CHAPTER lxvi.

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Grangemouth Waterworks and Burgh Extension. A.D. 1905.

[30th June 1905.]

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:—

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

2. This Act may be cited as the Grangemouth Waterworks and Burgh Extension Order Confirmation Act 1905. Short title.

[*Price* 1*s*. 6*d*.]

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SCHEDULE.

GRANGEMOUTH WATERWORKS AND BURGH EXTENSION.

Provisional Order to construct additional Waterworks to abandon certain authorised Works to extend the Boundaries of the Burgh of Grangemouth and for other purposes.

WHEREAS the provost magistrates and councillors of the burgh of Grangemouth (hereinafter called "the Town Council") as the local authority within the said burgh obtained powers under the Grangemouth Water Order 1903 (hereinafter referred to as "the Order of 1903") to provide an additional water supply and to construct and maintain the new waterworks therein described:

And whereas the Town Council have proceeded to carry out the construction of the said waterworks under the powers of the Order of 1903 and for better effecting the purposes thereof and enabling the Town Council better to carry out the obligations in the said Order to supply water to the central district committee of the county of Stirling and to other persons as therein provided it is expedient that the Town Council should be authorised to abandon the construction of the reservoir Work No. 1 and the embankment Work No. 2 and the bye-pass channel Work No. 3 authorised by the said Order and should be authorised to construct the new or substituted reservoir and the further works all as in this Order described:

And whereas it is expedient to amend the Order of 1903 as in this Order mentioned and to extend the provisions of the said Order as so amended by this Order and make the same applicable to the waterworks purposes of this Order:

And whereas plans and sections showing the lines and levels of the works authorised by this Order and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands water and other

property required or which may be taken for the purposes or under the powers of this Order were duly deposited in the offices at Stirling and Falkirk respectively of the principal sheriff clerk of the county of Stirling and are hereinafter respectively referred to as the deposited plans sections and book of reference:

And whereas under the powers of the General Police and Improvement (Scotland) Act 1862 the boundaries of the burgh of Grangemouth were for all municipal and police purposes fixed and defined by the sheriff of Stirling Dumbarton and Clackmannan by deliverance dated the thirtieth day of September one thousand eight hundred and seventy-two and the same were extended under the Burgh Police (Scotland) Act 1892 by another deliverance by the said sheriff dated the tenth day of October one thousand eight hundred and ninety-four:

And whereas the said burgh is now managed and administered under (among others) the Burgh Police (Scotland) Acts 1892 to 1903 the Public Health (Scotland) Act 1897 the Roads and Bridges (Scotland) Act 1878 and Acts amending and extending those Acts:

And whereas the districts annexed to the existing burgh by this Order are and have hitherto been supplied with water by the Town Council:

And whereas the Town Council are the local road and sanitary authority within the burgh:

And whereas in consequence of the increase of population and the extension of the existing docks of Grangemouth now approaching completion and the erection of large industrial works within and contiguous to the burgh and the great expansion of the shipping trade of the port of Grangemouth it is expedient that the boundaries of the said burgh should be further extended to include the areas and districts lying contiguous and adjacent thereto all as shown on the map hereinafter mentioned and as in this Order described and that all franchises rights privileges and immunities and all public and local Acts and Orders relating to and in force for the time within or applicable to the existing burgh should as the same are amended by this Order be applied to the burgh as extended by this Order:

And whereas for the purposes of such extension it is necessary that subject to the provisions of this Order the said areas and districts within the county of Stirling added to the existing burgh by this Order should be separated and disjoined for the purposes of

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this Order from the said county and that subject to the said provisions all matters of administration and management and all jurisdictions powers functions and authorities within the areas and districts annexed including the maintenance and management of the roads and streets and the water supply therein should devolve upon and be vested in the Town Council:

And whereas it is expedient that the extended burgh should be divided into wards:

And whereas it is expedient that the areas and districts added to the existing burgh under this Order should be within the jurisdiction of the magistrates of the extended burgh and of quarter sessions and the licensing appeal court of the said county of Stirling:

And whereas the existing burgh is supplied with water by the Town Council under the Burgh Police (Scotland) Acts 1892 to 1903 the Grangemouth Water Order 1901 and the Grangemouth Water Order 1903 and the existing burgh forms the compulsory water limits under the said Order of 1903 and it is expedient that the burgh as extended by this Order should form the compulsory water limits for all purposes:

And whereas it is expedient that the Town Council should be empowered to levy rates and assessments within the extended burgh and to borrow money on the security thereof:

And whereas it is expedient that the Town Council should be authorised to enter into and carry out agreements with any person with respect to any of the purposes of this Order:

And whereas it is expedient that the further powers hereinafter mentioned should be conferred on the Town Council:

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:—

Short title.

1. This Order may be cited for all purposes as the Grangemouth Waterworks and Burgh Extension Order 1905.

Commencement of Order.

2. This Order shall (except as otherwise in this Order provided) commence and have effect on and from the date of the passing of

the Act confirming the same which date is hereinafter referred to as "the commencement of this Order."

Interpretation.

3. In this Order the several words and expressions mentioned and referred to in section 2 (Interpretation) of the Order of 1903 shall so far as applicable and as amended or varied and extended by and not inconsistent with this Order have the same respective meanings And (unless there be something in the subject or context inconsistent with or repugnant to such construction) the several words and expressions to which meanings are assigned by any public or local Act of Parliament or Order applicable within the burgh of Grangemouth shall subject to the provisions of this Order have the same respective meanings And the following expressions shall in this Order have the meanings assigned to them in this section :—

"The existing burgh" means the burgh of Grangemouth within the limits and boundaries existing immediately previous to the commencement of this Order;

"The burgh" means the burgh of Grangemouth as extended by this Order;

"The districts annexed" means the districts annexed to the existing burgh by virtue of this Order;

"The wards" means the wards of the burgh as defined in this Order;

"The Town Council" means the provost magistrates and councillors of the burgh for the time being;

"Magistrates" means the magistrates of the burgh for the time being and includes the provost and bailies;

"Dean of Guild" means the Dean of Guild Court of the burgh;

"Town clerk" means the town clerk of the existing burgh and of the burgh;

"The Water Acts" means the Grangemouth Water Orders 1901 and 1903 and the waterworks provisions of this Order;

"Valuation Acts" means the Lands Valuation (Scotland) Act 1854 and any Acts amending and extending the same;

"Valuation roll" means the valuation roll made up in accordance with the Valuation Acts

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"Election Acts" means the Acts in force for the time being relating to the registration of parliamentary and municipal voters and the election of town councillors;

"The Town Councils Acts" means the Town Councils (Scotland) Acts 1900 and 1903;

"The Police Acts" means the Burgh Police (Scotland) Acts 1892 to 1903;

"The Public Health Act" means the Public Health (Scotland) Act 1897 and any Act amending the same;

"The Licensing Act" means the Licensing (Scotland) Act 1903 and any Act amending the same;

"The Registration Acts" means the Registration of Births Deaths and Marriages (Scotland) Acts 1854 to 1860;

"County" means the county of Stirling;

"County council" means the county council of the county and includes any district committee having jurisdiction and possessing powers within the districts annexed.

Waterworks.

Incorporation of Acts.

4. The following Acts and parts of Acts (so far as the same respectively are applicable to the waterworks purposes and are not inconsistent with the provisions of this Order) are hereby incorporated with and form part of this Order:—

The Lands Clauses Acts:

The Waterworks Clauses Act 1847 except the clauses and provisions with respect to the communication pipes to be laid by the undertakers and with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit and also with the exception of clauses 68 70 71 and 72 Provided that the clauses of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes shall apply to the lines of pipes which may be laid under this Order:

The Waterworks Clauses Act 1863:

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 and provisions "the company" means the Town Council "the railway" means the reservoir and embankment authorised by this Order and the works immediately connected therewith and "the centre of the railway" means any part of these works.

Power to make new waterworks.

5. The Town Council may subject to the provisions of this Order make and maintain in the lines and according to the levels shown on the deposited plans and sections the works hereinafter described or some of them together with all proper dams weirs roads approaches ways wells tanks gauges basins filter-beds standpipes catchwater drains outlets outfalls discharge pipes aqueducts culverts cuts channels conduits drains mains pipes junctions meters valves buildings apparatus and conveniences connected with the said works or any of them or necessary or convenient for taking collecting impounding conducting distributing and regulating the supply of water by the Town Council and for inspecting maintaining repairing registering altering checking cleansing managing and using the same and may purchase enter upon take hold and use compulsorily or by agreement such of the lands and water delineated on the deposited plans and described in the deposited book of reference as may be required for such purposes The said works are—

A reservoir (Work No. 1) on the stream known as the Bannock Burn commencing at a point in Enclosure No. 1875 on the $\frac{1}{2500}$ Ordnance Survey map 1897 edition of the parish of St. Ninians about one hundred and seventy yards south of the confluence of the Kings Yett Burn and the Bannock Burn and terminating at the embankment (Work No. 3) hereinafter described;

An embankment (Work No. 2) commencing in Enclosure No. 926 on the said map at the west side and about one hundred and twelve yards south of the north-west corner of that enclosure and terminating in said Enclosure No. 926 on the said map at a point about forty-five yards east of the point of commencement;

An embankment (Work No. 3) commencing in said Enclosure No. 926 on the said map about twenty-five yards east of the termination of the embankment last described and terminating in Enclosure No. 927 on the said map at a point about two hundred yards east of the point of commencement;

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An embankment (Work No. 4) commencing in Enclosure No. 927 on the said map at a point about one hundred and ten yards north of the north-east corner of Enclosure No. 1859 on the said map and terminating in the said Enclosure No. 927 on the said map at a point about two hundred and ten yards east of the point of commencement;

An extension (Work No. 5) of the road of access authorised by the Grangemouth Water Order 1903 commencing at a point thirty yards north of the south-east corner of Enclosure No. 902 on the said map and terminating at a point twenty-five yards east from the west end of the said embankment (Work No. 4);

A conduit or line of pipes (Work No. 6) commencing at the east corner of Enclosure No. 912 on the said map and terminating in the reservoir (Work No. 1) hereinbefore described;

Filters and clear water tank (Work No. 7) situated on the east side of Enclosure No. 902 on the said map;

A conduit or line of pipes (Work No. 8) commencing at the filters and clear water tank (Work No. 7) above described and terminating at a point in the Bannock Burn about forty-three yards east of the point of commencement;

Watermen's House (Work No. 9) situated at the north side of Enclosure No. 900 on the said map;

all situated in the parish of St. Ninians and county of Stirling:

A service reservoir or tank (Work No. 10) situated at the north-east corner of Enclosure No. 803 on the $\frac{1}{2500}$ Ordnance Survey map 1898 edition of the parish of Polmont now forming part of the parish of Grangemouth;

A conduit or line of pipes (Work No. 11) commencing at a point about twenty-five yards north of the north-west corner of Enclosure No. 772 on the said map and terminating in the service reservoir or tank (Work No. 10);

A road of access (Work No. 12) commencing at the service reservoir or tank (Work No. 10) above described and terminating by a junction with the public road leading east from Little Kerse at the point where the said public road passes the houses known as Northfoot;

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A conduit or line of pipes (Work No. 13) commencing at the service reservoir or tank (Work No. 10) above described and terminating at a point on the public road about three hundred yards west of the said houses known as Northfoot;

A conduit or lines of pipes (Work No. 14) commencing at the service reservoir or tank (Work No. 10) above described and terminating in Millhall Burn at the north-east corner of Enclosure No. 836 on the said map;

all situated in the parish of Grangemouth and county of Stirling.

Application of sections of Order of 1903.

6. The provisions of the following sections of the Order of 1903 (that is to say):—

Section 5 (Power to deviate laterally and vertically) provided that the said section 5 shall be amended by the substitution of the word "three" for the word "five" last occurring in the said section;

Section 6 (Power to alter roads &c. temporarily);

Section 7 (Power to take water);

Section 8 (Temporary restriction as to taking water);

Section 9 (Compensation water);

Section 10 (Power to agree for servitudes &c.);

Section 11 (Power to acquire servitudes only for lines of pipes);

Section 12 (Power to acquire and hold lands for protection of works and prevention of pollution);

Section 13 (For protection of owner of Touchadam and Polmaise);

Section 16 (For protection of corporation of Falkirk);

Section 17 (For protection of Falkirk and Larbert Water Trustees);

Section 18 (For protection of county council of Stirling);

Section 19 (Confirming agreement in First Schedule);

Section 20 (Confirming agreement in Second Schedule);

Section 21 (For protection of Caledonian Railway Company);

Section 23 (Restriction on taking houses of labouring class);

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Section 25 (Pressure);
Section 26 (Suspension of constant supply);
Section 27 (Town Council may enlarge or increase number of pipes);
Section 28 (Water supply to local authority);
Section 29 (Power to Town Council and local authorities &c. to agree as to supply of water on line of pipes &c.);
Section 30 (Payment of charge for water supply);
Section 31 (Laying mains on public roads);
Section 32 (Power to borrow);
Section 33 (Periods of repayment of borrowed money);
Section 34 (Sinking fund);
Section 35 (Power to re-borrow);
Section 36 (Town Council may borrow on cash account);
Section 37 (Application of Police Acts);
Section 39 (Application of certain sections of Order of 1901);

shall subject to the provisions of this Order extend and apply mutatis mutandis to the waterworks authorised by this Order as fully and effectually as if the said waterworks had been authorised by the Order of 1903:

Provided always that the point of abstraction of water from the Bannock Burn under this Order shall be substituted for the point of abstraction under the Order of 1903:

Provided also that the compensation water required to be discharged under the Order of 1903 shall be discharged immediately below the foot of the outer slope of the embankment (Work No. 3) by this Order authorised in lieu of the point of discharge mentioned in the said section 9 of the Order of 1903 and a suitable and sufficient measuring gauge or other apparatus required to be provided by subsection (3) of the said section 9 of the Order of 1903 shall be constructed at the said point of discharge provided under this Order in lieu of the point of such construction under the Order of 1903:

Provided further that any reference in any of the provisions of the Order of 1903 or in the agreements scheduled to that Order to the works by this Order authorised to be abandoned shall so far as applicable be held to be a reference to the works authorised by this Order.

Limiting time for exercise of compulsory powers of purchase.

7. The powers of the Town Council for the compulsory purchase of lands for the waterworks authorised by this Order shall cease after the expiration of three years from the commencement of this Order.

Period for completion of works.

8. If the waterworks authorised to be constructed by this Order are not completed within seven years from the commencement of the Order of 1903 then on the expiration of that period the powers by this Order granted to the Town Council for executing any such works not so completed or in relation thereto shall cease except as to so much thereof as is then completed.

As to use of lands already acquired for works abandoned.

9. Subject to the provisions of this Order the Town Council may so far as requisite for the construction and maintenance of the waterworks authorised by this Order or any of them use all or any of the land and property authorised by the Order of 1903 to be taken for the works by this Order abandoned so far as the Town Council may have acquired or may acquire the same under the powers of the Order of 1903.

Abandonment of certain works authorised by Order of 1903.

10. The Town Council may and shall abandon the construction of the following works described in and authorised by the Order of 1903 viz.:—

The reservoir Work No. 1;
An embankment Work No. 2;
A bye-pass channel Work No. 3.

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

11. The abandonment by the Town Council of the works hereinbefore authorised to be abandoned shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Town Council on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out the line of the work and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Town Council to receive compensation for such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation (Scotland) Act 1845 or the Order of 1903.

Compensation to be made in respect of

12. Where before the commencement of this Order any contract has been entered into or notice given by the Town Council for the purchasing of any land for the purposes of or in relation to any of

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works abandoned.

the works authorised to be abandoned by this Order the Town Council shall (if the Town Council so desire) be released from all liability to purchase or to complete the purchase of any such land (so far as such land is not required for the purpose of the works or any part of such works by this Order authorised) but notwithstanding full compensation shall be made by the Town Council to the owners and occupiers or other persons interested in such land for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall in case of dispute be determined in manner provided by the Lands Clauses Acts for determining the amount and application of compensation to be paid for lands taken under the provisions thereof.

New waterworks to form part of water undertaking.

13. Subject to the provisions of this Order the existing and the authorised waterworks of the Town Council (so far as the authorised works are not abandoned by this Order) and the works authorised to be constructed by this Order shall for all purposes whatsoever be and be deemed to be part of the water undertaking of the Town Council in the same way and to the same effect as if the waterworks authorised by this Order had been authorised by the Order of 1903 and subject as aforesaid all the powers conferred on the Town Council by the said Order of 1903 and all the provisions thereof as the same are extended amended or varied by this Order shall have effect and be exerciseable and applicable in all respects for the waterworks purposes of this Order as such powers and provisions are applicable to the waterworks authorised by the Order of 1903.

BURGH EXTENSION.

Extension of boundaries.

14. The municipal and police boundaries of the existing burgh shall be and are hereby extended to and shall include and comprehend the existing burgh and the districts annexed which districts annexed are comprised within the limits and boundaries set forth and described in the First Schedule to this Order Provided that the description of the said boundaries shall be subject to the rules of construction laid down in section 5 of the Representation of the People (Scotland) Act 1832.

Map of burgh.

15. A map of the burgh as extended and defined by this Order having been signed in quadruplicate by the Lord Killanin Chairman of the Commissioners to whom this Order was referred one copy thereof shall within one month after the commencement of this

Order be deposited in the office of the Secretary for Scotland another copy thereof shall be deposited with the town clerk at his office and two other copies shall be deposited with the sheriff clerk of the county of Stirling at his offices in Falkirk and Stirling respectively and a copy of such map certified by the town clerk shall be deposited with the Board of Agriculture and Fisheries Provided that if there be any discrepancy between the said map and the description in this Order the said map shall be deemed to be correct and shall prevail.

Districts disjoined from county of Stirling.

16. The districts annexed shall be and the same are hereby for the purposes of this Order disjoined from the county.

Provisions of local and general Acts and Orders to apply to burgh as extended.

17. The provisions of all local and private and public general Acts and Orders and all byelaws rules and regulations made under the same which apply to the existing burgh shall except so far as inconsistent with or varied by the provisions of this Order extend and apply to the burgh.

Powers of magistrates and councillors extended to burgh.

18. The magistrates and Town Council respectively shall have possess and exercise over the burgh and the inhabitants thereof all the jurisdictions (civil and criminal) powers rights and authorities which the magistrates and Town Council respectively of the existing burgh now have possess and exercise over the existing burgh and the inhabitants thereof whether at common law or by statute or otherwise including all powers of imposing levying and recovering rates dues taxes and assessments and all rights privileges immunities and obligations at present enjoyed and possessed by or incumbent on the inhabitants of the existing burgh shall subject to the provisions of this Order extend and apply to the inhabitants of the burgh.

Powers of other jurisdictions to cease.

19. Subject to the provisions of this Order all jurisdictions rights powers functions duties and authorities which previous to the commencement of this Order were exercised or exerciseable by the county council or any local or other authority within the districts annexed or any part thereof under any public general or local or private Act of Parliament or Order (with the exception of such jurisdictions rights powers and authorities as are presently exercised or exerciseable by the county council or any committee thereof or other assessing authority within the existing burgh) shall cease and determine Nothing in this Order shall alter diminish or affect the authority and jurisdiction of the sheriff.

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Extension of compulsory limits of water supply.

20. The limits for the compulsory supply of water by the Town Council under the Police Acts and the Water Acts are hereby extended so as to include therein the districts annexed and section 24 of the Order of 1903 is hereby amended accordingly.

Supply of water by county council to Town Council.

21. From and after the date when the new docks now being constructed at Grangemouth under the powers of the Caledonian Railway Act 1897 enter the valuation roll the Town Council shall pay to the eastern district committee of the county council (hereinafter called "the district committee") one thousand two hundred and seventy-five pounds per annum and the district committee shall from the works already constructed under the powers of the East Stirlingshire Water Act 1900 supply the Town Council with filtered water to the amount of two hundred thousand gallons per day The said payment shall be made and said supply given under the following conditions :—

(1) The said payment shall be made in equal instalments half-yearly at Martinmas and Whitsunday The first payment shall be made at the first term of Whitsunday after the new docks shall have entered the valuation roll Provided that any money received by the district committee under this section shall be applied to the purposes of the East Stirlingshire water supply under the provisions of the East Stirlingshire Water Act 1900:

(2) In the event of the district committee if required failing from any cause other than accident or frost or drought or the examination cleansing or repair of any of the works of the district committee to supply two hundred thousand gallons on any day the Town Council shall be entitled to a proportional reduction from the sum payable by them:

(3) The Town Council shall not be bound to take two hundred thousand gallons per day but shall not be entitled to a deduction from the sum payable by them in the event of their not taking two hundred thousand gallons per day:

(4) The district committee shall deliver the water by the two pipes which they have already laid to the districts annexed and the water shall be delivered by each pipe in such quantities as the Town Council may require in the proportions of three-fourths by the five-inch pipe and one-fourth by the three-inch pipe now laid down Provided that if the Town Council at any time wish

the water or any part thereof delivered at any point on their waterworks in the vicinity of Millhall the district committee shall deliver it at such point Provided that all pipes and fittings necessary to conduct the water from the nearest pipe of sufficient capacity belonging to the district committee to such point shall be laid at the expense and be the property of the Town Council and the point of junction with the district committee pipe shall be determined by the engineers of the parties:

(5) The Town Council shall acquire the said two pipes so far as laid within the districts annexed and the price to be paid for the same shall failing agreement be fixed as provided for by the section of this Order the marginal note of which is "Adjustment of indebtedness between Town Council and county council":

(6) In respect of the payment by the Town Council of the said sum of one thousand two hundred and seventy-five pounds per annum to the district committee the Town Council shall except as otherwise in this section provided be under no further liability in respect of waterworks of the district committee or of the indebtedness of the county council for said waterworks and no adjustment of indebtedness in so far as relating to waterworks shall take place between the Town Council and the county council:

(7) The district committee shall put in and maintain at each point on their pipes at which water shall be delivered by the district committee to the Town Council a stop cock and a meter and other necessary apparatus for affording and measuring the said supplies and the Town Council shall pay annually to the district committee a sum equal to ten per centum on the cost of each meter and meter house and the district committee shall have the sole control of the said meter and other apparatus but the Town Council or any person representing them shall be entitled to all reasonable facilities for checking and verifying the readings of the said meters:

(8) If any difference arise between the district committee and the Town Council touching this section or anything to be done or not to be done thereunder such difference shall be determined by a summary application to the

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sheriff by either party and the decision of the sheriff shall be binding and conclusive on all parties and the costs shall be in the discretion of the sheriff.

Wards of burgh.

22. The burgh shall be and is hereby divided into three wards which shall consist of the areas respectively described in the Second Schedule to this Order which shall be called and known respectively as Ward I. Ward II. and Ward III.

Number of councillors &c.

23. At and after the next ensuing annual election of councillors in the year one thousand nine hundred and five under the provisions of the Election Acts as modified by this Order the number of councillors shall be nine being three councillors from each of the three wards into which the burgh is divided by this Order and the number of bailies or magistrates shall be three one of whom shall be provost.

Retirement of councillors.

24. Subject to the provisions of this Order all the members of the Town Council of the existing burgh shall continue in office until the second Tuesday of November one thousand nine hundred and five and thereupon shall cease to hold their respective offices.

Nomination and withdrawal of candidates.

25. For the purposes of the next ensuing annual election of councillors in the year one thousand nine hundred and five the day for the nomination of candidates required to be made in accordance with the provisions of the Town Councils Acts shall be the first Tuesday of November one thousand nine hundred and five and the day on which any such nomination may be withdrawn in the manner provided by the said Town Councils Acts shall be the Thursday immediately preceding the second Tuesday of November one thousand nine hundred and five.

Election of councillors of burgh.

26.—(1) On the said second Tuesday of November one thousand nine hundred and five the electors in each of the three wards into which the burgh is by this Order divided shall elect three councillors from among the persons qualified to be councillors and such election shall be conducted and the whole procedure in connection with the nominations election and induction to office of such councillors under the Town Councils Acts and the ensuing election of the provost magistrates and other office bearers shall be regulated in all respects in the way and manner prescribed by the said Acts and this Order and the date or dates on which any notice is required to be given or other procedure to be taken under the Town Councils Acts shall for the purposes of the nomination and election under this Order be such date or dates as shall correspond with the postponed date or dates of such election.

(2) All subsequent elections shall be conducted in accordance with the Town Councils Acts.

Magistrates and councillors &c. to retain office till successors elected.

27. The provost magistrates councillors and other office bearers of the Town Council of the existing burgh holding office immediately previous to the commencement of this Order shall retain their several offices and exercise the respective functions thereof within the burgh but only until the election provided for in the immediately preceding section has taken place.

Power to sheriff to sanction procedure.

28. In the event of circumstances arising in connection with the first election under this Order of councillors magistrates or other office bearers which may render it necessary or expedient to postpone alter or vary any date or any procedure prescribed by or in pursuance of the provisions of the Election Acts or this Order or any other matter arising thereunder the sheriff may on a summary application by the town clerk sanction such postponement alteration variation or procedure as may in his judgment be best fitted to meet the circumstances of the case and the whole procedure following on such sanction and any order made by the sheriff shall be valid and unchallengeable.

Municipal roll.

29. The assessor for the county under the Valuation Acts and the Election Acts shall on or before the fifteenth day of September in the year one thousand nine hundred and five and in every subsequent year make out or cause to be made out a list of all persons in the burgh as divided into wards by this Order who shall be entitled to vote in the election of councillors for the burgh and the same procedure shall be applicable and be followed with reference to such list as is followed with reference to the register and list of voters for municipal elections within the existing burgh.

As to levying assessments by Town Council.

30.—(1) Notwithstanding the date of the commencement of this Order the Town Council shall levy within the districts annexed the rates and assessments imposed upon the burgh for the year from Whitsunday one thousand nine hundred and five to Whitsunday one thousand nine hundred and six and may issue such notices and adopt such proceedings as may be necessary with the view of the levying and recovery of such rates and assessments within the districts annexed and no county council or other assessing authorities shall impose or levy rates or assessments for that year except such rates and assessments (if any) as they may at present impose or levy within the existing burgh.

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(2) In consideration of the burgh assessments being levied within the districts annexed during the period between Whitsunday one thousand nine hundred and five and the commencement of this Order the Town Council shall pay over to the county council a sum equal to one fourth of the assessments which might have been imposed by the county council for the year from Whitsunday one thousand nine hundred and five to Whitsunday one thousand nine hundred and six had this Order not been confirmed.

Adjustment of indebtedness between Town Council and county council.

31. Section 50 of the Local Government (Scotland) Act 1889 as applied by section 96 of the Burgh Police (Scotland) Act 1903 shall apply and have effect on the extension of the boundaries of the burgh by this Order.

Recovery of assessments &c. within districts annexed.

32. Every rate charge or assessment which shall have been actually imposed by the county council or by any local or other authority who had jurisdiction within the districts annexed or any part thereof before the commencement of this Order together with all arrears thereof shall subject to the provisions of this Order continue to be due and payable and may be collected and levied by the persons who respectively imposed the same and by the ways and means and under the same restrictions and regulations as if this Order had not been passed and shall be received and applied by such persons respectively to and for the purposes for which the same were authorised to be levied and all debts due to the Town Council of the existing burgh by any person prior to the commencement of this Order may be demanded and recovered from such person and received and applied by the Town Council for behoof of the burgh.

Roads &c. in districts annexed.

33. The roads streets bridges foot pavements and footpaths within the districts annexed shall so far as the same are vested in the county council or other public authority be transferred to and vested in and be managed maintained and repaired by the Town Council along with and in the same way and manner and to the same extent as the roads streets bridges foot pavements and footpaths within the existing burgh and the county council shall be freed and relieved of the repair and maintenance of all such roads streets bridges foot pavements and footpaths so far as within the districts annexed in all time coming.

Property of burgh vested in Town Council.

34. Subject to the provisions of this Order all property heritable and movable (including all means revenues and income of every description arising therefrom) belonging to or leviable within the existing burgh or to which the existing burgh is entitled or which

is held or administered by any person for or on behalf of the community of the existing burgh or for the public ends and purposes thereof shall be and the same is hereby vested in and held by the Town Council for the behoof and benefit of the burgh and all debts and obligations due by or exigible from the existing burgh shall be due by and exigible from the burgh.

For protection of Marquis of Zetland.

35.—(1) Nothing in this Order shall alter affect or in any way derogate from the terms of a feu contract between the Commissioner for the Most Honourable Lawrence Marquis of Zetland Earl of Ronaldshay Baron Dundas K.T. and the provost magistrates and councillors of the burgh of Grangemouth dated the fourteenth and twenty-second days of April and recorded in the division of the General Register of Sasines applicable to the county of Stirling the first day of May both in the year nineteen hundred and two and notwithstanding anything in this Order the portions of the farms of Fouldubs and Newhouse comprised in the districts annexed or the existing buildings and other premises thereon shall not be liable to be assessed by the Town Council for water supply so long as the said farms and premises retain their present character but the Town Council shall continue to be liable to provide for and to such farms and premises a sufficient supply of water in accordance with and on the terms stated in the said feu contract.

(2) The Town Council shall without prejudice to their obligations under any Act of Parliament maintain in a good and substantial condition at their own expense and when necessary renew the fence now erected on the north side of the public road from Airth to Polmont between a point one hundred yards or thereabouts from the Dalgrain drawbridge over the Forth and Clyde Canal and the lodge at the southern end of the policies of Kerse House and shall relieve the said Marquis of Zetland and his successors of all responsibility in connection therewith in all time coming or until the said marquis or his successors shall release the Town Council from the aforesaid obligation.

Borrowing and assessing power.

36. The Town Council in addition to any other powers of borrowing which they now have or may obtain may for the purpose of the payment of any capital sum which may be paid under the provisions of the section of this Order whereof the marginal note is "Adjustment of indebtedness between Town Council and county council" borrow such money as may be necessary under and on the security of an assessment to be imposed under and in the manner and along with and as part of the assessment for the

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maintenance and repair of highways leviable by the Town Council as local authority under the Roads and Bridges (Scotland) Act 1878 and the Public Health General Assessment leviable under the Public Health (Scotland) Act 1897 or any Acts amending the said Acts or under either of those Acts and the Town Council may assign so much or such part as may be required of such assessment as security for the money which may be so borrowed under the provisions of this section.

Application of sections of Order of 1903 to burgh extension purposes.

37. The provisions of the following sections of the Order of 1903 (that is to say) :—

Section 33 (Periods for repayment of borrowed money) ;

Section 34 (Sinking fund) ;

Section 35 (Power to re-borrow) ;

Section 36 (Town Council may borrow on cash account) ;

shall apply to any money borrowed under the immediately preceding section of this Order Provided that "the prescribed period" in the said section 33 shall as regards sums borrowed for the purposes of the section of this Order the marginal note of which is "Adjustment of indebtedness between Town Council and county council" shall be twenty-five years from the date of borrowing.

Repeal of laws inconsistent with this Order.

38. All laws statutes jurisdictions powers privileges and usages now in force in relation to the districts annexed in so far as they are inconsistent or at variance with the provisions of this Order are subject to the provisions of this Order hereby repealed put an end to and extinguished.

Not to affect election of members to serve in Parliament.

39. Nothing in this Order contained shall interfere with the election of members to serve in Parliament for the county and the county shall for Parliamentary purposes remain in all respects as if this Order had not been confirmed.

Saving rights of Crown.

40. Nothing in this Order shall affect prejudicially any estate right power privilege or exemption of the King's most Excellent Majesty and in particular nothing herein contained shall authorise the Town Council 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 lands hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing

of the Commissioners of Woods or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent such Commissioners and such Board are hereby respectively authorised to give).

Costs of Order.

41. All costs charges and expenses of and incidental to the preparing for obtaining and confirming this Order or otherwise in relation thereto shall be paid by the Town Council out of any moneys to be borrowed or received by them or any rates and assessments which they are authorised to levy and in the event of such costs being paid out of borrowed money the same shall be repaid within five years from the commencement of the Order.

THE SCHEDULES.

THE FIRST SCHEDULE.

First.—The area within the parish of Grangemouth and county of Stirling bounded as follows Commencing at the beacon at the north-east point of the existing boundary of the burgh on the left bank of the River Carron and proceeding in an easterly northerly and north-easterly direction along the centre line of the embankment or breakwater on the said left bank of the said River Carron to the beacon at the termination of the said embankment or breakwater near the mouth of the said River Carron thence in a north-easterly direction for a distance of one hundred and twenty yards or thereabouts in a straight line to low water mark of ordinary spring tides at the west side of the mouth of the said River Carron thence in an east north-easterly direction for a distance of six hundred and sixty yards or thereabouts in a straight line thence in an east south-easterly direction for a distance of three hundred and eighty-five yards or thereabouts in a straight line thence in a south by westerly direction for a distance of five hundred and thirty yards or thereabouts in a straight line thence in a south south-westerly south-west by southerly and south-westerly direction for a distance of one thousand five hundred and ten yards or thereabouts in a curved line to the line of high water mark of ordinary spring tides at a point thirty yards or thereabouts measured in an easterly direction from the centre of the Grange Burn at the point where the said burn meéts said line of high water mark thence along the said line of high water mark in an east south-easterly direction to the mouth of a ditch which runs along the south-eastern side of the fields or enclosures numbers 1,013 and 969 on Sheets XXV. 14 and XXV. 13 of the Ordnance Survey map of Stirlingshire on the scale of $\frac{1}{2500}$

A.D. 1905. second edition 1897 thence in a south-westerly direction along the centre of said ditch until it meets the existing boundary of the burgh thence in a north-westerly direction along the said existing boundary of the burgh to the point of commencement.

Second.—The area within the parish of Grangemouth and county of Stirling bounded as follows Commencing at a point in the existing boundary of the burgh where it crosses the road leading to and from the farm of Abbots Grange situated five yards or thereabouts measured in a north-easterly direction from the southmost point of the existing boundary of the burgh near the farm of Abbots Grange and proceeding along the existing burgh boundary in a north-easterly direction thence in a south-easterly direction to a point in the said existing burgh boundary in the centre of the ditch near the south-eastern corner of the field or enclosure No. 948 on Sheet XXV. 13 of the Ordnance Survey map of Stirlingshire on the scale of $\frac{1}{2500}$ second edition 1897 thence along the centre of the said ditch in a south-westerly direction to the centre of the said road leading to and from the farm of Abbots Grange thence in a north-westerly direction along the centre of the said last-mentioned road to the point of commencement.

Third.—The area within the parishes of Grangemouth and Falkirk and county of Stirling bounded as follows Commencing at a point in the existing boundary of the burgh in the centre of the Grange Burn distant two hundred and twenty-seven yards or thereabouts measured in a straight line from the centre of the westmost entrance to Abbots Grange Farm Steading thence in a southerly and south-westerly direction along the centre of the said Grange Burn to a point opposite the western side of the road leading to and from Newhouse Farm Steading thence in a northerly direction along the western side of the said road to a point opposite the northern side of the stream known as the Almond Pow thence in a south-westerly direction along the northern side of the said Almond Pow to the centre of the public road from Polmont to Airth thence in a north-westerly and northerly direction along the centre of said public road to a point opposite the southern fence of a metal depôt adjacent to the bridge-keeper's house on the south side of the drawbridge over the Forth and Clyde Canal at Dalgrain thence in a westerly direction to the south-east corner of said metal depôt thence in a westerly direction for a distance of forty-three yards or thereabouts and in a northerly direction for a distance of fifteen yards or thereabouts along the fences of said metal depôt until it meets the southern fence of the Forth and Clyde Canal thence in a westerly direction for a distance of eighty yards or thereabouts along the said southern fence of the said canal thence in a north-westerly direction in a straight line to a point on the right bank of the River Carron at low water mark of ordinary spring tides situated seventy yards or thereabouts to the west of the centre of Kerse Bridge which carries the public road from Polmont to Airth across the said River Carron thence in an easterly direction along the said right bank of the River Carron at low water mark to a point in the existing burgh boundary where it crosses the face of the southern abutment of the said Kerse Bridge and thence along the

said existing boundary of the burgh in a southerly south-easterly north-easterly south-easterly north-easterly south-easterly north-easterly easterly and southerly direction to the point of commencement.

THE SECOND SCHEDULE.

WARD I.

Commencing at a point in the boundary of the burgh in the centre of the public road leading from Polmont to Airth at its junction near the southwest entrance gate to Kerse House with a new road named Earl's Road thence proceeding along the said boundary of the burgh in a northerly westerly northerly westerly north-westerly easterly and north-westerly direction to the north-west corner of the burgh thence along the said boundary of the burgh in a north-easterly easterly north-easterly easterly north-easterly and easterly direction to the second beacon on the embankment or breakwater on the left bank of the River Carron thence in a south-westerly direction in a straight line to the end of the breast wall of the wharf on the south side of the eastern entrance from the said River Carron to the docks thence in a westerly northerly westerly southerly westerly south-westerly north-westerly and south-westerly direction along the south side of said entrance and of said docks to the bridge which carries the Bo'ness Road over the lock forming the south entrance from said docks to the timber basins thence in an easterly direction along the centre of the said Bo'ness Road to a point opposite the centre of the said Earl's Road thence in a south-westerly direction along the centre of the said Earl's Road to the point of commencement.

WARD II.

Commencing at the point of commencement of Ward I. and proceeding in a north-easterly direction along the centre of a new road named Earl's Road to a point near the westmost corner of the south timber basin which point is in line with the continuation in a direct line of the centre line of Kerse Road aftermentioned thence in a south-easterly direction along said continuation line and the centre line of Kerse Road to a point in the centre of the Grange Burn in line with the centre line of said Kerse Road thence in a northerly direction along the centre of the said Grange Burn to the centre of the bridge which carries the Bo'ness Road across said Grange Burn thence in a south-easterly direction along the centre of the said Bo'ness Road to a point in the boundary of the burgh where it crosses the centre of the said Bo'ness Road thence along the said boundary of the burgh in a south-westerly north-westerly south-westerly north-westerly south-westerly north-westerly south-westerly southerly south-westerly northerly south-westerly and north-westerly direction to the point of commencement.

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WARD III.

Commencing at a point in the centre of a new road named Earl's Road near the westmost corner of the south timber basin and which point is in line with the continuation in a direct line of the centre line of Kerse Road aftermentioned thence proceeding in a north-easterly direction along the centre of the said Earl's Road to the centre of the Bo'ness Road thence in a westerly direction along the centre of the said Bo'ness Road to the south side of the docks at the bridge which carries the said Bo'ness Road over the lock forming the south entrance from said docks to the timber basins thence in a north-easterly south-easterly north-easterly easterly northerly easterly southerly and easterly direction along the south side of said docks and eastern entrance thereto aftermentioned to the end of the breast wall of the wharf on the south side of the eastern entrance from the River Carron to the said docks thence in a north-easterly direction in a straight line to a point in the boundary of the burgh at the second beacon on the embankment or breakwater on the left bank of the River Carron thence along the said boundary of the burgh in an easterly northerly north-easterly east-north-easterly and east-south-easterly direction to the north-east corner of the burgh thence along the said boundary of the burgh in a south-by-westerly south-south-westerly south-west-by-southerly south westerly east-south-easterly south-westerly south-easterly and south-westerly direction to the point where the said boundary crosses the centre of the said Bo'ness Road thence in a north-westerly direction along the centre of the said Bo'ness Road to the centre of the bridge which carries the said Bo'ness Road across the Grange Burn thence in a southerly direction along the centre of the said Grange Burn to a point therein in line with the centre line of Kerse Road before-mentioned thence in a north-westerly direction along the said centre line of Kerse Road and the before-mentioned continuation thereof to the point of commencement.

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