn Terrace.
" WILLIAM BOYD, 1 Roslyn Terrace.	* " ALEXANDER MOORE, 11 Huntly Gardens.
" EDWARD COLLINS, West Balgray House.	* " J. W. M'GREGOR, 4 Great Western Terrace.
" J. H. COLLINS, Kelvindale House.	* " G. W. RAINEY, 13 Kew Terrace.
* " JAMES B. FLEMING, Beaconsfield.	* " JOHN ROBERTSON, 9 Grosvenor Terrace.
" JAMES R. FORMAN, 10 Belhaven Terrace.	* " JOHN SPENCER, 2 Roslyn Terrace.
" ROBT. HUTCHISON, 8 Gt. Western Terrace.	* " JOHN B. WRIGHT, 6 Belhaven Terrace.
* " WILLIAM KER, 1 Windsor Terrace, West.	

## DR. BLACKIE IN THE CHAIR.

The Chairman stated that the present meeting had been called in consequence of the publication of a notice by the Commissioners of the Burgh of Hillhead, intimating that a Petition had been presented to the Sheriff of Lanarkshire for the extension of the boundaries of that Burgh, so as to take in all West of the Byars Road, as far as Anniesland Toll, and between the Burghs of Partick on the South, and Maryhill on the North, and for the purpose of considering what action should be taken in the matter.

After some Conversation, the following resolution was put to the meeting and carried unanimously,  
" That this meeting is of opinion that, in the meantime, no change should be made in the position of the  
" District referred to, and appoints a Committee," consisting of the Gentlemen whose names are marked with  
an asterisk (\*) in the foregoing list, along with Messrs. JOHN M'CLURE and JOHN MARSHALL, JUNR.,  
" to ascertain the feeling of the Feuars generally regarding the present application by the Burgh of Hillhead."



We, the undersigned, concur in the expression of opinion contained in the foregoing resolution.

NAME.

ADDRESS.

# EXTENSION OF THE BURGH OF HILLHEAD.

The following Table has been compiled from a "Valuation of Taxes payable by Landlord and Tenant within the City of Glasgow and Burghs of Partick, Hillhead, and Maryhill, in the County outside of any Burgh per £, and on a Rental of £100," prepared by the opponents of the proposed Extension of the Burgh of Hillhead, and as that "Valuation" does not contain the explanation hereinafter given, it has been thought right by the promoters of the Extension to issue it in this form.

Name of Tax.	City of Glasgow.				Partick.				Hillhead.				Maryhill.				County.							
	Rate per £.		On Rental of £100.		Rate per £.		On Rental of £100.		Rate per £.		On Rental of £100.		Rate per £.		On Rental of £100.		Rate per £.		On Rental of £100.		Rate per £.		On Rental of £100.	
	Landlord.	Tenant.	Landlord.	Tenant.	Landlord.	Tenant.	Landlord.	Tenant.	Landlord.	Tenant.	Landlord.	Tenant.	Landlord.	Tenant.	Landlord.	Tenant.	Landlord.	Tenant.	Landlord.	Tenant.	Landlord.	Tenant.	Landlord.	Tenant.
Police	4 s. 4 d.	4 s. 4 d.	4 s. 4 d.	4 s. 4 d.	4 s. 4 d.	4 s. 4 d.	4 s. 4 d.	4 s. 4 d.	4 s. 4 d.	4 s. 4 d.	4 s. 4 d.	4 s. 4 d.	4 s. 4 d.	4 s. 4 d.	4 s. 4 d.	4 s. 4 d.	4 s. 4 d.	4 s. 4 d.	4 s. 4 d.	4 s. 4 d.	4 s. 4 d.	4 s. 4 d.	4 s. 4 d.	4 s. 4 d.
Sanitary Labour	8 s. 3 d.	8 s. 3 d.	8 s. 3 d.	8 s. 3 d.	8 s. 3 d.	8 s. 3 d.	8 s. 3 d.	8 s. 3 d.	8 s. 3 d.	8 s. 3 d.	8 s. 3 d.	8 s. 3 d.	8 s. 3 d.	8 s. 3 d.	8 s. 3 d.	8 s. 3 d.	8 s. 3 d.	8 s. 3 d.	8 s. 3 d.	8 s. 3 d.	8 s. 3 d.	8 s. 3 d.	8 s. 3 d.	8 s. 3 d.
Sanitary	1 s. 4 d.	1 s. 4 d.	1 s. 4 d.	1 s. 4 d.	1 s. 4 d.	1 s. 4 d.	1 s. 4 d.	1 s. 4 d.	1 s. 4 d.	1 s. 4 d.	1 s. 4 d.	1 s. 4 d.	1 s. 4 d.	1 s. 4 d.	1 s. 4 d.	1 s. 4 d.	1 s. 4 d.	1 s. 4 d.	1 s. 4 d.	1 s. 4 d.	1 s. 4 d.	1 s. 4 d.	1 s. 4 d.	1 s. 4 d.
Public Health	8 s. 5 d.	8 s. 5 d.	8 s. 5 d.	8 s. 5 d.	8 s. 5 d.	8 s. 5 d.	8 s. 5 d.	8 s. 5 d.	8 s. 5 d.	8 s. 5 d.	8 s. 5 d.	8 s. 5 d.	8 s. 5 d.	8 s. 5 d.	8 s. 5 d.	8 s. 5 d.	8 s. 5 d.	8 s. 5 d.	8 s. 5 d.	8 s. 5 d.	8 s. 5 d.	8 s. 5 d.	8 s. 5 d.	8 s. 5 d.
Public	8 s. 12 d.	8 s. 12 d.	8 s. 12 d.	8 s. 12 d.	8 s. 12 d.	8 s. 12 d.	8 s. 12 d.	8 s. 12 d.	8 s. 12 d.	8 s. 12 d.	8 s. 12 d.	8 s. 12 d.	8 s. 12 d.	8 s. 12 d.	8 s. 12 d.	8 s. 12 d.	8 s. 12 d.	8 s. 12 d.	8 s. 12 d.	8 s. 12 d.	8 s. 12 d.	8 s. 12 d.	8 s. 12 d.	8 s. 12 d.
Prison, &c.	6 s. 12 d.	6 s. 12 d.	6 s. 12 d.	6 s. 12 d.	6 s. 12 d.	6 s. 12 d.	6 s. 12 d.	6 s. 12 d.	6 s. 12 d.	6 s. 12 d.	6 s. 12 d.	6 s. 12 d.	6 s. 12 d.	6 s. 12 d.	6 s. 12 d.	6 s. 12 d.	6 s. 12 d.	6 s. 12 d.	6 s. 12 d.	6 s. 12 d.	6 s. 12 d.	6 s. 12 d.	6 s. 12 d.	6 s. 12 d.
Even House	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.
House of Refuge	8 s. 1 d.	8 s. 1 d.	8 s. 1 d.	8 s. 1 d.	8 s. 1 d.	8 s. 1 d.	8 s. 1 d.	8 s. 1 d.	8 s. 1 d.	8 s. 1 d.	8 s. 1 d.	8 s. 1 d.	8 s. 1 d.	8 s. 1 d.	8 s. 1 d.	8 s. 1 d.	8 s. 1 d.	8 s. 1 d.	8 s. 1 d.	8 s. 1 d.	8 s. 1 d.	8 s. 1 d.	8 s. 1 d.	8 s. 1 d.
Chambers	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.
Regimental Rate	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.	8 s. 6 d.
Over or Land Tax	6 s. 6 d.	6 s. 6 d.	6 s. 6 d.	6 s. 6 d.	6 s. 6 d.	6 s. 6 d.	6 s. 6 d.	6 s. 6 d.	6 s. 6 d.	6 s. 6 d.	6 s. 6 d.	6 s. 6 d.	6 s. 6 d.	6 s. 6 d.	6 s. 6 d.	6 s. 6 d.	6 s. 6 d.	6 s. 6 d.	6 s. 6 d.	6 s. 6 d.	6 s. 6 d.	6 s. 6 d.	6 s. 6 d.	6 s. 6 d.

It should be understood that the amount of Assessment paid upon £100 of Rental outside of the City does not give an accurate or fair idea of the accommodation obtained for each £100 of Rental, because within the City the Valuation Assessor is the paid Officer of the Corporation, which is, in nearly every case, the taxing authority, and the rental of property in the possession or occupancy of the proprietor is fixed by applying a principle of measurement of floor space, and by this means last year especially a large increase was made in the annual value, and thereby the amount of taxation is increased without the rates being raised. In Hillhead, the authorities have nothing to do with fixing the Valuation of Property, this being done by a central Assessor appointed by Government, and who cannot, therefore, be in any way influenced or controlled by the taxing authority. In Hillhead, there is a special Sewer Rate of Threepence per Pound, payable by the Proprietors for the Construction of Sewers, but this rate ceases when the cost of construction, which is fixed, has been recovered, which will be done in a limited number of years. In Glasgow, however, no such facilities for payment are to be had, the cost of the sewers being levied upon the Proprietors at once, as soon as the work is done, and for a well constructed Sewer, such as those in Leazeside, Crossart, or such as 235 for a single house has been paid, each class. In the City, the expense of Lighting and Cleaning private Streets, Lanes, Courts and Terraces is not paid out of the Public Rates, but is charged against the Proprietors. In Hillhead, that expense is paid out of the Public Rates. In Glasgow, the Water Rate is reckoned 3d per Pound charge to the domestic consumer, then it is in those districts beyond the limits of the City, but, according to the argument of the Corporation, the Suburbs are virtually cheaper when the low valuation of the outside property is taken into consideration. In other words, if the Suburbs were included within the City limits, the rate would be lowered, for the annual Valuation Rental would be raised, and the same amount of money obtained other way. It should also be known that the Water Rate to domestic tenants in the City is charged 1d per Pound only, in consequence of the very high and disproportionate rates charged to all other consumers—such as Public Works, Workhouses, &c.—who are making heavy contributions of this inequality of charge; it will likely soon have to be remedied, and the domestic rate raised. In Partick, Hillhead, and Maryhill, the new Gas Company has been, and is still supplying, gas at 5d per 1000 cubic feet less than the Corporation, or a saving of 1d per cent. upon the price. In the Valuation and Statement prepared by the Opponents of the Extension, the amounts paid by private parties beyond the Burgh for Private Watchmen and the Cleaning of Adjoining, &c., is not taken into account, and it is believed that the expense incurred in this way is in many cases as much as 1s. per Pound Rental. The Extension of the Burgh of Hillhead, besides leaving in the hands of the Proprietors resident in the District the management of their own affairs, and enabling them to get their requirements attended to at once, would ultimately give them

the control of the whole Roads and Bridges in the District, as during the past year fully one-half of the Debt upon the Great Western Road and Bridge has been paid off, and other three or four years will clear off the remainder. The Bridge across the Kelvin at Woodlands Road will, at the present rate of income, be clear of Debt in about two years. With regard to the construction of Roads and Pavements, a great deal of re-impregnation exists. Instead of the Proprietors being taxed, as many suppose, for the making of Roads, Streets, and Footpaths, the expense of these falls upon the Proprietor of the Property abutting on the Roads, Streets, and Footpaths, and as part of such expense can fall upon those who have made their own Roads and Footpaths a proper nuisance. The question of Lighting and Cleaning is also very important. In some new districts in the territory proposed to be annexed, such as Observatory Avenue, there is no lighting at all—not one lamp existing from the one end to the other, and if the desired extension were to take place, all such districts would be lighted at the public expense, and all places already lighted would be re-lighted in the same way. The Cleaning of all the Adjoining would be attended to when necessary, and no such thing as the adobe lying in a bow or back court for two or three days before being removed after being thrown out, as is the case now, would take place—no such attention being given to Lighting and Cleaning. There are residents in Hillhead now who were opposed to its annexation into a Burgh who really acknowledge that the cost of Lighting and Cleaning, &c., is then previously was more than the taxes they now pay; and, of course, considering the advance in the price of labour, it would have been much greater now than it was then. In the case of Drainage, also, there would be an authority to see that all means necessary to the preservation of health were carried out. The Rental of the territory proposed to be annexed is estimated at about £21,000, and the additional income to the Burgh from this source would be £1,000, which the present rate of taxes to be lowered, so the only additional expenditure on account of the added area would be Lighting and Cleaning, the present staff of Police being quite sufficient. The Population of the extended Burgh would also, it is thought, be large enough to enable the Burgh to have a Police of its own, and in that way also money would be saved. Those who think the District should be annexed to Glasgow should examine the state of the Streets and Roads in the margin of the City notice in this issue, and note the small number of lamps, and the filthy light given, and compare these with Hillhead, and see which is most to be commended. It cannot be expected that a resident in Hillhead will take as much interest in the state of the Streets, &c., in the East End or South Side of Glasgow as he will in his own district; nor can it be expected that a resident in either of these districts will care much about the state of the Roads in Hillhead, but it is natural that each should look after his own district.



## EXTENSION OF THE BURGH OF HILLHEAD.

---

It is now about six years since it was proposed to erect the whole of the district to the west of the Kelvin, lying in the County of Lanark, including the present burgh of Hillhead, into a burgh under the "General Police and Improvement (Scotland) Act." I, at that time, supported the movement in favour of the whole area being put under one authority. The promoters of that scheme had in view the space allotted by Sir Archibald Allison, Sheriff of the County, whose duty it then was to define the boundaries of any proposed burgh. They had before them the large areas included by the Sheriff when determining the boundaries of Govan, Partick, and Maryhill, as their guide. Sheriff Bell, to whom was assigned the task of defining the boundaries of the proposed burgh, saw fit to reduce the limits of Hillhead to the smallest possible area, he, however, at the same time informing the promoters that his reason for so doing was that he considered there was too much vacant ground between Hillhead and Grosvenor Terrace, but that when built upon, so as to connect these localities, a new application could be made to him, when he would adjust and extend the boundaries. At the time of the above application before the learned Sheriff there was not a house built facing the Great Western Road on the south side betwixt Belgrave Terrace and Kelvinside Free Church. Our friends and neighbours in the new burgh of Hillhead submitted to the Sheriff's decision, and unanimously adopted the "General Police and Improvement Act." Thus we were excluded, and hence the present application to the Sheriff. Since the formation of Hillhead into a burgh, I have watched the proceedings of the Commissioners, and I must say that they have really and truly carried out the requirements of the Act in a fair and honest way. The lighting, cleaning, and drainage of Hillhead was, as a whole, previously in *anything but a satisfactory state*. There were, of course, exceptional Terraces, but these just made the darkness more visible; when you got out of one part of Hillhead into another, it was something like passing at present out of Grosvenor Terrace into the Byars Road. Now Hillhead is uniformly lighted, drained, and cleaned; as for the streets, if you take into consideration the state they were in when the burgh was formed, the cutting-up since to put main sewers into them, and the immense traffic over some of them caused by the great extent of building going on, they are in surprisingly good order; there are now excellent pavements throughout the whole of the streets, and not a single public-house to annoy you. Just look at the approach we have through Hillhead from the City: could it possibly be better or more comfortable? is there anything as good to be found in Glasgow to any of its suburbs or outlying districts? One of the first acts of the Commissioners was to raise and level the road from the Kelvin Bridge. This they did in the very nick of time, as stones were actually laid down to commence building. Now anyone who recollects the low and crooked road which led from this Bridge cannot but admire the change. To effect this the low part of the road was raised not less than eight feet six inches. This important improvement was subsequently followed up by the widening and making of University Avenue into a broad and spacious street—the College Authorities contributing the additional ground. Who will say that these improvements have not largely benefited Downhill and all to the west of Hillhead? The Commissioners of Hillhead have been reproached with their expenditure upon the Burgh Buildings. This is an old story, and I believe

originated in an anonymous letter in one of the newspapers—its authorship being traced to a City functionary. From a careful survey of the buildings in question, and considering the requirements of the district, I submit that the Commissioners have not only displayed true economy in erecting them when they did, but also great forethought. The buildings, no doubt, are constructed from a design which does great credit to the architects; but a good design is generally cheaper in the end than an indifferent one—nothing more easy than to have disfigured our locality by the erection of an inferior structure which would have been an eyesore, and yet cost fully as much money. And now let us see the uses the buildings are applied to. Besides containing a Court Hall, there is accommodation for the meetings of the ratepayers and Commissioners, and in the one end of the building a Police Office to which 21 constables are attached, exclusive of the superintendent, two of the constables and the inspector having dwelling-houses on the premises. The Police Office has five cells attached to it, and a charge room, &c., a constable being in waiting night and day. Immediately in rear of the buildings proper stands a comfortable hall for mustering the constables, trimming their lamps, &c. In addition are two dwelling-houses occupied by officials within the buildings. These people dwelling on the spot must be a great boon to the district, as no workmen's houses are to be got nearer than Partick. Then there is ample space for fire-engine, lamp and store-rooms, cleaning and scavenging department, &c. A portion of the building and ground not at present utilised will be ultimately needed for further requirements, but is in the meantime let. From all this a revenue is derived of fully £200, notwithstanding the county police receiving free accommodation. These buildings are a credit to the Commissioners, and were the work to be done now would cost as much again. The remaining portion of the ground originally acquired in anticipation of the growing necessities of the burgh is an evidence of both prudence and forethought, seeing that the land adjoining has quintupled in value since the Commissioners feued the land for their purposes. I hold, therefore, that these buildings are not only necessary and useful, but that the purchasing of the ground and the erection of the buildings and their arrangement at the time have proved most fortunate for the ratepayers of Hillhead. The privilege of the buildings has always been given to the district for moral and religious purposes, either free or at a mere nominal rent. To show the liberal spirit in which the Commissioners of Hillhead have treated all things considered for the benefit of the community west of the Kelvin: Smallpox, you all know, was very bad for a time in Partick, but in Hillhead the cases were comparatively few, and these chiefly servants. The Directors of the Royal Infirmary and the City Authorities closed their hospitals against outlying districts. Although Hillhead has little to attend to as far as contagious diseases are concerned, when the proposal was made to erect a joint hospital for Partick, Hillhead, and Maryhill, it was at once agreed to share and pay a due proportion of the same. This hospital is now in course of erection to the west of us, from plans highly commended by the Board of Supervision. Thus the Commissioners are providing for all emergencies which may arise in the district—a district which is daily becoming more populous. That Hillhead has prospered under the present *regime* is evident from two facts. First, its status has justly risen. As a place of residence it is the most comfortable burgh near Glasgow to dwell in, as well as the healthiest, the death-rate being the lowest in Scotland at the present time and for years back. Second, from the fact that the annual rental has increased from £32,000 in 1869 to about double that amount, and still progressing. Very shortly all available ground will be built upon. I would at present say no more upon the burgh of Hillhead, except to indicate that we have men in the midst of us who are quite capable of managing the affairs of a burgh under the General Police and Improvement Act with both prudence and energy—



who can and have worked out the Act, not only with benefit to their own constituency but to that of the surrounding neighbourhood; men who, whilst working in the interest of the ratepayers, have no incentive as a reward in the shape of a share of the extensive patronage which numerous large and important trusts confer upon the councillors of the city; or to whom the dignity of office in a small burgh can ever recompense for the trouble taken and time expended. How is it with the great city? Why, it is confessed on all hands that the men that fill up the Council Board are not representative men. The office of councillor in Glasgow has frequently to go a-begging, and the complaint is all but universal that whilst the City adds dignity to any man accepting office the only men ready to take office are, with a few honourable exceptions, those who detract rather than add to its importance. The duties of the office of councillor in Glasgow have outgrown the ability of ordinary men, yet it is only very ordinary men that can be got to fill it. In Glasgow there are fifty councillors to 500,000 inhabitants, or one to 10,000. In Hillhead there are nine commissioners to the small population and area, evidently enabling much more efficient supervision and control. In these circumstances, what attention could we claim from the Corporation of Glasgow to our local wants for our special district? Certainly not more than other outlying districts presently within the City bounds obtain at their hands. You have but to take up the newspapers and see the reiterated complaints from the various districts of the City. I will not go further into the management of City affairs, but I may add—It is my humble opinion the City will never be well managed until it is divided into sections, so that the representatives of the ratepayers could be increased in number, to be able to supervise the duties of the paid officials of the town. There are great evils which uniformly grow up under huge corporations and centralization, &c. Glasgow is showing this year by year. I will not detain you by going into particulars, but will just take a glance at their Parliamentary and Law Committee. This committee, according to the *Herald*, has spent in six years, £84,000 in Parliamentary and law business, besides occupying the time of the best paid of the City officials a large proportion of the year either in attending on Parliamentary committees or preparing themselves to do so. Why, this £84,000, or, say, £14,000 a-year would have built ten or twelve halls such as Hillhead boasts of; or it would have far more than paid the whole rates levied during that period from the burghs of Partick, Hillhead, and Maryhill. We cannot but acknowledge that we are now a part of Hillhead. Some of us at any rate can have no proper drainage except through it. Those further west who think they may deposit their sewage into the Kelvin will find themselves very shortly excluded from so doing. We have the same police, only we have the use of the Hillhead Office without paying for it. Then, our constabulary force has no one to direct it in its duties except the Commissioners of Supply at Lanark. We are under the same postal delivery, we are increasing rapidly in population, and as this takes place our want of uniform lighting, cleaning, draining, and hospital accommodation—and that under the compulsory powers of a body of commissioners always at hand, and armed with authority to enforce the law—will be more and more felt. The Local Authority for our district—the body charged with the Public Health Act, a measure of increasing importance—is at present the Govan Parochial Board. Their offices are at a considerable distance from us. United with Hillhead, the Commissioners would become the Local Authority. They would be amongst us, and their employes would attend to our sanitary requirements. The Great Western Road and Kelvin Bridge Trusts have both only a comparatively small amount of debt. Arrangements are in view by which the Commissioners may acquire the roads, reduce the tolls in the meantime, and shortly render them free. The present boundary betwixt us and Hillhead—namely, the centre of the Byars Road—with the increasing traffic along it, and the fact of its being already occupied with a large common sewer, the property of Hillhead is certainly very unsa-

tisfactory. We are really and truly part of Hillhead, having a thorough community of interest with it, and its prosperity should be ours. We cannot long remain in our present condition, every one doing what seemeth best in his own eyes, merely because some of us would like to keep ourselves in a pseudo independent position and others would like to govern us by and through the medium of the old but exploded system of restrictions and duties imposed on us by feu charters, so that they may constitute themselves the Sir Oracles, and be considered in all time coming territorial magnates. We are the centre or nucleus of a large and important suburb, daily increasing in size and importance, which should be able to govern itself. Its doing so will not only be to the advantage of the whole locality, but by allowing the already overwrought City officials and Town Councillors of Glasgow to attend more exclusively to the requirements of the City enable us to relieve them of a portion of their arduous and numerous duties, and of all anxiety on our account. Once united to the burgh of Hillhead we would have a distinct voice in the election of Commissioners and Magistrates, and it would be our own fault if we did not take a share in the management of its affairs. We would then be only performing our duty and promoting our best interests. Let us, therefore, join the burgh of Hillhead.

A. G.

LOCHES TERRACE, 34 May, 1871.





In submitting the foregoing *Vidimus* to the Inhabitants of the District proposed to be taken in by Hillhead, I have first to direct attention to the somewhat sharp practice of the Promoters of the Extension of that Burgh. On the 1st inst., I wrote the Clerk of the Commissioners of Hillhead, with a printed copy of a *Vidimus* of Taxes, which was being prepared for the Proprietors of Kelvin-side Estate, asking him to make such corrections and remarks upon it as he thought fit; and on the 6th instant, I received a reply with a suggested but erroneous alteration as to Cess or Land, which is explained in the last note to the *Vidimus*, and the following statement, "A great many of the figures should have explanations, but the Promoters will give these in their own way." The Promoters have now given those explanations in their own way, and it certainly is a very queer way, for their whole arguments, if arguments they can be called, are directed against the City of Glasgow, which is not meddling with them, and not against the outlying District with which they are meddling. The reckless manner, however, in which they have rushed into print is quite in keeping with the cool impudence of a little Burgh like Hillhead, with an area of about 151 acres (with a modesty that reminds one of the Minister of Commerce who prayed for that Island and the adjacent Islands of Great Britain and Ireland), seeking to annex a District with an area of about 714 acres, without communicating with the Landowners or Feuars in that District.

The Commissioners of the Burgh of Hillhead are apparently troubled in spirit by seeing looming before them the shadow of their approaching dissolution, for they plunge at once into frantic arguments with the City of Glasgow, with which we have nothing to do; the only question at present before the Residents in the District included in the proposed extensions being, "Do you prefer to be annexed to the Burgh of Hillhead or remain as you are in the County?" and a comparison of the taxes, if we are to go entirely on that ground, should satisfy us that we are better as we are.

The first argument as to valuation is not only a very feeble and fallacious but a very offensive one. It is, in the first place, simply equivalent to a deliberate assertion that the Assessor for the County is incapable of doing his work properly—that he assesses below the true value, and that the Commissioners of the Burgh of Hillhead hope he will continue to do so, and not like the Assessor in Glasgow, raise the valuation in accordance with the very great increase, every one knows, has recently taken place in the value of house property. The County Assessor, however, is just as capable of doing his duty as the City Assessor, and in neither case is their valuation final—both are subject to appeal. In the second place, it is a sort of attempt at bribery and corruption, not very flattering, to the gentlemen, to whom it is addressed. It is just saying, if you come in with us, you will be assessed below your true value, but, if you go into Glasgow (which is not the question at present at issue), you will be assessed at your true value. It is virtually saying "We can assure you gentlemen who are proprietors of your own houses, that you will be assessed upon a 'merely nominal rental, while your poorer neighbours in the City, who are mostly tenants, are assessed upon 'the highest rental that landlords and factors can screw out of them.' It is to be hoped there is more sense of fairness in our district than to allow any one to be led away by such an argument, or indeed to feel otherwise than insulted by such an argument being addressed to him. Besides, as in the question now in dispute, it is no argument at all. Glasgow is not in Court, and the Residents in the district proposed to be annexed, are rated by the same Assessor as Hillhead.

Again, as to Sewer Rate, the Promoters go off into a wild screech against Glasgow, instead of confining themselves to the matter in hand. In the district proposed to be annexed to Hillhead, the Landowners make the roads and sewers, and charge the Feuars proportionally, according to the extent of their Feus, and no complaints of this system have ever been heard. It is well known to every intending Feuar in a suburban district that he will have this to pay as a first cost; it is just part of the expense of his house.

In the matter of lighting and cleaning private Streets, Lanes, Courts, and Terraces, our friends are at Glasgow again, indeed they *will* persist in arguing with the City on the left hand, which is not speaking to them, instead of with us on their right, with whom they have stirred up an argument. They turn their backs to the wall, which they have challenged, and waste their strength in fighting the air to the east. The lighting and cleaning of the Great West Road in our district is paid for by the Road Trustees and the Proprietors of Kelvin-side Estate, and the lighting and cleaning of private Terraces by the Feuars, who do it just as cheaply and well, if not better, than any Burgh would.

The Water Rate is the same in Hillhead and in our District, and the argument as to a fallacious valuation has already been disposed of. Again, our friends are off and away from us, fighting their big neighbours on the other side of them.

As to Gas, we are free to take whichever gas we choose, and annexation to Hillhead could not possibly benefit us in any way as to that commodity.

The next assertion that the *Vidimus* and Statement prepared by the opponents of the extension does not take into account the amounts paid by private parties beyond the burgh for private watchmen, cleaning shops, &c., is singularly illustrative of the truth of the old adage, as to two classes of the community, who should not be shown half done things. The *Vidimus* referred to was sent to the Clerk of the Commissioners of Hillhead, distinctly as an incomplete thing—it is not a *Vidimus* and Statement—the Statement with reference to the *Vidimus* was being prepared to be appended to it, and it was expressly to secure the accuracy of that Statement that the *Vidimus* was sent to the Clerks of the various Burghs. The *Vidimus*, which at this time should have been sent to the Residents in the District proposed to be annexed to Hillhead, should have been merely a *Vidimus* of the Taxes paid in Hillhead and in the County; but as the whole *Vidimus* has been pilfered and printed by the promoters, after being doctored to suit their own views, it is as well that a correct *Vidimus* should be sent round. It is pretty much six to the one and half-a-dozen to the other whether the proprietors of houses in the terraces tax themselves for watching and cleaning, or pay taxes to others to do it for them. They seem, however, to prefer taxing themselves. If it is believed that the expense incurred in this way is in many cases as much as 1s. per pound rental, those who believe that, would believe anything. It is a rash and unsupported assertion.



The proposed extension could not leave the management of their own affairs in the hands of the proprietors in the different terraces, nearly so thoroughly as existing circumstances do; each terrace acting for itself. The Burgh of Hillhead can afford us no relief in the matter of reduced Tolls and improved Bridges. The Proprietors of Kelvin-side, the largest creditors on the Great Western Road, would not accept the obligation of the Burgh of Hillhead for payment of the road debt, nor is it likely that the other Creditors would. The paying off the debt and the reduction of the tolls will be accomplished in the course of a few years by the high rent now got from the Tacksmen, irrespective of any action on the part of the Burgh of Hillhead. That Burgh has no more to do with it than Camlachie or Strathbungo.

The Woodlands Road Bridge is of little importance to our district, but if it is to be clear of debt in a few years, it will be so just by increased traffic without the Burgh of Hillhead being entitled to take any credit to itself in the matter.

With regard to the construction of Roads and Pavements, the Commissioners of Hillhead may safely be challenged to show any better Roads than we have in our District. They are mostly 60 feet Roads, with easy gradients, and in excellent condition. The streets at Hillhead are mere lanes compared with them, and are of dangerous, and in many cases of impassable gradients. The result of annexation to Hillhead would be to do away with the suburban character of the District altogether. The proprietors of the Terraces, fronting the Great Western Road, would be forced to pave the footpaths of that Road with hard flags, of which we have miles enough already in all conscience, on our way to and from Glasgow.

The promoters now come to the only ghost of an argument they have been able to adduce in support of their scheme, and a very feeble ghost it is. They point triumphantly to the fact, that Observatory Avenue is not lighted. Why, the place is not half finished yet! This is another occasion on which the familiar adage before referred to might be aptly quoted. There must be very little to find fault with in the District when this is all they can hit upon.

The cleaning of ashpits is quite sufficiently attended to at present, and no such thing as ashes lying in a lane or back court for two or three days does take place, on Kelvin-side Estate at any rate. Such a thing has frequently occurred in Hillhead, but never with us.

The Burgh of Hillhead can afford no drainage facilities whatever to the District it seeks to take in. The drainage is perfectly sufficient at present, and no complaints have arisen, or can arise, as to the state of health in the District. In fact its only danger on this score is its proximity to Hillhead, where the possible causes of epidemics are very insufficiently looked after, and which possesses no sanitary appliances for the suppression of any epidemic that might break out. There has been for some time an old quarry hole, near Kelvin-side Free Church, into which all manner of rubbish, including offal from fish and poultry shops, has been put, and into which the drainage of a stable apparently flows, and which has been staid by a well known medical man, who attended a case of typhoid in the neighbourhood, to have every appearance of being a breeder of enteric diseases.

The Promoters will probably answer to this that they are building an Hospital somewhere in Renfrewshire, but it is but a poor answer to parents who have lost a child to say, "Oh, we are building a nice new Hospital, and if your child had only had the sense to live a year or so before taking typhoid fever we should have had everything comfortable." If any epidemic did break out in our district in consequence of its proximity to Hillhead, the inhabitants would look to Glasgow and not to Hillhead for help.

We now come to the root and origin of the whole matter. The Commissioners of Hillhead see that if they could annex this District, they would increase their income by about £3,600 a year, and with a refreshing candour they state "the only additional expenditure on account of the added area would be 'Lighting and Cleaning.' That is, they admit that they have every thing to get from us, and nothing to give.

They wind up their statement by flourishing their Tomahawk at Glasgow, but throughout it all they have very carefully avoided the very important subject of Fires. In this matter, annexation to Hillhead, would do us no good. No one in the district, proposed to be annexed, not even the oldest inhabitant in Garmichael, would think of going to Hillhead for assistance in case of Fire. If he did, he would be trusting to a very broken reed. Last November a fire occurred in a shop in Buckingham Buildings. After considerable delay, there appeared upon the scene a hand reel with hose belonging to this same flourishing and independent Burgh of Hillhead, and then followed the most utter display of incompetency that could possibly be witnessed. First and foremost, the men in charge did not seem to know where to find the fire-plug, and, when found, they did not seem to know how to open it, and when opened, and after fumbling about it for fully ten minutes, they either could not adjust the pipes properly or they burst. At any rate a much more copious supply of water was played on the road than upon the fire, which was put out not by the police or the firemen but by civilians with cans of water.

Any one resident in the district, proposed to be annexed to Hillhead, and opposed to the annexation, and who has not as yet communicated with the subscriber, would oblige by doing so without delay,

J. B. FLEMING.

Kelvin-side Estate Office,  
128 St. Vincent Street, Glasgow,  
19th April, 1873.

