CHAPTER XXV.

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Glasgow Corporation. [30th July 1918.]

A.D. 1918.

WHEREAS 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 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:—

Confirmation of Order in schedule.

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

Short title.

2. This Act may be cited as the Glasgow Corporation Order Confirmation Act 1918.

[*Price* 1*s. Net.*]

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SCHEDULE.

GLASGOW CORPORATION.

Provisional Order to confer further powers on the Corporation of the City of Glasgow with respect to farmed-out houses to authorise the Corporation to borrow further money for the purposes of the Glasgow Markets Acts 1865 *to* 1914 *and to charge new and increased rates tolls and rents for slaughter-houses and markets and for other purposes.*

WHEREAS the Royal Commission on Housing in Scotland have reported in favour of certain local authorities including the Corporation of the city of Glasgow (in this Order referred to as "the Corporation" and "the city" respectively) having additional powers for the more effective control of farmed-out houses:

And whereas it is expedient that the powers in this Order contained with respect to and for the better control and the registration of farmed-out houses in the city should be conferred on the Corporation:

And whereas it is expedient that the Corporation should be authorised to borrow further money for the purposes of the Glasgow Markets Acts 1865 to 1914:

And whereas it is expedient that the Corporation should be authorised to levy and collect the rates tolls rents and charges for the use of their slaughter-houses and markets set forth in the schedules to this Order to meet the increased expenses of the management and maintenance thereof:

And whereas it is expedient that the powers with respect to triperies in the slaughter-houses in this Order mentioned should be conferred on the Corporation:

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:—

Part I.

Preliminary.

Short title and citations.

1. This Order may be cited as the Glasgow Corporation Order 1918.

This Order and the Glasgow Loans Acts 1883 to 1915 may be cited together as the Glasgow Loans Acts 1883 to 1918.

This Order and the Glasgow Markets Acts 1865 to 1914 may be cited together as the Glasgow Markets Acts 1865 to 1918.

This Order and the Glasgow Police Acts 1866 to 1915 may be cited together as the Glasgow Police Acts 1866 to 1918.

This Order and the Glasgow Corporation Acts 1855 to 1917 may be cited together as the Glasgow Corporation Acts 1855 to 1918.

Order divided into Parts.

2. This Order is divided into Parts as follows:—

Part I.—Preliminary.

Part II.—Farmed-out Houses.

Part III.—Slaughter-houses and Markets.

Part IV.—Miscellaneous.

Interpretation.

3. The following words and expressions in this Order have the meanings hereby assigned to them unless the context shows a different meaning is intended (that is to say):—

"Act of 1866" means the Glasgow Police Act 1866;

"City" means the city and royal burgh of Glasgow;

"Corporation" means the Corporation of the city;

"Common lodging-house" has the same meaning as in the Public Health (Scotland) Act 1897;

"Land or heritage" means a land or heritage separately valued or entered as separately occupied in the valuation roll made up for the city in pursuance of the Valuation (Scotland) Act 1854 and Acts amending the same;

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"Magistrate" means a magistrate or judge having jurisdiction under the Glasgow Police Acts 1866 to 1915;

"Markets Acts" means the Glasgow Markets Acts 1865 to 1914;

"Medical officer of health" means the medical officer of health appointed by the Corporation under the Act of 1866 and the Public Health (Scotland) Act 1897;

"Owner" means the proprietor or owner or any one of the proprietors or owners of a land or heritage and shall apply to liferenters as well as to fiars and to lessees provided they are not in the actual occupancy of such land or heritage and to tutors curators commissioners trustees adjudgers wadsetters or other persons who shall be in the actual enjoyment of the rents and profits of such land or heritage and to the factor for any such proprietor in the management or receipt of the rents or profits thereof;

"Sanitary inspector" means the inspector appointed by the Corporation as inspector of nuisances under the Act of 1866 and as sanitary inspector under the Public Health (Scotland) Act 1897;

"Sheriff" means the sheriff of the county of Lanark and includes his substitutes.

Restricting liability of factors.

4. For the purposes of this Order any factor who for an owner shall be liable or responsible for any payment under this Order shall be liable to the extent only of the funds rents and other assets belonging or payable to such owner in the hands or under the control of such factor or which shall come into his hands or pass under his control and in the event of such factor having paid or become liable for such payment he shall have a right and claim of relief therefor against such owner:

Provided that any requisition or notice given to any such factor in respect of any premises shall be effective against the owner or any new factor appointed by such owner and any action raised against such factor may on the motion of the Corporation be transferred against the owner or any new factor appointed by such owner:

Provided further that nothing herein contained shall affect the liability of any factor in respect of his personal delict.

Part II.

Farmed-out Houses.

Power to declare house to be a farmed-out house.

5. The Corporation may by resolution declare any building or house or any part thereof or any apartment therein not being a common lodging-house or a bonâ fide hotel to be a farmed-out house if the medical officer of health and the sanitary inspector give to the Corporation a certificate that such building or house or any part thereof or any apartment therein—

(1) is used or let or rented as one or more separate furnished or unfurnished houses or apartments; and

(2) either from its construction or condition or the manner in which it is or is proposed to be used requires special supervision in the interests of public health and sanitation.

Definition of farmed-out house and keeper thereof.

6.—(1) The expression "farmed-out house" where occurring in this Part of this Order means any building or house or any part thereof or any apartment therein which the Corporation shall have declared by resolution under this Part of this Order to be a farmed-out house.

(2) The expression "keeper of a farmed-out house" means the owner tenant sub-tenant or other person who has or acts in the care or management of such house.

Notice to be sent.

7.—(1) The Corporation shall not pass any resolution declaring a building or house or any part thereof or any apartment therein to be a farmed-out house until the owner and the tenant of such building or house or any part thereof or any apartment therein have had after one week's notice in writing from the Corporation an opportunity of being heard by the Corporation and showing cause against such resolution being passed and the Corporation may if they see fit decline to pass the resolution.

(2) The Corporation shall also give notice in writing of the passing of any resolution under the provisions of this Part of this Order to the owner and the tenant and the keeper of the farmed-out house to which the resolution applies.

Recall of resolution.

8.—(1) The Corporation may at any time voluntarily or on the application of the owner or tenant of a farmed-out house recall any resolution passed under this Part of this Order and any such application shall be disposed of by the Corporation forthwith.

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(2) In the event of the Corporation refusing an application by the owner or tenant of a farmed-out house for recall of any such resolution the applicant may within ten days from the date of such refusal appeal to the sheriff against the same and the sheriff shall with all reasonable dispatch and if practicable within ten days thereafter hear parties and after such summary procedure including inquiry as he thinks necessary may either dismiss the appeal or grant the application and recall the resolution and his decision shall be final and not subject to review.

Power of entry.

9. The medical officer of health and the sanitary inspector or either of them may at all reasonable times enter any building or house or any part thereof or any apartment therein which he has reason to believe is liable to be declared a farmed-out house under the section of this Part of this Order the marginal note of which is "Power to declare house to be a farmed-out house" and the owner tenant sub-tenant or occupier of such building or house or any part thereof or any apartment therein shall give him free access thereto and to every part thereof.

Registration of farmed-out houses.

10. The Corporation shall cause a register of farmed-out houses to be kept and shall enter therein the situation of every farmed-out house the names and residences of the owner factor tenant sub-tenant and keeper of such farmed-out house the number of apartments therein the maximum. number of persons who may occupy such house and any other particulars which they may deem necessary.

Renewal of registration.

11.—(1) Application shall be made to the Corporation for the renewal of registration of every farmed-out house as from the fifteenth day of May in every year and such application for renewal shall be signed by the owner the tenant the sub-tenant if any and the keeper of the farmed-out house and together with a certificate as to the character and qualification of the said keeper in such form as the Corporation shall direct be lodged with the Corporation not later than the fifteenth day of March in each year.

(2) The Corporation may refuse to grant such application if—

(*a*) they consider that the building or house or any part thereof or any apartment therein to which the application refers is not suitable for the purposes of a farmed-out house; or

(*b*) notwithstanding such certificate they are after inquiry satisfied that the keeper is not qualified to be a keeper of a farmed-out house; or

(*c*) in the meantime the sheriff has granted an order under the section of this Part of this Order of which the marginal note is "Removal from register" for the removal from the register of the farmed-out house or the keeper thereof.

(3) The Corporation shall give notice in writing of their refusal to grant any application under this section to the owner and the tenant of the farmed-out house to which the refusal applies.

Appeal.

12. Any owner or tenant of a farmed-out house aggrieved by any resolution passed under this Part of this Order or by any refusal of an application for the renewal of registration may within a period of fourteen days from the date of the notice of the passing of such resolution or from the date of notice of such refusal respectively appeal to the sheriff against such resolution or refusal and the sheriff shall with all reasonable dispatch and if practicable within ten days after the lodging of such appeal hear parties and after such summary procedure including inquiry as he thinks necessary may either dismiss the appeal or sustain the appeal and recall the resolution or grant the application for renewal and his decision shall be final Provided always that the Corporation may if they think fit after the expiry of one year from the date of any decision sustaining such appeal pass another resolution under the provisions of this Part of this Order declaring the building or house or any part thereof or any apartment therein to which such decision applied to be a farmed-out house subject to notice and right of appeal as aforesaid.

Age of keeper of farmed-out house.

13. No person who is under the age of twenty-one years shall be the keeper of a farmed-out house.

House not to be used for reception of lodgers &c. in certain events.

14. Where any building or house or any part thereof or any apartment therein has been finally declared to be a farmed-out house under the provisions of this Part of this Order the owner tenant sub-tenant or keeper thereof shall not receive retain house or lodge any persons therein if the application for renewal of registration has not been made or having been duly made has been finally refused Provided that an application for recall

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of the resolution declaring such building or house or any part thereof or any apartment therein to be a farmed-out house may thereon be made in terms of this Order.

Removal from register.

15.—(1) The Corporation may at any time apply to the sheriff for an order of removal from the register of any farmed-out house or of the keeper thereof on the ground that the owner tenant sub-tenant or keeper of such house has been convicted of any contravention of any of the provisions of this Part of this Order or of the byelaws made thereunder and the sheriff after hearing parties and if he thinks fit after inquiry may grant or refuse such order as he thinks fit and his decision shall be final.

(2) In the event of the sheriff granting such order he may in his discretion declare that the registration of such farmed-out house to which his order applies shall not be renewed until the expiry of such period not exceeding three years as he may determine and during such period it shall not be lawful for the owner tenant sub-tenant or keeper to receive retain house or lodge any person therein unless and until the resolution of the Corporation declaring the same to be a farmed-out house shall first have been recalled under the provisions of this Part of this Order.

Copy of register to be evidence.

16. A copy of an entry made in the register kept under this Part of this Order purporting to be certified by the person having the charge of such register to be a true copy shall be received in all courts and on all occasions whatsoever as evidence and shall be prima facie proof of all matters therein registered without the production of the register or of any document on which the entry is founded or proof of any signature and every person applying at a reasonable time shall be furnished by the person having charge of such register with a certified copy of any entry on payment of twopence.

Byelaws.

17. The Corporation may make vary or repeal byelaws respecting farmed-out houses in the city for all or any of the following purposes (that is to say):—

(1) Prescribing the procedure to be adopted in making application for the renewal of registration the particulars to be furnished by applicants for such renewal and any other matter necessary for the execution of this Part of this Order;

(2) The keeping and well ordering of such houses:

(3) Fixing the number of persons who may occupy each such house or each apartment therein:

(4) Enforcing sufficient drainage watercloset accommodation sinks and the provision of a water supply to the same and other appliances and means of cleanliness and the provision of ashpits or ashbins for such houses:

(5) Enforcing sufficient lighting and ventilation of such houses and cleanliness of the walls ceilings and floors thereof and all fittings and furnishings including bedding therein:

(6) Securing by the keeper of a farmed-out house the sweeping and washing of the common stairs lobbies and passages leading to such houses and the cleansing of the waterclosets for the common use of the persons occupying such houses:

(7) Prohibiting the placing of gates or other obstructions in or on the common stairs lobbies and passages leading to any such house:

(8) Supplying and maintaining by such keeper of necessary fittings and fixtures for such house:

(9) Requiring such keeper where such house is let or rented as a furnished house or where furniture is supplied for use therein to furnish such house with sufficient bedding bed-clothes and kitchen utensils to a minimum standard of domestic comfort and to keep the same at that standard:

(10) Fixing the hours for letting purposes and the minimum period for which such house may be let:

(11) Prohibiting such keeper from permitting any person to occupy any apartment or room to which entry can only be had from or through another apartment or room let to a different family or person:

(12) Prohibiting persons under eighteen years of age residing in such houses unless they so reside with their parents or guardians:

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(13) Requiring such keeper to keep a register of the names and occupations of the persons occupying each apartment of such house and to keep the same open to inspection by the medical officer of health the sanitary inspector or other officer specially authorised by the Corporation for the purpose:

(14) Making provision in respect of the inspection of such houses and the conditions and restrictions under which such inspection may be made.

Confirmation of byelaws.

18. Any byelaws made under this Part of this Order shall be deemed to have been made under the Public Health (Scotland) Act 1897 and the provisions as to byelaws in Part XI. of that Act shall extend and apply to byelaws made under this Part of this Order.

Removal of infected persons from farmed-out house.

19.—(1) The keeper of a farmed-out house shall when a person in such house suffers from any infectious disease give immediate notice thereof either to the medical officer of health or to the sanitary inspector who shall forthwith inform the medical officer of health and if the medical officer of health is satisfied that the person is suffering from an infectious disease he shall cause such person to be removed without delay and the premises to be disinfected.

(2) When a person in a farmed-out house suffers from any infectious disease the Corporation may without further warrant than this Part of this Order cause such person to be removed to hospital on the certificate of the medical officer of health or of any legally qualified medical practitioner that the disease is infectious and that such person may be safely removed but if removal be considered dangerous to life by the medical officer of health or such medical practitioner and is so certified none other than such person and any others necessarily attending on him shall be admitted to or occupy such farmed-out house until it is certified by the medical officer of health to be free from infection and the Corporation may so far as they think requisite for preventing the spread of the disease cause any clothes or bedding used in such house to be disinfected or destroyed and shall pay to the owners of the clothes and bedding so disinfected or destroyed reasonable compensation for the injury or destruction thereof.

20.—(1) The keeper of a farmed-out house shall at all times when required by the medical officer of health the sanitary inspector or other officer specially authorised by the Corporation give free access to such house and every part thereof. Free access to be given.

(2) Any constable not below the rank of inspector may by virtue of his office at any time enter any farmed-out house and every keeper of a farmed-out house who shall not admit such constable when required shall be liable to a penalty not exceeding ten pounds.

21. If any person contravene any of the provisions of this Part of this Order or of any byelaw made thereunder he shall except where otherwise specially provided by this Part of this Order be liable to a penalty not exceeding five pounds and in the case of a continuing offence to a further penalty not exceeding forty shillings for each day such contravention continues after conviction. Penalty.

22. Where a keeper of a farmed-out house is convicted of a third or any subsequent contravention of the provisions of this Part of this Order or of any byelaws made thereunder it may be adjudged as the punishment or part of the punishment for such offence that he shall not at any time within three years or any shorter period after such conviction as may be determined by the magistrate keep or have or act in the care or management of a farmed-out house. Keeper of farmed-out house convicted of offences.

23. All offences against the provisions of this Part of this Order or any byelaws made thereunder may be prosecuted before the magistrate in the police court and the police shall in addition to the powers conferred by this Order have in respect of this Part of this Order the same powers of apprehension and detention as they have under the provisions of the Act of 1866 Offences to be prosecuted before magistrate.

Part III.

Slaughter-houses and Markets.

24. The Markets and Fairs Clauses Act 1847 is except where expressly varied by this Order or by the Markets Acts incorporated with and forms part of this Part of this Order and this Order shall be deemed to be a special Act within the meaning of that Act. Incorporation of Act.

25. The Corporation may in addition to the moneys they are authorised to borrow by the Markets Acts borrow for the Extension of borrowing powers.

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purposes of those Acts and this Part of this Order and in the manner authorised by those Acts or by the Glasgow Loans Acts 1883 to 1915 any sum or sums of money not exceeding seventy thousand pounds and they may again borrow any such sum or sums or part thereof which may be repaid by them from time to time otherwise than by means of the sinking funds provided by those Acts and this Order and any moneys so borrowed by them shall be deemed to have been borrowed under those Acts and the maximum sum which may be borrowed is hereby increased accordingly.

As to sinking fund.

26. The Corporation shall during the year ending thirty-first day of May one thousand nine hundred and nineteen and annually thereafter set apart and pay into the Loans Fund provided by the Glasgow Loans Acts 1883 to 1915 as a sinking fund on the amount borrowed by them under the immediately preceding section of this Order such sum as will secure that the amount so borrowed shall be repaid within a period not exceeding fifty years from the date of such borrowing The Corporation shall apply such sinking fund in paying off debt.

Application of money.

27. All money by this Part of this Order authorised to be borrowed shall be applied for the enlargement and improvement of the markets and slaughter-houses of the Corporation and in the erection of buildings markets and conveniences and other purposes for which capital is properly applicable.

Interpretation for Part III.

28. The words and expressions used in this Part of this Order shall have the meanings assigned to them by the Markets Acts.

Repeal of existing rates.

29. Sections 37 (Tolls for cattle market as in Schedule A) and 39 (Tolls for slaughter-houses as in Schedule C) and Schedule C to the Glasgow Markets and Slaughter-houses Act 1865 and section 12 (Tolls for cattle market) and section 13 (Repeal of section 42 of the Markets Act of 1865) and Schedules A and B to the Glasgow Corporation Act 1884 are hereby repealed.

Tolls for slaughter-houses.

30. The Corporation may from time to time demand and take from any person slaughtering cattle in any of the slaughter-houses such rates and tolls as the Corporation may from time to time fix not exceeding the several rates and tolls specified in the First Schedule to this Order.

Tolls for live cattle market.

31. The Corporation may demand and take from any person bringing any cattle into the live cattle market for each time that such cattle shall be exposed for sale such rates and tolls as the Corporation may from time to time fix not exceeding the several rates and tolls specified in the Second Schedule to this Order.

Rates for dead meat market.

32. The Corporation may demand and take from any person using the dead meat market in respect of (*a*) meat brought into the market (*b*) the weighing thereof and (*c*) the accommodation for the sale thereof such rates tolls and rents as the Corporation may from time to time fix not exceeding the several rates tolls and rents specified in the Third Schedule to this Order.

Maintenance of triperies.

33. The Corporation may maintain and carry on the existing triperies in their slaughter-houses on such terms and conditions and may make such charges in connection therewith as may appear to them to be reasonable.

Application of Markets Acts to Order.

34. Subject to the provisions of this Part of this Order the Markets Acts shall extend and apply to the powers conferred on the Corporation by this Part of this Order and by the schedules thereto in the same manner and to the like effect as if the said powers formed part of and were authorised by the Markets Acts.

PART IV.

MISCELLANEOUS.

Consent of Treasury to raising of money.

35. Notwithstanding anything in this Order the Corporation shall not under the powers of this Order borrow any money during the continuance of the present war and twelve months thereafter unless the consent of the Treasury has been previously obtained.

Expenses of Order.

36. The costs charges and expenses of and incident to the preparing for obtaining and confirming this Order or otherwise in relation thereto shall be paid by the Corporation and if paid out of borrowed moneys shall be repaid out of revenue within five years from the passing of the Act confirming this Order.

A.D. 1918. The SCHEDULES referred to in the foregoing Order.

FIRST SCHEDULE.

Referred to in the section of this Order of which the marginal note is "Tolls for slaughter-houses."

RATES AND TOLLS TO BE TAKEN FOR THE USE OF SLAUGHTER-HOUSES.

	s.	*d.*
For every ox cow bull or heifer slaughtered - - - -	2	0
For every boar sow hog or pig slaughtered including the use of the cauldron and hot water as also selling dues - -	2	0
For every calf slaughtered - - - - - - - - -	0	8
For every sheep lamb or goat slaughtered - - - - -	0	4

SECOND SCHEDULE.

Referred to in the section of this Order of which the marginal note is "Tolls for live cattle market."

RATES AND TOLLS TO BE TAKEN IN LIVE CATTLE MARKET.

	s.	*d.*
For oxen cows bulls or heifers per head - - - - -	1	6
For swine and goats per head - - - - - - -	0	6
For calves per head - - - - - - - - -	0	4
For sheep and lambs per head - - - - - - -	0	2

THIRD SCHEDULE.

Referred to in the section of this Order of which the marginal note is "Rates for dead meat market."

RATES TOLLS AND RENTS IN DEAD MEAT MARKET.

1. TOLLS ON MEAT.

	s.	*d.*
For each ox cow bull or heifer - - - - - -	2	0
For each fed calf - - - - - - - - -	0	9
For each slink calf - - - - - - - -	0	3
For each pig - - - - - - - - - -	0	6
For each sheep or lamb - - - - - - - -	0	2

2. Tolls for Weighing.

	s.	*d.*
For any quantity of meat not exceeding one hundredweight at the owner's request - - - - - - - - - -	0	$0\frac{1}{2}$
For every additional one hundredweight or part of one hundredweight - - - - - - - - - -	0	$0\frac{1}{2}$

3. Rents.

For every superficial foot contained in each stance per week -	0	$0\frac{3}{8}$
For office accommodation per stance per week - - - - -	2	6

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