CHAPTER xv.

An Act to authorise the Edinburgh and Leith Corporations Gas Commissioners to construct new Gasworks and other works and to acquire Lands and to confer further powers on the Commissioners in relation to their Gas Undertaking and for other purposes. [23rd May 1898.] A.D. 1898.

WHEREAS by the Edinburgh and Leith Corporations Gas Act 1888 (herein-after in this Act called "the Act of 1888") the works and undertakings of the Edinburgh Gas Light Company and the Edinburgh and Leith Gas Light Company were transferred to and vested in the Edinburgh and Leith Corporations Gas Commissioners incorporated by that Act (in this Act called "the Commissioners") and the Commissioners were among other things empowered to manufacture gas and to supply gas within the limits mentioned in the said Act:

And whereas by the Edinburgh and Leith Corporations Gas (Additional Powers) Act 1894 (herein-after referred to as "the Act of 1894") further powers were conferred on the Commissioners with respect to their gasworks at Leith:

And whereas by the Edinburgh Extension Act 1896 the boundaries of the city and royal burgh of Edinburgh were extended so as to include therein the then burgh of Portobello and the gasworks and undertaking of the Portobello Gas Light Company Limited situate in Portobello were thereby transferred to the corporation of Edinburgh:

And whereas by the Edinburgh Corporation Act 1897 (herein-after referred to as "the Act of 1897") the said gasworks and undertaking of the Portobello Gas Light Company Limited were transferred from the corporation of Edinburgh to and vested in the Commissioners as at and after the eleventh day of November one thousand eight hundred and ninety-six and were declared to form

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part of the undertaking of the Commissioners and the Commissioners were authorised to manufacture gas in the said works and to supply gas from the same or to discontinue or remove the said works:

And whereas by the Act of 1897 the limits for the supply of gas by the Commissioners were extended so as to include within such limits that part of the city of Edinburgh which immediately previous to the commencement of the Edinburgh Extension Act 1896 formed and comprised the burgh of Portobello:

And whereas the several existing gasworks of the Commissioners in Edinburgh and in Leith are already occupied to their utmost available space and afford no room for adequate extension of works or increase in manufacturing and storage capacity and it is expedient that the Commissioners should be empowered to construct and maintain new gasworks as herein-after mentioned:

And whereas the consumption of gas is and has for some time been rapidly increasing within Edinburgh and Leith and the Commissioners are unable from their existing works or from any extension of the same adequately to meet the demand:

And whereas it is expedient that the Commissioners should be authorised to purchase and acquire the lands situate at or near Granton and described in the First Schedule to this Act and to construct new gasworks thereon and to manufacture and store gas and to manufacture and deal in the residual products arising therefrom and from the said new gasworks to supply gas within the districts and places within which the Commissioners may supply and sell gas:

And whereas it is expedient that the Commissioners should be authorised to make and maintain the other works in this Act described in connexion with and for the more economical and convenient use and management of the Commissioners' undertaking and to purchase take acquire appropriate and use lands for the purposes of such works:

And whereas it is expedient that the Commissioners and any corporation local authority company or person should be authorised to enter into agreements as in this Act provided:

And whereas it is expedient that the agreement set forth in the Second Schedule to this Act should be confirmed:

And whereas it is expedient that the Commissioners should be authorised to discontinue remove sell and dispose of the existing gasworks and property of the Commissioners or of any part of the same:

And whereas it is expedient that the Commissioners should be authorised to purchase additional lands for the purposes of their

gas undertaking and that further powers should be conferred on the Commissioners with respect to their undertaking : A.D. 1898.

And whereas for the purposes of this Act and of the gas undertaking of the Commissioners it is expedient that the Commissioners should be authorised to apply any moneys which they are authorised to borrow under the Act of 1888 and the Act of 1894 and to borrow further money for these purposes :

And whereas it is expedient that provision should be made for the postponement of the sinking fund to be provided under this Act for the repayment of borrowed money and also for the investment of the sinking funds and the reserve fund already created under the Act of 1888 the Act of 1894 and Part V. of the Act of 1897 or that may be created under this Act :

And whereas it is expedient that the further powers herein-after contained should be conferred on the Commissioners :

And whereas plans and sections describing the lines and levels of the several works (other than gasworks) authorised by this Act and the lands proposed to be acquired for the purposes thereof and also a plan of the lands to be acquired for the gasworks purposes of this Act and books of reference to such plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of the lands required or which may be taken for the purposes and under the powers of this Act were duly deposited with the principal sheriff clerk of the county of Midlothian and the same are in this Act referred to as the deposited plans and sections and the deposited books of reference :

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

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

Short title.

1. This Act may be cited as the Edinburgh and Leith Corporations Gas Act 1898 And the Edinburgh and Leith Corporations Gas Act 1888 the Edinburgh and Leith Corporations Gas (Additional Powers) Act 1894 and Part V. of the Edinburgh Corporation Act 1897 and this Act may be cited together as the Edinburgh and Leith Corporations Gas Acts 1888 to 1898.

Incorporation of Acts.

2. The following Acts and parts of Acts so far as the same are respectively applicable for the purposes of and are not inconsistent

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with and not expressly varied by this Act are hereby incorporated with this Act:—

The Lands Clauses Acts:

The Commissioners Clauses Act 1847 with the exceptions specified in the Act of 1888:

The Gasworks Clauses Act 1847 and the Gasworks Clauses Act 1871 with the exceptions specified in the Act of 1888:

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 the crossing of roads and other interference therewith And in construing the said clauses of the said last-mentioned Act for the purposes of this Act the word "Company" shall mean the Commissioners the word "railway" the Works No. 1 No. 2 No. 3 and No. 5 authorised by this Act and the words "centre of the railway" any part of the said works.

Interpretation.

3. The several words and expressions to which by the Act of 1888 and the Acts incorporated therewith and the Act of 1894 and Part V. of the Act of 1897 meanings are assigned shall when used in this Act have the same respective meanings unless there be something in the subject or context repugnant to such construction subject to the amendments following (that is to say):—

"The city of Edinburgh" shall mean and include the city and royal burgh of Edinburgh within the limits described and defined in the Edinburgh Extension Act 1896;

"Annuity" or "annuities" shall mean and include the Edinburgh and Leith Corporations Gas Annuities created by and payable under the Act of 1888 and also the annuities created by and payable under Part V. of the Act of 1897;

"Annuitant" and "annuitants" shall mean any person or persons companies and corporations entitled to and holding Edinburgh and Leith Corporations Gas Annuities created by and payable under the Act of 1888 and under Part V. of the Act of 1897;

"The undertaking" in addition to the lands and other property described in the Act of 1888 and in the Act of 1894 and in Part V. of the Act of 1897 shall also include the gasworks and other works to be constructed by the Commissioners under the powers of this Act and the lands acquired for the gas and other purposes of the Commissioners under the authority of this Act;

"The Act of 1888" means the Edinburgh and Leith Corporations Gas Act 1888 as amended by Part V. of the Edinburgh Corporation Act 1897;

"The Act of 1894" means the Edinburgh and Leith Corporations Gas (Additional Powers) Act 1894;

"The Act of 1897" means the Edinburgh Corporation Act 1897;

"The Gas Acts" mean the Act of 1888 the Act of 1894 and Part V. of the Act of 1897 and this Act.

Purchase of lands for gasworks purposes.

4. Subject to the provisions of this Act the Commissioners may enter upon take purchase appropriate hold and use the lands delineated on the deposited plans and described in the deposited books of reference for the purposes of their gas undertaking and which lands are described in the First Schedule to this Act.

Gasworks.

5. The Commissioners may subject to the provisions of this Act upon the said lands described in the First Schedule to this Act or on any part thereof make erect construct lay down maintain renew improve enlarge extend or discontinue gasworks gasholders tanks retorts receivers sewers drains pipes machinery tramways roads approaches and other works required in and for the manufacture and distribution of gas and the conversion and utilisation of materials used in and about the manufacture of gas and of residuals and manufactured products matters and things and may make manufacture produce and store gas thereon and may supply sell and distribute gas and may manufacture store sell deal in and convert the residuals or products arising from the manufacture of gas and may do all other things usual and necessary for carrying on the undertaking of the Commissioners Provided always that the Commissioners shall not without parliamentary authority to be obtained in a future Session of Parliament (but not sooner than ten years after the passing of this Act) construct any gasworks or works for the manufacture of residuals or tip spent lime to the west of the road shown on the deposited plans as intended to be stopped up under the provisions of this Act.

Power to make works.

6. Subject to the provisions of this Act the Commissioners may make construct and maintain in the lines and according to the levels shown on the deposited plans and sections the works herein-after described or some of them or some part or parts thereof together with all necessary approaches embankments wharves sidings tramways landing stages coal tips staiths drops moorings buoys lighthouses slips warehouses roads ways bridges shoots lifts cranes and other works machinery and conveniences connected therewith or

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necessary for the said works or any of them or for the purposes of their undertaking and may enter upon take appropriate and use such of the lands in the parish of Cramond and on the foreshore ex adverso thereof delineated on the said plans and described in the deposited books of reference as may be required for the purposes of the said intended works:

The works herein referred to are the following (that is to say) :—

(1) A new road (Work No. 1) commencing at a point seventeen and a half yards or thereabouts measured in a south-westerly direction from the south-west corner of Pennywell Cottages on the public road known as West Granton Road and proceeding in a northerly direction to high-water mark of the Firth of Forth thence on the line of the sea wall or embankment herein-after described and terminating by a junction with the existing shore or Granton Harbour Road at a point in the centre line of the junction of the road leading from Granton House to the sea and the said shore or Granton Harbour Road :

(2) A sea wall or embankment (Work No. 2) commencing at a point five hundred and ninety yards or thereabouts measured in a northerly direction along the line of the new road before described from its commencement and running in a northerly and easterly direction along the foreshore of the Firth of Forth and terminating at a point on the said foreshore fifty yards or thereabouts west from the point of termination of the new road before described :

(3) A pier or jetty partly solid and partly open piling (Work No. 3) commencing at a point two hundred yards or thereabouts east of the termination of the sea wall or embankment before described and on the south side of the shore or Granton Harbour Road and running thence in a northerly direction towards Granton Point and terminating in the Firth of Forth ex adverso of the parish of Cramond at a point three hundred and eighty yards or thereabouts from the point of commencement :

(4) A diversion (Work No. 4) of the burn flowing through the lands described in the First Schedule to this Act commencing the said diversion at a point in the boundary of the said lands forty-five yards or thereabouts due north of the north wall of the Granton Mains farm buildings and terminating by a junction with the existing burn at a point on the eastern side of the said lands :

(5) A diversion (Work No. 5) of the existing drain within the aforesaid road leading from Granton House commencing the said diversion at a point on the foresaid public road known as West Granton Road where the existing drain on the south enters the said road and (notwithstanding anything shown on the deposited plans) terminating by a junction with the existing drain at or near the point of termination of Work No. 1:

Which several works herein-before described will be situate in the parish of Cramond and county of Midlothian and on the foreshore in or ex adverso of the said parish and county.

Limits of deviation.

7. In the construction of the said Works Nos. 1 2 3 4 and 5 before described the Commissioners may deviate laterally from the lines of lateral deviation as shown on the deposited plans and may deviate vertically from the levels shown on the deposited sections to any extent not exceeding five feet upwards and to any extent downwards Provided that no deviation either lateral or vertical below high-water mark shall be made without the consent in writing of the Board of Trade.

Period for compulsory purchase of lands.

8. The powers of the Commissioners for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Omission or mis-statement in plans or books of reference may be corrected.

9. If there be any omission mis-statement or erroneous description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited books of reference the Commissioners after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to the sheriff for the correction thereof and if it appear to the sheriff that the 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 respect any such matter is mis-stated or erroneously described and the decision of the sheriff in such matter shall be final The certificate of the sheriff shall be deposited in the office at Edinburgh of the principal sheriff clerk of the county of Midlothian and such certificate shall be kept by such sheriff clerk along with the other documents to which it relates and thereupon the deposited plans and books of reference shall be deemed to be corrected in accordance with the certificate and the Commissioners may enter on purchase take hold and use for the purposes of this Act any lands in accordance with such certificate as if such omission mis-statement or erroneous description had not been made.

Certificates to be deposited.

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Period for completion of works.

10. If the Works Nos. 1 to 5 inclusive before described are not completed within twelve years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Commissioners for executing any of those works not so completed shall cease except as to so much thereof as is then completed.

Agreement confirmed.

11. The Agreement as set forth in the Second Schedule of this Act made between the Duke of Buccleuch and the Commissioners is hereby confirmed and made binding on the parties thereto Provided always that the right conferred by the twelfth article of the said Agreement to tip materials on the foreshore of the Granton Estate shall be exercised only with the written consent of the Board of Trade and subject to such regulations as the Board of Trade may prescribe.

Works below high-water mark not to be commenced without consent of Board of Trade.

12. The Commissioners shall not under the powers of this Act construct on the shore of the sea or Firth of Forth where and so far as the tide flows and reflows any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of (such approval being signified as last aforesaid) and where any such work may have been constructed the Commissioners shall not at any time alter or extend the same without obtaining previously to making any such alteration or extension the like consents or approvals If any such work be commenced or completed contrary to the provisions of this Act the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the costs and charges of the Commissioners and the amount of such costs and charges shall be a debt due from the Commissioners to the Crown and shall be recoverable as a Crown debt or summarily.

Power to dredge &c.

13. Subject to the provisions of this Act the Commissioners may with the consent of the Board of Trade in writing but not otherwise dredge scour deepen and improve the Firth of Forth around and near the pier or jetty by this Act authorised and the approaches to the old Granton Quarry so as to provide and maintain good and sufficient access to the said works and they may reclaim and fill up the bed or foreshore of the Firth of Forth on the south side of the sea wall or embankment by this Act authorised.

Power to alter roads &c.

14. Subject to the provisions of this Act the Commissioners may in the construction of any of the works by this Act authorised cross alter divert or stop up the roads footpaths passages and streams

shown on the deposited plans and specified in the deposited books of reference and any sewers drains gas and water pipes and electric or other mains cables or apparatus in or under any such roads footpaths passages and streams doing as little damage as may be and providing substitutes for any sewers drains gas or water pipes or electric or other mains cables or apparatus so interfered with and making full compensation to all persons injuriously affected by the exercise of the powers of this section Provided that nothing 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 1890 to which the provisions of section 15 of the former Act apply except in accordance with and subject to the provisions of that section Provided also that the Commissioners shall not alter divert or in any way interfere with any electric mains cables or apparatus belonging to or used by the Postmaster-General except in accordance with the provisions of the Telegraph Act 1878.

Power to stop up road.

15. The new road (Work No. 1) authorised by this Act to be formed shall be in lieu of the existing road leading from West Granton Road near Granton Mains Farm cottages to the sea included within the boundaries of the lands described in the First Schedule to this Act and when the said new road is completed the Commissioners may stop up and cause to be discontinued as a road the said existing road included within the said boundaries and all rights of way over the same shall cease and the site of such road so stopped up when and so far as the same shall be bounded on both sides by property of the Commissioners shall belong to and be vested in the Commissioners and such new road shall as respects management and maintenance and in all other respects be held in the same manner and be subject to the same provisions as the said existing road for which the said new road is substituted Provided always that the Commissioners shall maintain the said new road for a period of ten years.

User of pier or jetty and sea wall.

16. The said pier or jetty and sea wall or embankment shall be held and used by the Commissioners in connexion with and for the purposes of their intended gasworks and the said pier or jetty shall be held and used by the Commissioners for the use and accommodation of vessels boats barges or other craft loading or unloading coals lime goods articles matters or things used and required by the Commissioners in and about the manufacture of gas and residual products and for the conveyance to or from the said works of any such matters or things for or belonging to the Commissioners or intended for use on the said gasworks and no

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person shall except with the consent of the Commissioners carry to or discharge from any vessel or boat any passengers or any goods articles or things at on to or from the said pier or jetty.

Agreements.

17. The Commissioners may make and carry out agreements with any person for the purchase of lands servitudes or other rights required for the purposes of this Act and for and in connexion with the construction of the works authorised by this Act and that on such terms and under such conditions as may be agreed between the Commissioners and any such person.

Restriction on taking houses of labouring class.

18. The Commissioners shall not under the powers of this Act purchase or acquire in any district within the meaning of the Public Health (Scotland) Act 1897 ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Secretary for Scotland ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

For the purposes of this section the expression "labouring class" means mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

Power to take servitudes &c. by agreement.

19. 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 Commissioners any servitude right or privilege (not being a servitude right or privilege of water in which others than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and 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.

Survey of works by Board of Trade.

20. If at any time the Board of Trade deems it expedient for the purposes of this Act to order a survey and examination of any work constructed by the Commissioners under the powers of this Act on in over through or across tidal lands or tidal water or of the intended site of any such work the Commissioners shall defray

the expense of the survey and examination and the amount thereof shall be a debt due from the Commissioners to the Crown and be recoverable as a Crown debt or summarily.

Abatement of work abandoned or decayed.

21. If any work constructed by the Commissioners under the powers of this Act on in over through or across tidal lands or tidal water is abandoned or suffered to fall into decay the Board of Trade may abate and remove the work or any part of it and restore the site thereof to its former condition at the expense of the Commissioners and the amount of such expense shall be a debt due from the Commissioners to the Crown and be recoverable as a Crown debt or summarily.

Lights on works during construction.

22. The Commissioners shall on or near the works below high-water mark hereby authorised during the whole time of the constructing altering or extending the same exhibit and keep burning at their own expense every night from sunset to sunrise such lights (if any) as the Board of Trade from time to time require or approve.

If the Commissioners fail to comply in any respect with the provisions of this section they shall for each night in which they so fail be liable to a penalty not exceeding twenty pounds.

Commissioners to exhibit lights.

23. The Commissioners shall at the outer extremity of their works below high water exhibit and keep burning from sunset to sunrise such lights (if any) as the Commissioners of Northern Lighthouses shall from time to time direct.

If the Commissioners fail to comply in any respect with the provisions of the present section they shall for each night in which they so fail be liable to a penalty not exceeding twenty pounds.

Provision against danger to navigation.

24. In case of injury to or destruction or decay of the pier or works by this Act authorised or any part thereof constructed on the shore of the sea or Firth of Forth the Commissioners shall lay down such buoys exhibit such lights or take such other means for preventing so far as may be danger to navigation as shall from time to time be directed by the Commissioners of Northern Lighthouses and shall apply to those Commissioners for directions as to the means to be taken and the Commissioners shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to obey any direction given in reference to the means to be taken.

Power to purchase lands by agreement.

25. The Commissioners may by agreement for the purposes of their undertaking purchase take and hold in addition to any lands which they are already authorised to purchase by agreement any lands not exceeding ten acres which the Commissioners may from

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time to time require for the purposes of their works and undertaking but the Commissioners shall not create or permit a nuisance on any such lands Provided always that no lands shall be used by the Commissioners for the purpose of manufacturing gas or residual products except the lands described in the First Schedule to this Act (and as regards those lands subject to the provisions of this Act) and except the lands described in Schedule F to the Act of 1888 and in the First Schedule to the Act of 1894 and in the Third Schedule to the Act of 1897.

Commissioners may sell lands &c.

26. The Commissioners may at any time and in such manner and for such price or consideration as they think proper sell feu let or otherwise dispose of so much or such parts of the lands works and property of the Commissioners comprised within the undertaking as they may not require for the purposes thereof and that either by public or private sale and freed and disburdened of all obligations and liabilities of the Commissioners or of the undertaking and the Commissioners may enter into and carry out agreements with any person for or in connexion with the sale and purchase of any such lands works and property Provided always that all moneys received by the Commissioners on any such sale shall be applied by them in their discretion either in paying off moneys borrowed by them on mortgage or in the purchase and acquisition of lands for the purposes of this Act and in the erection of gasworks and the construction of the works authorised by this Act or in paying off any liabilities of the Commissioners properly chargeable against capital or in redemption of annuities or in purchasing other lands and property and constructing other works in connexion with the undertaking.

Saving of Scheduled Agreement in Act of 1894.

27. Nothing in this Act shall affect the Agreement made between the North British Railway Company and the Commissioners and the Commissioners for the Harbour and Docks of Leith contained in the Second Schedule to the Act of 1894.

Erection of houses for officers and workmen.

28. The Commissioners may on any lands acquired by them under the powers of this Act and on any other lands which they may acquire by agreement in the neighbourhood of the gasworks to be constructed under the authority of this Act erect and maintain dwelling-houses for their officials and workmen or other persons and may use or convert any house on any part of the said lands for such purpose.

New gasworks &c. to be part of the undertaking.

29. Subject to the provisions of this Act the gasworks and other works to be constructed by the Commissioners under the powers of this Act and the lands acquired or to be acquired for the gas and the

other purposes under the authority of this Act shall for all purposes be comprised in the undertaking of the Commissioners.

Application of funds to construction of works.

30. In defraying the cost of acquiring lands and of constructing the gasworks and the other works by this Act authorised to be acquired or constructed and in carrying into effect the other purposes of this Act connected with their undertaking the Commissioners may apply any moneys which they are authorised to borrow under the Act of 1888 and the Act of 1894 and which may not be required for the purposes of those Acts and also subject to the provisions of the Act of 1888 and the Act of 1894 any rents rates and other revenues for the time being belonging to them or under their control in connexion with their undertaking.

Power to borrow on mortgage.

31. The Commissioners may in addition to any existing powers of borrowing borrow from time to time for the purposes of this Act on bond mortgage or otherwise any sum or sums of money not exceeding four hundred thousand pounds which shall be secured on the rates rents charges and other revenues to be levied and received by the Commissioners under the provisions of the Gas Acts and for securing the moneys so to be borrowed with the interest thereof the Commissioners may subject and without prejudice to the annuities and to the powers of the Gas Acts for the sale of surplus lands by the Commissioners assign and make over the said rates rents charges and other revenues to the person or persons who shall advance such moneys as a security for the repayment of the money so to be borrowed together with interest for the same and if after having borrowed the said sums or any part thereof the Commissioners pay off the same except by means of the sinking fund or by the application of moneys received for lands and property sold by them it shall be lawful for them again to borrow the amount so paid off and so from time to time Provided always that the annuities with any interest which may become due thereon and expenses incident thereto shall retain the preference provided by the Gas Acts over the sums borrowed under the powers of this Act.

Application of Acts to purposes of borrowing.

32. All the provisions of the Act of 1888 as extended and amended by the Act of 1894 and by Part V. of the Act of 1897 with respect to the contingent guarantee rate and the mortgages to be granted by the Commissioners and as to borrowing on cash credit and with respect to a sinking fund for the repayment of borrowed money and the application for judicial factor shall subject to the provisions of this Act apply to the sums to be borrowed under the authority of this Act in the same way and to the same effect as if the said sums had been originally authorised to be borrowed

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under the Act of 1888 as so amended and extended Provided always that with respect to the sinking fund authorised to be created under the Act of 1888 for repayment of borrowed money the Commissioners may in respect that the construction of the gasworks authorised by this Act will extend over a considerable period of time and any return from the same will be deferred postpone any contributions to the sinking fund for repayment of money borrowed by the Commissioners after the passing of this Act for and in connexion with the gasworks and other works and for the purchase of lands authorised by this Act until the said gasworks are so far completed as to enable the Commissioners to manufacture gas at the same but not exceeding a period of five years after the passing of this Act.

Investment of funds.

33. The Commissioners may invest the sinking funds and reserve fund and any other funds and moneys of the Commissioners in such and the like securities as trustees may invest trust money under the Trusts (Scotland) Amendment Act 1884 or under any Act which for the time authorises trustees to invest trust funds.

Employment of sinking funds and reserve fund.

34.—(1) Where the Commissioners are authorised by any Act of Parliament to borrow money on revenue account for any purpose they may instead of raising such money or part thereof by borrowing employ for that purpose any money for the time being standing uninvested or on deposit to the credit of the sinking funds and the reserve fund.

(2) The employment of such money shall be deemed to be an exercise of the borrowing power conferred by such Act on revenue account and the Commissioners shall at or before the fifteenth day of May in each year repay from revenue the amount so borrowed within the year preceding from the said sinking funds and reserve fund as the case may be.

(3) The Commissioners shall cause a separate and distinct account to be kept of any advances made from the sinking funds or reserve fund under this section and shall once in every year require the auditor of the accounts of the Commissioners to make a report thereon setting forth the Acts under which such advances have been made and whether the same have been repaid as required by this section.

(4) The said report shall be published annually along with the accounts of the Commissioners and shall be open to the inspection of every person interested and a copy of such report shall every year within twenty-one days after such publication be transmitted by the Commissioners to the Secretary for Scotland.

(5) In the event of such report by the auditor at any time showing that the Commissioners have failed duly to make the repayments as aforesaid it shall be competent to the Secretary for Scotland to apply summarily to the Court of Session to compel the Commissioners to make such repayments and the said Court shall thereupon pronounce such judgment or order as they may consider just and may decern for the expenses of such application.

Priority of existing annuities mortgages &c.

35. All annuities mortgages assignations or other securities on the rates rents charges and other revenues leviable and receivable by the Commissioners granted by the Commissioners in pursuance of the powers and provisions of the Act of 1888 and the Act of 1894 and Part V. of the Act of 1897 before and subsisting at the passing of this Act shall during the continuance of such annuities mortgages assignations or securities have priority over any mortgages assignations or securities on the same rates rents charges and other revenues of the Commissioners granted after the passing of this Act Provided that all securities hereafter granted by the Commissioners for money borrowed or raised under the Gas Acts shall rank together pari passu without preference or priority the one over the other.

Application of borrowed money.

36. Money borrowed by the Commissioners under this Act other than money borrowed for current expenses shall be applied only to purposes to which capital is properly applicable.

Protection of lenders and others from inquiry.

37. Any person lending or paying money to the Commissioners under the provisions of the Gas Acts or any of them shall not be bound to inquire as to the observance by the Commissioners of any provisions of the Gas Acts or of any Act incorporated therewith or be bound or entitled to see to the application of such money or of any part thereof or be answerable for any loss or non-application of the same.

Power to inspect gas fittings in new buildings.

38. Every person intending to lay down or fix any pipes or other fittings for the distribution or supply of gas by the Commissioners in any new house or building within the limits for the supply of gas by the Commissioners shall where such pipes are intended to be covered over before such pipes or fittings are covered over or used give to the Commissioners forty-eight hours' notice in writing specifying the situation of such house or building and any officer of the Commissioners duly appointed for that purpose may before the expiration of such notice enter such house or building between the hours of ten in the forenoon and four in the afternoon and inspect such pipes and fittings and may by order in writing require that any such pipes or fittings as by reason of improper arrangement inferior workmanship or insufficiency in size

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or material will in the opinion of such officer be dangerous by allowing the escape of gas or be insufficient to ensure a satisfactory supply of gas to such building shall be made sufficient and if any person shall fail to give such notice as aforesaid or shall refuse entry to such officer into such house or building within the time and for the purpose aforesaid or shall prevent him from making such inspection or shall not to the reasonable satisfaction of such officer make such alteration in the pipes and fittings as he may reasonably require the Commissioners shall not be bound to furnish a supply of gas for such house or building.

Tenant's liability for sub-tenant's gas supply.

39. The Commissioners may in addition to their recourse against the actual consumer charge and recover from the tenant of any house who sublets 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 during such sub-tenancy.

Application of the Act of 1888.

40. All the provisions of the Act of 1888 as extended and amended by the Act of 1894 and by Part V. of the Act of 1897 and the provisions of the Act of 1894 and Part V. of the Act of 1897 including the forms of mortgage transfer and discharge shall be and the same are hereby so far as applicable and not inconsistent with the provisions of this Act extended and made applicable to the powers and purposes of this Act.

Saving rights of the Crown in the foreshore.

41. Nothing contained in this Act shall authorise the Commissioners to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty.

Saving rights of Crown under Crown Lands Act.

42. Nothing contained in this Act or to be done under the authority thereof shall in any manner affect the title to any of the subjects or any rights powers or authorities mentioned in or reserved by sections 21 and 22 of the Crown Lands Act 1866 and belonging to or exerciseable on behalf of Her Majesty.

Expenses of Act.

43. All costs charges and expenses of and incident to the preparing for and obtaining and passing this Act or in relation thereto shall be paid by the Commissioners.

SCHEDULES referred to in the foregoing Act. A.D. 1898.

THE FIRST SCHEDULE.

Certain lands situate in the parish of Cramond and county of Midlothian and on the foreshore of the Firth of Forth ex adverso of the said parish and county lying between the public road known as West Granton Road leading from Granton westwards and the sea bounded as follows namely By a line commencing at a point on the north side of the said public road fourteen yards or thereabouts south-west of the south-west corner of Pennywell Cottages thence in a northerly and north-westerly direction along the lands of Granton House for a distance of six hundred yards or thereabouts to the line of high-water mark of the Firth of Forth thence in a northerly direction to a point one hundred and fifty-three and a half yards or thereabouts below high-water mark of the Firth of Forth thence in an easterly and north-easterly direction partly along the foreshore and partly along the southern side of the existing shore or harbour road leading to Granton Harbour for a distance of four hundred and forty-one and a half yards or thereabouts thence in a southerly direction for a distance of ninety-one yards or thereabouts thence in an easterly direction for a distance of eighteen yards or thereabouts thence in a southerly direction for a distance of one hundred and twenty-one yards or thereabouts thence in an easterly direction on the line of the existing wall and partly across the fields numbered 478 and 480 on the twenty-five inch scale ordnance map published in the year one thousand eight hundred and ninety-five for a distance of five hundred and seven yards or thereabouts thence in a southerly direction at right angles to the last-mentioned line for a distance of four hundred and seventy five yards or thereabouts to the point of junction with the lands of the Granton Branch line of the Caledonian Railway Company thence along the boundary of the Caledonian Railway Company's lands in a south-westerly direction for a distance of seventy yards or thereabouts thence along the north side of the aforesaid public road known as West Granton Road in a westerly and south-westerly direction for a distance of eight hundred and ninety-five yards or thereabouts to the point of commencement before mentioned.

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THE SECOND SCHEDULE.

MINUTE of SALE and AGREEMENT between His Grace WILLIAM HENRY WALTER DUKE OF BUCCLEUCH AND QUEENSBERRY K.G. &c. &c. of the first part (herein-after called "the first party") and the EDINBURGH and LEITH CORPORATIONS GAS COMMISSIONERS incorporated by the Edinburgh and Leith Corporations Gas Act 1888 of the second part (herein-after called "the second parties").

The first party hereby agrees to sell to the second parties and the second parties hereby agree to purchase from the first party all and whole the lands and others delineated and tinted pink on the plan signed as relative hereto with the whole parts and pertinents thereof being part and portion of all and haill the barony of Caroline Park and others in the county of Edinburgh particularly described in an extract decree of special service in favour of the first party as eldest son and nearest and lawful heir of provision in special of the late Walter Francis Duke of Buccleuch and Queensberry dated eighteenth recorded in and extracted from Chancery twenty-first and recorded at length in the division of the General Register of Sasines applicable to the county of Edinburgh and by memorandum in the division of said register applicable to the county of Fife twenty-eighth all days of April one thousand eight hundred and eighty-five and that upon the following terms :—

First.—The sale and purchase are conditional on the second parties receiving authority from Parliament to acquire the said lands and others and the roadway mentioned in section fifteen hereof and to reclaim and appropriate the foreshore so far as tinted pink on said plan and to erect gasworks thereon and the other works after mentioned and to make and carry out the contract now conditionally agreed on and failing such authority being obtained prior to the term of Martinmas one thousand eight hundred and ninety-nine this minute shall be held pro non scripto and all that may have followed thereon shall fall and be of no binding force or effect upon either party and neither party shall have any claim against the other in respect of the sale not being completed :

Second.—The price shall be one hundred and twenty-four thousand pounds sterling payable by the second parties in return for the disposition after mentioned which price shall include all wayleaves easements and other rights for and in connexion with the construction of the jetty new road sea wall or embankment and any subsidiary works herein-after referred to :

Third.—On payment of the price the first party shall execute and deliver to the second parties a valid disposition containing all usual and necessary clauses required to give effect to this agreement and particularly a clause of absolute warrandice under exception of current leases missives or other rights of possession of the tenants and possessors

of said subjects if any such there be and he shall exhibit a good prescriptive progress of titles and a search of incumbrances for the period of forty years preceding the settlement of the transaction and including the above-mentioned disposition provided it be recorded within a week from the date of delivery and he shall purge the record of all incumbrances appearing in the search as affecting the said subjects The expense of the foresaid disposition (including drawing and revising fees and stamp duty) and of the relative inventory of titles and of these presents shall be borne mutually :

Fourth.—The second parties shall have right to the rents of the foresaid subjects and shall be liable in payment of the feu duties casualties and public and parochial burdens for the possession following the term of entry the first party relieving the second parties of any feu duties and casualties which may be exigible prior to said term and paying all public and parochial burdens for the possession prior to said term :

Fifth.—The second parties' entry to said subjects shall be as soon as conveniently can be arranged after but not later than three months from the date of the Royal Assent being obtained to the second parties' Act of Parliament from which date of entry interest on the said price shall run at the rate of five per centum per annum :

Sixth.—The first party reserves right to the rent-free use of the cottages opposite the farm steading of Granton Mains and that for the space of two years from the date of the second parties' entry :

Seventh.—The second parties shall fence the subjects sold securely and sufficiently and shall arrange with the existing and future occupiers of all adjoining lands as to mutual walls upon the footing that such occupiers are not to pay for more than a seven feet high wall :

Eighth.—The second parties shall be entitled to lay gas mains under the first party's lands to the east of the Granton Branch of the Caledonian Railway Company within the area tinted blue on the aforesaid plan and shall have access to the same at all times they may deem necessary The first party shall have the right to lay railway sidings over the said land tinted blue but only in such a way as not to interfere with the second parties' access to the aforesaid pipes which are to be placed at such a depth as to permit of the railway sidings being laid over them :

Ninth.—The first party shall with all convenient speed after the date of the second parties' entry to said subjects proceed with the construction of a single line of railway on his own land from or adjoining the point A on his present line of railway along the shore at Granton as shown on the said plan to a point at or near B on the said plan and that on the line as nearly as practicable indicated on said plan and shall thereafter maintain the same in a proper state of repair as a means of access to Granton Harbour and to the North British Railway Company's system :

Tenth.—The second parties shall in consideration of the annual payment of seventy-five pounds to the first party have for the purposes of their traffic to and from their gasworks the use along with others having or who may hereafter have right thereto at all such times as they may

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require of the railways presently existing on the Granton Estate and of the said new line of railway the said payment of seventy-five pounds being made at the term of Whitsunday in each year the first payment being a proportion of said sum of seventy-five pounds being made at the first term of Whitsunday after the Royal Assent to the Act for the period from the second parties' entry to said subjects and thereafter at Whitsunday yearly for the year preceding:

Eleventh.—Whereas the said new line of railway will cross on the level the present approach road to Caroline Park therefore it has been agreed that the first party shall erect and maintain suitable gates kept constantly shut as against the railway at the crossing except when traffic is passing such gates and the party whose traffic is so passing shall be bound to have the gates opened therefor and thereafter shut with as little delay as possible Provided that should the traffic so increase as to require the constant attendance of one or more gatekeepers the first party shall employ a gatekeeper or gatekeepers whose wages shall be paid by the parties for whose traffic the railway is used according to the amount of their respective traffic:

Twelfth.—The second parties shall have the right of tipping carbonized or other innocuous materials on such place or places on the foreshore of the Granton Estate as may be pointed out by the first party or his engineer and for that purpose to use the first party's line of railway provided that the material so to be tipped shall not be objectionable or offensive or likely to cause a nuisance or to be injurious to the shell or other fish on the grounds over which the first party has the right of fishing and the second parties shall have right to make and maintain and move the necessary temporary sidings on the first party's lands to enable their tipping operations to be carried on Provided however that none of the privileges to use the first party's railways conferred by this agreement upon the second parties shall entitle them to use the same as standage for trucks:

Thirteenth.—The second parties shall work their traffic in and along the first party's railways in such a way as not to obstruct the traffic of the other traders who have or may hereafter have the right conferred upon them to use the same In the event of any difficulty arising as to working the traffic the first party shall make reasonable regulations which the second parties oblige themselves to adopt and carry out provided that no such regulations shall prevent the reasonable use at all such times as the second parties may require of the said lines for their traffic and if any dispute shall arise with respect to any such regulations or the reasonable use of the said lines at any time such dispute shall be settled by an engineer to be appointed by the sheriff of the county on the application of either party:

Fourteenth.—The first party shall have free of charge the right by means of a line of railway to cross on the level the piece of land hatched and marked with the letter C on the foresaid plan and lying at the south-east corner of the lands hereby agreed to be sold or any railway siding the second parties may construct thereon and he shall also have right

free of charge to construct and maintain a drain or sewer not exceeding twelve inches in diameter under said line of railway:

Fifteenth.—The second parties shall have right so far as the first party can confer the same to shut up and appropriate for their own purposes the present road which intersects the said lands Provided that before any steps are taken towards shutting up said road the second party shall have made a good and sufficient road along or near the west and north sides of the western part of said subjects as shown on said plan as a connexion between the public road at Pennywell Cottages and the present road along the shore leading to the harbour the second parties being entitled to encroach on the foreshore to the north and west of the line of road shown on the said plan to the extent of fifty feet for laying the foundations of said new road and to permit of the construction of the sea wall or embankment This new or substituted road to have at least twenty-one feet of clear roadway with a footpath of at least four feet wide additional along one side thereof said road to be properly levelled bottomed and formed and at no part to have a steeper gradient than one in sixteen and to be maintained by the second parties for a period of ten years It is expressly provided that the line of the new road is to be as above stated and not as would be permitted if the limits of deviation shown on the deposited Parliamentary plans and sections were sanctioned:

Sixteenth.—In the event of the second parties shutting up the said road they shall not except with consent of the county authority of the county of Midlothian interfere with the rights of the county authority as the owners of the sewage pipe from Davidson's Mains to the sea as the same are constituted by the disposition in their favour granted by the first party of date sixteenth February and fifth March one thousand eight hundred and ninety-four nor unless with his consent shall they interfere with the rights of the first party in regard to said pipe The first party confers on the second parties what right he can to a joint use with him of the said sewage pipe The second parties shall not interfere with the presently existing pipe that runs down the said road and thence through the said property to be acquired to the works of Messrs. A. B. Fleming and Company Limited for conveying water to their works from the reservoirs of the first party the second parties however having so far as the first party can give it the right to divert both or either of these pipes at their own expense it being expressly provided that in the case of diversion of the first-mentioned pipe and an alteration of its present level so far as to flatten the gradient the new pipe must be of a size proportionately larger to carry off the sewage:

Seventeenth.—Whereas the first party has close to the quarry at the south-east corner of the said road and which is included in the lands agreed to be sold a pumping engine for the purpose of pumping water from the said quarry to the first party's water reservoirs it is provided that so long as that quarry is not utilised or drained by the second parties the first party shall have the exclusive right to the water therein and to the use and occupancy rent free of the corner of land upon which the

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pumping engine and the adjoining cottage for the occupancy of the first party's servant in charge of said engine stand The second parties shall before they commence to utilise or drain the said quarry be bound to arrange for the Edinburgh and District Water Trust pipe being continued to a point in the road to the south thereof and adjacent to Granton mains steading:

Eighteenth.—The second parties shall also have the right of using the presently submerged quarry at Granton Point in their option either as a tip for the refuse mentioned in section twelve hereof or as a harbour or partly as a tip and partly as a harbour They shall so far as the first party can confer the right be entitled to improve the quarry as a harbour by closing up the existing entrance thereto and constructing a new entrance seawards Provided always that while and so long as the second parties elect to use any part of the quarry as a harbour they shall be bound to pay to the first party the same tonnage and other dues upon the traffic as may be leviable and in force at Granton Harbour proper for the time being and be subject to all the regulations and byelaws in force in said Granton Harbour so far as these can be applicable If the second parties without executing the foresaid improvement elect to use any part of the said quarry as a tip then and in that case the first party and his present tenants and feuars of his estate of Granton shall also be entitled to use the same part of the quarry for that purpose and in the same event if the second parties elect to use any part of the said quarry as a harbour they in common with the first party and any parties on whom he may confer the right so to use it shall have the exclusive use of the harbour In the event of the second parties executing the foresaid improvement they shall at all times have the preferable right to use said harbour for their traffic and shall in addition to the right conferred on them by section twelve hereof have the right to use such part of the first party's foreshore as at present existing and as shown on the said plan as he or his engineer may point out as a tip for materials of the character described in article twelfth to an extent that will as nearly as possible be equivalent to the contents of the portion of the quarry retained and used for harbour purposes and in the same event they along with the first party and his present tenants and feuars of his estate of Granton shall be entitled to fill up any part of said quarry which in the opinion of the second parties may not be needed for harbour purposes Providing also that no ships' ballast shall be tipped by any party into said quarry and that no works shall be executed by the second parties at said quarry before the plans thereof shall have been submitted to and approved of by the first party:

Nineteenth.—The second parties shall have the right at any time between the date of their entry to said lands and the first day of January nineteen hundred and nine to abandon the use of said quarry as a harbour and in lieu and stead thereof shall have right so far as the first party can confer the same to erect and maintain at their own expense and according to plans to be submitted to and approved of by the first party (first) a jetty or pier at or near Granton Point on the line shown

on the said plan or in the option of the second parties within seventy yards on either side of such line and to continue the same below low-water mark and (second) two gangways or approaches to said jetty or pier from the lands hereby agreed to be sold and crossing the shore roadway and the presently submerged quarry the first of these gangways being on the level of the said shore roadway and the other or second being overhead or above the first and on the same line and the first party shall give the necessary wayleaves and afford every reasonable facility and assistance required by them to obtain the power and authority to construct said jetty or pier and gangways or approaches In addition to said two gangways or approaches the second parties shall have right to construct and maintain a reasonable cart or tramway access to said jetty on the level and leading from said shore roadway the rails if any being flush with the level of the road it being provided however that the second parties shall in constructing said two gangways or approaches and said cart or tramway access so construct the same as to afford to the first party suitable access to his lands or to the lands that may be reclaimed to the east and west of the line of said jetty or pier and said two gangways or approaches and that by two crossings on the level But in the event of the second parties using the said quarry as a harbour at any time after the said first day of January nineteen hundred and nine they shall thereupon forfeit the right to erect the said jetty but shall have the right to erect and maintain the said two gangways or approaches as an access to the said harbour subject to all the foresaid conditions as to their construction In any event where the works of the second parties cross said shore roadway or where said crossings are under the second parties' works these works shall be so constructed as to provide a clear space of not less than twenty-five feet between the piers with a headway of not less than sixteen feet and the first party shall be entitled to demand and receive from the second parties the same tonnage and other dues upon all ships and traffic at said jetty or pier as if they were accommodated in Granton Harbour and as may be chargeable there for the time and all such ships and traffic and parties frequenting said jetty or pier shall be subject to all the regulations and byelaws in force in said Granton Harbour so far as these can be applicable :

Twentieth.—The second parties shall not interfere with the burn or rivulet which runs through the south-east corner of the lands hereby agreed to be sold or with the cast-iron pipe from the first party's reservoirs to the harbour laid alongside thereof the first party being entitled at all times to reasonable access thereto but should they think proper they may at their own expense divert said burn and pipe and substitute therefor and thereafter maintain (first) a covered culvert having at least nine square feet of sectional area provided the present line of the burn is followed and the gradient of the bottom of the burn is maintained but in the event of a diversion being determined upon as shown upon the second parties' Parliamentary plans the said culvert shall not have an area of less than twelve square feet so as to contain and carry off the utmost

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flood water of said burn and reservoirs and (second) a new cast-iron pipe of equal dimension to the existing one such new pipe to be laid at a depth of not less than three or more than five feet below the surface of the ground but the second parties shall be entitled to lay it less than three feet below the surface if they adopt adequate precautions to protect it against frost and such culvert and pipe are to be subject to the reasonable access of the first party at all times In the event of the second parties discharging sewage or other deleterious matter into said culvert they shall be bound to continue it from the eastmost end of the culvert of at least nine feet area or a pipe of equal capacity to the sea at low-water mark through the lands of the first party in such a line not exceeding in length the present course of burn as the first party's engineer shall point out Provided that the second parties shall not require to contribute to any claims or damages which the occupiers of the lands through which the continuation of said culvert may be laid may allege in the execution of the above work on the first party's lands In the event however of the first party alone running sewage into the said culvert which he shall have right to do the second parties shall be relieved of the expense of continuing the same to low-water mark but in the event of both parties using the said culvert as a sewer the expense of the continuation of the same to low-water mark shall be borne equally by both parties so far as the actual cost of construction is concerned :

Twenty-first.—Such sewage drain of the land to the east of said road to be shut up as the second parties may find it necessary to construct shall have its outfall in the sea at or below low-water mark and the line thereof shall be along or as near as possible on the line and outfall of the present drain from Davidson's mains The second parties shall in the event of their constructing any drain for the land to the west of the said road carry the same over the foreshore down to low-water mark on a line to be fixed by the first party's engineer :

Twenty-second.—Whereas there presently exists a connexion or line of water pipes from Granton House water supply pipe through part of the said lands hereby agreed to be sold and on to the adjoining property known as Craigroyston for which and for the use of his mains the first party at present receives as wayleave an annual payment of ten shillings the second parties shall so long as the said wayleave exists be entitled to a proportion thereof amounting to one shilling a year :

Twenty-third.—The first party shall free and relieve the second parties of and from all claims and demands at the instance of his tenants lessees and occupiers of the lands hereby agreed to be sold :

Twenty-fourth.—This Agreement is made subject to the approval of Parliament and in the event of any alteration being made by Parliament thereon which in the opinion of either party is a material alteration of the conditions thereof it shall be in the power of either party to resile therefrom :

Lastly.—Should any doubt difficulty or question arise as to the true intent and meaning of these presents or as to the construction thereof or carrying out of the same all such shall be settled by an arbiter to be

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mutually agreed on or failing agreement by an arbiter to be appointed by the sheriff principal of the county of Midlothian and both parties consent to registration hereof for preservation and execution In witness whereof these presents written on this and the six preceding pages by John Melville Davidson clerk to Messieurs Strathern and Blair Writers to the Signet Edinburgh are subscribed in duplicate as follows videlicet by the said Duke of Buccleuch and Queensberry at Dalkeith upon the fifth day of February eighteen hundred and ninety-eight before these witnesses William Walter Whitmore and James Archibald Steuart both his private secretaries and on behalf of the second parties and as duly authorised by them by James Meiklejohn Manclark and Henry Waugh Hunter two of the said Edinburgh and Leith Corporations Gas Commissioners and by James McGregor Jack their statutory clerk and by John Smith Gibb their treasurer all at that meeting of the said Commissioners at Edinburgh held on the ninth day of the said month of February and year last mentioned before these witnesses Walter Ralph Herring chief engineer and Robert Cockburn statutory collector both of said Commissioners.

W. W. Whitmore Witness.
Jas. Arch. Steuart Witness.
W. R. Herring Witness.
Rob. Cockburn Witness.

BUCCLEUCH.
JAS. M. MANCLARK President.
HENRY WAUGH HUNTER C.
JAMES McG. JACK Clerk.
JOHN S. GIBB Treasurer.

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