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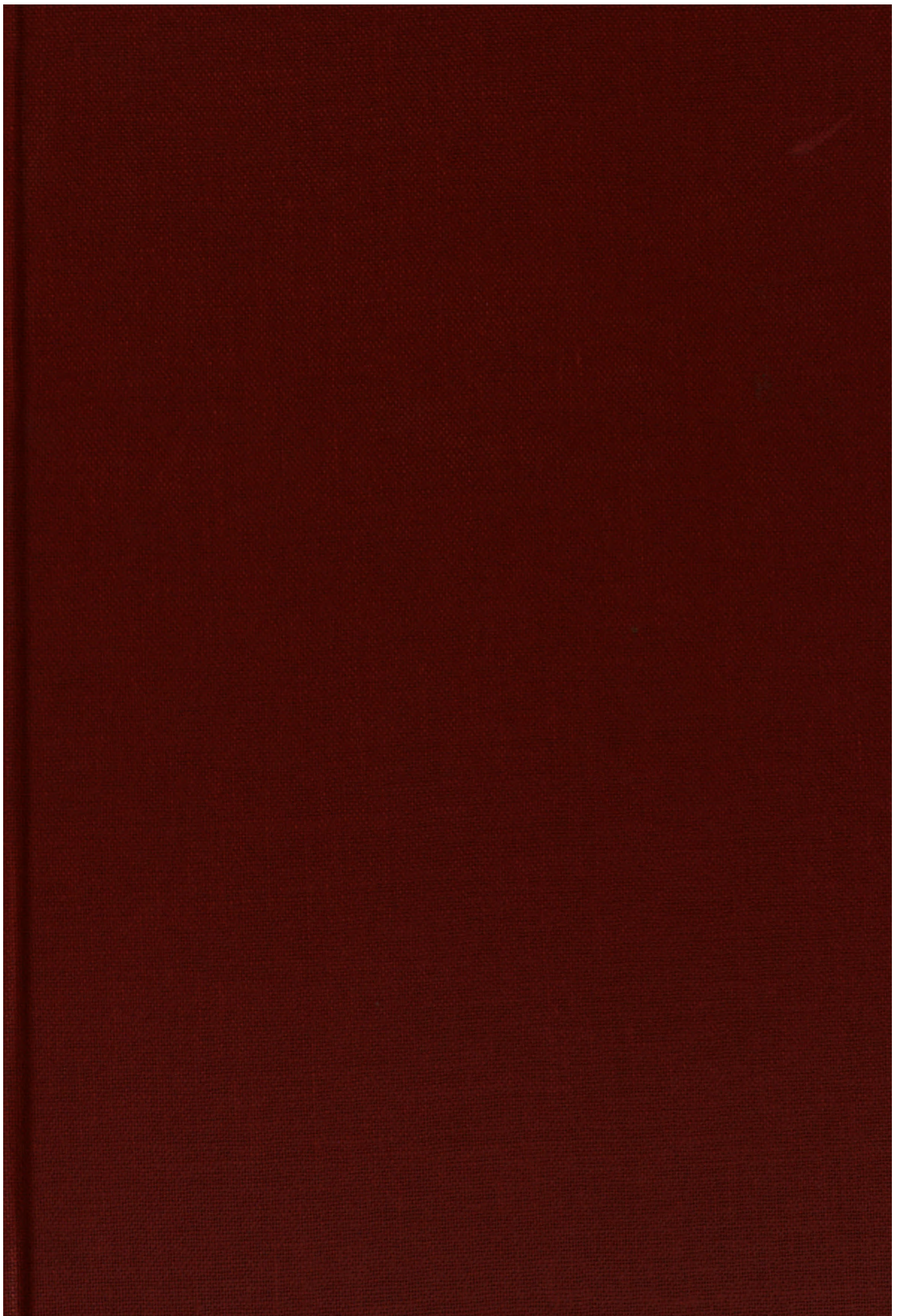
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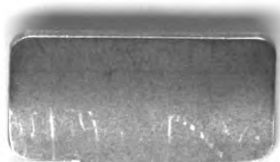
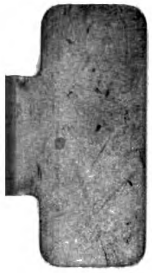
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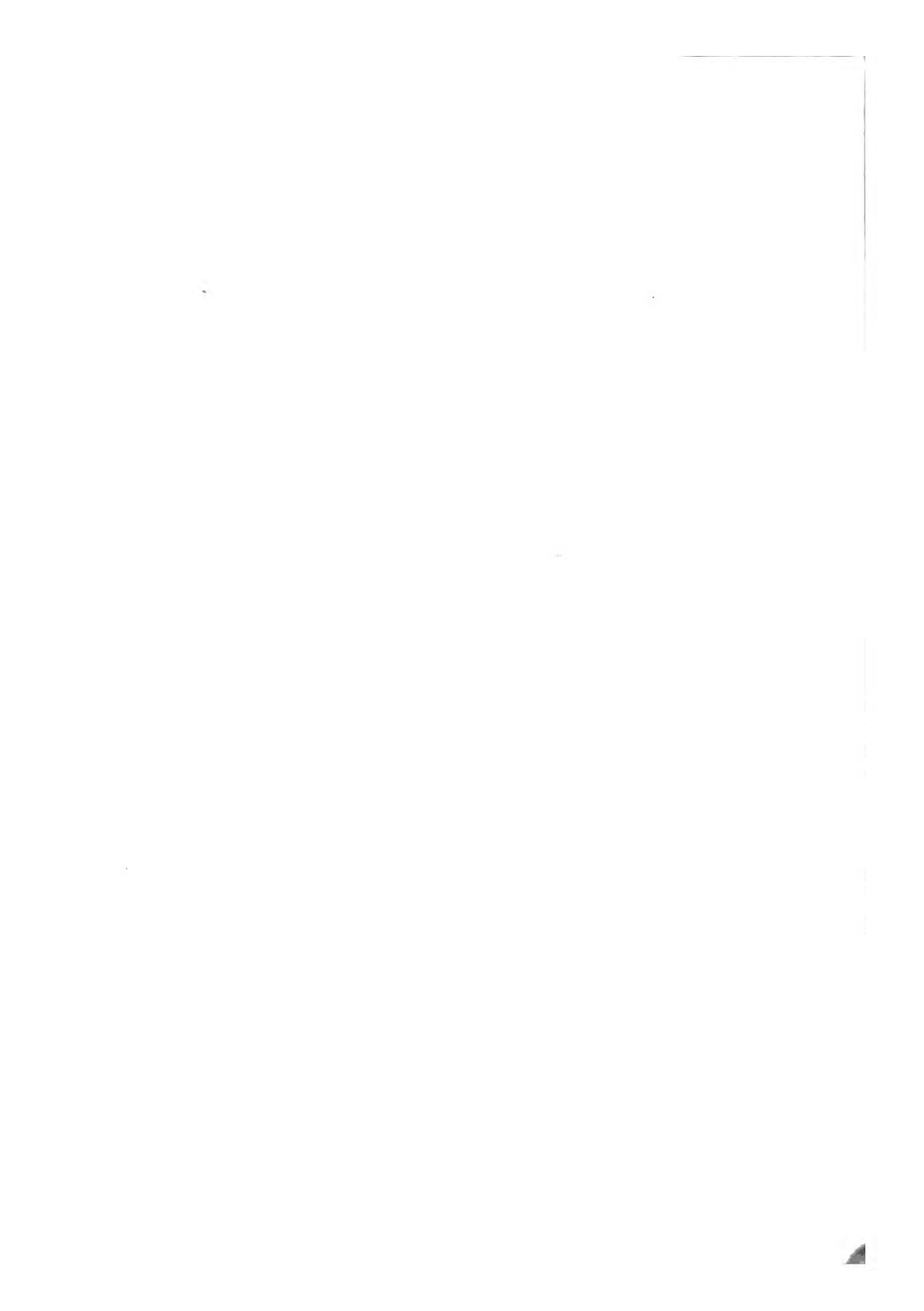


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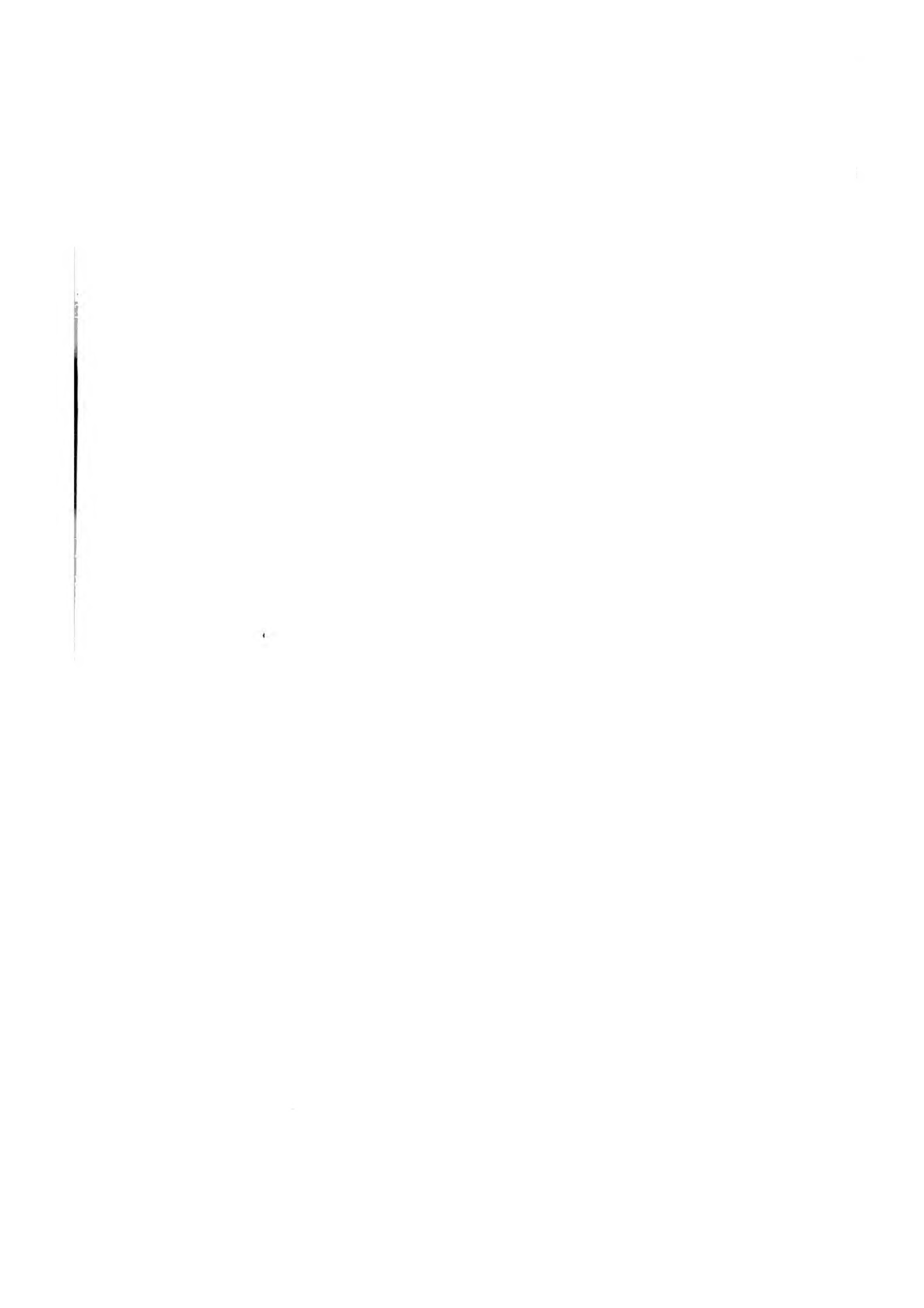












THE  
**SESSIONAL PAPERS**  
PRINTED BY ORDER  
OF  
**THE HOUSE OF LORDS,**  
OR PRESENTED BY ROYAL COMMAND,  
IN THE  
Session 1910,  
(10 EDWARD VII.—1 GEORGE V.)  
ARRANGED IN VOLUMES.

---

**Vol. IV.**

**PUBLIC BILLS,**

(Five Volumes.)

---

THE SUBJECTS ALPHABETICALLY ARRANGED:

ACC - - EXP

---

1910.





# PUBLIC BILLS, 1910.

---

(FIVE VOLUMES.)

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A

## B I L L

INTITULED

An Act to alter the form of the Declaration required to be made by the Sovereign on Accession. A.D. 1910.

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:--

- 5     **1.** The declaration to be made, subscribed, and audibly repeated by the Sovereign under section one of the Bill of Rights and section two of the Act of Settlement shall be that set out in the Schedule to this Act instead of that referred to in the said sections. Alteration of form of accession declaration. 1 Will. & Mary, Sess. 2, c. 2. 12 & 13 Will. 3. c. 2.
- 10    **2.** This Act may be cited as the Accession Declaration Act, 1910. Short title.

A.D. 1910.

SCHEDULE.

I [*here insert the name of the Sovereign*] do solemnly and sincerely in the presence of God profess, testify, and declare that I am a faithful Protestant, and that I will, according to the true intent of the enactments which secure the Protestant succession to the Throne of my Realm, 5 uphold and maintain the said enactments to the best of my powers according to law.





# Accession Declaration.

A

**B I L L**

INTITLED

An Act to alter the form of the Declaration required to be made by the Sovereign on Accession.

*(Brought from the Commons 29th July 1910.)*

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Ordered to be printed 29th July 1910.

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[Price  $\frac{1}{4}$ d.]

(151)

## Accession Declaration Bill.

### A M E N D M E N T S

T O B E M O V E D I N C O M M I T T E E

B Y

T H E L O R D K I N N A I R D .

In the schedule, page 2, line 4, after (“ I ”) insert (“ do believe that in the sacrament of the Lord’s Supper there is not any transubstantiation of the elements of bread and wine into the body and blood of Christ at or after the consecration thereof by any person whatsoever, and that the invocation of the Virgin Mary or any other saint and the sacrifice of the mass as they are now used in the Church of Rome are contrary to the Protestant religion in which I believe. And I do solemnly, in the presence of God, profess, testify, and declare that I do make this declaration and every part thereof unreservedly; and also that I ”), and leave out (“ and that I will ”)

line 5, after (“ Realm ”) insert (“ and that I will ”)

(151 a.)

# Accession Declaration Bill.

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## A M E N D M E N T S

TO BE MOVED IN COMMITTEE

BY

THE LORD KINNAIRD.

1st August 1910.

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[*Price 3d.*] ]

(151 a.)

[1 GEO. 5.] *Agricultural Holdings (Scotland) Act,* 1  
1908, *Amendment.*

A

# B I L L

INTITULED

An Act to amend the provisions of the Agricultural Holdings (Scotland) Act, 1908, with respect to way-going valuations. A.D. 1910.

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- 5     **1.** Notwithstanding anything in section eleven of the Agricultural Holdings (Scotland) Act, 1908, contained, that section shall not apply to valuations of sheep stocks, dung, fallow, straw, crops, fences, and other specific things the property of an out-going tenant, agreed under a lease to be taken over from him
- 10 at the determination of a tenancy by the proprietor or incoming tenant, or to any questions which it may be necessary to determine in order to ascertain the sum to be paid in pursuance of such agreement; and that whether such valuations and questions are referred to arbitration under the lease or not.
- 15     **2.** This Act may be cited as the Agricultural Holdings (Scotland) Amendment Act, 1910, and this Act and the Agricultural Holdings (Scotland) Act, 1908, shall be read and construed as one Act, and may be cited together as the Agricultural Holdings (Scotland) Acts, 1908 and 1910.

Amendment  
of the Agri-  
cultural  
Holdings  
(Scotland)  
Act, 1908.  
8 Edw. 7.  
c. 64.

Short title  
and con-  
struction.





**AGRICULTURAL HOLDINGS  
(Scotland) Act, 1908,  
Amendment.**

---

A

**B I L L**

INTITULÉD

An Act to amend the provisions of  
the Agricultural Holdings (Scotland)  
Act, 1908, with respect to waygoing  
valuations.

*(Brought from the Commons 29th July 1910.)*

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Ordered to be printed 29th July 1910.

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[Price 4d.]

(152)

A

## B I L L

INTITULED

An Act to amend the Municipal Corporations Act, 1882, A.D. 1910.  
with respect to the right of Aldermen to vote in the  
Election of Aldermen and Mayor.

**B**E it enacted by the King's most Excellent Majesty, by and  
with the advice and consent of the Lords Spiritual and  
Temporal, and Commons, in this present Parliament assembled,  
and by the authority of the same, as follows:—

5 **1.**—(1) An alderman of a municipal borough shall not, as Limitation  
of right of  
aldermen  
to vote in  
certain cases.  
such, vote in the election of an alderman of the borough, and  
an outgoing alderman shall not, as alderman, vote in the election  
of mayor.

(2) In the Municipal Corporations Act, 1882, subsection (3) 45 & 46 Vict.  
c. 50.  
10 of section sixty, and the word "outgoing" in subsection (6) of  
the same section, and subsection (3) of section sixty-one, are  
hereby repealed.

**2.** This Act may be cited as the Municipal Corporations Short title  
and con-  
struction.  
15 *Municipal* Corporations Act, 1910, and shall be construed as one with the  
*Municipal* Corporations Act, 1882.







# **Aldermen in Municipal Boroughs.**

---

A

**B I L L**

INTITULED

An Act to amend the Municipal Corporations Act, 1882, with respect to the right of Aldermen to vote in the Election of Aldermen and Mayor.

*(Brought from the Commons, 18th July 1910.)*

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Ordered to be printed 18th July 1910.

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[Price 3d.]

(111)

# Aldermen in Municipal Boroughs Bill. 15

---

## A M E N D M E N T S

TO BE MOVED IN COMMITTEE

BY

THE LORD COURTNEY OF PENWITH.

---

After clause 1 insert the following new clause :

2.—(1) In the election of aldermen of a municipal borough or county council a person entitled to vote may vote for one person and no more.

(2) The following subsection shall be substituted for subsection (4) of section sixty of the Municipal Corporation Act, 1882 :

“ Every person entitled to vote may vote for one person and no  
“ more by signing and personally delivering to the  
“ chairman a voting paper containing the surname and  
“ other names and place of abode and description of  
“ the person for whom he votes.”

In the title, leave out (“ Municipal Corporation Act, 1882,”) and insert (“ Law ”), and leave out (“ the right of aldermen to vote “ in ”)

(111 a.)

# Aldermen in Municipal Boroughs Bill.

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## AMENDMENTS

TO BE MOVED IN COMMITTEE

BY

THE LORD CHURCHILL OF  
PENWYTH.

---

23rd July 1910.

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(111 a.)

## A

## B I L L

## INTITULED

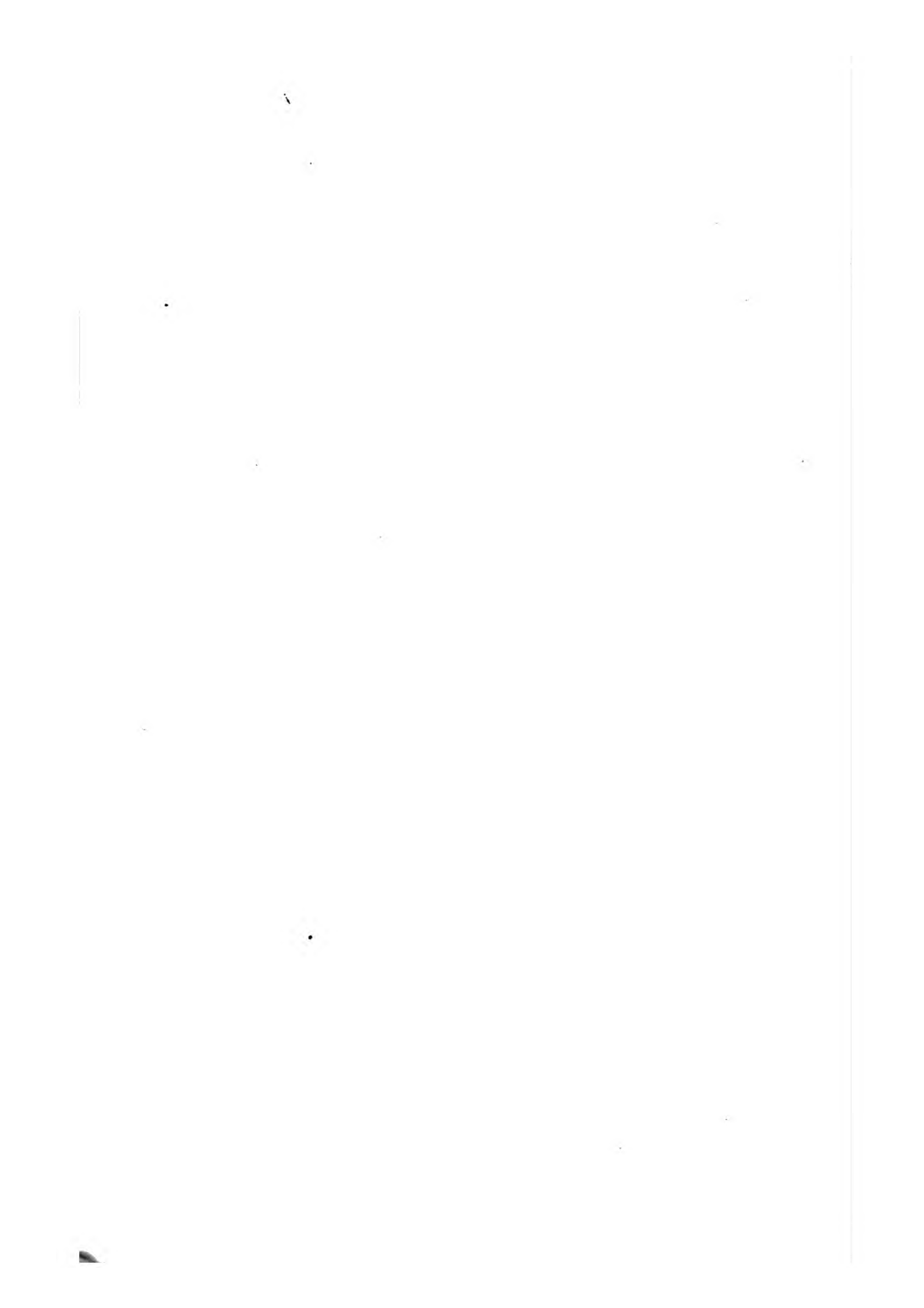
An Act to amend the Ancient Monuments Protection Acts, 1882 to 1900, with respect to the gift, devise, or bequest of monuments to the Commissioners of Works. A.D. 1910.

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

5     **1.** Section four of the Ancient Monuments Protection Act, 1882 (which relates to the gift, devise, or bequest to the Commissioners of Works of ancient monuments to which that Act applies, and the acceptance by the Commissioners of any such gift, devise, or bequest), is hereby extended so as to apply to  
10 any monument as defined by the Ancient Monuments Protection Act, 1900; and section six of the Ancient Monuments Protection Act, 1882 (which relates to penalties for injury to ancient monuments), shall apply to any monument which is maintained by the Commissioners in pursuance of any such gift, devise, or bequest,  
15 as it applies to ancient monuments to which that Act applies.

Extension of powers as to gift, devise, or bequest of monuments. 45 & 46 Vict. c. 73.

**2.** This Act may be cited as the Ancient Monuments Protection Act, 1910, and may be cited with the Ancient Monuments Protection Acts, 1882 to 1900. Short title.







# Ancient Monuments Protection.

---

A

**B I L L**

INTITLED

An Act to amend the Ancient Monuments Protection Acts, 1882 to 1900, with respect to the gift, devise, or bequest of monuments to the Commissioners of Works.

*(Brought from the Commons 14th March 1910.)*

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Ordered to be printed 14th March 1910.

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[Price 3s.]

(14.)

## Army (Annual) Bill.

### ARRANGEMENT OF CLAUSES.

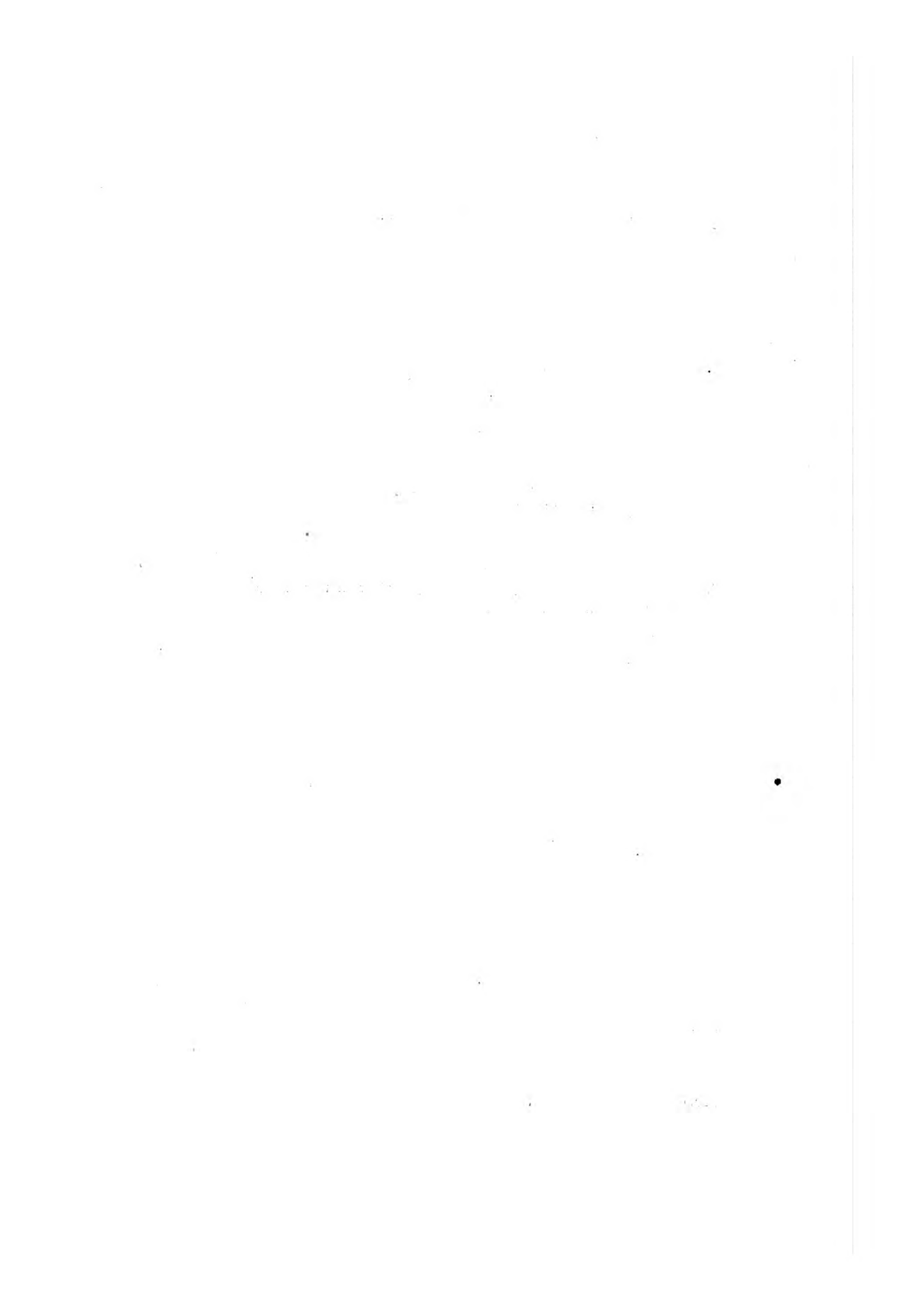
Clause.

1. Short title.
2. Army Act to be in force for specified times.
3. Prices in respect of billeting.

#### AMENDMENT OF ARMY ACT.

4. Amendment of section forty-six of Army Act with respect to powers of commanding officers.

#### SCHEDULE.



A

## B I L L

INTITULED

An Act to provide, during Twelve Months, for the A.D. 1910.  
Discipline and Regulation of the Army.

**W**HEREAS the raising or keeping of a standing army within the United Kingdom of Great Britain and Ireland in time of peace, unless it be with the consent of Parliament, is against law :

5       And whereas it is adjudged necessary by His Majesty and this present Parliament that a body of forces should be continued for the safety of the United Kingdom and the defence of the possessions of His Majesty's Crown, and that the whole number of such forces should consist of one hundred and eighty-four  
10 thousand two hundred, including those to be employed at the depôts in the United Kingdom of Great Britain and Ireland for the training of recruits for service at home and abroad, but exclusive of the numbers actually serving within His Majesty's Indian possessions :

15       And whereas it is also judged necessary for the safety of the United Kingdom, and the defence of the possessions of this realm, that a body of Royal Marine forces should be employed in His Majesty's fleet and naval service, under the direction of the Lord High Admiral of the United Kingdom, or the Commissioners for  
20 executing the office of Lord High Admiral aforesaid :

And whereas the said marine forces may frequently be quartered or be on shore, or sent to do duty or be on board transport ships or vessels, merchant ships or vessels, or other  
25 *ships* or vessels, or they may be under other circumstances in which they will not be subject to the laws relating to the government of His Majesty's forces by sea :

(19.)

A 2

A.D. 1910. — And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within this realm, by martial law, or in any other manner than by the judgment of his peers and according to the known and established laws of this realm; yet, nevertheless, it being requisite, for the retaining all the before-mentioned forces, and other persons subject to military law, in their duty, that an exact discipline be observed, and that persons belonging to the said forces who mutiny or stir up sedition, or desert His Majesty's service, or are guilty of crimes and offences to the prejudice of good order and military discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow: 5 10

44 & 45 Viet.  
c. 58.

And whereas the Army Act will expire in the year one thousand nine hundred and ten on the following days:—

- (a) In the United Kingdom, the Channel Islands, and the Isle of Man, on the thirtieth day of April; and 15
- (b) Elsewhere, whether within or without His Majesty's dominions, on the thirty-first day of July:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:— 20

Short title.

1. This Act may be cited as the Army (Annual) Act, 1910.

Army Act  
to be in force  
for specified  
times.

2.—(1) The Army Act shall be and remain in force during the periods herein-after mentioned, and no longer, unless otherwise provided by Parliament (that is to say):— 25

- (a) Within the United Kingdom, the Channel Islands, and the Isle of Man, from the thirtieth day of April one thousand nine hundred and ten to the thirtieth day of April one thousand nine hundred and eleven, both inclusive; and 30
- (b) Elsewhere, whether within or without His Majesty's dominions, from the thirty-first day of July one thousand nine hundred and ten to the thirty-first day of July one thousand nine hundred and eleven, both inclusive. 35

(2) The Army Act, while in force, shall apply to persons subject to military law, whether within or without His Majesty's dominions.

(3) A person subject to military law shall not be exempted from the provisions of the Army Act by reason only that the 40

[10 Edw. 7.]

*Army (Annual).*

3

number of the forces for the time being in the service of His Majesty, exclusive of the marine forces, is either greater or less than the number herein-before mentioned. A.D. 1910.

3. There shall be paid to the keeper of a victualling house for the accommodation provided by him in pursuance of the Army Act the prices specified in the Schedule to this Act. Prices in respect of billeting.

AMENDMENT OF ARMY ACT.

4. With a view to reducing the number of cases which have to be sent for trial by courts-martial owing to the limited powers of punishment exercisable by commanding officers, the maximum period of detention which may be awarded by a commanding officer who deals with a case summarily shall be twenty-eight days, and accordingly "twenty-eight" shall be substituted for "fourteen" in paragraph (a) of subsection (2) of section forty-six of the Army Act, and subsection (4) of the same section shall be repealed. Amendment of s. 46 of Army Act with respect to powers of commanding officers.

SCHEDULE.

	Accommodation to be provided.	Maximum Price.
20	Lodging and attendance for soldier where meals furnished.	Sixpence per night.
	Breakfast as specified in Part I. of the Second Schedule to the Army Act.	Fourpence each.
	Dinner as so specified - - - - -	Elevenpence halfpenny each.
25	Supper as so specified - - - - -	Twopence halfpenny each.
	Where no meals furnished, lodging and attendance, and candles, vinegar, salt, and the use of fire, and the necessary utensils for dressing and eating his meat.	Sixpence per day.
30	Stable room and ten pounds of oats, twelve pounds of hay, and eight pounds of straw per day for each horse.	One shilling and ninepence per day.
	Lodging and attendance for officer - - - - -	Two shillings per night.

*Note.*—An officer shall pay for his food.

Army (Annual).

A

**B I L L**

INTITULED

An Act to provide, during Twelve Months, for the Discipline and Regulation of the Army.

*(Brought from the Commons 23rd March 1910.)*

Ordered to be printed 23rd March 1910.

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R. FOSKOBRY, 116, Grafton Street, Dublin.

[*Price 1d.*] ]

(19.)

# Army (Annual) Bill.

## A M E N D M E N T

TO BE MOVED IN COMMITTEE

BY

THE LORD COURTNEY OF PENWITH.

---

After clause 4 insert the following new clause—

. Subsection (3) of section one hundred and forty-five, which relates to the liability of a soldier to maintain his wife and children, shall be repealed, except so far as it deals with the invalidity of processes served on soldiers who are under orders for service beyond the seas.

Amendment  
of s. 145 of  
Army Act.

(19 a.)



# Army (Annual) Bill.

## AMENDMENT

TO BE MOVED IN COMMITTEE

BY

THE LORD COURTNEY OF  
PENWITTH.

11th April 1910.

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E. POSONBAY, 116, Grafton Street, Dublin.

[Price 1d.]

(19 a.)

[10 EDW. 7 &  
1 GEO. 5.]

*Bishoprics.* [H.L.]

1

A

# B I L L

INTITULED

An Act to facilitate the foundation of new Bishoprics and the alteration of Dioceses, and to amend the Bishops' Resignation Act, 1869, and for other matters incidental thereto. A.D. 1910.

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- 5       **1.**—(1) His Majesty may, from time to time, by Order in Council made on the recommendation of the Ecclesiastical Commissioners, provide for the foundation of new bishoprics, with a diocese and cathedral church in each case, for the foundation of deans and chapters or of deaneries or residentiary canonries in  
10 connexion with any such cathedral churches, for the alteration of the boundaries of dioceses as constituted at the date of the Order, and for any matters for which it appears necessary or expedient to make provision in connexion with those objects or any of them, including the transfer as between bishoprics of  
15 patronage and endowments, and the proceeds of sale of any house of residence whether effected before or after the passing of this Act, and the annexation (notwithstanding any enactments to the contrary, but subject to the rights of the incumbent at the date of the Order) of a benefice to a deanery:
- 20       Any provisions of the Bishoprics Act, 1878, as originally enacted may be applied with the necessary modifications by an Order made under this Act in connexion with a new bishopric to the case of that bishopric. Power to  
make Orders  
in Council  
with respect  
to bishoprics,  
&c.  
41 & 42 Viet.  
c. 68.
- 25 **this** (2) A recommendation for the purposes of an Order under this Act shall not be submitted to His Majesty unless—
- (a) in the case of the foundation of a new bishopric, dean and chapter, deanery, or residentiary canonry, the
- (122.)

A.D. 1910.  
—

Ecclesiastical Commissioners certify to His Majesty under their common seal through the Secretary of State for the Home Department that an endowment in their opinion adequate has been transferred to them or otherwise provided and secured to their 5 satisfaction ;

- (b) the recommendation has the consent of the archbishop or archbishops of the province or provinces affected and, so far as the recommendation affects any then existing bishopric or diocese, the consent of the 10 bishop ; and
- (c) in the case of the annexation to a deanery of a benefice of which the right of patronage or any interest therein belongs to a private patron, notice of the proposed recommendation has been given to such private patron, 15 and if within one month of the delivery of such notice such private patron claims compensation for the loss (by reason of such annexation) of the right of patronage, or any interest therein so belonging to him, then unless he has been paid by way of compensation 20 the value of such right of patronage or interest therein, to be assessed in case of disagreement by the Ecclesiastical Commissioners ; but a trustee or other person occupying a fiduciary position shall not be bound to claim such compensation. 25

(3) An Order may be made under this Act with reference to the dean and chapter or deanery of or a residentiary canonry in the cathedral church of any diocese mentioned in the schedule to this Act in the same manner and subject to the same provisions as if the bishopric of that diocese were a new bishopric founded 30 by Order under this Act, and the Order may modify any Act relating specially to any such dean and chapter, but where the Order affects a dean and chapter existing at the date of the making of the Order no such Order shall be made without the consent of that dean and chapter. 35

(4) Section two of the Bishoprics Act, 1878 (which relates to contributions for the purposes of the endowment of a new bishopric), and section five of the same Act (which relates to the number of bishops sitting in Parliament), shall apply as respects new bishoprics founded or proposed to be founded under this Act 40 in like manner as they apply as respects the new bishoprics mentioned in the schedule to that Act.

[10 EDW. 7 &  
1 GEO. 5.]

*Bishoprics.*

3

(5) The Ecclesiastical Commissioners shall have the same powers of investing, managing, leasing, selling, and otherwise dealing with funds and property forming part of the endowment fund of any bishopric, dean and chapter, deanery, or residentiary canonry founded or proposed to be founded under this Act as are conferred upon them by the Bishoprics Act, 1878, in relation to the endowment funds of the new bishoprics mentioned in the schedule to that Act; but nothing in this Act shall authorise the Ecclesiastical Commissioners to apply any portion of their common fund towards the endowment of any new bishopric, dean and chapter, deanery, or residentiary canonry save in so far as relates to any part of the endowment of any existing bishopric transferred by Order under this Act to a new bishopric. A.D. 1910.

(6) Any Order made under this section shall have effect as if enacted in this Act, and may be revoked, varied, or added to by any such Order subsequently made.

(7) Before any Order is made under this section the draft thereof shall be laid before each House of Parliament for a period of not less than thirty days during the session of Parliament, and, if either House, before the expiration of that period, presents an address to His Majesty against the draft or any part thereof, no further proceedings shall be taken thereon, but without prejudice to the making of any new draft Order.

(8) Any Order made under this clause for the foundation of a deanery shall provide for the nomination and appointment of the dean by the Crown.

2. The Ecclesiastical Commissioners may prepare and submit to His Majesty through the Secretary of State for the Home Department, for confirmation by Order in Council, a scheme for reducing, as respects any bishopric, the amount payable to any bishop, on retiring, out of the revenue of the bishopric, and upon the confirmation of any such scheme by Order in Council the amount specified in the scheme in respect to any bishopric mentioned therein shall, as respects that bishopric, be substituted for the amount mentioned in the Bishops' Resignation Act, 1869, but no such scheme shall without his consent affect the rights of any bishop who has resigned before the confirmation of the scheme or of any person who is bishop of the bishopric at the time of the passing of this Act. Pensions to bishops on resignation. 32 & 33 Vict. c. 111.

40

3. This Act may be cited as the Bishoprics Act, 1910.

Short title.]

.D. 1910.

SCHEDULE.

Birmingham.  
Liverpool.  
Newcastle.  
Saint Albans.

Southwark.  
Southwell.  
Truro.  
Wakefield.

Bishoprics. [H.L.]

A

**B I L L**

[AS AMENDED IN COMMITTEE]

INTITLED

An Act to facilitate the foundation of new Bishoprics and the alteration of Dioceses, and to amend the Bishops' Resignation Act, 1869, and for other matters incidental thereto.

*The Viscount St. Albans.*

Ordered to be printed 28th July 1910.

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[Price 3d.]

(148.)

[10 EDW. 7 & *Burgh Police (Scotland) Amendment.* [H.L.] 1  
1 GEO. 5.]

A

# B I L L

INTITULED

An Act to amend the Burgh Police (Scotland) Acts so as A.D. 1910.  
to provide for the due Regulation of Places for Public  
Refreshment, Resort, and Entertainment.

**W**HEREAS it is expedient to extend the provisions of the  
Burgh Police (Scotland) Act, 1903, regulating ice-cream 3 Edw. 7.  
c. 33.  
and aerated-water shops to certain other places for public refresh-  
ment, resort, and entertainment, and to make further provision  
5 for the regulation of such places :

Be it therefore enacted by the King's most Excellent Majesty,  
by and with the advice and consent of the Lords Spiritual and  
Temporal, and Commons, in this present Parliament assembled,  
and by the authority of the same, as follows:—

- 10     **1.**—(1) Subsection one and subsection three of section eighty-  
two of the Burgh Police (Scotland) Act, 1903, shall respectively Regulation  
of certain  
refreshment  
houses.  
be amended by the omission of the words “an ice-cream shop  
or aerated-water shop” occurring therein and by the insertion  
in lieu thereof of the words “a place for public refreshment,  
15 “ *eight* of the clock at night and *five* of the clock of the following  
“ morning (not being premises certificated for the sale of excise-  
“ able liquors or in respect of which a licence is otherwise  
“ required to be held).”
- 20     (2) Subsection two of the said section shall be amended  
by the insertion after the word “daily” occurring therein of the  
words “except on Sunday, when the byelaws may provide for  
“ closing throughout the day or for any shorter number of  
“ hours.”

(177.)

A.D. 1910.

(3) Subsection five of the said section shall be repealed.

(4) Any reference to section eighty-two of the Burgh Police (Scotland) Act, 1903, in that Act or in any other Act shall be construed as a reference to that section as amended by this Act.

(5) This section shall come into operation after the expiration 5 of *six* months from the passing of this Act; and until that expiration nothing in this section contained shall affect or prejudice the provisions of section eighty-two of the Burgh Police (Scotland) Act, 1903, or the enforcement of any existing byelaws thereunder; but after that expiration all such existing byelaws shall cease 10 to be in force.

(6) Nothing contained in section eighty-two of the Burgh Police (Scotland) Act, 1903, as hereby amended shall affect or prejudice the provisions of any other Act respecting premises certificated for the sale of exciseable liquors or any other place 15 for public refreshment, resort, and entertainment to which that section does not apply.

Extent and  
citation.**2.** This Act shall apply to Scotland only, and may be cited as the Burgh Police (Scotland) Amendment Act, 1910, and this Act and the Burgh Police (Scotland) Acts, 1892 to 1903, may 20 be cited collectively as the Burgh Police (Scotland) Acts, 1892 to 1910.

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## APPENDIX.

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PRINT OF SECTION 82 OF THE BURGH POLICE (SCOTLAND) ACT,  
1903, AS PROPOSED TO BE AMENDED BY THIS BILL (SUBSTITUTED 25  
WORDS ARE PRINTED IN ITALICS).

82.—(1) Every person who shall keep, or suffer to be kept or used, or use any house, building, part of a building, or other premises as *a place for public refreshment, resort and entertainment at any time between the hours of eight of the clock at night and five of the clock of 30 the following morning (not being premises certificated for the sale of exciseable liquors or in respect of which a licence is otherwise required to be held)* without being registered in a register to be kept by the



[10 EDW. 7 & *Burgh Police (Scotland) Amendment.*  
1 GEO. 5.]

3

town council, who are hereby required to keep a register for that purpose, in which they shall enter the names of applicants without charge, shall be liable to a penalty not exceeding five pounds, and, in the event of such premises being continued to be kept or used  
5 for such purpose after conviction, to a continuing penalty not exceeding five pounds for every day during which the offence is committed or continued.

A.D. 1910.

(2) Section three hundred and sixteen of the principal Act shall be deemed to confer power on the town council to make byelaws in  
10 regard to the hours of opening and closing of premises registered under this section, the hours for business not being more restricted than fifteen hours daily, *except on Sunday, when the byelaws may provide for closing throughout the day or for any shorter number of hours*; and the provisions of the principal Act relating to byelaws  
15 and the confirmation and enforcement thereof shall apply accordingly.

(3) The town council may at any time authorise the inspection of any house, building, part of a building, or other premises used, or suspected of being used, as a *place for public refreshment, resort, and entertainment at any time between the hours of eight of the clock at night*  
20 *and five of the clock of the following morning (not being premises certificated for the sale of exciseable liquors or in respect of which a licence is otherwise required to be held)* and the occupier, keeper, or other person having charge thereof shall give admission thereto at any time to the medical officer, sanitary inspector, constable, or any other person  
25 authorised in writing by the town council, and every occupier or keeper or other person having the charge of such premises who shall not admit such authorised person on exhibition of his authority shall be liable to a penalty not exceeding two pounds.

(4) A reference in this section to the principal Act and section  
30 three hundred and sixteen thereof shall, in the case of any burgh named in Schedule II. to the principal Act, be read and construed as a reference to the provisions of the local Act or Acts conferring power to make byelaws for police purposes and otherwise relating to such byelaws and the confirmation and enforcement thereof.



**Burgh Police  
(Scotland) Amendment.**

**[H.L.]**

A

**B I L L**

INTITLED

An Act to amend the Burgh Police  
(Scotland) Acts so as to provide  
for the due Regulation of Places  
for Public Refreshment, Resort, and  
Entertainment.

*The Lord Penland.*

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Ordered to be printed 23rd November 1910.

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[Price 3d.]

(177.)

[10 EDW. 7 & *Caledonian Railway Order Confirmation*. [H.L.] 1  
1 GEO. 5.]

A

# B I L L

INTITULED

An Act to confirm a Provisional Order under the Private A.D. 1910.  
Legislation Procedure (Scotland) Act 1899 relating to  
the Caledonian Railway.

**W**HEREAS His Majesty's Secretary for Scotland has after  
inquiry held before Commissioners made the Provisional  
Order set forth in the schedule hereunto annexed under the  
provisions of the Private Legislation Procedure (Scotland) Act 62 & 63 Viet.  
5 1899 and it is requisite that the said Order should be confirmed c. 47.  
by Parliament:

Be it therefore enacted by the King's most Excellent Majesty  
by and with the advice and consent of the Lords Spiritual and  
Temporal and Commons in this present Parliament assembled  
10 and by the authority of the same as follows:—

1. The Provisional Order contained in the schedule hereunto Confirmation  
annexed shall be and the same is hereby confirmed. of Order in  
schedule.

2. This Act may be cited as the Caledonian Railway Order Short title.  
Confirmation Act 1910.

A.D. 1910.

SCHEDULE.

CALEDONIAN RAILWAY.

*Provisional Order to confer further powers on the Caledonian  
Railway Company in relation to their undertaking  
to extend the periods for the completion of railways and  
other works and for the purchase of lands to authorise  
the abandonment of certain branch railways and for  
other purposes.* 5

WHEREAS it is expedient that the Caledonian Railway Company (hereinafter called "the Company") should be authorised to make and maintain the works and to acquire and hold the lands in the county of Lanark described in this Order:

And whereas it is expedient that the time—

- (A) For the completion of the several railways and works and for the purchase of the lands in this Order mentioned;
- (B) For the carrying out by the Company of the street improvements specified in section 26 of the Caledonian Railway Act 1900; and
- (C) For the sale of the superfluous lands of the Company should be extended as provided in this Order:

And whereas it is expedient to authorise the Company to abandon and discontinue the maintenance of the branch railways of the Company known as the Glenbuck Branch and the Spireslack to Muirkirk Branch respectively: 25

And whereas it is expedient that the Company should be authorised to raise additional capital and to borrow further money for the purposes of this Order and that the other powers and provisions in this Order contained should be conferred on or made in relation to the Company and their undertaking: 30

And whereas plans and sections relating to the works authorised by this Order and plans of the lands which may be taken under the powers of this Order and books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands were duly 35

[10 EDW. 7 & *Caledonian Railway Order Confirmation.* 3  
1 GEO. 5.]

deposited with the principal sheriff clerk of the county of Lanark A.D. 1910.  
and are hereinafter referred to as the deposited plans sections  
and books of reference:

And whereas the purposes aforesaid cannot be effected with-  
5 out an Order of the Secretary for Scotland confirmed by Parlia-  
ment under the provisions of the Private Legislation Procedure  
(Scotland) Act 1899:

Now therefore in pursuance of the powers contained in the  
last-mentioned Act the Secretary for Scotland orders as follows:—

10 1. This Order may be cited for all purposes as the Caledonian Short title.  
Railway Order 1910.

2. The Lands Clauses Acts the Railways Clauses Consolidation Incorporation  
(Scotland) Act 1845 Part I. (relating to construction of a railway) of Acts.  
and Part II. (relating to extension of time) of the Railways  
15 Clauses Act 1863 the clauses and provisions of the Companies  
Clauses Consolidation (Scotland) Act 1845 with respect to the  
following matters (that is to say):—

The distribution of the capital of the Company into shares;  
The transfer or transmission of shares;  
20 The payment of subscriptions and the means of enforcing  
the payment of calls;  
The forfeiture of shares for non-payment of calls;  
The remedies of creditors of the Company against the  
shareholders;  
25 The borrowing of money by the Company on mortgage or  
bond;  
The conversion of the borrowed money into capital  
The consolidation of the shares into stock;  
The general meetings of the Company and the exercise of  
30 the right of voting by the shareholders;  
The making of dividends; and  
The giving of notices;

and Part I. (relating to cancellation and surrender of shares)  
Part II. (relating to additional capital) and Part III. (relating to  
35 debenture stock) of the Companies Clauses Act 1863 as amended  
by any subsequent Act are (except where and as expressly  
varied by this Order) incorporated with and form part of this  
Order All the provisions of the Companies Clauses Consolidation

A.D. 1910. (Scotland) Act 1845 so incorporated with this Order which relate  
— to stock into which shares in the capital of a company have  
been converted or consolidated shall apply to stock which is by  
this Order authorised to be issued and to the holders thereof.

Interpreta- 3. In this Order unless there be something in the subject 5  
tion. or context repugnant to such construction:—

The several words and expressions to which meanings are  
assigned by the Acts wholly or partially incorporated  
herewith have the same respective meanings and the  
expression “the Company” means the Caledonian Railway 10  
Company:

In the provisions of Part II. of the Railways Clauses Act  
1863 incorporated with this Order:—

The expression “the railway and works” means for the  
purposes of this Order the railways and other works the 15  
time for the purchase of lands for or for the completion  
of which is by this Order extended:

In the other provisions of the Acts wholly or partially  
incorporated with this Order the following expressions have for  
the purposes of this Order the meanings hereinafter attributed 20  
to them (that is to say):—

The expressions “the company” “the undertakers” and  
“the promoters of the undertaking” and other like  
expressions mean respectively the Company:

The expressions “the railway” and “the undertaking” or 25  
other like expressions mean the works by this Order  
authorised:

The expressions “schoolmasters of the several parishes” and  
“schoolmasters” in sections 7 8 and 9 of the Railways  
Clauses Consolidation (Scotland) Act 1845 mean as regards 30  
any lands in a burgh the town clerk of such burgh and  
as regards any lands in a parish outside a burgh the clerk  
to the parish council of such parish.

Power to  
Company to  
make works.

4. Subject to the provisions of this Order the Company may  
make and maintain in the lines and according to the levels 35  
shown on the deposited plans and sections the works in the  
county of Lanark hereinafter described with all proper approaches  
works and conveniences in connection therewith and may enter  
upon take and use such of the lands delineated on the said plans

[10 EDW. 7 & *Caledonian Railway Order Confirmation.* 5  
1 GEO. 5.]

and described in the deposited books of reference as may be required for those purposes (that is to say):— A.D. 1910.

5 A lengthening (Work No. 1) on the north-east side thereof of the bridge carrying Polmadie Road over the Company's main line of railway in the parish of Govan and city and Royal burgh of Glasgow:

10 A lengthening (Work No. 2) on either side thereof of the bridge carrying Glasgow Road over the Company's said railway in the parish of Rutherglen and Royal burgh of Rutherglen:

15 A diversion (Work No. 3) of the road known as New Street in the parish of Rutherglen and Royal burgh of Rutherglen commencing at a point on the south-east side of that street sixty-three yards or thereabouts south-westward from the centre of Glasgow Road and terminating at a point on the north-west side of Kildale Street twenty yards or thereabouts from the centre of Glasgow Road.

20 5. Subject to the provisions of this Order and in addition to the other lands which the Company are by this Order authorised to acquire the Company may enter upon take and use for the purposes of their undertaking the lands in the county of Lanark hereinafter described and delineated on the deposited plans and described in the deposited books of reference (that is to say):— Power for Company to acquire certain lands.

25 (1) Certain lands in the parish of Govan and city and Royal burgh of Glasgow lying on the north-east side of and adjoining the Company's main line of railway between Cathcart Road and the goods sidings of the Company known as Bell's Yard:

30 (2) Certain lands in the said parish and city and Royal burgh lying on the north-east side of and adjoining the Company's main line of railway between the said Bell's Yard goods sidings and Polmadie Road:

35 (3) Certain lands in the parish of Rutherglen and Royal burgh of Rutherglen lying on either side of the Company's main line of railway between Blackfaulds Road on the west and Glasgow Road and New Street on the east:

40 (4) Certain lands in the said parish of Rutherglen lying on the north side of and adjoining the Company's main

A.D. 1910.

- line of railway and immediately adjoining and to the east of the Cambuslang Road :
- (5) Certain lands in the parish of Old Monkland lying on either side of the Company's Rutherglen and Coatbridge Branch Railway immediately to the west of 5 Muirhead Road Baillieston and between that road and the Company's Daldowie signal-box :
- (6) Certain lands in the parish of Old Monkland and burgh of Coatbridge lying on the south side of the Company's Rutherglen and Coatbridge Branch Railway 10 and to the east of Woodside Street and between that street and Langloan Station :
- (7) Certain lands in the parish of Hamilton lying on the west side of the Company's Lesmahagow Branch Railway and between Ferniegair Station and Merryton 15 level crossing :
- (8) Certain lands in the parish of Stonehouse lying on the east side of and adjoining the Company's Stonehouse and Blackwood Branch Railway and between Annie's Burn and the boundary between the parishes of 20 Stonehouse and Lesmahagow :
- (9) Certain lands in the parish of Lesmahagow lying on the east side of the Company's Stonehouse and Blackwood Branch Railway and between the road leading from Tanhill Farm to Gill Bridge and the boundary 25 between the parishes of Stonehouse and Lesmahagow above mentioned.

Confirming acquisition of certain lands.

6. Whereas certain portions of the lands referred to in the immediately preceding section of this Order have already been acquired by the Company therefore the acquisition of such lands 30 is hereby sanctioned and confirmed as if the same had been acquired under the powers of this Order For the purposes of section 3 of the Housing of the Working Classes Act 1903 as applied to Scotland by the Housing Town Planning &c. Act 1909 such lands shall be deemed to have been acquired under 35 the powers of this section.

Period for completion of works.

7. If the works by this Order authorised are not completed within five years from the passing of the Act confirming this Order then on the expiration of that period the powers by this



[10 EDW. 7 & *Caledonian Railway Order Confirmation.* 7  
1 GEO. 5.]

Order granted for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed. A.D. 1910.

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

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

10. The Company may in the construction of the works by this Order authorised deviate from the lines thereof delineated on the deposited plans to any extent within the limits of deviation shown on such plans and may deviate vertically from the levels of the works shown on the deposited sections to any extent not exceeding five feet but not so as to increase the gradient of any existing street or road as shown on those sections Provided that the Company shall in the event of such vertical deviation exceeding two feet in any village street or land continuously built upon pay compensation to any person who may be injuriously affected by such increased deviation. Power to deviate.

11. Upon the completion and opening for public use of the road diversion (Work No. 3) by this Order authorised the Company may stop up and cause to be discontinued as a street the portion of New Street in the Royal burgh of Rutherglen shown on the deposited plans as intended to be stopped up from the point of commencement of the said diversion to the junction of the said street with Glasgow Road and may remove the bridge carrying New Street over their railway and when and so soon as such portion of street is stopped up all rights of way over the same shall cease and the site thereof so far as the same is bounded on both sides thereof by lands of the Company shall belong to and be vested in the Company subject to the provisions of the Stopping up of portion of New Street Rutherglen.



A.D. 1910. —<sup>7</sup> Railways Clauses Consolidation (Scotland) Act 1845 with respect to mines lying under or near the railway and such diverted portion of street shall as respects management and maintenance and in all other respects be held as part of New Street and be subject to the same provisions as those to which the undiverted portion of that street is subject. 5

Temporary stopping up of streets. 12. The Company may in connection with the construction of the works by this Order authorised stop up temporarily in whole or in part or otherwise temporarily interfere with Polmadie Road in the parish of Govan and city and Royal burgh of Glasgow and Glasgow Road New Street and Kildale Street in the parish of Rutherglen and Royal burgh of Rutherglen. 10

For protection of corporation of Glasgow. 13. For the protection of the corporation of the city of Glasgow as such and as acting in execution of the several public and local and personal Acts by which any powers jurisdictions or authorities are conferred on them (in this section called "the corporation" and "the city" respectively) the following provisions shall (unless otherwise agreed upon) have effect and be binding on the Company in the exercise of the powers conferred on them by this Order (that is to say):— 20

- (1) At least twenty-one days before the Company commence any works the execution of which would in any way interfere with or affect any of the roads streets lanes footpaths or public places in the city or which would interfere with or affect the sewers drains gas or water pipes tramways or electric wires or other works belonging to the corporation either within or without the city the Company shall give to the corporation notice thereof in writing accompanied by plans sections working drawings and specifications showing the manner in which the said works are to be executed and also showing the means to be employed by the Company not only for protecting the said roads streets lanes footpaths or public places sewers drains gas or water pipes tramways or electric wires or other works during the operations of the Company but for making good any injury or damage to or interference with the same respectively which plans sections working drawings and specifications shall be subject to the reasonable approval of the corporation previously to the works of the 25 30 35 40

[10 EDW. 7 & *Caledonian Railway Order Confirmation.* 9  
1 GEO. 5.]

Company affecting the said roads streets lanes footpaths or public places sewers drains gas or water pipes tramways or electric wires or other works being commenced and such work shall be carried out in conformity with the plans sections working drawings and specifications as approved of or settled Provided that the approval of the corporation as aforesaid shall not be unreasonably withheld and that it shall be deemed to have been given unless the corporation signifies its disapproval and the grounds thereof within twenty-one days after the submission of the said plans sections working drawings and specifications :

- (2) The Company shall not stop up or occupy temporarily Polmadie Road including the footpaths thereof and the bridge carrying that road over the Company's main line of railway to a greater extent at any one time than one half of the width of that road and bridge but except as aftermentioned shall at all time leave the other half of said road and bridge clear and open for the passage of traffic of every kind and the Company shall not except with the consent of the corporation be entitled to stop up or occupy or interfere with any portion of Polmadie Road for a longer period than six months and they shall be liable to a penalty payable to the corporation not exceeding five pounds for every day after the expiry of the said period of six months that any such portion of that thoroughfare shall (except with the consent as aforesaid) be shut up or occupied or interfered with Provided that the Company may on giving notice to the corporation stop up Polmadie Road for vehicular traffic (proper provision being made for foot passenger traffic) between one a.m. on Sunday morning and five a.m. on the following morning at such times as may be necessary for the construction of the works with safety to the public :

- (3) Where it is necessary for the Company to cross interfere with alter or divert any road street lane or footpath in which any sewer drain gas water tramway or electric mains pipes cables feeders wires tubes or other works of the corporation are laid or to interfere with

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—

any of the said sewers drains mains pipes cables  
feeders wires or tubes or other works the Company  
shall make suitable provision for continuing the supply  
of gas water and electricity without interruption and  
wherever it is reasonably practicable to do so and if 5  
required by the corporation shall leave not less than  
three feet of covering from the surface of the road  
street lane or footpath over every sewer drain main  
pipe cable feeder wire or tube so interfered with and  
in any case where such three feet of covering or 10  
more cannot be given the Company shall in every  
such case be bound to provide at their own expense  
special protection from injury for such sewers drains  
mains pipes cables feeders wires and tubes all to  
the reasonable satisfaction of the master of works the 15  
city engineer or the gas water tramway or electrical  
engineers of the corporation respectively as the case  
may be The Company shall also provide at their  
own expense and to the reasonable satisfaction of the  
said engineers all stop cocks scour pipes air valves 20  
and other apparatus in connection with the said sewers  
drains mains pipes cables feeders wires or tubes that  
may be rendered necessary through their operations :

- (4) In the execution of the Works Numbers 1 and 2 autho-  
rised by this Order the Company shall be bound at 25  
their own expense to provide such suitable accom-  
modation in the lengthened portions of the bridges  
carrying Polmadie Road and Glasgow Road over the  
Company's main line of railway as will admit of the  
existing water gas electricity and tramway mains 30  
pipes cables feeders wires and tubes being extended  
and maintained in or over such bridges as lengthened :
- (5) Where any of the works authorised by this Order  
involves an alteration or diversion in respect of any  
of the said sewers drains mains pipes cables feeders 35  
wires or tubes or any apparatus connected therewith  
the corporation shall have the option themselves of  
executing the works necessary for such alteration or  
diversion at the expense of the Company and the  
Company shall be liable for any injury or loss sus- 40  
tained by the corporation by reason of such alteration

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or diversion except where the same may be caused A.D. 1910.  
by the fault or negligence of the corporation :

- 5 (6) In the execution of Work Number 3 authorised by this  
Order the Company shall reinstate to the reasonable  
satisfaction of the corporation in the diverted portion  
of New Street in the Royal burgh of Rutherglen  
any sewer drain gas water tramway or electric main  
pipe cable feeder wire or tube or any apparatus  
10 connected therewith forming the property of the  
corporation and at the date of the passing of the Act  
confirming this Order existing in the portion of said  
New Street to be stopped up and discontinued as a  
street under the powers of this Order :
- 15 (7) If at any time any accident shall occur to any sewer  
drain gas water tramway or electric main pipe cable  
feeder wire or tube or any apparatus connected there-  
with at or near any point where such sewer drain  
main pipe cable feeder wire tube or apparatus is  
20 crossed or otherwise affected by works of the Company  
constructed under the powers of this Order in respect  
of which accident it may be necessary to interfere  
with any of the said works of the Company it shall  
be lawful for the corporation immediately to repair  
such sewer drain main pipe cable feeder wire tube  
25 or apparatus in such manner as to occasion as little  
delay and inconvenience as may be to the Company  
Provided always that the corporation shall either  
before or as soon as practicable after the commence-  
ment of such repair give notice thereof to the  
30 Company Provided also that it shall be lawful for  
the Company on the occurrence of any such accident  
to repair any damage that may be caused to their  
said works so far as the same can be repaired without  
interrupting the repair of any such sewer drain main  
35 pipe cable feeder wire tube or apparatus :
- (8) The Company shall not in the construction of Works  
Numbers 2 and 3 authorised by this Order interfere  
with or obstruct in any way the working of the  
tramways of the corporation and the Company shall  
40 indemnify the corporation for any expenses incurred  
or loss sustained by them by reason of any such

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interference or obstruction or in consequence of anything arising from the subsequent maintenance or repair of the lengthened portions of the bridge carrying the Glasgow Road over the Company's main line of railway at Rutherglen or in consequence of the operations of the Company relating thereto :

- (9) In addition to the plans sections working drawings and specifications provided for in subsection (1) of this section plans sections working drawings and specifications of all special work for the protection or accommodation of such sewers drains mains pipes cables feeders wires and tubes to be provided or constructed by the Company as aforesaid shall be submitted to the town clerk for submission to the master of works the city engineer or the gas water tramway or electrical engineers of the corporation respectively as the case may be for their approval at least twenty-one days before such works alterations or additions are commenced and the town clerk shall be bound within the said period of twenty-one days to intimate to the Company the approval or disapproval thereof :
- (10) The provisions of sections 18 to 23 of the Railways Clauses Consolidation (Scotland) Act 1845 shall for the purposes of this section and so far as not inconsistent with any of the special provisions herein contained apply to all mains pipes cables feeders wires and tubes and any apparatus connected therewith used for the purposes of the supply of electricity and for tramways in the same manner and to the same extent as they apply to all mains pipes and apparatus used for the supply of water and gas :
- (11) In every case in which the Company interfere with or shut up temporarily any road street lane or footpath within the city the Company shall to the satisfaction of the corporation—
- (1) Restore the road street lane or footpath so interfered with by the said works ;
  - (2) Cause the road street lane or footpath to be maintained till properly consolidated ;

[10 EDW. 7 & *Caledonian Railway Order Confirmation.* 13  
1 GEO. 5.]

(3) Make good the paving and metalling of the road street lane or footpath and whenever necessary cause the road street lane or footpath to be repaved or remetalled over its entire width ;

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5 (4) Provide and maintain all requisite communications and accesses for foot passengers to and from the houses and the other buildings in the streets or roads so interfered with :

10 (12) Where any part of the property to be acquired by the Company under the powers of this Order within the city adjoins or fronts any street the Company shall after the acquisition of such property be under all the statutory obligations of an owner fronting or abutting on any such street so far as not inconsistent with the powers conferred upon the Company for the use of such property for the purposes of this Order.

15 (13) Any difference between the corporation and the Company arising out of any of the provisions of this section shall be referred to the determination of an arbiter to be mutually agreed upon or failing such agreement to be appointed on the application of the Company or of the corporation by the Board of Trade.

25 14. The Company may stop up and discontinue the private level crossing over the Company's Lesmahagow Branch Railway in the parish of Hamilton in the county of Lanark known as Merryton Level Crossing and the approaches thereto and thereupon all rights of way or servitudes in over or across the same shall be extinguished but before the said level crossing shall be stopped up or discontinued the Company shall in substitution therefor form and maintain in all time coming a road of access with suitable fences along the north-east side of the said branch railway from the public road to the lands to which the said crossing presently forms the access which substituted road shall be a properly macadamised road at least fifteen feet wide and shall be formed on lands belonging to the Company or to be acquired by them for that purpose.

Stopping up  
of Merryton  
Level Cross-  
ing.

15. All private rights of way or servitudes in over or across any lands which shall under the powers of this Order be acquired

As to private  
rights of way  
over lands



A.D. 1910. compulsorily shall as from the date of such acquisition be extin-  
taken com- guished. Provided that the Company shall make full compensation  
pulsorily. to all parties interested in respect of any such rights or servitudes  
and such compensation shall be settled in manner provided by the  
Lands Clauses Acts with reference to the taking of lands otherwise 5  
than by agreement :

Provided also that the Company shall not in the exercise of  
any of the powers conferred by this Order stop up or discontinue  
the level crossing over the said Lesmahagow Branch Railway  
known as Allanton Level Crossing but shall extend the same 10  
south-westward over any lands that may be acquired under the  
powers of this Order.

Power to 16. The Company may make and maintain in or through  
make roads. any of the lands referred to in the section of this Order the  
marginal note of which is " Power for Company to acquire certain 15  
lands " such roads or ways for the accommodation of the owners  
or occupiers of such lands or of the adjoining lands and in substi-  
tution for any existing roads or ways in or through such lands  
as the Company may think fit or as may be agreed upon between  
the Company and any such owner or occupier. 20

Stopping up 17. If under the powers of this Order the Company shall  
of portion of acquire any portion of the road numbered on the deposited  
Ballochmill plans 28 in the parish of Rutherglen leading from the Cambuslang  
Road. Road to Ballochmill Farm they shall before stopping up or dis-  
continuing any portion of the said road or otherwise interfering 25  
with the same form for the use and accommodation of the property  
belonging or reputed to belong to G. and A. Gunn in common  
with the other properties adjoining the said road and in substi-  
tution for the portion of the said road so to be stopped up or  
discontinued or otherwise interfered with another road or access 30  
from the said Cambuslang Road to the said Ballochmill Farm  
Road in through or over the property numbered on the deposited  
plans 27 and 28 in the parish of Rutherglen and the said  
substituted road or access shall be of the same width as the  
present road and the Company shall reinstate in the said 35  
substituted road or access any sewer presently existing in the  
portion of the said road which may be stopped up or discon-  
tinued or otherwise interfered with and they shall in all time  
coming maintain the said substituted road or access and sewer  
and the owners of the said properties shall have the right and 40  
servitude of laying gas and water pipes and electric cables in or

[10 EDW. 7 & *Caledonian Railway Order Confirmation.* 15  
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along the said substituted road or access and the Company shall not under the powers of this Order acquire land so as to prevent the widening of the said Ballochmill Farm Road and of the said substituted road or access to the width of sixty feet and in the 5 event of such widening being carried out the Company shall form and maintain the said substituted road or access as part of such widening. A.D. 1910.

18. And whereas it may happen that portions only of the houses or other buildings or manufactories shown on the deposited 10 plans may be sufficient for the purposes of this Order and that such portions may be severed from the remainder of the said properties without material detriment thereto Therefore notwithstanding section 90 of the Lands Clauses Consolidation (Scotland) Act 1845 the owners of and other persons interested in any of 15 the properties described in the schedule to this Order and whereof parts only may be required for the purposes of this Order may (if the same can in the opinion of the jury arbiters or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of the premises 20 without material detriment thereto) be required to sell and convey to the Company the portions only of the premises so required without the Company being obliged or compellable to purchase the whole or any greater portion thereof the Company paying for the portions taken by them and making compensation for 25 any damage sustained by the owners thereof and other parties interested therein by severance or otherwise Provided that if in any case in the opinion of the jury arbiters or other authority as aforesaid any such portions cannot be severed from the remainder of such property without material detriment thereto 30 the Company may at any time within one month after the date of the final decision of such jury arbiters or other authority withdraw their notice to treat for the portions required by them and thereupon they shall pay to the owners of and other parties interested in the property in respect of any portions of which 35 they have given notice to treat all loss and damage sustained and all costs charges and expenses (as the same shall be taxed as between solicitor and client) reasonably incurred by them in consequence of such notice Provided also that nothing in this section contained shall be held as determining whether the pro- 40 perties described in the said schedule are or are not subject to the provisions of section 90 of the Lands Clauses Consolidation (Scotland) Act 1845.

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



A.D. 1910.  
—  
Company  
empowered  
or may be  
required to  
underpin or  
otherwise  
strengthen  
houses.

19. And whereas in order to avoid in the execution and maintenance of any works authorised by this Order injury to the houses and buildings within one hundred feet thereof it may be necessary to underpin or otherwise strengthen the same therefore the Company at their own costs and charges may and if required by the owners or lessees of any such house or building shall subject as hereinafter provided underpin or otherwise strengthen the same and the following provisions shall have effect (that is to say):—

- (1) At least ten days' notice shall unless in case of emergency be given to the owners lessees and occupiers or by the owners or lessees of the house or building so intended or so required to be underpinned or otherwise strengthened: 10
- (2) Each such notice if given by the Company shall be served in manner prescribed by section 18 of the Lands Clauses Consolidation (Scotland) Act 1845 and if given by the owners or lessees of the premises to be underpinned or strengthened shall be sent to the principal office of the Company: 20
- (3) If any owner lessee or occupier of any such house or building or the Company as the case may require shall within seven days after the giving of such notice give a counter notice in writing that he or they as the case may be dispute the necessity of such underpinning or strengthening the question of the necessity shall be referred to an engineer to be agreed upon or in case of difference to an engineer to be appointed at the instance of either party by the Board of Trade: 25
- (4) Such referee shall forthwith upon the application of either party proceed to inspect such house or building and determine the matter referred to him and in the event of his deciding that such underpinning or strengthening is necessary he may and if so required by such owner lessee or occupier he shall prescribe the mode in which the same shall be executed and the Company may and shall proceed forthwith so to underpin or strengthen the said house or building: 30
- (5) The Company shall be liable to compensate the owners lessees and occupiers of every such house or building for any loss inconvenience or damage which may 40

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result to them by reason of the exercise of the powers granted by this enactment: A.D. 1910

(6) If in any case in which any house or building shall have been underpinned or strengthened on the requisition of the Company such underpinning or strengthening shall prove inadequate for the support or protection of the house or building against further injury arising from the execution or use of the works of the Company then and in every such case unless such strengthening or underpinning shall have been done in pursuance of and in the mode prescribed by the referee the Company shall make compensation to the owners lessees and occupiers of such house or building for such injury provided the claim for compensation in respect thereof be made by such owners within twelve months and by such lessees or occupiers within six months from the discovery thereof:

(7) Nothing in this enactment contained nor any dealing with any property in pursuance of this enactment shall relieve the Company from the liability to compensate under the Lands Clauses Consolidation (Scotland) Act 1845 or under any other Act:

(8) Every case of compensation to be ascertained under this enactment shall be ascertained according to the provisions of the Lands Clauses Acts:

(9) Nothing in this section shall repeal or affect the application of section 90 of the Lands Clauses Consolidation (Scotland) Act 1845.

20. The periods limited for the completion of the railways and works hereunder respectively mentioned are hereby respectively extended as follows (that is to say):—

(1) The period limited by the Caledonian Railway (General Powers) Act 1899 for the completion of railways Nos. 8 and 9 authorised by that Act as extended by the Caledonian Railway Act 1904 and the Caledonian Railway Order 1907 is extended for three years from the expiration of the said period that is until the ninth day of August one thousand nine hundred and thirteen:

(73.) C

Extending periods for completion of certain railways and works.

A.D. 1910. (2) The period limited by the Caledonian Railway (Grange-  
mouth Harbour) Act 1876 for the completion of the  
dredging deepening and improvement of the naviga-  
tion of the River Carron authorised by that Act as  
extended by subsequent Acts is further extended for 5  
ten years from the expiration of the said period that  
is until the twenty-seventh day of June one thousand  
nine hundred and twenty:

and the sections of the above Acts and Order which relate to  
the periods for the completion of the said railways and works 10  
respectively and to the penalties exigible in the event of the said  
railways not being completed within the period thereby limited  
for the completion thereof shall be read and construed as if the  
respective periods for such completion referred to in those sections  
did not expire until the expiration of the extended periods 15  
hereby limited respectively.

Extending  
period for  
completion  
of certain  
works under  
Act of 1900.

21. The period within which the Company are required by  
section 26 (For protection of the Corporation of Glasgow) of the  
Caledonian Railway Act 1900 to carry out the street improve- 20  
ments and works referred to in that section as extended by the  
Caledonian Railway Order 1907 is hereby further extended for  
three years from the expiration of the said period that is to say  
until the sixth day of August one thousand nine hundred and  
thirteen.

Extending  
time for pur-  
chase of cer-  
tain lands  
under Order  
of 1907.

22. The powers granted by the Caledonian Railway Order 25  
1907 for the compulsory purchase and taking of the lands in  
the parishes of Bothwell Crawford and Wandel and Lamington  
in the county of Lanark the parish of Currie in the county of  
Edinburgh the parishes of Stirling and St. Ninians and Royal  
burgh of Stirling in the county of Stirling the parish of Comrie 30  
in the county of Perth and the parish and burgh of Laurence-  
kirk and parish of Nigg in the county of Kincardine described  
in section 6 of the said Order and therein numbered respectively  
(2) (3) (4) (9) (10) (11) (13) (15) and (16) are hereby extended 35  
and may be exercised by the Company at any time within but  
shall cease after the expiration of two years from the twenty-  
eighth day of August one thousand nine hundred and ten.

Extension of  
time for sale  
of super-  
fluous lands.

23. The Company may notwithstanding anything to the  
contrary in the Lands Clauses Acts or in any Act or Order relating  
to the Company or to any company whose undertaking is vested 40

[10 EDW. 7 & *Caledonian Railway Order Confirmation.* 19  
1 GEO. 5.]

in the Company retain and hold for the period of ten years from the expiration of the period limited for such retention and holding by the Caledonian Railway Act 1902 that is to say until the thirty-first day of July one thousand nine hundred and twenty-  
5 two any lands acquired by the Company or any such other company which have not yet been applied to the purposes of their undertakings or sold or disposed of by them But the Company shall at the expiration of the said period sell or feu and dispose of all such lands as shall not then have been applied  
10 to or are not then required for the purposes of such undertakings Provided that nothing in this section contained shall be held as requiring the Company to sell or feu and dispose of any lands which they are not required by some existing Act or Order to sell and dispose of nor as requiring the Company to sell or feu  
15 and dispose of any lands sooner than they are required to sell and dispose of the same by any such Act or Order.

A.D. 1910.

24. Subject as hereinafter provided the Company may abandon and discontinue the maintenance and use of—

Abandonment of Glenbuck and Spire-lack to Muirkirk Branch Railways.

- 20 (1) The branch railway of the Company known as the Glenbuck Branch the maintenance whereof was authorised by the Caledonian Railway Act 1889 and which is therein called Railway No. 6 and Railway No. 7; and  
25 (2) The branch railway of the Company known as the Spire-lack to Muirkirk Branch authorised by the Caledonian Railway Act 1896 and therein called Railway No. 8;

And may retain hold use and appropriate the site and soil of the said branch railways respectively for the general purposes of the Company Provided that if and when required by Charles Howatson of Dornel and Glenbuck the Company shall sell and  
30 convey to the said Charles Howatson the solum of the said Railway No. 7 so far as within the county of Ayr having first removed therefrom all rails sleepers signals and other permanent way material and after the Company shall have sold and conveyed the said land as aforesaid none of the provisions  
35 contained in the section of this Order the marginal note of which is "For protection of adjoining owners and occupiers" shall apply to the said land or to the said Railway No. 7.

25.--(1) Notwithstanding anything contained in this Order the Company shall maintain the embankments cuttings aqueducts  
40 bridges viaducts roads conduits drains and fences of and in connection with the two branch railways referred to in the

For protection of adjoining owners and occupiers.

A.D. 1910. immediately preceding section and all works which have been  
constructed for the accommodation of the respective owners and  
occupiers of lands adjoining the said branch railways as if this  
Order had not been confirmed.

(2) With the view of preventing trespass upon the adjoining 5  
lands the Company shall while the said railways are disused  
place and thereafter maintain sleeper fences at each end of  
each of the viaducts on the said railways and shall also take  
all reasonable steps to secure the prevention of trespass and the  
punishment of trespassers and shall while the railways are 10  
disused and if required grant leases of the shootings upon the  
railways to the adjoining proprietors at nominal rents In the  
event of the adjoining proprietors not requiring such leases the  
Company shall not grant such leases to any other person.

(3) In the event of the working of the minerals or stone in 15  
any of the lands adjoining the said branch railways being dis-  
continued and subsequently resumed or in the event of the  
working of any minerals or stone in any of the said adjoining  
lands which are not at present being worked then and in either  
case the Company shall on the request of the owner or owners 20  
of such minerals or stone forthwith make the branch railways  
fit for the conveyance of such traffic provided such traffic will  
be reasonably commensurate with the expenditure required to  
refit and work the said branch railways or either of them If  
after the said branch railways or either of them have again been 25  
opened for traffic it shall appear to the Company that the traffic  
is insufficient to justify the continuance of the working of such  
branch it shall be lawful for the Company again to discontinue  
the maintenance and use of such branch or branches after giving  
six months' previous notice in writing to the proprietors of the 30  
adjoining lands In the event of any difference arising between  
the Company and the adjoining proprietors or any of them  
regarding the reopening of the said branch railways or either of  
them or the discontinuance of them or either of them after they  
or either of them may have been reopened in the manner herein 35  
provided the same shall be referred to an arbiter to be appointed  
by the Board of Trade on the application of any party and the  
working and maintenance shall be resumed or discontinued in  
accordance with the determination of such arbiter In the event  
of discontinuance the provisions of this section shall again come 40  
into force.



[10 EDW. 7 & *Caledonian Railway Order Confirmation.* 21  
1 GEO. 5.]

26. Notwithstanding the power to abandon and discontinue the maintenance and use of the branch railway of the Company known as the Spireslack to Muirkirk Branch the Company shall always remain bound under the obligation contained in section 22 of the Caledonian Railway Act 1896 and in the event of the said Spireslack to Muirkirk Branch ever being worked used or restored the provisions of the said section 22 of the Caledonian Railway Act 1896 shall become operative and be binding upon the Company.

A.D. 1910.  
For protection of Earl of Home.

27. The tribunal to whom any question of disputed purchase money or compensation under this Order is referred shall if so required by the Company award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Company by the claimant giving sufficient particulars and in sufficient time to enable the Company to make a proper offer and if the tribunal shall be of opinion that no such statement giving sufficient particulars and in sufficient time shall have been delivered and that the Company has been prejudiced thereby the tribunal shall have power to decide whether the claimant's costs or any part thereof shall be borne by the claimant:

Costs of arbitration in certain cases.

Provided that it shall be lawful for the Lord Ordinary on the Bills or the sheriff of the county in which the lands are situate in respect of which the claim has arisen to permit any claimant after seven days' notice to the Company to amend the statement in writing of the claim delivered by him to the Company in case of discovery of any error or mistake therein or for any other reasonable cause such error mistake, or cause to be established to the satisfaction of the judge or sheriff after hearing the Company if they object to the amendment and such amendment shall be subject to such terms enabling the Company to investigate the amended claim and to make an offer de novo and as to postponing the hearing of the claim and as to costs of the inquiry and otherwise as to such judge or sheriff may seem just and proper under all the circumstances of the case:

Provided also that this section shall be applicable only in cases where the notice to treat under the Lands Clauses Consolidation (Scotland) Act 1845 either contained or was endorsed with a notice of the effect of this section.

A.D. 1910. 28. The Company may apply towards any of the purposes  
Application of funds of of this Order to which capital is properly applicable any capital  
Company. or funds belonging to or authorised to be raised by them and  
which may not be required for the purposes for which the same  
were authorised to be raised or directed to be applied. 5

Power for Company to raise additional capital. 29. The Company may for any of the purposes of this  
Order raise subject to the provisions of Part II. of the Companies  
Clauses Act 1863 as amended by any subsequent Act additional  
capital not exceeding in nominal amount the sum of twenty-  
four thousand pounds by the creation and issue at their option 10  
of new ordinary shares or stock or new preference shares or  
stock or new preference shares or stock convertible into ordinary  
stock or wholly or partially by any one or more of those modes  
respectively but the Company shall not issue any share of less  
nominal value than ten pounds nor shall any share vest in the 15  
person or corporation accepting the same unless and until a sum  
not being less than one fifth of the amount of such share shall  
have been paid in respect thereof Provided that if in any year  
ending on the thirty-first day of January there are not profits  
available for the payment of the full amount of preferential 20  
dividend or interest for that year on any such new preference  
shares or stock no part of the deficiency shall be made good  
out of the profits of any subsequent year or out of any other  
funds of the Company.

Except as otherwise provided new shares or stock to be subject to same incidents as other shares or stock. 30. Except as by this Order otherwise provided the capital 25  
in new shares or stock created by the Company under this Order  
and the new shares or stock therein and the holders thereof  
respectively shall be subject and entitled to the same powers  
provisions liabilities rights privileges and incidents whatsoever  
in all respects as if that capital were part of the now existing 30  
capital of the Company of the same class or description and the  
new shares or stock were shares or stock in that capital.

And to form part of capital of Company. 31. The capital in new shares or stock so created shall form  
part of the capital of the Company.

Dividends on new shares or stock. 32. Every person who becomes entitled to new shares or 35  
stock shall in respect of the same be a holder of shares or stock  
in the Company and shall be entitled to a dividend with the  
other holders of shares or stock of the same class or description  
proportioned to the whole amount from time to time called and

[10 EDW. 7 & *Caledonian Railway Order Confirmation*. 23  
1 GEO. 5.]

paid on such new shares or to the whole amount of such stock as the case may be. A.D. 1910.

33. Each holder of new shares or stock in the capital by this Order authorised to be raised shall be entitled to the same number of votes in respect thereof which the possession of an equal nominal amount of the existing capital stock of the Company would have conferred upon him. Provided that except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares or stock to which a preferential dividend shall be assigned.

Votes in respect of new shares or stock.

34. Subject to the provisions of any Act or Order already passed or made by which the Company are authorised to raise capital by new shares or stock and to the provisions of this Order the Company may if they think fit raise by the creation and issue of new shares or stock of one and the same class all or any part of the aggregate capital which they are by any such other Act or Order and this Order respectively authorised to raise by the creation and issue of new shares or stock.

New shares or stock raised under this Order and other Acts or Orders may be of same class.

35. The Company may in respect of the additional capital of twenty-four thousand pounds which they are hereinbefore authorised to raise borrow on mortgage of their undertaking any sums not exceeding in the whole eight thousand pounds but no part thereof shall be borrowed until shares or stock or shares and stock for the whole of the said additional capital are issued and accepted and one half of such capital is paid up and the Company have proved to the sheriff who is to certify under the forty-second section of the Companies Clauses Consolidation (Scotland) Act 1845 before he so certifies that shares or stock or shares and stock for the whole of such capital have been issued and accepted and that one half of such capital has been paid up and that not less than one-fifth part of the amount of each separate share and the whole amount of the stock in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof and that such shares or stock or shares and stock as the case may be were issued and accepted and such one half of such capital was paid up bonâ fide and that such shares or stock or shares and stock as the case may be are held by the persons to whom the same were issued or their executors administrators successors or assignees and also in so far as the said capital is raised by shares that such persons or their executors administrators successors or assignees are legally liable for the same

Power for Company to borrow.



A.D. 1910. — and upon production to such sheriff of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

Arrears may be enforced by the appointment of a judicial factor.

36. The mortgagees of the Company under this Order or any previous Act or Order may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a judicial factor. In order to authorise the appointment of a judicial factor in respect of arrears of principal the amount owing to the mortgagees by whom the application for a judicial factor is made shall be not less than ten thousand pounds in the whole. 5 10

Power to create debenture stock.

37. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 as amended by any subsequent Act but notwithstanding anything therein contained the interest of all debenture stock at any time after the passing of the Act confirming this Order created and issued by the Company shall rank *pari passu* with the interest of all mortgages at any time after the passing of the Act confirming this Order granted by the Company and shall have priority over all principal money secured by such mortgages. 15 20

Existing mortgages to have priority.

38. All mortgages granted by the Company before the passing of the Act confirming this Order and subsisting at the passing thereof shall during the continuance of such mortgages and subject to the provisions of the Act or Order under which such mortgages were respectively granted have priority over any mortgages granted by virtue of this Order but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Company. 25

Application of moneys.

39. All moneys raised by the Company under this Order whether by shares or stock or debenture stock or borrowing shall be applied only to purposes to which capital is properly applicable. 30

Interest not to be paid on calls paid up.

40. No interest or dividend shall be paid out of any share or loan capital which the Company are by this Order authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Order shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the 35

[10 EDW. 7 & *Caledonian Railway Order Confirmation.* 25  
1 GEO. 5.]

calls actually made as is in conformity with the Companies A.D. 1910.  
Clauses Consolidation (Scotland) Act 1845.

41. The Company shall not out of any money which they  
are by this Order authorised to raise pay or deposit any sum  
5 which by any Standing Order of either House of Parliament or  
by any General Order for the regulation of proceedings under  
the Private Legislation Procedure (Scotland) Act 1899 now or  
hereafter in force may be required to be deposited in respect  
of any application to Parliament or the Secretary for Scotland  
10 for the purpose of obtaining an Act or Order authorising the  
Company to construct any railway or to execute any other work  
or undertaking.

Deposits not  
to be paid  
out of  
capital.

42. Nothing in this Order shall be deemed to impose upon  
the Postmaster-General the obligation of transmitting under the  
15 provisions of the Telegraph Act 1868 or any agreement between  
the Postmaster-General and the Company made in pursuance  
thereof any larger number of telegraphic messages of the Com-  
pany free of charge than he would have been bound to transmit  
had this Order not become law.

For pro-  
tection of  
Postmaster-  
General.

20 43. Nothing in this Order contained shall exempt the  
Company or their railway from the provisions of any general  
Act relating to railways or the better and more impartial audit  
of the accounts of railway companies passed before or after the  
passing of the Act confirming this Order or from any future  
25 revision or alteration under the authority of Parliament of the  
maximum rates of fares and charges or of the rates for small  
parcels authorised to be taken by the Company.

Provision as  
to general  
Railway  
Acts.

44. All costs charges and expenses of and incident to the  
preparing for obtaining and confirming of this Order or otherwise  
30 in relation thereto shall be paid by the Company.

Costs of  
Order.

A.D. 1910. **SCHEDULE** referred to in the foregoing Order.

HOUSES BUILDINGS OR MANUFACTORIES PARTS ONLY OF WHICH MAY  
BE TAKEN.

Parish.	No. on deposited Plans.
<b>WORK No. 1.</b>	
Govan - - - -	-   10. <span style="float: right;">5</span>
<b>WORK No. 3.</b>	
Rutherglen - - -	-   8 9 10 11.
<b>LAND AT POLMADIE.</b>	
Govan - - - -	-   2 3 4 5 6 7 8 9 10. <span style="float: right;">10</span>
<b>LAND AT RUTHERGLEN.</b>	
Rutherglen - - -	-   4 5 15 21 22 23 24 25.
<b>LAND AT FERNIEGAIR STATION.</b>	
Hamilton - - - -	-   2 3 4 5 6.

**Caledonian Railway  
Order Confirmation.**

[H.L.]

A

**B I L L**

INTITLED

An Act to confirm a Provisional Order  
under the Private Legislation Pro-  
cedure (Scotland) Act 1899 relating  
to the Caledonian Railway.

*The Lord Pentland.*

Ordered to be printed 28th June 1910.

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[Price 3d.]

(73.)

# Census (Great Britain) Bill

## ARRANGEMENT OF CLAUSES.

Clause.

1. Census to be taken in 1911.
2. Central authority for and expenses of census.
3. Enumeration districts and enumerators.
4. Preparation and filling up of schedules.
5. Collection of schedules and returns by enumerators.
6. Enumeration in public institutions, &c.
7. Returns of persons travelling or on shipboard and in houses.
8. Reports on returns.
9. Power to supply further abstracts to local authorities.
10. Matters to be prescribed by instructions.
11. Power to require enumerators to make statutory declarations.
12. Penalties for offences.
13. Application to Scotland.
14. Extent of Act and short title.



A

## B I L L

INTITULED

An Act for taking the Census for Great Britain in the year nineteen hundred and eleven. A.D. 1910.

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- 5     **1.** A census for Great Britain shall be taken in the year nineteen hundred and eleven, and the census day shall be Sunday the second day of April in that year. Census to be taken in 1911.
- 2.**—(1) The Local Government Board shall superintend the taking of the census. Central authority for and expenses of census.
- 10     (2) The Registrar General shall, subject to the approval of the Board, prepare and issue such forms and instructions as he deems necessary for the taking of the census.
- (3) The expenses incurred, with the approval of the Treasury, for the purposes of the census, shall be paid out of money  
15 provided by Parliament.
- 3.**—(1) For the purposes of the census every registration sub-district shall be divided into enumeration districts, and an enumerator shall be appointed for each enumeration district. Enumeration districts and enumerators.
- (2) Overseers and assistant overseers of the poor, relieving  
20 officers for poor law unions, and collectors of the poor rate shall, if so required by the Local Government Board, act as and be enumerators for the purposes of this Act.
- 4.**—(1) Schedules shall be prepared by or under the direction of the Local Government Board for the purpose of being filled  
25 up by or on behalf of the several occupiers of dwelling-houses, Preparation and filling up of schedules.

A.D. 1910. with the following particulars, and no others, namely, particulars  
 as to—

- (a) the name, sex, age, profession or occupation, condition as to marriage, relation to head of family, birthplace, and (in the case of a person born abroad) nationality, of every living person who abode in every house on the night of the census day; and 5
- (b) whether any person who so abode was blind, deaf, dumb, imbecile or lunatic; and
- (c) in the case of any person who so abode being married, the duration of marriage, and the number of children born of the marriage the number of such children living; and 10
- (d) the number of rooms inhabited; and
- (e) in the case of Wales or the county of Monmouth, whether any person who so abode (being of three years of age or upwards) speaks English only or Welsh only, or both English and Welsh. 15

(2) Every enumerator shall in the course of the week ending on the Saturday next before the census day leave at every dwelling-house within his enumeration district one or more of these schedules for the occupier thereof or of any part thereof, and on every such schedule shall be plainly expressed that it is to be filled up by the occupier for whom it is left, and that the enumerator will collect all such schedules within his district on the Monday then next following. 20 25

(3) Every occupier for whom any such schedule has been so left shall fill up or cause to be filled up the schedule, to the best of his knowledge and belief, so far as relates to all persons dwelling in the house, tenement, or apartment occupied by him, and shall sign his name thereto, and shall deliver the schedule so filled up and signed to the enumerator when required so to do. 30

(4) In this section the expression "dwelling-house" shall include every building and tenement of which the whole or any part is used for the purpose of human habitation, and where a dwelling-house is let or sub-let in different tenements or apartments and occupied distinctly by different persons or families a separate schedule shall be left with or for and shall be filled up by the occupier of each such distinct tenement or apartment. 35

(5) For the purposes of this section, a person who is travelling or at work on the night of the census day, and who 40



returns to a house on the morning of the following day, shall be treated as abiding in that house on the night of the census day. A.D. 1910. —

**5.**—(1) Every enumerator shall visit every house in his district, so far as may be possible, on the day next following the census day, and shall collect all schedules so left within his district in the course of the previous week, and shall complete such of the schedules as on delivery thereof appear to him to be defective, and correct such as he finds to be erroneous.

Collection of  
schedules  
and returns  
by enu-  
merators.

**10** (2) Every enumerator shall also furnish in such forms as may be prescribed particulars concerning the population of houses and other buildings in his district or in any specified portion thereof.

**15** **6.** The governor, master, chief resident officer, manager, or other person in charge of every prison, workhouse, hospital, lunatic asylum, or public or charitable institution, or other large establishment, which may be determined upon by the Registrar General, shall be the enumerator of the inmates thereof, and shall conform to such instructions as may be sent to him by the authority of the Local Government Board for obtaining the returns required by this Act, so far as may be practicable, with respect to the inmates.

Enumeration  
in public  
institutions,  
&c.

**25** **7.** The Registrar General shall, subject to the approval of the Local Government Board, obtain returns of the particulars required by this Act with respect to persons who during the night of the census day were travelling or on shipboard, or for any other reason were not abiding on that night in any house of which account is to be taken by the enumerators, and shall include these returns in the reports to be made under this Act.

Returns of  
persons  
travelling or  
on ship-  
board or not  
in houses.

**30** **8.** The Registrar General shall subject to the approval of the Local Government Board prepare a preliminary report and a detailed report on the census returns, and each such report shall be printed and laid before both Houses of Parliament at as early a date as may be found practicable.

Reports on  
returns.

**35** **9.** The Registrar General may, if and at such time as he thinks fit, at the request and cost of any local authority or any person, cause abstracts to be prepared containing statistical information which can be derived from the census returns but is not supplied by the census report, and which, in his opinion, the authority or person may reasonably require.

Power to  
supply  
further  
abstracts  
to local  
authorities.

**40**



A.D. 1910.  
Matters to  
be prescribed  
by instruc-  
tions.

- 10.**—(1) Instructions issued under this Act may prescribe, among other things—
- (a) the mode in which enumeration districts are to be formed and enumerators appointed; and
  - (b) the duties of superintendent registrars, registrars, enumerators, and other persons employed under this Act; and
  - (c) the allowances to be paid to persons employed under this Act; and
  - (d) the mode in which and the persons by whom the amount of the allowances payable in respect of each registration district is to be certified, and the persons by whom and the mode in which the payments are to be made; and
  - (e) anything authorised by this Act to be prescribed. 15
- (2) The scale of allowances payable under this Act shall be subject to the approval of the Treasury.

Power to re-  
quire enu-  
merators to  
make statu-  
tory declara-  
tions.

- 11.** Every enumerator shall make a statutory declaration to the effect that the returns furnished by him in pursuance of this Act or the instructions issued thereunder have been truly and faithfully taken, and that to the best of his knowledge they are correct so far as may be known, and such declaration may be made before a superintendent registrar or registrar, who for that purpose shall have power to take such statutory declaration as if he were an officer by law authorised to administer an oath. 25

Penalties for  
offences.

- 12.**—(1) If any superintendent registrar, registrar, enumerator, or other person employed under this Act, makes wilful default in the performance of any of his duties under this Act, or makes any wilfully false declaration, he shall for each offence be liable on conviction under the Summary Jurisdiction Acts to a fine not exceeding five pounds. 30
- (2) If any occupier for whom a schedule is left under this Act—
- (a) wilfully refuses, or without lawful excuse neglects, to fill up or cause to be filled up the schedule to the best of his knowledge and belief, or to sign and deliver it as by this Act required; or
  - (b) wilfully makes, signs, or delivers, or causes to be made signed, or delivered, any false return of any matter specified in the schedule; or 40

[10 EDW. 7 &  
1 GEO. 5.]

*Census (Great Britain).*

5

(b) wilfully makes, signs, or delivers, or causes to be made signed, or delivered, any false return of any matter specified in the schedule ; or A.D. 1910.

5 (c) refuses to answer, or wilfully gives a false answer to, any question necessary for obtaining the information required to be obtained under this Act ;

he shall for each offence be liable on conviction under the Summary Jurisdiction Acts to a fine not exceeding five pounds.

10 (3) If any person employed in taking the census communicates, without lawful authority, any information acquired in the course of his employment, he shall be guilty of a breach of official trust within the meaning of the Official Secrets Act, 1889, and that Act shall apply accordingly. 52 & 53 Vict.  
c. 52.

**13.** In the application of this Act to Scotland—

Application  
to Scotland.

15 (1) “Secretary for Scotland” shall be substituted for “Local Government Board” and “Board” ; “Registrar General for Scotland” for “Registrar General” ; “registration district” for “registration sub-district” ; and “poorhouse” for “workhouse” :

20 (2) The schedules under this Act shall include particulars showing whether any person who abode in any house on the night of the census day (being three years of age or upwards) speaks English only or Gaelic only, or both English and Gaelic :

25 (3) The particulars to be furnished by the enumerators shall show, with respect to each dwelling-house, the number of rooms, including a kitchen (if any) as a room, having a window, not being a window with a borrowed light :

30 (4) Sheriffs, sheriff clerks, chief magistrates, town clerks, inspectors of poor and assistant inspectors of poor, shall perform such duties as may be prescribed, including, if so prescribed, such duties as were imposed on them by the Census (Scotland) Act, 1890. 53 & 54 Vict.  
c. 38.

35

**14.**—(1) This Act shall not extend to Ireland.

Extent of  
Act and  
short title.

(2) This Act may be cited as the Census (Great Britain) Act, 1910.

# Census (Great Britain).

A

**B I L L**

[AS AMENDED IN COMMITTEE]

INTITULED

An Act for taking the Census for Great Britain in the year nineteen hundred and eleven.

*(Brought from the Commons 4th July 1910.)*

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Ordered to be printed 12th July 1910.

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(103.)

**Census (Great Britain) Bill.**

A M E N D M E N T  
TO BE MOVED ON REPORT  
BY  
THE LORD EVERSLEY.

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Clause 4, page 2, lines 3 and 4, leave out ("religious  
"profession")

(103 a.)

**Census (Great Britain)  
Bill.**

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**A M E N D M E N T**

**TO BE MOVED ON REPORT**

**BY**

**THE LORD EVERSOLEY.**

18th July 1910.

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(108 a.)

## Census (Great Britain) Bill.

### A M E N D M E N T S

TO BE MOVED ON THIRD READING

BY

THE LORD PRESIDENT (*E. Beauchamp*).

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Clause 4, page 2, line 3, after ("profession") insert ("or")  
and after ("occupation") leave out ("or")

Clause 12, page 4, lines 31 to 33, leave out ("Provided that no  
" person shall be subject to any such penalty for refusing to state  
" his religious profession")

page 5, line 8, after ("pounds") insert ("Provided  
" that no person shall be subject to any such penalty for refusing  
" to state his religious profession")

(103 b.)

# Census (Great Britain) Bill.

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A M E N D M E N T S

TO BE MOVED ON THIRD READING

BY

THE LORD PRESIDENT (*E. Beauchamp*).

19th July 1910.

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(103 b.)

## Census (Great Britain) Bill.

### COMMONS REASONS FOR DISAGREEING TO THE AMENDMENTS MADE BY THE LORDS TO THE CENSUS (GREAT BRITAIN) BILL.

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*[The references are to Bill No. (80).]*

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#### *Lords Amendment.*

Clause 4, page 2, line 3, after (“ occupation ”) insert (“ religious profession ”)

The Commons disagree to this amendment for the following reason—

Because they consider that in the circumstances of Great Britain it is undesirable to introduce in the Census paper any questions as to religious belief, and that it is improbable that information of statistical value would be obtained by any such questions.

#### *Lords Amendment.*

Clause 12, page 5, line 5, after (“ pounds ”) insert (“ Provided “ that no person shall be subject to any such penalty for refusing “ to state his religious profession ”)

The Commons disagree to this amendment for the following reason—

Because it is consequential on the Lords amendment in page 2, line 3.

(144.)



# Census (Great Britain) Bill.

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COMMONS REASONS FOR DISAGREEING  
TO THE AMENDMENTS MADE BY THE  
LORDS TO THE CENSUS (GREAT  
BRITAIN) BILL.

28th July 1910.

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[Price 4d.]

(144.)

[10 EDW. 7.]

*Census (Ireland).*

1

A

**B I L L****INTITULED**

An Act for taking the Census for Ireland in the year A.D. 1910.  
 nineteen hundred and eleven.

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- 5     **1.** A census for Ireland shall be taken in the year nineteen hundred and eleven in the manner herein-after directed, and the census day shall be Sunday the second day of April in that year. Census to be taken in 1911.
- 10     **2.**—(1) Such officers and men of the police force of Dublin metropolis and of the Royal Irish Constabulary as the Lord Lieutenant may direct, together with such other persons as the Lord Lieutenant may appoint to assist therein, shall act as and be enumerators for the purposes of this Act. Enumerators and their duties.
- 15     (2) Every enumerator shall, upon the Monday following the census day, and such one or more next consecutive days as the Lord Lieutenant may fix, visit every house within the district assigned to him between the hours of half-past eight in the forenoon and six in the afternoon, and take an account in writing, according to such instructions as may be given to him by the
- 20     Chief or Under Secretary to the Lord Lieutenant, of the number of persons who abode therein on the night of the census day, and of the sex, age, religious profession, birthplace, and occupation of all such persons; and, in the case of any person who so abode being married, of the duration of marriage and the number of
- 25     children born of the marriage and the number of such children living.

A.D. 1910.

(3) Every enumerator shall take an account of the number of inhabited houses and of uninhabited houses and of houses then building within his district and of the number of rooms occupied by any occupier who is in occupation of less than five rooms; and shall also furnish such particulars as may be directed as to the 5 counties, boroughs, towns, districts, and other areas for electoral or administrative purposes in which the houses are situate.

(4) The enumerators shall also take an account of all such further particulars as they may be directed to inquire into by such instructions as are authorised to be issued under this Act. 10

(5) Every enumerator may ask all such questions of all persons within his district respecting themselves or the persons constituting their respective families, and respecting such further particulars, as may be necessary for the purpose of taking the said accounts, 15

Enumeration in public and charitable institutions.

3. The governor, master, or chief resident officer of every prison, workhouse, barrack, hospital, or lunatic asylum, and of every public or charitable institution which may be determined upon by the Lord Lieutenant, shall act as and be the enumerator of the inmates thereof, and shall conform to such instructions 20 as may be sent to him by the authority of the Lord Lieutenant for obtaining the returns required by this Act, so far as may be practicable, with respect to such inmates, but the initial letters only of the Christian names and surnames of such inmates shall be stated in any such return. 25

Provision as to houseless persons.

4. The Chief Secretary shall obtain returns of the particulars required by this Act with respect to all houseless persons, and all persons who during the night of the census day were travelling or on shipboard, or for any other reason were not abiding on that night in any house of which account is to be taken by the 30 enumerators, and shall include such returns in the abstract to be laid before Parliament.

Forms and instructions.

5.—(1) The Chief or Under Secretary to the Lord Lieutenant shall prepare and issue such forms and instructions as he may think necessary for the taking of the census, and the census 35 shall be taken by means of and in the manner prescribed by those forms and instructions, and no question shall be put for the purpose of obtaining information other than the information required by those forms and instructions.

(2) Subject to such modifications as are required by or in 40 pursuance of this Act, the forms and instructions issued under

this section shall be to the like effect and contain the like matters and particulars only as the forms and instructions issued under the Census (Ireland) Act, 1900. A.D. 1910.

(3) The expenses incurred with the approval of the Treasury for the purposes of the census shall be paid out of moneys provided by Parliament.

6.—(1) Every enumerator shall sign and certify the account taken by him, and make a statutory declaration, to the effect that the said account has been truly and faithfully taken by him, and that, to the best of his knowledge, the same is correct, so far as may be known, and shall deliver the same to such officer of the said police force, or of the Royal Irish Constabulary, or other person, as may be appointed by the Lord Lieutenant to receive the same from him. Certificates  
of accounts  
and abstract  
of returns.

(2) The accounts shall be examined, corrected, certified, and transmitted in such manner and within such time as the Lord Lieutenant may direct, and the same shall be digested and reduced into order, under the direction of the Chief or Under Secretary to the Lord Lieutenant, by the Registrar-General of Births, Deaths and Marriages in Ireland, and by such other persons as the Lord Lieutenant may appoint for that purpose.

(3) An abstract of the accounts taken under this Act shall be laid before both Houses of Parliament within twelve months after the census day, if Parliament be then sitting, or, if Parliament be not then sitting, within the first fourteen days of the session then next ensuing.

7.—(1) If any enumerator makes wilful default in the performance of any of his duties under this Act, he shall for each offence be liable on conviction under the Summary Jurisdiction (Ireland) Acts to a fine not exceeding five pounds. Penalties.

(2) If any person refuses to answer or wilfully gives a false answer to any question necessary for obtaining the information required to be obtained under this Act, he shall for each offence be liable on conviction under the Summary Jurisdiction (Ireland) Acts to a fine not exceeding five pounds: Provided that no person shall be subject to any such penalty for refusing to state his religious profession.

(3) If any person employed in taking the census communicates without lawful authority any information acquired in the course of his employment, he shall be guilty of a breach of official trust within the meaning of the Official Secrets Act, 1889, and that Act shall apply accordingly. 52 & 53 Vict.  
c. 52.

**A.D. 1910.** **8.** A certificate from the General Register Office, purporting to be signed by the Registrar-General of Births, Deaths and Marriages in Ireland, shall be admitted in any court of law as evidence of the population, at the census taken under this Act, of any county, borough, town, district or other area to which it refers, and the said Registrar-General shall be bound, if possible, to deliver such certificate to any person on payment of a fee of one shilling.

**Short title.** **9.** This Act may be cited as the Census (Ireland) Act, 1910.

## Census (Ireland).

A

**B I L L**

INTRODUCED

An Act for taking the Census for Ireland in the year nineteen hundred and eleven.

(*Brought from the Commons 4th July 1910.*)

Ordered to be printed 4th July 1910.

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(81)

[1 GEO. 5.] *Children Act (1908) Amendment.*

1

A

**B I L L**

INTITULED

An Act to amend sections seventeen and eighteen of the A.D. 1910.  
Children Act, 1908.

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- 5     **1.** Subsections (1) and (2) of section seventeen and subsection (1) of section eighteen of the Children Act, 1908, shall be read as if in each of these subsections the words "or carnal knowledge" were inserted after the words "seduction or prostitution."
- 10     **2.** This Act may be cited as the Children Act (1908) Amendment Act, 1910, and shall be construed as one with the Children Act, 1908.

Amendment  
of sections  
17 and 18 of  
the Children  
Act, 1908.  
8 Edw. 7.  
c. 67.

Short title  
and con-  
struction.







**Children Act (1908)  
Amendment.**

---

**A**

**B I L L**

INTITULED

An Act to amend sections seventeen  
and eighteen of the Children Act,  
1908.

*(Brought from the Commons 21st July 1910.)*

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Ordered to be printed 21st July 1910.

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(123)

**Children Act (1908) Amendment Bill.**

A M E N D M E N T S

TO BE MOVED IN COMMITTEE

BY

THE LORD PRESIDENT (*E. Beauchamp*).

---

Clause 1, page 1, lines 6 and 7, leave out (“ and subsection (1)  
“ of section eighteen ”)

line 8, after (“ or ”) insert (“ unlawful ”)

line 9, after (“ prostitution ”) insert (“ and

“ as if the words ‘ or been unlawfully carnally known ’ were  
“ inserted after the words ‘ become a prostitute,’ and section  
“ eighteen of the same Act shall be read as if the words ‘ or of  
“ ‘ being unlawfully carnally known ’ were inserted after the  
“ words ‘ seduction or prostitution ’ ”)

(123 a.)

**Children Act (1908)  
Amendment Bill.**

**A M E N D M E N T S**

TO BE MOVED IN COMMITTEE

BY

**THE LORD PRESIDENT**

*(E. Beauchamp).*

25th July 1910.

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[Price 3d.]

(123 a.)

[1 GEO. 5.] *Children Act (1908) Amendment.*

1

A

## B I L L

[AS AMENDED IN COMMITTEE]

INTITULED

An Act to amend sections seventeen and eighteen of the A.D. 1910.  
Children Act, 1908.

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- 5     **1.** Subsections (1) and (2) of section seventeen of the Children Act, 1908, shall be read as if in each of these sub-  
sections the words "or unlawful carnal knowledge" were inserted  
after the words "seduction or prostitution," and as if the words  
" or been unlawfully carnally known " were inserted after the  
10 words "become a prostitute," and section eighteen of the same  
Act shall be read as if the words "or of being unlawfully  
carnally known" were inserted after the words "seduction or  
prostitution."
- 15     **2.** This Act may be cited as the Children Act (1908) Amend-  
ment Act, 1910, and shall be construed as one with the Children  
Act, 1908.

Amendment  
of sections  
17 and 18 of  
the Children  
Act, 1908.  
8 Edw. 7.  
c. 67.

Short title  
and con-  
struction.





**Children Act (1908)  
Amendment.**

---

A

**B I L L**

[AS AMENDED IN COMMITTEE]

INTITLED

An Act to amend sections seventeen  
and eighteen of the Children Act,  
1908.

*(Brought from the Commons 21st July 1910.)*

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Ordered to be printed 26th July 1910.

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(138.)

## **Civil List Bill.**

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### ARRANGEMENT OF CLAUSES.

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Clause.

1. Payment of hereditary revenues to Exchequer.
2. Annual payment for Civil List.
3. Provision for the Queen in the event of her surviving the King.
4. Provision for the Princess of Wales in the event of the marriage of the Prince of Wales.
5. Provision for His Majesty's younger children.
6. Appropriation of Civil List.
7. Payments by Treasury in respect of retired allowances.
8. Charge of payments under Act.
9. Continuance of enactments, commencement, repeal, and short title.

**SCHEDULE.**

---





A

## B I L L

INTITULED

An Act to make provision for the honour and dignity of the Crown and the Royal Family, and for the payment of certain allowances and pensions. A.D. 1910.

Most Gracious Sovereign,

**W**HEREAS Your Majesty has been graciously pleased to signify to your faithful Commons in Parliament assembled that Your Majesty placed unreservedly at their disposal those hereditary revenues which were so placed by Your predecessor, and that Your Majesty is desirous that competent provision should be made for Her Majesty the Queen in the event of Her surviving Your Majesty, and, in the event of the marriage of His Royal Highness the Prince of Wales, for Her Royal Highness the Princess of Wales, and that similar provision should be made for Your Majesty's younger children in the event of their respectively attaining their majority or marrying:

Now therefore we, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom in Parliament assembled, have freely and voluntarily resolved to make such provision as herein-after appears for the purposes aforesaid, and we do most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. The hereditary revenues which were by section one of the Civil List Act, 1901, directed to be carried to and made part of the Consolidated Fund (including the Osborne Estate to which that section was subsequently applied by the Osborne Estate

Payment of hereditary revenues to Exchequer. 1 Edw. 7. c. 4.

(150)

A 2

A.D. 1910. Act, 1902) shall, during the present reign and a period of six months afterwards, be paid into the Exchequer, and be made part of the Consolidated Fund.

Annual payment for Civil List.

**2.** There shall, during the present reign and a period of six months afterwards, be paid for the King's Civil List, the yearly sum of four hundred and seventy thousand pounds.

Provision for the Queen in the event of her surviving the King.

**3.** In the event of Her Majesty Queen Mary surviving His Majesty the King, there shall be paid to her during her life an annuity of seventy thousand pounds.

Provision for the Princess of Wales in the event of the marriage of the Prince of Wales.

**4.**—(1) In the event of the marriage of His Royal Highness the Prince of Wales, there shall be paid to Her Royal Highness the Princess of Wales during the continuance of her marriage with His Royal Highness the Prince of Wales for her sole and separate use, but without any power of anticipation, an annuity of ten thousand pounds. 15

(2) In the event of Her Royal Highness the Princess of Wales surviving His Royal Highness the Prince of Wales, there shall be paid to Her Royal Highness during her life an annuity of thirty thousand pounds.

Provision for His Majesty's younger children.

**5.**—(1) There shall be paid to the trustees herein-after mentioned as a provision for the benefit of His Majesty's children (other than the Duke of Cornwall for the time being) an annual sum of ten thousand pounds in respect of each son (other than the Duke of Cornwall for the time being) who attains the age of twenty-one years, and a further annual sum of fifteen thousand pounds in respect of each such son who marries, and an annual sum of six thousand pounds in respect of each daughter who attains the age of twenty-one years or marries: 25

Provided that the sum payable in respect of any such son or daughter shall cease to be paid in the event of the death of that son or daughter. 30

(2) The persons who are for the time being the First Commissioner of His Majesty's Treasury, the Chancellor of the Exchequer, and the Keeper of His Majesty's Privy Purse shall be the Royal trustees, and shall be a body corporate by that name, and any act of the trustees may be signified under the hands and seals of the persons who are the trustees for the time being. 35

(3) The trustees shall hold the annual sums paid to them under this section, in trust for all or any one or more of the children of His Majesty (other than the Duke of Cornwall for the time being), in such shares, at such times, in such manner, and  
 5 subject to such conditions and powers of revocation (including, if it is thought fit, a condition against alienation) as His present Majesty may by order countersigned by the First Commissioner of His Majesty's Treasury and the Chancellor of the Exchequer, appoint:

A.D. 1910.

10 Provided that any such appointment may be varied by another order made and countersigned in like manner.

6.—(1) In the application of the sum paid for the Civil List the amounts mentioned in the second column of the schedule to this Act shall be appropriated to the class of  
 15 expenditure mentioned opposite thereto in the first column of that schedule.

Appropriation of Civil List.

(2) If at the end of any calendar year, the sum appropriated to any class of expenditure (other than Class IV.) is not wholly required for expenditure of that class in that year, the Treasury  
 20 may direct that the amount not required be applied as an addition to the sum available for any other class.

(3) If at the end of any calendar year the sum appropriated to the expenditure of Class IV. is not wholly required for the expenditure of that class in that year, the amount not required  
 25 shall be set aside and accumulated for the purpose of future expenditure of that class in such manner as the Treasury direct.

7.—(1) The Treasury may undertake the payment of any retired allowances granted by His late Majesty and paid as part of the expenditure under Class II. of His Civil List.

Payments by Treasury in respect of retired allowances.

30 (2) The Treasury may also in the case of any retired allowance which may be granted by His present Majesty to persons who have been for a longer period than ten years in the Royal service under Her Majesty Queen Victoria or His late Majesty, undertake the payment of any part of that allowance  
 35 which is in their opinion attributable to that service.

(3) The amount paid by the Treasury in respect of payments undertaken under this section shall not exceed the sum of eighteen thousand pounds in any year.

A.D. 1910. (4) The Treasury shall keep a register of all allowances which are paid by them either in whole or in part under this section.

Charge of payments under Act.

8. The sums required under this Act for the Civil List, and for the provision under this Act for Her Majesty the Queen, 5 and, in the event of the marriage of the Prince of Wales, for Her Royal Highness the Princess of Wales, and for His Majesty's younger children, and for the payment of the retired allowances payable by the Treasury under this Act, and for the payment of Civil List pensions (whether granted before or 10 after the passing of this Act), shall be charged on and paid out of the Consolidated Fund or the growing produce thereof, and shall be paid at such times and in such manner as the Treasury may direct.

Continuance of enactments, commencement, repeal, and short title.  
1 Vict. c. 2.

9.—(1) Sections five and six of the Civil List Act, 1837, 15 which relate to Civil List pensions, shall continue to apply during the present reign and a period of six months afterwards, but Civil List pensions shall not be granted as chargeable on the sum paid for the Civil List.

56 Geo. 3. c. 46.

(2) The Civil List Audit Act, 1816, and all other enactments 20 relating to the Civil List of His late Majesty, and not hereby superseded or expressly repealed, shall continue to apply to the Civil List under this Act, and nothing in this Act shall affect any rights or powers for the time being exerciseable with respect to any of the hereditary revenues which are by this Act directed 25 to be paid into the Exchequer.

1 Edw. 7. c. 4.  
2 Edw. 7. c. 37.

(3) Sections one, two, three, and six, and section nine (with the exception of subsection (5)), of the Civil List Act, 1901 and subsection (2) of section one of the Osborne Estate Act, 1902, are hereby repealed, and the provisions made by this Act shall 30 be in substitution for the provisions made by the enactments hereby repealed.

(4) This Act shall take effect as from the last demise of the Crown, and such adjustments and allowances shall be made as may appear to the Treasury necessary for giving effect to 35 this provision during the present year.

(5) This Act may cited as the Civil List Act, 1910.

[1 GEO. 5.]

*Civil List.*

5

SCHEDULE.A.D. 1910.

Classes of Expenditure.	Sum Appropriated.
	£
I. Their Majesties' privy purse - - -	110,000
5 II. Salaries of His Majesty's household and retired allowances.	125,800
III. Expenses of His Majesty's household -	193,000
IV. Works - - - - -	20,000
V. Royal bounty, alms, and special services -	13,200
10 VI. Unappropriated - - - - -	8,000
Total - - - - - £	470,000

# Civil List.

A

# B I L L

INTITULED

An Act to make provision for the honour and dignity of the Crown and the Royal Family, and for the payment of certain allowances and pensions.

*(Brought from the Commons 29th July 1910.)*

Ordered to be printed 29th July 1910.

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[*Price 1d.*] ]

(150)

[1 GEO. 5.] *Clydebank and District Water Order* 1  
*Confirmation.* [H.L.]

A

## B I L L

INTITULED

An Act to confirm a Provisional Order under the Private A.D. 1910.  
 Legislation Procedure (Scotland) Act 1899 relating to  
 Clydebank and District Water.

**W**HEREAS His Majesty's Secretary for Scotland has made  
 the Provisional Order set forth in the schedule hereunto  
 annexed under the provisions of the Private Legislation Procedure 62 & 63 Vict.  
 (Scotland) Act 1899 and it is requisite that the said Order should c. 47.  
 5 be confirmed by Parliament :

Be it therefore enacted by the King's most Excellent Majesty  
 by and with the advice and consent of the Lords Spiritual and  
 Temporal and Commons in this present Parliament assembled  
 and by the authority of the same as follows:—

- 10 1. The Provisional Order contained in the schedule hereunto Confirmation  
 annexed shall be and the same is hereby confirmed. of Order in  
 schedule.
2. This Act may be cited as the Clydebank and District Short title.  
 Water Order Confirmation Act 1910.



A.D. 1910.

S C H E D U L E.

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CLYDEBANK AND DISTRICT WATER.

*Provisional Order to authorise the Clydebank and  
District Water Trustees to construct additional Works to  
abandon parts of authorised Works to acquire  
additional lands and for other purposes.* 5

WHEREAS by the Clydebank and District Water and Burgh Extension Order 1906 (in this Order referred to as "the Order of 1906") the Clydebank and District Water Trustees (in this Order called "the Trustees") were incorporated for the purpose 10 of supplying water within the burgh of Clydebank and the district therein defined and were authorised to acquire lands and construct the works therein described :

And whereas by the Clydebank and District Water Order 1909 (in this Order referred to as "the Order of 1909") the 15 Trustees were authorised to construct additional works to abandon certain authorised works and to acquire further lands for the purpose of their water undertaking and the time for the purchase of lands and the completion of works authorised by the Order of 1906 was extended : 20

And whereas it is expedient that the Trustees should be authorised to make a diversion (Work No. 2) of the road of access authorised by the Order of 1906 and to construct additional works and to abandon certain works authorised by the Order of 1906 and to relinquish the lands authorised to be acquired for 25 the purposes of the same :

And whereas in consequence of the abandonment of the works authorised by this Order to be abandoned it is expedient to repeal the provisions with respect to compensation water of the Order of 1906 and to make other provision for the same : 30

And whereas the estimates prepared by the Trustees for the construction and completion of the additional works authorised

[1 GEO. 5.] *Clydebank and District Water Order*  
Confirmation.

3

by this Order are less than the estimate for the works authorised to be abandoned by this Order by the sum of fourteen thousand two hundred pounds: A.D. 1910.

And whereas the estimate prepared by the Trustees for the purchase of the lands for the additional works authorised by this Order exceeds the estimate for the purchase of the lands for the works authorised to be abandoned by this Order by the sum of four thousand and seventy pounds:

And whereas it is expedient that the Trustees should for the purposes of the works authorised by this Order and for the purchase of lands be authorised to apply the rates authorised to be levied and the money authorised to be borrowed under the Order of 1906 and the Order of 1909:

And whereas it is expedient that the other powers in this Order contained should be conferred on the Trustees:

And whereas plans and sections showing the lines situations and levels of the several works authorised by this Order and also a book of reference thereto containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of the lands and other property required or which may be taken for the several purposes or under the powers of this Order were duly deposited with the principal sheriff clerks of the counties of Dumbarton and Stirling respectively and are in this Order referred to as the deposited plans sections and book of reference:

And whereas the purposes aforesaid cannot be effected without an Order of the Secretary for Scotland confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1899:

Now therefore in pursuance of the powers contained in the last-mentioned Act the Secretary for Scotland orders as follows:—

1. This Order may be cited for all purposes as the Clydebank and District Water Order 1910 and may together with the Order of 1906 and the Order of 1909 be cited as the Clydebank and District Water Orders 1906 to 1910. Short title.
2. This Order shall commence and have effect on and from the date of the passing of the Act confirming the same which date is herein-after referred to as "the commencement of this Order." Commence-  
ment of  
Order.
3. In this Order the several words and expressions to which meanings are assigned in the Order of 1906 and the Order of 1909 and in any Acts wholly or partially incorporated with those (105.) Interpreta-  
tion of terms.

A.D. 1910. Orders shall have the meanings attached to them in the said Orders and Acts unless there be something in the subject or context repugnant to such construction.

Incorporation of Acts.

4. The following Acts and parts of Acts so far as the same respectively are applicable for the purposes and are not inconsistent with or varied by the provisions of this Order are hereby incorporated with and form part of this Order:—

The Lands Clauses Acts:

The Waterworks Clauses Acts 1847 and 1863 with the exceptions specified in the Order of 1906: 10

The Commissioners Clauses Act 1847 with the exceptions specified in the Order of 1906:

The clauses and provisions of the Railways Clauses Consolidation (Scotland) Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof and in construing the said clauses and provisions “the Company” means the Trustees “the Railway” means the reservoir and embankment authorised by the Order of 1906 and by this Order and the works immediately connected therewith and also the catch-water conduit or aqueduct (Work No. 3) and the road of access (Work No. 4) authorised by this Order and expressions referring to the centre of the railway mean in the case of the said reservoir and embankment and the works immediately connected therewith the boundaries thereof respectively and in the case of the said Works No. 3 and No. 4 the centre lines thereof respectively and for the purposes of section 27 of that Act the prescribed limits shall be fifty yards in respect of the said reservoir and ten yards in respect of other works. 20 25 30

This Order shall be deemed a special Act within the meaning of the provisions of the said Acts wholly or partly incorporated herewith.

Works.

5. The Trustees may subject to the provisions of this Order make and maintain in the lines and according to the levels shown on the deposited plans and sections the additional works herein-after described or some part or parts thereof The works herein-before referred to are the following:— 35

(1) The enlarging of Burn Crooks Reservoir (Work No. 1) by the raising of the top water level and the embankment thereof the said reservoir being Work No. 5 40

[1 GEO. 5.] *Clydebank and District Water Order*  
Confirmation.

5

authorised by the Order of 1906 situate partly in the parish of Killearn and county of Stirling and partly in the parish of Dumbarton and county of Dumbarton the enlarged reservoir commencing at a point on the Burn Crooks Burn nine hundred lineal yards or thereby measured in a south-westerly direction from the point marked east corner of Burn Crooks on the six-inch ordnance survey map marked second edition 1899 and terminating at the said embankment of the said reservoir now under construction at a point four hundred and sixty yards or thereby measured in a north-westerly direction from the said east corner of Burn Crooks :

A.D. 1910.

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- (2) A deviation or diversion (Work No. 2) of the road of access being the road of access Work No. 6 authorised by the Order of 1906 in the parish of Killearn and county of Stirling commencing the said deviation at the point of commencement of the road of access Work No. 6 of the Order of 1906 and terminating at a point five hundred and ten lineal yards or thereby east of the above-mentioned point of commencement :
- (3) A catch-water conduit or aqueduct (Work No. 3) partly open situate in the parish of Dumbarton and county of Dumbarton commencing in Spouts Burn at a point one thousand and sixty yards or thereby measured in a southerly direction from the confluence of the Spouts Burn with the Knockupple Burn and terminating at the south end of the raised embankment of Burn Crooks Reservoir :
- (4) A road of access (Work No. 4) in the parish of Dumbarton and county of Dumbarton commencing at the point of commencement of the said catch-water conduit or aqueduct last described and terminating at the point of termination of the said catch-water conduit or aqueduct :
- (5) A conduit or line of pipes (Work No. 5) situate partly in the parish of Killearn and county of Stirling and partly in the parish of Dumbarton and county of Dumbarton commencing at a point at the foot of the outer slope of the embankment of Burn Crooks Reservoir (Work No. 1) and terminating in the Gallangad Burn at a point seven hundred and thirty-

A.D. 1910.

five lineal yards or thereby measured in a south-easterly direction from its confluence with the Finland Burn.

Power to  
make sub-  
sidiary  
works.

6. The Trustees in addition to the waterworks authorised by this Order and in connection therewith may upon or in the lands 5 which they are authorised by this Order to acquire compulsorily or upon or in the lands which they have already acquired for the construction of Burn Crooks Reservoir make erect and maintain all such embankments dams weirs intake weirs bywash channels bridges roads accesses approaches wells tanks gauges filter-beds 10 sluices outlets drains aqueducts culverts channels cuts mains pipes engines machinery buildings telegraphs telephones posts wires and other works and conveniences as may be necessary or convenient in connexion with or subsidiary to the waterworks or any of them but nothing in this section shall exonerate the Trustees from 15 any action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them Provided that any telegraphs telephones posts wires and other works made erected or maintained by the Trustees shall not be used in contravention of the exclusive privilege conferred upon the Postmaster-General 20 by the Telegraph Act 1869.

Power to  
deviate  
laterally and  
vertically.

7. In the construction of the works authorised by this Order the Trustees may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans and they may also deviate vertically from the levels shown on the 25 deposited sections to any extent not exceeding five feet upwards and to any extent downwards Except for the purposes of crossing over a stream no part of the pipes shall be raised above the surface of the ground unless and except so far as is shown on the deposited sections. 30

Abandon-  
ment of  
parts of  
authorised  
works.

8. The Trustees shall abandon the construction of the following works authorised by the Order of 1906 (that is to say):—

- Reservoir (Work No. 1) and the embankments (A) and (B);
- Road of access (Work No. 2); 35
- Reservoir (Work No. 3);
- Catch-water conduit or aqueduct (Work No. 4);
- Conduit or line of pipes (Work No. 7);

and may sell or relinquish all lands and property acquired under the Order of 1906 for the purposes of the said works but 40



[1 GEO. 5.] *Clydebank and District Water Order*  
Confirmation.

7

excepting and reserving such portions of the said lands and property as may be required and taken for the execution of the works authorised by this Order : A.D. 1910.

Provided always that any lands and property which may be  
5 used or retained by the Trustees or sold by them shall be  
dedicated in all time coming to waterworks or other similar  
purposes and so long as such lands remain unfenced no charge  
of trespassing shall lie against the owner of the adjoining lands  
or his tenants and further Alexander Crum Ewing Esquire of  
10 Strathleven and his successors in the estate of Strathleven shall  
have the exclusive right and privilege of sporting shooting and  
fishing in and over the said lands and property.

9. The abandonment by the Trustees under the authority  
of this Order of any portion of any works shall not prejudice or  
15 affect the right of the owner or occupier of any land to receive  
compensation for any damage occasioned by the entry of the  
Trustees on such land for the purpose of surveying and taking  
levels or probing and boring to ascertain the nature of the soil  
or setting out of the works and shall not prejudice or affect the  
20 right of the owner or occupier of any land which has been  
temporarily occupied by the Trustees to receive compensation  
for such temporary occupation or for any loss damage or injury  
which has been sustained by such owner or occupier by reason  
thereof or of the exercise as regards such land of any of the  
25 powers contained in the Order of 1906 or the Acts therewith  
incorporated.

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

10. Section 31 of the Order of 1906 is hereby repealed and  
in lieu thereof the following provisions shall have effect:— Power to  
take water.

30 The Trustees may from and after the commencement of  
this Order and subject to the provisions thereof by means  
of the works authorised by this Order and the works  
authorised by the Order of 1906 as amended by the Order  
of 1909 and by this Order or some of them or some part  
or parts thereof (herein-after in this section referred to  
35 as "the said works") take impound appropriate divert  
and use all the waters of the Spouts Burn and Knockupple  
Burn together with all streams springs and waters running  
into the said burns or either of them and all other  
streams springs and water which may be intercepted by  
40 or flow into the said aqueduct (Work No. 3) or into any  
intakes or any subsidiary channels connected therewith

A.D. 1910.

and the head waters or tributaries of the Burn Crooks Burn and Carling Burn and all streams springs and waters which flow into or can be collected by the said works or by the existing works of the Trustees or any of them and from the said works and the existing works 5 of the Trustees or from some of them the Trustees may supply water within the limits of compulsory supply as defined by the Order of 1906 and to such places beyond the same as are authorised by the said Order for the domestic and other purposes for which the Trustees are 10 by the Water Acts as amended and extended by this Order authorised to supply water and also for providing the compensation water after mentioned.

Temporary supply of water.

11. Until the reservoir (Work No. 5) authorised by the Order of 1906 and as authorised to be enlarged by this Order is 15 completed and in a position to discharge the compensation water after mentioned the Trustees shall not appropriate and take for the purposes of supply the waters of the stream called Burn Crooks Burn unless a flow of water at the rate of three hundred and fifty thousand gallons per day is passing down the said Burn 20 Crooks Burn at the proposed point of abstraction of the said burn at the embankment of the said reservoir but in the event of such flow exceeding the said rate the Trustees may for the purposes of their supply appropriate take and divert into their conduits or works or any of them all or such part of the excess 25 of the water flowing in the said stream as they may require Provided that the Trustees shall provide and maintain while and so long as the same shall be necessary a sufficient measuring gauge at or near the point of abstraction over or through which the quantity of three hundred and fifty thousand gallons shall be 30 ascertained as flowing down the said Burn Crooks Burn at the said point.

Compensation water.

12. Section 32 of the Order of 1906 is hereby repealed and in lieu thereof the following provisions shall have effect and shall be binding on the Trustees for the protection of all mill-owners 35 and other persons interested in the waters flowing down the said streams known as Burn Crooks Burn Spouts Burn and Knockupple Burn and in the other waters and streams appropriated by this Order (that is to say) :—

- (1) The Trustees shall as soon as the reservoir Work 40 No. 5 of the Order of 1906 and the enlargement thereof (Work No. 1) authorised by this Order is

[1 GEO. 5.] *Clydebank and District Water Order*  
Confirmation.

9

completed in accordance with the Order of 1906 and this Order and the waters of the streams authorised to be impounded in the said reservoir by this Order are impounded therein so as to be able to afford the supply of compensation water after mentioned discharge or allow to flow into Burn Crooks Burn as compensation water in a uniform and continuous flow the quantity of six hundred and twenty-four thousand two hundred gallons of water each day of twenty-four hours:

A.D. 1910.

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- (2) The Trustees shall further as soon as the catch-water conduit or aqueduct (Work No. 3) authorised by this Order is completed and the water thereof conveyed into the enlarged reservoir (Work No. 1) of this Order so as to be able to afford the additional compensation water herein-after mentioned discharge or allow to flow as compensation water (1) into Burn Crooks Burn in a uniform and continuous flow the quantity of one hundred thousand gallons of water in each day of twenty-four hours and (2) by means of the conduit (Work No. 5) authorised by this Order a quantity of two hundred and fifty thousand gallons into Gallangad Burn:
- (3) The Trustees shall not divert into their works the waters of Spouts Burn by the catch-water conduit or aqueduct (Work No. 3) by this Order authorised unless a flow of water at the rate of thirty-five thousand gallons per day is running down the Spouts Burn at the point of intake on that burn and shall not divert the waters of the Knockupple Burn unless a flow of water at the rate of thirty-five thousand gallons per day is running down the Knockupple Burn at the point of intake on that burn and the Trustees shall be entitled to take and divert into the said conduit or aqueduct (Work No. 3) at the respective points of intake the excess of the waters flowing down the said Spouts Burn and Knockupple Burn respectively:
- (4) The compensation water provided by this Order shall be deemed to be full compensation to all mill-owners riparian proprietors and other persons interested in the waters flowing down the said streams respectively for



A.D. 1910.

the water appropriated by and for the purposes of the Order of 1906 as amended by this Order and for the purposes of this Order:

- (5) The Trustees shall for the purpose of ascertaining the amount of the compensation water to be daily discharged as aforesaid construct and maintain—

(A) Immediately below the foot of the outer slope of the embankment of the said reservoir Work No. 5 of the Order of 1906 as authorised to be enlarged by this Order (Work No. 1) a suitable and sufficient measuring gauge or other apparatus over or through which the said compensation water of six hundred and twenty-four thousand two hundred gallons and one hundred thousand gallons amounting together to seven hundred and twenty-four thousand two hundred gallons shall flow or be discharged;

(B) At a point on the conduit or line of pipes (Work No. 5 of this Order) at or near the outer slope of the aforesaid embankment a suitable and sufficient measuring gauge or other apparatus over or through which the said compensation water of two hundred and fifty thousand gallons shall be discharged by means of the said Work No. 5 into the Gallangad Burn;

(C) At a point on the intake of Spouts Burn a suitable and sufficient measuring gauge or other apparatus over or through which the said quantity of thirty-five thousand gallons shall be ascertained as flowing down the Spouts Burn;

(D) At a point in the Knockupple Burn a suitable and sufficient measuring gauge or other apparatus over or through which the said quantity of thirty-five thousand gallons shall be ascertained as flowing down the said Knockupple Burn;

(E) The gauges or other apparatus mentioned in this section or in the immediately preceding section of this Order shall be open to the inspection and examination of all persons having an interest in the said water or persons duly authorised by them on their behalf at all reasonable times;

[1 GEO. 5.] *Clydebank and District Water Order* 11  
*Confirmation.*

- (F) In case of any neglect on the part of the Trustees to maintain any gauge in a state of efficiency and in case of any other neglect by or in consequence of which the said respective quantities of water shall not so flow the Trustees shall for every day on which such neglect occurs forfeit and pay to each of the persons affected thereby (who may sue for and recover the same) the sum of five pounds and shall in addition make compensation for any loss damage or injury sustained by such persons or any of them ;
- (G) In the event of any dispute or difference arising between the Trustees and any person interested as to the true intent and meaning of the provisions of this section or as to the carrying out of the same such dispute or difference shall failing agreement be settled by an engineer to be agreed on and failing agreement to be named by the sheriff on the application of either party For the purpose of this section "sheriff" shall not include sheriff substitute.
13. The Trustees shall not sink any well upon or construct any works for taking or intercepting water from any lands acquired by them unless the well and works and the lands upon which the same are to be constructed are specified in this Order or in an Act of Parliament or Order confirmed by Parliament.
14. For the purposes and during the execution of the several works which the Trustees are by this Order authorised to make and in maintaining the same and subject to the provisions of this Order the Trustees may temporarily from time to time break up or cross over or under alter or stop up any streets highways roads lanes paths bridges passages drains watercourses and water pipes in any of the lands shown on the deposited plans and specified in the deposited book of reference which they may from time to time find it expedient for any of those purposes so to interfere with providing when possible a proper temporary substitute before interrupting the traffic on any such streets highways roads lanes paths bridges or passages or the flow of water in any such drain watercourse or pipe and making full compensation to all persons injuriously affected thereby Provided that nothing in this section shall extend to authorise any interference with electric telegraphic or telephonic apparatus or other property of His Majesty's Postmaster-General Provided also that nothing

A.D. 1910.

Sinking wells.

Power to alter roads temporarily.

A.D. 1910. — in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 to 1909 to which the provisions of section 15 of the Electric Lighting Act 1882 apply.

Acquisition of lands. 15. The Trustees may subject to the provisions of this Order purchase take and acquire compulsorily or by agreement and may enter upon take hold use and appropriate the lands shown on the deposited plans and described in the book of reference or such part or parts thereof as the Trustees may require for or in connection with the construction of the works authorised by this Order. 10

Persons under disability may grant servitudes. 16. Persons empowered by the Lands Clauses Acts to sell and convey or dispose of lands may if they think fit subject to the provisions of those Acts and of this Order grant to the Trustees any servitude right or privilege (not being a servitude right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Order in over or affecting any such lands and the provisions of the said Acts with respect to lands and annual feu duties or ground annuals so far as the same are applicable in this behalf shall extend and apply to such grants and to such servitudes rights and privileges as aforesaid respectively. 15 20

Trustees may acquire servitudes only in certain cases. 17.—(1) The Trustees may in lieu of acquiring any lands for the purposes of the conduits or lines of pipes authorised by this Order where the same are intended to be constructed underground acquire such servitudes only in such lands as they may require for the purpose of making maintaining cleansing and repairing the same and may give notice to treat in respect of such servitudes describing the nature thereof and the provisions of the Lands Clauses Acts (inclusive of those with regard to limited owners and to arbitration and the summoning of a jury) shall apply to and in respect of the acquisition of such servitudes as fully as if the same were lands within the meaning of those Acts. 25 30

(2) As regards any lands in respect of which the Trustees have acquired servitudes only under the provisions of this section the Trustees shall not be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being shall subject to such servitudes have the same rights to use and cultivate the said lands at all times as if this Order had not been confirmed. 35 40

- (3) Provided always that nothing in this section contained shall authorise the Trustees to acquire by compulsion any such servitude in any case in which the owner in his particulars of claim shall require the Trustees to acquire the lands in respect  
5 of which they have given notice to treat for the acquisition of a servitude only and every notice to treat for the acquisition of a servitude shall be endorsed with notice of this provision. A.D. 1910.
18. The powers of the Trustees for the compulsory purchase of lands for the purposes of this Order shall cease after the expi-  
10 ration of three years from the commencement of this Order. Limit of time for purchase of lands.
19. If the works authorised to be constructed by this Order are not completed within seven years from the commencement of this Order then on the expiration of that period the powers by this Order granted to the Trustees for executing any of the  
15 said works not so completed shall cease except as to so much thereof as is then completed but nothing herein contained shall restrict the Trustees from maintaining using extending enlarging altering replacing relaying duplicating increasing adding to or  
20 removing any of their conduits aqueducts lines of pipes or filter-beds at any time and from time to time as occasion requires for the purpose of supplying water within the limits of the Order of 1906 and for the purposes of the Trustees' undertaking. Period for completion of works.
20. The estimate required to be made and the assessment and rates rents and charges authorised and required to be levied  
25 by the Trustees under and for the purposes of the Order of 1906 and the Order of 1909 shall be levied so that the same shall include and be sufficient with the other revenues of the Trustees not only for the purposes specified in the said Orders but also for the purposes of this Order. Estimate &c. by Trustees to include purposes of this Order.
- 30 21. The Trustees may at any time for the purpose of repairing or of cleansing any existing works of the Trustees or any of the conduits or other works authorised by this Order cause the water in any such conduits or other works to be temporarily discharged into any available drain stream or water-  
35 course. Powers for repair of aqueducts and temporary discharge of water into streams.
- In the exercise of the power conferred by this section the Trustees shall do as little damage as may be and shall make full compensation to all persons for any damage sustained by them by reason or in consequence of the exercise of such power  
40 the amount of compensation to be settled in case of difference by arbitration.

A.D. 1910.  
As to exist-  
ing borrow-  
ing powers.

22. The Trustees may apply any money which they have borrowed or may borrow under the Order of 1906 to the purposes of this Order as well as to the purposes of the Orders of 1906 and 1909 and may exercise the powers to borrow and raise money contained in the Order of 1906 and to grant security for 5 such borrowed money for the purposes of this Order as well as for the purposes of the Order of 1906 and the Order of 1909 being in every case purposes to which capital is properly applicable Provided always that the prescribed periods for the repayment of any money to be borrowed for the purposes of this Order shall 10 be as follows (that is to say):—

As to moneys to be borrowed for the purchase of land and for the construction of Work No. 1 by this Order authorised within fifty years from the date or dates of borrowing the same: 15

As to moneys to be borrowed for the construction of Work No. 3 by this Order authorised within forty years from the date or dates of borrowing the same:

As to moneys to be borrowed for the construction of Work No. 2 Work No. 4 and Work No. 5 within thirty years 20 from the date or dates of borrowing the same.

Application  
of Orders of  
1906 and  
1909.

23. Subject to the provisions of this Order all the powers and provisions contained in the Order of 1906 and the Order of 1909 with reference to the undertaking of the Trustees shall be and the same are hereby in so far as applicable and not 25 inconsistent with this Order extended and applied to the purposes of this Order.

Costs of  
Order.

24. All the costs charges and expenses of and incidental to the preparing for obtaining and confirming this Order or otherwise in relation thereto shall be paid by the Trustees out of the 30 rates to be levied by them or other revenue of the Trustees or from moneys borrowed and to be borrowed on the security of the same Provided that if the said costs charges and expenses be paid out of borrowed money the same shall be repaid within five years from the commencement of this Order. 35



**Clydebank and  
District Water Order  
Confirmation. [H.L.]**

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A

**B I L L**

INTITLED

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Clydebank and District Water.

*The Lord Pentland.*

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Ordered to be printed 14th July 1910.

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(105.)



A

## B I L L

INTITULED

An Act to remove doubts as to the validity of the conversion of certain Societies into Companies. A.D. 1910.

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- 5     **1.**—(1) Where a registered society purporting to act under section seventy-one of the Friendly Societies Act, 1896, or any similar enactment repealed by that Act, has before the passing of this Act passed a special resolution for converting the society into a company under the Companies (Consolidation) Act, 1908, or any enactment repealed by that Act, and has  
10     been registered under any such Act, the validity of the special resolution shall not be questioned on the ground that the objects of the company as set forth in the special resolution extend beyond those authorised by the rules of the society at  
15     the date of the passing of the resolution, or that in any other respect the requirements of the said section or enactment have not been complied with; and for removing doubts it is hereby declared that section seventeen of the Companies (Consolidation) Act, 1908, relating to the conclusiveness of certificates of  
20     incorporation, shall apply in such a case as well as in all other cases:

Removal of doubts as to validity of conversion of certain friendly societies into companies.

- 25     Provided that where the business carried on by the society before conversion included assurance or insurance business of any description, then, as from the passing of this Act, the objects of the company shall not extend beyond those authorised by the rules of the society at the date of the passing of the special resolution, except so far as may be necessary for giving effect



A.D. 1910, — to, and for carrying out any assurances, contracts or policies, made, entered into, or issued before the passing of this Act.

(2) Nothing in this Act shall be construed as prejudicing the right of any such company to alter its memorandum of association with respect to its objects in accordance with the provisions of 5 the Companies (Consolidation) Act, 1908, or as preventing any such company exercising any powers which are merely incidental or ancillary to the principal business carried on by the company.

Short title.

**2.** This Act may be cited as the Companies (Converted Societies) Act, 1910.



# Companies (Converted Societies).

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A

**B I L L**

INTITULED

An Act to remove doubts as to the  
validity of the conversion of certain  
Societies into Companies.

*(Brought from the Commons 21st July 1910.)*

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Ordered to be printed 21st July 1910.

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(124)

## Conveyancing Bill.

### ARRANGEMENT OF CLAUSES.

Clause.

1. Discharge of incumbrances by the court.
2. Benefit of condition already broken to run with reversion.
3. Powers incident to estate or interest of mortgagees.
4. Amendments of section 21 of the Act of 1881.
5. Remedies for recovery of annual sums charged on land.
6. Power for court to bind interest of married woman.
7. Survivorship of trusts and powers.
8. Provisions respecting mortgaged property where the right of redemption is barred.
9. As to dispositions on trust for sale.
10. Notice of restrictive covenants.
11. Power for proving executors to sell or transfer real estate.
12. Notice of trusts on transfer of mortgage.
13. Amendment of section 42 of the Act of 1881.
14. Amendment of the Third Schedule to the Act of 1881.
15. Short title, commencement, and construction.



A

**B I L L**

INTITULED

An Act to amend the Conveyancing and Law of Property Act, 1881. A.D. 1910.

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- 5     **1.** On any application under section five of the Act of 1881 the court may, if it thinks fit, as respects any purchaser or vendor, dispense with the service of any notice which is by section sixty-nine of that Act required to be served on the purchaser or vendor. Discharge of incumbrances by the court.
- 10     **2.**—(1) Section ten of the Act of 1881 shall apply to the benefit of every condition of re-entry or forfeiture for a breach of any covenant or condition contained in a lease, so as to enable the same to be enforced and taken advantage of by the person from time to time entitled, subject to the term, to the income Benefit of condition already broken to run with reversion.
- 15 of the whole or any part, as the case may require, of the land leased, although that person became, by conveyance or otherwise, so entitled after the condition of re-entry or forfeiture had become enforceable, provided that he became so entitled as aforesaid after the commencement of this Act.
- 20     (2) This section shall not render enforceable any condition of re-entry or other condition waived or released before the person became entitled as aforesaid.

A.D. 1910.  
Powers  
incident to  
estate or  
interest of  
mortgagees.

**3.**—(1) The power of sale conferred on a mortgagee by section nineteen of the Act of 1881 shall have the following powers incident thereto (namely) :—

(i) A power to impose or reserve or make binding, as far as the law permits, by covenant, condition, or otherwise, 5  
on the unsold part of the mortgaged property or any part thereof, or on the purchaser and any property sold, any restriction or reservation with respect to building on or other user of land, or with respect to mines and minerals, or for the purpose of the more 10  
beneficial working thereof, or with respect to any other thing :

(ii) A power to sell the mortgaged property, or any part thereof—

(a) With or without a grant or reservation of 15  
rights of way, rights of water, easements, rights, and privileges for or connected with building or other purposes in relation to the property remaining in mortgage or any part thereof, or to any property sold ; 20

(b) With or without an exception or reservation of all or any of the mines and minerals in or under the mortgaged property, and in any such case with or without a grant or reservation of powers of working, wayleaves, or rights of way, rights of water 25  
and drainage and other powers, easements, rights, and privileges for or connected with mining purposes in relation to the property remaining unsold or any part thereof, or to any property sold ;

(c) With or without covenants by the purchaser 30  
to expend money on the land sold.

(2) Subsections (2) and (3) of section nineteen of the Act of 1881 shall apply to the foregoing powers conferred by this section.

(3) This section applies only where the mortgage deed is 35  
executed after the commencement of this Act.

(4) For the purpose of exercising any power conferred by this section, an application under section forty-four of the Trustee Act, 1893, as amended by section three of the Trustee Act, 1894, shall not be required. 40

4.—(1) The word “sale” is hereby substituted for the word “conveyance” in subsection (2) of section twenty-one of the Act of 1881, and that subsection shall be read as if it had always contained the word “sale” in place of the word “conveyance.”

A.D. 1910.  
Amend-  
ments of  
section 21  
of the Act  
of 1881.

5 (2) Subsection (6) of the last-mentioned section shall, as regards mortgages executed after the commencement of this Act, be read as if the words “or of any power or provision contained in the mortgage deed” were added at the end thereof.

10 5.—(1) For removing doubts it is hereby declared that the rule of law relating to perpetuities does not apply to any powers or remedies conferred by section forty-four of the Act of 1881, nor to the same or like powers or remedies conferred by any instrument for recovering or compelling the payment of any annual sum within the meaning of that section.

Remedies for  
recovery of  
annual sums  
charged on  
land.

15 (2) The powers and remedies conferred by the last-mentioned section are exercisable whether the annual sum is created under a power contained in an instrument coming into operation before or after the commencement of the Act of 1881, and take effect unless the instrument creating the power, or under which the annual sum is created, otherwise directs.

(3) This section applies to powers and remedies conferred by or implied in an instrument executed before as well as after the commencement of this Act.

25 6.—(1) Where a married woman is restrained from anticipation or from alienation in respect of any property or any interest in property belonging to her, or is by law unable to dispose of or bind her interest in any such property or interest, including a reversionary interest arising under her marriage settlement, the court may, if it thinks fit, where it appears to the court to be for her benefit, by judgment or order, with her consent, bind her interest in such property.

Power for  
court to bind  
interest of  
married  
woman.

(2) This section applies only to judgments or orders made after the commencement of this Act.

(3) Section thirty-nine of the Act of 1881 is hereby repealed.

35 7.—(1) Until the appointment of new trustees the personal representatives or representative for the time being of a sole trustee, or where there were two or more trustees, then of the last surviving or continuing trustee, shall be capable of exercising or performing any power or trust which was given to or capable

Survivorship  
of trusts and  
powers.



A.D. 1910. of being exercised by the sole or last surviving or continuing trustee.

(2) This section shall take effect subject to any direction to the contrary expressed in the instrument, if any, creating the power or trust. 5

(3) This section applies only to trusts constituted after or created by instruments coming into operation after the commencement of the Act of 1881.

(4) In this section "personal representative" means an executor (original or by representation) or administrator, but does not include an executor who has renounced or has not proved. 10

(5) This section does not apply to land of copyhold or customary tenure vested in the tenant on the court rolls on trust.

Provisions respecting mortgaged property where the right of redemption is barred.

8.—(1) Where any property vested in trustees by way of security becomes, by virtue of the Statutes of Limitation, or of an order for foreclosure or otherwise, discharged from the right of redemption, it shall be held by them on trust for sale, with power to postpone such sale for such a period as they may think proper. 15 20

(2) The net proceeds of sale, after payment of costs and expenses, shall be applied in like manner as the mortgage debt, if received, would have been applicable, and the income of the property until sale shall be applied in like manner as the interest, if received, would have been applicable; but this subsection shall operate without prejudice to any rule of law relating to the apportionment of capital and income between tenant for life and remainderman. 25

(3) This section shall not affect the right of any person to require that, instead of a sale, the property shall be conveyed to him or in accordance with his directions. 30

(4) Where the mortgage money is capital money for the purposes of the Settled Land Acts, 1882 to 1890, the trustees shall, if the tenant for life, or person having the powers of a tenant for life, so requires, instead of selling any land forming the whole or part of such property, make such conveyance or execute such declaration of trust of the same as may be required for giving effect to the directions contained in section twenty-four of the Settled Land Act, 1882 (as amended by any subsequent 35

[10 Edw. 7.]

*Conveyancing.*

5

enactment), and as if the land had been acquired by purchase as mentioned in that section. A.D. 1910.

(5) This section applies to property the right of redemption whereof is discharged before as well as after the commencement of this Act.

**9.**—(1) Where a settlement within the meaning of section sixty-three of the Settled Land Act, 1882, or other settlement of property as personal estate, contains a power to invest money in the purchase of land, such land shall, unless the settlement otherwise provides, be held by the trustees on trust for sale, with power to postpone the sale; and the net rents and profits until sale, after keeping down costs of repairs and insurance, and other outgoings, shall be paid or applied in like manner as the income of investments representing the purchase-money would **be** payable or applicable if a sale had been made and the proceeds **had** been duly invested in personal estate. As to dispositions on trust for sale.

(2) Subsection (1) of this section applies only to settlements coming into operation after the commencement of this Act.

(3) Where land has, either before or after the commencement of this Act, become subject to an express or implied trust for sale, such trust is, so far as regards the safety and protection of any purchaser thereunder, to be deemed to be subsisting until the land has been conveyed to or under the direction of the persons interested in the proceeds of sale.

(4) Subsection (3) of this section applies to sales made before as well as after the commencement of this Act, but without prejudice to the order of any court restraining a sale.

**10.**—(1) Where land having a common title with other land is disposed of to a purchaser (other than a lessee or a mortgagee) who does not hold or obtain possession of the documents forming the common title, such purchaser, notwithstanding any stipulation to the contrary, may require that a memorandum giving notice of any provision contained in the disposition to him restrictive of user of, or giving rights over, any other land comprised in the common title shall where practicable be indorsed on, or where impracticable be permanently annexed to, some one document selected by the purchaser, but retained in the possession or power of the person who makes the disposition, and being or forming part of the common title. Notice of restrictive covenants.

A.D. 1910.

(2) The title of any person omitting to require an indorsement to be made or a memorandum to be annexed shall not, by reason only of this enactment, be prejudiced or affected by the omission.

(3) This section does not apply to dispositions of land registered under the Land Transfer Acts, 1875 and 1897.

38 & 39 Vict. c. 87,  
60 & 61 Vict. c. 65.

Power for  
proving  
executors  
to sell or  
transfer real  
estate.

**11.**—(1) Where probate is granted to one or some of several persons named as executors, power being reserved to the others or other to prove, the sale, transfer, or disposition of real estate may, notwithstanding anything contained in subsection (2) of section two of the Land Transfer Act, 1897, be made by the proving executor or executors without the authority of the court, and shall be as effectual as if all the persons named as executors had concurred therein.

(2) This section applies to probates granted before as well as after the commencement of this Act, but only as respects dispositions made after the commencement of this Act.

Notice of  
trusts on  
transfer of  
mortgage.

**12.**—(1) Where on the transfer of a mortgage the stamp duty, if payable according to the amount of the debt transferred, would exceed the sum of ten shillings, a purchaser shall not, by reason only of the transfer bearing a ten-shilling stamp, whether adjudicated or not, be deemed to have or to have had notice of any trust, or that the transfer was made for effectuating the appointment of a new trustee.

(2) This section applies to transfers made before as well as after the commencement of this Act.

Amendment  
of section 42  
of the Act  
of 1881.

**13.** The words “and being a woman is also unmarried” in subsection (1) of section forty-two of the Act of 1881 are hereby repealed.

Amendment  
of the Third  
Schedule to  
the Act of  
1881.

**14.** The words “or for giving effect to special arrangements” are hereby substituted for the words “or other matter” at the foot of Part 1 of the Third Schedule to the Act of 1881.

Short title,  
commence-  
ment, and  
construc-  
tion.

**15.**—(1) This Act may be cited as the Conveyancing Act, 1910.

(2) This Act shall come into operation on the first day of January one thousand nine hundred and eleven.

(3) This Act and the Conveyancing Acts, 1881 to 1892, shall be construed together, and may be cited together as the Conveyancing Acts, 1881 to 1910.

(4) In this Act the Conveyancing and Law of Property Act, 1881, is referred to as the Act of 1881.



# Conveyancing.

A

**B I L L**

INTITULIED

An Act to amend the Conveyancing  
and Law of Property Act, 1881.

*(Brought from the Commons 12th July 1910.)*

Ordered to be printed 12th July 1910.

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(100)

A M E N D M E N T

TO BE MOVED IN COMMITTEE

BY

THE LORD CHANCELLOR.

Page 1, after clause 2, insert the following new clause—

3.—(1) For the purpose only of enabling a lease, authorised under section eighteen of the Act of 1882, or under any agreement made pursuant to that section, or by the mortgage deed (in this section referred to as an authorised lease) to be granted, a mortgagor of land while in possession shall, in like manner as if the legal estate were vested in him and as against every incumbrancer, have, by virtue of this Act, power to accept from time to time a surrender of any lease of the mortgaged land or any part thereof comprised in the lease, with or without an exception of all or any of the mines and minerals therein, or in respect of mines and minerals, or any of them, and, on a surrender of part only of the land or mines and minerals leased, the rent may be apportioned.

Power (with a view to the grant of an authorised lease) for mortgagor and mortgagee in possession to accept surrenders of leases.

(2) For the same purpose a mortgagee of land while in possession shall, in like manner, and as against all prior or other incumbrancers, if any, and as against the mortgagor have, by virtue of this Act, power to accept from time to time any such surrender as aforesaid.

(3) On a surrender of part only of the land or mines and minerals leased the original lease may be varied provided that the lease when varied would have been valid as an authorised lease if granted by the person accepting the surrender; and on a surrender and the making of a new or other lease, whether for the same or for any extended or other term, and whether subject or not to the same or to any other covenants, provisions, or conditions, the value of the lessee's interest in the lease surrendered may be taken into account in the determination of the amount of the rent to be reserved, and of the nature of the covenants, provisions, and conditions to be inserted in the new or other lease.

(100 a.)

(4) Nothing in this section shall, where any consideration (except an agreement to accept an authorised lease) for the surrender is given by or on behalf of the lessee to or on behalf of the person accepting the surrender, authorise a surrender to a mortgagor without the consent of the incumbrancers, or authorise a surrender to a second or subsequent incumbrancer without the consent of any prior incumbrancer.

(5) No surrender shall, by virtue of this section, be rendered valid unless an authorised lease is granted of the whole of the land or mines and minerals comprised in the surrender to take effect in possession immediately or within one month after the date of the surrender.

(6) A contract to make or accept a surrender under this section may be enforced by or against every person on whom the surrender, if completed, would be binding.

(7) Subsections (13) (16) and (17) of section eighteen of the Act of 1881 shall have effect as if they were re-enacted in this section and references to the commencement of that Act shall for the purposes of this section be read as references to the commencement of this Act.

(8) Nothing in this section shall prevent the mortgage deed from reserving to or conferring on the mortgagor or mortgagee, or both, any further or other powers relating to the surrender of leases; and any further or other powers so conferred or reserved shall be exerciseable, as far as may be, as if they were conferred by this Act, and with the like results, unless a contrary intention is expressed in the mortgage deed.

(9) Nothing in this section shall operate to enable a mortgagor or mortgagee to accept a surrender which could not have been accepted by the mortgagor, with the concurrence of all the incumbrancers, if this Act had not been passed.

(10) For the purposes of this section, and of subsection (1) of section eighteen of the Act of 1881, the expression "mortgagor" does not include an incumbrancer deriving title under the original mortgagor.

(11) The powers of leasing and of accepting surrenders respectively conferred by section eighteen of the Act of 1881, and this section, shall, after a receiver of the income of the mortgaged property or any part thereof has been appointed, by a mortgagee, under that Act, and so long as the receiver acts, be exerciseable by such mortgagee instead of by the mortgagor, as respects any land affected by the receivership, in like manner as if such mortgagee were in possession of the land.





# Conveyancing Bill.

## AMENDMENT

TO BE MOVED IN COMMITTEE

BY

THE LORD CHANCELLOR.

29th July 1910.

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[*Price 3d.*] ]

(100 a.)

## A

## B I L L

## INTITULED

An Act to amend the Juries Act, 1825.

A.D. 1910.

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

5     **1.**—(1) The words “not exceeding one hundred and forty-  
four” in section twenty-two of the Juries Act, 1825, are hereby Amendment  
of 6 Geo. IV.  
c. 50. repealed.

(2) The power to make rules of court for the High Court shall include power to make rules with respect to the number  
10 of county jurors.

**2.** This Act may be cited as the County Common Juries Act, Short title.  
1910.

100





**County Common  
Juries. [H.L.]**

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A

**B I L L**

INTITLED

An Act to amend the Juries Act, 1825.

*The Lord Evershore.*

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Ordered to be printed 18th April 1910.

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[*Price 3d.*]

(28.)

[10 EDW. 7 & *Dick Trust Order Confirmation.*  
1 GEO. 5.]

1

A

# B I L L

INTITULED

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Dick Trust. A.D. 1910.

**W**HEREAS His Majesty's Secretary for Scotland has made the Provisional Order set forth in the schedule hereunto annexed under the provisions of the Private Legislation Procedure (Scotland) Act 1899 and it is requisite that the said Order should be confirmed by Parliament: 62 & 63 Vict.  
c. 47.

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

- 10**     **1.** The Provisional Order contained in the schedule hereunto annexed shall be and the same is hereby confirmed. Confirmation  
of Order in  
schedule.
- 2.** This Act may be cited as the Dick Trust Order Confirmation Act 1910. Short title.

A.D. 1910.

## SCHEDULE.

## DICK TRUST.

*Provisional Order for regulating the application of part of  
the residue of the estate of the deceased James Dick  
gutta percha boot and shoe manufacturer Glasgow  
by his trustees and for other purposes.* 5

WHEREAS the deceased James Dick gutta percha boot and shoe manufacturer Glasgow (herein-after called "the testator") by his trust disposition and settlement dated the fourth day of March one thousand nine hundred and two assigned and disposed 10 to and in favour of Sir John Neilson Cuthbertson Knight Glasgow Sir William Robertson Copland Knight Glasgow (therein designed William Robertson Copland civil engineer Glasgow) John Edward Audsley managing director of R. and J. Dick Limited (therein designed as cashier to the firm of 15 R. and J. Dick) Robert Simpson Murray banker in Rutherglen and Alexander Robertson solicitor Glasgow and to any other person or persons whom he might thereafter nominate and appoint or who might be assumed into the trust thereby created and to the acceptors and survivors acceptor and survivor of 20 them the major number of those accepting and surviving and resident in Great Britain from time to time being a quorum and to the heir of the longest liver of them as trustees and trustee for the ends uses and purposes therein mentioned and to the assignees of the said trustees or their foresaids all and 25 sundry lands tenements tacks heritages debts goods gear effects and sums of money stocks shares and bonds and stock in trade and in general his whole estate heritable and moveable real and personal which might belong to him at the time of his decease with the rents profits and produce and writings titles and 30 vouchers thereof and nominated and appointed his trustees to be his sole and only executors with full power to do everything pertaining to the office of executor but the said trust disposition and settlement was granted in trust for the purposes therein mentioned: 35

And whereas the testator in his said trust disposition and settlement after providing for payment of his debts sick bed and

[10 Edw. 7 & *Dick Trust Order Confirmation.*  
1 GEO. 5.]

3

funeral expenses and the expenses of the trust thereby created A.D. 1910.  
instructed his trustees to give effect to a separate testamentary  
deed of arrangement executed of even date with his said trust  
disposition and settlement whereby he made special arrange-  
5 ments for the carrying on and disposal of his business after his  
death And further bequeathed certain legacies to his trustees  
his widow certain relatives and friends and also to his employees  
amounting in the whole to two hundred and twenty-four thousand  
eight hundred and ninety-five pounds sterling and to certain  
10 charitable institutions in Glasgow and the west of Scotland  
amounting in all to eighty-two thousand pounds sterling and  
inter alia (after reciting that in making the foregoing bequests  
to his relatives friends and employees he was satisfying any fair  
expectations which each and all of them might have upon his  
15 estate or upon that of his late brother Robert Dick to whose  
means he succeeded under a mutual deed of settlement executed  
by them after they had commenced the business of R. and  
J. Dick in which they were so long associated and believing  
that he would be carrying out not only his own wishes but  
20 also those of his late brother in bestowing the residue of his  
estate in the form of donations and bequests of a benevolent  
and charitable nature) directed his trustees to realise and convert  
into money the whole residue of his means and estate but  
that always at such time or times and from time to time as  
25 they might think proper and to pay over or divide the said  
residue or any part or parts thereof to or amongst such local or  
Scottish charitable institutions and schemes already constituted  
or which might thereafter be constituted as they might select or  
any one or more of such institutions and schemes and that at  
30 such time in such manner or in such proportions all as they in  
their absolute discretion might deem proper And conferred on  
his trustees in addition to the powers or immunities conferred or  
which might be conferred on gratuitous trustees by statute or to  
which they would be entitled at common law according to the  
35 most liberal interpretation the fullest powers of and in regard to  
realisation investment administration management and division as  
if they were beneficial owners :

And whereas the testator died on the seventh day of March  
nineteen hundred and two without leaving any testamentary  
40 writing other than the trust disposition and settlement and  
testamentary deed of arrangement with regard to his business  
both hereinbefore recited :



A.D. 1910.

And whereas the said trust disposition and settlement and testamentary deed of arrangement were duly registered in the books of Council and Session at Edinburgh the eleventh day of March one thousand nine hundred and two :

And whereas the said Sir John Neilson Cuthbertson Sir 5  
William Robertson Copland John Edward Audsley and Alexander  
Robertson by minute under their hands dated the eighth day  
of March one thousand nine hundred and two and the said  
Robert Simpson Murray by minute under his hand dated the  
thirteenth day of March one thousand nine hundred and two 10  
all accepted of the office of trustees and executors conferred  
upon them by the said trust disposition and settlement and in  
due course obtained confirmation to the testator's moveable estate  
and in virtue of their office of trustees and executors foresaid  
took possession of the whole property of the testator and to a 15  
large extent realised the same including the value of the business  
which has been disposed of in terms of the said testamentary  
deed of arrangement and have carried out the purposes of the  
trust with the exception of the disposal of a part of the residue  
of the estate amounting to the sum of one hundred and forty 20  
five thousand seven hundred and seven pounds or thereby :

And whereas the said Sir John Neilson Cuthbertson died  
on twenty sixth January one thousand nine hundred and five  
and the said Sir William Robertson Copland died on nineteenth  
August one thousand nine hundred and seven leaving the said 25  
John Edward Audsley Robert Simpson Murray and Alexander  
Robertson as sole surviving trustees :

And whereas no other person has been assumed as trustee :

And whereas the testator left moveable estate valued at  
one million one hundred and fifty thousand seven hundred and 30  
thirty two pounds or thereby and heritable estate valued at  
fifty eight thousand one hundred and sixty four pounds or  
thereby on all of which the appropriate Government duties have  
been paid :

And whereas the residue of the testator's estate is estimated 35  
at four hundred and fifty seven thousand two hundred and seven  
pounds or thereby out of which his trustees have already made  
grants to Charitable Institutions to the extent of three hundred  
and eleven thousand five hundred pounds and the approximate  
amount of residue still to be divided is one hundred and forty- 40  
five thousand seven hundred and seven pounds or thereby of

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5

which thirty-nine thousand pounds or thereby represents the value at the present market price of shares in a mining company held by the testator at his death which can be only gradually realised and thirty thousand pounds is subject to the life interest of the testator's widow—the remainder of the said residue not yet distributed being subject to expenses of administration:

A.D. 1910.

And whereas certain of the testator's next of kin challenged the residue clause of the testator's trust disposition and settlement on the ground that it was void from uncertainty and maintained that the residue had fallen into intestacy whereupon his trustees raised an action of multiplepinding and exoneration in the Court of Session on fifth December one thousand nine hundred and five in order to have the rights of parties interested in the said residue judicially determined in which action the Lord Ordinary (Lord Dundas) by interlocutor dated twenty-eighth July one thousand nine hundred and six found that the said bequest of residue was not void from uncertainty and this judgment was affirmed by the First Division of the Court of Session by interlocutor dated twenty-ninth May one thousand nine hundred and seven and on eleventh June following the said Lord Ordinary by interlocutor ranked and preferred the testator's trustees to the whole residue in terms of their claim which interlocutor was by six reclaiming notes lodged by several of the next of kin reclaimed against to the said First Division who on seventeenth July one thousand nine hundred and seven refused the reclaiming notes whereafter certain of the next of kin appealed to the House of Lords who issued a judgment on twenty sixth May one thousand nine hundred and eight affirming the decision of the Court of Session and dismissing the appeal:

And whereas the testator during his lifetime had been in the habit of paying pensions and allowances to or on account of a number of old and infirm persons some of whom had been in his employment but none of whom were legatees under his trust disposition and settlement the sum so paid amounting to between five hundred pounds and six hundred pounds per annum but he made no provision in his trust disposition and settlement or otherwise for the continuation of the said payments:

And whereas the testator's trustees after they assumed office having in view the charitable nature of the said arrangements made by the testator during his life and the hardship which the

A.D. 1910. cessation of the aforesaid payments made by him would involve upon the recipients who had grown to rely upon them continued to make the said payments and have expended in the said payment either by themselves or through others the sum of three thousand six hundred and seventy-eight pounds five shillings 5 and sixpence or thereby up to eleventh November one thousand nine hundred and nine in the belief that although the testator did not make provision for the said payments in his trust disposition and settlement they could do so under the residue clause: 10

And whereas similar payments to other persons in similar circumstances who were not in receipt of pensions during the testator's lifetime have also been made by the testator's trustees either by themselves or through others to the amount of one thousand four hundred and thirty-five pounds seven shillings and 15 sixpence up to eleventh November one thousand nine hundred and nine:

And whereas doubts have arisen as to the power of the testator's trustees to make the said payments and they are now advised that in making the said payments they were acting 20 ultra vires and that they cannot obtain from the Court of Session ratification of their acts or power to continue the said payments:

And whereas it is expedient that the said payments should be sanctioned and the testator's trustees should be exonerated of 25 their actings and intromissions with the residue of the said estate in so far as these relate to the sums expended by them or for which they are or may be held to be responsible as aforesaid in having continued since the death of the testator the pensions and allowances instituted by him during his lifetime 30 and in having paid pensions and allowances of a similar nature to other persons all as aforesaid:

And whereas it is further expedient that the payment out of the residue of the testator's estate of the said pensions and allowances so far as still in operation or existence should be 35 continued and be authorised and that provision should also be made for the payment out of such residue of allowances for medical fees and funeral expenses to a limited extent on the occasion of the death of existing pensioners:

And whereas the purposes aforesaid cannot be effected 40 without an Order of the Secretary for Scotland confirmed by

[10 EDW. 7 & *Dick Trust Order Confirmation.*  
1 GEO. 5.]

7

Parliament under the provisions of the Private Legislation A.D. 1910.  
Procedure (Scotland) Act 1899 :

Now therefore in pursuance of the powers contained in  
the last mentioned Act the Secretary for Scotland orders as  
5 follows :—

1. This Order may be cited as The Dick Trust Order 1910. Short title.
2. In the construction of this Order the expression “the trustees” shall mean the said John Edward Audsley Robert Simpson Murray and Alexander Robertson and the survivors  
10 and survivor of them and the trustees for the time being acting under the said trust disposition and settlement of the said deceased James Dick. Interpreta-  
tion.
3. This Order shall come into operation at the date of the passing of the Act confirming the same. Commence-  
ment of  
Order.
- 15 4. The payments set out in the First Schedule to this Order shall be deemed to have been payments legally made out of the residue of the estate of the said deceased James Dick and the trustees may out of the said residue repay to the persons who  
20 have made the said payments in so far as they have not been made by the trustees themselves the respective amounts of such payments and the trustees and the representatives of the said deceased Sir John Neilson Cuthbertson and Sir William Robertson Copland respectively shall thereupon be exonerated and discharged  
25 of all liability in respect of the payments set forth in the said schedule. Confirmation  
of pensions  
already paid  
and exonera-  
tion of trust-  
ees.
5. The trustees are hereby authorised and empowered out of the residue of the estate of the said deceased James Dick either capital or income or partly the one and partly the other as they may deem proper to make payment of the pensions set  
30 forth in the Second Schedule to this Order to the several persons and of the respective amounts therein specified by such instalments and at such times and for such period as in each individual case the trustees may deem proper and also on the occasion of the death of any of the several persons named  
35 therein to make payment of such allowances not exceeding in any one case the sum of ten pounds as the trustees may deem proper to grant towards meeting the medical fees and funeral expenses incurred by or for any such deceased person and to Trustees  
authorised to  
continue  
existing  
pensions and  
to pay medi-  
cal and fune-  
ral expenses.

A.D. 1910. — the extent of all payments made by the trustees in virtue of this section they shall be exonerated and discharged of the said residue.

Power to Trustees to discontinue or suspend or administer pensions and allowances. 6. The trustees may at any time in their own discretion discontinue or suspend the payment or reduce the amount of any pension granted to any person in virtue of this Order or may themselves administer the pension for the benefit of any such person. 5

Power to Trustees to purchase annuities. 7. The trustees are hereby authorised and empowered at any time or times if and when they consider it expedient for the administration winding-up and distribution of the residue of the estate of the said deceased James Dick or for any other reason to make such provision as they may deem proper by the purchase of annuities or otherwise securing payment of the respective pensions or allowances by this Order authorised. 15

Pensions to be alimentary and not subject to diligence. 8. All pensions under the provisions of this Order shall be incapable of sale assignment or transference in whole or in part by the persons on or to whom the same are bestowed or granted and shall not be subject to arrestment or other diligence at the instance of their creditors but shall be purely alimentary and shall be paid notwithstanding any such sale assignment transference arrestment or diligence to the said persons respectively for their own use exclusively and the receipt of such persons shall be a good and effectual discharge for the same. 20

Expenses of Order. 9. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Order and the confirming Act or otherwise in relation thereto shall be paid by the trustees out of the residue of the estate of the said deceased James Dick. 25

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[10 EDW. 7 & *Dick Trust Order Confirmation.*  
1 GEO. 5.]

9

The SCHEDULES in this Order referred to.

A.D. 1910.

SCHEDULE I.

PENSIONS PAID BY TRUSTEES OF THE LATE JAMES DICK EITHER BY  
THEMSELVES OR THROUGH OTHERS.

5 (A) PENSIONS paid to persons selected by the TESTATOR.

	Name.	Date when Stopped.	How Payable.	From Date of Death to 11th November 1909.	
				Rate.	Total.
10	Robert Derby - - -	6th June 1908	Weekly	7s. 6d.	£ 121 17 6
	John Thomson - - -	9th June 1906	"	7s. 6d.	83 10 0
	Mrs. Brown - - -	—	"	10s.	199 10 0
	Adam Stewart - - -	16th Jan. 1909	"	7s. 6d.	134 5 0
15	James M'Farlane - - -	—	"	7s. 6d.	149 12 6
	Mrs. R. Graham - - -	—	"	7s. 6d.	149 12 6
	Mrs. Peter Campbell	—	"	5s.	100 0 0
	John M'Gill - - -	21st June 1902	"	10s.	7 0 0
	Mrs. Clotworthy - - -	—	Four-weekly	40s.	200 0 0
20	Miss A. Anderson - - -	—	Weekly	10s.	200 10 0
	Miss E. M'Millan - - -	—	"	10s.	200 10 0
	Miss A. Harris - - -	Sept. 1905	"	10s.	92 10 0
	Miss B. Aitken - - -	—	"	10s.	200 0 0
	Miss J. Rankin - - -	—	Monthly	40s.	184 0 0
25	Miss J. Russell - - -	31st Jan. 1909	Weekly	8s.	143 4 0
	Miss L. Hamilton - - -	—	"	8s.	160 8 0
	Mrs. Goudie - - -	July 1903	"	6s.	22 4 0
	Miss M. Smith - - -	—	"	6s.	120 6 0
	Mrs. Dunbar - - -	Dec. 1903	"	5s.	24 0 0
30	Miss M. Leslie - - -	Sept. 1902	"	10s.	15 0 0
	Miss J. Leslie - - -	—	"	8s.	160 8 0
	Miss Lomax (Manchester) -	—	"	10s.	201 0 0
	David Dunlop, Phil., U.S. (now dead).	—	Half-yearly	25l.	375 0 0
35	Thomas Thomson - - -	January 1906	Yearly	5l.	20 0 0
	Mrs. Wm. Simpson for house rent.	11th May 1907	Quarterly	50s.	52 10 0
40	On 24th October 1903 the trustees granted Mrs. Simpson in addition to the rent allowance a pension of 10s. per week. This was raised to 1l. per week then to 2l. per week but was subsequently reduced to 1l. 10s. per week. The total amount so paid her to 11th May 1907 was - - - - -				306 10 0
	The trustees have also made the following payments on account of the above pensioners:—				
45	Dr. Faulds for attendance on Mrs. Wm. Simpson 1902-7				42 7 0
	Funeral expenses of Miss A. Harris - - - - -				9 2 0
	" " John Thomson - - - - -				3 9 0
					<hr/> 3,678 5 6

A.D. 1910. (B) PENSIONS and GRANTS paid to persons selected by the TRUSTEES.

## 1. Pensions.

Name.	Date of First Payment.	Date when Stopped.	How Payable.	Rate.	Total.
Mrs. Springgate - -	26th April 1902.	6th Sept. 1902.	Four-weekly.	10s.	£ s. d. 5 3 0 0
Miss Semple - -	17th May 1902.	—	Monthly	10s.	45 0 0
Mrs. Crofts - -	24th May 1902.	15th Sept. 1906.	„	40s.	106 0 0 10
John Coulters - -	26th July 1902.	22nd July 1905.	Weekly	20s.	159 0 0
John Williams - -	10th May 1902.	28th Aug. 1909.	Monthly	30s.	135 0 0 15
Thos. Campbell - -	27th Aug. 1904.	12th Jan. 1907.	Weekly	7s. 6d.	46 17 6
Mrs. Irving - -	24th Sept. 1904.	—	„	5s.	69 10 0
Pat. O'Hara - -	24th Dec. 1904.	15th Sept. 1906.	„	5s.	22 15 0 20
Andrew Shields - -	10th June 1905.	7th July 1906.	„	7s. 6d.	21 7 6
James Shields - -	10th Feb. 1906.	31st Mar. 1906.	„	1 20s. } 7 7s. 6d. }	3 12 6 25
James Glen - -	24th Feb. 1906.	28th Dec. 1907.	„	16s.	77 12 0
Herbert Cunningham - -	10th Mar. 1906.	16th May 1908.	„	2 15s. } 1 5s. } then } 7s. 6d. }	43 15 0 30
Joseph Simpson - -	3rd Nov. 1906.	21st Dec. 1907.	„	1 45s. } then 20s. }	61 5 0
Miss Simpson - -	18th May 1907.	11th April 1908.	„	2 20s. } then 10s. }	25 0 0 35
Mrs. Andrew Simpson - -	12th Jan. 1907.	—	„	2 20s. } then 15s. }	111 10 0
Mrs. Camerou - -	2nd Feb. 1907.	—	„	10s.	72 10 0
John Dunn - -	23rd Feb. 1907.	—	Four-weekly.	1 20s. } then 30s. }	53 10 0 40
Charles Myatt - -	15th June 1907.	—	Weekly	1 20s. } 1 10s. } then } 7s. 6d. }	48 0 0 45
John Hay - -	22nd June 1907.	—	„	10s.	62 10 0
James Gilchrist - -	14th Dec. 1907.	—	„	7s. 6d.	37 2 6
Alex. Duncan - -	8th Aug. 1908.	—	„	7s. 6d.	24 15 0 50
Miss M. Hunter - -	7th Feb. 1909.	—	„	8s.	17 4 0
Neill Kelly - -	1908.	—	„	15s.	55 15 0
W. Allard - -	7th Sept. 1907.	—	„	10s.	57 0 0 55
— Mumro - -	—	1905	—	—	29 4 0
Carry forward - -	—	—	—	—	1388 15 0

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1 GEO. 5.]

11

2. *Payments for Temporary Relief.*

A.D. 1910.

				£	s.	d.
		Brought forward	-	1,388	15	0
	Miss M. Simpson	-	5th April 1902	2	0	0
5	Mrs. Allan Watson	-	5th April 10s. 12th April 10s. 10th May 1l.	2	0	0
	Ned Rafferty	-	31st May 1902	2	0	0
	Widow of W. Russell	-	30th September 1902	1	10	0
	Jane Corrigan	-	1905	2	0	0
10	Chas. Inglis	-	10th March 1906	0	5	0
	Andrew Simpson	-	22nd December 1l. 29th December 1906 1l.	2	0	0
	James Gilchrist	-	31st May 2l. 11th July 1907 2l.	4	0	0
15	J. S. Walker	-	11th July 1907 1l. 30th December 1908 1l.	2	0	0
	Mrs. Stevenso	-	25th January 1908	2	0	0
	John Hogg	-	29th February 5s. 6th March 1908 1l. and 22nd February 1909 10s.	1	15	0
	Sam Johnston	-	8th August 1908 1l. 30th January 1909 10s.	1	10	0
20	Thos. Monach	-	19th December 1l. 30th December 1908 10s.	1	10	0
	John M. Millan	-	30th December 1908	1	0	0
				£	1,414	5 0

25

3. *Medical Fees and Funeral Expenses.*

	Dr. Robert King for attendance on Joseph Simpson	-	-	2	2	0
	Funeral expenses of Mrs. Crofts	-	-	4	7	0
	" " Pat O'Hara	-	-	4	10	6
	" " Herbert Cunningham	-	-	3	9	0
30	" " J. Beattie	-	-	3	11	6
	" " T. Monach	-	-	3	2	6
				£	1,435	7 6



A.D. 19

SCHEDULE II.

LIST OF PRESENT PENSIONERS.

PENSIONERS still living selected by the TESTATOR.

Name.	Rate.	How Payable.	Total per annum.	
	<i>s. d.</i>		<i>£ s. d.</i>	
Mrs. Brown - - -	10 0	Weekly	26 0 0	5
James M'Farlane - - -	7 6	"	19 10 0	
Mrs. R. Graham - - -	7 6	"	19 10 0	
Mrs. Peter Campbell - - -	5 0	"	13 0 0	10
Mrs. Clotworthy - - -	40 0	Four-weekly	26 0 0	
Miss A. Anderson - - -	10 0	Weekly	26 0 0	
Miss E. M'Millan - - -	10 0	"	26 0 0	
Miss B. Aitken - - -	10 0	"	26 0 0	15
Miss J. Rankin - - -	40 0	Monthly	24 0 0	
Miss L. Hamilton - - -	8 0	Weekly	20 16 0	
Miss M. Smith - - -	6 0	"	15 12 0	
Miss J. Leslie - - -	8 0	"	20 16 0	
Miss Lomax (Manchester) - - -	10 0	"	26 0 0	

PENSIONERS still living selected by the TRUSTEES.

Miss Semple - - -	10 0	Monthly	6 0 0	20
Mrs. Irving - - -	5 0	Weekly	13 0 0	
Mrs. Andrew Simpson - - -	15 0	"	39 0 0	25
Mrs. Cameron - - -	10 0	"	26 0 0	
John Dunn - - -	30 0	Four-weekly	19 10 0	
Charles Myatt - - -	7 6	Weekly	19 10 0	
John Hay - - -	10 0	"	26 0 0	30
James Gilchrist - - -	7 6	"	19 10 0	
Alex. Duncan - - -	7 6	"	19 10 0	
Miss M. Hunter - - -	8 0	"	20 16 0	
Neill Kelly, per Belfast - - -	15 0	"	39 0 0	
W. Allard, per London - - -	10 0	"	26 0 0	
			<b>£563 0 0</b>	



**Dick Trust Order  
Confirmation.**

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A

**B I L L**

INTITLED

An Act to confirm a Provisional Order  
under the Private Legislation Pro-  
cedure (Scotland) Act 1899 relating  
to the Dick Trust.

*(Brought from the Commons 18th November 1910.)*

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Ordered to be printed 18th November 1910.

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(169)

A

## B I L L

INTITULED

An Act to amend the Diseases of Animals Acts, 1894 and 1896, in respect of the exportation of horses. A.D. 1910.

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords [Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- 5       1. It shall not be lawful, except in such cases as may be prescribed by order of the Board of Agriculture and Fisheries, to ship or attempt to ship any horse in any vessel from any port in Great Britain to any place outside Great Britain, unless immediately before shipment the horse has been examined by a  
10 veterinary surgeon appointed by the Board for that purpose, and has been certified in writing by him to be capable of being so conveyed without cruelty both during the intended voyage and after being disembarked. The owner of the horse shall pay to such veterinary surgeon in respect of such examination such  
15 fees as may be fixed by the Board, and such certificate shall be delivered at the time of shipment to the master of the vessel on which the animal is shipped, who shall, on demand, produce the same to any constable or any inspector or other officer of the Board or the local authority and allow such person to take  
20 a copy of, or extract from, the certificate :

Prohibition of export of unfit horses ; appointment of veterinary surgeons to examine ; expense to be borne by owners.

Provided that before any such order is made the draft thereof shall be laid before each House of Parliament for not less than thirty days on which such House is sitting, and if either of such Houses before the expiration of such thirty days presents an  
25 address to His Majesty against the draft or any part thereof no  
(59.)

A.D. 1910. further proceedings shall be taken thereon without prejudice to the making of any new draft order.

Fee for licence, &c., to export horses. **2.** Notwithstanding anything in section forty-seven of the Diseases of Animals Act, 1894, there may be charged by the Board of Agriculture and Fisheries for any licence, permit, or examination required by any order under that Act relating to the exportation of horses such fee or other charge as may be prescribed by order of the Board. 5

Master to cause slaughter of injured horses with approved killing instrument. **3.**—(1) If any horse shipped from any port in Great Britain to any port outside the British Islands has a limb broken or is otherwise seriously injured during the voyage, the master of the vessel shall forthwith cause the animal to be slaughtered, and every vessel on which a horse is so shipped shall carry a proper killing instrument, to be approved by the Board of Agriculture and Fisheries, for that purpose, and it shall be the duty of the owner and master of every such vessel to see that the vessel is provided with such an instrument, and the master, if so required by an inspector of the Board or of the local authority, shall produce the instrument for his inspection. 15

(2) Expressions in this section have the same meaning as in the Merchant Shipping Act, 1894. 20

Powers of entry. **4.** An inspector of the Board of Agriculture and Fisheries, or of the local authority, may enter any vessel for the purpose of ascertaining whether the provisions of this Act, or of any order under the Diseases of Animals Act, 1894, relating to the exportation of horses are being complied with. 25

Duty of local authorities to enforce Act. **5.** Every local authority described in the Diseases of Animals Act, 1894, shall execute and enforce this Act within their district.

Offences. **6.** If any person does anything or omits to do anything in contravention of any of the provisions of this Act, he shall be deemed guilty of an offence against the Diseases of Animals Act, 1894, and the provisions of that Act relating to offences shall apply accordingly as if the expression "animal" therein included horses. 35

Title. **7.** This Act may be cited as the Diseases of Animals Act, 1910, and the Diseases of Animals Acts, 1894 to 1909, and this Act may be cited together as the Diseases of Animals Acts, 1894 to 1910, and this Act shall for all purposes have effect as part of the Diseases of Animals Act, 1894. 40



# Diseases of Animals (No. 2).

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A

**B I L L**

INTITLED

An Act to amend the Diseases of  
Animals Acts, 1894 and 1896, in  
respect of the exportation of horses.

*(Brought from the Commons 20th June 1910.)*

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Ordered to be printed 20th June 1910.

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[Price 5d.]

(59.)

## Diseases of Animals (No. 2.) Bill.

### A M E N D M E N T S

TO BE MOVED IN COMMITTEE

BY

THE EARL OF DERBY.

*[To be substituted for the Amendments previously circulated.]*

Clause 1, page 1, line 5, after (“ except ”) insert (“ as in this “ Act provided and ”)

line 8, leave out the second (“ Great Britain ”) and insert (“ the British Islands ”)

line 9, leave out (“ immediately ”) and insert (“ within forty-eight hours ”)

Leave out clause 2.

Clause 3, page 2, line 11, leave out (“ during the voyage ”) and insert (“ while on board ”)

After clause 6 insert the following new clause :

7. The provisions of this Act shall not apply in the case of shipment of any thoroughbred horse certified in writing by a steward or the secretary of the Jockey Club—

Exemption of horses certified to be travelling for certain purposes.

(a) to have arrived in Great Britain not more than one month before the date of shipment for the purpose of being run in a race ; or

(b) to be shipped for the purpose of being run in a race ; or

(c) to be shipped in order to be used for breeding purposes.

Provided that such certificate shall be delivered at the time of shipment to the master of the vessel on which the animal is shipped, who shall, on demand, produce the same to any constable or any inspector or other officer of the Board or the local authority, and allow such person to take a copy of, or extract from, the certificate.

(59 a.) +



# Diseases of Animals (No. 2.) Bill.

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## AMENDMENTS

TO BE MOVED IN COMMITTEE

BY

THE EARL OF DERBY.

*[To be substituted for the Amendments  
previously circulated.]*

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11th July 1910.

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(59 a.) +

## Diseases of Animals (No. 2.) Bill.

### A M E N D M E N T S

TO BE MOVED IN COMMITTEE

BY

THE LORD SAYE AND SELE.

Clause 1, page 2, line 2, after (“ order ”) insert the following new subsection—

- (2) If any horse examined under this Act shall be found by the veterinary inspector to be in such a physical condition that it is cruel to keep it alive, it shall be lawful for him, without the consent of the owner, to slaughter the animal, or cause it to be slaughtered, in such a manner as to inflict as little suffering as practicable.

Clause 3, page 2, line 11, after (“ otherwise ”) insert (“ so ”), and after (“ voyage ”) insert (“ as to be unable to be led away on “ disembarkation without cruelty ”)

Clause 6, page 2, line 33, after (“ offences ”) insert (“ and “ legal proceedings ”)

(59 b.)

# Diseases of Animals (No. 2.) Bill.

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## AMENDMENTS

TO BE MOVED IN COMMITTEE

BY

THE LORD SAYE AND SELLE.

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13th July 1910.

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[Price 3*d.*]

(59*b.*)

## Diseases of Animals (No. 2.) Bill.

### A M E N D M E N T S

TO BE MOVED IN COMMITTEE

BY

THE EARL CARRINGTON.

Clause 1, page 1, line 8, leave out (“place”) and insert (“port”) and leave out the second (“Great Britain”) and insert (“the British Islands”)

line 10, leave out (“surgeon”) and insert (“inspector”) and leave out (“that purpose”) and insert (“the purpose of conducting examinations under this Act”)

line 11, leave out (“so”)

line 12, after (“conveyed”) insert (“to such port and disembarked”) and leave out from (“cruelty”) to (“in”) in line 14, and insert (“There shall be paid to the Board or such person as they direct”)

line 14, after (“examination”) insert (“and before it takes place”)

line 15, leave out (“fixed by”) and insert (“prescribed by order of”)

line 21, leave out from (“that”) to the end of the clause, and insert (“every order made under this section prescribing the cases to be excepted shall be laid before each House of Parliament as soon as may be after it is made, and if an Address is presented to His Majesty by either House of Parliament within the next subsequent thirty days on which that House has sat next after any such order is laid before it praying that the order or any part thereof may be annulled, His Majesty in Council may annul the order or part thereof, and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder”)

page 2, line 2, at the end of the clause insert the following new subsections—

(2) A veterinary inspector may for the purposes of identification mark a horse certified by him under this section in such manner as the Board may by order prescribe.

(59 c.)

(3) If any person, with a view to evading the provisions of this Act, marks a horse with the prescribed mark, or with any mark so nearly resembling it as to be calculated to deceive he shall be guilty of an offence against the Diseases of Animals Act, 1894.

Clause 2, page 2, line 6, after (" exportation ") insert (" or shipment ")

Clause 3, page 2, leave out lines 20 and 21.

Clause 4, page 2, line 26, after (" exportation ") insert (" or shipment ")

Clause 5, page 2, line 28, after (" shall ") insert (" if and so far as the Board of Agriculture and Fisheries by order so direct ")

Clause 6, page 2, line 31, after (" Act ") insert (" or if the master of a vessel permits a horse to be shipped therein in contravention of this Act ")

line 33, after (" offences ") insert (" and legal proceedings ")

After Clause 6 insert the following new clause—

Commence-  
ment and  
interpreta-  
tion.

—(1) This Act shall come into operation on the *first day of October nineteen hundred and ten.*

(2) In this Act the expressions " vessel," " owner," " master," and " port " have the same meanings as in the Merchant Shipping Act, 1894, and the expression " horse " includes ass and mule.

Title, page 1, leave out (" and 1896 ") and insert (" to 1909 ") and after (" Exportation ") insert (" and Shipment ")



# Diseases of Animals (No. 2.) Bill.

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## AMENDMENTS

TO BE MOVED IN COMMITTEE

BY

THE EARL CARRINGTON.

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14th July 1910.

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(59 c.)

## **Diseases of Animals (No. 2) Bill.**

[AS AMENDED ON REPORT.]

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### ARRANGEMENT OF CLAUSES.

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Clause.

1. Prohibition of export of unfit horses; appointment of veterinary surgeons to examine; expense to be borne by owners.
2. Fee for licence, &c., to export horses.
3. Master to cause slaughter of injured horses with approved killing instrument.
4. Powers of entry.
5. Duty of local authorities to enforce Act.
6. Offences.
7. Exemption of horses certified to be travelling for certain purposes.
8. Commencement and interpretation.
9. Title.





[10 EDW. 7 & *Diseases of Animals* (No. 2).  
1 GEO. 5.]

1

A

## B I L L

[AS AMENDED ON REPORT]

INTITULED

An Act to amend the Diseases of Animals Acts, 1894 to A.D. 1910.  
1909, in respect of the exportation and shipment of  
horses.

**B**E it enacted by the King's most Excellent Majesty, by and  
with the advice and consent of the Lords Spiritual and  
Temporal, and Commons, in this present Parliament assembled,  
and by the authority of the same, as follows:—

- 5     **1.**—(1) It shall not be lawful, except as in this Act provided  
and in such cases as may be prescribed by order of the Board of  
Agriculture and Fisheries, to ship or attempt to ship any horse  
in any vessel from any port in Great Britain to any port outside  
the British Islands, unless immediately before shipment the horse  
10 has been examined by a veterinary inspector appointed by the  
Board for the purpose of conducting examinations under this Act,  
and has been certified in writing by him to be capable of being  
conveyed to such port and disembarked without cruelty. There  
shall be paid to the Board or such person as they direct, in respect  
15 of such examination, and before it takes place, such fees as may  
be prescribed by order of the Board, and such certificate shall be  
delivered at the time of shipment to the master of the vessel  
on which the animal is shipped, who shall, on demand, produce  
the same to any constable or any inspector or other officer of  
20 the Board or the local authority and allow such person to take  
a copy of, or extract from, the certificate :

Prohibition  
of export of  
unfit horses ;  
appointment  
of veterinary  
surgeons to  
examine ;  
expense to  
be borne by  
owners.

Provided that every order made under this section prescribing  
the cases to be excepted shall be laid before each House of  
Parliament as soon as may be after it is made, and if an Address  
25 is presented to His Majesty by either House of Parliament  
(120.)

A

A.D. 1910. within the next subsequent thirty days on which that House has sat next after any such order is laid before it praying that the order or any part thereof may be annulled, His Majesty in Council may annul the order or part thereof, and it shall thenceforth be void, but without prejudice to the validity of anything 5 previously done thereunder.

(2) If any horse examined under this Act shall be found by the veterinary inspector to be in such a physical condition that it is cruel to keep it alive, it shall be lawful for him, without the consent of the owner, to slaughter the animal, or 10 cause it to be slaughtered, in such a manner as to inflict as little suffering as practicable.

(3) A veterinary inspector may for the purposes of identification mark a horse certified by him under this section in such manner as the Board may by order prescribe. 15

(4) If any person, with a view to evading the provisions of this Act, marks a horse with the prescribed mark, or with any mark so nearly resembling it as to be calculated to deceive he shall be guilty of an offence against the Diseases of Animals Act, 1894.

Fee for licence, &c., to export horses. 57 & 58 Vict. c. 57.

2. Notwithstanding anything in section forty-seven of the Diseases of Animals Act, 1894, there may be charged by the Board of Agriculture and Fisheries for any licence, permit, or examination required by any order under that Act relating to the exportation or shipment of horses such fee or other charge as may be prescribed by order of the Board. 25

Master to cause slaughter of injured horses with approved killing instrument.

3. If any horse shipped from any port in Great Britain to any port outside the British Islands has a limb broken or is otherwise seriously injured while on board so as to be incapable of being disembarked without cruelty, the master of the vessel shall forthwith cause the animal to be slaughtered, and 30 every vessel on which a horse is so shipped shall carry a proper killing instrument, to be approved by the Board of Agriculture and Fisheries, for that purpose, and it shall be the duty of the owner and master of every such vessel to see that the vessel is provided with such an instrument, and the master, if so required 35 by an inspector of the Board or of the local authority, shall produce the instrument for his inspection.

Powers of entry.

4. An inspector of the Board of Agriculture and Fisheries, or of the local authority, may enter any vessel for the purpose of

[10 EDW. 7 & *Diseases of Animals* (No. 2).  
1 GEO. 5.]

3

ascertaining whether the provisions of this Act, or of any order under the Diseases of Animals Act, 1894, relating to the exportation or shipment of horses are being complied with. A.D. 1910.

5 **5.** Every local authority described in the Diseases of Animals Act, 1894, shall, if and so far as the Board of Agriculture and Fisheries by order so direct, execute and enforce this Act within their district. Duty of local authorities to enforce Act.

10 **6.** If any person does anything or omits to do anything in contravention of any of the provisions of this Act, or if the master of a vessel permits a horse to be shipped therein in contravention of this Act, he shall be deemed guilty of an offence against the Diseases of Animals Act, 1894, and the provisions of that Act relating to offences and legal proceedings shall apply accordingly as if the expression "animal" therein included 15 horses. Offences.

**7.** The provisions of this Act shall not apply in the case of shipment of any thoroughbred horse certified in writing by a steward or the secretary of the Jockey Club— Exemption of horses certified to be travelling for certain purposes.

20 (a) to have arrived in Great Britain not more than one month before the date of shipment for the purpose of being run in a race; or

(b) to be shipped for the purpose of being run in a race; or

(c) to be shipped in order to be used for breeding purposes:

25 Provided that such certificate shall be delivered at the time of shipment to the master of the vessel on which the animal is shipped, who shall, on demand, produce the same to any constable or any inspector or other officer of the Board or the local authority, and allow such person to take a copy of, or extract from, the certificate.

30 **8.**—(1) This Act shall come into operation on the first day of October nineteen hundred and ten. Commencement and interpretation.

(2) In this Act the expressions "vessel," "owner," "master," and "port" have the same meanings as in the Merchant Shipping Act, 1894, and the expression "horse" 35 includes ass and mule. 57 & 58 Viet. c. 60.

**9.** This Act may be cited as the Diseases of Animals Act, 1910, and the Diseases of Animals Acts, 1894 to 1909, and this Act may be cited together as the Diseases of Animals Acts, 1894 to 1910, and this Act shall for all purposes have effect 40 as part of the Diseases of Animals Act, 1894. Title

# Diseases of Animals (No. 2).

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A

**B I L L**

[AS AMENDED ON REPORT]

INTITLED

An Act to amend the Diseases of Animals Acts, 1894 to 1909, in respect of the exportation and shipment of horses.

*(Brought from the Commons 20th June 1910.)*

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Ordered to be printed 19th July 1910.

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(120.)

[10 EDW. 7 & *Dundee Gas Commissioners Order*  
1 GEO. 5.] *Confirmation.* [H.L.]

1

A

## B I L L

INTITULED

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Dundee Gas Commissioners. A.D. 1910.

**W**HEREAS His Majesty's Secretary for Scotland has made the Provisional Order set forth in the schedule hereunto annexed under the provisions of the Private Legislation Procedure (Scotland) Act 1899 and it is requisite that the said 62 & 63 Vict.  
c. 47.

5 Order should be confirmed by Parliament:

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:--

- 10 **1.** The Provisional Order contained in the schedule hereunto annexed shall be and the same is hereby confirmed. Confirmation  
of Order in  
schedule.
- 2.** This Act may be cited as the Dundee Gas Commissioners Short title.  
Order Confirmation Act 1910.

A.D. 1910.

SCHEDULE.

---

DUNDEE GAS COMMISSIONERS.

*Provisional Order to authorise the Dundee Gas Commissioners to borrow or raise additional money for their gas undertaking and to confer various further powers on them and on the Corporation of Dundee and for other purposes.*

WHEREAS the Dundee Gas Commissioners (herein-after called "the Commissioners") were incorporated by the Dundee Gas Act 1868 (herein-after called "the Act of 1868") for the purpose of supplying with gas the town of Dundee and the suburbs thereof and places adjacent thereto and by various Acts since passed the Act of 1868 has been amended and extended and various further powers have been conferred on the Commissioners :

And whereas by the Dundee Corporation Act 1894 (herein-after called "the Act of 1894") the lord provost magistrates and council of the city and royal burgh of Dundee (herein-after called "the Corporation") were constituted the Commissioners for carrying inter alia the Dundee Gas Acts therein recited into execution and as such they are the local authority for electric lighting purposes under the Electric Lighting Acts 1882 to 1909 and under the Dundee Electric Lighting Order 1890 the Dundee Corporation Act 1897 and the Dundee Electric Lighting (Extension) Order 1908 supply electrical energy within the city and royal burgh of Dundee as at present constituted :

And whereas the Commissioners have by the several Acts relating to their gas undertaking been authorised to borrow various sums of money amounting in the aggregate to the sum of four hundred thousand pounds but their powers of borrowing and raising money under those Acts are now inadequate and it is expedient that they should be authorised to raise additional money for the purposes of the said Acts and this Order and the general purposes of their gas undertaking :

And whereas it is expedient that the further powers in this Order contained should be conferred on the Commissioners and

[10 EDW. 7 & *Dundee Gas Commissioners Order* 3  
1 GEO. 5.] *Confirmation.*

the Corporation respectively and that the other provisions in this A.D. 1910.  
Order contained should be enacted:

And whereas the purposes aforesaid cannot be effected  
without an Order of the Secretary for Scotland confirmed by  
5 Parliament under the provisions of the Private Legislation Pro-  
cedure (Scotland) Act 1899:

Now therefore in pursuance of the powers contained in  
the last-mentioned Act the Secretary for Scotland orders as  
follows:—

10 1. This Order may be cited for all purposes as the Dundee Short title  
Gas Commissioners Order 1910 and the Gas Acts as in this and citation  
Order defined and this Order so far as relating to gas and gas of Acts and  
purposes may be cited as the Dundee Gas Acts 1868 to Order.  
1910.

15 2. This Order shall commence and have effect on and from Commence-  
the date of the passing of the Act confirming the same which ment of  
date is herein-after in this Order referred to as “the commence- Order.  
ment of this Order.”

3. In this Order the following words and expressions shall Interpretation  
20 have the respective meanings by this section assigned to them of terms.  
unless there be something in the subject or context repugnant  
to such construction (that is to say):—

“The Commissioners” shall mean the Dundee Gas Com-  
missioners as constituted by the Act of 1894:

25 “The gas undertaking” shall mean the undertaking of the  
Commissioners exclusive of their electric lighting under-  
taking:

“The Gas Acts” shall mean the following Acts and Orders  
(that is to say):—

30 The Act of 1868;  
The Dundee Gas Amendment Act 1872 (herein-  
after called “the Act of 1872”);

The Dundee Gas (Additional Powers) Act 1877  
(herein-after called “the Act of 1877”);

35 The Dundee Gas (Debenture Stock) Act 1882  
(herein-after called “the Act of 1882”);

The Act of 1894 so far as relating to gas and gas  
purposes;



*Dundee Gas Commissioners Order* [10 EDW. 7 &  
*Confirmation.* 1 GEO. 5.]

A.D. 1910.

The Dundee Corporation Act 1897 (herein-after called "the Act of 1897") so far as relating to gas and gas purposes;

The Dundee Gas Street Improvements and Tramways Act 1899 (herein-after called "the Act of 1899") so far as relating to gas and gas purposes; 5

The Dundee Corporation Order 1901 so far as relating to gas and gas purposes; and

The Dundee Corporation Order 1907 so far as relating to gas and gas purposes. 10

Power to borrow additional money.

4. In addition to any money which the Commissioners have borrowed or raised or are authorised to borrow or raise under the Gas Acts or any of them the Commissioners may from time to time under the authority of this Order borrow or raise for the purposes of the Gas Acts and this Order and of the gas undertaking any sum or sums of money not exceeding in the aggregate the sum of sixty-five thousand pounds and with the sanction of and subject to the conditions as to period of repayment and otherwise prescribed by the Secretary for Scotland such further sums as may be requisite for the said purposes on the security of the several rates and charges leviable by them under the provisions of the Gas Acts and this Order and the other revenues of the gas undertaking and if after having borrowed or raised any moneys under the authority of this section the Commissioners pay off the same or any part thereof except by means of the sinking fund herein-after mentioned it shall be lawful for them again to borrow or raise the amount so paid off upon the same securities as those upon which the moneys so paid off were secured and so from time to time. 15 20 25

Borrowing power for current expenses.

5. In order to raise such money as may be necessary to defray the current annual expenditure for the gas undertaking until the several rates and charges leviable by the Commissioners shall be levied and collected the Commissioners may borrow during the currency of any financial year (in addition to the other sums authorised to be borrowed) on the security of such rates and charges and the other revenues of the gas undertaking in such way and manner as they may deem most expedient any sum or sums not exceeding in the whole two-third parts of the estimated amount of such rates charges and revenues for the year then current from any bank or banking company or other 30 35 40

[10 EDW. 7 & *Dundee Gas Commissioners Order*  
1 GEO. 5.] *Confirmation.*

5

company or person on such terms and conditions and in such form as may be agreed on between the parties Provided always that such sums so borrowed shall be paid off and extinguished at or before the end of the financial year to which such borrowing  
5 applies.

A.D. 1910.

6. All moneys to be borrowed or raised by the Commissioners after the commencement of this Order may be secured by bonds in terms of and as provided by this Order or by debenture stock of the Commissioners in terms of and in manner provided by  
10 the Act of 1882 as altered and amended by section 37 (Issue of redeemable gas debenture stock) of the Act of 1894 and all the powers forms and provisions of the Act of 1882 as altered and amended as aforesaid with regard to the raising of money by  
15 the creation and issue of debenture stock and with regard to the debenture stock or certificates of debenture stock to be created and issued therefor shall mutatis mutandis apply to the money raised by the Commissioners by the creation and issue of debenture  
20 stock after the commencement of this Order and to all debenture stock or certificates of debenture stock created and issued for the same or any part thereof and to the transfer transmission and redemption of such debenture stock Provided that the bonds to be granted and certificates of the debenture stock to be issued for the moneys by this Order authorised to be borrowed or raised shall declare that they are so granted and issued by virtue or by  
25 and under the powers of this Order.

Security for  
borrowed  
money.

7. Notwithstanding anything in the Gas Acts contained all bonds to be made and granted by the Commissioners for moneys borrowed by them from and after the commencement of this Order under the Gas Acts or this Order shall be signed by  
30 three of and the treasurer to the Commissioners and may be in the form and tenor contained in the First Schedule to this Order or to the like effect.

Bonds by  
Commis-  
sioners.

8. The Commissioners may issue along with any such bond and during the period of any postponement of the term of pay-  
35 ment thereof interest warrants in the form contained in the Second Schedule to this Order or to the like effect signed by the treasurer to the Commissioners for the periodical payment of the interest to become due on the principal sums thereby secured during the period for which such bond is intended to  
40 subsist and the delivery to the Commissioners or their treasurer or to any person on their behalf of any such interest warrant duly stamped as a receipt shall be a valid and sufficient discharge

Bonds may  
be accom-  
panied with  
interest  
warrants.

A.D. 1910. to the Commissioners for the interest in respect of which the same was issued.

Mortgages or bonds may be transferred by indorsement. 9. All mortgages and bonds granted by the Commissioners under the authority of the Gas Acts or this Order may be transferred by indorsation on the back thereof in the form and tenor contained in the Third Schedule to this Order or to the like effect. 5

Discharge of bonds. 10. Any person entitled to any mortgage or bond granted by the Commissioners under the authority of the Gas Acts or this Order may discharge the same and his right and interest therein in favour of the Commissioners and every such discharge may be indorsed on the mortgage or bond and may be in the form and tenor contained in the Fourth Schedule to this Order or to the like effect and such discharge when signed by the person entitled to such mortgage or bond and duly stamped shall be valid and effectual to all intents and purposes. 15

Provisions of Acts of 1868 and 1899 made applicable. 11. The sections herein-after specified of the Acts herein-after mentioned shall be and are hereby made applicable mutatis mutandis to the money to be borrowed or raised by the Commissioners under the authority of this Order and to the bonds interest warrants transfers of bonds drafts or orders and discharges to be granted in respect thereof in the same manner as if the said sections had been re-enacted in this Order with reference thereto (that is to say):— 20

Of the Act of 1868:— 25

Section 77 (Commissioners may borrow on credit of a cash account);

Section 78 (Manner in which mortgages and orders on bank account to be signed and executed) so far as not inconsistent with the provisions of this Order; 30

Section 79 (Arrears may be enforced by appointment of factor);

Section 80 (Powers and duties of judicial factor);

Section 81 (Mortgages to be personal estate). 35

Of the Act of 1899:—

Section 10 (Estimates and charges and contingent guarantee rate);

Section 12 (Application of money borrowed):

Section 13 (Protection of lenders from inquiry). 40

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1 GEO. 5.] *Confirmation.*

7

12. There shall be kept at the office of the clerk to the Commissioners a register of all bonds to be made and granted by the Commissioners for moneys borrowed by them from and after the commencement of this Order under the Gas Acts and  
5 this Order and within fourteen days after the date of every such bond an entry shall be made in the register of the number and the amount and date thereof and of the names and designations of the parties thereto as stated in the bond and also the interest payable on the same. Every such register shall  
10 be open to public inspection during office hours at the office of the said clerk without fee or reward and any clerk or other person having the custody of the same refusing to allow such inspection shall be liable to a penalty not exceeding five pounds. Before any bond is delivered to the creditor a certificate of such  
15 entry shall be endorsed on the bond and signed by the clerk to the Commissioners and every transfer of a bond shall be notified to such clerk who shall enter in the register aforesaid the date of the transfer the names of the parties thereto the number of the bond and the date it was notified or intimated and a  
20 certificate of such entry shall be endorsed on the said bond and signed by the treasurer to the Commissioners and such clerk and the said bond being so certified the transferee his executors and assignees shall thereafter be entitled to the benefit of such bond in terms of such transfer.

A.D. 1910.  
Bonds to be recorded and transfers to be registered.

25 13. All mortgages granted and debenture stock created and issued by the Commissioners in pursuance of the Gas Acts before the commencement of this Order which shall be subsisting at the commencement of this Order shall during the  
30 continuance of such mortgages and debenture stock have priority over any bonds to be granted and debenture stock to be created and issued after the commencement of this Order and all such last-mentioned bonds and debenture stock shall rank together  
35 pari passu and without any preference or priority the one over the other. Provided that nothing contained in or done or suffered under this Order shall prejudice or affect the preference and priority of the perpetual annuities mentioned in the Act of 1868 and conferred by that Act.

Priority of existing mortgages and debenture stock.

14. The rates and charges levied or leviable under the authority of the Gas Acts and this Order or any of them and  
40 the other revenues of the Commissioners in respect of the gas undertaking whether arising under the Gas Acts or this Order

Application of rates and charges.

A.D. 1910. shall be applied in the following order of priority (that is to say):—

Firstly—In defraying the expenses of the management and maintenance of the gas undertaking under the Gas Acts 5 and this Order including the annual costs charges and expenses of providing and supplying gas and the payment of any feu duties or ground annuals exigible in respect of any lands or property forming part of the gas undertaking; 10

Secondly—In payment of the perpetual annuities by the Act of 1868 required to be paid so far as not from time to time redeemed and discharged and of the interest on any moneys borrowed under the authority of that Act;

Thirdly—In payment of the interest of money borrowed or raised under the authority of the Act of 1872 the Act of 1877 and the Act of 1882 respectively according to their order and priority; 15

Fourthly—In payment of the interest of money borrowed or raised under the authority of the Act of 1897; 20

Fifthly—In payment of the interest of money borrowed or raised under the authority of Part II. of the Act of 1899;

Sixthly—In payment of the interest of money borrowed or raised under the authority of this Order; 25

Seventhly—In payment of the sums by the Gas Acts and this Order directed to be set apart as a sinking fund or allowed to be set apart as a contingent fund; and

Lastly—In payment of such portion of the cost of enlarging or increasing the number of mains and pipes and of 30 extending the works mains and pipes from time to time as may properly be charged against the revenue for the year and of any other necessary annual expenditure.

Period and mode of repayment of moneys borrowed.

15. The Commissioners shall pay off all moneys borrowed or raised by them under the powers of this Order other than money 35 borrowed for current expenses within the period of twenty-five years from the respective dates of the borrowing or raising of the same (herein-after in this Order referred to as "the prescribed period") and that either by equal yearly or half-yearly instalments of principal or of principal and interest combined 40



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9

*Confirmation.*

or by means of a sinking fund or partly by one of those methods and partly by another or others of them. A.D. 1910.

16.—(1) If the Commissioners determine to repay by means of a sinking fund any moneys borrowed or raised by virtue of this Order such sinking fund shall be formed or maintained either— Sinking fund.

(A) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed A sinking fund so formed is herein-after called a “non-accumulating sinking fund”; or

(B) By payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed A sinking fund so formed is herein-after called an “accumulating sinking fund.”

(2) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in statutory securities the Corporation being at liberty from time to time to vary and transpose such investments.

(3) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Commissioners towards the equal annual payments to the fund.

(4) The Commissioners may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed Provided that in the case of an accumulating sinking fund the Commissioners shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(5)—(A) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived

(168.)

B

A.D. 1910. from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any deficiency shall be made good by the Commissioners;

(B) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any such excess may be applied towards such annual payments. 5

(6) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Order shall be paid by the Commissioners in addition to the payments provided for by this Order. 10

(7) If it appears to the Secretary for Scotland or to the Commissioners at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Commissioners shall make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose. 15 20

(8) If the Commissioners desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund. 25

(9) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Commissioners be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Commissioners may with the consent of the Secretary for Scotland reduce the payment to be made to the sinking fund either temporarily or permanently to such amount as will be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed. 30 35

(10) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Commis- 40

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1 GEO. 5.] *Confirmation.*

sioners be sufficient to repay the loan in respect of which it is formed within the prescribed period the Commissioners may with the consent of the Secretary for Scotland discontinue the annual payment to such sinking fund. A.D. 1910.

- 5 (11) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose as the Commissioners may with the consent of the Secretary for Scotland determine.
- 10 17. The Secretary for Scotland shall prior to the first day of May in every year appoint an auditor who shall be a member of one of the Incorporated Societies of Accountants in Scotland and practising in the city of Dundee for the purpose of auditing the accounts of the Commissioners and in case of dispute shall  
15 on the application of either party fix the fee to be paid to such auditor and in the event of the office of such auditor becoming vacant by death or from any other cause before such accounts are audited by him shall subject to the like incidents appoint an auditor to supply such vacancy.
- 20 18. The Commissioners shall from time to time give to the auditor full access to all their accounts together with their books and vouchers and it shall be the duty of the auditor to audit such accounts and either make a special report thereon in any case where it appears to him expedient so to do or simply  
25 confirm the same. Provided that the auditor shall make a special report in every case where he is of opinion that any statutory or other requirement with respect to the repayment or extinction of debt has not been observed or that any debt has not been duly repaid.
- 30 19. The yearly accounts as the same shall have been audited shall be laid before a meeting of the Commissioners to be held not later than the third Wednesday in the month of June in each year and the auditor's confirmation or special report shall be read at such meeting and the accounts shall be examined and  
35 if found just and true shall be allowed and certified by the Commissioners under the hand of the chairman of such meeting and of the clerk and treasurer and shall thereafter be final in regard to all persons whomsoever unless an appeal be presented against such accounts to the sheriff within three months from the  
40 date of such meeting which appeal it shall be competent for any



A.D. 1910. Commissioner or for any holder of a Dundee gas annuity or annuities or for any creditor holding a security on the undertaking or for any ratepayer in Dundee or for any consumer of gas supplied by the Commissioners to institute and prosecute due notice in writing of such appeal having been given to the clerk at the time of presenting the same by leaving with him a copy thereof and of the reasons of appeal and the sheriff shall dispose of the said appeal in a summary way and his decision thereon shall be final and conclusive and not subject to review on any ground or by any process whatsoever. 5 10

Abstract of accounts to be printed and circulated.

20. As soon as the said accounts shall have been allowed and certified by the Commissioners as aforesaid an abstract thereof shall be prepared and together with the auditor's report shall be printed and circulated for the information of the Commissioners on or before the first day of September in each year and one of the said copies shall be open to the inspection of the public at the offices of the Commissioners for the time being at all reasonable hours and any person may obtain a copy on payment of the sum of one shilling. 15

Repeal of certain sections of former Acts.

21. From and after the commencement of this Order the following sections of the Act of 1868 (that is to say):— 20

Section 19 (Auditor to be appointed);

Section 73 (Application of revenue);

Section 75 (Form of mortgage);

Section 76 (Mortgages may be accompanied with interest warrants); and 25

Section 82 (Discharge of mortgages); and

Section 5 (Time for appointing auditor altered) of the Act of 1872; 30

and the following sections the marginal note of each of which is "Application of rates and charges" (that is to say) section 21 of the Act of 1872 section 13 of the Act of 1877 section 14 of the Act of 1882 section 7 of the Act of 1897 and section 11 of the Act of 1899

shall be and are hereby repealed. 35

Amendment as regards Dundee Gas debenture stock.

22. Notwithstanding anything in the Gas Acts contained the Commissioners may in the exercise of the powers thereby and by this Order conferred for the creation and issue of debenture stock for moneys borrowed or to be borrowed by them under the

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powers of those Acts and this Order create and issue such debenture stock at such price or prices being not lower than ninety-five per centum and at such rate of interest being the same as or different from the price or rate of interest of any other issue  
5 of the said debenture stock as may from time to time be determined by the Commissioners and fixed by the resolution creating the same and the provisions of the Gas Acts relating to the creation and issue of the said debenture stock are hereby amended accordingly.

A.D. 1910.

10 23. Notwithstanding anything in the Dundee Corporation Acts 1871 to 1907 contained the Corporation may in the exercise of the powers by those Acts conferred for the creation and issue of debenture stock for moneys borrowed or to be borrowed under the powers of those Acts for the purposes of their police administration create and issue such debenture stock at such price or  
15 prices being not lower than ninety-five per centum and at such rate of interest being the same as or different from the price or rate of interest of any other issue of the said debenture stock as may from time to time be determined by the Corporation and  
20 fixed by the resolution creating the same and the provisions of the said Acts relating to the creation and issue of the said debenture stock are hereby amended accordingly.

Amendment as regards Dundee Police debenture stock.

24. The Commissioners may upon the application of the owner or occupier of any premises within the limits of gas supply  
25 abutting on or being erected in any street or road laid out or made but not dedicated to public use supply such premises with gas and may lay down and take up alter relay or renew in across or along such street or road such pipes and apparatus as may be requisite or proper for the furnishing such supply and the  
30 provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes and for the protection of pipes when laid so far as they are applicable for the purposes of this section shall extend and apply mutatis mutandis to and for the purposes thereof.

Power to lay pipes in streets not dedicated to public use.

35 25. In the case of any building occupied in flats or separate dwellings entering by a common stair or other access and belonging to one or more owners the Commissioners may for the purpose of supplying any owner or occupier with gas lay and fit up service pipes in such common stair or access with branches to  
40 communicate with any separate flat or dwelling without the

Power to fix service pipes in tenements.

- A.D. 1910. consent of the owner or occupier of any other separate flat or dwelling Provided that any injury which may in the exercise of such power be done to any such stair or access shall be duly repaired by the Commissioners.
- Appliances let for hire not subject to execution. 26. Any engines stoves ranges pipes fittings machinery or other apparatus appliances or things let for hire by the Commissioners to or supplied by them for the use of any consumer supplied with gas by the Commissioners shall not be subject to pouncing or to the landlord's hypothec or remedy for rent or be liable to be taken in execution under any process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be Provided that the same are marked or impressed with a sufficient mark or brand indicating the Commissioners as the actual owners thereof. 5 10
- Period of error in defective meters. 27. In the event of any meter used by a consumer of gas or of electrical energy supplied by the Commissioners being tested in manner provided by the Sale of Gas Act 1859 or the Dundee Electric Lighting Orders 1890 and 1908 as the case may be and being proved to register erroneously within the meaning of the said Act or Orders such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter The amount of the allowance to be made to or of the surcharge to be made upon the consumer by the Commissioners shall be paid by or to the Commissioners to or by the consumer as the case may be and shall be recoverable in like manner as gas or electricity charges are recoverable by the Commissioners. 15 20 25
- Tenants' liability for sub-tenants' gas supply. 28. The Commissioners in respect of the gas undertaking may in addition to their recourse against the actual consumer charge and recover from the tenant of any house who sub-lets his house furnished for any period not exceeding two months the amount of rates and charges for gas used and consumed and any other sums due to the Commissioners by such sub-tenant in connection with the supply of gas during such sub-tenancy. 30 35
- Notice to be given to Commissioners before removing. 29. At least twenty-four hours' notice in writing shall be given to the Commissioners by every consumer of gas before he shall quit any premises supplied with gas by meter by the Commissioners and in default of such notice the consumer so quitting shall be liable to pay to the Commissioners the money 40

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15

accruing due in respect of such supply up to the next usual period for ascertaining the register of the meter on such premises or the date from which any subsequent occupier of such premises shall require the Commissioners to supply gas to such  
5 premises whichever shall first occur Notice of the effect of this enactment shall be endorsed upon every demand note for gas charges payable to the Commissioners.

A.D. 1910.

30. If a person requiring a supply of gas from the Commissioners has previously quitted premises at which gas was supplied  
10 to him by the Commissioners without paying to them all gas charges and meter rent due from him to the Commissioners they may refuse to furnish to him a supply of gas until he pays the same.

Power to refuse supply to persons in debt for other premises.

31. Every consumer of gas supplied by the Commissioners  
15 who uses a gas-engine shall if required to do so by the Commissioners use an effective anti-fluctuator and shall at all times at his own expense keep such anti-fluctuator in proper order and in default of his so using or keeping such anti-fluctuator in proper order the Commissioners may cease to supply gas to  
20 such consumer The Commissioners shall have access to and be at liberty to take off remove test inspect and replace any such anti-fluctuator at all reasonable times such taking off removal testing inspecting and replacing to be done at the expense of the Commissioners if the anti-fluctuator be found in proper  
25 order but otherwise at the expense of such consumer.

Anti-fluctuators for gas-engines.

32. No penalty shall be incurred by the Commissioners for insufficiency of pressure defect of illuminating power or for excess of impurity in the gas supplied by them in any case in respect of which it is proved that such insufficiency defect or  
30 excess was caused by any circumstance beyond the control of the Commissioners.

Penalty not recoverable in certain cases.

33. The Commissioners may if they think fit form separate funds to be called "the gas accident fund" and "the electricity  
35 accident fund" respectively or either of such funds to provide for meeting claims upon them at common law or under the *Employers' Liability and Workmen's Compensation Acts* in respect of any accident occurring in connection with their gas undertaking and electric lighting undertaking respectively and such funds shall be formed by annually appropriating thereto out of  
40 the revenues arising from those undertakings respectively such

Accident funds.

A.D. 1910. sum as the Commissioners from time to time deem expedient and investing the same at compound interest in or on any security in or on which trust funds may be invested according to the law of Scotland not being a security of the Commissioners and accumulating the same and the interest thereof and the Commissioners may from time to time or at any time resort to the said funds respectively for any purpose mentioned in this section The said funds respectively shall at no time exceed the sum of two thousand five hundred pounds but if either of such funds be reduced at any time it may be restored to the said amount.

Costs of  
Order.

34. The costs charges and expenses of and incident to the preparing and applying for and the issue of this Order and the confirmation thereof by Parliament or otherwise in relation thereto shall be paid by the Commissioners out of their funds and revenues applicable to the gas undertaking Provided that if the said costs charges and expenses are paid out of borrowed money the amount thereof shall be repaid out of such revenues within five years from the commencement of this Order.

The SCHEDULES referred to in the foregoing Order. 20

THE FIRST SCHEDULE.

FORM OF BOND.

No	£
<p>By virtue of the Dundee Gas Acts 1868 to 1910 WE the Dundee Gas Commissioners incorporated by the Dundee Gas Act 1868 as amended by the Dundee Corporation Act 1894 in consideration of the principal sum of [insert sum in words] instantly advanced and paid to us for the purposes of the Dundee Gas Acts 1868 to 1910 by [insert full name and designation] do hereby bind and oblige ourselves out of the several rates and charges leviable by us under the provisions of those Acts and the other revenues of our gas undertaking to pay at the term of [insert term of payment] to the said [insert full name] his executors administrators or assignees the said principal sum of [insert the sum in words] and also the interest thereof at the rate of [insert rate of interest] per centum per annum from _____ at the terms of Whitsunday and Martinmas in each year till the said principal sum is paid and for the</p>	<p>25 30 35</p>

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further security of the said [insert full name] we do hereby assign to him his executors administrators and assignees such proportion of the said several rates charges and revenues as shall be equivalent to the said principal sum now paid to us and the interest thereon as aforesaid  
5 from to the term of payment And we consent to the registration hereof for preservation and execution In witness whereof [insert testing clause in common form]. A.D. 1910.

10 \_\_\_\_\_ Witness \_\_\_\_\_ Commissioner.  
\_\_\_\_\_ Witness. \_\_\_\_\_ Commissioner.  
\_\_\_\_\_ Commissioner.  
\_\_\_\_\_ Treasurer.

THE SECOND SCHEDULE.

FORM OF INTEREST WARRANT.

15 \_\_\_\_\_ DUNDEE GAS.  
Bond No. Dated 19

INTEREST WARRANT.

20 For pounds shillings and pence - £ s. d.  
Less Income Tax - - -  
£ \_\_\_\_\_  
Payable on 19 at the  
Treasurer.



A.D. 1910.

THE THIRD SCHEDULE.

FORM OF TRANSFER.

I A. B. within designed do transfer this bond with all right title or interest which I have under the same to C. D. [*insert full name and designation*] his [*or her or their as the case may be*] executors administrators and assignees In witness whereof [*insert testing clause in common form*]. 5

\_\_\_\_\_ Witness. A \_\_\_\_\_ B \_\_\_\_\_  
\_\_\_\_\_ Witness.

THE FOURTH SCHEDULE.

FORM OF DISCHARGE.

Received from the treasurer to the Dundee Gas Commissioners acting on their behalf the sum of \_\_\_\_\_ being the principal sum contained in the within bond (all interest due thereon having been previously paid) and the said bond is now delivered up as discharged. 15

Dated this \_\_\_\_\_ day of \_\_\_\_\_ one thousand nine hundred and \_\_\_\_\_

A \_\_\_\_\_ B \_\_\_\_\_





**Dundee Gas  
Commissioners Order  
Confirmation. [H.L.]**

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A

**B I L L**

INTITULED

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Dundee Gas Commissioners.

*The Lord Pentland.*

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Ordered to be printed 16th November 1910.

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(168.)

[1 GEO. 5.] *Dunfermline and District Tramways* 1  
*(Extensions) Order Confirmation.*

A

## B I L L

INTITULED

An Act to confirm a Provisional Order under the Private A.D. 1910.  
 Legislation Procedure (Scotland) Act 1899 relating to  
 Dunfermline and District Tramways.

**W**HEREAS His Majesty's Secretary for Scotland has after  
 Inquiry held before Commissioners made the Provisional  
 Order set forth in the schedule hereunto annexed under the  
 provisions of the Private Legislation Procedure (Scotland) Act 62 & 63 Vict.  
 5 1899 and it is requisite that the said Order should be confirmed c. 47.  
 by Parliament :

Be it therefore enacted by the King's most Excellent Majesty  
 by and with the advice and consent of the Lords Spiritual and  
 Temporal and Commons in this present Parliament assembled  
 10 and by the authority of the same as follows :—

1. The Provisional Order contained in the schedule hereunto Confirmation  
 annexed shall be and the same is hereby confirmed. of Order in  
 schedule.

2. This Act may be cited as the Dunfermline and District Short title.  
 Tramways (Extensions) Order Confirmation Act 1910.

A.D. 1910.

SCHEDULE.DUNFERMLINE AND DISTRICT TRAMWAYS  
(EXTENSIONS).*Provisional Order to authorise the Dunfermline and District  
Tramways Company to construct additional Tramways and 5  
other Works and for other purposes.*

WHEREAS by the Dunfermline and District Tramways Order 1906 (in this Order called "the Order of 1906") the Dunfermline and District Tramways Company (in this Order called "the Company") were incorporated with a share capital of one hundred and fifty thousand pounds and with power to borrow fifty thousand pounds and were authorised to construct the tramways and works therein described all in the county of Fife : 10

And whereas the Company have constructed and opened for the public conveyance of passengers the greater portion of the tramways and works authorised by the Order of 1906 and in respect thereof the Company have incurred capital liabilities to the amount of approximately one hundred and ten thousand pounds : 15

And whereas the Company have created and issued fifty-five thousand seven hundred and ten shares of one pound each and such shares are fully paid up and have also created and issued two thousand shares of one pound each upon each of which four shillings have been paid up : 20

And whereas no portion of the said sum of fifty thousand pounds has been borrowed by the Company : 25

And whereas it is expedient that the Company should be authorised to construct the new tramways and the street works herein-after described and to raise additional capital and borrow further moneys for the purposes of this Order and of their authorised undertaking : 30

[1 GEO. 5.] *Dunfermline and District Tramways*  
(Extensions) Order Confirmation.

3

And whereas the new tramways are extensions of the tramway system of the Company and it is expedient that the provisions of the Order of 1906 as amended by this Order with respect to the working and motive power of the authorised tramways of the Company should be extended to the new tramways : A.D. 1910.

And whereas it is expedient that the provisions of the Order of 1906 in relation to the purchase of the authorised tramways of the Company should be amended as herein-after provided and that such provisions as so amended should be extended to the new tramways :

And whereas it is expedient that the other powers in this Order contained should be conferred on the Company :

And whereas plans and sections showing the lines and levels of the new tramways and the street works authorised by this Order and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Order were duly deposited with the principal sheriff clerk for the county of Fife and are herein-after respectively referred to as the deposited plans sections and book of reference :

And whereas the purposes aforesaid cannot be effected without an Order of the Secretary for Scotland confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1899 :

Now therefore in pursuance of the powers contained in the last-mentioned Act the Secretary for Scotland orders as follows :—

1. This Order may be cited as the Dunfermline and District Tramways (Extensions) Order 1910 and the Order of 1906 and this Order may be cited together as the Dunfermline and District Tramways Orders 1906 and 1910 This Order shall come into operation at the date of the passing of the Act confirming the same which date is herein-after referred to as "the commencement of this Order."

Short title  
and com-  
mencement  
of Order.

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

Incorporation of  
general  
Acts.

The Companies Clauses Consolidation (Scotland) Act 1845  
and Part I. (relating to cancellation and surrender of  
(79) A 2

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shares) and Part II. (relating to additional capital) of the Companies Clauses Act 1863 as amended by subsequent Acts;

The Lands Clauses Acts; and

Section 3 (Interpretation of terms) Part II. (Construction of Tramways) and Part III. (General Provisions) of the Tramways Act 1870:

Provided that section 30 (except subsections (1) and (5) thereof) of the Tramways Act 1870 shall in its application to the new tramways have effect as if wires or apparatus laid in a road included wires or apparatus erected or carried over a road or footpath. 10

Interpretation.

3. In this Order the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction And in this Order unless the context otherwise requires— 15

“The new tramways” and “the street works” mean respectively the new tramways and the street works by this Order authorised; 20

“The existing tramways” means the tramways authorised by the Order of 1906;

“The tramways” means the new tramways and the existing tramways;

“The undertaking” means the undertaking of the Company authorised by the Order of 1906 and this Order; 25

“Contingencies” in section 125 of the Companies Clauses Consolidation (Scotland) Act 1845 includes the contingency of the undertaking being sold at a sum less than the aggregate amount of the capital and debts of the Company. 30

Power to make new tramways.

4. Subject to the provisions of this Order the Company may make form lay down work use and maintain the new tramways herein-after described in the lines and within the limits of deviation and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans and sections with all proper rails plates works and conveniences connected therewith Provided that nothing in this Order shall authorise any interference with electric lines 35

and works of any undertakers under the Electric Lighting Acts 1882 to 1909 to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of that section. A.D. 1910.

5 The new tramways herein-before referred to and authorised by this Order will be situate wholly in the county of Fife and are—

10 Tramway No. 1—A tramway 6 furlongs 9·70 chains or thereabouts in length (double line) commencing in the royal burgh of Dunfermline in New Row by a junction with Tramway No. 13 authorised by the Order of 1906 at a point 0·65 chain or thereabouts north of Priory Lane passing thence into and along Priory Lane Reid Street Nethertown Broad Street and Elgin Street to and terminating in Grange Road in the parish of Dunfermline at a point opposite the north entrance to Grange Farm :

20 Tramway No. 1A—A tramway 1·5 chains or thereabouts in length (double line) situate wholly in the parish and royal burgh of Dunfermline commencing in Priory Lane by a junction with Tramway No. 1 herein-before described at a point 0·65 chain or thereabouts west of New Row passing thence into New Row and terminating therein by a junction with Tramway No. 13 authorised by the Order of 1906 at a point 1 chain or thereabouts south of Priory Lane :

30 Tramway No. 2—A tramway 1 mile 5 furlongs 1·70 chains or thereabouts in length (of which 5 furlongs 1·50 chains or thereabouts will be single line and 1 mile 0·20 chain or thereabouts will be double line) commencing in the parish of Dunfermline in Grange Road by a junction with Tramway No. 1 at its termination herein-before described passing thence in a southerly direction along the said road to and terminating in Brankholm Lane in the parish of Inverkeithing at a point 1 chain or thereabouts north of the new road from Kincardine to Inverkeithing (hereinafter called “the New Kincardine Road”):

40 Tramway No. 3—A tramway 7 furlongs 2·7 chains or thereabouts in length (of which 3 furlongs 6·4 chains or thereabouts will be single line and 3 furlongs 6·3 chains or thereabouts will be double line) situate wholly in the

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parish of Inverkeithing commencing in Brankholm Lane by a junction with Tramway No. 2 at its termination herein-before described passing thence in a south-easterly and easterly direction into and along the New Kincardine Road and terminating therein at a point 1 chain or there- 5  
 abouts east of the main road from Dunfermline to North Queensferry :

Tramway No. 4—A tramway 2 miles 8·3 chains or there-  
 abouts in length (of which 1 mile 1 furlong 5·3 chains 10  
 or thereabouts will be single line and 7 furlongs 3 chains  
 or thereabouts will be double line) commencing in the  
 parish of Inverkeithing in the New Kincardine Road  
 by a junction with Tramway No. 3 at its termination  
 herein-before described passing thence in an easterly and  
 southerly direction along the New Kincardine Road into 15  
 the royal burgh of Inverkeithing and thence in a  
 southerly direction along the said road and into and  
 along the main road from Kinross to North Queensferry  
 (herein-after called “the Great North Road”) Church  
 Street High Street Hope Street and the Great North 20  
 Road and again into the parish of Inverkeithing con-  
 tinuing in a generally southerly direction along and  
 terminating in the said road at a point 2 chains or there-  
 abouts south-east of its junction with the old main road  
 from Kincardine to North Queensferry (herein-after called 25  
 “the Old Kincardine Road”) :

Tramway No. 5—A tramway 4 furlongs 6·60 chains or  
 thereabouts in length (of which 3 furlongs 7·85 chains  
 or thereabouts will be single line and 8·75 chains or  
 thereabouts will be double line) situate wholly in the 30  
 parish of Inverkeithing commencing in Brankholm Lane  
 by a junction with Tramway No. 2 at its termination  
 herein-before described passing thence in a southerly  
 direction along the said lane and terminating therein at  
 a point 0·65 chain or thereabouts north of its junction 35  
 with the Old Kincardine Road :

Tramway No. 5A—A tramway 1·5 chains or thereabouts  
 in length (single line) situate wholly in the parish of  
 Inverkeithing commencing in Brankholm Lane by a  
 junction with Tramway No. 5 at a point 1 chain or 40  
 thereabouts south of the New Kincardine Road passing



thence in a north-easterly direction into the New Kincardine Road and terminating therein by a junction with Tramway No. 3 herein-before described at a point 1 chain or thereabouts east of Brankholm Lane : A.D. 1910.

5 Tramway No. 6—A tramway 2 miles 1 furlong 1·70 chains  
or thereabouts in length (of which 1 mile 4 furlongs  
8·02 chains or thereabouts will be single line and 4 fur-  
10 long 3·68 chains or thereabouts will be double line)  
commencing in the burgh of Lochgelly in the parish of  
Auchterderran in Bank Street by a junction with Tram-  
way No. 8 authorised by the Order of 1906 at its  
15 termination passing thence in a northerly direction along  
Bank Street to and terminating in the road from Lochgelly  
to Ballingry in the village of Lochore in the parish of  
Ballingry at a point 9·20 chains or thereabouts north  
of the centre of the bridge carrying the said road over  
the Lochore Branch of the North British Railway :

20 Tramway No. 9—A tramway 5 furlongs 2·2 chains or  
thereabouts in length (of which 3 furlongs 4·7 chains or  
thereabouts will be single line and 1 furlong 7·5 chains  
or thereabouts will be double line) situate wholly in the  
parish of Auchterderran commencing in the village of  
Auchterderran in the main road from Inverkeithing to  
25 Leslie near the “Auld Hoose” public-house at a point  
0·75 chain or thereabouts south-west of the junction of  
the said main road with the road from Auchterderran  
to Cardenden (herein-after referred to as “the Cardenden  
Road”) passing thence in an easterly and southerly  
30 direction to and into the Cardenden Road and terminating  
therein at a point 1 chain or thereabouts north of the  
centre of the bridge carrying the Dunfermline and  
Thornton section of the North British Railway over the  
said road :

35 Tramway No. 9A—A tramway 1 chain or thereabouts in  
length (single line) situate wholly in the parish of Auch-  
terderran in the village of Auchterderran commencing in  
the Cardenden Road by a junction with Tramway No. 9  
at a point 1 chain or thereabouts east of its commence-  
ment herein-before described passing thence in a north-  
40 westerly direction into and terminating in the main road



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from Inverkeithing to Leslie at a point 1·30 chains or thereabouts north of the north-west corner of the “Auld Hoose” public-house :

Provided that the construction of Tramways Nos. 1 2 and 3 shall not be commenced until Work C by this Order authorised shall be approaching completion Provided also that Tramways Nos. 5 and 5A shall not be constructed except with the consent in writing of the Admiralty.

Power to  
make street  
works.

5. Subject to the provisions of this Order the Company may make the street works herein-after described in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections together with all necessary and proper works improvements junctions connections approaches and conveniences connected therewith or incidental thereto and may enter upon take and use such of the lands and buildings delineated on the deposited plans and described in the deposited book of reference as may be required for those purposes and may enter upon open break up and interfere with such streets or roads as may be necessary for the like purposes :

The street works herein-before referred to and authorised by this Order will be situate wholly in the county of Fife and are—

Work A—A widening of the eastern side of Elgin Street in the parish and royal burgh of Dunfermline and of the eastern side of Grange Road in the parish of Dunfermline between points respectively 2 chains or thereabouts to the north and 2 chains or thereabouts to the south of the centre of Grange Bridge including a widening of the said bridge :

Work B—A lowering and alteration of the levels of Grange Road in the parish of Dunfermline between points respectively 2 chains or thereabouts to the north and 2 chains or thereabouts to the south of the centre of the bridge carrying the North British Railway (Charlestown Branch) over the said road :

Work C—A widening of Grange Road and Brankholm Lane in the parishes of Dunfermline and Inverkeithing on the west side thereof between points respectively 1 furlong 6·5 chains or thereabouts north and 1 mile 5 furlongs 2·9 chains or thereabouts south of the north entrance to Grange Farm including a widening of the bridge over the Brankholm Burn :

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5 Work D—A raising and altering of the levels of Brankholm Lane in the parishes of Dunfermline and Inverkeithing between points respectively 5·5 chains or thereabouts north and 7·2 chains or thereabouts south of the centre of the bridge over the Brankholm Burn: A.D. 1910.

10 Work E—A lowering and alteration of the levels of the road from Lochgelly to Ballingry in the burgh of Lochgelly and parish of Auchterderran between points respectively 5 chains or thereabouts north and 2·5 chains or thereabouts south of the centre of the bridge carrying the Dunfermline Branch of the North British Railway over the said road:

15 Work M—A lowering and alteration of the levels of the Cardenden Road in the parish of Auchterderran between points respectively 2·2 chains or thereabouts north-west and 0·9 chain or thereabouts south-east of the centre of the bridge carrying a mineral branch line of the North British Railway over the said road at a point 1 furlong 7 chains or thereabouts from the commencement of  
 20 Tramway No. 9 by this Order authorised.

25 6. The Company may subject to the consent of the road authority construct on the east side of Grange Road in the parish of Dunfermline as authorised to be widened by this Order a footpath between points respectively 0·4 chain and 16·5 chains or thereabouts north of the termination of Tramway No. 1 by this Order authorised in substitution for the existing footpath on the west side of that road between the said points and may on the completion of the substituted footpath to the satisfaction of the road authority merge the said existing footpath  
 30 in the carriageway of the said road. Alteration of footpath.

35 7. The following sections of the Order of 1906 shall so far as the same are applicable in that behalf and are not inconsistent with the provisions of this Order extend and apply mutatis mutandis to and in relation to the new tramways and the street works and to the Company in respect thereof (that is to say):— Application of certain sections of Order of 1906 to new tramways and street works.

Section 8 (Correction of errors &c. in deposited plans and book of reference);

40 Section 10 (Persons under disability may grant servitudes &c.);

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Section 13	(Inspection by Board of Trade);	
Section 15	(Gauge of tramways);	
Section 17	(Power to make subsidiary works);	
Section 18	(Vesting of street works in road authority);	
Section 19	(Tramways to be kept on level of surface of 5 road);	
Section 20	(Plan of proposed mode of construction);	
Section 22	(Rails of tramways);	
Section 23	(Penalty for not maintaining rails and roads— Board of Trade may on complaint inspect 10 tramways);	
Section 24	(Local and road authority to have access to sewers);	
Section 25	(Crossovers to be constructed in certain cases);	
Section 26	(Power to make additional crossovers and to 15 double tramway lines);	
Section 27	(Temporary tramways may be made where necessary);	
Section 28	(Company may reduce footpath for construct- ing tramways);	20
Section 29	(Application of road materials excavated in construction of works);	
Section 30	(Shelters or waiting rooms);	
Section 31	(Stopping of roads during execution of works);	25
Section 32	(As to electrical works &c.);	
Section 33	(As to removal of snow &c.);	
Section 34	(Attachment of brackets &c. to buildings);	
Section 35	(Power to lop trees);	
Section 43	(Passengers' fares);	30
Section 44	(Passengers' luggage);	
Section 45	(Carriage of parcels);	
Section 46	(Rates for parcels &c.);	
Section 47	(Service of carriages);	
Section 48	(Cheap fares for labouring classes);	35
Section 49	(As to fares on Sundays or holidays);	
Section 50	(Periodical revision of rates and charges);	
Section 51	(Byelaws);	

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- Section 52 (Exemption of tramway cars &c. from A.D. 1910. licensing);  
 Section 53 (Penalty for malicious damage);  
 Section 54 (Provisions as to motive power);  
 5 Section 55 (Special provisions as to use of electrical power);  
 Section 56 (Alteration of telegraph lines of Postmaster-General);  
 Section 57 (For protection of Post Office telegraph lines);  
 10 Section 58 (Apparatus used for mechanical power to be deemed part of tramways);  
 Section 59 (Power to acquire patent rights);  
 Section 80 (Agreements with road authority);  
 Section 83 (Power to provide and run omnibuses);  
 15 Section 86 (Form and delivery of notices);  
 Section 87 (Consents of local or road authority);  
 Section 88 (References to arbitration);  
 Section 91 (Recovery of penalties);  
 Section 92 (Orders &c. of Board of Trade).

20 8. For the protection of the provost magistrates and coun- For pro-  
 cillors of the royal burgh of Dunfermline (in this section tecton of  
 respectively referred to as "the corporation" and "the burgh") corporation  
 the following provisions shall unless otherwise agreed upon of Dunfer-  
 between the corporation and the Company apply and have effect line.  
 25 (that is to say):—

- (1) The Company shall not commence the construction of  
 Work A described in the section of this Order of  
 which the marginal note is "Power to make street  
 30 works" unless and until they shall have first delivered  
 to the corporation plans and sections together with a  
 statement of the materials to be used by the Company  
 for the purposes of the works intended to be executed  
 and the same have been examined and approved by  
 the corporation or by an arbiter appointed as herein-  
 35 after provided Provided always that if the corporation  
 shall fail to approve or disapprove of the said plans  
 sections and statement of materials for one month  
 after such plans sections and statement of materials  
 have been delivered to the corporation then the

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A.D. 1910.  
—

corporation shall be deemed to have approved the same and the said work shall be carried out by the Company in accordance with such plans sections and statement of materials. Provided also that if the corporation within such period shall have expressed 5 their disapproval of the said plans sections and statement of materials then the Company shall not commence or execute the said work unless and until plans sections and statement of materials thereof have been considered and settled by an arbiter to 10 be appointed as herein-after provided:

- (2) The Company shall execute the said work as aforesaid in accordance with the said plans sections and statement of materials as approved or settled at their sole expense and to the reasonable satisfaction of 15 the corporation and the Company shall subsequently maintain the said work and all necessary works connected therewith for a period of twelve months after completion in good substantial condition and repair: 20
- (3) If the corporation prior to the construction of the said Work A acquire or provide the land necessary for the purpose of making the proposed widening of Elgin Street comprised in that work of a greater length at either end or both ends thereof than is 25 shown on the deposited plans then the Company shall at their own expense when constructing the said Work A make such further widening of Elgin Street as the corporation may require and the provisions of the preceding subsections of this section 30 shall apply to such extended road widening:
- (4) The Company shall not under the powers of this Order enter upon take use or otherwise interfere with any part of the lands shown on the deposited plans as intended to be acquired for the purposes of 35 Work C described in the section of this Order of which the marginal note is "Power to make street works" (which lands are numbered 12 on the deposited plans in the parish of Dunfermline) so far as such lands belong to the corporation except with 40 the written consent of the corporation:

- (5) Notwithstanding anything contained in the section of A.D. 1910.  
this Order of which the marginal note is "Power  
to deviate in constructing street works" the Company  
shall not deviate from the lines and levels of the  
5 existing roads and streets in the burgh except with  
the consent in writing of the corporation (which  
consent shall not be unreasonably withheld) and under  
such conditions and restrictions as the corporation may  
reasonably impose :
- 10 (6) In the event of its becoming necessary to alter the level  
of the roadway and foot-pavements in New Row at  
the junction between the lines of tramway authorised  
by this Order and the lines of tramway in New Row  
authorised by the Order of 1906 the Company shall at  
15 their own expense make all reasonable and necessary  
alterations so as to leave the said roadway and foot-  
pavements in a fit state for public traffic thereon to  
the satisfaction of the corporation :
- 20 (7) If any poles or posts erected by the Company in the  
burgh may in the opinion of the corporation and  
of the Company or in the event of difference of an  
arbitrer to be appointed as herein-after mentioned  
be or become objectionable or obstructions the same  
25 shall be taken up and removed by and at the expense  
of the Company and be placed in such position as the  
corporation may determine :
- (8) The Company shall construct and maintain to the  
satisfaction of the corporation good and sufficient  
30 drains to carry away water or other liquid from the  
rails of the new tramways into the public sewers or  
other suitable watercourse :
- (9) Where in the construction of the works authorised by  
this Order any footpath is narrowed any lamp or other  
35 post which if left in its original position would be  
outside the line of kerb shall be replaced by and at  
the expense of the Company on the new footpath to  
the reasonable satisfaction of the corporation and in  
such position as the corporation may reasonably  
direct :
- 40 (10) The Company shall at their own expense pave and there-  
after maintain the roadway of all streets or roads on



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which any part of the new tramways may be constructed with whinstone or granite setts between the rails of such tramways and for a distance of eighteen inches beyond the rails of and on each side of any such tramways to the reasonable satisfaction of the 5 corporation :

- (11) If the corporation desire to have the remainder of the carriageway of the streets or roads along the route of the new tramways paved with setts similar to those used by the Company the Company shall when constructing the new tramways (on receiving reasonable notice from the corporation prior to the commencement of the work) pave the remainder of the carriageway of the said streets or roads with whinstone or granite setts as the case may be and the corporation shall pay to the Company the cost of such additional paving : 10
- (12) If in constructing the new tramways any alterations in the position thereof are in the opinion of the corporation reasonably necessary in the public interest the Company shall at their own expense if and as required by the corporation so far as the Company may lawfully do so under the powers of this Order alter the position of the same accordingly : 20
- (13) The Company shall allow their standards and poles to be used by the corporation for attaching thereto lighting apparatus if required by the corporation under such reasonable conditions as may with the approval of the Board of Trade be agreed upon between the Company and the corporation Provided however that no holes shall be bored by the corporation in such standards and poles : 25 30
- (14) Any dispute or difference arising between the Company and the corporation under this section shall be referred to and determined by an arbiter to be appointed by the Board of Trade on the application of either party. 35

For protection of corporation of

9. The following provisions for the protection of the provost magistrates and councillors of the burgh of Inverkeithing (in this

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*(Extensions) Order Confirmation.*

section called "the corporation") shall unless otherwise agreed upon between the Company and the corporation have effect (that is to say): . . . A.D. 1910.  
 Inverkeithing.

5 (1) In this section the expression "the tramway" means such portion or portions of the new tramways as is or are situate within the jurisdiction of the corporation:

(2) The Company shall to the reasonable satisfaction of the corporation—

10 (A) Pave with whinstone or other setts approved by the corporation the roadway between the rails and for a distance of eighteen inches on either side of the tramway;

15 (B) Maintain and keep in good condition and repair the roadway between the rails and for a distance of eighteen inches on either side of the tramway and also in the case of double lines of tramway the roadway between such double lines:

20 (3) If any difference shall arise between the corporation and the Company under this section such difference shall be determined by arbitration under this Order.

10. For the protection of the county council of the county of Fife and the Kirkcaldy District Committee of that county (herein-after in this section respectively referred to as "the county council" and "the district committee") the following provisions shall unless otherwise agreed upon between the county council or the district committee as the case may be and the Company have effect:— For protec-  
 tion of Fife  
 County  
 Council  
 and their  
 Kirkcaldy  
 District  
 Committee.

30 (1) For the purpose of constructing Tramway No. 6 the Company shall subject to the provision by the district committee of the necessary land as herein-after provided widen the carriageway of the road from Lochgelly to Ballingry including the bridge carrying the said road over the river Fitty to a width not exceeding twenty-seven feet all as shown on plan dated the fourth day of May one thousand nine hundred and ten and signed by George Balfour on behalf of the Company and by George Donaldson on behalf of the district committee Provided always that the district committee shall within a period of  
 35



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six months after the commencement of this Order put the Company in possession of the necessary land to carry out the said widenings :

- (2) The Company shall not under the powers of this Order construct or work Tramway No. 9 until the width 5 of the bridge and the approaches thereto carrying the road from Auchterderran to Cardenden over the river Ore has been increased to twenty-seven feet Provided that if the district committee contribute the money required for the purpose the Company shall further 10 widen the said bridge to such extent as the district committee may require Provided further that the Company shall not be bound to widen the said bridge and approaches unless and until the district committee supply the necessary land : 15
- (3) If the Company alter the level of any road the portion of the road so altered and also in the case of widenings of the road the additions to the existing road shall be bottomed with nine inches of whinstone rubble and finished with six inches of whinstone metal 20 properly consolidated and the drainage system and fencing of the road in so far as the same may have been dislocated by the Company's operations shall be reinstated in such a manner that the road shall be drained and fenced in as efficient a manner as it was 25 before the commencement of the Company's operations all at the Company's expense :
- (4) The Company shall if and when required by the district committee sufficiently fence to the reasonable satisfaction of the district committee such portion or 30 portions of the highway as may have been rendered dangerous by reason of the construction existence or use of the new tramways :
- (5) The Company shall not without the consent of the district committee use salt or any other material for thawing 35 ice or snow on any highway :
- (6) The surplus paving metalling or material which the Company are required by section 29 of the Order of 1906 to deliver to the surveyor of the road authority shall be delivered to him at such point on the tramway 40 route not being at a greater distance than one mile

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from the point where said surplus paving metalling or material was excavated as the surveyor may require : A.D. 1910.

5 (7) If any standard or pole on the line of the new tramways after erection is an obstruction to the public traffic the Company shall alter the position thereof in such manner as the county council or district committee shall reasonably require :

10 (8) Notwithstanding anything contained in section 30 of the Order of 1906 the Company shall not erect except in such position as failing agreement between the Company and the county council or district committee as the case may be shall be determined by arbitration as herein-after provided any sheds or shelters or  
 15 waiting rooms within twenty-five feet of the centre of the highway without the consent of the district committee :

20 (9) Sections 30 32 and 33 of the Tramways Act 1870 shall in relation to the new tramways apply to the county council with reference to the water and gas mains pipes and apparatus belonging to the county council in like manner as the same apply to a company or person being the owner of water or gas pipes or mains :

25 (10) If any difference shall arise between the Company and the county council or the district committee under this section such difference shall be determined by an arbiter to be agreed upon between the parties or failing agreement to be appointed by the sheriff of the  
 30 county of Fife on the application of either party.

11. For the protection of the county council of the county of Fife and the Dunfermline District Committee of that county the following provisions shall unless otherwise agreed upon between the Company and as the case may be the said county council  
 35 or district committee have effect (that is to say) :—

(1) The Company in constructing Tramway No. 2 shall for a distance of fifteen chains measured in a southerly direction along the Grange Road from the centre of the bridge carrying the North British Railway over that road where the space between the outside rail of the  
 40

For protection of Fife County Council and their Dunfermline District Committee.

A.D. 1910.

tramway and the margin of the footpath or if there be no footpath of the road does not exceed four feet pave the same in manner similar to the paving laid down by the Company between the rails of that tramway :

5

(2) All material excavated by the Company from the New Kincardine Road in constructing Tramway No. 3 and not applied by the Company so far as may be necessary for the purpose of the new tramways and in or towards the reinstatement or making up of roads shall be deposited at such points along the route of Tramway No. 2 as the said district committee may require :

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(3) The provisions of the immediately preceding section of this Order other than the provisions of subsection (3) thereof relating to the alteration of the level and widening of roads shall so far as applicable extend and apply to and for the protection of the said county council and district committee.

15

For protection of  
North  
British  
Railway  
Company.

12. The following provisions for the protection of the North British Railway Company (in this section called "the railway company") and the railways owned leased worked or run over by the railway company (in this section called "the railways") shall unless otherwise agreed between the Company and the railway company apply and have effect (that is to say):—

25

(1) The Company shall not take or acquire by compulsion under the provisions of this Order any railways lands or property belonging to the railway company or in which the railway company is interested :

(2) Before commencing any works or operations under the powers of this Order affecting any of the railways or affecting any bridge over or under any of the railways or the roadway under or on any such bridge the Company shall submit plans and sections of such works or operations to the railway company for their approval and the said works and operations shall be constructed and carried on in conformity only with such plans and sections and at the sight and to the reasonable satisfaction of the engineer of the railway company and such works shall thereafter be maintained

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and repaired by the Company to the reasonable satisfaction of such engineer Provided that the approval of the railway company shall not be unreasonably withheld and that it shall be deemed to have been given unless the railway company signify their disapproval within twenty-eight days after submission of the said plans and sections : A.D. 1910.

- 5
- (3) The Company shall not in the construction alteration maintenance or use of the new tramways and works by this Order authorised injure alter or interfere with the structure of any bridge over or under any of the railways or cause any interruption to or interference with the traffic on any of the railways except as otherwise specially provided by this Order :
- 10
- (4) If in constructing adapting or altering the new tramways or works by this Order authorised the Company lower the level of any road passing under any of the railways the Company shall if in the opinion of the arbiter to be appointed as after mentioned it is necessary underpin or otherwise strengthen the bridge carrying such railway over such road and such underpinning or strengthening shall be executed at the sole cost of the Company and at the sight and to the reasonable satisfaction of the engineer of the railway company and the Company shall pay to the railway company all expenses properly incurred by them in connexion with such underpinning or strengthening including engineering expenses and also the expense of inspectors signalmen watchmen and others and all extra precautions reasonably required for the safety and working of traffic necessitated by the works or operations of the Company :
- 15
- 20
- 25
- 30
- (5) If in consequence of the construction use or existence of the new tramways it may be necessary to reconstruct or alter or strengthen the structure of any such bridge the Company shall bear the reasonable expense of such reconstruction alteration or strengthening and the work thereof shall be carried out by the Company at the sight and to the reasonable satisfaction of the railway company's engineer :
- 35
- 40

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- (6) If any injury to or interference with any of the railways or any bridge or works of the railway company or any interruption to the traffic on any of the railways shall arise or be occasioned at any time by the works or operations of the Company they shall forthwith 5 make good or remove such injury interference or interruption at their own expense or the railway company may execute the necessary works for that purpose at the expense of the Company and the Company shall repay to the railway company all costs 10 and expenses properly incurred by them in so doing and all loss or damage sustained by the railway company in consequence of such injury interference or interruption :
- (7) Nothing in this Order contained or which may be done in 15 pursuance thereof shall prevent the railway company from maintaining and repairing and when necessary altering extending or reconstructing any of the railways or bridges or other works of the railway company without interference on the part of the Company 20 and without incurring any liability to the Company or to any person working or using the tramways for any loss injury damage expense or interruption of traffic which may arise from such maintenance repair alteration extension or reconstruction and any extra 25 expense which the railway company may incur in such maintenance repair alteration extension or reconstruction by reason of the construction or existence of the new tramways shall be paid by the Company and such extra expense if any shall be determined 30 by the arbiter to be appointed as herein-after mentioned Provided that all such operations shall be executed by the railway company in such manner as to cause as little interruption or inconvenience as practicable to the traffic on the tramways and the 35 railway company may if necessary in consequence of the operations of the railway company lay at the expense of the Company temporary tramways to maintain the continuity of the tramway traffic and the railway company shall give twenty-eight 40 days' notice in writing to the Company before commencing any such operations and the same so far as

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interfering with the tramways shall be conducted at <sup>A.D. 1910.</sup>  
 the sight and to the reasonable satisfaction of the  
 engineer of the Company :

- 5 (8) The Company shall pay to the railway company any extra  
 expense which the railway company may incur or be  
 put to in maintaining or repairing any bridge or the  
 roadway thereon or any approach to any bridge or  
 10 any part of any road for the maintenance of which  
 the railway company is liable by reason of the con-  
 struction use or existence of the new tramways and  
 such extra expense if any shall be determined by the  
 arbiter appointed as herein-after mentioned :
- 15 (9) If having regard to the proposed position of the new  
 tramways or works of the Company when considered  
 in relation to the position of the works of the railway  
 company at any point where the wires of the railway  
 20 company pass over or under the tramways it is  
 advisable in the reasonable opinion of the railway  
 company that the electric telegraphic telephonic or  
 signal wires or apparatus belonging to or maintainable  
 by the railway company should be altered the railway  
 company may execute any works reasonably necessary  
 for such alteration and the reasonable expense of  
 executing such works shall be borne by the Company :
- 25 (10) The protection afforded to the railway company by this  
 section shall not extend to the case of any interference  
 due to induction or leakage with the wires lines and  
 apparatus of the railway company or the currents  
 30 therein to which section 55 (Special provisions as to  
 use of electrical power) of the Order of 1906 applies  
 But the railway company shall not by reason of being  
 specially protected as regards other matters under this  
 section lose as regards any such interference any pro-  
 tection to which they are otherwise entitled :
- 35 (11) If any difference shall arise between the Company or their  
 engineer and the railway company or their engineer  
 as to the meaning of this section or as to any plans  
 and sections or as to any work or the method of  
 40 executing the same or as to any expenses referred  
 to in this section the same shall be determined by an  
 arbiter to be agreed upon between the Company and



- A.D. 1910.                   the railway company or failing agreement to be nominated by the Board of Trade on the application of any of the parties.
- New tramways to form part of undertaking.           13. The new tramways shall for all purposes be deemed to be part of the undertaking. 5
- Period for completion of new tramways and street works.       14. The new tramways and the street works shall be completed within five years from the commencement of this Order and on the expiration of that period the powers by this Order granted to the Company for executing the same respectively or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed. 10
- Period for compulsory purchase of lands.           15. The powers of the Company for the compulsory purchase of lands for the purposes of this Order shall cease after the expiration of three years from the commencement of this Order.
- Purchase of lands by agreement.           16. In addition to the other lands which the Company have acquired or may acquire under or for the purposes of the Order of 1906 and this Order they may purchase take on lease or acquire by agreement and may hold for the purposes of the undertaking any lands not exceeding five acres and they may on such lands and on any other lands purchased or acquired under the authority of this Order erect or construct and hold depôts yards wharves offices buildings sidings works and other conveniences in connexion with the undertaking. 20
- Nuisance.           17. Nothing in this Order shall exonerate the Company from any action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them on any lands purchased or used by them for the purposes of the undertaking. 25
- As to generating stations.           18. The Company shall not erect any generating station or take a supply of energy from any generating station (other than a generating station consented to by the Board of Trade under section 2 of the Electric Lighting Act 1909) unless the site for such generating station is specified in an Act of Parliament or in an Order confirmed by or having the effect of an Act of Parliament Provided always that this section shall not apply to any sub-station for the transformation and distribution of electrical power or to any generating station which may be in existence and which shall not be extended beyond the limits of the site occupied by the buildings of such station at the time of the commencement of this Order. 35

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19. The Company in making the street works may deviate vertically from the levels thereof shown on the deposited sections to any extent not exceeding two feet but not so as to increase without the consent of the road authority the rate of inclination of the roads or streets as shown on the deposited plans.

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Power to deviate in constructing street works.

20. The Company may make and maintain junctions between the tramways and any other tramway tramroad waggonway or light railway now laid or which may hereafter be laid in the county of Fife near the tramways and which can be worked in connexion therewith but only with the consent of the Board of Trade and of the owners and lessees of such tramway tramroad waggonway or light railway and (where such junctions are laid upon any road) of the road authority within whose district such junctions are intended to be laid and the provisions of the Tramways Act 1870 incorporated with this Order and of this Order with respect to the construction maintenance and working of the new tramways including subsection (3) of section 26 of the Order of 1906 shall apply to such junctions where laid along any road and such junctions when made shall for all purposes be deemed to be part of the undertaking.

Junctions with tramways &c. which can be worked in connexion with tramways.

21. The Company may enter into and carry into effect contracts and agreements with any local authority company or person authorised to enter into any such contracts or agreements owning any tramways or light railways which can or may be worked with the tramways with respect to all or any of the following matters (that is to say):—

Working agreements.

30 The working use running over management occupation and maintenance by the contracting parties of the undertakings tramways light railways and works of or leased to the other of them or any part or parts thereof respectively;

The working and leasing of their respective tramways and light railways or any part thereof and the conveyance of traffic thereon;

35 The supply and maintenance by the working party under and during the continuance of any such agreement as aforesaid for the working of the said tramways or light railways of rolling stock plant machinery and electrical energy necessary for the purposes of such agreement;



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- The making of all necessary junctions;
- The appointment and removal of officers and servants;
- The payments to be made and the conditions to be performed in respect of the matters aforesaid;
- The interchange accommodation conveyance transmission and 5  
delivery of traffic coming from or destined for the respective undertakings of the contracting parties;
- The division and apportionment of the revenue arising from such traffic and the payment of any fixed or contingent 10  
rent;
- The giving and taking of guarantees against any loss arising by reason of any such agreement and the paying out of their respective rates of any loss arising by reason of such guarantees; and
- The appointment of joint committees for the carrying into 15  
effect of such agreements:

Provided that any contract or agreement under this section shall be submitted to and be subject to the approval of the Board of Trade and that any supply of electrical energy there-  
under to the Company and any works constructed for the 20  
purpose thereof shall be subject to all provisions for the protec-  
tion of the Postmaster-General and of his rights in respect  
thereof which are contained in the Act or Order by which the  
supplying local authority company or person is authorised to  
generate or supply electricity for the purposes of its own 25  
undertaking.

During the continuance of any agreement to be entered into under the provisions of this section for the working owning or leasing by the Company of any tramways or light railways such tramways or light railways and the tramways shall for 30  
the purpose of calculating the fares rates and charges to be taken in respect of traffic conveyed thereon by the Company be deemed to be one undertaking.

Agreements  
with Admi-  
ralty.

22. The Company may enter into contracts and agreements with the Admiralty for the working by the Company of any 35  
tramway or light railway laid down by the Admiralty on lands within the parishes of Inverkeithing and Dunfermline vested in or under the control of the Admiralty and may in respect

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thereof during the continuance of any such contract or agree- A.D. 1910.  
 ment levy fares and charges not exceeding the fares and charges  
 authorised by the Order of 1906.

23.—(1) It shall be lawful for the Postmaster-General in any Use of  
 5 street or public road or part of a street or public road in which tramway  
 he is authorised to place a telegraph to use for the support posts by  
 of such telegraph any posts and standards (with the brackets Postmaster-  
 connected therewith) erected in any such street or public road by General.  
 10 the Company in connexion with the tramways and to lengthen  
 adapt alter and replace such posts standards and brackets for  
 the purpose of supporting any telegraph and from time to time  
 to alter any telegraph so supported subject (unless otherwise  
 agreed upon between the Postmaster-General and the Company)  
 to the following conditions:—

15 (A) In placing maintaining or altering such telegraph no  
 obstruction shall be caused to the traffic along or the  
 working or user of the tramways:

(B) The Postmaster-General shall give to the Company not  
 20 less than twenty-eight days' notice in writing of his  
 intention to exercise any of the powers of this section  
 and shall in such notice specify the streets or public  
 roads or parts of streets or public roads along which  
 25 it is proposed to exercise such powers and the manner  
 in which it is proposed to use the posts standards  
 and brackets and also the maximum strain and the  
 nature and direction of such strain Any difference  
 as to any matter referred to in such notice shall be  
 determined as herein-after provided:

(c) Unless otherwise agreed between the Postmaster-General  
 30 and the Company the Postmaster-General shall pay  
 the expense of lengthening adapting altering or  
 replacing under the provisions of this section any post  
 standard or bracket and the expense of providing and  
 35 maintaining any appliances or making any alteration  
 rendered necessary in consequence of the exercise  
 of the powers of this section for the protection of  
 the public or the unobstructed working or user of  
 the tramways or to prevent injurious affection of the  
 Postmaster-General's telegraphs or any telegraphic

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or telephonic line or electrical apparatus of the Company or by any regulations which may from time to time be made by the Board of Trade arising through the exercise by the Postmaster-General of the powers conferred by this section : 5

- (D) Unless otherwise agreed or in case of difference determined as herein-after provided all telegraphs shall be attached to the posts standards or brackets below the level of the trolley wires and on the side of such posts or standards farthest from the trolley wires 10  
 Any difference as to the conditions of attachment shall be determined as herein-after provided :
- (E) Unless otherwise agreed no telegraph shall be attached to any post or standard placed in or near the centre of any street or public road : 15
- (F) The Postmaster-General shall cause all attachments to posts standards or brackets used by him under the powers of this section to be from time to time inspected so as to satisfy himself that the said attachments are in a proper condition and state of repair : 20
- (G) The Postmaster-General shall make good to the Company and shall indemnify them against any loss damage or expense which may be incurred by them through or in consequence of the exercise by the Postmaster-General of the powers conferred upon him by this section unless such loss damage or expense be caused by or arise from gross negligence on the part of the Company their officers or servants : 25
- (H) The Postmaster-General shall make such reasonable contribution to the original cost of providing and placing any post standard or bracket used by him and also to the annual cost of the maintenance and renewal of any such post standard or bracket as having regard to the respective interests of the Company and the Postmaster-General in the use of the post standard or bracket and to all the circumstances of each case may be agreed upon between the Postmaster-General and the Company or failing agreement determined as herein-after provided : 30  
 35  
 40

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- (I) The Company shall not be liable for any interference with or damage or injury to the telegraphs of the Postmaster-General arising through the exercise by the Postmaster-General of the powers conferred by this section and caused by the maintaining and working of the tramways or by any accident arising thereon or by the authorised use by the Company of electrical energy unless such interference damage or injury be caused by gross negligence on the part of the Company their officers or servants : A.D. 1910.
- (J) If it shall become necessary or expedient to alter the position of or remove any post standard or bracket the Postmaster-General shall upon receiving twenty-eight days' notice thereof at his own expense alter or remove the telegraph supported thereby or at his option retain the post standard or bracket and pay the Company the value of the same Provided that if the Company or the body having the control of the street or public road object to the retention of the post standard or bracket by the Postmaster-General a difference shall be deemed to have arisen and shall be determined as herein-after provided.
- (2) Nothing in this section contained shall prevent the Company from using their posts standards or brackets for the support of any of their electric wires and apparatus in connexion with their tramways or shall take away any existing right of the local authority of using the posts standards or brackets of the Company in connexion with the lighting of the streets or otherwise Provided that any difference between the Postmaster-General and the local authority in relation to the use of the posts standards or brackets by the Postmaster-General and the local authority respectively shall be determined as herein-after provided.
- (3) All differences arising under this section shall be determined in manner provided by sections 4 and 5 of the Telegraph Act 1878 for the settlement of differences relating to a street or public road.
- (4) In this section the expression "the Company" includes their lessees the expression "telegraph" has the same meaning as in the Telegraph Act 1869 and other expressions have the same meaning as in the Telegraph Act 1878.

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As to  
purchase of  
tramways  
by local  
authorities.

24.—(1) Notwithstanding anything in section 82 (As to purchase of undertaking) of the Order of 1906 contained the periods (First) and (Second) mentioned in subsection (1) of that section shall be calculated from the commencement of this Order.

(2) The provisions of the said section 82 as amended by this section shall extend and apply to the new tramways and the undertaking by this Order authorised as if such tramways and undertaking had been authorised by the Order of 1906.

Power to  
lease tram-  
ways.

25. Subject to the provisions of section 82 (As to purchase of undertaking) of the Order of 1906 as amended by the immediately preceding section of this Order the Company may subject to the approval of the Board of Trade and after the completion of the tramways lease to any local authority company body or person the whole or any part of the tramways or the right of user of the same and of levying tolls rates fares and charges in respect thereof for such period (not exceeding in the case of any local authority forty-two years) and generally upon such terms and conditions as may be agreed on between the contracting parties.

Amending  
section 85  
of Order of  
1906.

26. Section 85 (Company may apply for and take transfers of Electric Lighting Orders) of the Order of 1906 shall be read and have effect as if the words "prior to the commencement of this Order" therein appearing had been omitted from the said section.

New tram-  
ways deposit  
fund not to  
be repaid  
except so  
far as new  
tramways  
are opened.

27. Whereas pursuant to the General Orders under the Private Legislation Procedure (Scotland) Act 1899 and to the Parliamentary Deposits Act 1846 as applied in such General Orders a sum of six thousand one hundred and twenty-one pounds has been deposited with the King's and Lord Treasurer's Remembrancer on behalf of the Court of Exchequer in Scotland in respect of the application for this Order of which sum five thousand nine hundred and five pounds (herein-after referred to as "the new tramways original deposit fund") represents five per centum upon the amount of the estimate in respect of the new tramways proposed to be authorised by this Order as deposited in the office of the Secretary for Scotland and the remainder (herein-after referred to as "the street works deposit fund") (that is to say) two hundred and sixteen pounds represents four per centum upon the amount of the estimate for the street works proposed to be authorised by this Order as so deposited And



whereas four of the said tramways (that is to say Tramways Nos. 7 7A 8 and 10) so proposed to be authorised were withdrawn from this Order during its progress through the Scottish Office and the estimate for the tramways authorised by this Order amounts to seventy-nine thousand nine hundred and sixty-five pounds Be it enacted that notwithstanding anything contained in the said Parliamentary Deposits Act 1846 out of the new tramways original deposit fund a sum of three thousand nine hundred and ninety-eight pounds five shillings being five per centum upon the amount of the estimate in respect of the new tramways by this Order authorised (which last-mentioned sum is in this Order referred to as "the new tramways deposit fund") shall not be paid or transferred to or on the application of the person or persons or the majority of the persons named in the warrant or order issued in pursuance of the said Act or the survivors or survivor of them (which persons survivors or survivor are or is in this Order referred to as "the depositors") unless the Company shall previously to the expiration of the period limited by this Order for completion of the new tramways open the same for the public conveyance of passengers and if the Company shall make default in so opening the new tramways the new tramways deposit fund shall be applicable and shall be applied as provided by the next following section Provided that if within such period as aforesaid the Company open any portion of the new tramways for the public conveyance of passengers then on the production of a certificate of the Board of Trade specifying the length of the portion of the new tramways opened as aforesaid and the portion of the new tramways deposit fund which bears to the whole of the new tramways deposit fund the same proportion as the length of the new tramways so opened bears to the entire length of the new tramways the Court of Exchequer in Scotland shall on the application of the depositors order the portion of the new tramways deposit fund specified in the certificate to be paid or transferred to them or as they shall direct and the certificate of the Board of Trade shall be sufficient evidence of the facts therein certified and it shall not be necessary to produce any certificate of the Act confirming this Order having passed anything in the Parliamentary Deposits Act 1846 to the contrary notwithstanding.

28. If the Company do not previously to the expiration of the period limited for the completion of the new tramways

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Application  
of new tram-  
ways deposit  
fund.

A.D. 1910. complete the same and open them for the public conveyance of  
 passengers then and in every such case the new tramways deposit  
 fund or so much thereof as shall not have been paid to the  
 depositors shall be applicable and after due notice in the Edinburgh  
 Gazette shall be applied towards compensating any landowners 5  
 or other persons whose property has been interfered with or  
 otherwise rendered less valuable by the commencement construc-  
 tion or abandonment of the new tramways or any portion thereof  
 or who have been subjected to injury or loss in consequence of  
 the compulsory powers of taking property conferred upon the 10  
 Company by this Order and also in compensating all road  
 authorities for the expense incurred by them in taking up any  
 tramways or materials connected therewith placed by the Com-  
 pany in or on any road vested in or maintainable by such road  
 authorities respectively and in making good all damage caused 15  
 to such roads by the construction or abandonment of such tram-  
 ways and shall be distributed in satisfaction of such compensation  
 as aforesaid in such manner and in such proportions as to the  
 Court of Exchequer in Scotland may seem fit and if no such  
 compensation is payable or if a portion of the new tramways 20  
 deposit fund has been found sufficient to satisfy all just claims  
 in respect of such compensation then the new tramways deposit  
 fund or such portion thereof as may not be required as aforesaid  
 shall if a judicial factor has been appointed or the Company is  
 insolvent and has been ordered to be wound up or the undertaking 25  
 has been abandoned be paid or transferred to such factor or to  
 the liquidator or liquidators of the Company or be applied in the  
 discretion of the Court of Exchequer in Scotland as part of the  
 assets of the Company for the benefit of the creditors thereof  
 and subject to such application shall be repaid or re-transferred 30  
 to the depositors Provided that until the new tramways deposit  
 fund has been repaid or re-transferred to the depositors or has  
 become otherwise applicable as herein-before mentioned any  
 interest or dividends accruing thereon shall from time to time  
 and as often as the same shall become payable be paid to or on 35  
 the application of the depositors.

Repayment  
 of portion  
 of deposit  
 fund.

29. On the application of the depositors at any time after  
 the commencement of this Order the Court of Exchequer in  
 Scotland may and shall order that the sum of one thousand  
 nine hundred and six pounds fifteen shillings being the balance 40  
 of the new tramways original deposit fund and the interest

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thereon and also the street works deposit fund and the interest thereon shall be paid or transferred to the depositors or any other person or persons whom the depositors may appoint in that behalf. A.D. 1910.

5       30.—(1) The directors of the Company may appoint one or more of their body to be managing director or managing directors of the Company either for a fixed term or without any limitation as to time and may remove or dismiss him or them from office and appoint another or others in his or their place or places. Managing  
director.

10       (2) A managing director shall not while holding that office be subject to retirement by rotation and shall not be taken into account in determining the rotation of retirement of directors but if he ceases to hold the office of director from any other cause he shall ipso facto immediately cease to be a managing  
15 director.

(3) The remuneration of a managing director shall from time to time be fixed by the directors and may be by way of salary or commission or participation in profits or by any or all of those modes.

20       (4) The directors may entrust to and confer upon any managing director such of the powers exercisable by the directors and subject to such conditions as they may think fit and may from time to time revoke withdraw alter or vary all or some of such powers Provided that the directors shall be  
25 responsible for the acts of any managing director acting under the powers of this section.

31. The Company may subject to the provisions of Part II. of the Companies Clauses Act 1863 raise any additional capital not exceeding in the whole ninety thousand pounds nominal  
30 capital by the issue at their option of new ordinary shares or preference shares or wholly or partially by any one or more of those modes respectively but the Company shall not issue any share of less nominal value than one pound nor shall any share  
35 vest in the person accepting the same unless and until a sum not being less than one-fifth of the amount of such share shall have been paid in respect thereof. Power to  
raise addi-  
tional  
capital.

32. The capital in new shares created by the Company under this Order and the new shares therein and the holders thereof respectively shall be subject and entitled to the same powers  
40 provisions liabilities rights privileges and incidents whatsoever in New shares  
to be sub-  
ject to same  
incidents as  
other shares.



A.D. 1910. all respects as if that capital were part of the now existing capital of the Company of the same class or description and the new shares were shares in that capital.

New shares to form part of capital of Company.

33. The capital in new shares so created shall form part of the capital of the Company. 5

Dividends on new shares.

34. Every person who becomes entitled to new shares shall in respect of the same be a holder of shares in the Company and shall be entitled to a dividend with the other holders of shares of the same class or description proportioned to the whole amount from time to time called up and paid on such new shares. 10

Restriction as to votes in respect of preferential shares.

35. Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares to which a preferential dividend shall be assigned. 15

Power to borrow.

36. The Company may in respect of the additional capital of ninety thousand pounds which they are by this Order authorised to raise from time to time borrow on mortgage of the undertaking in addition to the sums which they are already authorised to borrow any sum or sums not exceeding in the whole thirty thousand pounds and of that sum they may borrow any sum or sums not exceeding one thousand pounds in respect of each three thousand pounds of such additional capital But no part of the before-mentioned sums of one thousand pounds shall be borrowed until shares for the portion of the capital in respect of which the borrowing powers are to be exercised are issued and accepted and one-half thereof is paid up and the Company have proved to the sheriff who is to certify under the forty-second section of the Companies Clauses Consolidation (Scotland) Act 1845 (before he so certifies) that shares for the whole of such portion of capital have been issued and accepted and that one-half of such portion has been paid up and that not less than one-fifth part of the amount of each separate share in such portion of capital has been paid on account thereof before or at the time of the issue or acceptance thereof and that such shares were issued and accepted and to the extent aforesaid paid up bonâ fide and are held by the persons to whom the same were issued or their executors administrators successors or assigns and also that such persons or their executors administrators 35

successors or assigns are legally liable for the same and upon production to such sheriff of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

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37. All moneys to be borrowed after the commencement of this Order on mortgage under the Order of 1906 or this Order shall rank equally from the time when the same shall be advanced and the interest for the time being due thereon shall have priority against the Company and all the property from time to time of the Company over all other claims on account of any debts incurred or to be incurred or engagements entered into or to be entered into by them after the commencement of this Order but nothing in this section shall affect any claim in respect of land acquired by the Company for the purposes of the undertaking or injuriously affected by the construction of the tramways or by the exercise of any of the powers conferred upon the Company.

Moneys borrowed on mortgage to have priority.

38. Every mortgage of the undertaking shall be deemed to comprise all purchase money which may be paid to the Company in the event of a sale to the local authority under section 43 of the Tramways Act 1870 as modified by the Order of 1906 and this Order and may comprise all or any moneys carried to the contingency fund according to the terms of the mortgage and every mortgage deed shall be endorsed with notice that the mortgage will not be a charge upon the tramways or the undertaking in the event of such sale.

Rights of mortgagees on sale of tramways.

39. Section 65 (Appointment of judicial factor) of the Order of 1906 is hereby repealed but without prejudice to any appointment which may have been made or to the continuance of any proceedings which may have been commenced prior to the commencement of this Order. The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a judicial factor and in order to authorise the appointment of a judicial factor in respect of arrears of principal the amount owing to the mortgagees by whom the application for a judicial factor is made shall not be less than ten thousand pounds in the whole.

Appointment of judicial factor.

40. The Company shall not create debenture stock.

Company not to create debenture stock.

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 Application  
 of moneys.

41. All moneys raised under this Order whether by shares or borrowing shall be applied only to the purposes of this Order and to the general purposes of the undertaking being in every case purposes to which capital is properly applicable and the Company may apply to the purposes of this Order any moneys 5 which they have raised or may hereafter raise under the Order of 1906 and which may not be required for the purposes of that Order.

Interest  
 not to be  
 paid out of  
 capital.

42. No interest shall be paid out of any share or loan capital which the Company are by this or any other Order authorised 10 to raise to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Order shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses 15 Consolidation (Scotland) Act 1845.

Deposits  
 for future  
 Orders not  
 to be paid  
 out of  
 capital.

43. The Company shall not out of any money by this Order authorised to be raised pay or deposit any sum which by any Standing Order of either House of Parliament or any General Order made under the Private Legislation Procedure (Scotland) 20 Act 1899 now or hereafter in force may be required to be deposited in respect of any application to the Secretary for Scotland for the purpose of obtaining an Act or Order authorising the Company to construct any other tramway or to execute any other work or undertaking. 25

Construction  
 and removal  
 of crossings  
 &c. opposite  
 to Admiralty  
 buildings.

44. Where any tramway constructed under this Order shall pass any land or building vested in or under the control of the Admiralty no crossing passing place siding junction or other work opposite to such land or building shall be constructed until it shall have been approved by the Admiralty or by an officer 30 acting on their behalf in writing and if at any time it shall in the opinion of the Admiralty be desirable that such crossing passing place siding junction or other work shall be altered or removed the Company shall alter or remove it within twenty-eight days from the time at which they are called upon so to do. 35

The Company shall not permit any of their engines cars or carriages to stop or stand upon the tramway opposite or near to the entrance to any lands or buildings vested in or under the control of the Admiralty in such manner as to interfere with access to or from such lands or buildings. 40

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45. Nothing in this Order contained shall exempt the Com- A.D. 1910.  
 pany or the tramways from the provisions of any general Act Provision as  
 relating to tramways passed before or after the commencement to general  
 of this Order or from any future revision or alteration under the Tramway  
 5 authority of Parliament of the maximum fares rates or charges Acts.  
 authorised to be taken by the Company.

46. All costs charges and expenses of and incident to the Costs of  
 preparing for obtaining and passing of this Order and the Order.  
 confirming Act or otherwise in relation thereto shall be paid by  
 10 the Company.

**Dunfermline and  
District Tramways  
(Extensions) Order  
Confirmation.**

---

A

**B I L L**

INTITULED

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Dunfermline and District Tramways.

*(Brought from the Commons 29th June 1910.)*

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Ordered to be printed 29th June 1910.

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[Price 3½d.]

(79)

[10 EDW. 7.] *Duke of York's School (Chapel).*

1

A

# B I L L

INTITULED

An Act to vest in the Commissioners of Works, freed A.D. 1910.  
 from ecclesiastical uses, the Chapel comprised in the  
 buildings situate in the metropolitan borough of Chelsea,  
 formerly occupied by the Duke of York's Royal  
 Military School.

**W**HEREAS the buildings situate in or near the King's Road,  
 in the metropolitan borough of Chelsea, formerly occupied  
 by the Royal Military Asylum (now called the Duke of York's  
 Royal Military School), comprise a chapel (herein-after referred  
 5 to as the chapel):

And whereas the chapel was used solely for the purposes of  
 the said school:

And whereas the chapel was consecrated on the twelfth day  
 of December eighteen hundred and twenty-four:

10 And whereas the said school has moved to new buildings  
 erected for the purpose in the parish of Guston near Dover, and  
 those buildings comprise a chapel for the use of the school:

And whereas all stained glass windows, tablets, monuments,  
 and all other ornaments, fittings, and furniture of the chapel  
 15 have been moved therefrom:

And whereas no burials have taken place in the chapel:

And whereas it is expedient that the chapel and the site  
 thereof should be freed and discharged from all ecclesiastical  
 uses and be liable to be disposed of or otherwise dealt with  
 20 in like manner as the other buildings formerly so occupied as  
 aforesaid:

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

(78)

A.D. 1910. Be it therefore enacted by the King's most Excellent Majesty,  
— by and with the advice and consent of the Lords Spiritual and  
Temporal, and Commons, in this present Parliament assembled,  
and by the authority of the same, as follows :—

Vesting of  
chapel in the  
Commis-  
sioners of  
Works.

**1.** The chapel and the site thereof shall as from the 5  
passing of this Act be vested in the Commissioners of Works  
for an estate of inheritance in fee simple in possession freed  
and discharged from all ecclesiastical uses, but subject to the  
like trusts as those upon which the other buildings formerly so  
occupied as aforesaid are held by the Commissioners. 10

Short title.

**2.** This Act may be cited as the Duke of York's School  
(Chapel) Act, 1910.





# Duke of York's School (Chapel).

---

A

B I L L

INTITULED

An Act to vest in the Commissioners of Works, freed from ecclesiastical uses, the Chapel comprised in the buildings situate in the metropolitan borough of Chelsea, formerly occupied by the Duke of York's Royal Military School.

*(Brought from the Commons 29th June 1910.)*

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Ordered to be printed 29th June 1910.

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OLIVER and BOYD, Tweeddale Court, Edinburgh; or  
E. PONSONBY, 116, Grafton Street, Dublin.

[*Price ½d.*] ]

(78)

[10 EDW. 7 &  
1 GEO. 5.]

*Edinburgh Corporation Order  
Confirmation.* [H.L.]

1

A

# B I L L

INTITULED

An Act to confirm a Provisional Order under the Private A.D. 1910.  
Legislation Procedure (Scotland) Act 1899 relating to  
Edinburgh Corporation.

**W**HEREAS His Majesty's Secretary for Scotland has made  
the Provisional Order set forth in the schedule hereunto  
annexed under the provisions of the Private Legislation Proce- 62 & 63 Vict.  
dure (Scotland) Act 1899 and it is requisite that the said Order c. 47.  
5 should be confirmed by Parliament:

Be it therefore enacted by the King's most Excellent  
Majesty by and with the advice and consent of the Lords  
Spiritual and Temporal and Commons in this present Parliament  
assembled and by the authority of the same as follows:—

- 10     **1.** The Provisional Order contained in the schedule hereunto Confirmation  
annexed shall be and the same is hereby confirmed. of Order in  
schedule.
- 2.** This Act may be cited as the Edinburgh Corporation Short title.  
Order Confirmation Act 1910.

A.D. 1910.

## SCHEDULE.

## EDINBURGH CORPORATION.

*Provisional Order to authorise the Lord Provost Magistrates  
and Council of the City and Royal Burgh of Edinburgh 5  
to make and maintain additional tramways to construct  
works to acquire lands to borrow money to amend  
and extend the provisions of the Edinburgh Municipal  
and Police Acts and for other purposes.*

WHEREAS the municipal and police administration of the city 10  
and royal burgh of Edinburgh (herein-after called "the city")  
and other matters connected therewith are vested in and managed  
by the lord provost magistrates and council thereof (herein-after  
called "the Corporation") under among others the Edinburgh  
Municipal and Police Acts 1879 to 1908: 15

And whereas the Corporation are the owners of the tramways  
within the city:

And whereas it is expedient that the Corporation should be  
authorised to make and maintain the tramways herein-after  
mentioned and to acquire lands for that purpose: 20

And whereas under the Edinburgh Corporation (Markets  
Slaughterhouses &c.) Order 1903 Part III. (Municipal Hall)  
certain powers (including power to apply the donation or gift  
made to the Corporation by the late Andrew Usher) were con-  
ferred upon the Corporation with regard to the provision building 25  
erecting and maintenance of a municipal or city hall together  
with appropriate accessories and subsidiary offices and other  
buildings in connection therewith and suitable and convenient  
accesses thereto and under Part V. (Acquisition of Lands) of  
the said Order of 1903 (section 32) (Lands for municipal hall) 30  
certain further powers were conferred upon the Corporation for  
the purposes of the said hall and offices and buildings connected  
therewith:

And whereas the Corporation have acquired certain parts of  
the lands situate in the city parish of Edinburgh and city and 35

[10 EDW. 7 & *Edinburgh Corporation Order* 3  
1 GEO. 5.] *Confirmation.*

royal burgh of Edinburgh marked "C" on the deposited plans and described in the deposited books of reference referred to in the said Order of 1903 and it is expedient that the Corporation should be authorised and empowered to acquire lands within the city parish and city contiguous to the lands acquired as aforesaid for the purposes of the said hall offices and buildings:

And whereas it is expedient that the Corporation should be authorised to make and maintain a diversion of the road known as Robb's Loan in the city and city parish of Edinburgh and to acquire lands for that purpose and to stop up a portion of that road and to vest the site thereof in the Corporation in the manner herein-after provided:

And whereas estimates have been prepared by the Corporation for the construction and completion of the tramways after mentioned and of the work (diversion of road) aforesaid under the powers contained in this Order as follows:—

	£
Tramway No. 1 - - - -	12,805
Tramway No. 2 - - - -	345
Work (diversion of road) - - - -	2,536

And whereas the said works included in the said estimates are permanent works and it is expedient that the cost thereof should be spread over a term of years:

And whereas it is expedient that the Corporation should be authorised to acquire certain lands within the city for the purposes of the public wash-houses belonging to the Corporation:

And whereas it is expedient that the Corporation should be authorised to borrow money for the construction of the tramways and the foresaid road diversion authorised by this Order and for the purposes of slaughter-houses and for the purchase of lands and for all or any of the other purposes of this Order:

And whereas it is expedient for the purposes of this Order that the Corporation should be authorised to levy rates and assessments and dues and charges as in this Order provided:

And whereas it is expedient that the further powers herein-after mentioned should be conferred on the Corporation:

And whereas plans and sections showing the lines and levels of the tramways and other works authorised by this Order and showing the lands required or which may be used for the

A.D. 1910. purposes thereof and also plans of the lands to be acquired for the other purposes of this Order and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands and houses which may be taken under the powers of this Order were duly deposited with the principal sheriff clerk of the county of Midlothian and also with the principal sheriff clerk of the county of the city of Edinburgh and the same are herein-after respectively referred to as the deposited plans sections and book of reference: 5 10

And whereas the purposes aforesaid cannot be effected without an Order of the Secretary for Scotland confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1899:

Now therefore in pursuance of the powers contained in the last-mentioned Act the Secretary for Scotland orders as follows:— 15

Short title.

1. This Order may be cited for all purposes as the Edinburgh Corporation Order 1910 and the Edinburgh Municipal and Police Acts 1879 to 1908 in conjunction with this Order may be cited as the Edinburgh Municipal and Police Acts 1879 to 1910. 20

Division of Order into Parts.

2. This Order is divided into Parts as follows:—

Part I.—Preliminary.

Part II.—Tramways.

Part III.—Road Diversion. 25

Part IV.—Acquisition of Lands.

Part V.—Assessments Borrowing Powers and Finance.

Part VI.—Miscellaneous.

#### PART I.

##### PRELIMINARY.

30

Commencement of Order.

3. This Order shall commence and have effect on and from the date of the passing of the Act confirming this Order which date is herein-after referred to as "the commencement of this Order."

Interpretation of terms.

4. In this Order and for the purposes of this Order (unless there be something in the subject or context inconsistent with or repugnant to such construction) the several words and expressions to which meanings are assigned by the Edinburgh 35

[10 EDW. 7 & *Edinburgh Corporation Order* 5  
1 GEO. 5.] *Confirmation.*

Municipal and Police Acts shall subject to the provisions of A.D. 1910.  
this Order have the same respective meanings and the words  
and expressions following shall have the meanings herein  
assigned to them viz.:—

- 5 “The city and royal burgh” and “the city” respectively  
mean the city and royal burgh of Edinburgh according  
to the boundaries thereof at the commencement of this  
Order;
- 10 “The Corporation” means the lord provost magistrates and  
council of the city and royal burgh;
- “The sheriff” means the sheriff of the Lothians and  
Peebles or any of his substitutes;
- 15 “The Edinburgh Municipal and Police Acts” mean the  
Edinburgh Municipal and Police Acts 1879 to 1908 as  
amended by this Order;
- “The Corporation tramways” means the tramways owned  
by the Corporation and the tramways authorised by  
this Order;
- 20 “The existing tramways” means the tramways within the  
city owned by the Corporation;
- “The Act of 1874” means the Edinburgh Markets and  
Customs Act 1874;
- “The Act of 1879” means the Edinburgh Municipal and  
Police Act 1879;
- 25 “The Corporation Tramways Act 1893” means the Edin-  
burgh Corporation Tramways Act 1893;
- “The Act of 1893” means the Edinburgh Improvement and  
Municipal and Police (Amendment) Act 1893;
- 30 “The Corporation Tramways Act 1896” means the Edin-  
burgh Improvement and Tramways Act 1896;
- “The Extension Act 1896” means the Edinburgh Extension  
Act 1896;
- “The Act of 1897” means the Edinburgh Corporation Act  
1897;
- 35 “The Act of 1899” means the Edinburgh Corporation Act  
1899;
- “The Act of 1900” means the Edinburgh Corporation Act  
1900;
- 40 “The Order of 1901” means the Edinburgh Corporation  
Order 1901;

A.D. 1910, "The Order of 1903" means the Edinburgh Corporation  
(Markets Slaughter Houses &c.) Order 1903;  
"The Order of 1905" means the Edinburgh Corporation  
Tramways Order 1905;  
"The Act of 1906" means the Edinburgh Corporation Act 5  
1906;  
"The Order of 1908" means the Edinburgh Corporation  
(Tramways &c.) Order 1908;  
"Cattle" shall have the meaning assigned to it in the Act  
of 1874. 10

Certain pro- 5. Section 3 (Interpretation of terms) section 19 (Local  
visions of authority may lease or take tolls) and Part II. (Construction of  
Tramways tramways) and Part III. (General provisions) of the Tramways  
Act 1870 are incorporated with this Order except where the  
incorporated. sections so incorporated are inconsistent with or are varied by 15  
this Order.

Incorporation of Acts. 6. The following Acts and provisions of an Act are incor-  
porated with and shall form part of this Order subject to the  
provisions and modifications expressed in this Order viz. :—  
"The Lands Clauses Acts"; 20  
The provisions of the Railways Clauses Consolidation  
(Scotland) Act 1845 with respect to the temporary  
occupation of lands near the railway during the con-  
struction thereof and with respect to the crossing of roads  
and other interferences therewith and in the said Act 25  
"the Company" shall mean "the Corporation" and "the  
railway" shall mean the road diversion authorised by this  
Order and "the centre of the railway" shall mean any  
part of the road diversion authorised by this Order.

PART II. 30

TRAMWAYS.

Construction of tramways. 7. Subject to the provisions of this Order the Corporation  
may make form lay down work use and maintain the tramways  
herein-after described in the lines and according to the levels  
shown on the deposited plans and sections and in all respects 35  
in accordance with those plans and sections with all proper rails



[10 EDW. 7 & *Edinburgh Corporation Order* 7  
1 GEO. 5.] *Confirmation.*

plates works and conveniences connected therewith Provided that A.D. 1910.  
nothing in this Order shall authorise any interference with electric  
lines and works of any undertakers under the Electric Lighting  
Acts 1882 to 1909 to which the provisions of section 15 of the  
5 Electric Lighting Act 1882 apply except in accordance with and  
subject to the provisions of that section.

The said tramways herein-before referred to and authorised  
by this Order are:—

10 Tramway No. 1 (partly double and partly single line with  
passing places) 1 mile 1 furlong 5·09 chains or there-  
abouts in length of which 6 furlongs 6·69 chains or  
thereabouts are single line and 2 furlongs 8·40 chains or  
thereabouts are double line wholly situate in the city of  
15 Edinburgh and city parish of Edinburgh and county  
of the city of Edinburgh commencing by a junction with  
the existing tramway of the Corporation at Gorgie Road  
at a point ·26 chains or thereabouts westward from the  
line of the west side of St. Martin's Church and passing  
20 thence in an easterly southerly and westerly direction  
along Gorgie Road Ardmillan Terrace and Slateford Road  
and terminating at a point in Slateford Road 2·76 chains  
or thereabouts westwards from the line of the east kerb  
of Chesser Avenue.

25 Tramway No. 2 (double line) 1·57 chains or thereabouts in  
length wholly situate in the city of Edinburgh and city  
parish of Edinburgh and county of the city of Edinburgh  
commencing in Slateford Road by a junction with Tramway  
No. 1 at a point ·65 chains or thereabouts eastwards from  
30 the line of the east kerb of Chesser Avenue and passing  
thence in a north-westerly direction by a curved line and  
terminating in Chesser Avenue at a point 1·35 chains or  
thereabouts northwards from the south side of Slateford  
Road.

35 8. The tramways authorised by this Order shall not be  
opened for public traffic until the same have been inspected and  
certified to be fit for such traffic by the Board of Trade. Tramways to  
be inspected  
before being  
opened.

9. The tramways authorised by this Order shall be completed  
within one year from the commencement of this Order and on  
the expiration of that period the powers by this Order granted Period for  
completion  
of tramways.



A.D. 1910. to the Corporation for executing the same shall cease except as to so much thereof as shall then be completed.

Tramways  
to be part of  
Corporation  
tramways.

10. Subject to the provisions of this Order the tramways and the works connected therewith by this Order authorised to be constructed shall for all purposes of rates tolls and charges and for all other purposes whatsoever be part of the Corporation tramways. 5

Application  
of sections  
of Corpora-  
tion Tram-  
ways Acts.

11. Subject to the provisions of this Order the Corporation Tramways Act 1896 the Act of 1897 the Order of 1905 and the Act of 1906 to the extent respectively in this section mentioned (that is to say):— 10

Of the Corporation Tramways Act 1896:

- Section 14 (Further provisions as to construction of tramways);
- Section 16 (Penalty for not maintaining rails and roads); 15
- Section 17 (Sanitary authority to have access to sewers);
- Section 20 (Level of rails);
- Section 22 (Temporary tramways);
- Section 23 (Application of road materials excavated in construction of tramways); 20
- Section 25 (Power to use lands for tramway purposes);
- Section 29 (Byelaws to remain in force till altered);
- Section 30 (Saving for Corporation and magistrates' authorities);
- Section 31 (Power to form junctions); 25
- Section 32 (As to notices delivered under Tramways Act 1870 &c.);
- Section 33 (Tramways on streets not yet formed);
- Section 35 (Tolls);
- Section 36 (Fares on Sunday or public holidays not to be raised); 30
- Section 40 (For the protection of the Caledonian Railway Company);
- Section 41 (For the protection of the North British Railway Company); 35

Of the Act of 1897:

- Section 22 (Power to Corporation to work tramways);
- Section 23 (Power to lease tramways);

[10 EDW. 7 & *Edinburgh Corporation Order* 9  
1 GEO. 5.] *Confirmation.*

Of the Order of 1905: A.D. 1910.

- Section 4 (Amendment of existing speed limit of tramways);
- Section 5 (Byelaws of local authority):
- 5 And of the Act of 1906:
- Section 11 (Byelaws);
- Section 12 (Gauge of tramways);
- Section 13 (Power to make additional cross-overs and to double tramway lines &c.);
- 10 Section 14 (Corporation may lop trees overhanging public highway);
- Section 15 (For the protection of water mains and pipes);
- Section 16 (For the protection of gas mains and pipes);
- Section 17 (For the protection of the Water of Leith Purification and Sewerage Commissioners);
- 15 Section 18 (Arbitration);
- Subsections (3) and (4) of section 20 (Adaptation of existing tramways and construction of tramways and works);
- 20 Section 21 (Tramways to be kept on level of surface of road);
- Section 22 (Rails of tramways);
- Section 23 (Special provisions as to use of electrical power);
- 25 Section 24 (For protection of Post Office telegraph lines);
- Section 25 (Alteration of telegraph lines of Postmaster-General);
- Section 26 (Apparatus used for mechanical power to be deemed to be part of tramways);
- 30 Section 27 (Attachment of brackets &c. to buildings &c.);
- Section 28 (Provisions as to motive power);
- Section 29 (Penalty for malicious damage);
- Section 31 (Corporation may supply electricity for the working of the tramways);
- 35 Section 33 (Provisions as to General Tramway Acts);

shall so far as the same are respectively applicable extend and apply mutatis mutandis to the tramways by this Order authorised in as full and complete a manner as if the said sections were severally re-enacted in this Order Provided that any

A.D. 1910. lease of the Corporation tramways granted after the commencement of this Order under section 23 of the Act of 1897 shall (except as regards any tramways which may be constructed by the Corporation during the currency of the now existing leases until the expiration of the period thereof) be subject to the approval of the Board of Trade. 5

Use of tram-  
way posts by  
Postmaster-  
General.

12.—(1) It shall be lawful for the Postmaster-General in any street or public road or part of a street or public road in which he is authorised to place a telegraph to use for the support of such telegraph any posts and standards (with the brackets connected therewith) erected in any such street or public road by the Corporation in connexion with the tramways and to lengthen adapt alter and replace such posts standards and brackets for the purpose of supporting any telegraph and from time to time to alter any telegraph so supported subject to the following conditions:— 15

- (A) In placing maintaining or altering such telegraph no obstruction shall be caused to the traffic along or the working or user of the tramways:
- (B) The Postmaster-General shall give to the Corporation not less than twenty-eight days' notice in writing of his intention to exercise any of the powers of this section and shall in such notice specify the streets or public roads or parts of streets or public roads along which it is proposed to exercise such powers and the manner in which it is proposed to use the posts standards and brackets and also the maximum strain and the nature and direction of such strain Any difference as to any matter referred to in such notice shall be determined as herein-after provided:
- (C) Unless otherwise agreed between the Postmaster-General and the Corporation the Postmaster-General shall pay the expense of lengthening adapting altering or replacing under the provisions of this section any post standard or bracket and the expenses of providing and maintaining any appliances or making any alteration rendered necessary in consequence of the exercise of the powers of this section for the protection of the public or the unobstructed working or user of the tramways or to prevent injurious affection of the Postmaster-General's telegraphs or 20 25 30 35 40

any telegraphic or telephonic line or electrical apparatus of the Corporation or by any regulations which may from time to time be made by the Board of Trade arising through the exercise by the Postmaster-General of the powers conferred by this section :

A.D. 1910.

- 5
- (D) Unless otherwise agreed or in case of difference determined as herein-after provided all telegraphs shall be attached to the posts standards or brackets below the level of the trolley wires and on the side of such posts or standards farthest from the trolley wires Any difference as to the conditions of attachment shall be determined as herein-after provided :
- 10
- (E) Unless otherwise agreed no telegraph shall be attached to any post or standard placed in or near the centre of any street or public road :
- 15
- (F) The Postmaster-General shall cause all attachments to posts standards or brackets used by him under the powers of this section to be from time to time inspected so as to satisfy himself that the said attachments are in a proper condition and state of repair :
- 20
- (G) The Postmaster-General shall make good to the Corporation and shall indemnify them against any loss damage or expense which may be incurred by them through or in consequence of the exercise by the Postmaster - General of the powers conferred upon him by this section unless such loss damage or expense be caused by or arise from gross negligence on the part of the Corporation their officers or servants :
- 25
- 30
- (H) The Postmaster-General shall make such reasonable contribution to the original cost of providing and placing any post standard or bracket used by him and also to the annual cost of the maintenance and renewal of any such post standard or bracket as having regard to the respective interests of the Corporation and the Postmaster-General in the use of the post standard or bracket and to all the circumstances of each case
- 35

A.D. 1910.

may be agreed upon between the Postmaster-General and the Corporation or failing agreement determined as herein-after provided :

(i) The Corporation shall not be liable for any interference with or damage or injury to the telegraphs of the Postmaster-General arising through the exercise by the Postmaster-General of the powers conferred by this section and caused by the maintaining and working of the tramways or by any accident arising thereon or by the authorised use by the Corporation of electrical energy unless such interference damage or injury be caused by gross negligence on the part of the Corporation their officers or servants :

(j) If it shall become necessary or expedient to alter the position of or remove any post standard or bracket the Postmaster-General shall upon receiving twenty-eight days' notice thereof at his own expense alter or remove the telegraph supported thereby or at his option retain the post standard or bracket and pay the Corporation the value of the same Provided that if the Corporation or the body having the control of the street or public road object to the retention of the post standard or bracket by the Postmaster-General a difference shall be deemed to have arisen and shall be determined as herein-after provided.

(2) Nothing in this section contained shall prevent the Corporation from using their posts standards or brackets for the support of any of their electric wires and apparatus whether in connexion with their tramways or other municipal undertakings or shall take away any existing right of the Corporation of permitting the use by any Company or person of their posts standards or brackets in connexion with the lighting of the streets or otherwise Provided that any difference between the Postmaster-General and such Company or person in relation to the use of the posts standards or brackets by the Postmaster-General and such Company or person respectively shall be determined as herein-after provided.

(3) All differences arising under this section shall be determined in manner provided by sections four and five of the

[10 EDW. 7 & *Edinburgh Corporation Order*  
1 GEO. 5.] *Confirmation.*

13

Telegraph Act 1878 for the settlement of differences relating to a street or public road. A.D. 1910.

(4) In this section—

The expression “the Corporation” includes their lessees;

5 The expression “telegraph” has the same meaning as in the Telegraph Act 1869;

Other expressions have the same meaning as in the Telegraph Act 1878.

13. Nothing in this Order contained shall prejudice or affect  
10 the agreement of lease between the Corporation the Edinburgh  
and District Tramways Company Limited and Dick Kerr and  
Company Limited dated twenty-third twenty-fifth and twenty-  
sixth July one thousand eight hundred and ninety-eight the  
15 memorandum of agreement between the Corporation Dick Kerr  
and Company Limited and other parties dated sixteenth seven-  
teenth and eighteenth October one thousand eight hundred and  
ninety-nine the supplementary memorandum of agreement  
between the Corporation the Edinburgh and District Tramways  
Company Limited and Dick Kerr and Company Limited dated  
20 fifteenth seventeenth and twenty-ninth July one thousand nine  
hundred and two and the additional memorandum of agreement  
between the Corporation the Edinburgh and District Tramways  
Company Limited and Dick Kerr and Company Limited dated  
25 sixteenth and twenty-fifth January and first February one  
thousand nine hundred and six and the minute of agreement  
between the Corporation the Edinburgh and District Tramways  
Company Limited and Dick Kerr and Company Limited dated  
eleventh June and fifth and fourteenth July one thousand nine  
30 hundred and ten with reference to the tramways authorised by  
this Order or the rights and interests of the respective parties  
under the said several deeds.

Saving exist-  
ing lease of  
tramways  
and relative  
agreements.

14. Subject to the provisions of this Order the Corporation  
may during the execution of the tramways by this Order autho-  
rised stop up temporarily the carriageway or footway of any  
35 street road or bridge as may be necessary and for that purpose  
may put up bars posts and other erections Provided that the  
Corporation shall before stopping up any footway under this  
section provide a temporary substitute therefor with access  
therefrom to any houses.

Stoppage of  
roads during  
execution of  
works.



A.D. 1910.

## PART III.

## ROAD DIVERSION.

Power to  
make road  
diversion.

15. Subject to the provisions of this Order and to the powers of deviation herein-after contained the Corporation may in the lines and situation and upon the lands in that behalf 5 delineated on the deposited plans and described in the deposited book of reference and according to the levels shown on the deposited sections make construct maintain and use the road diversion in the city and city parish of Edinburgh herein-after described or some part thereof together with all necessary 10 and proper approaches and other works and conveniences in connection therewith (that is to say):—

A diversion wholly in the city of Edinburgh and city parish of Edinburgh of the public road known as Robb's Loan commencing at a point in the centre of Chesser 15 Avenue two hundred and fifteen yards or thereabouts southwards from the south side of Gorgie Road and terminating at a point in the centre of Robb's Loan at or near the south-east corner of Gorgie Farm steading

and such diverted road shall as respects management and main- 20 tenance and in all other respects be held as part of and be subject to the same provisions as the existing portion of Robb's Loan for which the same is substituted.

Power to  
deviate.

16. In executing the work described in the immediately preceding section and authorised by this Order the Corporation 25 may deviate laterally to any extent within the limits of deviation defined on the deposited plans and may deviate vertically from the levels thereof shown on the deposited sections to any extent not exceeding two feet.

Period for  
completion  
of works.

17. If the works described in the section of this Order the 30 marginal note of which is "Power to make road diversion" are not completed within two years from the commencement of this Order then on the expiration of that period the respective powers by this Order granted to the Corporation for executing the said works not so completed shall cease except as to so much 35 thereof as is then completed.

[10 EDW. 7 & *Edinburgh Corporation Order* 15  
1 GEO. 5.] *Confirmation.*

18. Upon the completion and opening for public use of the said road diversion by this Order authorised the Corporation may stop up and cause to be discontinued as a road or street the portion of Robb's Loan in the city shown on the deposited plans as intended to be stopped up between Slateford Road and the point of termination hereinbefore described of the said diversion and when and so soon as such portion of road or street is stopped up the lands and solum of the said road or street so far as stopped up and discontinued shall be and the same are hereby vested in the Corporation freed and discharged from the public use thereof and from all other rights in and over the same.

A.D. 1910.  
—  
Stopping up  
of portion  
of Robb's  
Loan.

#### PART IV.

##### ACQUISITION OF LANDS.

15 19. For the purposes of the municipal or city hall and offices and buildings connected therewith referred to in Part III. of the Order of 1903 and enlarging the site thereof and grounds connected therewith the Corporation may subject to the provisions of this Order purchase take and acquire compulsorily or by agreement and may enter upon hold use and appropriate the lands houses and property herein-after described situate in the city parish of Edinburgh and city and royal burgh of Edinburgh and marked A and B on the deposited plans and described in the deposited book of reference or such part or parts thereof as the Corporation may require for such purposes (that is to say):—

Lands for  
municipal  
hall.

30 (1) The lands houses and other property situate lying and being within the area marked "A" delineated and numbered on the deposited plans and described in the deposited book of reference and bounded by a line commencing at the south-west corner of property No. 9 Cambridge Street and extending in a south-easterly direction along the southern boundary of the said property to the south-east corner of the same thence in a north-easterly direction along the eastern boundary of the said property to the north-east corner of the same thence in a westerly direction for a distance of sixteen yards or thereby along the south side of the lane leading from Cambridge Street to Cornwall Street thence in a north-easterly direction across the said lane to the south-west corner of the

35

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A.D. 1910.

Synod Hall property thence in a south-easterly direction along the north side of the said lane to the south-east corner of the Synod Hall property thence in a south-westerly direction across the said lane to the south side thereof to a point in the prolongation 5 of the eastern boundary of the Synod Hall property thence in a westerly and north-westerly direction along the south side of the said lane to the north-west corner of premises belonging to the Corporation of Edinburgh thence in a south-westerly and westerly 10 direction along the western boundary of the last-mentioned property to the north-west corner of tenement No. 37 39 41 43 and 45 Grindlay Street and in continuation along the western boundary of the said tenement to the south-west corner of the same 15 thence in a southerly direction along the front of said tenement for a distance of seven yards or thereby thence in a south-westerly direction across the footpath to the centre of the carriageway in Grindlay Street thence in a westerly direction along Grindlay Street for 20 a distance of twenty-eight yards or thereby to a point in line with the east side of Lothian Road thence in a northerly direction along the said line of Lothian Road for a distance of eighteen yards or thereby thence in a north-easterly direction along the centre 25 of Cambridge Street to a point in the prolongation of the southern boundary of property No. 9 Cambridge Street thence in a south-easterly direction across the footpath to the point first-mentioned; and

- (2) The lands houses and other property situate lying and 30 being within the area marked "B" delineated and numbered upon the deposited plans and described in the deposited book of reference bounded by a line commencing at a point in the north kerb line of Grindlay Street opposite the south-east corner of 35 tenement No. 27 29 31 33 and 35 Grindlay Street and extending in a north-westerly direction along the said kerb line for a distance of twenty yards or thereby thence across footpath and in continuation along the eastern boundary of tenement No. 37 39 40 41 43 and 45 Grindlay Street to the back wall of the same thence in a south-easterly and easterly

[10 EDW. 7 & *Edinburgh Corporation Order*  
1 GEO. 5.] *Confirmation.*

17

direction along the said eastern boundary to the north-east corner of the last-mentioned property thence in a south-easterly direction along the southern boundary of premises belonging to the Corporation of Edinburgh for a distance of eleven yards or thereby to the western boundary of the Royal Lyceum Theatre property thence in a westerly and south-westerly direction along the said boundary to the south-west corner of the said last-mentioned property and in continuation across the footpath to the point first-mentioned.

A.D. 1910.

20. For the purpose of enlarging the public wash-houses belonging to the Corporation at South Gray's Close the Corporation may subject to the provisions of this Order purchase take and acquire compulsorily or by agreement and may enter upon hold use and appropriate the lands houses and property hereinafter described situate in the city parish of Edinburgh and city and royal burgh of Edinburgh and marked C on the deposited plans and described in the deposited book of reference or such part or parts thereof as the Corporation may require for such purpose (that is to say):—

Lands for  
wash-houses  
&c.

The lands houses and other property situate lying and being within the area marked "C" delineated and numbered on the deposited plans and described in the deposited book of reference bounded by a line commencing at the south-west corner of tenement No. 5 South Gray's Close and extending in an easterly direction along the southern boundary of the said tenement to the south-east corner of the same thence in a southerly direction along the western boundary of the public wash-house for a distance of nine yards or thereby thence in a westerly direction along the northern boundary of the said wash-house for a distance of eight yards or thereby to the east side of South Gray's Close thence in a northerly direction along the east side of South Gray's Close to the point first mentioned.

21. Subject to the provisions of this Order the Corporation may compulsorily or by agreement enter upon purchase take hold appropriate and use such of the lands houses and property numbered 2 shown on the deposited plans and described in the

Lands for  
tramways.

A.D. 1910. deposited book of reference as may be required for or in connexion with the tramways by this Order authorised.

Lands for works &c.

22. Subject to the provisions of this Order the Corporation may purchase take and acquire compulsorily or by agreement and may enter upon hold use and appropriate such of the lands 5 houses and property shown on the deposited plans and described in the deposited book of reference as may be required for or in connection with the work described in Part III. of this Order.

Omission or misstatement in plans or book of reference may be corrected.

23. If there be any omission mis-statement or erroneous description of any lands which may be required or taken for 10 the works described in this Order or any of them or for the other purposes of this Order or of the owners lessees or occupiers of any such lands shown on the deposited plans or specified in the deposited book of reference the Corporation after giving ten days' notice to the owners lessees and occupiers 15 of the lands in question may apply to the sheriff for the correction thereof and if it appear to the sheriff that such omission mis-statement or erroneous description arose from accident or mistake he shall certify the same accordingly and shall in such certificate state the particulars of the omission and in what 20 respect any such matter is mis-stated or erroneously described and the decision of the sheriff in such matter shall be final.

Certificates to be deposited.

24. The certificate of the sheriff shall be deposited in the office at Edinburgh of the principal sheriff clerk of the county of Midlothian and a duplicate thereof shall be deposited at the 25 office of the principal sheriff clerk of the county of the city of Edinburgh and such certificate and duplicate shall be kept by such sheriff clerks respectively along with the other documents to which they relate and thereupon the deposited plans and book of reference shall be deemed to be corrected in accordance 30 with the certificate and the Corporation may enter on purchase take hold and use for the purposes of this Order any lands in accordance with such certificate as if such omission mis-statement or erroneous description had not been made.

Limiting period for compulsory purchase of lands.

25. The powers of the Corporation for the compulsory 35 purchase of lands for the purposes of this Order shall cease after the expiration of three years from the commencement of this Order.

Power to grant servitudes &c. by agreement.

26. Persons empowered by the Lands Clauses Acts to sell and convey or discharge lands may if they think fit subject to 40

[10 EDW. 7 & *Edinburgh Corporation Order*  
1 GEO. 5.] *Confirmation.*

19

the provisions of those Acts and of this Order grant to the Corporation any servitude right or privilege (not being a servitude right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this  
5 Order or any of them in over or affecting any such lands and the provisions of the said Acts with respect to lands and ground annuals or feu duties so far as the same are applicable in this behalf shall extend and apply to such grants and to such servitudes rights and privileges as aforesaid respectively.

A.D. 1910.

10 27. And whereas in the exercise of the powers of this Order it may happen that portions only of the lands shown on the deposited plans may be sufficient for the purposes of this Order or any of them and that such portions may be severed from the remainder of the said lands without material detri-  
15 ment thereto therefore notwithstanding section 90 of the Lands Clauses Consolidation (Scotland) Act 1845 the owners of and other persons interested in the lands numbered 2 on the said plans in the city parish of Edinburgh and whereof portions only are required for the purposes of this Order may (if such  
20 portions can in the opinion of the arbiter or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of such lands without material detriment thereto) be required to sell and convey to the Corporation such portions only without the Corporation being obliged  
25 or compellable to purchase the whole or any greater portion thereof the Corporation always paying for the portions taken by them and making compensation for any damage sustained by the owners of such lands and other persons interested therein by severance or otherwise Provided always that if in any case  
30 in the opinion of the arbiter or other authority as aforesaid any such portions cannot be severed from the remainder without material detriment thereto the Corporation may at any time within one month after the date of the final decision of such arbiter or other authority withdraw their notice to treat for the  
35 portion required by them and thereupon they shall pay to the owner of and other persons interested in the lands in respect of which or of any portion of which they have given notice to treat all loss and damage sustained and all costs charges and expenses (as the same shall be taxed as between agent and  
40 client) reasonably incurred by them in consequence of such notice.

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

A.D. 1910. — Incorporation of sections of Act of 1893.	28. The sections of the Act of 1893 the numbers and marginal notes of which are respectively:—	
	Section 20 (Magistrates and council may take down buildings and lay out lands and sell or let those not required);	5
	Section 21 (Power to make subsidiary works &c.);	
	Section 22 (Alterations of sewers and gas and water pipes);	
	Section 23 (Alterations consequent on changing levels of streets to be made at expense of magistrates and council);	10
	Section 24 (Carriage and footways vaults cellars &c. and ownership thereof);	
	Section 26 (Magistrates and council not to be bound to execute all works);	15
	Section 27 (For protection of gas mains and pipes);	
	Section 28 (For the protection of the water mains and pipes);	
	Section 29 (Differences to be settled by arbitration);	
	are hereby incorporated with and shall <i>mutatis mutandis</i> apply to the road diversion authorised to be executed by Part III. of this Order and to the lands authorised to be acquired under this Order as if the said sections were severally set forth in this Order.	20

## PART V.

25

## ASSESSMENTS BORROWING POWERS AND FINANCE.

Application of sections of Corporation Tramways Act 1893 as to assessing borrowing &c. for tramway purposes.	29. The Corporation Tramways Act 1893 to the extent in this section mentioned (that is to say) section 21 (Local rate) section 22 (Power to borrow for purposes of Tramways Act 1870 and this Act) section 23 (Application of money borrowed) is hereby incorporated with and shall form part of this Order and shall subject to the provisions of the Act of 1893 the Corporation Tramways Act 1896 the Extension Act 1896 the Act of 1897 the Act of 1899 the Act of 1900 the Order of 1901 the Act of 1906 the Order of 1908 and this Order apply <i>mutatis mutandis</i> to the tramways authorised to be constructed by this Order and to any lands required or used for the tramway purposes of this Order in the same way and to the same effect and shall confer the same powers and impose the same obligations on the Corporation of assessing within the city and of borrowing and for	30 30 35 40
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[10 EDW. 7 & *Edinburgh Corporation Order*  
1 GEO. 5.] *Confirmation.*

21

repayment of money borrowed as if such sections as amended and extended by the said Acts and Orders were severally herein set out at length. A.D. 1910.

30. Subject to the provisions of this Order the Corporation  
5 are hereby authorised (in addition to any moneys which they have  
borrowed or may be authorised to borrow under the provisions of  
the Order of 1903) to borrow for the purposes of and in connexion  
with the slaughter-houses purposes of the Order of 1903 any  
further sum or sums of money not exceeding the sum of  
10 twenty-five thousand pounds. Further borrowing powers for slaughter-houses.

31. The Corporation are hereby authorised to impose assess  
and levy within the city and recover apply and use for the  
execution of the works authorised by this Order (other than  
tramways) and for carrying out the other powers objects and  
15 purposes of this Order or any of them and subject to the provisions  
of this Order for the acquisition of lands and heritages  
and servitudes or other property which may be required in  
connexion therewith (other than for tramway purposes) the  
burgh assessments under their control applicable to general im-  
20 provements under the third head of estimate authorised by the  
Act of 1879 as amended and extended by the several Edinburgh  
Municipal and Police Acts thereafter passed and so far as in  
force for the time within the city or so much of the said assess-  
ments as may be necessary for such purposes in the way and  
25 manner and by the same means as are provided in the Act of  
1879 as so amended and extended. Power to apply burgh assessment.

32. Subject to the provisions of this Order the Corporation  
are hereby authorised to borrow money for the execution of the  
works authorised by this Order (other than tramways) and for  
30 carrying out the powers objects and purposes of this Order or  
any of them and for the acquisition of lands and heritages  
servitudes and other property which may be required in connexion  
therewith (other than for tramway purposes) on the security of  
the burgh assessments before mentioned under their control  
35 applicable to general improvements and as regards the further  
moneys by this Order authorised to be borrowed for and in  
connexion with the slaughter-house purposes of the Order of  
1903 on the security of the rates authorised to be levied and  
the revenue arising therefrom respectively in addition to or in  
40 lieu of the burgh assessments to be levied and applied and used  
as in the Order of 1903 provided and they shall provide a Application of provisions of Act of 1879 as to borrowing money.

A.D. 1910. sinking fund for the repayment of the sums so borrowed and sections 81 to 92 of the Act of 1879 as to borrowing money are as amended and extended by the several Edinburgh Municipal and Police Acts thereafter passed and by this Order and so far as in force for the time within the city incorporated herewith 5 and the powers and provisions therein contained as so amended and extended shall be held to apply to the purposes of this Order and to the money borrowed under the authority of this Order as if such sections as so amended and extended were re-enacted in this Order Provided always that the amount 10 to be borrowed under this Order for the slaughter - houses purposes of the Order of 1903 as aforesaid shall be kept separate and distinct from the amounts to be borrowed for other purposes as aforesaid.

Extension  
of period of  
redemption.

33. Notwithstanding anything contained in the Edinburgh 15 Municipal and Police Acts the Corporation may extend the period for the redemption of money borrowed under the powers and provisions of this Order for the additional lands required for the purposes of the municipal hall to fifty years and of money borrowed for slaughter-house purposes under the powers and 20 provisions of the Order of 1903 and of this Order to thirty-five years.

#### PART VI.

##### MISCELLANEOUS.

Licensing  
of cattle  
drovers.

34.--(1) The Corporation shall grant a licence to any person 25 desiring to carry on within the burgh the business or calling of a cattle drover and such licence shall take effect from the date thereof and shall continue in force until the twenty-eighth day of May next ensuing unless it shall be sooner revoked in accordance with the provisions of this section. 30

(2) No fee shall be charged for the issue or renewal of any licence under this section but the applicant for a licence shall deposit the sum of one shilling on the grant of his licence which sum shall be returned to him in the event of his restoring his badge. 35

(3) The Corporation shall not refuse to renew nor shall the Corporation revoke any such licence as aforesaid except on the ground that the person licensed is by reason of his misconduct or incapacity not a fit and proper person to carry on the business or calling of a cattle drover and the Corporation shall when 40

refusing to renew or when revoking such licence state to the person licensed particulars in writing of such misconduct or incapacity and any person deeming himself aggrieved by any such refusal or revocation as aforesaid may appeal to the sheriff  
5 within seven days after such refusal or revocation provided he give twenty-four hours' notice of such appeal to the town clerk and the sheriff shall dispose of such appeal in a summary manner and shall have power to make such order as he thinks fit and to award expenses.

A.D. 1910.

10 (4) Any person who after the thirty-first day of December one thousand nine hundred and ten carries on or attempts to carry on within the burgh the business or calling of a cattle drover without having a licence from the Corporation shall be liable to a penalty not exceeding twenty shillings.

15 (5) This section shall not apply to any farmer or other person driving his own cattle or to a servant in the regular employment of such farmer or other person driving such cattle as aforesaid.

35. Where power is conferred on the Corporation under the  
20 provisions of this Order to take and acquire lands compulsorily the Corporation or any owner lessee or occupier upon whom a notice to treat under the provisions of this Order has been served may failing agreement as to price apply to the Secretary for Scotland to appoint a single arbiter to fix and determine the  
25 amount of compensation to be paid on such acquisition and on such appointment being made such compensation shall be determined by such arbiter and it shall not be competent to have the same determined by arbiters oversman sheriff or jury as required by the Lands Clauses Acts The remuneration of such  
30 arbiter shall be fixed by the Secretary for Scotland and shall be paid by the Corporation. An arbiter appointed under this section shall be deemed to be a sole arbiter within the meaning of the Lands Clauses Acts and the provisions of those Acts with respect to an arbitration shall apply accordingly.

Arbitration.

35 36. All costs charges and expenses attending the preparation obtaining and passing of this Order and incidental thereto shall be paid out of the common good or burgh assessments or any money to be borrowed under this Order And if any such costs are paid out of borrowed money the amount thereof shall be  
40 repaid within the period of five years from the commencement of this Order.

Costs of Order.



# Edinburgh Corporation Order Confirmation.

[H.L.]

A

**B I L L**

INTITULED

An Act to confirm a Provisional Order  
under the Private Legislation Pro-  
cedure (Scotland) Act 1899 relating  
to Edinburgh Corporation.

*The Lord Pentland.*

Ordered to be printed 15th November 1910.

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E. PONSOMEY, LTD., 116, Grafton Street, Dublin.

[Price 2½d.]

(163.)

**Edinburgh Corporation Order  
Confirmation Bill. [H.L.]**

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A M E N D M E N T S

TO BE MOVED ON THIRD READING

BY

THE LORD PENTLAND.

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Clause 11, page 9, line 39, leave out from (“Order”) to the end of the clause and insert (“Provided that any lease of the Corporation Tramways granted after the commencement of this Order under section 23 of the Act of 1897, except a lease of any tramways which may be constructed by the Corporation during the currency of the now existing leases, not extending beyond the expiration of the period of the said existing leases, shall be subject to the approval of the Board of Trade”)

Clause 12, page 10, line 12, after (“tramways”) insert (“authorised by this Order”)

Clause 13, page 13, line 28, leave out (“eleventh”) and insert (“fourteenth”)

(163 a.)

**Edinburgh Corporation  
Order Confirmation  
Bill. [H.L.]**

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**AMENDMENTS**

TO BE MOVED ON THIRD READING

BY

**THE LORD PENTLAND.**

16th November 1910.

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E. PONSONBY, LTD., 116, Grafton Street, Dublin.

[Price 5d.]

(163 a.)

## A

## B I L L

## INTITULED

An Act to enable certain Local Education Authorities to give boys and girls information, advice, and assistance with respect to the choice of employment. A.D. 1910.

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

5 **1.**—(1) The powers conferred upon the councils of counties and county boroughs as local education authorities under section two of the Education Act, 1902 (in this Act called the principal Act), shall include a power to make arrangements, subject to the approval of the Board of Education, for giving to boys and girls under seventeen years of age assistance with respect to the choice of suitable employment, by means of the collection and the communication of information and the furnishing of advice. Power of certain local education authorities to give assistance with respect to choice of employment.

(2) The council of a county, and the council of a non-county borough or urban district within the county who are a local education authority under Part III. of the principal Act, may, as part of their powers under Part II. of that Act, enter into and carry into effect arrangements or agreements for the co-operation of the council of the borough or district with the county council in respect of the exercise by the county council of their powers under this Act, either—

(a) by rendering to the county council such assistance as may be arranged or agreed; or

(b) by exercising within the borough or district, on behalf of the county council, all or any of the powers of that council under this Act;

A.D. 1910. and any such arrangement or agreement may, amongst other things, provide for the proportion in which the expenses incurred under it are to be borne by the councils respectively.

(3) The expenses incurred under this Act by any council (whether the council of a county, county borough, borough, or 5 urban district) shall be defrayed as part of the expenses of that council under section two or section three of the principal Act, as the case may be.

Short title. **2.** This Act may be cited as the Education (Choice of Employment) Act, 1910, and this Act and the Education Acts, 10 1870 to 1909, may be cited together as the Education Acts, 1870 to 1910.



# Education (Choice of Employment).

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A

**B I L L**

INTITLED

An Act to enable certain Local  
Education Authorities to give boys  
and girls information, advice, and  
assistance with respect to the choice  
of employment.

*(Brought from the Commons 29th July 1910.)*

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Ordered to be printed 29th July 1910.

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R. PORSONBY, LTD., 116, Grafton Street, Dublin.

[Price ½d.]

(155)

**Education (Choice of Employment)  
Bill.**

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A M E N D M E N T S

TO BE MOVED IN COMMITTEE

BY

THE LORD BELPER.

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Clause 1, page 2, leave out lines 1 to 3 inclusive.

line 6, leave out from ("be") to the end of  
the clause, and insert ("repaid to such council out of moneys  
" provided by Parliament ")

(155 a.)



# Education (Choice of Employment) Bill.

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## AMENDMENTS

TO BE MOVED IN COMMITTEE

BY

THE LORD BELPER.

---

17th November 1910.

---

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32, Abingdon Street, Westminster, S.W. 1; or  
OLIVER and BOYD Tweeddale Court, Edinburgh; or  
E. PONSONBY, LTD., 116, Grafton Street, Dublin.

[Price 3d.]

(155 a.)

**Education (Physical Training) Bill.**  
**[H.L.]**

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MEMORANDUM.

The object of this Bill is to secure continuous physical training for the youth of both sexes up to the age of sixteen years in order, as far as possible, to ensure for each young person the possession of sound and healthy vital organs, a deep mobile chest, and the development of an evenly balanced muscular and nervous system, and thus to arrest the deplorable physical degeneration disclosed by the Report of the Inter-Departmental Committee on Physical Deterioration.



**Education (Physical Training) Bill.**  
**[H.L.]**

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ARRANGEMENT OF CLAUSES.

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Clause.

1. Time to be appointed for physical training in schools.
  2. Qualification and examination of persons to be appointed instructors of physical culture.
  3. Control to be exercised by local education authorities over physical training in schools.
  4. Use of drill halls, &c.
  5. Continuation classes for physical training.
  6. Certificates in physical culture.
  7. Expenses of local education authorities.
  8. Short title and commencement.
-



A

## B I L L

INTITULED

An Act to provide for Physical Training in Elementary, Secondary, and Continuation Schools. A.D. 1910.

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

5      **1.** The local education authority shall provide—

(1) That in all elementary, secondary, intermediate, or other schools situate within their area and under their control a certain time each day shall be devoted to physical training for both sexes:

Time to be appointed for physical training in schools.

10      (2) The time to be devoted to such training in each school shall be determined by the local education authority with the approval of the Board of Education, but in no case shall the time devoted to physical training be less than two hours each week, but such hours shall be exclusive of the time

15      during school hours usually devoted to recreation.

**2.**—(1) The Board of Education shall appoint such number of competent persons as they shall deem necessary as an examination board to examine candidates for appointment as specialists in physical culture.

20

Qualification and examination of persons to be appointed instructors of physical culture.

(2) Such candidates must satisfy the examining board of their general educational fitness, and the examination shall include the subjects of physiology, anatomy, hygiene, and scientific physical training.

(87.)

A 2

A.D. 1910.

(3) Teachers in schools under the control of the local education authority, and any teachers in any school under the inspection of the Board of Education, shall be eligible to sit for the examination provided for by this section.

(4) Teachers who obtain a certificate of efficiency in such examination shall be eligible to conduct the physical training in any school in addition to their other duties therein, and in such cases they shall be paid such additional salary as the local authority, with the approval of the Board of Education, shall determine. 10

(5) Persons who satisfy the board of examiners shall be qualified for appointment as specialists in physical training and may give such training in any school under the inspection of the Board of Education.

(6) The salary paid to such physical training specialists shall be fixed by the authority responsible for each school and approved by the Board of Education. 15

(7) The board of examiners shall have power, with the approval of the Board of Education, to make arrangements with the universities and training colleges in relation to examinations for specialists in physical training in university centres and training colleges, and the board of examiners may, as part of any such arrangement, provide qualified persons to conduct such examinations. 20

Control to be exercised by local education authorities over physical training in schools.

**3.**—(1) Every local education authority shall appoint a special committee whose duty it shall be to ensure that the physical training in each school is efficiently carried out. The medical inspection officer provided for by seven Edward VII., section thirteen (*b*), shall be ex officio a member of such committee, and such committee shall provide any necessary apparatus. 25 30

(2) The medical inspection officer shall arrange with the specialists in physical training for a yearly examination of the children in each elementary school, and the records of the measurements of the children and the condition of heart, lungs, and other vital organs shall be kept during the school life of each child. 35

(3) In giving physical training the teacher must have regard to any children or young persons who may not be able to perform the exercises through illness or otherwise, and adapt the training in such cases to the particular need. 40

(4) The physical training herein provided should, as far as may be possible, be given in the open air, or in the room on the school premises which is most suitable for the purpose as regards size and sanitation. A.D. 1910.

5 (5) No person shall be qualified to give such training in any school other than an elementary school who has not passed the examination as a physical training specialist.

4.—(1) The local education authority shall have power where necessary, by reason of their school premises being inadequate, 10 to arrange for the use of drill halls, or other premises within their area, for physical training. Use of drill halls, &c.

(2) Provided always that no child or young person shall, in the course of any physical training by this Act provided, be allowed to use, or be taught the use of, any war weapon of any 15 kind whatsoever.

5.—(1) Every child or young person on leaving an elementary school, unless he or she is being instructed in physical training in some other school where such training is provided under section one subsection (1) of this Act until he or she reaches the 20 age of sixteen years, shall attend continuation classes for physical training at least two evenings each week until reaching the age aforesaid, and the local education authority shall provide such classes for physical training and shall employ such qualified teachers therefor as in their opinion shall be necessary. Continuation classes for physical training.

25 (2) Any young person absenting himself, or herself, from any such continuation school for physical training twice within a period of four weeks without reasonable cause, shall be summoned to appear before the physical training committee of the local education authority, and, if the said committee are satisfied 30 that such absence was wilful, they shall warn such young person, and if he, or she, is again absent twice during any period of four weeks without reasonable cause within the next six months the said committee may cause such young person to be summoned before the court of summary jurisdiction for juvenile offenders, 35 and such young person shall be liable to a fine not exceeding five shillings for the first offence and not exceeding twenty shillings for any subsequent offence.

(3) In any case where such young person is summoned, the parents or guardians of such young person may also be summoned 40 to attend the court, and, if the court is satisfied that any parent



A.D. 1910. or guardian has conduced to or aided and abetted such young person in being absent without reasonable cause the court may order any penalty imposed to be paid wholly or in part by such parent or guardian.

(4) Any employer of any young person wilfully detaining or preventing such young person from attending such physical training continuation school may be summoned to attend the court and shall be liable to a like penalty.

Certificates  
in physical  
culture.

**6.** Every young person of the age of sixteen years or upwards who passes a final examination by an examiner appointed by the Board of Education shall receive a certificate of proficiency in physical culture from the Board of Education. 10

Expenses of  
local educa-  
tion autho-  
rities.

**7.**—(1) Every local education authority shall lay before the Board of Education each year an account of the expenditure incurred by them in administering this Act. 15

(2) The Board of Education shall lay before Parliament each year a statement of expenditure made by them and by the local education authorities in carrying out this Act.

(3) Any expenditure incurred by local authorities in carrying out the provisions of this Act shall be refunded to them out of a grant voted by Parliament for the purpose. 20

Short title  
and com-  
mencement.

**8.**—(1) This Act may be cited as the Education (Physical Training) Act, 1910, and shall be construed as one with the Education Acts, 1870 to 1909.

(2) This Act shall come into operation on the first day of January nineteen hundred and eleven.



**Education (Physical  
Training). [H.L.]**

A

**B I L L**

INTITLED

An Act to provide for Physical Train-  
ing in Elementary, Secondary, and  
Continuation Schools.

*The Viscount Hill.*

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Ordered to be printed 4th July 1910.

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(87.)

[10 EDW. 7.] *Education Board Provisional Orders* 1  
*Confirmation (Berks, &c.).* [H.L.]

A

# B I L L

INTITULED

An Act to confirm certain Provisional Orders made by the Board of Education under the Education Acts 1870 to 1907 to enable the Councils of the Administrative Counties of Berks and Surrey the County Boroughs of Birmingham and Swansea and the Urban District of Rhondda to put in force the Lands Clauses Acts. A.D. 1910.

**W**HEREAS the Board of Education have made certain Provisional Orders under the authority of the Education Acts 1870 to 1907 on behalf of the councils of the administrative counties of Berks and Surrey the county boroughs of Birmingham and Swansea and the urban district of Rhondda being the local education authorities under the Education Act 1902 for the said administrative counties county boroughs and urban district and it is requisite that the same should be confirmed by Parliament:

10 And whereas the lands required to be purchased under the powers granted by the said Provisional Orders and confirmed by this Act are severally described in the schedules to the said Provisional Orders as set out in the schedule to this Act and are delineated on the plans accompanying the respective petitions  
 15 referred to in the said Provisional Orders and copies of all the said plans have been duly deposited in the offices of the two Houses of Parliament:

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and  
 20 Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. The following Orders as set out in the schedule to this Act shall be and are hereby confirmed and from and after the passing of this Act shall have full validity and force.

Confirmation  
of Orders in  
schedule.

*Education Board Provisional Orders* [10 EDW. 7.]  
*Confirmation (Berks, &c.).*

- A.D. 1910. **2.** Nothing herein contained shall be construed to authorise a council to extinguish any public rights of way without such order being obtained as but for this Act would have been required for that purpose.
- Saving of public rights of way.
- No compensation to be paid by Corporation of Birmingham for improvements &c. made since 30th November 1909.
- 3.** In settling any question of disputed purchase money or compensation payable under this Act by the Corporation of Birmingham the court or person settling the same shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the lands created after the thirtieth day of November one thousand nine hundred and nine if in the opinion of such court or person the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view of obtaining or increasing compensation under this Act.
- Short title. **4.** This Act may be cited as the Education Board Provisional Orders Confirmation (Berks &c.) Act 1910.

[10 EDW. 7.] *Education Board Provisional Orders  
Confirmation (Berks, &c.).*

3

SCHEDULE.

A.D. 1910.

EDUCATION ACTS 1870-1907  
AND  
BOARD OF EDUCATION ACT 1899.

5 BERKSHIRE COUNTY COUNCIL.

*Provisional Order for putting in force the Lands  
Clauses Acts.*

*Berkshire.*

WHEREAS the Berkshire County Council require to purchase a piece  
of land for the purposes of Part III. of the Education Act 1902 and  
10 not having been able to purchase the same by agreement require to  
put in force the provisions of the Lands Clauses Acts which apply  
to the purchase and taking of lands otherwise than by agreement :

And whereas the land so required to be purchased is set forth in  
the schedule hereunder written.

15 And whereas the said Council have made due publication of the  
notices and have duly served the same according to the requirements  
of the Education Acts 1870-1907 and have presented a petition to the  
Board of Education praying that an order may be made authorising  
the said Council to put in force the powers of the said Acts with  
20 respect to the purchase and taking of lands otherwise than by agree-  
ment in which petition were stated all the matters required by the  
said Education Acts to be stated therein and the same hath been  
supported by such evidence as the said Board of Education required :

And whereas the said Board of Education having considered the  
25 said petition and the proofs of the publication and service of the  
proper notices have thought fit to proceed with the case and have  
caused inquiry to be made in the district wherein the said land is  
situate as to the propriety of the proposed order :

Now therefore the said Board of Education having received a  
30 report after such inquiry and having duly considered the same do  
hereby declare that it is proper and do hereby order accordingly that  
the said Council be authorised to put in force with reference to the

*Education Board Provisional Orders [10 EDW. 7.]  
Confirmation (Berks, &c.).*

A.D. 1910. the land set forth in the schedule hereunder written the powers of  
*Berkshire.* the said Acts for the purchase and taking of lands otherwise than by  
agreement or any of them.

Given under the Seal of Office of the Board of Education this  
Second day of March One thousand nine hundred and ten. 5

(L.S.)

CLAUD SCHUSTER  
One of the Assistant Secretaries of  
the Board of Education.

SCHEDULE to the foregoing Order.

All that piece of arable land being a portion of a certain field 10  
situate on the north side of West Street in the parish of Childrey  
forming part of the glebe attached to the rectory of Childrey and in  
the occupation of Thomas Froude and numbered 113 on the Ordnance  
Survey Map of Berkshire Second Edition dated 1899 (Sheet XIII—16)  
The said piece of land is situate in the south-east corner of the said 15  
field and has a frontage to West Street aforesaid of one hundred and  
sixty-three feet or thereabouts a depth of two hundred feet or there-  
abouts and contains three-quarters of an acre or thereabouts as the  
same is delineated and coloured pink on the plan accompanying  
the petition herein-before referred to. 20

SURREY COUNTY COUNCIL.

*Surrey.*

*Provisional Order (No. 1) for putting in force the  
Lands Clauses Acts.*

WHEREAS the Surrey County Council require to purchase certain  
pieces of land for the purposes of Part III. of the Education Act 25  
1902 and not having been able to purchase the same by agreement  
require to put in force the provisions of the Lands Clauses Acts which  
apply to the purchase and taking of lands otherwise than by  
agreement :

And whereas the lands so required to be purchased are set forth in 30  
the schedule hereunder written :

And whereas the said Council have made due publication of the  
notices and have duly served the same according to the requirements  
of the Education Acts 1870-1907 and have presented a petition to  
the Board of Education praying that an order may be made authorising 35

[10 EDW. 7.] *Education Board Provisional Orders*  
*Confirmation (Berks, &c.).*

5

the said Council to put in force the powers of the said Acts with respect to the purchase and taking of lands otherwise than by agreement in which petition were stated all the matters required by the said Education Acts to be stated therein and the same hath been supported by such evidence as the said Board of Education required :

A.D. 1910.  
Surrey.

And whereas the said Board of Education having considered the said petition and the proofs of the publication and service of the proper notices have thought fit to proceed with the case and have caused inquiry to be made in the district wherein the said lands are situate as to the propriety of the proposed order :

Now therefore the said Board of Education having received a report after such inquiry and having duly considered the same do hereby declare that it is proper and do hereby order accordingly that the said Council be authorised to put in force with reference to the pieces of land set forth in the schedule hereunder written the powers of the said Acts for the purchase and taking of lands otherwise than by agreement or any of them.

Given under the Seal of Office of the Board of Education this  
 Fourteenth day of April One thousand nine hundred and ten.

20 (L.S.)

H. M. LINDSELL  
 A Principal Assistant Secretary of  
 the Board of Education.

---

SCHEDULE to the foregoing Order.

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Site No. 1.

25 COUNTY OF SURREY.

Parish of LEATHERHEAD.

A piece of land in Leatherhead having an area of two acres or thereabouts with a frontage of five hundred and sixty feet or thereabouts to St. John's Avenue and being a portion of the plot No. 187 on the 25-inch Surrey Ordnance Sheet XVIII 15 Second Edition 1895 and bounded on the south-east side by the cricket and football ground of the St. John's Foundation School and on the north-east side by land belonging (or reputed to belong) to the Hilly Fields Estate and on the south-west side by land and premises fronting Linden Road as the same is described in the Plan No. 1 accompanying the petition herein-before referred to and distinguished by the No. 1 and coloured



*Education Board Provisional Orders [10 EDW. 7.]  
Confirmation (Berks, &c.).*

A.D. 1910. pink Together with the messuages tenements and buildings (if any)  
Surrey. now standing and being thereon with their appurtenances.

Site No. 2.

COUNTY OF SURREY.

Parish of EAST MOLESEY.

5

A piece of land situate in East Molesey having an area of one acre or thereabouts and being part of an inclosure shown on the 25-inch Surrey Ordnance Sheet XII 3 Second Edition 1897 together with a strip of land twelve feet wide giving access to Bridge Road which pieces of land are bounded on the north and east sides by land belonging (or reputed to belong) to George Bailey and on the south side by gardens and land of premises fronting Hansler Grove as the same are described in the Plan No. II accompanying the petition herein-before referred to and distinguished by the No. 1 and coloured pink Together with the messuages tenements and buildings (if any) now standing and being thereon with their appurtenances.

10

15

Site No. 3.

COUNTY OF SURREY.

Parish of MITCHAM.

A piece of land situate in Mitcham having a frontage of sixty feet or thereabouts to Devonshire Road West and an area of nineteen and one-quarter poles or thereabouts and being a portion of the plot No. 388 on the 25-inch London Ordnance Sheet CXLII edition of 1894-96 together with two dwelling-houses and premises known as No. 1 and 1A Emily Villa Devonshire Road West and bounded on the north side by land belonging (or reputed to belong) to the Surrey County Council and on the south side by a passage belonging (or reputed to belong) to the Devonshire Road Estate Limited as the same are described on the Plan No. III accompanying the petition herein-before referred to and distinguished by the No. 1 and coloured pink Together with all buildings now standing and being thereon with their appurtenances.

25

30

---

SURREY COUNTY COUNCIL.

*Provisional Order (No. 2) for putting in force the  
Lands Clauses Acts.*

35

WHEREAS the Surrey County Council require to purchase a piece of land for the purposes of Part II. of the Education Act 1902 and not having been able to purchase the same by agreement require to put in

[10 EDW. 7.] *Education Board Provisional Orders* 7  
*Confirmation (Berks, &c.).*

force the provisions of the Lands Clauses Acts which apply to the purchase and taking of lands otherwise than by agreement : A.D. 1910.  
Surrey.

And whereas the land so required to be purchased is set forth in the schedule hereunder written :

5 And whereas the said Council have made due publication of the notices and have duly served the same according to the requirements of the Education Acts 1870-1907 and have presented a petition to the Board of Education praying that an order may be made authorising the said Council to put in force the powers of the said Acts with  
 10 respect to the purchase and taking of lands otherwise than by agreement in which petition were stated all the matters required by the said Education Acts to be stated therein and the same hath been supported by such evidence as the said Board of Education required :

15 And whereas the said Board of Education having considered the said petition and the proofs of the publication and service of the proper notices have thought fit to proceed with the case and have caused inquiry to be made in the district wherein the said land is situate as to the propriety of the proposed order :

20 Now therefore the said Board of Education having received a report after such inquiry and having duly considered the same do hereby declare that it is proper and do hereby order accordingly that the said Council be authorised to put in force with reference to the piece of land set forth in the schedule hereunder written the powers of the said Acts for the purchase and taking of lands otherwise than  
 25 by agreement or any of them.

Given under the Seal of Office of the Board of Education this  
 Fourteenth day of April One thousand nine hundred and ten.

(L.S.)

H. M. LINDSELL

A Principal Assistant Secretary of  
 the Board of Education.

30

---

**SCHEDULE to the foregoing Order.**

COUNTY OF SURREY.

Parish of WOKING.

35 A piece of land in Woking situate on the north side of Heathside Road and having a frontage thereto of seventeen feet or thereabouts an area of one hundred and sixty-nine square feet or thereabouts and being portion of an inclosure shown on the 25-inch Surrey Ordnance

A.D. 1910. Sheet XVII 9 published 1896 bounded on the west side by premises  
*Surrey.* belonging (or reputed to belong) to Ernest Hedley Maxwell and on  
 the north side by land belonging (or reputed to belong) to the Surrey  
 County Council as the same is described in the Plan No. IV.  
 accompanying the petition herein-before referred to and distinguished 5  
 by the number 1 and coloured pink Together with the buildings  
 (if any) now standing and being thereon with their appurtenances.

---

**BIRMINGHAM COUNTY BOROUGH COUNCIL.**

*Birmingham.*

*Provisional Order for putting in force the Lands  
 Clauses Acts.*

10

WHEREAS the Birmingham County Borough Council require to  
 purchase a piece of land for the purposes of Part II. of the Education  
 Act 1902 and not having been able to purchase the same by agree-  
 ment require to put in force the provisions of the Lands Clauses Acts  
 which apply to the purchase and taking of lands otherwise than by 15  
 agreement :

And whereas the land so required to be purchased is set forth in  
 the schedule hereunder written :

And whereas the said Council have made due publication of the  
 notices and have duly served the same according to the requirements 20  
 of the Education Acts 1870-1907 and have presented a petition to the  
 Board of Education praying that an order may be made authorising  
 the said Council to put in force the powers of the said Acts with  
 respect to the purchase and taking of lands otherwise than by agree-  
 ment in which petition were stated all the matters required by the 25  
 said Education Acts to be stated therein and the same hath been  
 supported by such evidence as the said Board of Education required :

And whereas the said Board of Education having considered the  
 said petition and the proofs of the publication and service of the 30  
 proper notices have thought fit to proceed with the case and have  
 caused inquiry to be made in the district wherein the said land is  
 situate as to the propriety of the proposed order :

Now therefore the said Board of Education having received a  
 report after such inquiry and having duly considered the same do  
 hereby declare that it is proper and do hereby order accordingly that 35  
 the said Council be authorised to put in force with reference to the  
 piece of land set forth in the schedule hereunder written the powers of

[10 EDW. 7.] *Education Board Provisional Orders* 9  
*Confirmation (Berks, &c.).*

the said Acts for the purchase and taking of lands otherwise than by agreement or any of them. A.D. 1910.  
*Birmingham.*

Given under the Seal of Office of the Board of Education this  
 Twenty-first day of March One thousand nine hundred and  
 5 ten.  
 (L.S.)

CLAUD SCHUSTER  
 One of the Assistant Secretaries of  
 the Board of Education.

SCHEDULE to the foregoing Order.

10 All that piece of land situate in the city and parish of Birmingham  
 containing 287 square yards or thereabouts and bounded on the south-  
 east side by Navigation Street and on all other sides by land recently  
 sold or agreed to be sold to the Corporation of Birmingham together  
 with the shops dwelling-houses warehousing and other buildings  
 15 thereon known as numbers 32 33 and 34 Navigation Street aforesaid  
 as the same is delineated and coloured brown on the plan accom-  
 panying the petition herein-before referred to.

SWANSEA COUNTY BOROUGH COUNCIL.

*Provisional Order for putting in force the Lands* Swansea.  
*Clauses Acts.*

20 WHEREAS the Swansea County Borough Council require to purchase  
 certain pieces of land for the purposes of Part II. of the Education  
 Act 1902 and not having been able to purchase the same by agreement  
 require to put in force the provisions of the Lands Clauses Acts which  
 25 apply to the purchase and taking of lands otherwise than by agreement :

And whereas the lands so required to be purchased are set forth  
 in the schedule hereunder written :

And whereas the said Council have made due publication of the  
 notices and have duly served the same according to the requirements  
 30 of the Education Acts 1870-1907 and have presented a petition to the  
 Board of Education praying that an order may be made authorising  
 the said Council to put in force the powers of the said Acts with  
 respect to the purchase and taking of lands otherwise than by agree-  
 ment in which petition were stated all the matters required by the  
 35 said Education Acts to be stated therein and the same hath been  
 supported by such evidence as the said Board of Education required :

A.D. 1910.  
Swansea.

And whereas the said Board of Education having considered the said petition and the proofs of the publication and service of the proper notices have thought fit to proceed with the case and have caused inquiry to be made in the district wherein the said lands are situate as to the propriety of the proposed order : 5

Now therefore the said Board of Education having received a report after such inquiry and having duly considered the same do hereby declare that it is proper and do hereby order accordingly that the said Council be authorised to put in force with reference to the pieces of land set forth in the schedule hereunder written the powers of the said Acts for the purchase and taking of lands otherwise than by agreement or any of them. 10

Given under the Seal of Office of the Board of Education this Fourth day of April One thousand nine hundred and ten.

(L.S.)

ALFRED T. DAVIES 15  
Secretary of the Welsh Department  
of the Board of Education.

---

**SCHEDULE to the foregoing Order.**

---

Land numbered 1 on the plan.

All that piece of land together with the motor and ventilating house (part) erected thereon situate at the rear of numbers 19 and 20 Dynevor Place and the buildings occupied by the Young Men's Christian Association in the county borough of Swansea bounded on the north by premises occupied in conjunction with numbers 13 and 14 Delabeche Street on the south by premises in Dynevor Place occupied by the Commissioners of Inland Revenue on the east by numbers 19 and 20 Dynevor Place the premises of the Young Men's Christian Association and the Swansea Municipal Secondary School (Boys) and on the west by the piece of land next described and containing an area of one hundred and thirty-five square yards or thereabouts as the same is delineated and coloured pink on the plan accompanying the petition herein-before referred to. 20  
25  
30

Land numbered 2 on the plan.

All that piece of land together with the motor and ventilating house (part) and shed erected thereon situate west of the piece of land above described bounded on the north by premises occupied in conjunction with numbers 14 and 15 Delabeche Street on the south by 35

[10 EDW. 7.] *Education Board Provisional Orders*  
*Confirmation (Berks, &c.).*

11

premises occupied by the Commissioners of Inland Revenue on the east by the piece of land above described and numbered one on the plan and on the west by numbers 2 and 3 Horton Street and number 8 Pell Street and containing an area of 421 square yards or thereabouts as the same is delineated and coloured blue on the plan accompanying the petition herein-before referred to.

A.D. 1910.

*Swansea.*


---

RHONDDA URBAN DISTRICT COUNCIL.

*Provisional Order (No. 1) for putting in force the Lands Clauses Acts.*

*Rhondda.*

- 10 WHEREAS the Rhondda Urban District Council require to purchase a piece of land for the purposes of Part III. of the Education Act 1902 and not having been able to purchase the same by agreement require to put in force the provisions of the Lands Clauses Acts which apply to the purchase and taking of lands otherwise than by agreement:
- 15 And whereas the land so required to be purchased is set forth in the schedule hereunder written:
- And whereas the said Council have made due publication of the notices and have duly served the same according to the requirements of the Education Acts 1870-1907 and have presented a petition to the
- 20 Board of Education praying that an order may be made authorising the said Council to put in force the powers of the said Acts with respect to the purchase and taking of lands otherwise than by agreement in which petition were stated all the matters required by the said Education Acts to be stated therein and the same hath been
- 25 supported by such evidence as the said Board of Education required:
- And whereas the said Board of Education having considered the said petition and the proofs of the publication and service of the proper notices have thought fit to proceed with the case and have caused inquiry to be made in the district wherein the said land is
- 30 situate as to the propriety of the proposed order:
- Now therefore the said Board of Education having received a report after such inquiry and having duly considered the same do hereby declare that it is proper and do hereby order accordingly that the said Council be authorised to put in force with reference to the
- 35 piece of land set forth in the schedule hereunder written the powers



A.D. 1910. of the said Acts for the purchase and taking of lands otherwise than  
*Rhondda.* by agreement or any of them.

Given under the Seal of Office of the Board of Education this  
Second day of March One thousand nine hundred and ten.

(L.S.)

ALFRED T. DAVIES      5  
Secretary of the Welsh Department  
of the Board of Education.

---

SCHEDULE to the foregoing Order.

A piece of land containing two acres one pole and twenty-two yards or thereabouts situate at Glynfach Porth in the parish of Ystradyfodwg 10 forming as to its northern boundary for a distance of five hundred and eighty-five feet or thereabouts a continuation of the south side of Glyn Street and measuring from north to south one hundred and sixty feet or thereabouts and comprising parts of the inclosures numbered 1634 1635 and 1663 on the 25'0" Ordnance Map county of 15 Glamorgan (Second Edition 1900) Sheet XXVII.—12 as the same is delineated and numbered 1 2 3 on the map accompanying the petition herein-before referred to.

---

RHONDDA URBAN DISTRICT COUNCIL.

*Provisional Order (No. 2) for putting in force the Lands* 20  
*Clauses Acts.*

WHEREAS the Rhondda Urban District Council require to purchase a certain piece of land for the purposes of Part II. of the Education Act 1902 and not having been able to purchase the same by agreement require to put in force the provisions of the Lands Clauses Acts 25 which apply to the purchase and taking of lands otherwise than by agreement :

And whereas the land so required to be purchased is set forth in the schedule hereunder written :

And whereas the said Council have made due publication of the 30 notices and have duly served the same according to the requirements of the Education Acts 1870-1907 and have presented a petition to the Board of Education praying that an order may be made authorising the said Council to put in force the powers of the said Acts with :

[10 EDW. 7.] *Education Board Provisional Orders*  
*Confirmation (Berks, &c.).*

13

respect to the purchase and taking of lands otherwise than by agreement in which petition were stated all the matters required by the said Education Acts to be stated therein and the same hath been supported by such evidence as the said Board of Education required:

A.D. 1910.

*Rhondda.*

5 And whereas the said Board of Education having considered the said petition and the proofs of the publication and service of the proper notices have thought fit to proceed with the case and have caused inquiry to be made in the district wherein the said land is situate as to the propriety of the proposed order:

10 Now therefore the said Board of Education having received a report after such inquiry and having duly considered the same do hereby declare that it is proper and do hereby order accordingly that the said Council be authorised to put in force with reference to the piece of land set forth in the schedule hereunder written the powers  
 15 of the said Acts for the purchase and taking of lands otherwise than by agreement or any of them.

Given under the Seal of Office of the Board of Education this  
 Second day of March One thousand nine hundred and ten.

(L.S.)

ALFRED T. DAVIES

Secretary of the Welsh Department  
 of the Board of Education.

20

SCHEDULE to the foregoing Order.

A piece of land situate in the parish of Ystradyfodwg containing  
 four acres three roods and thirty-two poles or thereabouts lying to  
 25 the west of Wood Street and Beech Street Ferndale and to the  
 north of Lyn-y-forwyn and comprising the greater portion of the  
 inclosure numbered 484 on the  $\frac{25}{100}$  Ordnance Map county of Glamorgan  
 (Second Edition 1900) Sheet XVIII.—11 as the same is delineated and  
 30 numbered 1 on the plan accompanying the petition herein-before  
 referred to.



**Education Board  
Provisional Orders  
Confirmation  
(Berks, &c.). [H.L.]**

A

**B I L L**

INTRODUCED

An Act to confirm certain Provisional Orders made by the Board of Education under the Education Acts 1870 to 1907 to enable the Councils of the Administrative Counties of Berks and Surrey the County Boroughs of Birmingham and Swansea and the Urban District of Rhondda to put in force the Lands Clauses Acts.

*The Lord President (V. Waterhampton).*

Ordered to be printed 27th April 1910.

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[Price 2d.]

(85)

[10 EDW. 7. & *Education Board Provisional Order*  
1 GEO. 5.] *Confirmation (London).* [H.L.]

1

A

## B I L L

INTITULED

An Act to confirm a Provisional Order made by the Board of Education under the Education Acts 1870 to 1907 to enable the London County Council to put in force the Lands Clauses Acts. A.D. 1910.

**W**HEREAS the Board of Education have made a Provisional Order under the authority of the Education Acts 1870 to 1907 on behalf of the London County Council (herein-after called "the Council") and it is requisite that the same should be confirmed by Parliament:

And whereas the lands required to be purchased under the powers granted by the said Provisional Order and confirmed by this Act are severally described in the schedule to the said Provisional Order as set out in the schedule to this Act and are delineated on the plans accompanying the petition referred to in the said Provisional Order and copies of the said plans have been duly deposited in the offices of the two Houses of Parliament:

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. The following Order as set out in the schedule to this Act shall be and is hereby confirmed and from and after the passing of this Act shall have full validity and force. Confirmation of Order in schedule.

2. Nothing herein contained shall be construed to authorise the Council to extinguish any public rights of way without such \*Saving of public rights of way.

A.D. 1910. Order being obtained as but for this Act would have been required for that purpose.

Council may appropriate &c. for street widenings portions of sites acquired.

**3.** In the case of any of the sites which the Council are by this Act and the Order scheduled hereto authorised to acquire and which abut upon streets or roads which are not in the opinion of the Council sufficiently wide for the accommodation of the present and probable future traffic or for the convenience of the persons using the said streets or roads it shall be lawful for the Council to appropriate take and use for the purpose of widening any such streets or roads so much of any of the said sites as the Council may determine to be necessary for such purpose:

Provided that if the Council appropriate take or use under the provisions of this section any part of any such site for the purpose of widening any street or road such part of the cost of the acquisition of such site and of any expenses incidental to such acquisition as the Council may determine shall be deemed to be part of the costs and expenses of the Council in connexion with street improvements.

No compensation to be paid for improvements &c. made since 12th October 1909.

**4.** In settling any question of disputed purchase-money or compensation payable under this Act by the Council the court or person settling the same shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the lands created after the twelfth day of October one thousand nine hundred and nine if in the opinion of such court or person the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view of obtaining or increasing compensation under this Act.

Persons under disability may grant easements &c.

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

[10 EDW. 7. & *Education Board Provisional Order*  
1 GEO. 5.] *Confirmation (London).*

3

6. The tribunal to whom any question of disputed purchase-  
money or compensation under this Act is referred shall if so  
required by the Council award and declare whether a statement  
in writing of the amount of compensation claimed has been  
5 delivered to the Council by the claimant giving sufficient par-  
ticulars and in sufficient time to enable the Council to make a  
proper offer and if the tribunal shall be of opinion that no such  
statement giving sufficient particulars and in sufficient time shall  
have been delivered and that the Council has been prejudiced  
10 thereby the tribunal shall have power to decide whether the  
claimant's costs or any part thereof shall be paid by the claimant  
Provided that it shall be lawful for any judge of the High  
Court to permit any claimant after seven days' notice to the  
Council to amend the statement in writing of the claim delivered  
15 by him to the Council in case of discovery of any error or mistake  
therein or for any other reasonable cause such error mistake or  
cause to be established to the satisfaction of the judge after  
hearing the Council if they object to the amendment and such  
amendment shall be subject to such terms enabling the Council  
20 to investigate the amended claim and to make an offer de novo  
and as to postponing the hearing of the claim and as to costs  
of the inquiry and otherwise as to such judge may seem just  
and proper under all the circumstances of the case Provided  
also that this section shall be applicable only in cases where  
25 the notice to treat under the Lands Clauses Acts either contained  
or was endorsed with a notice of the effect of this section.

A.D. 1910.

Costs of arbi-  
tration &c. in  
certain cases.

7. Section one hundred and thirty-three of the Lands Clauses  
Consolidation Act 1845 shall not apply in the case of any of the  
lands required to be purchased under the powers granted by this  
30 Act and the Order scheduled hereto.

Exemption  
from s. 133  
of the Lands  
Clauses Act  
1845.

8. Notwithstanding anything contained in the Lands Clauses  
Acts any claim for compensation under the powers granted by  
this Act and the Order scheduled hereto by any person having  
or in respect of any interest in the lands in respect of which  
35 compensation is claimed not greater than that of a lessee or  
tenant for any term of which not more than eighteen months  
remain unexpired at the time when the claim is made shall be  
determined by justices in the manner provided by section one  
hundred and twenty-one of the Lands Clauses Consolidation  
40 Act 1845.

Tenancies  
having not  
longer than  
18 months  
to run.

A.D. 1910. **9.** Nothing contained in this Act shall extend to authorise  
 Saving the Council to take use enter upon or interfere with any land  
 rights of soil or water or any rights in respect thereof belonging to His  
 Duchy of Majesty in right of the Duchy of Cornwall without the consent  
 Cornwall. in writing of some two or more of such of the regular officers 5  
 of the said duchy or of such other persons as may be duly  
 authorised under the provisions of the Duchy of Cornwall  
 Management Act 1863 section 39 to exercise all or any of  
 the rights powers privileges and authorities by the said Act  
 made exerciseable or otherwise for the time being exerciseable in 10  
 relation to the said duchy or belonging to the Duke of Cornwall  
 for the time being without the consent of such Duke testified  
 in writing under the seal of the Duchy of Cornwall first had  
 and obtained for that purpose or to take away diminish alter  
 prejudice or affect any property rights profits privileges powers 15  
 or authorities vested in or enjoyed by His Majesty in right of  
 the Duchy of Cornwall or in or by the Duke of Cornwall for  
 the time being.

Short title. **10.** This Act may be cited as the Education Board Provisional  
 Order Confirmation (London) Act 1910. 20

[10 EDW. 7. & *Education Board Provisional Order*  
1 GEO. 5.] *Confirmation (London).*

5

SCHEDULE.

---

A.D. 1910.

EDUCATION ACTS 1870-1907

AND

BOARD OF EDUCATION ACT 1899.

---

5 THE LONDON COUNTY COUNCIL.

*Provisional Order for putting in force the Lands Clauses Acts.*

*London  
County  
Council.*

WHEREAS the London County Council require to purchase divers pieces of land for the purposes of Part III. of the Education Act 1902 and not having been able to purchase the same by agreement require to  
10 put in force the provisions of the Lands Clauses Acts which apply to the purchase and taking of lands otherwise than by agreement:

And whereas the lands so required to be purchased are set forth in the schedule hereto:

And whereas the London County Council have made due publication  
15 of the notices and have duly served the same according to the requirements of the Education Acts 1870-1907 and have presented a petition to the Board of Education praying that an Order may be made authorising the said Council to put in force the powers of the said Acts with respect to the purchase and taking of lands otherwise than by  
20 agreement in which petition were stated all the matters required by the said Education Acts to be stated therein and the same hath been supported by such evidence as the Board of Education required:

And whereas the Board of Education having considered the said petition and the proofs of the publication and service of the proper  
25 notices have thought fit to proceed with the case and have caused inquiries to be made in the districts wherein the said lands are situate as to the propriety of the proposed Order:

And whereas so far as under subsection (2) of section 2 of the Education (London) Act 1903 the concurrence of the Council of any  
30 metropolitan borough is required to any compulsory acquisition authorised by this Order that Council concur in that proposed compulsory acquisition:

And whereas the Board of Education have received reports after the inquiries above-mentioned and having duly considered the same  
40 are satisfied of the propriety of the proposed Order:

6 *Education Board Provisional Order* [10 EDW. 7. &  
*Confirmation (London).* 1 GEO. 5.]

A.D. 1910. Now therefore the Board of Education do hereby order that the  
*London* London County Council be authorised to put in force with reference  
*County* to the pieces of land set forth in the schedule hereto the powers of  
*Council.* the said Acts for the purchase and taking of lands otherwise than by  
 agreement or any of them. 5

Given under the Seal of Office of the Board of Education this  
 Sixth day of May one thousand nine hundred and ten.

(L.S.)

CLAUD SCHUSTER  
 One of the Assistant Secretaries of  
 the Board of Education. 10

The SCHEDULE herein-before referred to.

Plan No. 1.

METROPOLITAN BOROUGH OF BATTERSEA.

Land including house and premises known as No. 30 Bridge Road  
 West and containing about 3,850 square feet or thereabouts as the 15  
 same are shown on the Plan No. 1 and distinguished thereon by the  
 No. 1.

Name.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Peter Langton May Frederick Sturdy May Herbert Richard Dudfield May.	Trustees under the Will of Daniel Sturdy deceased	_____	20
Eliza May - - -		_____	
Elizabeth Runham - - -		_____	
Helen Susan Meryett The London County Council		_____	
			25



[10 EDW. 7. & *Education Board Provisional Order* 7  
1 GEO. 5.] *Confirmation (London).*

Plan No 2.

A.D. 1910.

METROPOLITAN BOROUGH OF BATTERSEA.

*London  
County  
Council.*

Land including houses and premises known as Nos. 2 4 6 8 10 and 12 Lockington Road and containing about 5,250 square feet or 5 thereabouts as the same are shown on the Plan No. 2 and distinguished thereon by the Nos. 1 to 6 inclusive.

	Name.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
10	Frederick Charles Elliot Vernon Wentworth.	Trustees of the Marriage Settlement of William Evelyn Long and Muriel Hester Vernon Wentworth		
	Samuel Lithgow and Willitt Ram (the Younger).			
15	William Evelyn Long			
	The London County Council			

Plan No. 3.

METROPOLITAN BOROUGH OF BETHNAL GREEN.

20 Land including houses and premises known as Nos. 37 38 and 39 Marian Square and Nos. 62 64 66 and 68 Pritchards Road and containing about 6,540 square feet or thereabouts as the same are shown on the Plan No. 3 and distinguished thereon by the Nos. 1 to 7 inclusive.

	Name.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	John Bassett			
	Joseph Henry Thomas Keeves			
30	Pierson John Dixon	Trustees under the Will of Pierson John Dixon deceased		
	George Warde Dixon and Herbert Justice Glynn			
	Sarah Dixon Executrix of the Will of Pierson John Dixon deceased.			
35	Joseph Moss			

Plan No. 4.

METROPOLITAN BOROUGH OF DEPTFORD.

Land including houses and premises known as Nos. 3 4 5 6 and 7 St. Nicholas Street and containing about 4,660 square feet or thereabouts



*Education Board Provisional Order* [10 EDW. 7. &  
*Confirmation (London).* 1 GEO. 5.]

A.D. 1910. as the same are shown on the Plan No. 4 and distinguished thereon by the Nos. 1 to 5 inclusive.

*London  
County  
Council.*

Name.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
The Trustees of Sir John Evelyn's Charity	-		
Watney Combe Reid and Company Limited	-		
Arthur Edwin Woollett	-		

5

Plan No. 5.

METROPOLITAN BOROUGH OF FULHAM.

10

Land including house and premises known as No. 1 Gilstead Road and containing about 1,230 square feet or thereabouts as the same are shown on the Plan No. 5 and distinguished thereon by the No. 1.

Name.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Charles William Taylor	-		

15

Plan No. 6.

METROPOLITAN BOROUGH OF HAMMERSMITH.

Land including house and premises known as No. 93 Vespan Road and containing about 2,000 square feet or thereabouts as the same are shown on the Plan No. 6 and distinguished thereon by the No. 1.

Name.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
The Trustees of the London Parochial Charities	-		
Catherine Elizabeth Broad	-		

25

[10 EDW. 7 & *Education Board Provisional Order*  
1 GEO. 5.] *Confirmation (London).*

9

Plan No. 7.

A.D. 1910.

METROPOLITAN BOROUGH OF ISLINGTON.

*London*  
*County*  
*Council.*

Land including house and premises known as No. 7 Delhi Street and containing about 785 square feet or thereabouts as the same are shown on the Plan No. 7 and distinguished thereon by the No. 1.

Name.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
The Randell and Evans Estate Limited			

10

Plan No. 8.

METROPOLITAN BOROUGH OF LAMBETH.

Land including houses and premises known as Nos. 87 89 91 93 95 97 99 101 103 105 107 109 and 111 Wickham Street and No. 54 Vauxhall Street and land including house warehouse roadway and premises known as No. 56 Vauxhall Street and containing about 12,835 square feet or thereabouts as the same are shown on the Plan No. 8 and distinguished thereon by the Nos. 1 to 15 inclusive.

Name.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Octavius Bradshaw - - - - -			
Frederick Atkinson - - - - -			
H.R.H. George Frederick Ernest Albert Prince of Wales Duke of Cornwall Lord of the Manor of Kennington.			
25 George Young - - - - -			
George Law - - - - -			
Sophia Jeacocks - - - - -			
Thomas Giles - - - - -			
30 Thomas Giles - - } Trustees under the			
Jane Johnson Giles - - } Will of Frederick			
Frederick Alfred Giles - - } Giles deceased			

A.D. 1910.

Plan No. 9.

*London  
County  
Council.*

METROPOLITAN BOROUGH OF LEWISHAM.

Land including house and premises known as No. 31 Plassy Road and containing about 2,650 square feet or thereabouts as the same are shown on the Plan No. 9 and distinguished thereon by the No. 1. 5

Name.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Joseph John Manheir . . . . .			

Plan No. 10.

10

METROPOLITAN BOROUGH OF ST. PANCRAS.

Land including house and premises known as No. 41 Aldenham Street and containing about 1,288 square feet or thereabouts as the same are shown on the Plan No. 10 and distinguished thereon by the No. 1.

Name.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
The Master and Keepers or Wardens and Commonalty of the Mystery or Art of Brewers of the City of London.			15
George Smith . . . . .			20

Plan No. 11.

METROPOLITAN BOROUGH OF SHOREDITCH.

Land including house and premises known as No. 5 Trinity Place and containing about 800 square feet or thereabouts as the same are shown on the Plan No. 11 and distinguished thereon by the No. 1. 25

Name.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
The Ecclesiastical Commissioners for England			
Thomas Winhurst . . . . .			
The London County Council . . . . .			30



**Education Board  
Provisional Order  
Confirmation  
(London). [H.L.]**

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A

**B I L L**

INTITLED

An Act to confirm a Provisional Order made by the Board of Education under the Education Acts 1870 to 1907 to enable the London County Council to put in force the Lands Clauses Acts.

*The Lord President (V. Walterhampton).*

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Ordered to be printed 8th June 1910.

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(48)

A

## B I L L

## INTITULED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Chesham (Extension) Church Clevedon Dawlish (Amendment) Derby (Extension) Gorseinon Huddersfield (Extension to South Crosland) Ormskirk (Amendment) Runcorn Urban and Runcorn Rural Runcorn (Weston) Smethwick (Amendment) and Widnes (Amendment). A.D. 1910.

**W**HEREAS under the authority of the Electric Lighting Acts 1882 and 1888 the Board of Trade have made the several Provisional Orders set out in the schedule to this Act: 45 & 46 Vict.  
c. 56.  
51 & 52 Vict.  
c. 12.

And whereas a Provisional Order made by the Board of Trade under the authority of the said Acts is not of any validity or force whatever until the confirmation thereof by Act of Parliament:

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the authority of the said Acts as set out in the schedule to this Act be confirmed by Act of Parliament:

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. This Act may be cited as the Electric Lighting Orders Confirmation (No. 1) Act 1910. Short title.

2. The several Orders as amended and set out in the schedule to this Act are hereby confirmed and the same shall from and after the passing and subject to the provisions of this Act have full validity and effect. Orders in  
schedule  
confirmed.

A. D. 1910.  
For protec-  
tion of Hert-  
fordshire  
County  
Council.

**3.**—(1) Nothing in the Chesham Electric Lighting (Extension) Order 1910 confirmed by this Act shall take away or abridge any power to repair open or break up any road or county bridge along under or across which any pipe wire cable or electric main or apparatus is laid or any other power vested in the Hertfordshire County Council (in this section called the “council”) for any of the purposes for which the council is constituted but before commencing any work pursuant to such powers whereby any pipe wire cable or electric main will be interfered with they shall (except in case of emergency in which cases no notice shall be necessary) give the company notice of their intention to commence such work specifying the time at which they will begin to do so such notice to be given three days at least before the commencement of the work and shall always complete such work with all reasonable expedition and cause as little damage or inconvenience to the Company as circumstances admit.

(2) The council shall not be liable to pay to the company any compensation for injury done to any pipes wires cables or electric mains or apparatus by the execution of such works or for loss occasioned thereby or for the reasonable exercise of the powers so vested in them as aforesaid.

(3) The council shall not execute such work so far as it immediately affects any pipe wire cable or electric main except under the superintendence of the company unless the company refuse or neglect to give such superintendence at the time specified in the notice for the commencement of the work or discontinue the same during the progress of the work and the council shall execute such work at their own expense and to the reasonable satisfaction of the company. Provided that any additional expense imposed upon the council by reason of the existence of any pipes wires cables or electric mains or apparatus of the company in any road or place shall be borne by the company.

(4) Any difference which may arise between the company and the council under this section shall be determined by arbitration.

For protec-  
tion of Lan-  
cashire  
County  
Council.

**4.**—(1) Nothing in the Church Electric Lighting Order 1910 confirmed by this Act shall in any way limit or affect the powers of the Lancashire County Council (in this section referred to as “the county council”) to rebuild alter widen or repair the structure of any bridge upon which any work by the

[10 EDW. 7.] *Electric Lighting Provisional Orders (No. 1).* 3

Order authorised shall be constructed or impose upon the county council any liability which was not by law imposed upon them prior to the commencement of the Order. A.D. 1910.

(2) If at any time the county council require to carry out works for rebuilding altering widening or repairing any bridge which might involve interference with any portion of the undertaking by the Order authorised they shall prior to the commencement of such work give the Undertakers one month's notice of their intention to carry out such works and if in order to avoid interruption to the supply by the Undertakers of electrical energy it is in the opinion of the county bridge-master necessary to temporarily remove the mains and other electrical appliances belonging to the Undertakers from such bridge then the Undertakers shall (and they are hereby authorised so to do) at their own expense temporarily carry their cables and wires across such bridge overhead or at the side thereof in such a manner as will not be a danger or inconvenience to the public or unreasonably interfere with the works to be carried out by the county council.

(3) When the rebuilding altering widening or repairing of such bridge shall have been completed the Undertakers shall have the same rights and powers with regard to such bridge and its approaches as they had before the works were carried out.

(4) If any dispute arises between the county council and the Undertakers with regard to this section the same shall be determined by an arbitrator to be appointed on the application of either party by the Board of Trade.

5.—(1) Nothing in the Derby Corporation Electric Lighting (Extension) Order 1910 confirmed by this Act shall in any way limit or affect the powers of the Derbyshire County Council (in this section referred to as "the county council") to rebuild alter widen or repair the structure of any bridge upon which any work by the Order authorised shall be constructed or impose upon the county council any liability which was not by law imposed upon them prior to the commencement of the Order. For protection of Derbyshire County Council.

(2) If at any time the county council require to carry out works for rebuilding altering widening or repairing any bridge which might involve interference with any portion of the undertaking by the Order authorised they shall prior to the commencement of such work give the Undertakers one month's notice of their intention to carry out such works and if in



A.D. 1910. order to avoid interruption to the supply by the Undertakers of electrical energy it is in the opinion of the county council necessary to temporarily remove the mains and other electrical appliances belonging to the Undertakers from such bridge then the Undertakers shall (and they are hereby authorised so to do) 5 at their own expense temporarily carry their cables and wires across such bridge overhead or at the side thereof in such a manner as will not be a danger or inconvenience to the public or unreasonably interfere with the works to be carried out by the county council. 10

(3) When the rebuilding altering widening or repairing of such bridge shall have been completed the Undertakers shall have the same rights and powers with regard to such bridge and its approaches as they had before the works were carried out.

(4) If any dispute arises between the county council and 15 the Undertakers with regard to this section the same shall be determined by an arbitrator to be appointed on the application of either party by the Board of Trade.

For protec-  
tion of Che-  
shire County  
Council.

**6.**—(1) Nothing in the Runcorn Urban and Runcorn Rural Electric Lighting Order 1910 confirmed by this Act shall in any 20 way limit or affect the powers of the Cheshire County Council (in this section referred to as “the county council”) to rebuild alter widen or repair the structure of any bridge upon which any work by the Order authorised shall be constructed or impose upon the county council any liability which was not 25 by law imposed upon them prior to the commencement of the Order.

(2) If at any time the county council require to carry out works for rebuilding altering widening or repairing any bridge which might involve interference with any portion of the 30 undertaking by the Order authorised they shall prior to the commencement of such work give the Undertakers one month’s notice of their intention to carry out such works and if in order to avoid interruption to the supply by the Undertakers of electrical energy it is in the opinion of the county bridge- 35 master necessary to temporarily remove the mains and other electrical appliances belonging to the Undertakers from such bridge then the Undertakers shall (and they are hereby authorised so to do) at their own expense temporarily carry their cables and wires across such bridge overhead or at the side 40 thereof in such a manner as will not be a danger or inconvenience to the public or unreasonably interfere with the works to be carried out by the county council.

[10 EDW. 7.] *Electric Lighting Provisional Orders (No. 1).* 5

(3) When the rebuilding altering widening or repairing of such bridge shall have been completed the Undertakers shall have the same rights and powers with regard to such bridge and its approaches as they had before the works were carried out. A.D. 1910.

5 (4) If any dispute arises between the county council and the Undertakers with regard to this section the same shall be determined by an arbitrator to be appointed on the application of either party by the Board of Trade.

7.—(1) Nothing in the Huddersfield (Extension to South  
10 Crosland) Electric Lighting Order 1910 confirmed by this Act shall in any way limit or affect the powers of the county council of the West Riding of Yorkshire (in this section referred to as "the county council") to rebuild alter widen  
15 or repair the structure of any bridge upon which any work by the Order authorised shall be constructed or impose upon the county council any liability which was not by law imposed upon them prior to the commencement of the Order.

For protec-  
tion of  
West Riding  
County  
Council.

(2) If at any time the county council require to carry out works for rebuilding altering widening or repairing any  
20 bridge which might involve interference with any portion of the undertaking by the Order authorised they shall prior to the commencement of such work give the Undertakers one month's notice of their intention to carry out such works and if in order to avoid interruption to the supply by the Under-  
25 takers of electrical energy it is in the opinion of the county council necessary to temporarily remove the mains and other electrical appliances belonging to the Undertakers from such bridge then the Undertakers shall (and they are hereby autho-  
30 rised so to do) at their own expense temporarily carry their cables and wires across such bridge overhead or at the side thereof in such a manner as will not be a danger or incon-  
venience to the public or unreasonably interfere with the works to be carried out by the county council.

(3) When the rebuilding altering widening or repairing  
35 of such bridge shall have been completed the Undertakers shall have the same rights and powers with regard to such bridge and its approaches as they had before the works were carried out.

(4) If any dispute arises between the county council  
40 and the Undertakers with regard to this section the same shall be determined by an arbitrator to be appointed on the application of either party by the Board of Trade.

A.D. 1910.

SCHEDULE.

## LIST OF ORDERS.

1. CHESHAM (EXTENSION).—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Chesham Electric Light and Power Company Limited. 5
2. CHURCH.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the urban district council of Church.
3. CLEVEDON.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the urban district council of Clevedon. 10
4. DAWLISH (AMENDMENT).—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Electric Supply Corporation Limited.
5. DERBY (EXTENSION).—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Mayor Aldermen and Burgesses of the borough of Derby. 15
6. GORSEINON.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Gorseinon Electric Light Company Limited. 20
7. HUDDERSFIELD (EXTENSION TO SOUTH CROSLAND).—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Mayor Aldermen and Burgesses of the county borough of Huddersfield.
8. ORMSKIRK (AMENDMENT).—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the urban district council of Ormskirk. 25
9. RUNCORN URBAN AND RUNCORN RURAL.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to George Henry Cox and Herman John Falk. 30
10. RUNCORN (WESTON).—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Castner-Kellner Alkali Company Limited.
11. SMETHWICK (AMENDMENT).—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Birmingham and Midland Tramways Limited. 35
12. WIDNES (AMENDMENT).—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Mayor Aldermen and Burgesses of the borough of Widnes,

[10 EDW. 7.] *Electric Lighting Provisional Orders (No. 1).* 7

CHESHAM ELECTRIC LIGHTING (EXTENSION). A.D. 1910.

*Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Chesham Electric Light and Power Company Limited in respect of an extension of their existing area of supply to include the Borough of Hemel Hempstead and the Parishes of Bovingdon and Kings Langley in the Rural District of Hemel Hempstead in the County of Hertford.* Chesham.

- 5
1. This Order may be cited as the Chesham Electric Lighting Short title.  
10 (Extension) Order 1910.
2. The Chesham Electric Lighting Order 1901 (hereinafter called Construction.  
"the principal Order") the Chesham Electric Lighting Order 1907 the  
Chesham Electric Lighting (Extension) Order 1909 and this Order may  
be cited together as the Chesham Electric Lighting Orders 1901 to  
15 1910.
3. Subject to the provisions incorporated with the principal Order Area of  
there shall be added to the area of supply for the purposes of the supply.  
principal Order the area which is described in the First Schedule to  
this Order and is more particularly delineated on the map deposited  
20 together with this Order at the Board of Trade by the Undertakers  
and signed by an Assistant Secretary to the Board of Trade.
4. Subject to the provisions incorporated with the principal Order Power to  
there shall be added to the list of streets mentioned in the Second break up  
Schedule to the principal Order (being streets not repairable by the streets &c.  
25 local authority which may be broken up by the Undertakers in  
pursuance of the special powers granted by that Order) the streets  
and parts of streets not repairable by the local authority and railway  
mentioned in the Second Schedule to this Order.
5. Subject to the provisions incorporated with the principal Order Compulsory  
30 there shall be added to the list of streets and parts of streets mentioned works.  
in the Third Schedule to the principal Order (being streets and parts  
of streets throughout which the Undertakers are to lay down suitable  
and sufficient distributing mains) the streets and parts of streets  
mentioned in the Third Schedule to this Order.
- 35 6.—(1) The mayor aldermen and burgesses of the borough of Power of pur-  
Hemel Hempstead and the rural district council of Hemel Hempstead chase by  
(each of which is hereinafter referred to as "the council") or either of local autho-  
them may require the Undertakers to sell and the Undertakers shall sell rities.  
40 the council (including all lands buildings works materials and plant

A.D. 1910. within such district suitable to and used by the Undertakers solely for  
*Chesham.* the purposes of their undertaking therein) and the goodwill thereof at  
the periods and subject to the conditions hereinafter mentioned (that  
is to say):—

(A) At the expiration of twelve years from the commencement of 5  
this Order subject to the following conditions (namely):

(a) The council shall give to the Undertakers one year's  
previous notice of their intention to purchase;

(b) The council shall pay to the Undertakers the fair  
market value of the part of the undertaking within their 10  
district as a going concern with the addition of ten per  
cent. in respect of compulsory purchase Provided that  
if the council shall enter into an agreement with the  
Undertakers to take a supply of energy in bulk from  
the Undertakers after the transfer until the expiration of 15  
thirty-two years from the commencement of this Order  
on terms to be agreed between the council and the  
Undertakers or in case of difference to be determined by  
arbitration the said addition of ten per cent. shall not be  
payable; 20

(B) At the expiration of thirty-two years from the commencement  
of this Order subject to the following conditions (namely):

(a) The council shall give to the Undertakers one year's  
previous notice in writing of their intention to purchase;

(b) The council shall pay to the Undertakers the fair 25  
market value of the part of the undertaking within their  
district as a going concern but without any addition in  
respect of compulsory purchase.

(2) If any question arises as to the price to be paid on any such  
purchase as aforesaid that question shall be determined by arbitration. 30

(3) The Board of Trade may determine any other question which  
may arise in relation to such purchase and may fix the date from  
which the purchase is to take effect.

(4) On the date on which the purchase takes effect the part of  
the undertaking purchased including the said lands buildings works 35  
materials and plant shall vest in the council free from any debts  
mortgages or similar obligations of the Undertakers and the powers  
of the Undertakers in relation to the supply of electricity under the  
principal Order or this Order within the district of the council shall  
absolutely cease and determine and shall vest in the council. 40

(5) Nothing in this section shall affect the power of the council  
as the local authority to purchase under section 2 of the Electric  
Lighting Act 1888.



[10 EDW. 7.] *Electric Lighting Provisional Orders (No. 1).* 9

7. Notwithstanding a purchase under the special power herein-  
before contained or under section 2 of the Electric Lighting Act 1888  
the Undertakers may for the purpose of affording a supply to any  
part of their area beyond the district of the council who shall have  
5 purchased lay down or construct electric lines or works in any streets  
in such district repairable by the local authority provided that in  
respect of any such lines or works the Undertakers shall be subject  
to the provisions of the schedule to the Electric Lighting (Clauses)  
Act 1899 as to the breaking up of such streets and otherwise as if  
10 such district were still within their area of supply.

A.D. 1910.

*Chesham.*

Power after  
purchase by  
local autho-  
rity to lay  
mains  
through its  
district.

8. In the application of the principal Order to so much of the  
area of supply as is added by this Order the expression "commencement  
of this Order" shall mean the day on which the Act confirming this  
Order is passed.

Application  
of principal  
Order to  
added area.

15

## SCHEDULES.

### FIRST SCHEDULE.

AREA ADDED BY THIS ORDER TO THE AREA OF SUPPLY UNDER THE  
PRINCIPAL ORDER.

The borough of Hemel Hempstead and the parishes of Bovington  
20 and Kings Langley in the rural district of Hemel Hempstead.

### SECOND SCHEDULE.

*List of streets and parts of streets not repairable by the local authority  
and railway which by virtue of this Order may be broken up by  
the Undertakers in pursuance of the special powers granted by the  
25 principal Order:—*

(a) STREETS:

In the borough of Hemel Hempstead—Main road (called Piccotts  
End Road and Water End Road) commencing at the north end of High  
Street and extending to the borough boundary at Water End.

30 Main road (called Two Waters Road) commencing at the south  
end of Marlowes and extending to the London Road near the "Bell"  
Inn.

Main road (called Station Road) commencing at the junction of  
Marlowes and Two Waters Road, and extending to the London Road  
35 near the "Prince's Arms" Inn.

10 *Electric Lighting Provisional Orders (No. 1).* [10 EDW. 7.]

A.D. 1910.  
*Chesham.*

Main road (called London Road, Two Waters Road and Apsley End) commencing at the borough boundary near Felden Lane and extending to the borough boundary near Apsley End Church.

County road (called Felden Lane) commencing at the London Road near Box Lane and extending along the borough boundary through 5 Felden to the corner of Bulstrode Wood and thence in a north easterly direction to the termination of the road near Great Wood.

County road commencing at Leverstock Green and extending in a northerly direction along the borough boundary to Holtsmore End.

The roadway on bridge on borough boundary and the roadways 10 on the bridges carrying Cross Lanes Redbourn Road High Street Green St. Albans Road Infirmary Lane Albion Hill and Roughdown Road over the Midland Railway.

The roadways on the bridges carrying Roughdown Road Featherbed Lane and Two Waters Road over the London and North Western 15 Railway.

The roadways on the bridges carrying Winkwell Fishery Lane Fishery Road Station Road Two Waters Road and Durrants Hill Road over the Grand Junction Canal.

In the parish of Kings Langley—Main roads leading from Great 20 Berkhamstead to Watford The Nap Mill Lane Church Lane Barnes Lane Rucklers Lane road leading from the Berkhamstead and Watford main road to Mill Lane road leading from Mill Lane to Church Lane Dunny Lane road leading from Dunny Lane to the Watford and Berkhamstead main road Stoney Lane Pesthouse Lane Kings Lane road 25 leading from Chipperfield to Bovington.

The roadways on bridges carrying the public roads near Nash Mills and Waterside over the Grand Junction Canal.

In the parish of Bovington.—The road leading from Great Berkhamstead through Bourne End towards Boxmoor Box Lane and the 30 continuation of Box Lane past Highcroft and White Hart Cross to Leyhill Common the road leading from Bourne End past the reservoir of the Rickmansworth Waterworks Company to New House Farm and thence through Bovington towards Chipperfield the road leading from 35 Felden past Longcroft Farm to Bovington Lodge and the road leading from Felden to Flaunden the road leading from Whelpley Hill to Bovington Green Water Lane the road leading from Bovington to Bovington House the road leading from the "Royal Oak" Public House to Jay's Hatch and Hogs Pit Bottom the road leading past 40 Venus Hill and Shantock Hall to Pudds Cross.

(b) RAILWAY :

In the parish of Hemel Hempstead—The level crossing of the Midland Railway at Cotterells.

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## THIRD SCHEDULE.

A.D. 1910.

*Chesham.*

*List of streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order:—*

- 5 In the parish of Kings Langley in the rural district of Hemel Hempstead and in the parish and borough of Hemel Hempstead—The main road from Apsley Mills to Two Waters.
- 10 In the borough of Hemel Hempstead—High Street and Marlowes from Cherry Bounce to Albion Mill.

## CHURCH ELECTRIC LIGHTING.

*Church.*

*Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Church in respect of the Urban District of Church in the County of Lancaster.*

- 15 1. This Order may be cited as the Church Electric Lighting Order 1910. Short title.
- 20 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. Incorporation of Electric Lighting (Clauses) Act 1899.
3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the urban district council of Church. Undertakers.
- 25 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an Assistant Secretary to the Board of Trade. Area of supply.
- 30 5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the tramways which are mentioned in the Second Schedule to this Order. Power to break up tramways.
6. The streets and parts of streets throughout which suitable and sufficient distributing mains for the purposes of general supply are to
- 35 (82) Compulsory works.



12 *Electric Lighting Provisional Orders (No. 1).* [10 EDW. 7.]

A.D. 1910. be laid down within a period of two years after the commencement of  
*Church.* this Order as mentioned in section 21 of the schedule to the Electric  
Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule  
to this Order.

Maximum 7. The maximum prices which may be charged by the Under- 5  
prices. takers as mentioned in section 32 of the schedule to the Electric  
Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule  
to this Order.

Powers not 8.—(1) The powers given by this Order shall not be exercised 10  
to be exer- unless within six months or such extended period not exceeding in the  
cised unless whole nine months as the Board of Trade may allow after the passing  
undertaking of the Act confirming this Order the Undertakers by deed to be  
is transferred approved by the Board of Trade transfer the undertaking to the mayor  
to Accring- aldermen and burgesses of the borough of Accrington whose office is  
ton Corpora- at the Town Hall Accrington (hereinafter called “the corporation”). 15  
tion.

(2) Within that period the Undertakers may transfer and the  
corporation may take a transfer of the undertaking with the consent  
of and on such terms and conditions as may be approved by the  
Board of Trade.

(3) On such transfer the rights powers authorities obligations and 20  
liabilities of the Undertakers shall be transferred to and may be exer-  
cised by and shall attach to the corporation who shall subject to the  
provisions of this Order become the Undertakers for the purposes of  
this Order.

(4) If the transfer directed by this Order has not been made before 25  
the expiration of the period limited in that behalf in this section the  
Board of Trade may revoke this Order upon the expiration of that  
period.

Commence- 9. Except for the purpose of enabling the transfer directed by  
ment of this Order shall not come into force notwith- 30  
Order. standing the confirmation thereof by Parliament until the day when  
the transfer takes effect and that day for the purposes of the Electric  
Lighting (Clauses) Act 1899 shall be the commencement of this Order.

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SCHEDULES.

FIRST SCHEDULE.

35

AREA OF SUPPLY.

The urban district of Church as constituted at the commencement  
of this Order.

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## SECOND SCHEDULE.

A.D. 1910.

Church.

*List of tramways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order:—*

The tramways of the Blackburn Corporation the tramways of  
5 the Accrington Corporation.

## THIRD SCHEDULE.

*List of streets and parts of streets throughout which suitable and sufficient distributing mains for the purposes of general supply are to be laid down within a period of two years after the commence-*  
10 *ment of this Order:—*

Blackburn Road from the Accrington borough boundary to Bridge  
Street Henry Street from Blackburn Road to Edward Street Edward  
Street and Church Street from Henry Street to Albert Street and  
Market Street from Blackburn Road to the south entrance of the  
15 Railway Station.

## FOURTH SCHEDULE.

## MAXIMUM PRICES.

In this schedule—

20 The expression “unit” shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

## SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the  
25 following rates per quarter For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence.

## SECTION 2.

30 Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled

14 *Electric Lighting Provisional Orders (No. 1).* [10 EDW. 7.]

A.D. 1910. to charge him according to the rates set forth in section 1 of this  
*Church.* schedule the amount of energy supplied to him being taken to be the  
product of that electrical quantity and the declared pressure at the  
consumer's terminals (that is to say) such a constant pressure at those  
terminals as may be declared by the Undertakers under the Board of 5  
Trade regulations.

*Clevedon.*

CLEVEDON ELECTRIC LIGHTING.

*Provisional Order granted by the Board of Trade under the  
Electric Lighting Acts 1882 and 1888 to the Urban 10  
District Council of Clevedon in respect of the Urban  
District of Clevedon and part of the Parish of Walton-  
in-Gordano in the Rural District of Long Ashton all in  
the County of Somerset.*

Short title. 1. This Order may be cited as the Clevedon Electric Lighting  
Order 1910. 15

Incorporation  
of the Electric  
Lighting  
(Clauses) Act  
1899. 2. The provisions contained in the schedule to the Electric Lighting  
(Clauses) Act 1899 (with the exception of sections 83 and 84 of that  
schedule) are incorporated with and form part of this Order.

Undertakers. 3. The Undertakers for the purposes of this Order and within the  
meaning of section 2 of the schedule to the Electric Lighting (Clauses) 20  
Act 1899 are the urban district council of Clevedon.

Area of  
supply. 4. The area of supply for the purposes of this Order and within  
the meaning of section 4 of the schedule to the Electric Lighting  
(Clauses) Act 1899 shall be the area which is described in the First  
Schedule to this Order and is more particularly delineated on the map 25  
deposited together with this Order at the Board of Trade by the  
Undertakers and signed by an Assistant Secretary to the Board of  
Trade.

Power to  
break up  
streets and  
railways. 5. Subject to the provisions incorporated with this Order the  
Undertakers are specially authorised by this Order to break up the 30  
streets and parts of streets not repairable by the local authority and  
the railways which are mentioned in the Second Schedule to this  
Order.

Compulsory  
works. 6. The streets and parts of streets throughout which suitable and  
sufficient distributing mains for the purpose of general supply are to 35  
be laid down within a period of two years after the commencement of  
this Order as mentioned in section 21 of the schedule to the Electric  
Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule  
to this Order.

[10 EDW. 7.] *Electric Lighting Provisional Orders (No. 1).* 15

A.D. 1910.

7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.

Clevedon.  
Maximum prices.

5 8.—(1) The powers given by this Order shall not be exercised unless within twelve months or such extended period not exceeding in the whole fifteen months as the Board of Trade may allow after the passing of the Act confirming this Order the Undertakers transfer the undertaking to a company to be registered under the Companies (Consolidation) Act 1908 and to be called the Clevedon and District Electric Supply Company Limited.

Powers not to be exercised unless undertaking transferred to a registered company.

10 (2) Within that period the Undertakers may transfer and the company to whom the transfer is to be made may take a transfer of the undertaking with the consent of and on such terms and conditions as may be approved by the Board of Trade by deed approved by that Board.

20 (3) On any such transfer the rights powers authorities obligations and liabilities of the Undertakers in respect of the undertaking shall be transferred to and may be exercised by and shall attach to the company to whom the transfer is made and that company shall subject to the provisions of this Order become the Undertakers for the purposes of this Order.

25 (4) If the transfer directed by this Order has not been made before the expiration of the period limited in that behalf the Board of Trade may revoke this Order at the expiration of that period.

30 9. Except for the purpose of enabling the transfer directed by this Order to be made this Order shall not come into force notwithstanding the confirmation thereof by Parliament until the day when the transfer takes effect and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

Commencement of Order.

## SCHEDULES.

### FIRST SCHEDULE.

#### AREA OF SUPPLY.

35 The whole of the urban district of Clevedon as constituted at the commencement of this Order and so much of the parish of Walton-in-Gordano in the rural district of Long Ashton as lies to the south of an imaginary line drawn along the northern boundary of Holly Lane

16 *Electric Lighting Provisional Orders (No. 1).* [10 EDW. 7.]

A.D. 1910. from its junction with the main road from Clevedon to Portishead to  
*Clevedon.* the point where such lane intersects the centre of Walton Park Road  
opposite Castle Lodge and thence in a due north-westerly direction  
to the sea.

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SECOND SCHEDULE.

5

*List of streets and parts of streets not repairable by the local authority  
and railways which may be broken up by the Undertakers in  
pursuance of the special powers granted by this Order :—*

(a) STREETS :

Crabtree Lane Kimberley Road St. Andrew's Church Lane Treefield 10  
Road Foord's Lane Griffin Estate roads (unnamed) Bees' Lane Highdale  
Avenue from Chapel Hill to north-west corner of Water Works field  
Highdale Avenue from Highdale Farm approach road eastward the  
Barton Parnell Road from Griffin Road southwards Cottle's Yard Marson  
Road Chapel Hill back lane from Marson Road to Triangle Whitehall 15  
Road Copse Road back Lane Park Road from Hallam House to Park  
Lodge road (unnamed) from Franciscan Friary to Park Road road  
(unnamed) from Wellington Terrace past Hillcote to Park Road  
Strawberry Hill Road from near Hillcote to the Arches road (unnamed)  
from Walton Road to Strawberry Hill Road Firwood Road Marine 20  
Parade.

(b) RAILWAYS :

The level crossings of the Weston Clevedon and Portishead Light  
Railway at (1) Lower Queen's Road (2) the junction of Station Road  
Kenn Road and the Triangle (3) Parnell Road (4) Tickenham Road 25  
(5) All Saints' Lane and (6) Walton Road.

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THIRD SCHEDULE.

*List of streets and parts of streets throughout which suitable and sufficient  
distributing mains for the purposes of general supply are to be laid  
down within a period of two years after the commencement of this 30  
Order :—*

(1) In the Urban District of Clevedon—Old Street Triangle Kenn  
Road from Triangle to Griffin Road Old Church Road from Triangle  
to Elton Road Elton Road Beach Road Marine Parade Wellington Terrace  
Marine Hill Hill Road Highdale Road Highdale Avenue Chapel Hill 35

[10 EDW. 7.] *Electric Lighting Provisional Orders (No. 1).* 17

Prince's Road Linden Road Lower Linden Road Alexandra Road Gardens A.D. 1910.  
 Road Woodlands Road Leagrove Road Copse Road Seavale Road Hallam  
 Road Albert Road Victoria Road Sunnyside Road Queen's Road Lower  
 Queen's Road Station Road Marson Road Madeira Road Jesmond Road  
 5 St. John's Road Hillside Road St. John's Avenue Herbert Road Belle  
 Vue Road Coleridge Road. *Clevedon.*

(2) In the parish of Walton-in-Gordano—Queen's Road from the  
 Walton Park Hotel to Hillside Lodge.

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FOURTH SCHEDULE.

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10 MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a  
 current of one thousand ampères flowing under an electro-  
 motive force of one volt during one hour.

15 SECTION 1.

Where the Undertakers charge any consumer by the actual amount  
 of energy supplied to him they shall be entitled to charge him at the  
 following rates per quarter For any amount up to twenty units thirteen  
 shillings and fourpence and for each unit over twenty units eightpence.

20 SECTION 2.

Where the Undertakers charge any consumer by the electrical  
 quantity contained in the supply given to him they shall be entitled  
 to charge him according to the rates set forth in section 1 of this  
 schedule the amount of energy supplied to him being taken to be the  
 25 product of that electrical quantity and the declared pressure at the  
 consumer's terminals that is to say such a constant pressure at those  
 terminals as may be declared by the Undertakers under the Board of  
 Trade regulations.



A.D. 1910.

*Dawlish.*

DAWLISH ELECTRIC LIGHTING (AMENDMENT).

*Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Electric Supply Corporation Limited amending the Dawlish Urban District Electric Lighting Order 1903.* 5

Preamble. WHEREAS by the Dawlish Urban District Electric Lighting Order 1903 confirmed by the Electric Lighting Orders Confirmation (No. 2) Act 1903 the urban district council of the urban district of Dawlish (hereinafter called the "council") were authorised to supply energy as defined in that Order in the urban district of Dawlish : 10

And whereas by section 8 of the said Order the council were empowered to transfer the undertaking authorised by the said Order to Crompton and Company Limited :

And whereas by an Indenture dated the 15th day of June 1904 and made between the council of the one part and the said Company of the other part the undertaking authorised by the said Order was transferred to the said company : 15

And whereas by section 3 of the Electric Supply Corporation Limited Act 1907 the undertaking authorised by the said Order was transferred to and vested in the Electric Supply Corporation Limited : 20

And whereas it is expedient that the Electric Supply Corporation Limited be empowered to transfer the said undertaking to the Dawlish Electric Light and Power Company Limited a company registered under the Companies (Consolidation) Act 1908 whose registered office is situate at Dawlish and that the said Order be amended as hereinafter appearing : 25

The following provisions shall accordingly have effect under this Order :—

Short title and interpretation. 1. This Order may be cited as the Dawlish Urban District Electric Lighting (Amendment) Order 1910 and the Dawlish Urban District Electric Lighting Order 1903 (hereinafter referred to as "the principal Order") and this Order may be cited together as the Dawlish Urban District Electric Lighting Orders 1903 and 1910. 30

Extension of period for compulsory works. 2. The date from which the period of two years is to be reckoned for the purposes of section 6 of the principal Order shall be the commencement of this Order. 35

[10 EDW. 7.] *Electric Lighting Provisional Orders (No. 1).* 19

3. At any time within one year or such extended period not exceeding in the whole fifteen months as the Board of Trade allow after the commencement of this Order the Electric Supply Corporation Limited a company registered under the Companies Acts 1862 to 1893 whose registered office is at Salisbury House London Wall in the City of London being the Undertakers for the purposes of the principal Order as amended by this Order may with the consent of and upon such terms and conditions as may be approved by the Board of Trade by deed to be approved by that Board transfer to the Dawlish Electric Light and Power Company Limited and the transferees may take a transfer of the undertaking authorised by the principal Order as so amended and upon any such transfer the rights powers authorities obligations liabilities and works of the Undertakers in respect to the undertaking shall subject to the provisions contained in the Deed of Transfer and in the said recited Indenture of the 15th June 1904 be transferred to that Company and that Company shall subject to the provisions of the principal Order amended as aforesaid become the Undertakers for the purposes of the principal Order as so amended Provided that unless and except in so far as the Council shall otherwise agree such transfer shall be subject to the provisions of the said recited Indenture of the 15th June 1904.

A.D. 1910.

*Dawlish.*  
Power to  
transfer to  
Dawlish  
Electric  
Light and  
Power  
Company  
Limited.

4.—(1) Before using the water of any river stream or lake for supplying power for the purpose of generating electricity for the undertaking the Undertakers shall make and fix such channels fish passes gratings and other works and appliances for the protection of the fisheries of the river stream or lake in such position and of such form and mode of construction as the Board of Agriculture and Fisheries direct and the Undertakers shall also carry out any alteration modification or addition which the Board of Agriculture and Fisheries may at any time direct in relation to these works and appliances as necessary or expedient for the proper protection of the fisheries.

Protection of  
fisheries.

(2) The Undertakers shall maintain any such works and appliances as so made and fixed for the time being and if the Board of Agriculture and Fisheries give notice to the Undertakers that any such work or appliance requires repair or renewal the Undertakers shall repair or renew it as directed by the Board within two months of the date on which the notice is given.

(3) If the Undertakers fail to comply with any of the provisions of this section they shall be liable for each failure on summary conviction to a penalty not exceeding twenty pounds and to a further penalty not exceeding five pounds for each day on which the failure continues after conviction therefor.



A.D. 1910. 5. This Order shall come into force and have effect upon the day  
Commence- when the Act confirming this Order is passed which date is in this  
ment of Order referred to as the commencement of this Order.  
Order.

Derby.

DERBY CORPORATION ELECTRIC LIGHTING  
(EXTENSION).

5

*Provisional Order granted by the Board of Trade under the  
Electric Lighting Acts 1882 and 1888 to the Mayor Aldermen  
and Burgesses of the Borough of Derby in respect of the  
Urban District of Alvaston and Boulton and certain Parishes  
in the Rural Districts of Shardlow and Belper all in the  
County of Derby.*

Short and  
collective  
titles.

1. This Order may be cited as the Derby Corporation Electric  
Lighting (Extension) Order 1910 and this Order and the Derby Cor-  
poration Electric Lighting Order 1890 (hereinafter called "the principal  
Order") may be cited together as the Derby Corporation Electric 15  
Lighting Orders 1890 and 1910.

Incorpora-  
tion of Elec-  
tric Lighting  
(Clauses) Act  
1899.

2. The provisions contained in the schedule to the Electric Lighting  
(Clauses) Act 1899 are (with the exception of sections 83 and 84 of  
that schedule) incorporated with and form part of this Order and the  
undertaking authorised by the principal Order and the Undertakers in 20  
respect thereof shall be subject to those provisions as if those provisions  
were substituted by this Order for the corresponding provisions of that  
Order and so much of the principal Order as is inconsistent with those  
provisions or with this Order is hereby repealed without prejudice to  
anything done or suffered thereunder Provided that sections 23 and 65 25  
of the said schedule shall apply to the undertaking within the area  
added by this Order as if the Undertakers were the local authority.

Area of  
supply.

3. There shall be added to the area of supply for the purposes of  
the principal Order as amended by the Derby Corporation Act 1901  
and by this Order the area which is described in the First Schedule to 30  
this Order and is more particularly delineated on the map deposited  
together with this Order at the Board of Trade by the Undertakers  
and signed by an Assistant Secretary of the Board of Trade.

Compulsory  
works.

4. Subject to the provisions of this Order there shall be added to  
the list of streets and parts of streets mentioned in the Second Schedule 35  
to the principal Order (being the streets and parts of streets throughout  
which the Undertakers are to lay distributing mains) the streets or  
parts of streets mentioned in the Second Schedule to this Order.

[10 EDW. 7.] *Electric Lighting Provisional Orders (No. 1).* 21

5. Subject to the provisions of this Order the Undertakers are specially authorised to break up the streets not repairable by the local authority mentioned in the Third Schedule to this Order.

6. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

A.D. 1910.

*Derby.*  
Power to  
break up  
streets &c.  
Commence-  
ment of  
Order.

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## SCHEDULES.

### FIRST SCHEDULE.

10 AREA ADDED BY THIS ORDER TO THE AREA OF SUPPLY UNDER THE PRINCIPAL ORDER.

The urban district of Alvaston and Boulton in the county of Derby.

15 The parishes of Breadsall Chaddesden Normanton Littleover and Sinfen Moor in the rural district of Shardlow in the same county.

The parish of Darley Abbey and the township of Markeaton in the rural district of Belper in the same county.

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### SECOND SCHEDULE.

20 *List of streets or parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order:—*

Burton Road in the parish of Littleover from the boundary of the borough of Derby to Shepherd Street.

25 Village Street in the parish of Normanton from the boundary of the said borough to Sunny Hill Road.

Duffield Road in the parish of Darley Abbey from the boundary of the said borough to Mileash Lane.

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A.D. 1910.

Derby.

THIRD SCHEDULE.

*List of streets not repairable by the local authority which by virtue of this Order may be broken up by the Undertakers in pursuance of the special powers granted by the principal Order:—*

Urban district of Alvaston and Boulton—Baker Street Brackens Lane 5  
where it crosses the Derby Canal Boulton Lane where it crosses the  
Derby Canal.

Parish of Breadsall—Alfreton Road (including those portions thereof  
which cross the Midland Railway and the Derby Canal) Mansfield Road 10  
(including that portion thereof which crosses the Great Northern  
Railway).

Parish of Chaddesden—Meadow Lane where it crosses the Derby  
Canal Nottingham Road.

Parish of Normanton—Sinfin Lane where it crosses the Midland  
Railway. 15

Parish of Littleover—Uttoxeter Road Burton Road Thornhill Road  
Lawnhead Avenue Middleton Street Heath Avenue Harrington Road  
Wade Avenue Park Lane North Street Warwick Avenue South Avenue  
Beech Walk Lime Avenue Claremont Road Farley Road Manor Road  
Wade Street. 20

Parish of Sinfin Moor—Roadway on Baltimore Bridge over the  
Derby Canal.

Parish of Darley Abbey—Duffield Road South Drive West Drive  
North Drive Central Drive.

Township of Markeaton—Ashbourne Road Kedleston Road. 25

*Gorseinon*

GORSEINON ELECTRIC LIGHTING.

*Provisional Order granted by the Board of Trade under the  
Electric Lighting Acts 1882 and 1888 to the Gorseinon  
Electric Light Company Limited in respect of the Parishes  
of Llandilo-Talybont and Loughor (Borough) and parts of 30  
the Parishes of Gowerton and Penderry in the Rural  
District of Swansea in the County of Glamorgan.*

Short title

1. This Order may be cited as the Gorseinon Electric Lighting  
Order 1910.

[10 Edw. 7.] *Electric Lighting Provisional Orders (No. 1).* 23

A.D. 1910.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order.

*Gorseinon.*  
Incorporation  
of Electric  
Lighting  
(Clauses) Act  
1899.

3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the Gorseinon Electric Light Company Limited being a company registered under the Company's Acts 1862 to 1907 with limited liability and having its registered office at Gorseinon in the county of Glamorgan.

Undertakers.

4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an Assistant Secretary to the Board of Trade.

Area of  
supply.

5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority and railways which are mentioned in the Second Schedule to this Order.

Power to  
break up  
streets and  
railways.

6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order.

Compulsory  
works.

7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.

Maximum  
prices.

8. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

Commence-  
ment of  
Order.

A.D. 1910.  
*Gorseinon.*

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The whole of the parishes of Llandilo-Talybont and Loughor (borough) and so much of the parishes of Penderry and Gowerton as lie 5 to the west and north of an imaginary straight line drawn in a southerly direction from the point in the centre of the river Lliw where the boundaries of the parishes of Mawr Penderry and Llandilo-Talybont intersect to the centre of the river Llan near the mill known as Melin Llan on the road from Penllergaer to Llangyfelach and thence along 10 the centre of the river Llan to the boundary of the parish of Loughor (borough) all in the rural district of Swansea as constituted at the commencement of this Order.

In case of difference between the description in this schedule and the area as delineated on the deposited map the latter is to prevail. 15

SECOND SCHEDULE.

*List of streets not repairable by the local authority and railways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order:—*

(a) STREETS: 20

Brighton Road Cecil Road Cross Road to Cecil Road continuation of Park Road to New Road continuation of London Road to Frampton Road continuation of Trinity Street Libanus Road Penybryn Road the roadway on the bridge carrying the Llanelly Road over the London and North Western Railway near Kingsbridge the roadway on the bridge 25 carrying the Llanelly Road over the mineral railway near Garngoch colliery.

(b) RAILWAYS:

The level crossing over the London and North Western Railway near Gorseinon Station the Garngoch colliery level crossing over the mineral 30 railway at Llanelly Road and the Cae-duke Colliery level crossing over the mineral railway near Pont-y-cob.

[10 EDW. 7.] *Electric Lighting Provisional Orders (No. 1).* 25

THIRD SCHEDULE.

A.D. 1910

Gorseinon.

*List of streets and parts of streets throughout which the Undertakers have laid down or are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order :—*

5 High Street Upper and Lower Lime Street Trinity Street Cross Street West Street Park Road Argyle Avenue London Road from Gorseinon to the Old Toll Gate House at Lower Loughor West Street (continuation) for a distance of 150 yards in a northerly direction Cecil  
10 Road Railway Terrace Gorseinon Street Eynon Road Bryn Road Pengry Road Belgrave Road School Road the main road from Kingsbridge to Loughor Bridge Waun Road Cilmoor Road and Station Road.

FOURTH SCHEDULE.

MAXIMUM PRICES.

15 In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

SECTION 1.

20 Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units eleven shillings and eightpence and for each unit over twenty units sevenpence.

SECTION 2.

25 Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the  
30 product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.



A.D. 1910. HUDDERSFIELD ELECTRIC LIGHTING (EXTENSION  
*Huddersfield.* TO SOUTH CROSLAND).

*Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Mayor Alderman and Burgesses of the County Borough of Huddersfield in respect of the Urban District of South Crosland in the West Riding of the County of York.*

- Short title. 1. This Order may be cited as the Huddersfield (Extension to South Crosland) Electric Lighting Order 1910.
- Incorporation of Electric Lighting (Clauses) Act 1899. 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order and sections 23 and 65 shall apply as if the Undertakers were the local authority. 10
- Undertakers. 3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the mayor aldermen and burgesses of the county borough of Huddersfield. 15
- Area of supply. 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an Assistant Secretary to the Board of Trade. 20 25
- Compulsory works. 5. The parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Second Schedule to this Order. 30
- Maximum prices. 6. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Third Schedule to this Order. 35
- Commencement of Order. 7. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.
-

SCHEDULES.A.D. 1910.  
*Huddersfield.*FIRST SCHEDULE.AREA OF SUPPLY.

The urban district of South Crosland as constituted at the com-  
5 mencement of this Order.

SECOND SCHEDULE.

*Parts of streets throughout which the Undertakers are to lay down suitable  
and sufficient distributing mains for the purposes of general supply  
within a period of two years after the commencement of this  
Order :—*

10 Moor Lane from Market Place to Honley Road Meltham Road  
from Market Place to Stone Pit Hill Corn Bank from Market Place  
to Corn Bank House Honley Road from Moor Lane for a distance of  
200 yards towards Honley.

15 THIRD SCHEDULE.MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a  
current of one thousand ampères flowing under an electro-  
20 motive force of one volt during one hour.

SECTION 1.

Where the Undertakers charge any consumer by the actual amount  
of energy supplied to him they shall be entitled to charge him at  
the following rates per quarter For any amount up to twenty units  
25 thirteen shillings and fourpence and for each unit over twenty units  
eightpence.

SECTION 2.

Where the Undertakers charge any consumer by the electrical  
quantity contained in the supply given to him they shall be entitled  
30 to charge him according to the rates set forth in section 1 of this  
schedule the amount of energy supplied to him being taken to be  
the product of that electrical quantity and the declared pressure at  
the consumer's terminals that is to say such a constant pressure at  
those terminals as may be declared by the Undertakers under the  
35 Board of Trade regulations.



A.D. 1910.

ORMSKIRK ELECTRIC LIGHTING.

*Ormskirk.* *Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Ormskirk for the Amendment of the Ormskirk Electric Lighting Order 1900.* 5

Short title and construction.

1. This Order may be cited as the Ormskirk Electric Lighting Order 1900 (Amendment) Order 1910 and the Ormskirk Electric Lighting Order 1900 (hereinafter called "the principal Order") and this Order may be cited together as the Ormskirk Electric Lighting Orders 1900 and 1910. 10

Extension of time for compulsory works.

2. The date from which the periods of two years and eighteen months are to be reckoned for the purposes of section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 as incorporated with the principal Order shall be the date of the transfer authorised by this Order and that section shall be construed accordingly. 15

Transfer of powers under Order of 1900.

3.—(1) The powers given by the principal Order as amended by this Order shall not be exercised unless within one year after the commencement of this Order (or such extended period not exceeding in the whole fifteen months as the Board of Trade may allow) the Undertakers under the principal Order as amended by this Order with the consent of and upon such terms and conditions and for such period as may be approved by the Board of Trade by deed to be approved by that Board transfer the undertaking authorised by the principal Order as amended by this Order to a company to be registered under the Companies (Consolidation) Act 1908 and to be called the Ormskirk Electric Supply Company Limited On such transfer the rights powers authorities obligations and liabilities of the Undertakers in respect of the undertaking shall subject to the provisions contained in the deed of transfer be transferred to and may be exercised by and shall attach to that company who shall subject to the provisions of the principal Order as amended by this Order become the Undertakers for the purposes of the principal Order as so amended. 20 25 30

(2) If the transfer authorised by this Order has not been made before the expiration of the time limited in that behalf in this section the Board of Trade may revoke the principal Order upon the expiration of that period. 35

Commencement of Order.

4. This Order shall come into force upon the day when the Act confirming this Order is passed which date is in this Order referred to as the commencement of this Order.



RUNCORN URBAN AND RUNCORN RURAL  
ELECTRIC LIGHTING.

A.D. 1910.

*Runcorn  
Urban and  
Runcorn  
Rural.*

5 *Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to George Henry Cox and Herman John Falk in respect of the Urban District of Runcorn and a portion of the Rural District of Runcorn both in the County of Chester.*

1. This Order may be cited as the Runcorn Urban and Runcorn Rural Electric Lighting Order 1910. Short title.
- 10 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. Incorporation of Electric Lighting (Clauses) Act 1899.
- 15 3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are George Henry Cox and Herman John Falk both of Colonial House Water Street Liverpool salt manufacturers. Undertakers.
- 20 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an Assistant Secretary to the Board of Trade. Area of supply.
- 25 5.—(1) Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets and parts of streets not repairable by the local authority which are mentioned in Part I. of the Second Schedule to this Order and the railways and tramways which are also mentioned in that schedule. Power to break up streets &c.
- 30 (2) The Undertakers may also for the purpose of more conveniently supplying energy within the area of supply break up the streets and railway situated outside that area which are mentioned in Part II. of the said schedule Provided that the Undertakers in respect of such streets and railway shall for the said purpose have the like rights and be subject to the like obligations and liabilities as if the
- 35 same were situated within the area of supply.
- 40 6. The streets and parts of streets throughout which suitable and sufficient distributing mains for the purposes of general supply are to be laid down within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. Compulsory works.

A.D. 1910. 30 *Electric Lighting Provisional Orders (No. 1).* [10 EDW. 7.]

*Runcorn  
Urban and  
Runcorn  
Rural.*

Maximum  
prices.

7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.

Deposit.

8. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is four hundred pounds of which two hundred and fifty pounds is in respect of the urban district of Runcorn and one hundred and fifty pounds is in respect of the rural district of Runcorn.

Powers not  
to be exer-  
cised unless  
undertaking  
is trans-  
ferred to a  
registered  
company.

9.—(1) The powers given by this Order shall not be exercised unless within twelve months or such extended period not exceeding the whole fifteen months as the Board of Trade allow after the passing of the Act confirming this Order the Undertakers by deed to be approved by the Board of Trade transfer the undertaking authorised by this Order to a limited company registered under the Companies (Consolidation) Act 1908 and approved by the Board of Trade for the purpose.

(2) Within that period the Undertakers may transfer and the company to whom the transfer is to be made may take a transfer of the undertaking with the consent of and on such terms and conditions as may be approved by the Board of Trade.

(3) On any such transfer the rights powers authorities obligations and liabilities of the Undertakers shall be transferred to and may be exercised by and shall attach to the company to whom the transfer is made and that company shall subject to the provisions of this Order become the Undertakers for the purposes of this Order.

(4) If the transfer directed by this Order has not been made before the expiration of the period limited in that behalf in this section the Board of Trade may revoke this Order upon the expiration of that period.

Special  
power of  
revocation as  
to parts of  
the area of  
supply.

10. If at any time after the expiration of three years from the commencement of this Order it is established to the satisfaction of the Board of Trade that substantial progress has not been made in laying down in any part of the area of supply suitable and sufficient distributing mains for the purposes of general supply the Board may revoke this Order as to such part.

Commence-  
ment of  
Order.

11. Except for the purpose of enabling the transfer directed by this Order to be made this Order shall not come into force notwithstanding the confirmation thereof by Parliament until the day when the transfer takes effect and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

## SCHEDULES.

A.D. 1910.

## FIRST SCHEDULE.

*Runcorn  
Urban and  
Runcorn  
Rural.*

## AREA OF SUPPLY.

- The urban district of Runcorn and the rural district of Runcorn  
 5 as respectively constituted at the commencement of this Order except  
 so much of the parish of Weston in the rural district of Runcorn as  
 lies within an area bounded on the north by the fields marked Nos.  
 28 31 and 33 on the 25-inch Ordnance sheet for Cheshire No. XXIV. 7  
 second edition 1899 on the south partly by the fields marked Nos.  
 10 161 160 159 and 134 on the said Ordnance sheet and partly by the  
 road known as Bankes Lane on the east by the middle of the road  
 known as Weston Road and on the west partly by the fields marked  
 Nos. 72 and 73 on the said Ordnance sheet and partly by the towing-  
 path of the River Weaver Canal :
- 15 Provided that in case of difference between the description in this  
 schedule and the area as delineated on the deposited map the latter  
 is to prevail.

## SECOND SCHEDULE.

- List of streets and parts of streets not repairable by the local authority  
 20 and railways and tramways which may be broken up by the Under-  
 takers in pursuance of the special powers granted by this Order :—*

## PART I.—WITHIN THE AREA OF SUPPLY.

*Urban District of Runcorn.*

## (a) STREETS :

- 25 Norman Road from its junction with Cawley Street to Heath Road  
 Sandy Lane Cock and Hen Lane and the branch thereof to its junction  
 with the towing-path of the Runcorn and Weston Canal road running  
 along the west side of the London and North Western Railway Com-  
 30 pany's Dock Branch from Percival Lane to the said branch of Cock  
 and Hen Lane so much as is within the urban district of Runcorn of  
 the road which runs at right angles from the Weston Road to the Salt  
 Union Limited's Works Bates Bridge and approaches carrying Sea Lane  
 over the Bridgewater Canal Delph Bridge and approaches carrying  
 Bridge Street over the Bridgewater Canal Doctor's Bridge and approaches  
 35 carrying Greenway Road over the Bridgewater Canal Waterloo Bridge

A.D. 1910. and approaches carrying Waterloo Road or Station Road over the  

*Runcorn*  
*Urban and*  
*Runcorn*  
*Rural.*
 Bridgewater Canal bridge and approaches carrying Greenway Road over  
 the London and North Western Railway bridge and approaches carrying  
 Heath Road over the London and North Western Railway bridge and  
 approaches carrying footpath from Balfour Street over the London and 5  
 North Western Railway to Picow Street Victoria Road bridge and  
 approaches carrying Victoria Road over the Bridgewater Canal.

*Rural District of Runcorn.*

(a) STREETS :

Parish of Halton—Astmoor Bridge and approaches carrying the 10  
 Warrington to Halton Road over Bridgewater Canal.

Parish of Weston—Road from South Road to Old Basin of the River  
 Weaver Canal road known as Post Office Road from South Road to  
 the Old Basin of the River Weaver Canal road from Weston to the  
 United Alkali Company's Weston Works road from the said United 15  
 Alkali Company's Weston Works to Clifton so much as is within the  
 rural district of Runcorn of the road which runs at right angles from  
 the Weston Road to the Salt Union Limited's Works bridge and  
 approaches carrying Sandy Lane over the Runcorn and Weston Canal  
 bridge and approaches carrying road known as Post Office Road over 20  
 the Runcorn and Weston Canal.

Parish of Norton—Norton Townfield Bridge and approaches carrying  
 Runcorn and Norton Road over the Bridgewater Canal bridge and  
 approaches at Norton Station carrying road over London and North  
 Western and Great Western Joint Railway Borrow's Bridge and 25  
 approaches carrying the Norton and Daresbury Road over the  
 Bridgewater Canal.

Parish of Moore—Bridge and approaches carrying Moore Lane over  
 the London and North Western and Great Western Joint Railway bridge  
 and approaches carrying Moore Lane over the London and North 30  
 Western Railway (Grand Junction Line) Moore Bridges and approaches  
 carrying Hobb Lane over Bridgewater Canal bridge and approaches at  
 Daresbury Station carrying road over London and North Western and  
 Great Western Joint Railway bridge and approaches at Moore Station  
 carrying road over London and North Western Railway (Grand Junction 35  
 Line) bridge and approaches carrying Moss Lane over the London and  
 North Western Railway (Grand Junction Line).

Parish of Acton Grange—Acton Grange Bridge and approaches  
 carrying the Warrington and Moore Road over the Bridgewater Canal.

Parish of Walton Superior—Walton Bridge and approaches carrying 40  
 Halton and Walton Road over the Bridgewater Canal Hough's Bridge  
 and approaches carrying Hough's Lane over Bridgewater Canal.



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Parish of Stockton Heath—Stockton Bridge and approaches carrying the Northwich Road over the Bridgewater Canal Red Lane Bridge and approaches carrying Red Lane over Bridgewater Canal.

A.D. 1910.

*Runcorn  
Urban and  
Runcorn  
Rural.*

5 Parish of Thelwall—Shepherdsbank Bridges and approaches carrying the Warrington Road over the London and North Western Railway (Warrington and Stockport Branch) and over the old railway siding.

Parish of Grappenhall—Bridge and approaches carrying Bellhouse Lane over the Bridgewater Canal.

10 Parish of Bartington—Bridge and approaches carrying Warrington and Acton Road over the Trent and Mersey Canal.

Parish of Dutton—Bridge and approaches carrying Higher Lane over the London and North Western Railway (Grand Junction Line) bridge and approaches carrying Higher Lane over the Preston Tunnel of the Trent and Mersey Canal.

15 Parish of Preston-o'-th'-Hill—Preston Bridge and approaches carrying the Warrington to Frodsham Road over the Bridgewater Canal bridge and approaches at Preston Station carrying Warrington to Frodsham Road over the London and North Western Railway (Grand Junction line).

20 Parish of Keckwick—Keckwick Bridge and approaches carrying Daresbury and Keckwick Road over Bridgewater Canal Keckwick Hill Bridge and approaches carrying Daresbury and Keckwick Road over Bridgewater Canal bridge and approaches carrying Daresbury and Keckwick Road over London and North Western and Great Western  
25 Joint Railway.

Parish of Sutton—Bridge and approaches at Halton Station carrying road over London and North Western and Great Western Joint Railway bridge and approaches carrying Warrington to Frodsham Road over the Mill Cut Frodsham Bridge and approaches carrying  
30 Warrington to Frodsham Road over the River Weaver.

Parish of Aston-by-Sutton—Bridge and approaches carrying Warrington to Aston Road over the London and North Western Railway (Ditton and Runcorn Branch).

35 Parish of Alvanley—Bridge and approaches carrying Frodsham to Dunham Road over the Cheshire Lines Railway bridge and approaches carrying Hapsford Road over Cheshire Lines Railway.

40 Parishes of Frodsham and Frodsham Lordship—Frodsham Bridge and approaches carrying Warrington to Frodsham Road over River Weaver bridge and approaches carrying Frodsham main street over London and North Western and Great Western Joint Railway bridge and approaches carrying Fluin Lane over London and North Western and Great Western Joint Railway Main Street Frodsham under bridge of the London and North Western and Great Western Joint Railway.

34 *Electric Lighting Provisional Orders (No. 1).* [10 EDW. 7.]

A.D. 1910  
—  
*Runcorn  
Urban and  
Runcorn  
Rural.*

Parish of Helsby—Bridge and approaches carrying Rake Lane over London and North Western and Great Western Joint Railway bridge and approaches carrying Runcorn and Helsby Road over Cheshire Lines Railway bridge and approaches carrying Chester and Helsby Road over Cheshire Lines Railway. 5

Parish of Clifton—Road from United Alkali Company's Weston Works to Clifton.

(b) RAILWAYS :

Parish of Norton—Level-crossing carrying the Norton Road across the London and North Western Railway (Grand Junction line). 10

Parish of Helsby—Level-crossing carrying main street across the tramroad leading from Helsby Quarries to London and North Western and Great Western Joint Railway.

PART II.—OUTSIDE THE AREA OF SUPPLY.

(a) STREETS : 15

So much of the road known as South Road and Bankes Lane leading from Weston Point to St. John's Church Weston as is outside the area of supply under this Order.

(b) RAILWAY :

Level-crossing of tramroad belonging to Runcorn and Helsby Red Sandstone Company across South Road. 20

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THIRD SCHEDULE.

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*Lists of streets and parts of streets throughout which suitable and sufficient distributing mains for the purposes of general supply are to be laid down within a period of two years after the commencement of this Order :—* 25

URBAN DISTRICT OF RUNCORN.

Church Street Waterloo Road High Street and Bridge Street.

RURAL DISTRICT OF RUNCORN.

Church Street Frodsham and Main Street Frodsham from its western extremity to the chapel on the north side of the street near the gasometer. 30

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[10 EDW. 7.] *Electric Lighting Provisional Orders (No. 1).* 35

FOURTH SCHEDULE.

A.D. 1910,

MAXIMUM PRICES.

*Runcorn  
Urban and  
Runcorn  
Rural.*

In this schedule—

5 The expression “unit” shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to thirty units ten shillings and for each unit over thirty units fourpence.

SECTION 2.

15 Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

RUNCORN (WESTON) ELECTRIC LIGHTING.

*Runcorn  
(Weston).*

25 *Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Castner Kellner Alkali Company Limited in respect of a portion of the Parish of Weston within the Rural District of Runcorn in the County of Chester.*

1. This Order may be cited as the Runcorn (Weston) Electric Short title. Lighting Order 1910.

30 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order.

*Incorporation  
of Electric  
Lighting  
(Clauses) Act  
1899.*

35 3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the Castner Kellner Alkali Company Limited a company registered under the Companies Acts whose works are at

*Undertakers.*



36 *Electric Lighting Provisional Orders (No. 1).* [10 EDW. 7.]

A.D. 1910.	Weston Point Runcorn aforesaid and whose registered offices are at 13 Abchurch Lane in the City of London.
<i>Runcorn (Weston).</i> Area of supply.	4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an Assistant Secretary to the Board of Trade.
Power to break up railway.	5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the railway which is mentioned in the Second Schedule to this Order.
Compulsory works.	6. The parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order.
Maximum prices.	7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.
Sum to be deposited as security for execution of works.	8. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is two hundred pounds.
Commencement of Order.	9. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

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SCHEDULES.

FIRST SCHEDULE.

30

AREA OF SUPPLY.

So much of the parish of Weston in the rural district of Runcorn as lies within an area bounded on the north by the fields marked Nos. 28 31 and 33 on the 25-inch Ordnance sheet for Cheshire No. XXIV. 7 second edition 1899 on the south partly by the fields marked Nos. 161 160 159 and 134 on the said Ordnance sheet and partly by the road known as Bankes Lane on the east by the middle of the road known as Weston Road and on the west partly by the fields

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marked Nos. 72 and 73 on the said Ordnance sheet and partly by the towing-path of the River Weaver Canal: A.D. 1910.

Provided that in case of difference between the description in this schedule and the area as delineated on the deposited map the latter is to prevail.

Runcorn  
(Weston).

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#### SECOND SCHEDULE.

*Railway which may be broken up by the Undertakers in pursuance of the special powers granted by this Order:—*

The tramroad of the Runcorn and Helsby Red Sandstone Company.

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#### THIRD SCHEDULE.

*List of parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order:—*

Cheshires Lane from Bankes Lane to the Junction of Cheshires Lane with the occupation road leading to Sandy Lane the occupation road leading from Cheshires Lane to Sandy Lane from Cheshires Lane to a point 60 feet measured in a northerly direction from the tramroad of the Runcorn and Helsby Red Sandstone Company Bankes Lane from Cheshires Lane to South Road South Road from Bankes Lane to the northern boundary of the area of supply.

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#### FOURTH SCHEDULE.

##### MAXIMUM PRICES.

25 In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

##### SECTION 1.

30 Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to thirty units ten shillings and for each unit over thirty units fourpence.

A.D. 1910.

## SECTION 2.

*Buncorn*  
*(Weston).*

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product 5 of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

*Smethwick.*

## SMETHWICK ELECTRIC LIGHTING.

10

*Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Birmingham and Midland Tramways Limited in respect of the County Borough of Smethwick in the County of Stafford.*

WHEREAS by the Smethwick Electric Lighting Order 1898 confirmed 15 by the Electric Orders Confirmation (No. 16) Act 1898 the urban district council of Smethwick were authorised to supply energy as defined in that Order in the urban district of Smethwick ;

And whereas by an indenture dated the 16th day of July 1907 and made between the mayor aldermen and burgesses of the borough 20 of Smethwick (in whom the undertaking authorised by the said Order was then vested and who are hereinafter referred to as "the Corporation") of the one part and the Birmingham and Midland Tramways Limited (hereinafter referred to as "the Birmingham Company") of the other part the Corporation in pursuance of the power in that 25 behalf contained in section 59 of the said Order transferred the undertaking authorised by and all their rights duties obligations and liabilities under the said Order to the Birmingham Company and the Birmingham Company became the Undertakers for the purposes of the said Order (hereinafter called "the principal Order") subject to the 30 exceptions and modifications and upon the terms in the said indenture appearing :

And whereas it is expedient that the Birmingham Company be empowered to transfer the said undertaking to the Shropshire Worcester- 35 shire and Staffordshire Electric Power Company (hereinafter referred to as "the Shropshire Company") :

The following provisions shall accordingly have effect under this Order :--

Short title.

1. This Order may be cited as the Smethwick Electric Lighting Order 1910.

40

[10 Edw. 7.] *Electric Lighting Provisional Orders (No. 1).* 39 A.D. 1910.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 are not incorporated with this Order.

*Smethwick.*  
Exception of the  
Electric Lighting  
(Clauses) Act  
1899.

3. The Birmingham Company may within one year after the commencement of this Order (or such extended period not exceeding  
5 in the whole two years as the Board of Trade may allow) with the consent of and upon such terms and conditions as may be approved by the Board of Trade by deed to be approved by that Board transfer to the Shropshire Company and the Shropshire Company may take a transfer of the said undertaking and upon such transfer all rights  
10 powers authorities obligations and liabilities of the Birmingham Company in respect of the said undertaking however arising shall subject to the provisions contained in the deed of transfer and (unless otherwise agreed by the Corporation) in the said recited indenture of the 16th day of July 1907 be transferred to the Shropshire Company  
15 and the Shropshire Company shall subject to such provisions become the Undertakers for the purposes of the principal Order.

As to transfer.

4. Except for the purpose of enabling the Shropshire Company to supply energy within the borough of Smethwick for all public and private purposes under and in accordance with the provisions of the  
20 principal Order and this Order nothing in this Order shall be deemed to alter or vary the provisions of section 11 of the Shropshire Worcestershire and Staffordshire Electric Power Act 1906 as applicable to the undertaking authorised by that Act.

Saving s. 11  
of the Shropshire  
Worcestershire  
and Staffordshire  
Electric Power Act  
1906.

5. This Order shall come into force upon the day when the Act  
25 confirming this Order is passed and that day is in this Order referred to as the commencement of this Order.

Commencement of  
Order.

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### WIDNES ELECTRIC LIGHTING.

*Widnes.*

*Provisional Order granted by the Board of Trade under the  
Electric Lighting Acts 1882 and 1888 to the Mayor  
30 Aldermen and Burgesses of the Borough of Widnes for the  
amendment of the Widnes Electric Lighting Order 1901.*

1. This Order may be cited as the Widnes Electric Lighting  
Order 1901 Amendment Order 1910 and the Widnes Electric Lighting  
Order 1901 (hereinafter called "the principal Order") the Widnes  
35 Electric Lighting Order 1901 Amendment Order 1904 (hereinafter called  
"the 1904 Order") and this Order may be cited together as the Widnes  
Electric Lighting Orders 1901 to 1910.

Short title.

2. Subject to the provisions incorporated with the principal Order  
the Undertakers are specially authorised by this Order to break up

Power to  
break up  
streets and  
railways.

40 *Electric Lighting Provisional Orders (No. 1).* [10 EDW. 7.]

A.D. 1910. the streets and parts of streets not repairable by the local authority  
and the railways mentioned in the schedule to this Order.

Widnes.  
Compulsory  
works.

3.—(1) Section 6 and the Third Schedule of the principal Order shall be read and have effect as though Anne Street East and Anne Street West had been omitted from such schedule and as though 5 Mersey Road Waterloo Road Victoria Road Widnes Road and Albert Road to its junction with Peel House Lane had been inserted in lieu thereof.

(2) The date from which the periods of two years and eighteen months are to be reckoned for the purposes of section 21 of the schedule to the Electric Lighting (Clauses) 1899 as incorporated with the principal Order shall be the commencement of this Order. 10

Power to  
transfer.

4.—(1) At any time within one year (or such extended period not exceeding in the whole fifteen months as the Board of Trade may allow) after the commencement of this Order the Undertakers for the purposes of the principal Order as amended by this Order may with the consent of and upon such terms and conditions as may be approved by the Board of Trade by deed to be approved by that Board transfer the undertaking authorised by the principal Order as amended by this Order to the Salt Union Limited (whose registered office is situate at Colonial House Water Street in the city of Liverpool) or to a company formed or to be formed by or in connection with the Salt Union Limited for the purpose of acquiring the undertaking and approved by the Board of Trade and on such transfer being made the rights powers authorities obligations and liabilities of the Undertakers in respect to the undertaking shall be transferred to and may be exercised by and shall attach to the Salt Union Limited or to such company as the case may be and the Salt Union Limited or such company as the case may be shall subject to the provisions of the principal Order as amended by this Order become the Undertakers for the purposes of the principal Order as so amended. 15 20 25 30

Maximum  
prices  
chargeable by  
transferees.

(2) Notwithstanding anything contained in the principal Order the prices which the Salt Union Limited or other the company acquiring the undertaking shall be entitled to charge shall be subject to the provisions of an agreement dated the 24th day of January 1910 and made between the mayor aldermen and burgesses of the borough of Widnes of the first part George Henry Cox and Herman John Falk of the second part and the Salt Union Limited of the third part a copy of which agreement certified by the parties is deposited with the Board of Trade. 35

Commence-  
ment of  
Order.

5. This Order shall come into force upon the day when the Act confirming this Order is passed and that day is in this Order referred to as the commencement of this Order. 40

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SCHEDULE.

A.D. 1910.

Widnes.

*List of streets and parts of streets not repairable by the local authority and railways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order:—*

## 5 (a) STREETS:

- Ditton Road road leading from Ditton Road to Marsh Alkali Works and bridges and approaches carrying the same over the London and North Western Railway Company's lines and the lines of the Great Central and Midland Joint Railway lane leading from Tan House Lane to Anne Street East Moss lane Tan House Lane except such part thereof as lies between the Mersey Chemical Works level-crossing and Carter's Bridge bridges and approaches carrying Peelhouse Lane Moorfield Road and Barrows Green Lane over the Cheshire Lines Railway.

## 15 (b) RAILWAYS:

- Level-crossing over railway siding in Waterloo Road near Milton Street level-crossing over railway siding in West Bank Street near Milton Street level-crossing of the London and North Western Railway in Waterloo Road south of Widnes Railway Station level-crossing of the London and North Western Railway (Saint Helens and Widnes Branch) in Anne Street East and Anne Street West level-crossings of the Great Central and Midland Joint Railway in Tan House Lane near Pilkington's Works.



**Electric Lighting  
Provisional Orders  
(No. 1).**

---

**A  
B I L L**

INTITULED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Chesham (Extension) Church Clevedon Dawlish (Amendment) Derby (Extension) Gorseinon Huddersfield (Extension to South Crosland) Ormskirk (Amendment) Runcorn Urban and Runcorn Rural Runcorn (Weston) Smethwick (Amendment) and Widnes (Amendment).

*(Brought from the Commons 4th July 1910.)*

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Ordered to be printed 4th July 1910.

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[10 EDW. 7.] *Electric Lighting Provisional Orders (No. 2).* 1

A

# B I L L

INTITULED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 relating to Ardrossan Saltecoats and District Cambuslang (Extension) Cowdenbeath Lochgelly and District and Skelmorlie. A.D. 1910.

**W**HEREAS under the authority of the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 the Board of Trade have made the several Provisional Orders set out in the schedule to this Act : 45 & 46 Vict.  
c. 56.  
51 & 52 Vict.  
c. 12.  
53 & 54 Vict.  
c. 13.  
2 Edw. 7. c. 35.

And whereas a Provisional Order made by the Board of Trade under the authority of the said Acts is not of any validity or force whatever until the confirmation thereof by Act of Parliament :

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the authority of the said Acts as set out in the schedule to this Act be confirmed by Act of Parliament :

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

**1.** This Act may be cited as the Electric Lighting Orders Confirmation (No. 2) Act 1910. Short title.

**2.** The several Orders as amended and set out in the schedule to this Act are hereby confirmed and the same shall from and (83) Orders in schedule confirmed.

A



A.D. 1910. after the passing and subject to the provisions of this Act have full validity and effect.

For protec-  
tion of Fife  
County  
Council.

**3.**—(1) Nothing in the Cowdenbeath Lochgelly and District Electric Lighting Order 1910 confirmed by this Act shall in any way limit or affect the powers of the County Council of the county of Fife (in this section referred to as “the County Council”) to rebuild alter widen or repair the structure of any bridge upon which any work by the Order authorised shall be constructed or impose upon the County Council any liability which was not by law imposed upon them prior to the commencement of the Order. 5 10

(2) If at any time the County Council require to carry out works for rebuilding altering widening or repairing any bridge which might involve interference with any portion of the undertaking by the Order authorised they shall prior to the commencement of such work give the Undertakers one month’s notice of their intention to carry out such works and if in order to avoid interruption to the supply by the Undertakers of electrical energy it is in the opinion of the County Council necessary to temporarily remove the mains and other electrical appliances belonging to the Undertakers from such bridge then the Undertakers shall (and they are hereby authorised so to do) at their own expense temporarily carry their cables and wires across such bridge overhead or at the side thereof in such a manner as will not be a danger or inconvenience to the public or unreasonably interfere with the works to be carried out by the County Council. 15 20 25

(3) When the rebuilding altering widening or repairing of such bridge shall have been completed the Undertakers shall have the same rights and powers with regard to such bridge and its approaches as they had before the works were carried out. 30

(4) If any dispute arises between the County Council and the Undertakers with regard to this section the same shall be determined by an arbiter to be appointed on the application of either party by the Board of Trade. 35

SCHEDULE.

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A.D. 1910.

LIST OF ORDERS.

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- 5
 1. ARDROSSAN SALTCOATS AND DISTRICT.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to George Balfour.
  - 10
 2. CAMBUSLANG (EXTENSION).—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to the County Council of the county of Lanark.
  - 15
 3. COWDENBEATH LOCIGELLY AND DISTRICT.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to George Balfour.
  - 20
 4. SKELMORLIE.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to William Cornfoot Philp and Reginald Vandezee Farnham trading together as the Skelmorlie Electrical Supply Company.
-

A.D. 1910.

ARDROSSAN SALTCOATS AND DISTRICT  
ELECTRIC LIGHTING.

<i>Ardrossan Saltcoats and District.</i>	<i>Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to George Balfour in respect of the Burghs of Ardrossan and Saltcoats and a portion of the Parish of Stevenston in the County of Ayr.</i>	5
Short title.	1. This Order may be cited as the Ardrossan Saltcoats and District Electric Lighting Order 1910.	10
Incorporation of Electric Lighting (Clauses) Act 1899.	2 The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of section 84 of that schedule) are incorporated with and form part of this Order.	
Undertaker.	3. The Undertaker for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 is George Balfour of 22A College Hill Cannon Street in the City of London electrical engineer.	15
Area of supply.	4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertaker and signed by an assistant secretary to the Board of Trade.	20
Power to break up streets &c.	5. Subject to the provisions incorporated with this Order the Undertaker is specially authorised by this Order to break up the streets and parts of streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the railways and tramways which are also mentioned in that schedule.	25
Compulsory works.	6. The streets and parts of streets throughout which suitable and sufficient distributing mains for the purposes of general supply are to be laid down within a period of two years after the commencement of this Order are those mentioned in the Third Schedule to this Order.	30
Maximum prices.	7. The maximum prices which may be charged by the Undertaker as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.	35
Deposit.	8. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is two hundred and fifty pounds made up as follows (namely) one hundred	

[10 EDW. 7.] *Electric Lighting Provisional Orders (No. 2).* 5

pounds in respect of the burgh of Ardrossan one hundred pounds in respect of the burgh of Saltcoats and fifty pounds in respect of the parish of Stevenston.

A.D. 1910.

*Ardrossan  
Saltcoats and  
District.*

Purchase by  
local autho-  
rities.

9.—(1) If the local authorities in whose districts the area of supply  
5 is situate obtain from the Board of Trade a Provisional Order for the  
joint exercise by them by the constitution of a joint committee or  
joint board or otherwise of the powers conferred upon the Undertaker  
by this Order and such Provisional Order is confirmed by Parliament  
they may jointly acquire the undertaking on the following terms and  
10 conditions:—

(A) The said local authorities may at the expiration of a period  
of thirty years from the commencement of this Order or at  
the end of any subsequent period of seven years by six  
months' previous notice in writing require the Undertaker  
15 to sell and thereupon the Undertaker shall sell to them the  
undertaking (including all lands buildings works materials  
and plant suitable to and used by the Undertaker for the  
purposes of the undertaking) upon the terms of the said  
local authorities paying to the Undertaker the fair market  
20 value of the undertaking as a going concern such value to  
be determined in default of agreement by arbitration:

(B) The Board of Trade may determine any question which  
arises with reference to the purchase which is not to be  
determined by arbitration and in default of agreement as  
25 to the date on which the purchase is to take effect may fix  
that date:

(C) From the date on which any such purchase takes effect the  
undertaking shall vest in the local authorities freed from  
all debts mortgages or other similar obligations of the  
30 Undertaker or attaching to the undertaking and the powers  
of the Undertaker in relation to the supply of electricity  
within the area of supply under this Order or the principal  
Act shall absolutely cease and determine and shall vest in  
the said local authorities who shall become the Undertakers  
35 for the purposes of this Order:

(D) For the purpose of enabling the said local authorities to  
determine whether they will exercise the said power of joint  
purchase the works plant and accounts of the undertaking  
shall be open to inspection by any person appointed for  
40 that purpose by the said local authorities at any time between  
the fifteenth day of February and the fifteenth day of May  
in each year in which the said local authorities may under  
this section purchase the undertaking and the Undertaker

6 *Electric Lighting Provisional Orders (No. 2).* [10 EDW. 7.]

A.D. 1910.  
*Ardrossan  
Salcoats and  
District.*

shall afford to such person every possible facility for such inspection :

(E) The Undertaker shall on or before the fifteenth day of February in each year in which the said local authorities may under this section purchase the undertaking submit to the said local authorities a copy of the last balance sheet of the affairs of the undertaking. 5

(2) If the special power of joint purchase herein-before contained shall not in the meantime have been exercised each local authority may acquire so much of the undertaking as is situated in its district under section 2 of the Electric Lighting Act 1888 Provided that the period of forty-two years mentioned in that section shall be reckoned from the commencement of this Order. 10

Undertaking  
to be trans-  
ferred to a  
registered  
company.

10.—(1) The powers given by this Order shall not be exercised unless within twelve months or such extended period not exceeding in the whole fifteen months as the Board of Trade allow after the passing of the Act confirming this Order the Undertaker transfers the undertaking to a limited company registered under the Companies (Consolidation) Act 1908 and approved by the Board of Trade for the purpose. 15 20

(2) Within that period the Undertaker may transfer and the Company to whom the transfer is to be made may take a transfer of the undertaking with the consent of and on such terms and conditions as may be approved by the Board of Trade by deed approved by that Board. 25

(3) On any such transfer the rights powers authorities obligations and liabilities of the Undertaker in respect to the undertaking shall be transferred to and may be exercised by and shall attach to the company to whom the transfer is made and that company shall subject to the provisions of this Order become the Undertakers for the purposes of this Order. 30

(4) If the transfer directed by this Order has not been made before the expiration of the period limited in that behalf in this section the Board of Trade may revoke this Order upon the expiration of that period. 35

Commence-  
ment of  
Order.

11. Except for the purpose of enabling the transfer directed by this Order to be made this Order shall not come into force notwithstanding the confirmation thereof by Parliament until the day when the transfer takes effect and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. 40

## SCHEDULES.

A.D. 1910.

*Ardrossan  
Saltcoats and  
District.*

## FIRST SCHEDULE.

## AREA OF SUPPLY.

The burghs of Ardrossan and Saltcoats and so much of the parish  
5 of Stevenston lying outwith the said burghs as is included within the  
following boundaries:—

- (A) The eastern boundary of the burgh of Saltcoats from low-  
water mark at ordinary spring tides to a point where the  
10 Old Raise Road joins the High Road from Ardrossan to  
Stevenston on the west:
- (B) An imaginary line drawn from the said junction of the said Old  
Raise Road and High Road from Ardrossan to Stevenston  
in a north-easterly direction to the most northerly point of  
15 the special lighting district of Stevenston as said special  
lighting district is defined in the minute of meeting of the  
northern district committee of the county council of the  
county of Ayr dated 15th August 1895 and extended as  
set forth in the minute of meeting of the said committee  
dated 9th May 1907 in the steading of Kerelaw Mains on  
20 the north:
- (C) The north-eastern eastern south-eastern and southern boundaries  
of the said special lighting district to the south-westmost  
point of the said special lighting district and an imaginary  
line drawn from the said last-mentioned point in a southerly  
25 direction to a point on the shore at low-water mark at  
ordinary spring tides indicated by a stone marking the  
boundary between the Ardeer and Auchenhavie estates on  
the east and south-east:
- (D) The line of low-water mark at ordinary spring tides from the  
said stone to a point where it is intersected by the eastern  
30 boundary of the burgh of Saltcoats on the south or south-  
west.

Provided that in case of difference between the above description and  
the area as delineated on the deposited map the latter shall prevail.



A.D. 1910.

*Ardrossan  
Saltcoats and  
District.*

SECOND SCHEDULE.

*List of streets and parts of streets not repairable by the local authority railways and tramways which may be broken up by the Undertaker in pursuance of the special powers granted by this Order.*

(a) STREETS:—

5

In the burgh of Ardrossan—Hill Place Winton Street Seton Street Anderson Terrace Park Road Glasgow Lane Crescent Park Avenue Eglinton Lane Harvie Lane Barrie Terrace South Beach Road the continuation in a south-easterly direction of South Crescent from the Academy School to the burgh boundary unnamed road leading from North Beach past Chapelhill Farm to Dalry Road unnamed road from Barrie Terrace to Parkhouse Road. 10

In the burgh of Saltcoats—Campbell Avenue Donaldson Avenue Factory Place McIsaac Road Parkend Avenue Thomas Campbell Street Wylie Road unnamed lane leading from Glencairn Lane to Kerelaw Cottage Braehead Lane lane leading from McLauchlans Lane past Canal Place to Auchenharvie Colliery unnamed road leading from Victoria Place to Hirst Place across Braes Giffen Street new streets formed in Townhead lands not named Jacks Road access to Caledonian Railway Station Kerr's Lane from Montgomerie Crescent to Montgomerie Road Well Park Place roadway formerly site of railway from level-crossing at Auchenharvie Colliery running along foreshore and ending at Saltcoats Harbour. 15 20

In the parish of Stevenston—Kirkgate The Loan road forming southern access to parish church Quarry Road Moorpark Road East Hillside Street Moorpark Road West except that part west from Stevenston Station Road as far as the Roman Catholic chapel and school street known as Portland Place leading to Ardeer Foundry Station Square Lime Kiln Road. 25

And the roadways on the following bridges over railways and the approaches thereto:— 30

In the burgh of Ardrossan—bridges carrying South Beach Road Parkhouse Road and Dalry Road over Glasgow and South-Western Railway (Kilwinning and Ardrossan Branch) bridges carrying North Crescent Glasgow Street Sorbie Road and unnamed road from Barrie Terrace to Parkhouse Road over Lanarkshire and Ayrshire Railway. 35

In the burgh of Saltcoats—bridges carrying Parkend Road Victoria Road Sharphill Road Jacks Road and entrance to Laigh Dykes Farm over Lanarkshire and Ayrshire Railway bridge carrying Nine Yards Street over Glasgow and South- 40

[10 EDW. 7.] *Electric Lighting Provisional Orders (No. 2).* 9

- Western Railway (Kilwinning and Ardrossan Branch) bridge known as Gasworks Bridge carrying road over Glasgow and South-Western Railway (Kilwinning and Ardrossan Branch) bridge carrying access to the Manse over Glasgow and South-Western Railway (Kilwinning and Ardrossan Branch) bridge known as Bankside Bridge over Glasgow and South-Western Railway (Kilwinning and Ardrossan Branch). A.D. 1910.  
*Ardrossan Saltcoats and District.*
- 5
- And the roadways under the following railway bridges:—
- 10 In the burgh of Ardrossan—bridge carrying Glasgow and South-Western Railway (Kilwinning and Ardrossan Branch) over road leading from North Beach past Chapelhill Farm to Dalry Road.
- In the burgh of Saltcoats—bridge carrying Lanarkshire and Ayrshire Railway over Canal Street.
- 15 In the parish of Stevenston—bridge carrying Lanarkshire and Ayrshire Railway over New Street.
- (b) RAILWAYS:—
- The following level-crossings:—
- 20 In the burgh of Ardrossan—Glasgow and South-Western Railway (Harbour Branch) crossing Princes Street and crossing extension of Harbour Street towards harbour.
- In the burgh of Saltcoats—Glasgow and South-Western Railway (Kilwinning and Ardrossan Branch) crossing road from McLauchlans Lane to the shore.
- 25 In the parish of Stevenston—Glasgow and South-Western Railway (Kilwinning and Ardrossan Branch) crossing road at Stevenston Station).
- (c) TRAMWAYS:—
- The tramways of the Ardrossan Saltcoats and District Tramways Company so far as not constructed within the ground belonging to Nobel's Explosives Company Limited.
- 30

### THIRD SCHEDULE.

- List of streets and parts of streets throughout which suitable and sufficient distributing mains for the purposes of general supply are to be laid down within a period of two years after the commencement of this Order.*
- 35

In the burgh of Ardrossan—Glasgow Street from Winton Street to Princes Street Princes Street thence along Arran Place and South Crescent to the burgh boundary in Ardrossan Road.



10 *Electric Lighting Provisional Orders (No. 2).* [10 EDW. 7.]

A.D. 1910. In the burgh of Saltcoats—Ardrossan Road from burgh boundary  
*Ardrossan* on west thence along Hamilton Street Dockhead Street Bradshaw Street  
*Saltcoats and* Nine Yards Street from Bradshaw Street to Kyleshill Kyleshill and  
*District.* Canal Street from Kyleshill to a point opposite the eastern gable of the  
house marked No. 31 in said Canal Street Countess Street. 5

In the parish of Stevenston—Boglemart Street from the new street  
across Glebe Lands to New Street including Fullarton Place Main Street  
from New Street to Old Bridge across Stevenston Burn New Street from  
Main Street to road leading past United Free Church westwards towards  
Ardeer Quarry. 10

---

FOURTH SCHEDULE.

---

MAXIMUM PRICES.

In this schedule—

The expression “unit” shall mean the energy contained in a  
current of one thousand ampères flowing under an electro- 15  
motive force of one volt during one hour.

SECTION 1.

Where the Undertaker charges any consumer by the actual amount  
of energy supplied to him he shall be entitled to charge such consumer  
at the following rates per quarter :—For any amount up to twenty units 20  
ten shillings and for each unit over twenty units sixpence.

SECTION 2.

Where the Undertaker charges any consumer by the electrical  
quantity contained in the supply given to him he shall be entitled to  
charge such consumer according to the rates set forth in section 1 of 25  
this schedule the amount of energy supplied to such consumer being  
taken to be the product of that electrical quantity and the declared  
pressure at the consumer’s terminals that is to say such a constant  
pressure at those terminals as may be declared by the Undertaker under  
the Board of Trade regulations. 30

[10 EDW. 7.] *Electric Lighting Provisional Orders (No. 2).* 11

CAMBUSLANG ELECTRIC LIGHTING (EXTENSION). A.D. 1910.

*Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to the County Council of the County of Lanark in respect of extensions of the Special Lighting District of Cambuslang in the Parish of Cambuslang in the said county.* Cambuslang.

- 5 1. This Order may be cited as the Cambuslang Electric Lighting (Extension) Order 1910. Short title.
- 10 2. The Cambuslang Electric Lighting Order 1903 (herein-after called "the principal order") and this Order may be cited together as the Cambuslang Electric Lighting Orders 1903 and 1910. Construction.
- 15 3. Subject to the provisions of this Order there shall be added to the area of supply for the purposes of the principal order the area (in this Order called "the added area") which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. Added area of supply.
- 20 4. Notwithstanding anything contained in the Lanarkshire Electricity and Refuse Destruction Order 1903 it shall not be obligatory on the Undertakers of the Cambuslang Electric Lighting (Extension) Order 1910 to charge the whole of the expenses of and incidental to the preparing for obtaining and confirming that Order to the Cambuslang Special Lighting District only but such proportion of those expenses as the Secretary for Scotland may in the circumstances consider just and reasonable may be defrayed by those Undertakers out of such rate or rates leviable by them as the Secretary for Scotland may approve. As to costs of Cambuslang Order.
- 25 5. Subject to the provisions of the principal order the Undertakers are specially authorised to break up the streets and parts of streets within the added area not repairable by the local authority which are mentioned in the Second Schedule to this Order and the tramways which are also mentioned in that schedule. Power to break up streets &c.
- 30 6. Subject to the provisions of this Order there shall be added to the list of streets and parts of streets mentioned in the Third Schedule to the principal order (being streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply) the parts of streets within the added area mentioned in the Third Schedule to this Order. Compulsory works.
- 35 7. In the application of the principal order to the added area the expression "commencement of this Order" shall mean the day on which the Act confirming this Order is passed. Commencement of Order.
- 40

A.D. 1910.  
Cambuslang.

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

So much of the special lighting district of Cambuslang in the county of Lanark as constituted at the commencement of this Order 5 as is not included in the area of supply under the principal order.

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SECOND SCHEDULE.

*List of streets and parts of streets not repairable by the local authority and tramways within the area of supply which may be broken up by the Undertakers in pursuance of the special powers granted by 10 this Order.*

(a) STREETS :—

Mansfield Avenue Holmhill Avenue Burncleuch Avenue Kirkburn Avenue Whitfield Avenue Road to Holmhill Farm-steading Stewarton Drive New Street parallel to Stewarton Drive and on south side thereof 15 Douglas Drive West Coats Road Hunterfield Drive Chatelherault Avenue Richmond Drive Whorlepit Road road past Wellshot Brewery and Wellshot Colliery road leading from Fisheston Highway to road past Wellshot Brewery and Wellshot Colliery road from Fisheston Highway to Whitlawburn Farm-steading Huntly Drive Kinloch Avenue Dean 20 Park Drive Gilmour Place Burnside Terrace Hutchison Place road in front of Low Flemington Rows Castle Chimmins Road road to Melbourne Villa the roadway of the bridge or tunnel carrying the Greenlees Highway over the Lanarkshire and Ayrshire Railway and approaches thereto. 25

(b) TRAMWAYS :—

The tramways of the Lanarkshire Tramways Company.

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## THIRD SCHEDULE.

A.D. 1910.  
*Cambuslang.*

5 *Parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order.*

10 Greenlees Highway from its junction with the Fisheston Highway to a point three hundred yards or thereabouts southwards of the said junction Stewarton Drive from its junction with the Greenlees Highway to a point eight hundred and thirty-three yards or thereabouts westwards from the said junction.

---

COWDENBEATH LOCHGELLY AND DISTRICT  
ELECTRIC LIGHTING.

15 *Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to George Balfour in respect of the Burghs of Cowdenbeath and Lochgelly and the Parishes of Auchterderran Ballingry and Beath in the County of Fife.* *Cowdenbeath Lochgelly and District.*

20 1. This Order may be cited as the Cowdenbeath Lochgelly and District Electric Lighting Order 1910. *Short title.*

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of section 84 of that schedule) are incorporated with and form part of this Order. *Incorporation of Electric Lighting (Clauses) Act 1899.*

25 3. The Undertaker for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 is George Balfour of 22A College Hill Cannon Street in the City of London electrical engineer. *Undertaker.*

30 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertaker and signed by an assistant secretary to the Board of Trade. *Area of supply.*

35

14 *Electric Lighting Provisional Orders (No. 2).* [10 Edw. 7.]

- A.D. 1910.  
*Cowdenbeath  
Lochgelly and  
District.*  
Power to  
break up  
streets &c.  
Compulsory  
works.
5. Subject to the provisions incorporated with this Order the Undertaker is specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the railways and tramways which are also mentioned in that schedule. 5
6. The parts of streets throughout which suitable and sufficient distributing mains for the purposes of general supply are to be laid down within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. 10
- Maximum  
prices.
7. The maximum prices which may be charged by the Undertaker as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. 15
- Deposit.
8. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is two hundred pounds.
- Transfer of  
undertaking.
- 9.—(1) The powers given by this Order shall not be exercised unless within twelve months or such extended period not exceeding in the whole fifteen months as the Board of Trade allow after the passing of the Act confirming this Order the Undertaker transfers the undertaking to a limited company registered under the Companies (Consolidation) Act 1908 and approved by the Board of Trade for the purpose or to a company incorporated by Act of Parliament and empowered to apply for or take transfers of Electric Lighting Orders. 20  
25
- (2) Within that period the Undertaker may transfer and the company to whom the transfer is to be made may take a transfer of the undertaking with the consent of and on such terms and conditions as may be approved by the Board of Trade by deed approved by that Board. 30
- (3) On any such transfer the rights powers authorities obligations and liabilities of the Undertaker in respect to the undertaking shall be transferred to and may be exercised by and shall attach to the company to whom the transfer is made and that company shall subject to the provisions of this Order become the Undertakers for the purposes of this Order. 35
- (4) If the transfer directed by this Order has not been made before the expiration of the period limited in that behalf in this section the Board of Trade may revoke this Order upon the expiration of that period. 40

[10 EDW. 7.] *Electric Lighting Provisional Orders (No. 2).* 15

10. Except for the purpose of enabling the transfer directed by this Order to be made this Order shall not come into force notwithstanding the confirmation thereof by Parliament until the day when the transfer takes effect and that day for the purposes of the Electric  
 5 Lighting (Clauses) Act 1899 shall be the commencement of this Order.
- A.D. 1910.  
 Cowdenbeath  
 Lochgelly and  
 District.  
 Commence-  
 ment of  
 Order.

---

## SCHEDULES.

### FIRST SCHEDULE.

#### AREA OF SUPPLY.

- 10 The burghs of Cowdenbeath and Lochgelly and the parishes of Auchterderran Ballingry and Beath as constituted at the commencement of this Order.

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### SECOND SCHEDULE.

- 15 *List of streets not repairable by the local authority railways and tramways which may be broken up by the Undertaker in pursuance of the special powers granted by this Order.*

(a) STREETS :—

- In the burgh of Cowdenbeath—Prospect Street Pretoria Place Foulford Place Hall Street Burgh Road Christie Place Randolph Street  
 20 Arthur Place Wallace Street Woodland Place Factory Road No. 7 Pit Road Wilson Street Paul Place Natal Place Burnside Place Frankford Place Bruce Street access from High Street to Northend Show Ground Norwood Place road between east end of Church Street and east end of Thistle Street leading past slaughter-house.

- 25 In the burgh of Lochgelly—School Lane Ballingry Lane Rose Lane Gardiner Lane Richmond Lane Hall Lane Rosebank Terrace Brewery Court.

- In the parish of Auchterderran—unnamed road leading from Bowhill past Little Thornton Farm to the main road from Lochgelly to  
 30 Auchterderran unnamed road leading from main road from Bowhill to Auchterderran to Easter Bowhill unnamed road leading from main road Bowhill to Denend School unnamed road leading from Main Street Bowhill past Church of Christ to No 19 Street.



16 *Electric Lighting Provisional Orders (No. 2).* [10 EDW. 7.]

A.D. 1910.  
*Cowdenbeath  
 Lochgelly and  
 District.*

In the parish of Beath :—

Kelty District—Mossgreen Place Croall Place Kelty Hill Road Dewars Row Church Row Adam Terrace Manse Road Moray Street road known as Shiells Road or Bath Street leading from main road at Kelty westwards to the Great North Road roads known as Blackhall Road and Moss Green Road respectively leading from Gask Road to Keltyhill Road. 5

Lassodie District—road branching off to west from the main road from Kingseat to Cantsdam through Fairfield to Lassodie.

Morayfield—road branching off Great North Road near Cowdenbeath in a westerly direction to back of Round Hill. 10

In the parish of Ballingry :—

Lochore—road known as Fairport Road leading from Lochore to Ballingry Loanhead Avenue.

And the roadways on the following bridges over railways and the approaches thereto :— 15

In the burgh of Cowenbeath—bridge carrying Bridge Street over North British Railway (Dunfermline and Thornton Section) bridge carrying Broad Street over North British Railway (Inverkeithing and Perth Section). 20

In the parish of Auchterderran—bridges carrying main road from Lochgelly to Auchterderran over North British Railway (Dunfermline and Thornton Section) and over North British Railway (Glencraig Branch).

In the parish of Beath—bridge carrying main road Lumphinnans over North British Railway (Inverkeithing and Perth Section) bridge carrying main road from Cantsdam to Kelty over North British Railway (West of Fife Section) bridge carrying Great North Road over North British Railway (West of Fife Section) near junction of said road with South Black Road. 25 30

In the parish of Ballingry—bridge carrying main road Lump-hinnans over North British Railway (Dunfermline and Thornton Section) bridge carrying main road Lochore over North British Railway (Lochore Branch).

And the roadways under the following railway bridges :— 35

In the burgh of Cowdenbeath—bridges carrying North British Railway (Inverkeithing and Perth Section) over High Street and over Union Street.

In the burgh of Lochgelly—Bridge carrying North British Railway (Dunfermline and Thornton Section) over Station Road. 40

[10 EDW. 7.] *Electric Lighting Provisional Orders (No. 2).* 17

- In the parish of Auchterderran—bridge carrying North British Railway (Craighead Branch) over main road from Auchterderran to Bowhill bridges carrying North British Railway (Dunfermline and Thornton Section) over main road Bowhill at Cardenden Station and over road from Bowhill to Cardenden Village. A.D. 1910.  
*Cowdenbeath  
Lochgelly and  
District.*
- 5
- In the parish of Beath—bridge carrying North British Railway (West of Fife Section) over road leading from Kingseat and Cantsdam Road to Fairfield.
- (b) RAILWAYS :—
- 10 The following level crossings :—
- In the burgh of Cowdenbeath—mineral railway belonging to Fife Coal Company Limited crossing High Street Moss-side mineral railway belonging to Fife Coal Company Limited crossing Broad Street.
- 15 In the burgh of Lochgelly—mineral railway belonging to Lochgelly Iron Company Limited crossing Auchterderran Road.
- In the parish of Beath—mineral railway to Hill of Beath belonging to Fife Coal Company Limited crossing main road from Dunfermline to Cowdenbeath and crossing main road from Hill of Beath to Kelty mineral railway to Mossbeath Colliery belonging to Fife Coal Company Limited crossing Moss-side Road mineral railway belonging to Fife Coal Company Limited to Kirkford Pit crossing road between Kelty and Crossgates North British Railway (Blairadam Section) crossing Main Street Kelty near Church Row mineral railway belonging to North British Railway (Blairadam Section) crossing Great North Road near Kelty Station mineral railway belonging to North British Railway (West of Fife Section) crossing road leading from Kingseat and Cantsdam to Fairfield mineral railway belonging to Thomas Spowar and Company crossing road from Fairfield to Lassodie.
- 20
- 25
- 30
- In the parish of Auchterderran—North British Railway (Craighead Branch) crossing road from Bowhill past Little Thornton to the main road from Lochgelly to Auchterderran.
- 35 (c) TRAMWAYS :—
- The tramways of the Dunfermline and District Tramways Company.



A.D. 1910.

THIRD SCHEDULE.

*Cowdenbeath  
Lochgelly and  
District.*

*List of parts of streets throughout which suitable and sufficient distributing mains for the purposes of general supply are to be laid down within a period of two years after the commencement of this Order.*

In the burgh of Cowdenbeath—Broad Street from the bridge over 5  
the North British Railway (Inverkeithing and Perth Section) to the  
junction of that street with High Street High Street from its junction  
with Broad Street northwards to a point opposite the entrance to  
Northend Show Ground.

In the burgh of Lochgelly—Main Street from a point opposite School 10  
Lane eastwards to its junction with High Street that portion of High  
Street between Main Street and Hall Street Bank Street from its junction  
with Main Street to a point opposite the northern boundary of the manse  
grounds.

In the parish of Beath:— 15

Kelty District—Main Street from its junction with South Black or  
Lindsay Road to a point opposite the northern boundary of the  
grounds of the United Free Church manse.

In the parish of Ballingry:—

Lochore—main road from the point where it is intersected by 20  
Fairport Road and Loanhead Avenue to the bridge over the  
North British Railway (Lochore Branch).

In the parish of Auchterderran:—

Glencraig—main road from Lochore to Lochgelly from the bridge 25  
over the Lochfitty Burn southwards to the south end of Gordon  
Place.

Bowhill—main road from the road leading to Little Thornton  
Farm to the bridge carrying the North British Railway  
(Dunfermline and Thornton Section) over the main road.

FOURTH SCHEDULE.

30

MAXIMUM PRICES.

In this schedule:—

The expression “unit” shall mean the energy contained in a  
current of one thousand ampères flowing under an electro-  
motive force of one volt during one hour.

35

[10 EDW. 7.] *Electric Lighting Provisional Orders (No. 2).* 19

## SECTION 1.

A.D. 1910.

Where the Undertaker charges any consumer by the actual amount of energy supplied to him he shall be entitled to charge such consumer at the following rates per quarter:—For any amount up to twenty 5 units ten shillings and for each unit over twenty units sixpence.

*Cowdenbeath  
Lochgelly and  
District.*

## SECTION 2.

Where the Undertaker charges any consumer by the electrical quantity contained in the supply given to him he shall be entitled to charge such consumer according to the rates set forth in section 1 of 10 this schedule the amount of energy supplied to such consumer being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertaker under the Board of Trade regulations.

## 15 SKELMORLIE ELECTRIC SUPPLY.

*Provisional Order granted by the Board of Trade under the Skelmorlie.  
Electric Lighting Acts 1882 and 1888 the Electric  
Lighting (Scotland) Act 1890 and the Electric Lighting  
Lighting (Scotland) Act 1902 to William Cornfoot Philp and  
20 Reginald Vandezee Farnham trading together as The  
Skelmorlie Electrical Supply Company in respect of  
portions of the Parish of Largs in the County of Ayr.*

1. This Order may be cited as the Skelmorlie Electric Supply Short title.  
Order 1910.

25 2. The provisions contained in the schedule to the Electric Incorporation of Elec-  
Lighting (Clauses) Act 1899 (with the exception of section 84 of tric Lighting  
that schedule) are incorporated with and form part of this Order. (Clauses) Act  
1899.

3. The Undertakers for the purposes of this Order and within 30 the meaning of section 2 of the schedule to the Electric Lighting  
(Clauses) Act 1899 are William Cornfoot Philp whose address is Wemyss Bay Hydropathic Skelmorlie and Reginald Vandezee Farnham whose address is Audley End Skelmorlie trading together as the Skelmorlie Electrical Supply Company.

35 4. The area of supply for the purposes of this Order and within Area of  
the meaning of section 4 of the schedule to the Electric Lighting supply.  
(Clauses) Act 1899 shall be the area which is described in the First  
Schedule to this Order and is more particularly delineated on the

20 *Electric Lighting Provisional Orders (No. 2).* [10 EDW. 7.]

- A.D. 1910. map deposited together with this Order at the Board of Trade by  
*Skelmorlie.* the Undertakers and signed by an assistant secretary to the Board  
of Trade.
- Power to break up streets &c. 5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets and parts of streets not repairable by the local authority which are mentioned in the Second Schedule to this Order. 5
- Compulsory works. 6. The streets and parts of streets throughout which suitable and sufficient distributing mains for the purpose of general supply are to be laid down within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. 10
- Maximum prices. 7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. 15
- Powers not to be exercised unless undertaking is transferred to a registered company. 8.—(1) The powers given by this Order shall not be exercised unless within twelve months or such extended period not exceeding in the whole fifteen months as the Board of Trade may allow after the passing of the Act confirming this Order the Undertakers transfer the undertaking to a limited company registered under the Companies (Consolidation) Act 1908 and approved by the Board of Trade for the purpose. 20
- (2) Within that period the Undertakers may transfer and the company to whom the transfer is to be made may take a transfer of the undertaking with the consent of and on such terms and conditions as may be approved by the Board of Trade by deed approved by that Board. 25
- (3) On such transfer the rights powers authorities obligations and liabilities of the Undertakers in respect of the undertaking shall be transferred to and may be exercised by and shall attach to the company to whom the transfer is made and that company shall subject to the provisions of this Order become the Undertakers for the purposes of this Order. 30
- (4) If the transfer directed by this Order has not been made before the expiration of the period limited in that behalf in this section the Board of Trade may revoke this Order upon the expiration of that period. 35
- Deposit. 9. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is one hundred pounds. 40

[10 EDW. 7.] *Electric Lighting Provisional Orders (No. 2).* 21

10. Except for the purposes of enabling the transfer directed by this Order to be made this Order shall not come into force notwithstanding the confirmation thereof by Parliament until the day when the transfer takes effect and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

A.D. 1910.  
*Skelmorlie.*  
Commence-  
ment of  
Order.

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## SCHEDULES.

### FIRST SCHEDULE.

#### AREA OF SUPPLY.

- That portion of the parish of Largs in the county of Ayr included
- 10 within the area bounded by a line commencing at a point on the high-water mark near the mouth of the Kelly Burn on the Firth of Clyde in the said parish of Largs and proceeding thence southward along high-water mark of the said Firth of Clyde and following the bends thereof to a point on the high-water mark directly opposite the mouth
- 15 of the Blackhouse Burn adjoining the public highway from Greenock to Largs where the road leads to the site of Saint Fillan's Chapel proceeding thence eastwards in a line with the said Blackhouse Burn for a distance if measured in a straight line of nine hundred and forty yards or thereabouts proceeding thence in a straight line in a
- 20 northward direction for a distance of two miles one thousand four hundred and fifty yards or thereabouts to the Kelly Burn proceeding thence in a westerly direction following the course of that burn to the point of commencement above described a distance if measured in a straight line of nine hundred and sixty-six yards or thereabouts:
- 25 Provided that in case of difference between the description in this schedule and the area as delineated on the deposited map the latter is to prevail.

---

### SECOND SCHEDULE.

- 30 *List of streets not repairable by the local authority which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.*

The footpath or road leading from the Kelly Bridge Road to Montgomery Terrace :

22 *Electric Lighting Provisional Orders (No. 2).* [10 Edw. 7.]

A.D. 1910.  
—  
*Skelmorlie.*

Crescent Road from its junction with Eglinton Terrace and Montgomery Terrace to a point on the said road opposite to the plot of ground marked No. 1369 on Sheet No. 1—7 of the 25-inch Ordnance survey map of Ayrshire (second edition 1897):

The unnamed road leading from Crescent Road to the private 5 house known as Heathfield from its junction with Crescent Road to a point on the said unnamed road opposite to Heathfield:

The unnamed road leading from Eglinton Terrace by Annat Yard to Beithglass:

The unnamed road leading from Eglinton Terrace to Skelmorlie 10 Mains:

The unnamed road leading from Skelmorlie Castle Road by Millburn Cottage to Bridgend:

The unnamed road leading from Saint Fillan's Road to Auchengarth:

The unnamed road leading from Saint Fillan's Road to Millrig: 15

The unnamed road with steps adjoining the Established Church ground leading from the Shore Road to the avenue forming access to Upper Skelmorlie; and

The unnamed road adjoining the grounds of the Wemyss Bay Hydropathic Skelmorlie on the south-west leading from the Shore Road 20 to the Terrace Road.

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THIRD SCHEDULE.

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*List of streets and parts of streets throughout which suitable and sufficient distributing mains for the purposes of general supply are to be laid down within a period of two years after the commencement of this 25 Order.*

That part of the public highway known as the Shore Road from Kelly Burn Bridge southward to a point near the main entrance gate of Skelmorlie Bank House:

The pathway from the Shore Road adjoining the Established Church 30 ground leading to the main carriage drive to Upper Skelmorlie and thence to the cross roads where the Drive the Station Road and the Mid Skelmorlie Road meet:

That part of the public highway from the cross roads along the Mid Skelmorlie Road to the entrance of the Crescent thence round the 35 Crescent to the junction of the Mid Road with the Terrace Road:

The road from the last-named junction along the Terrace to the carriage drive to Upper Skelmorlie:

[10 EDW. 7.] *Electric Lighting Provisional Orders (No. 2).* 23

The pathway from the said Terrace forming the lane adjoining the Wemyss Bay Hydropathic Skelmorlie to the Shore Road: A.D. 1910.  
*Skelmorlie.*

The road from the junction of the Terrace Road with the Mid Skelmorlie Road southward to the foot of the road leading to Skelmorlie  
5 Mains:

And the road from the south end of the Crescent eastward along the Halkethburn Road to the corner of the second unnamed avenue above the Crescent.

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#### FOURTH SCHEDULE.

##### 10 MAXIMUM PRICES.

In this schedule—

The expression “unit” shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

##### 15 SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter:—For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units  
20 eightpence.

##### SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule  
25 the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

# Electric Lighting Provisional Orders (No. 2).

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A

B I L L

INTITLED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 relating to Ardrossan Saltcoats and District Cambuslang (Extension) Cowdenbeath Lochgelly and District and Skehornlie.

*(Brought from the Commons 4th July 1910.)*

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Ordered to be printed 4th July 1910.

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(83)



A

## B I L L

INTITULED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Navan and Swinford. A.D. 1910.

**W**HEREAS under the authority of the Electric Lighting Acts 1882 and 1888 the Board of Trade have made the several Provisional Orders set out in the schedule to this Act: 45 & 46 Vict.  
c. 56.  
51 & 52 Vict.  
c. 12.

And whereas a Provisional Order made by the Board of Trade under the authority of the said Acts is not of any validity or force whatever until the confirmation thereof by Act of Parliament:

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the authority of the said Acts as set out in the schedule to this Act be confirmed by Act of Parliament:

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

**1.** This Act may be cited as the Electric Lighting Orders Confirmation (No. 3) Act 1910. Short title.

**2.** The several Orders as set out in the schedule to this Act are hereby confirmed and the same shall from and after the passing of this Act have full validity and effect. Orders in  
schedule  
confirmed.

A.D. 1910.

SCHEDULE.

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LIST OF ORDERS.

1. NAVAN.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the urban district council of Navan. 5

2. SWINFORD.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the rural district council of Swinford.

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[10 EDW. 7.] *Electric Lighting Provisional Orders (No. 3).* 3

NAVAN ELECTRIC LIGHTING.

A.D. 1910.

*Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Navan Urban District Council in respect of the Urban District of Navan in the County of Meath.*

*Navan  
Electric  
Lighting.*

- 5      1. This Order may be cited as the Navan Electric Lighting Order 1910. Short title.
- 10     2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of section 83 of that schedule) are incorporated with and form part of this Order. Incorporation of the Electric Lighting (Clauses) Act 1899.
3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the urban district council of Navan. Undertakers.
- 15     4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an Assistant Secretary to the Board of Trade. Area of supply.
- 20     5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the street not repairable by the local authority which is mentioned in the Second Schedule to this Order and the railway which is also mentioned in that schedule. Power to break up street &c.
- 25     6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. Compulsory works.
- 30     7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. Maximum prices.
- 35     8. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. Commencement of Order.

A.D. 1910.

*Navan  
Electric  
Lighting.*

SCHEDULES.

FIRST SCHEDULE.

*Area of Supply.*

The urban district of Navan as constituted at the commencement of this Order. 5

SECOND SCHEDULE.

*Street not repairable by the local authority and railway which may be broken up by the Undertakers in pursuance of the special powers granted by this Order:—*

(A) STREET: 10

The street at Leighsbrook between Chapel Lane and the Midland Great Western Railway.

(B) RAILWAY:

The level crossing on the Great Northern Railway (Ireland) in Railway Street. 15

THIRD SCHEDULE.

*List of streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order:—* 20

Market Square Trimgate Street Chapel Lane Railway Street from Chapel Lane to Railway Station Ludlow Street Bridge Street Academy Street from Bridge Street to Railway Bridge Watergate Street Pollboy Bridge Pollboy Street from Pollboy Bridge to New Lane Barrack Lane from Watergate Street to Cavalry Barracks Church Hill Bedford Place. 25

[10 EDW. 7.] *Electric Lighting Provisional Orders (No. 3).* 5

FOURTH SCHEDULE.

A.D. 1910.

*Navan  
Electric  
Lighting.*

MAXIMUM PRICES.

In this schedule—

- 5 The expression “unit” shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

SECTION 1.

- 10 Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter:—For any amount up to twenty units eleven shillings and eightpence and for each unit over twenty units sevenpence.

SECTION 2.

- 15 Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those  
20 terminals as may be declared by the Undertakers under the Board of Trade regulations.

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SWINFORD ELECTRIC LIGHTING.

- 25 *Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Rural District Council of Swinford in respect of the Town of Swinford in the County of Mayo.* *Swinford Electric Lighting.*

1. This Order may be cited as the Swinford Electric Lighting Order 1910. Short title.
- 30 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of section 83 of that schedule) are incorporated with and form part of this Order. Incorporation of the Electric Lighting (Clauses) Act 1899.
3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the rural district council of Swinford. Undertakers.

6 *Electric Lighting Provisional Orders (No. 3).* [10 EDW. 7.]

- A.D. 1910. 4. The area of supply for the purposes of this Order and within  
*Swinford* the meaning of section 4 of the schedule to the Electric Lighting  
*Electric* (Clauses) Act 1899 shall be the area which is described in the First  
*Lighting.* Schedule to this Order and is more particularly delineated on the map  
Area of deposited together with this Order at the Board of Trade by the 5  
supply. Undertakers and signed by an Assistant Secretary to the Board of  
Trade.
- Power to 5. Subject to the provisions incorporated with this Order the  
break up Undertakers are specially authorised by this Order to break up the  
streets. streets not repairable by the local authority which are mentioned in 10  
the Second Schedule to this Order.
- Compulsory 6. The streets throughout which the Undertakers are to lay down  
works. suitable and sufficient distributing mains for the purposes of general  
supply within a period of two years after the commencement of this  
Order as mentioned in section 21 of the schedule to the Electric 15  
Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule  
to this Order.
- Maximum 7. The maximum prices which may be charged by the Undertakers  
prices. as mentioned in section 32 of the schedule to the Electric Lighting  
(Clauses) Act 1899 are those stated in the Fourth Schedule to this 20  
Order.
- Commence- 8. This Order shall come into force upon the day when the Act  
ment of confirming this Order is passed and that day for the purposes of the  
Order. Electric Lighting (Clauses) Act 1899 shall be the commencement of  
this Order. 25

---

FIRST SCHEDULE.

*Area of Supply.*

The town of Swinford in the rural district of Swinford and county  
of Mayo.

---

SECOND SCHEDULE.

30

*List of streets not repairable by the local authority which may be broken  
up by the the Undertakers in pursuance of the special powers  
granted by this Order:—*

Market Street Chapel Street Barrack Street Circular Road Pound  
Street Connor's Lane Back Lane Mill Street.

35

[10 EDW. 7.] *Electric Lighting Provisional Orders (No. 3).* 7

THIRD SCHEDULE.

A.D. 1910.

*Swinford  
Electric  
Lighting.*

- List of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this*
- 5 *Order:—*

Market Street Chapel Street Barrack Street Circular Road Pound Street Connor's Lane Back Lane Mill Street.

FOURTH SCHEDULE.

MAXIMUM PRICES.

- 10 In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

SECTION 1.

- 15 Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter:—For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence.

SECTION 2.

- 20 Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the
- 25 product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.



**Electric Lighting  
Provisional Orders  
(No. 3).**

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A

**B I L L**

INTRODUCED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Navan and Swinford.

*(Brought from the Commons 27th June 1910.)*

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Ordered to be printed 27th June 1910.

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(64)

[1 GEO. 5.] *Electric Lighting Provisional Order (No. 4).* [H.L.] 1

A

# B I L L

## INTITULED

An Act to confirm a Provisional Order made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Bath (Extension). A.D. 1910.

**W**HEREAS under the authority of the Electric Lighting Acts 1882 and 1888 the Board of Trade have made the Provisional Order set out in the schedule to this Act : 45 & 46 Vict.  
c. 56.  
51 & 52 Vict.  
c. 12.

And whereas a Provisional Order made by the Board of Trade under the authority of the said Acts is not of any validity or force whatever until the confirmation thereof by Act of Parliament :

And whereas it is expedient that the Provisional Order made by the Board of Trade under the authority of the said Acts as set out in the schedule to this Act be confirmed by Act of Parliament :

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

**1.** This Act may be cited as the Electric Lighting Order Confirmation (No. 4) Act 1910. Short title.

**2.** The Order as set out in the schedule to this Act is hereby confirmed and the same shall from and after the passing of this Act have full validity and effect. Order in  
schedule  
confirmed.

A.D. 1910.

SCHEDULE.

*Bath*  
(*Extension*).

**BATH ELECTRIC LIGHTING (EXTENSION).**

*Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Mayor Aldermen and Citizens of the City of Bath in respect of the City of Bath and parts of the Rural District of Bath in the County of Somerset.*

Short and  
collective  
titles.

1. This Order may be cited as the Bath Electric Lighting (Extension) Order 1910 and this Order and the Bath Electric Lighting Order 1896 (herein-after called "the principal Order") may be cited together as the Bath Electric Lighting Orders 1896 and 1910. 10

Incorporation of Electric Lighting (Clauses) Act 1899 and repeal of parts of Bath Electric Lighting Order 1896.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 are (with the exception of sections 83 and 84 of that schedule) incorporated with and form part of this Order and the undertaking authorised by the principal Order and the Undertakers in respect thereof shall be subject to those provisions as if those provisions were substituted by this Order for the corresponding provisions of that Order and so much of that Order as is inconsistent with those provisions is hereby repealed without prejudice to anything done or suffered thereunder Provided that sections 23 and 65 of the said schedule shall apply to the undertaking within the added area as if the Undertakers were the local authority. 15 20

Added area  
of supply.

3. Subject to the provisions of this Order there shall be added to the area of supply for the purposes of the principal Order as amended by this Order the area (in this Order called "the added area") which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. 25

Compulsory  
works.

4. Subject to the provisions of this Order there shall be added to the list of streets and parts of streets mentioned in the Second Schedule to the principal Order (being streets and parts of streets through which the Undertakers are to lay down suitable and sufficient distributing mains) the parts of streets (within the added area) mentioned in the Second Schedule to this Order. 30 35

[1 GEO. 5.] *Electric Lighting Provisional Order (No. 4).* 3

5. Subject to the provisions of this Order there shall be added to the list of streets and tramways mentioned in the Third Schedule to the principal Order (being streets not repairable by the local authority and tramways which the Undertakers are specially authorised to break up) the streets and tramways (within the added area) which are mentioned in the Third Schedule to this Order.

A.D. 1910.

*Bath*  
(*Extension*).  
Power to  
break up  
streets and  
tramways.

6.—(1) The Undertakers shall so soon as the annual statement of accounts of the undertaking under the principal Order and this Order has been filled up in the form prescribed by the Board of Trade under the Electric Lighting Act 1882 publish in a newspaper circulating in the city of Bath a notification that such statement of accounts has been filled up and that copies of it can be obtained at the offices of the Undertakers at a price not exceeding one shilling a copy and such publication shall be in addition to and not in substitution for any publication prescribed by the Board of Trade under the Electric Lighting Act 1882.

Revision of  
prices so as  
to balance  
revenue and  
expenditure.

(2) The Undertakers shall on the expiration of the fifth complete financial year after they have commenced to supply electrical energy under this Order and on the expiration of each third succeeding year re-consider and if necessary revise and thereafter maintain the scales of prices authorised to be charged for electrical energy by the principal Order so that so far as is reasonably practicable no rate will be required for the purpose of defraying the future expenses of the said undertaking during the next three years Provided nevertheless that—

(a) the prices to be charged shall not exceed the maximum prices so authorised;

(b) the scales of prices so re-considered and revised may be from time to time in like manner re-considered and revised by the Undertakers.

(3) Nothing in this section contained shall prevent the Undertakers from entering into contracts for periods which may extend beyond the periods at which any revision may take place under the provisions of this section on special terms under special circumstances not applicable to ordinary consumers but each such contract shall provide that the price to be charged for energy supplied under such contract shall either—

(a) be subject to revision at the next triennial revision provided for in this section; or

(b) vary in the same proportion as the prices charged to ordinary consumers:

Provided that the Undertakers shall not without their consent be required to accept any price lower than the minimum price mentioned in such contract.

4 *Electric Lighting Provisional Order (No. 4).* [1 Geo. 5.]

A.D. 1910. (4) There shall not be made against the district rate or any other rate for energy used by the Undertakers for street lighting or other municipal purposes for which energy shall be employed a charge at a higher price than that charged to consumers using energy for similar purposes and for the like hours of supply. 5

*Bath*  
(*Extension*).

Saving for  
Duchy of  
Cornwall.

7. Nothing in this Order contained shall prejudice or affect any property rights powers authorities or privileges of his Royal Highness the Prince of Wales in right of his Duchy of Cornwall or of the possessor of the Duchy of Cornwall for the time being.

Commence-  
ment of  
Order.

8. In the application of the principal Order (as amended by this Order) to the added area the expression "the commencement of this Order" shall mean the day on which the Act confirming this Order is passed. 10

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SCHEDULES.

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THE FIRST SCHEDULE.

15

*Area added by this Order to the Area of Supply under the principal Order.*

Such portion of the rural district of Bath in the county of Somerset as lies within the distance of three miles from the Guildhall in the city of Bath. 20

In the case of difference between this description and the area as delineated upon the deposited map the latter shall prevail.

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THE SECOND SCHEDULE.

*List of parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order.* 25

Parish of Twerton:—

Lower Bristol Road from the boundary of the city of Bath to Bellott's Road Stanley Road from the boundary of the city of Bath to the Triangle. 30

[1 GEO. 5.] *Electric Lighting Provisional Order (No. 4).* 5

Parish of Weston :—

Weston Road from the boundary of the city of Bath to Summerfield House.

A.D. 1910.

*Bath*  
(*Extension*).

Parish of Charlcombe :—

5 Lansdown Road from the boundary of the city of Bath to Kingswood College Lodge.

Parish of Swainswick :—

Gloucester Road from the London Road to Oriel House.

---

THE THIRD SCHEDULE.

---

10 *List of streets not repairable by the local authority and tramways which by virtue of this Order may be broken up by the Undertakers in pursuance of the special powers granted by this Order.*

STREETS.

Parish of Bathampton :—

15 Blind Lane the bridge carrying Bathampton Road across the Kennett and Avon Canal the bridge carrying Mill Lane over the Great Western Railway part of the bridge carrying Mill Lane across the River Avon.

Parish of Batheaston :—

20 Avon Vale Place part of the bridge carrying Mill Lane across the River Avon.

Parish of Charlcombe :—

Fonthill Road Hamilton Road Waldegrave Road College Road.

Parish of Claverton :—

25 Ferry Lane the bridge carrying Ferry Lane across the Kennett and Avon Canal.

Parish of Combe Hay :—

30 Road to Rowley Farm and Caisson House including the road or bridge crossing the old Somerset Coal Canal Company's canal the road or bridge crossing the same canal part of the road between Combe Hay and Midford.

Parish of Monkton Combe (portion known as Combe Down) :—

35 Gladstone Road Villa Road West Brow Road (portion known as Monkton Combe Village) the road or bridge across the Old Somerset Coal Canal Company's canal leading to Monkton Combe Mills.

6      *Electric Lighting Provisional Order (No. 4).* [1 GEO. 5.]

A.D. 1910. Parish of Twerton :—

*Bath*  
*(Extension).*

Prospect Buildings Albany Road Lansdowne Terrace Burnham  
Terrace South the bridge carrying Bellott's Road Brook Road  
and Brougham Hayes over the Great Western Railway the bridge  
carrying the road from Claude Avenue to Bridge Road over the 5  
Somerset and Dorset Joint Railway part of Twerton Suspension  
Bridge and the approach thereto.

Parish of Weston :—

Victoria Nursery Road Primrose Hill Road Audley Park Road part  
of Twerton Suspension Bridge and the approach thereto.      10

TRAMWAYS.

The tramways of the Bath Electric Tramways Limited.





**Electric Lighting  
Provisional Order  
(No. 4). [H.L.]**

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A

**B I L L**

INTITLED

An Act to confirm a Provisional Order made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Bath (Extension).

*The Lord Hamilton of Dalzell.*

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Ordered to be printed 13th June 1910.

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(54.)

A

## B I L L

INTITULED

An Act to continue various Expiring Laws.

A.D. 1910.

**W**HEREAS the Acts mentioned in Part I. of the schedule to this Act are, in so far as they are in force and are temporary in their duration, limited to expire on the thirty-first day of December nineteen hundred and ten :

5 And whereas the Act mentioned in Part II. of the schedule to this Act is, to the extent aforesaid, limited to expire on the twenty-eighth day of August nineteen hundred and eleven :

And whereas the Act mentioned in Part III. of the schedule to this Act is limited to expire on the third day of December  
10 nineteen hundred and ten :

And whereas it is expedient to provide for the continuance as in this Act mentioned of those Acts, and of the enactments amending or affecting the same :

Be it therefore enacted by the King's most Excellent Majesty,  
15 by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1.—(1) The Acts mentioned in the schedule to this Act shall, to the extent specified in column three of that schedule, be  
20 continued until the thirty-first day of December nineteen hundred and eleven, and shall then expire, unless further continued.

*Continuance  
of Acts in  
schedule.*

(2) Any unrepealed enactments amending or affecting the enactments continued by this Act shall, in so far as they are temporary in their duration, be continued in like manner, whether  
25 they are mentioned in the schedule to this Act or not.

2. This Act may be cited as the Expiring Laws Continuance Act, 1910. *Short title.*

A.D. 1910.

## SCHEDULE.

Section 1.

## PART I.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.	5
(1) 3 & 4 Vict. c. 89.	The Poor Rate Exemption Act, 1840.	The whole Act.	—	
(2) 3 & 4 Vict. c. 91.	The Textile Manufactures (Ireland) Act, 1840.	The whole Act -	5 & 6 Vict. c. 68. 30 & 31 Vict. c. 60.	10
(3) 4 & 5 Vict. c. 30.	The Ordnance Survey Act, 1841.	The whole Act -	33 Vict. c. 13. 47 & 48 Vict. c. 43. 52 & 53 Vict. c. 30.	15
(4) 10 & 11 Vict. c. 98.	The Ecclesiastical Jurisdiction Act, 1847.	As to the provisions continued by 21 & 22 Vict. c. 50.	—	
(5) 14 & 15 Vict. c. 104.	The Episcopal and Capitular Estates Act, 1851.	The whole Act -	17 & 18 Vict. c. 116. 21 & 22 Vict. c. 94. 22 & 23 Vict. c. 46. 23 & 24 Vict. c. 124. 31 & 22 Vict. c. 114. s. 10.	20 25
(6) 17 & 18 Vict. c. 102.	The Corrupt Practices Prevention Act, 1854.	So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883.	26 & 27 Vict. c. 29. s. 6. 31 & 32 Vict. c. 125. 46 & 47 Vict. c. 51.	30
(7) 26 & 27 Vict. c. 105.	The Promissory Notes Act, 1863.	The whole Act -	45 & 46 Vict. c. 61.	
(8) 27 & 28 Vict. c. 20.	The Promissory Notes (Ireland) Act, 1864.	The whole Act.	—	35
(9) 28 & 29 Vict. c. 46.	The Militia (Ballot Suspension) Act, 1865.	The whole Act -	45 & 46 Vict. c. 49.	
(10) 28 & 29 Vict. c. 83.	The Locomotives Act, 1865.	The whole Act -	41 & 42 Vict. c. 58. 41 & 42 Vict. c. 77. (Part II.) 59 & 60 Vict. c. 36. 61 & 62 Vict. c. 29.	40 45

[1 GEO. 5.]

*Expiring Laws Continuance.*

3

A.D. 1910.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
5 (11) 31 & 32 Vict. c. 125.	The Parliamentary Elections Act, 1868.	So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883.	42 & 43 Vict. c. 75. 46 & 47 Vict. c. 51.
10 (12) 32 & 33 Vict. c. 21.	The Corrupt Practices Commission Expenses Act, 1869.	The whole Act -	34 & 35 Vict. c. 61.
15 (13) 32 & 33 Vict. c. 56.	The Endowed Schools Act, 1869.	As to the powers of making schemes.	36 & 37 Vict. c. 87. 37 & 38 Vict. c. 87. 52 & 53 Vict. c. 40. 8 Edw. 7. c. 39.
20 (14) 33 & 34 Vict. c. 112.	The Glebe Loan (Ireland) Act, 1870.	The whole Act -	34 & 35 Vict. c. 100. 49 Vict. c. 6.
(15) 34 & 35 Vict. c. 87.	The Sunday Observation Prosecution Act, 1871.	The whole Act.	—
25 (16) 35 & 36 Vict. c. 33.	The Ballot Act, 1872 -	The whole Act -	45 & 46 Vict. c. 50. (Municipal Elections).
30 (17) 38 & 39 Vict. c. 84.	The Parliamentary Elections (Returning Officers) Act, 1875.	The whole Act -	46 & 47 Vict. c. 51. s. 32. 48 & 49 Vict. c. 62. 49 & 50 Vict. c. 57.
35 (18) 39 & 40 Vict. c. 21.	The Jurors Qualification (Ireland) Act, 1876.	The whole Act -	57 & 58 Vict. c. 49. 61 & 62 Vict. c. 37. s. 69.
40 (19) 41 & 42 Vict. c. 41.	The Parliamentary Elections Returning Officers Expenses (Scotland) Act, 1878.	The whole Act	48 & 49 Vict. c. 62. 49 & 50 Vict. c. 58. 54 & 55 Vict. c. 49.
45 (20) 43 Vict. c. 18.	The Parliamentary Elections and Corrupt Practices Act, 1880.	The whole Act -	46 & 47 Vict. c. 51.
(21) 43 & 44 Vict. c. 42.	The Employers' Liability Act, 1880.	The whole Act -	6 Edw. 7. c. 58. s. 14.
50 (22) 46 & 47 Vict. c. 51.	The Corrupt and Illegal Practices Prevention Act, 1883.	The whole Act -	58 & 59 Vict. c. 40.
55 (23) 47 & 48 Vict. c. 70.	The Municipal Elections (Corrupt and Illegal Practices) Act, 1884.	The whole Act -	56 & 57 Vict. c. 73.

(175)

A 2

A.D. 1910.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(24) 49 & 50 Vict. c. 29.	The Crofters Holdings (Scotland) Act, 1886.	As to the powers of the Commissioners for the enlarge- ment of holdings, s. 22.	50 & 51 Vict. c. 24. 5 51 & 52 Vict. c. 63. 54 & 55 Vict. c. 41.
(25) 51 & 52 Vict. c. 55.	The Sand Grouse Pro- tection Act, 1888.	The whole Act.	— 10
(26) 52 & 53 Vict. c. 40.	The Welsh Intermediate Education Act, 1889.	As to the powers of the joint educa- tion committee and the suspen- sion of the powers of the Charity Commissioners.	53 & 54 Vict. c. 60. 15
(27) 58 & 59 Vict. c. 21.	The Seal Fisheries (North Pacific) Act, 1895.	The whole Act.	— 20
(28) 59 Vict. c. 1.	The Local Government (Elections) Act, 1896.	The whole Act.	— 25
(29) 59 & 60 Vict. c. 16.	The Agricultural Rates Act, 1896.	The whole Act.	—
(30) 59 & 60 Vict. c. 37.	The Agricultural Rates, Congested Districts, and Burgh Land Tax Relief (Scotland) Act, 1896.	The whole Act.	— 30
(31) 59 & 60 Vict. c. 48.	The Light Railways Act, 1896.	As to the powers of the Light Railway Commissioners.	— 35
(32) 61 & 62 Vict. c. 49.	The Vaccination Act, 1898	The whole Act	7 Edw. 7. c. 31. 40
(33) 2 Edw. 7. c. 18.	The Licensing (Ireland) Act, 1902.	The whole Act.	— 45
(34) 3 Edw. 7. c. 36.	The Motor Car Act, 1903	The whole Act.	—
(35) 4 Edw. 7. c. 24.	The Wireless Telegraphy Act, 1904.	The whole Act.	— 50
(36) 5 Edw. 7. c. 18.	The Unemployed Work- men Act, 1905.	The whole Act.	—

[1 GEO. 5.]

*Expiring Laws Continuance.*

5

A.D. 1910.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(37) 5 7 Edw. 7. c. 55.	The London Cab and Stage Carriage Act, 1907.	As to the abolition of the privileged cab system, s. 2.	—

## PART II.

10 7 Edw. 7 c. 56.	(38) The Evicted Tenants (Ireland) Act, 1907.	So far as it confers powers for the acquisition of land and for the determination of tenancies.	8 Edw. 7. c. 22.
15			

## PART III.

20 8 Edw. 7 c. 58.	(39) The Local Registration of Title (Ireland) Amendment Act, 1908.	The whole Act.	—
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**Expiring Laws  
Continuance.**

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A

**B I L L**

INTITLED

An Act to continue various Expiring  
Laws.

*(Brought from the Commons 22nd November 1910.)*

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Ordered to be printed 22nd November 1910.

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