CHAPTER lxxviii.

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Port-Glasgow Gas and Burgh Extension. A.D. 1915.

[29th July 1915.]

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

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

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 Port-Glasgow Gas and Burgh Extension Order Confirmation Act 1915. Short title.

[*Price* 2*s.* 3*d.*]

A.D. 1915.

SCHEDULE.

PORT-GLASGOW GAS AND BURGH EXTENSION.

Provisional Order to authorise the Provost Magistrates and Councillors of the burgh of Port-Glasgow to construct new gasworks and to acquire lands and to confer further powers on them in relation to their gas undertaking to extend the municipal and police boundaries of the burgh and for other purposes.

WHEREAS the provost magistrates and councillors of the burgh of Port-Glasgow are the local authority of the said burgh under the Port-Glasgow Police Act 1865 (hereinafter called "the Act of 1865") and the Burgh Police (Scotland) Acts 1892 to 1911 (and are hereinafter referred to as "the Town Council"):

And whereas by the Act of 1865 the gasworks in Port-Glasgow were transferred to and vested in the Town Council who were authorised to maintain improve or alter the said gasworks and supply with gas the burgh of Port-Glasgow and districts and places adjacent as defined in the said Act:

And whereas the Town Council have since maintained the said gasworks and have from the same supplied gas to and within the said burgh and certain districts and places adjacent:

And whereas the existing gasworks of the Town Council are already occupied to their utmost available capacity and afford no room on the existing site for any adequate extension or increase in the manufacture and storage of gas and it is expedient that the Town Council should be empowered to construct and maintain new gasworks as hereinafter mentioned and to acquire lands for that purpose:

And whereas the consumption of gas is and has for some time been rapidly increasing within the said burgh and the districts and places adjacent and the Town Council are unable from their existing gasworks adequately to meet the demand:

And whereas it is expedient that the Town Council should be authorised to purchase and acquire the lands described in the First Schedule to this Order and to erect construct equip and maintain new gasworks thereon and to manufacture store

and supply gas within their limits of supply and to manufacture and deal in the residual products arising therefrom:

And whereas it is expedient that the Town Council should be authorised to discontinue remove sell and dispose of the existing gasworks lands and property of the Town Council or of any part of the same vested in them for gasworks purposes under the Act of 1865:

And whereas it is expedient that the Town Council should be authorised to borrow further money for the purposes of the gas undertaking and for the construction of new gasworks and the purchase of lands and to apply any money they may receive on the sale of any lands held for gasworks purposes:

And whereas it is expedient that the further powers hereinafter contained should be conferred on the Town Council with respect to their gas undertaking:

And whereas plans of the lands proposed to be acquired for the gasworks purposes of this Order and a book of reference to such plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of such lands were duly deposited in the offices at Paisley and Greenock respectively of the principal sheriff clerk of the county of Renfrew and the same are in this Order referred to as the deposited plans and book of reference:

And whereas by the Act of 1865 the boundaries of the burgh of Port-Glasgow were extended as therein mentioned:

And whereas in consequence of the great increase in population of the said burgh and of the industries within the same and inasmuch as the Town Council supply water and gas within the lands and areas hereinafter mentioned it is expedient that the boundaries of the said burgh should be further extended to include the said lands and areas within the limits hereinafter described and that all franchises rights privileges and immunities and Acts of Parliament relating to or in force within or applicable to the existing burgh as amended by this Order should be applied to the said burgh as extended by this Order:

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:

A.D. 1915.

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.

1. This Order may be cited as the Port-Glasgow Gas and Burgh Extension Order 1915.

Commencement of Order.

2. This Order shall (except as otherwise in this Order provided) commence and have effect on and after 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 to which meanings are assigned by the Acts incorporated herewith shall have the same respective meanings unless there be something in the subject or context repugnant to such construction And—

"The Act of 1865" means the Port-Glasgow Police Act 1865;

"The Police Acts" mean the Burgh Police (Scotland) Acts 1892 to 1911 and Acts amending the same;

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

"The existing burgh" means the burgh of Port-Glasgow as existing immediately previous to the commencement of this Order;

"The burgh" means the burgh of Port-Glasgow as extended by this Order;

"The district annexed" means the district annexed to the existing burgh by this Order;

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

"The magistrates" mean the magistrates of the burgh for the time being and shall include the provost and bailies;

"The county" means the county of Renfrew;

"The county council" means the county council of the county;

"The sheriff" means the sheriff of the county or any of his substitutes;

The expression "the gas undertaking" "the works" and "the gasworks" shall respectively mean and include the gasworks and works connected therewith by the Act of 1865 vested in the Town Council and the works authorised to be constructed by this Order and all lands buildings estate right title property powers privileges and effects pertaining thereto and every part thereof respectively;

"The limits of supply" shall mean the limits of supply prescribed by the Act of 1865.

PART II.

GAS.

Incorporation of Acts.

4. The following Acts and parts of Acts (so far as the same are respectively applicable for the purposes of and are not inconsistent with and not expressly varied by this Part of this Order) are hereby incorporated with this Part of this Order namely:—

The Lands Clauses Acts;

The Gasworks Clauses Act 1847 (except the provisions thereof with respect to the amount of profit to be received by the undertakers when the gasworks are carried on for their benefit and with respect to the yearly receipt and expenditure of the undertakers) Provided that section 13 of that Act shall be read as if the words "or any premises" were inserted after the words "private building" and as if the words "Provided also that every such contract entered into "by the undertakers shall be alike in terms and "amount under like circumstances to all consumers" were added at the end of that section;

The Gasworks Clauses Act 1871 (except sections 6 7 8 11 and 35 thereof).

The provisions of the said Gasworks Clauses Acts hereby incorporated shall apply to the mains pipes and works of the Town Council laid down or constructed previous to the commencement of this Order and to any mains pipes and works which may be laid down or constructed under the authority of this Part of this Order.

A.D. 1915.

This Order shall be deemed a Special Act within the meaning of the Gasworks Clauses Act 1847 and the Gasworks Clauses Act 1871.

Gas undertaking to continue vested in Council.

5. The gas undertaking existing at the commencement of this Order including all property rights powers and privileges of every description which at the commencement of this Order are vested in the Town Council for and in relation to the manufacture storage and supply of gas and the manufacture of the residual products thereof and otherwise shall continue vested in the Town Council and be held exercised and enjoyed by them subject to the provisions of this Order.

Power to take lands for purposes of gas undertaking.

6. The Town Council may for the purposes of the gas undertaking enter upon purchase take hold and use compulsorily or by agreement such of the lands delineated on the deposited plans and described in the deposited book of reference and in the First Schedule to this Order as they may require for the said purposes.

Period for compulsory purchase of lands.

7. Subject to the provisions of the section of this Order whereof the marginal note is "Restriction on exercise of borrowing powers" the powers of the Town Council for the compulsory purchase of lands for the purposes of the gas undertaking shall cease after the expiration of three years from the commencement of this Order.

Errors and omissions in plans and book of reference may be corrected by sheriff.

8. If there be any omission mis-statement or erroneous description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Town Council after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to the sheriff for the correction thereof and if it appear to the sheriff that the omission mis-statement or erroneous description arose from mistake he shall certify the same accordingly and he shall in his certificate state the particulars of the omission and in what respect any such matter is mis-stated or wrongly described and the decision of the sheriff in such matter shall be final The certificate of the sheriff shall be deposited in the office of the principal sheriff clerk of the county and such certificate shall be kept by such sheriff clerk along with the other documents to which it relates and thereupon the deposited plans and book of reference shall be deemed to be corrected in accordance with the certificate and the Town Council may enter upon purchase take hold and use for

the purposes of this Order any lands in accordance with such certificate as if such omission mis-statement or erroneous description had not been made.

Power to purchase lands by agreemen

9. The Town Council may purchase take feu and hold (by agreement but not otherwise) in addition to the lands described in the First Schedule to this Order any lands and heritages not exceeding in the whole five acres which the Town Council may from time to time require for the purposes of the gasworks and the gas undertaking or any part of the same but the Town Council shall not create or permit a nuisance on any such lands and no lands shall be used by the Town Council under the powers of this Order for the purpose of manufacturing gas or residual products except the lands described in the First Schedule to this Order and the existing gasworks of the Town Council.

Powers to maintain gasworks and convert residual products.

10.—(1) Subject to the provisions of this Order the Town Council may upon the lands described in the First Schedule to this Order erect maintain alter improve and renew or discontinue gasworks with all necessary embankments railway sidings roads machinery and apparatus and do all such acts as may be proper for making and storing gas and for supplying gas within the limits of supply.

(2) The Town Council may also upon the said lands—

(A) Work up and convert the residual products arising directly or indirectly from the manufacture of gas by them:

(B) Purchase the residual products arising from the manufacture of gas by other gas undertakers and therewith manufacture other products of the same kind as the Town Council are manufacturing from their own residual products Provided that the quantity of any residual product so purchased by the Town Council in any year shall not exceed one-third of the quantity of the like residual product which shall in that year arise directly or indirectly from the manufacture of gas by them:

(C) Purchase from other gas undertakers and elsewhere and use the materials required to work up and convert the residual product so arising from their own manufacture of gas or purchased as aforesaid:

A.D. 1915.

But the Town Council shall not manufacture chemicals exclusively from raw materials purchased from sources other than gas undertakings or in the manufacture of which the use of residual products produced by the Town Council or purchased from other gas undertakings is merely subsidiary.

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

11. Subject to the provisions of this Order the gasworks authorised to be constructed by the Town Council under the powers of this Order and the lands acquired or to be acquired for the purposes thereof under the authority of this Order shall for all purposes be comprised in the gas undertaking And the powers and provisions of the Act of 1865 relative to the gas undertaking as extended and amended by this Order shall be and the same are hereby so far as applicable extended to and made applicable to the powers and purposes of this Order and to the money to be borrowed and the works to be constructed and the lands to be acquired under this Order.

Dwelling houses for Town Council's employees offices showrooms &c.

12. The Town Council may upon the lands described in the First Schedule to this Order erect and maintain offices showrooms and other buildings for the purposes of their gas undertaking and dwelling houses for persons employed by them in connection with that undertaking and may also by agreement purchase or take on lease other buildings for such purposes Provided always that the Town Council shall not erect any dwelling houses without the consent of the Local Government Board for Scotland.

Sale of surplus lands and property.

13. The Town Council may at any time and in such manner and for such price or consideration as they may determine sell and dispose of the existing gasworks of the Town Council and of any lands and property belonging to them as part of the gas undertaking and which may not be required for the purposes of the gas undertaking and all moneys received by the Town Council for the lands and property so sold shall be applied by them in paying off moneys borrowed by them for the purposes of the gas undertaking and to the extent of the amount so applied the borrowing powers of the Town Council for those purposes shall be cancelled and extinguished.

Power to purchase undertaking of the Langbank Gas Company.

14. The Town Council may by agreement purchase from the Langbank Gas Company the gasworks and property of the said Langbank Gas Company for such consideration and on

such terms and conditions as the Town Council and the said company may agree.

Town Council may contract with local authority &c. for supply in bulk.

15. The Town Council may contract with any local authority company or person authorised to supply gas under parliamentary powers in any district adjacent to the limits of supply for the supply to them respectively of gas in bulk upon such terms and conditions and for such periods not exceeding in any case seven years from the making of the contract as may be agreed upon but nothing in this section shall authorise the Town Council to lay any mains or other pipes or to interfere with any street beyond the limits of supply.

For protection of corporation of Greenock.

16. Nothing in this Order shall authorise the Town Council to supply gas in the burgh of Greenock.

Supply of gas for heating and other purposes.

17. The Town Council may supply gas for heating cooking or motive power warming ventilating and other purposes and for the particular requirements of any trade undertaking industry manufacture or business and may do all things needful therefor on such terms and conditions in all respects as may be agreed between the Town Council and the person to whom such supply shall be given (regard being had in each case to the consumption) Provided that the rate charged for gas supplied for any of such purposes shall be the same to all persons under like circumstances and further that gas supplied for any of such purposes shall not be held to be supplied under like circumstances as to terms and amount as gas supplied for illuminating purposes.

Testing place.

18. For the purposes of the Gasworks Clauses Act 1871 the prescribed testing place shall be some part of the gasworks of the Town Council for the time being.

Testing for calorific power.

19.—(1) Within six months after the commencement of this Order the Town Council shall provide at the prescribed testing place apparatus for testing the calorific power of the gas supplied by them similar to the apparatus for the time being prescribed by the Metropolitan gas referees for testing the calorific value of gas.

(2) The gas supplied by the Town Council shall when tested in the mode and under the conditions for the time being prescribed by the Metropolitan gas referees be of a calorific

A.D. 1915.

power of not less than five hundred and forty British thermal units and that power is in this Order referred to as "the standard calorific power."

(3) The provisions of the Act of 1865 and of section 12 of the Gasworks Clauses Act 1871 with reference to the testing for the illuminating power shall cease to apply to the Town Council and sections 28 to 33 of the last-mentioned Act shall in their application to the Town Council be construed as if calorific power were therein mentioned in lieu of illuminating power.

Provisions as to testing for calorific power.

20. Not more than one testing for calorific power shall be made on any one day Provided that if on any occasion of testing the calorific power is found to be below the standard calorific power by more than five per centum a second testing shall be made on the same day after an interval of not less than one hour and the average of the two testings shall be deemed to be the calorific power of the gas on that day.

The gas examiner shall forthwith deliver a report of the result of his testing to the local authority or the sheriff by whom he was appointed and to the Town Council and that report shall be receivable in evidence.

Penalties for deficient calorific power.

21. If on any testing the calorific power of the gas supplied by the Town Council is found to be below the standard calorific power by more than seven and a half per centum they shall be liable to the following penalties in respect of any deficiency beyond such last-mentioned margin (that is to say):—

If the deficiency does not exceed fourteen British thermal units a sum not exceeding two pounds:

If the deficiency exceeds fourteen British thermal units but does not amount to twenty-eight British thermal units a sum not exceeding five pounds:

For each complete twenty-eight British thermal units of defective power a sum not exceeding ten pounds:

Provided that the Town Council shall not be liable for more than one penalty in respect of a deficiency of calorific power of the gas supplied on any one day.

Pressure of gas.

22.—(1) All gas supplied by the Town Council to any consumer of gas shall be supplied at such pressure as to balance

a column of water not less than eight-tenths of an inch in height at the main or as near as may be to the junction therewith of the service pipe supplying such consumer.

(2) Any gas examiner appointed under the Gasworks Clauses Act 1871 may for the purposes of this Order subject to the terms of his appointment at the prescribed testing place or at any public lamp as and when he thinks fit test the pressure at which the gas is supplied The Town Council shall afford to the examiner all reasonable facilities for making the test.

Saving as to penalties.

23. No penalty shall be incurred by the Town Council for insufficiency of pressure defect of calorific power or excess of impurity in the gas supplied by them in any case in respect of which it is proved that such insufficiency defect or excess was produced by any circumstances beyond the control of the Town Council Provided that the want of sufficient funds shall not be held to be a circumstance beyond the control of the Town Council.

Obligation on Town Council as to supply of gas.

24. The Town Council within the limits of supply shall on the request in writing of the owner or occupier of any building or part of a building within one hundred yards of which any main of the Town Council is laid furnish to such owner or occupier a supply of gas for such building or part of a building and provide and lay any pipe that may be necessary for such purpose between the said main and the meter for such supply on the following conditions (that is to say):—

(1) That the person making such request do if required by the Town Council give to them at his own expense reasonable security for payment for the gas to be supplied:

(2) That such person do pay the cost of and the expense of laying all necessary pipes for such supply beyond the line of the street or road where the main of the Town Council is placed:

(3) That such person do if required by the Town Council pay in advance the estimated amount of such cost and expenses:

And any dispute as to the matter arising under this section shall be settled upon the application of either party by the sheriff whose decision thereof shall be final Provided that if

A.D. 1915.

the Town Council neglect or refuse to furnish a supply of gas to such owner or occupier who has fulfilled or is ready to fulfil the conditions hereinbefore mentioned they shall be liable to a penalty not exceeding forty shillings for each day during which such default continues.

As to construction and placing of pipes &c.

25. In order to enable the Town Council to ensure a satisfactory supply of gas to their consumers the following provisions shall have effect:—

(1) The Town Council may specify the size and material of the pipes with the fittings thereof which are to be laid by the consumer either in the first instance or on the occasion of any renewal between the Town Council's mains and the meter and (so far as the same are intended to be covered over) on the consumer's premises:

(2) The Town Council may if they think fit make different specifications for different classes of premises having regard to the probable maximum consumption of gas thereon at any one time:

(3) A copy of the specification shall be kept exhibited in the gas collector's office of the Town Council:

(4) Every meter to be used in a new building or a building not previously supplied with gas or in connection with a new or substituted pipe laid by the consumer between the main and the consumer's meter shall be placed to the approval of the gas manager of the Town Council at a height for convenient inspection and as near as reasonably practicable to the Town Council's main but within the outside wall of the building:

(5) When any such pipe or meter as aforesaid has been laid or placed notice thereof shall be given to the Town Council and the pipe shall not be covered over until after the expiration of twenty-four hours from the service of such notice on the Town Council Any officer of the Town Council duly appointed may between nine o'clock in the morning and five o'clock in the afternoon attend and inspect such pipes (with their fittings) and meter and if the officer is not permitted to make the inspection or if the pipes or fittings are not according to the Town Council's

specification or if the meter is not placed as required by this section the Town Council may refuse to supply gas to the premises until the provisions of this section have been complied with:

(6) Any person to whom the Town Council refuses a supply of gas under the provisions of this section may appeal to the sheriff against such refusal and the sheriff may after hearing the parties and considering any questions as to the reasonableness of the Town Council's specification make such order as seems to him proper in the circumstances and may order by which of the parties the costs of and incident to the appeal shall be paid and the decision of the sheriff shall be final.

Power to lay pipes in private streets.

26. The Town Council may on the application of the owner or occupier of any premises within the limits of supply abutting on or being erected in any street laid out but not dedicated to public use supply those premises with gas and for that purpose the Gasworks Clauses Act 1847 shall apply as if section 7 of that Act were excepted from incorporation in this Order.

Gas to be consumed by meter.

27. Every consumer of gas supplied by the Town Council (other than gas supplied by means of a prepayment meter under the section of this Order the marginal note of which is "Charge for gas supplied by means of prepayment meters") shall on being required by the Town Council consume the gas by meter which meter shall be provided by the Town Council free of expense to the consumer.

Period of error in defective meters.

28. In the event of any meter used by a consumer of gas being tested in manner provided by the Sale of Gas Act 1859 and being proved to register erroneously within the meaning of the said Act such erroneous registration shall be deemed to have first arisen during the then last preceding period for which gas rates and rents were charged unless it be proved to have first arisen during the then current period The amount of the allowance to be made to or of the surcharge to be made upon the consumer by the Town Council shall be paid by or to the Town Council to or by the consumer as the case may be and shall be recoverable in the like manner as gas charges are recoverable by the Town Council.

A.D. 1915.

Council to fix price for gas.

29. The Town Council shall from time to time fix the price to be charged by them for gas to be supplied during any succeeding year half year or quarter of a year and until such price be altered by the Town Council the price so fixed shall remain in force Provided always that the price to be charged for gas shall be such as will along with all other revenue to be derived by the Town Council from or in connection with the gas undertaking for the time being (as nearly as the same can be estimated) raise such amount of money as will be as nearly as possible sufficient to meet all costs charges and expenses of and incident to the manufacture and distribution of the gas and the manufacture and sale of residual products interest and instalments on all money borrowed in respect of the works under the Act of 1865 or this Order expenses of management and maintenance and extension of works renewals repairs materials salaries wages taxes and all other annual outgoings charges and expenses relating to the gas undertaking and the payment of the sums required to be set apart for the sinking and reserve funds hereinafter provided for and any deficiency or surplus of revenue in any preceding year half year or quarter of a year as the case may be shall be carried forward to the debit or credit as the case may be of the succeeding period Provided further that the application of any surplus of revenue shall be subject always to the provisions of the section of this Order of which the marginal note is "Application of revenue of gas undertaking."

Minimum charge for gas laid on to premises having a supply of electricity or power gas.

30. Where any person has for the purpose of a stand-by only a supply of gas laid on by the Town Council to any premises for which he has at the same time a separate supply of electricity or gas for power or other purposes (not being domestic purposes) the Town Council shall be entitled to charge and receive from him in respect of the supply of gas so laid on such minimum sum as shall be fixed by them not exceeding twenty-five shillings for any one quarter of a year notwithstanding that the ordinary charge for the gas actually consumed in such quarter would amount to a lower sum Provided that in fixing the amount of such minimum charge the Town Council shall have regard to the probable maximum supply of gas which might at any time be required for such premises Provided also that in respect of any premises for which the whole supply of gas afforded by the Town Council is taken through a meter having a nominal capacity of less than ten lights the

amount of the minimum charge shall not exceed five shillings for any one quarter of a year. A.D. 1915.

Discounts.

31. The Town Council may if they think fit allow discounts or rebates to consumers of gas in consideration of prompt payment of gas charges not exceeding in any case ten per centum and in addition thereto or irrespective thereof they may if they think fit allow discounts or rebates to large consumers not exceeding in any case fifteen per centum Provided that all discounts or rebates shall be of equal amount under like circumstances to all consumers Provided also that notice of the effect of this enactment shall be endorsed on every demand note for gas charges.

Charge for gas supplied by means of prepayment meters.

32.—(1) The Town Council may demand for any gas supplied through a prepayment meter a not greater charge than for gas supplied to private consumers within the limits of supply through any other kind of meter or by any other method of supply.

(2) The charge for the hire of any prepayment meter and fittings to be used therewith shall be a sum of money calculated according to the quantity of gas supplied through such prepayment meter and the maximum sum to be so charged shall be at the rate of tenpence per one thousand cubic feet supplied in manner aforesaid such sum to include the hire of meter and the fittings used therewith or at the rate of one shilling per one thousand cubic feet if such fittings include a cooking stove.

(3) The charge for the hire of any prepayment meter without fittings shall be a sum of money calculated according to the quantity of gas supplied through the prepayment meter and the maximum charge shall be at the rate of sixpence per one thousand cubic feet supplied in manner aforesaid or at the rate of ten per centum per annum on the cost of the meter whichever shall be the higher.

(4) The said charges shall include the providing letting fixing repairing and maintenance of the meters and fittings and the cost of collection and other costs incurred by the Town Council in connexion therewith.

(5) For the purpose of this section the expression "prepayment meter" means any meter or appliance by which the

A.D. 1915.

quantity of gas supplied is regulated according to the amount of money prepaid therefor.

Gas consumers to give notice to Council before removing.

33. At least twenty-four hours' notice shall be given to the Town Council by every gas consumer either personally at the office of the gas collector of the Town Council or in writing before he shall quit any premises supplied with gas by meter by the Town Council and in default of such notice the consumer so quitting shall be liable to pay to the Town Council the money accruing due in respect of such supply up to the next usual period for ascertaining the register of the meter on such premises or the date from which any subsequent occupier of such premises shall require the Town Council to supply gas to such premises whichever shall first occur Notice of the effect of this enactment shall be endorsed upon every demand note for gas rates or charges payable to the Town Council.

Notice to discontinue gas supply.

34. A notice to the gas collector of the Town Council from a consumer for the discontinuance of a supply of gas shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the gas collector of the Town Council or be given by the consumer personally at that office.

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

35. If a person requiring a supply of gas from the Town Council has previously quitted premises at which gas was supplied to him by the Town Council without paying to them all gas charges due from him to the Town Council they may refuse to furnish to him a supply of gas until he pays the same.

Power to deal in gas fittings &c.

36.—(1) The Town Council may purchase sell let for hire fix repair and remove (but shall not manufacture) engines stoves ranges pipes and other gas fittings for lighting motive heating ventilating cooking or any other purposes (all of which are hereinafter in this section included in the expression "fittings") and may provide all materials and work necessary or proper in that behalf and with respect thereto may demand and take such remuneration or rents and charges and make such terms and conditions as may be agreed upon.

(2) The Town Council may enter into contracts for the execution of any of the powers of this section and shall not themselves lay any pipes on the consumer's premises except between the main of the Town Council and the consumer's meter and except pipes necessary to connect any fittings to existing

pipes on such premises nor shall they sell any fittings except through a contractor.

(3) Any fittings let on hire under the provisions of this section shall not be subject to poinding or to the landlord's hypothec or remedy for rent or be liable to diligence under any process of law or any proceedings against the person in whose possession the same may be in the event of his bankruptcy or insolvency provided that such fittings are marked or impressed with a sufficient mark or brand indicating the Town Council as the actual owners thereof.

(4) Provided as follows:—

(A) The Town Council shall so adjust the charges to be made by them for any such fittings or for the fixing repairing or removal thereof as to meet any expenditure by them under the powers of this section in connexion therewith (including interest upon moneys borrowed for those purposes and all sums applied to sinking fund for repayment of moneys so borrowed):

(B) Every sum charged by the Town Council in respect of the provision of such fittings or the fixing repairing or removal thereof shall be separately stated on every demand note delivered by the Town Council to the consumer:

(c) The total sums expended and received by the Town Council in connexion with the purposes in this section mentioned in each year (including interest and sinking fund) shall be separately shown in the published accounts of the gas undertaking of the Town Council for that year.

(5) Notwithstanding anything contained in section 30 of the Act of 1865 the Town Council shall not manufacture fittings.

Power to enter premises and remove fittings.

37. The power to enter premises and to remove pipes meters fittings or apparatus conferred upon the Town Council by section 22 of the Gasworks Clauses Act 1871 shall extend to all cases in which any person entering into occupation of any premises previously supplied with gas by the Town Council shall not require to take a supply of gas from the Town Council or to hire from the Town Council all or any of the pipes meters fittings or apparatus belonging to the Town Council and let by them for hire to any former occupier of such premises.

A.D. 1915.

Power to hold licences under letters patent.

38. The Town Council may take hold and use any licence or authority (not being exclusive) under any letters patent for the use of any invention relative to the manufacture or distribution of gas or the utilisation of residual products.

Power to require use of anti-fluctuators for gas engines.

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

Repeal of sections of Act of 1865.

40. Section 32 (Gas to be consumed by meter) section 33 (Commissioners to fix rates for gas) section 34 (Recovery of gas rates) section 35 (Commissioners may borrow money for gas department) section 36 (Application of gas rates) and section 37 (Application of surplus monies) of the Act of 1865 are hereby repealed.

For protection of Trustees of Clyde Navigation.

41. The Town Council shall not without the consent in writing of the Trustees of the Clyde Navigation be entitled to construct or use any landing stages coal tips drops shoots slips or wharves on any of the lands or properties numbered on the deposited plans 4 and 5 in the parish of Kilmacolm but this provision shall not prevent the Town Council making up these lands or properties to the level of the adjoining lands and nothing in this Order contained shall affect any of the powers rights privileges and byelaws of the said Trustees.

Works below high-water mark to be subject to approval of Board of Trade.

42. Subject to the provisions of this Order any of the works authorised by this Order to be constructed on over or under tidal lands below high-water mark of ordinary spring tides shall be constructed only in accordance with such plans and sections and subject to such restrictions and regulations as previous to such works being commenced have been approved by the Board

of Trade in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade.

Any alteration or extension of any such works shall be subject to the like approval.

If any such work be commenced or completed contrary to the provisions of this section the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost of the Town Council and the amount of such cost shall be a debt due from the Town Council to the Crown and shall be recoverable as a Crown debt or summarily.

PART III.

EXTENSION OF BURGH.

Extension and definition of boundaries.

43.—(1) 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 district annexed which district annexed is comprised within the limits and boundaries described in Part I. of the Second Schedule to this Order the description of the said boundaries being subject to the rules of construction laid down in section 5 of the Representation of the People (Scotland) Act 1832.

(2) The municipal and police boundaries of the burgh are hereby declared to be the boundaries described in Part II. of the Second Schedule to this Order.

District annexed disjoined from county and added to First Ward.

44. The district annexed shall be and the same is hereby for the purposes of this Order disjoined from the county and shall form part of the First Ward of the burgh.

Division of burgh into wards.

45. The burgh shall be divided into the four respective wards described in Part III. of the Second Schedule to this Order.

Map of burgh.

46. A map of the burgh as extended and defined by this Order having been signed in quadruplicate by the Right Honourable Thomas McKinnon Wood His Majesty's Secretary for Scotland one copy shall within one month after the commencement of this Order be deposited in the Office of the Secretary for Scotland one copy shall be deposited in the Private Bill Office of the House of Commons one copy shall be deposited in the office of the town clerk and one copy shall be deposited

A.D. 1915.

with the sheriff clerk of the county at his office in Paisley and a copy of such map certified as such by the town clerk shall within the same period be deposited with the Board of Agriculture and Fisheries and a copy so certified with the Commissioners of Customs and Excise 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.

Order not to affect election of members to serve in Parliament.

47. 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 the Act confirming this Order had not been passed.

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

48. The provisions of all local and private and public general Acts and Orders and all byelaws rules regulations and orders made under the same which apply to the existing burgh shall except so far as they are inconsistent with or varied by the provisions of this Order extend and apply in the same way and to the like extent to the burgh:

Provided that nothing in this section shall extend or be deemed or construed to extend the provisions of the Port-Glasgow Electric Lighting Order 1913 to so much of the district annexed as is not included in the area of supply defined by the said Electric Lighting Order.

Qualification of electors.

49. The right of electing the town councillors in the burgh shall be in and belong to all such persons as have or shall have the qualifications specified and described in the Town Councils Acts.

Future elections of councillors.

50. On the first Tuesday in November one thousand nine hundred and fifteen and the first Tuesday in November in every year thereafter the qualified electors in the burgh shall proceed in the usual manner to return members to the Town Council in lieu of those who retire by rotation.

Powers of magistrates and councillors extended to burgh.

51. Subject to the provisions of this Order the magistrates and the Town Council respectively shall have possess and exercise over the burgh and the inhabitants thereof all the jurisdiction (civil and criminal) powers rights and authorities which the magistrates and the 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 charter or otherwise including all powers of imposing levying and recovering rates guarantee rates assessments dues and charges as the same are amended and extended by this Order and all rights privileges immunities and obligations at present enjoyed and possessed by or incumbent on the inhabitants of the existing burgh shall extend and apply to the inhabitants of the burgh.

Powers of other jurisdictions to cease.

52. From and after the commencement and 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 exercisable by the county council or any local licensing or other authority (other than the Town Council) within the district 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 exercisable by the county council or any committee thereof or other 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 or any jurisdiction judicial or administrative appertaining or relating to inland revenue.

Assessment of burgh.

53. Every rate charge and assessment (except poor rates school rates and teinds) authorised to be collected or levied by the county council or other authority having jurisdiction over the district annexed or any part thereof but which shall not have been actually imposed previously to the commencement of this Order shall cease and determine within the district annexed and all burgh and other assessments and rates guarantee rates and charges leviable under all local Acts and Orders applicable within the existing burgh and under this Order and under all public Acts shall subject to the provisions of the section of this Order whereof the marginal note is "Assessments in district annexed" from and after the fifteenth day of May one thousand nine hundred and fifteen be leviable by the Town Council in the burgh in the same way and manner as the same are leviable in the existing burgh and until such time as a valuation roll has been completed by the Town Council in respect of the district annexed the valuation roll of the county so far as it relates to the district annexed shall be the valuation roll for the purposes of any rate or assessment levied by the Town Council within the district annexed,

A.D. 1915.

As to payment to county council in respect of assessments in district annexed.

54. In consideration of the burgh assessments being levied by the Town Council within the district annexed during the period between Whitsunday one thousand nine hundred and fifteen and the commencement of this Order the Town Council shall pay over to the county council a proportion corresponding to such period of the assessments which might have been imposed by the county council within the district annexed for the year from Whitsunday one thousand nine hundred and fifteen to Whitsunday one thousand nine hundred and sixteen had the Act confirming this Order not been passed.

Assessments in district annexed.

55. Subject to the provisions of this Order the Town Council shall fix impose assess levy collect and recover in respect of all lands and heritages in the district annexed the same rates charges and assessments (inclusive of the water rate) as they fix impose assess levy collect and recover in the existing burgh:

Provided that in each of the five years following the term of Whitsunday one thousand nine hundred and fifteen the rates charges and assessments annually imposed and levied by the Town Council on lands and heritages in the district annexed (inclusive of the water rate) shall not exceed in amount the rates charges and assessments which would have been imposed and levied by the county council and the water rate which would have been imposed and levied by the Town Council in respect of the same lands and heritages in the same year if the Act confirming this Order had not been passed.

Recovery of assessment within district annexed.

56. Every rate charge or assessment which shall have been actually imposed by the county council or any local road or other authority who had jurisdiction within the district annexed or any part thereof previous to Whitsunday one thousand nine hundred and fifteen together with all arrears thereof shall continue to be due and payable to and may be collected and levied by the authority who respectively imposed the same and by the same ways and means and under the same restrictions and regulations as if the Act confirming 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.

Roads &c. in district annexed.

57. The public roads streets lanes courts sewers drains bridges and footpaths within the district 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 public roads streets lanes courts sewers drains bridges and footpaths within the existing burgh and the county council or such other authority shall be freed and relieved of the repair and maintenance of all such roads streets lanes courts sewers drains bridges and footpaths so far as within the district annexed in all time coming.

Saving rights in roads footpaths sewers and drains.

58. Nothing in this Order contained with respect to the vesting of roads streets lanes courts sewers drains bridges or footpaths within the district annexed shall prevent any superiors owners or other persons by whom or by whose predecessors the same shall have been formed from recovering the cost or any proportion of the cost of forming the same from feuars or other persons under any agreements or feu contracts made between the said parties respectively.

Property of burgh vested in Town Council.

59. 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 shall continue to be held by the Town Council and be held 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 Renfrewshire County Council.

60. The following provisions shall unless otherwise agreed between the Town Council and the county council have effect in relation to the annexation to the existing burgh of the district annexed (that is to say):—

(1) The Town Council shall within one month after the commencement of this Order pay to the county council the sum of eight hundred and forty-four pounds fourteen shillings and tenpence with interest at the rate of five per centum per annum from the expiration of that period until the date of actual payment:

(2) The said sum of eight hundred and forty-four pounds fourteen shillings and tenpence and the interest

A.D. 1915.

thereon (if any) shall be accepted by the county council in full satisfaction of all claims competent to the county council in connection with the annexation to the existing burgh of the district annexed including all and every claim for compensation by officers or servants of the county council in respect of loss or diminution of salary or emoluments consequent upon such annexation:

(3) The said sum of eight hundred and forty-four pounds fourteen shillings and tenpence and the interest thereon (if any) shall be applied by the county council either in the repayment of debt or with the sanction of the Secretary for Scotland for any other purpose for which capital money may be applied:

(4) If any difference shall arise between the Town Council and the county council under this section such difference shall failing agreement be determined by an arbiter to be named (failing agreement by the parties to name an arbiter) by the sheriff on the application of either of the parties.

PART IV.

FINANCE.

Power to borrow for gas purposes.

61. The Town Council may in addition to the amount already borrowed under the Act of 1865 borrow on bond mortgage or otherwise any sums required for the gasworks purposes of this Order and for constructing the gasworks authorised by this Order and for the purchase of lands and for the general purposes of the gas undertaking (exclusive of the purchase of the undertaking of the Langbank Gas Company) not exceeding fifty-five thousand pounds and with the sanction of and subject to the conditions as to period of repayment and otherwise prescribed by the Secretary for Scotland such further sums as may be requisite for the said purposes (inclusive of the purchase of the undertaking of the Langbank Gas Company) and may make and grant mortgages or other securities of the several rates (including the gas contingent guarantee rate) rents and charges and other revenues or some one or more of them of the gas undertaking in security of the money so borrowed and interest thereon and any sums so to be borrowed may be borrowed on terms providing for the repayment thereof by instalment or otherwise and

the provisions of the Police Acts with reference to the bonds or mortgages to be granted therefor shall apply The Secretary for Scotland shall have and may exercise in relation to such sanction as aforesaid all the powers of section 93 of the Local Government (Scotland) Act 1889.

Priority of existing mortgages and securities.

62. All bonds mortgages and securities granted by the Town Council in respect of the gas undertaking in pursuance of the powers of the Act of 1865 before the commencement of this Order which shall be then subsisting shall during the continuance of such bonds mortgages and securities have priority over any bonds mortgages or securities to be granted by the Town Council after the commencement of this Order in respect of the gas undertaking Provided that all bonds mortgages and securities hereafter granted by the Town Council for money borrowed or raised for the gas undertaking shall rank together pari passu without preference or priority the one over the other and all bonds mortgages and securities granted by the Town Council after the commencement of this Order shall contain an endorsation to that effect.

Town Council may borrow on cash account.

63. The Town Council may accept and take from any bank or banking company credit on a cash account to be opened and kept with such bank or banking company in the name of the Town Council according to the usage of bankers in Scotland to the extent of the aggregate amount which the Town Council are at the time authorised to borrow and may make and grant mortgages or other securities of the several rates (including the gas contingent guarantee rate) rents and charges and other revenues or some one or more of them of the gas undertaking in security of the payment of the amount of such credit or of the sums advanced from time to time on such cash account with interest thereon Provided always that the whole sums due and owing by the Town Council on such cash account and otherwise borrowed by them shall never when taken together exceed the aggregate amount of the sum which the Town Council are for the time being authorised to borrow.

Borrowing power for current expenses.

64. In the application to the burgh of section 49 (Power to borrow temporarily) of the Burgh Police (Scotland) Act 1903 the expression "any public general Act" shall be deemed to include this Order.

Protection of lender from inquiry.

65. No person lending money to the Town Council shall be bound to inquire as to the observance by the Town Council of any of the provisions of this Order or be bound to see to

A.D. 1915.

the application or be answerable for any loss misapplication or nonapplication of such money or of any part thereof.

Power to re-borrow.

66. If after having borrowed any sum of money the Town Council shall pay off the same or any part thereof otherwise than by means of instalments or of the sinking fund hereinafter mentioned or out of any moneys derived from any sale under the powers of the section of this Order the marginal note of which is "Sale of surplus lands and property" it shall be lawful for the Town Council again to borrow the amount so paid off upon the same securities as those upon which the moneys so paid off were secured and so from time to time.

Application of money borrowed.

67. All money borrowed by the Town Council under this Order shall be applied only to the purposes for which it is authorised to be borrowed and to which capital is properly applicable.

Application of revenue of gas undertaking.

68. The rates rents and charges levied and received under the authority of this Order in respect of the gas undertaking and the other revenues of the gas undertaking of the Town Council arising under and in connection with such undertaking shall be applied in the manner and in the order following (that is to say):—

(1) In payment of the expenses of the management and maintenance of the gas undertaking including salaries and other payments to officers and servants and the annual costs charges and expenses of manufacturing distributing and supplying gas and of manufacturing and selling the residual products and also the payment of any feu duties casualties ground annuals rates and taxes and other annual payments exigible in respect of the gas undertaking:

(2) In payment of the interest on any money already borrowed and to be borrowed by the Town Council for the purposes of the gas undertaking:

(3) In providing annually as a sinking fund a sum of not less than three per centum of the sums borrowed and outstanding on the fifteenth day of May one thousand nine hundred and two or borrowed since that date for the purposes of the gas undertaking under the Act of 1865 and after the Town Council have expended the sum of thirty thousand pounds under the authority of this Order the said three per centum shall be increased to five per centum:

(4) In from time to time providing the sums to be annually set apart for the sinking fund or instalments required by this Part of this Order for paying off money borrowed for the gas undertaking:

(5) In providing for the purpose of writing off out of the gas revenues in each year as depreciation on meters stoves and other gas fittings sold supplied and let for hire sums equal to six pounds per centum on the total amount expended on meters and ten pounds per centum on the total amount expended on stoves and other gas fittings sold supplied and let for hire and charged to the capital account up to the fifteenth day of May immediately preceding such writing off:

(6) In payment of such portion of the cost of enlarging or increasing or renewing and from time to time extending the gas mains and pipes of the Town Council as may properly be charged against the revenue of the year and of any other necessary annual expenditure:

(7) In providing a reserve fund as hereinafter provided:

And the surplus after providing such payments shall unless required as a working balance be applied by the Town Council at their discretion in extinction of debt charged on the gas undertaking or reduction of the rates or charges for gas.

Sinking fund.

69. The Town Council may and in the event of their borrowing otherwise than on terms of repayment by instalment shall in each year set apart as a sinking fund from and out of the rates (including the gas contingent guarantee rate) rents and charges and other moneys received by them from or on account of the gas undertaking a sum of not less than one-fortieth part of the moneys that may be borrowed by them under the authority of this Order for the purposes of their gas undertaking until such moneys have been respectively repaid and such sinking fund shall be applied to the repayment of the moneys so borrowed Provided always that in the event of such repayment being made by way of instalment the annual amount of such instalment shall be sufficient to pay off as aforesaid the whole of such money so borrowed within the period of forty years.

A.D. 1915.

Appointment of a judicial factor.

70. The mortgagees of the Town Council may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a judicial factor In order to authorise the appointment of a judicial factor in respect of arrears of principal the amount owing to the mortgagees by whom the application for a judicial factor is made shall not be less than five thousand pounds.

Application of penalties.

71. All penalties and forfeitures exigible under this Order (except any penalties payable by the Town Council) shall be payable to the Town Council and shall when recovered be applied by them to the purposes of this Order.

Power to create a gas reserve fund.

72. The Town Council shall provide a reserve fund for the gas undertaking by setting aside in each year a sum equal to not less than one penny for each one thousand cubic feet of gas sold in such year and investing the sums so set aside and the resulting income thereof in securities in which trustees are by law for the time being authorised to invest and accumulating the same at compound interest which reserve fund shall be applicable as and when the Town Council determine to meet any deficiency at any time happening in the income of the Town Council from the gas undertaking or to meet any extraordinary claim or demand at any time arising against the Town Council in respect of that undertaking or for payment of the cost of renewing any part of the gasworks or mains or pipes or other works or apparatus of the Town Council Provided that the Town Council shall not be bound to set aside any such sums as aforesaid if and when the said reserve fund exceeds in amount the sum of five thousand pounds Provided further that resort may be had to the reserve fund under the foregoing provisions although such fund may not at the time have reached or may have been reduced below the prescribed amount.

Gas guarantee rate may be imposed.

73. The Town Council shall impose assess levy and collect such a rate (to be termed "the gas contingent guarantee rate") as shall be necessary to meet any deficiency in the moneys required for payment of interest of moneys borrowed and to be borrowed for the purposes of the gas undertaking and the sums required to pay any instalment or to be transferred to the sinking fund under the provisions of this Part of this Order.

Assessment and levy of rate.

74. The gas contingent guarantee rate shall be imposed assessed levied and collected by the Town Council on and from

the occupiers of all lands and premises within the burgh according to the valuation roll in force therein for the time being and in the same manner as the burgh general assessment may be imposed and levied within the burgh under the provisions of the Police Acts and all the powers contained in the Police Acts with respect to the imposing levying payment collection and recovery of the burgh general assessment thereby authorised to be levied on and from occupiers of lands and premises and with respect to the exceptions and exemptions from such assessment shall be and are hereby made applicable to the imposition levying payment collection and recovery of the gas contingent guarantee rate by this Part of this Order authorised to be raised in the same manner as if the said rate had been authorised to be levied under the authority of the Police Acts.

Borrowing power for purposes other than gas.

75. The Town Council in addition to any other powers of borrowing which they now have or may obtain may for the purpose of—

(A) The payment under the provisions of the section of this Order whereof the marginal note is "For protection of Renfrewshire County Council"; and

(B) The payment of the costs charges and expenses of and in relation to this Order and the confirmation thereof;

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 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 assessments or assessment as security for the money which may be so borrowed under the provisions of this section Provided always that the sum to be set apart as a sinking fund for repayment of moneys borrowed under this section for purpose (A) shall not be less than five per centum per annum on the amount borrowed.

Restriction on exercise of borrowing powers.

76. Notwithstanding anything in this Order contained the Town Council shall not under the powers of this Order borrow any money (other than money required for the payment of the

A.D. 1915.

costs charges and expenses of or in connection with the passing and confirmation of this Order and for the purposes of the section of this Order of which the marginal note is "For protection of Renfrewshire County Council") during the continuance of the present war and twelve months thereafter unless the consent of the Treasury has been previously obtained and the period limited by this Order for the compulsory purchase of lands shall be calculated from the date of the consent of the Treasury or the expiration of the said period of twelve months whichever event shall first happen.

Crown rights.

77. Nothing in this Order shall affect prejudicially any estate right power privilege or exemption of the Crown 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 land heritages 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 the said Commissioners and Board are hereby respectively authorised to give).

As to Crown minerals.

78. Notwithstanding the provisions contained in the section of this Order of which the marginal note is "Crown rights" or in any Public Statute His Majesty and his lessees for their respective interests may work the minerals if any belonging to the Crown under or adjacent to the lands and works of the Town Council authorised to be taken or constructed by this Order but in the event of any such right being at any time intended to be exercised the provisions of the Railways Clauses Consolidation (Scotland) Act 1845 relating to notice and compensation shall apply when the workings reach a point the distance of which from the nearest of such lands would not if measured horizontally exceed one half the depth of such workings below the surface level of such lands.

Costs of Order.

79. The costs charges and expenses incurred in preparing for and obtaining this Order and the confirmation thereof and incidental thereto shall be paid by the Town Council wholly or

in such proportions as the Town Council may determine out of any moneys which they may borrow or out of the revenue of the gas undertaking or out of any rates charges and assessments which they are authorised to levy within the burgh Provided that if such costs charges and expenses are paid out of borrowed money the same shall be repaid within five years from the commencement of this Order.

The SCHEDULES referred to in the foregoing Order.

THE FIRST SCHEDULE.

THE LANDS WHICH THE TOWN COUNCIL MAY ACQUIRE AND USE FOR THE GASWORKS PURPOSES OF THE ORDER.

(*First*)—The area of land lying between the railway of the Caledonian Railway Company and the low-water mark or bed of the River Clyde with the houses and buildings thereon situated at or adjoining Fyfe Park near Port-Glasgow in the parish of Kilmacolm and county of Renfrew and extending to five acres three roods and six poles or thereabouts and bounded on the east by part of the lands of Carnegie Park on the south by the railway of the Caledonian Railway Company on the west by the road leading from the turnpike road to the seashore and on the north by the River Clyde and (*Second*) the area of land lying between the turnpike road leading from Port-Glasgow to Glasgow and the railway of the said Caledonian Railway Company situated near Port-Glasgow in the said parish of Kilmacolm and county of Renfrew and extending to two acres and sixteen poles or thereabouts and bounded on the east by part of the lands of Carnegie Park on the south by the turnpike road leading from Port-Glasgow to Glasgow on the west by the road leading from the said turnpike road to the seashore and on the north by the railway of the said Caledonian Railway Company.

THE SECOND SCHEDULE.

PART I.

District Annexed.

The lands and heritages in the parish of Kilmacolm and county of Renfrew comprehended within the following boundaries viz. :— Commencing at the point in the line of low-water mark of the River

A.D. 1915.

Clyde where such line is intersected by a line the prolongation of which is the centre of Carnegie Burn thence southwards along the centre of this burn to a point on the north-east corner of the bridge carrying the turnpike road between Port-Glasgow and Glasgow thence across this road to the south side of Heggie's Avenue thence westwards along the south side of this avenue to its junction with the old Greenock Road thence across this road to the north-east corner of enclosure numbered 1857 on the 25-inch Ordnance Survey map dated 1913 thence westwards along the centre of Carnegie Burn to a point ten yards or thereby beyond the south-east corner of the said enclosure numbered 1857 thence west-north-westwards in a straight line to the south-east corner of the enclosure numbered 1821 on the said Ordnance Survey map thence in a north-westerly direction along the south-west boundary of enclosure numbered 1821 thence in a straight line to the south-east corner of enclosure numbered 1819 on the said Ordnance Survey map thence along the southern boundary of enclosure numbered 1819 to the south-west corner of the said enclosure numbered 1819 thence across the road adjoining the said last-mentioned corner of the said enclosure numbered 1819 to the point where the said road joins the east boundary of enclosure numbered 72 on the said Ordnance Survey map thence in a northerly direction along the boundary between the parishes of Port-Glasgow and Kilmacolm to low-water mark in the River Clyde and thence eastwards along the said line of low-water mark to the point of commencement.

PART II.

Municipal and Police Boundaries of the Burgh.

Commencing at the point on the east of the burgh in the line of low-water mark of the River Clyde where such line is intersected by a line the prolongation of which is the centre of Carnegie Burn thence southwards along the centre of this burn to a point on the north-east corner of the bridge carrying the turnpike road between Port-Glasgow and Glasgow thence across this road to the south side of Heggie's Avenue thence westwards along the south side of this avenue to its junction with the old Greenock Road thence across this road to the north-east corner of enclosure numbered 1857 on the 25-inch Ordnance Survey map dated 1913 thence westwards along the centre of Carnegie Burn to a point ten yards or thereby beyond the south-east corner of said enclosure numbered 1857 thence west-north-westwards in a straight line to the south-east corner of the enclosure numbered 1821 on the said Ordnance Survey map thence in a north-westerly direction along the south-west boundary of enclosure numbered 1821 thence in a straight line to the south-east corner of enclosure

numbered 1819 on the said Ordnance Survey map thence along the southern boundary of enclosure numbered 1819 to the south-west corner of said enclosure numbered 1819 thence across the road adjoining the said last-mentioned corner of said enclosure numbered 1819 to the point where said road joins the east boundary of enclosure numbered 72 on the said Ordnance Survey map thence southwards along the boundary between the parishes of Port-Glasgow and Kilmacolm to the extreme western corner of enclosure numbered 1871 of Kilmacolm parish on the said Ordnance Survey map thence westwards in a straight line to a point fourteen yards south-west of the sluice gate in the mill-dam or reservoir thence north-westwards in a straight line to the waterfall in Devol's Glen thence continuing north-westwards in the same straight line from said waterfall to a point where the said straight line is intersected by a line the prolongation of which in a north-easterly direction runs along the centre of Boundary Street thence in a north-easterly direction to and along the centre of Boundary Street to the line of low-water mark of the Firth of Clyde thence eastwards along the line of low-water mark to the point first described all in the county of Renfrew.

Part III.

Wards and Boundaries of Wards.

First Ward.

That part of the burgh comprehended within a boundary line commencing at the point where the eastern municipal boundary of the burgh meets the River Clyde along the said boundary and the southern municipal boundary of the burgh to a point in the centre of the Barr's Brae Road and along the centre of the said road to the street called Station Road along the centre of the said street to Victoria Street along the centre of Victoria Street to Bay Street along the centre of Bay Street to the eastmost entrance to the dry dock along the east or south-east side of the dry dock through the wet dock to the River Clyde and along the river to the foresaid point of commencement.

Second Ward.

That part of the burgh comprehended within a boundary line commencing at the point where the western boundary of the First Ward meets the River Clyde along the said boundary to a point on Barr's Brae Road where it meets the southern municipal boundary along the said last-mentioned boundary to a point in the Glenhuntly Burn along the centre of the said burn to the Newark Parish Churchyard along the eastern boundary of the said Churchyard to Chapel Lane along the centre of the said lane to Princes Street along the

A.D. 1915.

centre of Princes Street to Shore Street along the centre of that street to Water Street along the centre of the last-mentioned street and along Paton's Quay and the Steamboat Quay to the River Clyde and along this river to the foresaid point of commencement of this ward.

Third Ward.

That part of the burgh comprehended within a boundary line commencing at the point where the western boundary of the Second Ward meets the River Clyde along the said boundary to a point in the Glenhuntly Burn where it meets the southern municipal boundary of the burgh along the said last-mentioned boundary to the waterfall in the Devol's Burn along the centre of this burn to the River Clyde and along this river to the foresaid point of commencement of this ward.

Fourth Ward.

That part of the burgh comprehended within a boundary line commencing at the point where the western boundary of the Third Ward meets the River Clyde along the said boundary to the waterfall in the Devol's Burn where it meets the southern municipal boundary of the burgh along the said last-mentioned boundary to its junction with the western municipal boundary of the burgh along the said boundary to the line of low-water mark of the River Clyde thence eastwards along this river to the foresaid point of commencement of this ward.

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