CHAP. xxiv.

A.D. 1869.

An Act to enable the Parochial Board of the Parish of Edinburgh, and the Trustees of the Estate of Craiglockhart for behoof of said board, to obtain from the Edinburgh Water Company a supply of Water for the New Poorhouse, and other buildings in connexion therewith, erected or to be erected on the lands of Craiglockhart. [24th June 1869.]

WHEREAS the poorhouse and buildings, situate in Forrest Road, Edinburgh, belonging to the parochial board of the parish of Edinburgh, have been found inadequate for the accommodation of the paupers chargeable to the said parish; and the said parochial board have acquired in the names of the trustees herein-after mentioned, for behoof of the said board, the lands of Craiglockhart, situate in the parish of Colington or Colinton and county of Edinburgh, for the erection of a suitable poorhouse, lunatic wards or asylum, infirmary, and other buildings and conveniences for the reception of such paupers, the plans of which have been approved of by the board of supervision for relief of the poor in Scotland, in terms of the Act 8 & 9 Victoria, cap. 83:

And whereas a new poorhouse, lunatic wards or asylum, infirmary, and other buildings and conveniences for the said parish of Edinburgh, are now in course of erection, or will be immediately erected, on a portion of the lands of Craiglockhart by the said parochial board and trustees:

And whereas the supply of natural water on the lands of Craiglockhart is insufficient and unsuitable for the use of such new poorhouse and buildings in connexion therewith, and for the convenience of the inmates and officers to be placed therein:

And whereas, by reason that the said lands of Craiglockhart are locally situate beyond the limits for water supply by the Edinburgh Water Company, (which company has heretofore supplied with water the poorhouse and buildings in Forrest Road aforesaid,) the said company is unable to supply with water such new poorhouse and

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buildings and offices connected therewith, but have agreed to give such supply on the necessary powers being obtained:

And whereas it is essential to the healthful and convenient occupation of the said new poorhouse and buildings and offices that a supply of pure and wholesome water be obtained therefor from the Edinburgh Water Company, in manner herein-after provided; but such object 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 for all purposes as "The Edinburgh Parish Poorhouse Water Supply Act, 1869."

8 & 9 Vict. c. 19. and 23 & 24 Vict. c. 106. incorporated.

2. "The Lands Clauses Consolidation (Scotland) Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation of terms.

3. In this Act the expression "the board" shall mean the parochial board of the parish of Edinburgh; the expression "the trustees" shall mean the disponees in trust for the board of the lands of Craiglockhart, situate in the parish of Colington or Colinton and county of Edinburgh, named and described in a deed of declaration of trust, dated the 10th, and recorded in the particular register of sasines at Edinburgh the 13th days of November 1865, executed by David Curror, then chairman, and James Blackadder, Joseph Hood Stott, William Brown, George Meldrum, Alexander Boswell, James Gray, senior, James Gray, junior, and James Tait, junior, all then members of the board; and the expression "the company" shall mean the Edinburgh Water Company incorporated by "The Edinburgh Water Company's Act, 1856."

Power to take land and make works.

4. And whereas plans and sections of the works proposed to be constructed under the authority of this Act, and also a book of reference thereto containing the names of the owners, lessees, and occupiers of the lands and property in and upon which the same are intended to be constructed, have been deposited with the sheriff clerk of the county of Edinburgh, subject to the provisions of this Act, the board or the trustees may make and maintain, in the lines and according to the levels shown on the deposited plans and sections, the conduits, reservoirs, and other works herein-after described, and may enter upon, take, and use such of the lands delineated on the said plan and described in the deposited books of reference as may be required for that purpose, and connect the pipe

or conduit first herein-after described with the main or pipe called the Swanston main pipe at the point herein-after described.

Description of works.

5. The works herein-before referred to and authorized by this Act are:

First.—A pipe or conduit not exceeding six inches in diameter to be connected with and carried from a main or pipe called the Swanston main pipe, belonging to the company, at or near a point where such Swanston main pipe crosses the public road leading from Edinburgh to Hunter's Tryst, and which point is situate on the lands and estate of Comiston, about two hundred yards or thereby in a north-westerly direction from Hunter's Tryst, in the parish of Colington or Colinton aforesaid:

Second.—A cistern or tank in connexion with the pipe or conduit first above described, situate on the lands and estate of Comiston and parish aforesaid, and ten yards or thereby north-west from the point of connexion with the said Swanston main pipe above described:

Third.—A pipe or conduit commencing in the said cistern or tank and running therefrom in a north-westerly direction, seventeen hundred yards or thereby through the lands of Comiston, Oxgangs, and Colinton mains, and terminating in the central tower of the said new poorhouse on the lands of Craiglockhart, all which works will be situate in the parish of Colington or Colinton and county of Edinburgh; and all necessary embankments, scouring cocks, air cocks, drains, and other works and conveniences in connexion with the said conduits, pipes, and cistern, and other works necessary for diverting the water from the said Swanston main pipe to the said works, and conveying the same to the said poorhouse and buildings and offices on the lands of Craiglockhart.

Powers of deviation.

6. The board or the trustees may make lateral deviations from the lines of the works by this Act authorized to the extent marked on the said deposited plan, and may make vertical deviations from the levels defined on the said deposited sections of the said works other than the said cistern to any extent not exceeding five feet, and in the case of the said cistern not exceeding three feet.

Powers for compulsory purchases limited.

7. The powers of the board or the trustees for the compulsory purchase of lands, or for the right of use thereof, for the construction of the works by this Act authorized, shall not be exercised after the expiration of three years from the passing of this Act.

Period for completion of works.

8. The works by this Act authorized shall be completed within three years from the passing of this Act, and on the expiration of that period the powers by this Act granted to the board and trustees

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for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Power to Edinburgh Water Company to supply water.

9. It shall be lawful for the company, and they shall be bound and are hereby required and empowered to supply water to the board or trustees from the said Swanston main pipe for the use of the said poorhouse, lunatic wards or asylum, infirmary, buildings, and offices therewith connected, as if the same were locally situate within the limits for water supply defined by "The Edinburgh Water Company's Act, 1856."

Mode of supply.

10. The water to be so supplied by the company shall be applied to the uses of such poorhouse and lunatic wards or asylum, infirmary, buildings, and offices connected therewith, and to no other buildings, premises, or purposes, and shall be furnished by the company by meter, in such quantity as shall be required by the board or trustees and be paid for by the board at such rate not exceeding sixpence per thousand imperial gallons, as may from time to time be agreed on between the company and the board or trustees; but the company shall not be bound to supply any greater quantity than twenty thousand gallons in any one day, unless they have it in their power conveniently so to do.

Providing for expense of works.

11. The expense of constructing the works, and of acquiring the lands and other property to be taken or used for the purposes thereof, shall be defrayed by the board or trustees in whole or in part out of the rates and assessments leviable by the board, or out of the property, funds, or revenues of the board.

Power to borrow money on security of rates, &c.

12. It shall be lawful for the board or the trustees to borrow the whole or any part of the money required for the construction of the works hereby authorized, and the expenses of applying for and obtaining this Act, on the security of the rates and assessments leviable by the board, or of the property, funds, or revenues of the board: Provided that the money so borrowed shall be repayable in the same manner as money borrowed for the purpose of erecting and repairing poorhouses, under the authority of the Acts 8 and 9 Victoria, cap. 83. and 19 and 20 Victoria, cap. 117.

Expenses of Act.

13. All costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the board out of their ordinary rates or revenue, or out of such funds or property as they may be possessed of for behoof of the said parish of Edinburgh.

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