



CHAPTER cxci.

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Coatbridge Drainage and Burgh Extension. A.D. 1914.

[28th August 1914.]

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 Coatbridge Drainage and Burgh Extension Order Confirmation Act 1914. Short title.

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SCHEDULE.

COATBRIDGE DRAINAGE AND BURGH EXTENSION.

Provisional Order to authorise the Provost Magistrates and Councillors of the Burgh of Coatbridge to construct and maintain main and branch sewers and sewage purification works to acquire lands for sewage purification to extend the boundaries of the said burgh and for other purposes.

WHEREAS the provost magistrates and councillors of the burgh of Coatbridge (hereinafter called "the Town Council" and "the burgh" respectively) are the local and sanitary authority within the burgh under the Coatbridge Burgh Act 1885 the Burgh Police (Scotland) Acts 1892 to 1911 and the Public Health (Scotland) Acts 1897 to 1907:

And whereas there does not exist in the burgh any proper system or facility for the disposal of the sewage of the burgh and of trade refuse and discharges from the manufactories iron and other works within the burgh and it is expedient to make provision for the drainage of the burgh and for the more effectual disposal of the sewage thereof and of the trade refuse and discharges from manufactories iron and other works therein:

And whereas the county council of the county of Lanark have obtained an order in the sheriff court against the Town Council under the Rivers Pollution Prevention Act 1876 requiring the Town Council to provide proper facilities for the disposal of the sewage of the burgh:

And whereas it is expedient that the Town Council should be authorised to make provision for regulating and controlling the discharge into the main and branch sewers by this Order authorised or into any drains or sewers which may be constructed by the Town Council under the general Acts applicable thereto or into any existing or future main and branch sewers within the burgh of trade refuse and discharges from manufactories iron or other works and of other offensive and injurious matter and of steam or heated water which might injure or impede the sewers of the Town Council:

And whereas it is expedient for effecting the aforesaid purposes that the Town Council should construct a sewerage and drainage system for the burgh in accordance with the powers conferred by the Burgh Police Acts and the Public Health Acts as the same are amended extended or varied as hereinafter mentioned and in particular should be authorised to construct and maintain the main and branch sewers and the other works hereinafter described and to purchase and acquire the lands after mentioned for those purposes and for sewage purification: A.D. 1914.

And whereas it is expedient that the Town Council should be authorised to borrow money for the construction of the said works and for the purchase of lands wayleaves and servitudes and to impose assessments and make charges for such purposes:

And whereas estimates have been prepared by the Town Council for the construction and completion of the works by this Order authorised and for the acquisition of lands for the purposes thereof as follows:—

	£	s.	d.
Purchase of lands and servitudes - - - - -	8,000	0	0
Main sewers - - - - -	31,500	0	0
Sewage purification and works and contingencies - - - - -	36,500	0	0

And whereas the said works included in such estimates respectively are permanent works and it is expedient that the cost thereof should be spread over a term of years:

And whereas plans and sections showing the lines and levels of the main and branch sewers and the other works authorised by this Order to be constructed and the lands to be taken for the purposes thereof and plans showing the lands to be acquired for the purposes of sewage purification 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 and other property required or which may be taken for the said purposes or under the powers of this Order were duly deposited in the offices at Glasgow and Airdrie respectively of the principal sheriff clerk of the county of Lanark and are hereinafter respectively referred to as the deposited plans sections and book of reference:

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And whereas it is expedient that the boundaries of the burgh should be extended as hereinafter provided 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 it is expedient that the district annexed by this Order to the existing burgh should form part of the Fourth Ward of the burgh :

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 as hereinafter provided with any local authority company or person with respect to the drainage purposes of this Order :

And whereas it is expedient that the further powers in this Order contained should be conferred upon 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 :—

PART I.

PRELIMINARY.

Short title.

1. This Order may be cited for all purposes as the Coatbridge Drainage and Burgh Extension Order 1914.

Order divided into Parts.

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

Part I. Preliminary.

Part II. Drainage.

Part III. Burgh Extension.

Commencement of Order.

3. 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 A.D. 1914.
hereinafter referred to as "the commencement of this Order."

4. In this Order unless there be something in the subject or context repugnant to such construction the following expressions shall have the meanings respectively herein assigned to them (namely):— Interpreta-
tion.

"Trade refuse" means any liquid either with or without particles of matter in suspension therein which proceeds or results from any industry or trade within the burgh;

"Trade premises" means any manufactory iron or other works or premises situate within the burgh from which any trade refuse shall for the time being be discharged;

"Trader" means an owner or occupier of trade premises or any person carrying on any business therein or on any part thereof and discharging trade refuse therefrom;

"Solid matter" does not include particles of matter in suspension in water;

"Sewer" or "sewers" means sewer or sewers of the Town Council;

"Daily penalty" means a penalty for every day on which any offence is continued after conviction;

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

"The burgh" means the burgh of Coatbridge 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 existing burgh or of the burgh as the case may be;

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

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

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“The town clerk” means the town clerk of the existing burgh or of the burgh as the case may be;

“The sheriff” means the sheriff of Lanarkshire and includes his substitutes;

“The Burgh Police Acts” means the Burgh Police (Scotland) Acts 1892 to 1911;

“The Public Health Acts” means the Public Health (Scotland) Acts 1897 to 1907 and any Acts amending or extending the same;

“The sewerage and drainage undertaking” means and shall include the sewerage and drainage and purification works authorised by this Order to be constructed and maintained and all the lands property servitudes and rights acquired held and used for the purposes of such works respectively;

“The Town Councils Acts” means the Town Councils (Scotland) Acts 1900 and 1903.

PART II.

DRAINAGE.

Incorporation of Acts.

5. The following Acts and parts of Acts (so far as the same respectively are applicable 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 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 works authorised by this Order and “the centre of the railway” means any part of those works:

This Order shall be deemed a Special Act within the meaning of the provisions of the said Acts wholly or partly incorporated herewith.

6. The Town Council may subject to the provisions of A.D. 1914. this Order make and maintain in the lines and according to Power to execute works. the levels shown on the deposited plans and sections the main and branch sewers conduits lines of pipes and the other works hereinafter described or some one or more of them or some part or parts thereof together with all necessary drains and storm overflows outfalls junctions syphons culverts manholes walls embankments pumping stations works and conveniences connected therewith and may enter upon take appropriate and use such of the lands delineated on the deposited plans and described in the deposited book of reference as may be required for those purposes The said works are situate wholly in the county of Lanark and parish of Old Monkland and are—

Work No. 1 A main intercepting sewer conduit or line of pipes commencing at a point at the south end of Cameron Street on the west side of the North Burn one hundred and seventy-four yards or thereabouts measuring along the said street southwards from the south building line of Burnbank Street and terminating at a point one hundred and ninety-seven yards or thereabouts westwards from the point where the west side of Coatbank Street intersects the south boundary of the Sheepfold Branch of the North British Railway and fifty yards or thereabouts northwards from the north side of the main building of Coatbridge Tinsplate Works:

Work No. 2 A main sewer conduit or line of pipes commencing at a point on the west side of South Burn one hundred and ninety yards or thereabouts northwards from the north-west building line of Main Street at the east end of that street and terminating at the termination of Work No. 1 hereinbefore described:

Work No. 3 A main sewer conduit or line of pipes commencing at the termination of Works Nos. 1 and 2 hereinbefore described and terminating at a point on the south side of the Luggie Burn seventy-four yards or thereabouts measuring in a westerly direction from the centre of Woodside Street near the point where that burn crosses under that street:

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Work No. 4 A main intercepting sewer conduit or line of pipes commencing at a point in the centre of Sikeside Street ten yards or thereabouts north-westwards along the centre of the said street from the centre of Brewsterford Burn and terminating at a point twenty yards or thereabouts south-eastwards from the south-east corner of Brewsterford Place :

Work No. 5 A main intercepting sewer conduit or line of pipes commencing at a point in the Old Monkland Road three hundred and twenty-seven yards or thereabouts westwards from the west side of the road leading to Brown's Hill at its junction with Old Monkland Road and terminating in the site for Old Monkland Purification Works at a point seventy yards or thereabouts southwards from the junction of Woodside Street and Old Monkland Road :

Work No. 6 A branch sewer conduit or line of pipes commencing at a point in the centre of Gartsherrie Road nine yards or thereabouts eastwards from the east face of the bridge carrying the Caledonian Railway Company's main line from Coatbridge to Larbert over the said road and terminating by a junction with Work No. 1 at a point thereon ten yards or thereabouts northwards from the north face of the bridge carrying the North British Railway Company's main line from Coatbridge to Glasgow over the Gartsherrie Hornock and Summerlee Branch Canal :

Work No. 7 A branch sewer conduit or line of pipes commencing at a point to the north of Howe's Basin thirty-seven yards or thereabouts from the north corner of the said basin and terminating by a junction with Work No. 1 at a point thereon thirty-seven yards or thereabouts south-eastwards from the said north corner of Howe's Basin :

Work No. 8 A branch sewer conduit or line of pipes commencing at a point nine yards or thereabouts from the south-west side of the towing path of the Monkland Canal and two hundred and fourteen yards or thereabouts south-eastwards from the junction of Dundyvan Branch Canal with the said Monkland Canal and terminating by

a junction with Work No. 1 at a point thereon forty-three yards or thereabouts south-eastwards from the north-west face of the culvert carrying the Gartsherrie Burn through the property of the North British Railway Company : A.D. 1914.

Work No. 9 A branch sewer conduit or line of pipes commencing at a point twenty-seven yards or thereabouts northwards from the north side of the approach road leading from Miller Street to the Victoria Iron and Steel Works and seventy-two yards or thereabouts westwards from the west side of the main building of the said works and terminating by a junction with Work No. 2 at a point thereon one hundred yards or thereabouts measuring in a south-easterly direction from the north corner of the Lochrin Iron Works :

Work No. 10 A branch sewer conduit or line of pipes commencing at a point within the Calder Iron and Chemical Works twenty-eight yards or thereabouts south-eastwards from the line of the outside face of the north-west wall of the weighing office situated within the said works and terminating by a junction with Work No. 4 at a point thereon ten yards or thereabouts northwards from the south side of Paddock Street and twenty-six yards or thereabouts north-eastwards from the north corner of Brewsterford Place :

Work No. 11 A branch sewer conduit or line of pipes commencing at a point in the centre of that part of Paddock Street lying to the north of the Palacecraig Branch of the North British Railway forty-two yards or thereabouts south-eastwards from the centre of the north-east end of the culvert carrying the Brewsterford Burn underneath Paddock Street and terminating by a junction with Work No. 10 at its termination hereinbefore described :

Work No. 12 A branch sewer conduit or line of pipes commencing at a point in Woodside Street fifty yards or thereabouts southwards from the south side of the road leading to Higheross. at its junction with Woodside Street and terminating by a junction with Work No. 5 at a point thereon seven yards or thereabouts westwards from the east side of Woodside Street at its junction with Old Monkland Road :

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Work No. 13. A main outfall sewer pipe conduit or line of pipes commencing at a point in the site for Old Monkland Purification Works ten yards or thereabouts north-eastwards from the east side of Woodside Street where the boundary of the burgh intersects that street and terminating in the continuation southwards of Woodside Street at a point in the culvert carrying a burn or ditch underneath the continuation of the said street sixteen yards or thereabouts northwards from the south side of the public road leading from Woodlands to the Kirkstile entrance lodge to Douglas Support.

For protection of county authorities.

7. For the protection of the county council and the district committee of the middle ward of the county of Lanark who for their respective rights and jurisdictions and interests under and in virtue of the Local Government (Scotland) Acts 1889 to 1908 and the Roads and Bridges (Scotland) Acts 1878 and 1888 the Public Health (Scotland) Acts and the Lanarkshire (Middle Ward District) Water Acts 1892 to 1913 are in this section included under the expression "the county authorities" the following provisions (unless otherwise agreed upon between the Town Council and the county authorities) shall apply and have effect (that is to say):—

(1) In connection with the establishment by the Town Council of sewage works under the provisions of this Order the Town Council shall arrange with the county authorities for joint schemes being entered into or facilities being afforded on such terms as may be agreed on between the Town Council and the county authorities. Provided that as regards the sewage works to be constructed by the Town Council at Brewsterford in respect of which a joint arrangement has been provisionally come to between the Town Council and the county authorities these shall not be proceeded with until the county authorities have obtained the like powers as the Town Council have conferred upon them by this Order with respect to the regulation of the admission of trade effluent to their sewers and sewage purification works:

(2) All sewers or other works constructed in public highways under the control of the county authorities shall be constructed by the Town Council in such

positions in the highways as the county authorities may determine and so far as any sewers or other works are not shown on the deposited plans they shall be constructed on lines and at levels to be approved of by the county authorities before work is commenced. The Town Council shall break up or interfere with the surface of the highways and obstruct the traffic thereon as little as may be and shall complete their operations and restore the surface to the satisfaction of the county authorities with all reasonable despatch. The restoration of highways or roadways under this section shall mean and include the bottoming metalling rolling and completion of the tracks opened up with materials and in a manner reasonably satisfactory to the said authorities :

- (3) No sewer gas or water pipe or other work or property of the county authorities shall be in any way altered or interfered with except in accordance with plans sections and specifications previously submitted to and approved of by the county authorities :
- (4) In respect that the Town Council propose to discharge the effluent from their sewer (Work No. 13) into a culvert on the burn at Old Monkland Cemetery the Town Council shall become jointly responsible with the county authorities for the future repair and maintenance of the said culvert and they shall also be responsible for the future maintenance of that portion of the said burn enclosed with pipes :
- (5) In respect that it is intended to widen the Bathgate and Airdrie highway in connection with the construction thereon of the Glasgow Corporation Tramways the Town Council shall give off free of charge from the property proposed to be acquired by them on the south side of the said highway so much land as may be required for the purpose of the said widening but not exceeding a strip ten feet in width along the south side of the said highway and they shall also bear the expense of such widening including the providing and laying of kerb and channel so far as the same is not borne by the corporation of the city of Glasgow :

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- (6) All works carried out on public highways or which interfere with or affect any of the property or interests of the county authorities shall be carried out under the superintendence of the county authorities:
- (7) All extra expense which can reasonably be shown to be due to the construction of any works authorised by this Order which may be incurred by the county authorities in carrying out any powers vested in them by any Act of Parliament already in existence or any powers which may be vested in them by any future Act of Parliament shall be repaid to the county authorities by the Town Council:
- (8) If any difference shall at any time arise between the Town Council and the county authorities with respect to any of the matters referred to in this section such difference shall be referred to and determined by the sheriff on the application of either the Town Council or the county authorities.

For protection of
Airdrie
Coatbridge
and District
Water
Trustees.

8. For the protection of the Airdrie Coatbridge and District Water Trustees (in this section called "the trustees") the following provisions shall unless otherwise agreed upon between the Town Council and the trustees have effect (that is to say):—

- (1) Fourteen days before commencing any part of the sewers Works Nos. 1 to 13 by this Order authorised in any road street or place where the water mains and pipes of the trustees are laid the Town Council shall give notice to the trustees of their intention so to do accompanied by plans sections and drawings showing the method of constructing such sewers and the Town Council shall not commence such construction until the trustees shall have signified their reasonable approval of such plans sections specifications and drawings or have disapproved of the same. Provided that in case the trustees shall not have notified to the Town Council their disapproval of such plans sections and drawings within fourteen days from the receipt thereof they shall be deemed to have approved of the same and the Town Council may proceed to execute the said sewers in accordance with such plans

sections and drawings Any difference between the Town Council and the trustees with reference to any of the matters aforesaid shall be determined by arbitration as hereinafter provided: A.D. 1914.

- (2) The Town Council shall carry out the said sewers as aforesaid so as not to cause any interruption so far as practicable to the supply of water through the said mains and pipes of the trustees and in all respects in accordance with such plans sections and drawings as may have been reasonably approved of as aforesaid or settled in case of difference by arbitration as hereinafter provided:
- (3) The Town Council shall pay to the trustees all reasonable expenses to which the trustees may be put by or in connection with the construction and maintenance of the said sewers:
- (4) If any difference shall arise under this section between the Town Council and the trustees the same shall be referred to the arbitration of an engineer to be agreed upon or in case of difference appointed at the instance of either party by the Board of Trade.

9. The following provisions for the protection of the North British Railway Company (in this section called "the railway company") shall unless otherwise agreed upon apply and have effect (that is to say):—

For protection of North British Railway Company.

- (1) The Town Council shall not under the powers of this Order take or acquire by compulsion any railways lands or property of the railway company but shall be entitled to purchase and acquire such servitudes in and under any railways lands or property of the railway company as may be required for making and maintaining in accordance with the provisions of this Order the works authorised by the section of this Order whereof the marginal note is "Power to execute works":
- (2) Before commencing the construction under the powers of this Order of the said works in or under or within thirty yards of the railways lands or property of the

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railway company the Town Council shall submit plans sections and specifications of such works to the railway company for their approval and the said works shall be constructed and carried out in conformity only with such plans sections and specifications as approved and at the sight and to the reasonable satisfaction of the engineer of the railway company and at such times as he shall reasonably direct and such works shall thereafter be maintained by the Town Council to the reasonable satisfaction of such engineer. Provided that the approval of the railway company shall not be unreasonably withheld and that it shall be deemed to have been given unless the railway company signify their disapproval within twenty-eight days after submission of the said plans sections and specifications. Provided also that any expense which the railway company may reasonably incur for inspection or superintendence of the said works so far only as the same affect the railways lands or property of the railway company during execution or in connection with the maintenance or repair of those works at any time or in protecting their property during or in connection with the construction maintenance or repair of the said works shall be repaid to them by the Town Council. Provided also that when the said works interfere with the lines of rails or works of the railway company the railway company shall have the option of carrying out such works with their own men at the expense of the Town Council:

- (3) All the works and operations of the Town Council under this Order shall be constructed executed and completed so as not to injuriously affect the structure of any bridge or other work of the railway company or for the maintenance of which they are liable or to cause any injury thereto or to any railway or other works of the railway company or any interruption to the passage or conduct of traffic on any such railway and if any injury or interruption shall arise from or be in any way owing to the works or operations of the Town Council or the bursting leakage or failure

at any time hereafter of any sewers or other works or any of them the Town Council shall forthwith make good or remove such injury or interruption at their own expense or the railway company may do the same and the Town Council shall pay to the railway company all reasonable costs and expenses for loss damage or delay including loss of traffic incurred or sustained by them in respect thereof:

- (4) Nothing in this Order contained or which may be done in pursuance thereof shall prevent the railway company from maintaining and repairing and when necessary altering or reconstructing any bridge or other work railway or siding without interference on the part of the Town Council and without incurring any liability to the Town Council for any loss injury damage expense or interruption to any of the said works which may arise from such maintenance repair alterations or reconstruction. Provided that all such operations shall be executed by the railway company in such manner as to cause as little interruption or inconvenience as practicable to the maintenance and use of the works of the Town Council and the railway company shall give twenty-eight days' notice in writing to the Town Council before commencing any such operations and the same so far as interfering with the works of the Town Council shall be conducted at the sight and to the reasonable satisfaction of the engineer of the Town Council:
- (5) The Town Council shall pay to the railway company any extra expense which the railway company may reasonably incur or be put to in maintaining repairing altering or reconstructing their bridges railways or sidings or other works by reason of the construction use or existence of the works of the Town Council and such extra expense if any shall be determined by the arbiter appointed as hereinafter in this section mentioned:
- (6) If any difference shall arise between the Town Council and the railway company or their engineer as to the meaning of this section or as to any plans and sections

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or as to any work or the method of executing the same or as to any expenses referred to in this section the same shall be determined by an arbiter to be agreed upon between the Town Council and the railway company or failing agreement to be nominated by the Board of Trade on the application of either of the parties.

For protection of
Airdrie and
Coatbridge
Tramways
Company.

10. Where the exercise of the powers authorised by this Order will involve the placing of any works in under along or across any street or part of a street upon which is situate any tramway of or leased to the Airdrie and Coatbridge Tramways Company (in this section referred to as "the company") or which is repairable or partly repairable by the company the following provisions shall have effect:—

- (A) The Town Council shall give to the company one month's notice describing the proposed works together with a plan showing the mode and position in which the works are intended to be executed and placed:
- (B) The Town Council shall comply with all reasonable directions of the company which shall be given by the company within such period of one month or if any directions so given be considered unreasonable by the arbiter hereinafter in this section mentioned then with any directions which the said arbiter may substitute therefor and the Town Council shall save harmless the company against all expenses occasioned by the said works and shall indemnify the company against any damage consequent thereon:
- (C) All such works shall be carried out to the reasonable satisfaction of the company and the company shall have the right to be present during the execution of the works:
- (D) All interference with the said tramways and streets may if they so desire be effected by the company at the reasonable expense of the Town Council:
- (E) If any question arises under this section between the company and the Town Council that question shall be referred to and determined by an arbiter to be appointed on the application of either party by the Board of Trade.

11. For the protection of the Coatbridge Tinsplate Company Limited (in this section called "the company") the following provisions shall notwithstanding anything in this Order contained (unless otherwise agreed upon) have effect (that is to say):—

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For pro-
tection of
Coatbridge
Tinsplate
Company
Limited.

- (1) The Town Council shall not under the powers of this Order take or acquire by compulsion any of the lands buildings railways or property of the company but the Town Council may purchase and acquire and the company shall sell such servitudes in and under any lands buildings railways or property of the company as may be required for making and maintaining in accordance with the provisions of this Order the works authorised by the section of this Order whereof the marginal note is "Power to execute works" (in this section referred to as "the said works"):
- (2) Before commencing the construction under the powers of this Order of the said works in or under the lands buildings railways or property of the company the Town Council shall submit plans sections and specifications of the said works to the company fourteen days prior to commencing the said works showing the mode and position in which they are intended to be executed and placed and the Town Council shall comply with all reasonable directions of the company which shall be given by the company within such period of fourteen days or if any directions so given be considered unreasonable by the arbiter hereinafter in this section mentioned then with any directions which the said arbiter may substitute therefor:
- (3) If during the construction or maintenance of the said works whether or not the company shall have approved of the plans sections and specifications of the said works damage is caused to the plant machinery or other property of the company full compensation for all loss sustained in consequence thereof shall be paid by the Town Council including in case of partial or total stoppage of the company's works in consequence of such damage a reasonable sum for loss of profit and any sums in which the company may be liable in respect of breach of contract or otherwise

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arising out of such total or partial stoppage of their works :

- (4) Should any damage be caused to the said works or any of the works connected therewith during or after construction attributable to the working of the company's plant and process or to any operation on their ground the company shall not be liable in any way to the Town Council for any damage so caused or loss sustained thereby provided that such operations shall be executed by the company in such manner as to cause as little damage and interference as practicable to and with the said works and the company shall give fourteen days' notice in writing to the Town Council (except in case of emergency when notice shall be given as soon as possible after the work has been commenced) before commencing any such operations as may affect any of the said works Provided that if it shall be necessary for the company to interfere with the said works the whole operations of the company involving such interference shall be conducted at the sight and to the reasonable satisfaction of the engineer for the time being of the Town Council and in such way and manner as shall not interrupt the said works or impair the efficiency and stability thereof :
- (5) If any difference shall arise between the Town Council and the company or their engineer as to the meaning of this section or as to any plans and sections or as to any work or the method of executing the same claims of damage or compensation or as to any other matters referred to in or arising out of this section the same shall be determined by an arbiter to be agreed between the Town Council and the company or failing agreement to be nominated by the Board of Trade on the application of either of the parties and the expenses of and incident to such arbitration shall be borne by the Town Council unless the arbiter is of opinion that the position taken up or the claim of damage or compensation made by the company is unreasonable in which case it shall be in the power of the arbiter to order that the company shall pay the said expenses or a proportion thereof.

12. For the protection of the Langloan Iron and Chemical Company Limited (in this section called "the company") the following provisions shall notwithstanding anything in this Order contained (unless otherwise agreed upon) have effect (that is to say):—

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For protection of
Langloan
Iron and
Chemical
Company
Limited.

- (1) If during the construction of the works authorised by this Order (in this section referred to as "the said works") damage is caused to the plant machinery or other property of the company full compensation for all loss sustained in consequence thereof shall be paid by the Town Council to the company :
- (2) If during the construction of the said works the company's manufacturing processes are stopped or interfered with directly or indirectly by the Town Council's operations the Town Council shall pay to the company full compensation for all loss sustained by them on account of such stoppage or interference whether the damage be consequential or not :
- (3) If after the construction of the said works damage is caused to the plant machinery or other property of the company or there is interference with or stoppage of their manufacturing processes resulting from the use of the said works or the existence thereof full compensation for all loss sustained by the company in consequence thereof will be paid to them by the Town Council Provided always that the Town Council shall not be responsible for any such damage interference or stoppage which may result from or arise out of any interference by the company with the said works :
- (4) Should any damage be caused to the said works or any of the works connected therewith during or after construction attributable to the working of the company's plant and processes or to any ordinary operations on their ground the company shall not be liable in any way to the Town Council for any damage so caused or loss sustained thereby Provided however that such operations shall be conducted by the company in such a manner as to cause as little damage and interference as practicable to and with the said works and the company shall give fourteen

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days' notice in writing to the Town Council (except in case of emergency in which case notice shall be given as soon as possible after the work has been commenced) before commencing any such operations as may affect any of the said works. Provided further that if it shall be necessary for the company to interfere with the said works the whole operations of the company involving such interference shall be conducted at the sight and to the reasonable satisfaction of the engineer for the time being of the Town Council and in such way and manner as shall not interrupt the said works or impair the efficiency or stability thereof:

- (5) The company shall be entitled to discharge into the sewers the trade refuse or effluent from their works known as "spent ammoniacal liquor" Provided always that the Town Council may regulate the quantities in which the said "spent ammoniacal liquor" shall be received and in the making of such regulations the provisions of the sections of this Order of which the marginal notes are "Town Council shall make regulations" "Right to call for modification &c. of regulations" "Regulating discharge of offensive liquid refuse" and "Reference of questions in dispute" shall apply:
- (6) Except where otherwise provided in this section any question or difference between the Town Council and the company arising under this section including questions of disputed compensation shall failing agreement be determined by an arbiter mutually chosen or failing agreement by an arbiter to be appointed by the Board of Trade on the application of either party. The expenses of and incident to the said arbitration shall be borne by the Town Council unless the arbiter is of opinion that the position taken up or the claim of compensation made in case of disputed compensation by the company is unreasonable. In either of these cases it shall be in the discretion and power of the arbiter to order that the company pay their own expenses or a proportion thereof.

13. The following provisions for the protection of the Caledonian Railway Company (hereinafter in this section called "the company") shall unless otherwise agreed between the company and the Town Council apply and have effect (that is to say) :—

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For protection of
Caledonian
Railway
Company.

- (1) Before commencing any works or operations for the purpose of executing maintaining repairing renewing or altering or reconstructing the works by this Order authorised in over about or affecting any lines of railway canal or other works belonging to or maintainable by the company or land or other property belonging to or used or occupied by the company or any bridge or approaches thereto or the roadway on or under such bridge or other work belonging to or maintainable or repairable by the company or within sixty feet of any such lines of railway or canal the Town Council shall submit to the company plans sections working drawings and specifications thereof showing the manner in which such works or operations are to be carried out as well as the design material and mode of execution thereof for approval of the company which approval shall not be unreasonably withheld and such approval shall be deemed to have been given unless the company signify their disapproval within twenty-eight days after submission of the said plans sections working drawings and specifications :
- (2) All the said works and operations shall be constructed carried on and completed in conformity only with the plans sections working drawings and specifications so approved at the sole risk and cost of the Town Council and at the sight and to the reasonable satisfaction of the company and all such works shall be maintained repaired or renewed by the Town Council in all time coming at their sole cost at the sight and to the satisfaction of the company :
- (3) The Town Council shall not without the previous consent in writing of the company enter upon alter or interfere with any railway canal property works or other subjects belonging to or used or occupied by the

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company or any bridge or approaches thereto or the roadway on or under such bridge or other work belonging to or maintainable or repairable by them further or otherwise than may be necessary for constructing and maintaining any of the said works and shall not take or acquire any lands or property of the company for the purposes of the said works Provided that the Town Council shall carry out their operations so far as affecting the canal so as not to interrupt the use of the canal for the purposes of navigation or for the supply of water for trade purposes :

- (4) The Town Council shall give twenty-eight days' previous notice in writing to the company of their intention to commence any of the works by this Order authorised which will affect the railway or canal or property or works of the company and no part of the said works where constructed in tunnel under the said canal or towing paths or banks thereof shall be less than sixteen feet below the ordinary top water level of the canal at the point of crossing and all works at the several points of crossing of the said canal shall be completed within six months after the commencement thereof and all other works shall be completed with all reasonable despatch :
- (5) The Town Council shall pay any expense which the Company may reasonably incur for inspection or superintendence of the said works so far as the same affect the railways canals lands or other property of the company during or in connection with the construction maintenance or repair of those works at any time or in protecting their property or in safeguarding the working of or the traffic on their railways or canals during or in connection with the construction maintenance or repair of the said works or in connection with the approval of any plans and others as above provided for :
- (6) All the works of the Town Council under this Order including the maintenance and any alteration replacement or repair thereof and the operations connected

therewith shall be constructed executed and completed by the Town Council at their sole risk and cost and so as not to injure alter or interfere with or endanger the structure or stability of any of the said railways canals or other works or lands or other property of the company in or about which the said works may be constructed or the roadway on or under any bridge belonging to or maintainable by the company or in or about the approaches thereto or the electric telephonic or signalling apparatus belonging to or maintainable by the company and the Town Council shall strengthen or support such railways canals and bridges or other works of the company if on account of any works authorised by this Order it shall be reasonably necessary so to do and should any danger injury interruption impediment to or interference with the passage or conduct of traffic on any such railway or canal or any leakage or loss of water from the canal be caused by or be in any way owing to the works or operations of the Town Council by this Order authorised or the failure of or defect in any of the said works or operations of the Town Council or be reasonably apprehended in connection therewith the Town Council shall free of all expense to the company execute and do all such works as may be reasonably necessary to remove or prevent such injury danger interruption or impediment and stop such leakage or loss of water as the case may be and failing their so doing the company for any of these purposes may enter upon the works or property of the Town Council and execute and do all such works and things as may be reasonably necessary to remove or prevent such injury danger interruption or impediment leakage or loss of water and the Town Council shall on demand repay to the company all reasonable costs and expenses incurred by them in connection therewith Provided further that the Town Council shall pay all reasonable costs and expenses incurred by the company and shall make reasonable compensation to them for all loss or damage including loss of traffic caused by such works and operations interruption impediment to or interference with the railways canals and bridges or other works land or

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other property owned maintained or repairable or used or occupied by the company :

- (7) The Town Council shall also indemnify the company for all damages or compensation which may be recovered from them by reason of such interruption impediment or interference or by reason of any accident so far as such interruption impediment interference or accident shall have been occasioned by or through the acts or defaults in reference to the works by this Order authorised of the Town Council or of those for whom they are responsible :
- (8) Nothing in this Order contained or which may be done in pursuance thereof shall prevent the company from maintaining repairing and whenever in their discretion thought necessary renewing deviating widening enlarging altering or reconstructing their railways or other works or deviating widening enlarging deepening repairing or altering the said canal towing paths banks or other works in connection therewith without incurring any liability to the Town Council or to any person using the said works of the Town Council for any loss injury damages or expenses which may arise from such maintenance repair renewal deviation widening enlarging alteration or reconstruction unless the same shall arise from some neglect or default of the company or their agents workmen or servants in the execution of such maintenance repair renewal deviation widening enlarging alteration or reconstruction Provided that in the event of the company exercising any of such powers they shall conduct their operations in such manner as to cause as little damage and interference as practicable to and with the said works of the Town Council hereby authorised and the company shall give fourteen days' notice in writing to the Town Council (except in cases of emergency in which cases notice shall be given as soon as possible after the work has been commenced) before commencing any such operations as may affect any of the said works of the Town Council hereby authorised .
- (9) The Town Council shall pay to the company any extra expense which the company may reasonably incur

in maintaining repairing altering or reconstructing the works of the company by reason of the construction use or existence of the works of the Town Council by this Order authorised:

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- (10) If any difference shall arise between the Town Council and the company or their respective engineers under this section or as to the meaning of the same or as to any plans and sections or as to any work or the method of executing the same or as to any expenses compensation loss injury or damage referred to in this section the same shall be determined by an arbiter to be agreed upon by the Town Council and the company or failing agreement to be nominated by the Board of Trade on the application of either of the parties.

14. The following provisions for the protection of the Scottish Iron and Steel Company Limited (hereinafter in this section called "the company") shall unless otherwise agreed between the company and the Town Council apply and have effect (that is to say):—

For protection of
Scottish Iron
and Steel
Company
Limited.

- (1) The company shall be entitled to discharge direct into the sewers without preliminary treatment the trade refuse consisting of water either with or without particles of oil or grease or other similar substance in suspension therein from each and all of the works belonging to the company provided however that the said water shall not be of a higher temperature than one hundred and ten degrees Fahrenheit No regulations shall be made by the Town Council in virtue of the powers conferred upon them by the sections of this Order whereof the marginal notes are "Town Council shall make regulations" and "Regulating discharge of offensive liquid refuse" which shall in any way affect the provisions for the protection of the company contained in this section:

- (2) In the construction of any works by this Order authorised on or through any land or near to any buildings plant or machinery belonging to the company and in the future the maintenance repair

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or replacement thereof the same shall be constructed and executed by the Town Council so as not to injure alter or interfere with or endanger the stability of the said land buildings plant or machinery and in such a manner as to cause the least possible interruption to the carrying on of the company's works:

(3) The Town Council shall pay to and reimburse the company in all reasonable costs charges and expenses which they may incur in connection with the construction of the works authorised by this Order or the subsequent maintenance use alteration or repair thereof including compensation for any loss sustained by the company caused by the stoppage of any of their works or part thereof:

(4) Any question or difference between the Town Council and the company arising under this section shall be determined by an arbiter to be agreed upon between the Town Council and the company or failing agreement by an arbiter to be named by the Board of Trade on the application of either party.

Correction of errors in deposited plans and book of reference.

15. If there be any omission mis-statement or wrong 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 wrong 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 such certificate shall be deposited with the principal sheriff clerk of the county of Lanarkshire and a duplicate thereof shall also be deposited with the town clerk of the burgh or the clerk of the parish council in which the lands affected thereby are situate and such certificate and duplicate respectively shall be kept by such clerks respectively with the other documents to which the same relate and thereupon the deposited plans and book of reference shall be deemed to be corrected according to the certificate and the Town Council may

[4 & 5 GEO. 5.] *Coatbridge Drainage and Burgh* [Ch. cxcii.]
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take the lands and execute the works in accordance with such certificate. A.D. 1914.

16. Subject to the provisions of this Order the Town Council may in the construction of the aforesaid works deviate from the lines thereof as shown or referred to on the deposited plans to any extent not exceeding the limits of deviation defined on the said plans and may deviate vertically from the levels shown on the deposited sections to any extent not exceeding two feet upwards and to any extent downwards. Limits of lateral and vertical deviation.

17. For the purposes and during the execution of the several works which the Town Council are by this Order authorised to make and in maintaining the same and subject to the provisions of this Order the Town Council may temporarily and from time to time break up or cross over or under alter or stop up any streets roads highways lanes paths bridges railways sidings tramways passages sewers drains watercourses gas pipes and water pipes and electric or telephonic apparatus in any of the lands shown on the deposited plans and specified in the deposited book of reference which they may from time to time find it expedient for any of those purposes so to interfere with providing a proper temporary substitute before interrupting the traffic on any such street road highway lane path bridge railway siding tramway or passage or the flow of water gas sewage or electricity in any such sewer drain watercourse pipe or apparatus and making full compensation to all persons injuriously affected thereby Provided that nothing in this section shall extend to authorise any interference with electric telegraphic or telephonic apparatus or other property of His Majesty's Postmaster-General Provided also that nothing in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Act 1882 to which the provisions of section 15 of the said Act and section 17 (As to alteration of pipes wires &c. under streets) of the Coatbridge Electric Lighting Order 1890 apply. Power to alter roads &c. temporarily.

18. And whereas in order to avoid in the execution and maintenance of the works by this Order authorised injury to the houses and buildings within one hundred feet of any of such works it may be necessary to underpin or otherwise strengthen the same Therefore the Town Council at their own cost and charges may and if required by the owners or lessees of any Underpinning of houses near works.

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A.D. 1914. such house or building shall subject as hereinafter provided underpin or otherwise strengthen the same and the following provisions shall have effect (that is to say):—

- (1) At least ten days' notice shall unless in case of emergency be given to the owners lessees and occupiers or by the owners or lessees of the house or building so intended or so required to be underpinned or otherwise strengthened:
- (2) Each such notice if given by the Town Council shall be served in manner prescribed by section 18 of the Lands Clauses Consolidation (Scotland) Act 1845 and if given by the owners or lessees of the premises to be underpinned or strengthened shall be sent to the town clerk:
- (3) If any owner lessee or occupier of any such house or building or the Town Council as the case may require shall within seven days after the giving of such notice give a counter notice in writing that he or they as the case may be disputes the necessity of such underpinning or strengthening the question of the necessity shall be referred to the arbitration of an engineer to be agreed upon or in case of difference appointed at the instance of either party by the Board of Trade:
- (4) The arbiter shall forthwith upon the application of either party proceed to inspect such house or building and determine the matter referred to him and if he shall decide that such underpinning or strengthening is necessary he may and if so required by such owner lessee or occupier shall prescribe the mode in which the same shall be executed and the Town Council may and shall proceed forthwith so to underpin or strengthen the said house or building:
- (5) The Town Council shall be liable to compensate the owners lessees and occupiers of every such house or building for any inconvenience loss or damage which may result to them by reason of the exercise of the powers granted by this enactment:
- (6) If in any case in which any house or building shall have been underpinned or strengthened on the

requisition of the Town Council such underpinning or strengthening shall prove inadequate for the support or protection of the house or building against further injury arising from the execution or use of the works of the Town Council then and in every such case unless such underpinning or strengthening shall have been done in pursuance of and in the mode prescribed by the referee the Town Council shall make compensation to the owners lessees and occupiers of such house or building for such injury provided the claim for compensation in respect thereof be made by such owners within twelve months and by such lessees or occupiers within six months from the discovery thereof: A.D. 1914.

(7) Nothing in this enactment contained nor any dealing with any property in pursuance of this enactment shall relieve the Town Council from the liability to compensate under the Lands Clauses Consolidation (Scotland) Act 1845 or under any other Act:

(8) Every case of compensation to be ascertained under this enactment shall be ascertained according to the provisions of the Lands Clauses Acts:

(9) Nothing in this section shall repeal or affect the application of section 90 of the Lands Clauses Consolidation (Scotland) Act 1845.

19. Persons empowered by the Lands Clauses Acts to sell and convey or discharge lands may if they think fit subject to the provisions of those Acts and of this Order grant to the Town Council any servitude right or privilege (not being a servitude right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Order in over or affecting any such lands and the provisions of the said Acts with respect to lands and rent-charges or feu duties so far as the same are applicable in this behalf shall extend and apply to such grants and to such servitudes rights and privileges as aforesaid respectively. Servitudes
&c. by agree-
ment.

20. The Town Council may acquire compulsorily or by agreement the lands described in the First Schedule to this Order and shown on the deposited plans and described in the book of reference or some part or parts thereof and may Lands for
sewage
purification.

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A.D. 1914. — construct thereon and thereafter maintain use and manage all necessary and proper erections appliances tanks reservoirs basins and other engines mains buildings machinery apparatus and works for receiving conveying storing filtering precipitating disinfecting using distributing and disposing of and for the bacteriological or chemical or other treatment of the whole or any portion of the contents of the sewers and for discharging the effluent into the Luggie Burn and North Calder Water or into any other watercourses ditches or drains.

Lands for
extra-
ordinary
purposes.

21. In addition to the lands authorised to be taken as aforesaid the Town Council may by agreement purchase any lands not exceeding ten acres for the purpose of making depôts and other buildings and conveniences in connection with the works by this Order authorised Provided that the Town Council shall not create or permit a nuisance on such last-mentioned lands.

Owners may
be required
to sell parts
only of
certain lands
and build-
ings.

22. And whereas in the construction of the sewers and works by this Order authorised or otherwise in exercise of the powers of this Order it may happen that portions only of the houses or other buildings or manufactories shown on the deposited plans may be sufficient for the purposes of the same and that such portions may be severed from the remainder of the said properties without material detriment thereto Therefore notwithstanding section 90 of the Lands Clauses Consolidation (Scotland) Act 1845 the owners of and other persons interested in the houses or other buildings or manufactories described in the Second Schedule to this Order and whereof parts only are required for the purposes of this Order may if such portions can in the opinion of the arbiter to whom the question of disputed compensation shall be submitted be severed from the remainder of such properties without material detriment thereto be required to sell and convey to the Town Council the portions only of the premises so required without the Town Council being obliged or compellable to purchase the whole or any greater portion thereof the Town Council paying for the portions required by them and making compensation for any damage sustained by the owners thereof or other parties interested therein by severance or otherwise.

Compensa-
tion to be
settled by
single
arbiter.

23.—(1) All cases of disputed purchase money or compensation under this Order whereby the Town Council are entitled to acquire land compulsorily or of disputed compensa-

tion falling to be determined under the provisions of the Lands Clauses Acts shall notwithstanding anything in those Acts contained be determined by a single arbiter to be appointed by the parties or in case both parties do not concur in the appointment of a single arbiter it shall be in the power of either party to apply to the Secretary for Scotland to appoint a single arbiter to determine the compensation to be paid and it shall not be competent thereafter to have the same determined by arbiters oversmen sheriff or jury acting under the last-mentioned Acts The said arbiter upon appointment shall be deemed to be a sole arbiter within the meaning of the Lands Clauses Acts and the provisions of those Acts with regard to arbitration shall apply accordingly Provided that the arbiter shall notwithstanding anything in those Acts contained determine the amount of expenses in the arbitration and such determination shall be final The remuneration of the said arbiter shall failing agreement be fixed by the Secretary for Scotland The expression "land" in this section includes water and any right or servitude to or over land or water.

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(2) The arbiter shall if any question of law arises in the course of an arbitration under this section have power at the request of either party to state a case for the opinion of the Court of Session and the said court shall determine such question.

24. The tribunal to whom any question of disputed purchase money or compensation under this Order is referred shall if so required by the Town Council award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Town Council by the claimant giving sufficient particulars and in sufficient time to enable the Town Council to make a proper offer and if the tribunal shall be of opinion that no such statement giving sufficient particulars and in sufficient time shall have been delivered and that the Town Council has been prejudiced thereby the tribunal shall have power to decide whether the claimant's costs or any part thereof shall be borne by the claimant:

Costs of arbitration in certain cases.

Provided that the sheriff of the county in which the lands are situate in respect of which the claim has arisen may permit any claimant after seven days' notice in writing to the Town

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A.D. 1914. Council to amend the statement of the claim delivered by him to the Town Council in case of discovery of any error or mistake therein or for any other reasonable cause (such error or mistake or cause to be established to the satisfaction of the sheriff after hearing the Town Council if they object to the amendment) and such amendment shall be subject to such terms enabling the Town Council to investigate the amended claim and to make an offer de novo and as to postponing the hearing of the claim and as to costs of the inquiry and otherwise as to such sheriff may seem just and proper under all the circumstances of the case:

Provided also that this section shall be applicable only in cases where the notice to treat under the Lands Clauses Consolidation (Scotland) Act 1845 either contained or was endorsed with a notice of the effect of this section.

Town
Council may
acquire
servitudes.

25.—(1) Subject to the provisions of this Order the Town Council may in lieu of acquiring any lands for the purposes of the works authorised by this Order where the same are intended to be constructed underground acquire such servitudes over such lands as they may require for such purposes of from time to time constructing reconstructing placing laying inspecting maintaining cleansing replacing repairing enlarging adding to conducting or managing the same and may give notice to treat in respect of such servitudes describing the nature thereof and the provisions of the Lands Clauses Acts shall apply to and in respect of the acquisition of such servitudes as fully as if the same were lands within the meaning of those Acts.

(2) As regards any lands in respect of which the Town Council have acquired servitudes only under the provisions of this section the Town Council shall not be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being shall subject to such servitude have the same rights to use and cultivate the said lands at all times as if the Act confirming this Order had not passed.

(3) Provided always that nothing in this section contained shall authorise the Town Council to acquire by compulsion any such servitude in any case in which the owner in his particulars of claim shall require the Town Council to acquire the lands in respect of which they have given notice to treat for the acquisition of a servitude only and every notice to

treat for the acquisition of a servitude shall be endorsed with notice of this provision. A.D. 1914.

26. The powers of the Town Council for the compulsory purchase of lands for the purposes of this Order shall cease after the expiration of three years from the commencement of this Order. Period for compulsory purchase of lands.

27. If the works by this Order authorised are not completed within six years from the commencement of this Order then on the expiration of that period the powers by this Order granted to the Town Council for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof as is then completed. Period for completion of works.

28. The Town Council may at any time when any accident or stoppage shall occur to the sewerage and drainage undertaking or any part thereof or when the said undertaking or any part thereof and any existing and future sewers or other works or any part of the same are being repaired cleansed altered or renewed or when in consequence of excessive rainfall the said undertaking or any part thereof cannot contain the whole sewage and storm water discharged into the same or the effluent is choked back by flood water temporarily discharge into the Luggie Burn North Burn South Burn Gartsherrie Burn and North Calder Water the sewage and drainage or other liquids which would otherwise flow into the said undertaking or any part thereof Provided that such temporary discharge shall continue only for such time as shall taking all the circumstances into consideration be rendered reasonably necessary by accident stoppage repairs or other operations above mentioned or by excessive rainfall or regurgitation in manner above mentioned. Sewage &c. may be discharged into river during repairs.

29. If it appear to the Town Council that two or more houses may be drained more economically or advantageously in combination than separately and a sewer of sufficient size already exists or is about to be constructed within one hundred feet of any part of such houses the Town Council may when the drains of such houses are first laid order and direct that such houses be drained by a combined drain to be constructed either by the Town Council if they so decide or by the owners of such houses in such manner as the Town Council shall direct and under their supervision and the costs and expenses of such combined drain and of the repair and maintenance Town Council may order houses to be drained by a combined operation.

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A.D. 1914. thereof shall be apportioned between such owners in such manner as the Town Council shall determine and if such drain is constructed by the Town Council such costs and expenses may be recovered by the Town Council from such owners summarily as a debt Provided that the Town Council shall not exercise the powers conferred by this section in respect of any house plans for the drainage of which shall have been previously approved by the Town Council.

Existing sewers and drains to be connected with works.

30. The Town Council may make and maintain all such sewers drains or pipes and appurtenances as may be necessary for connecting any existing sewers outfalls of sewage or drains with the sewers and for conducting the contents thereof to the lands which may be acquired as aforesaid for sewage purification purposes.

Future junctions within burgh to be executed by Town Council at cost of owners.

31. The point of junction of any branch drain private sewer or pipe with the sewers and the mode of effecting such junction shall be determined by the Town Council and the work of or connected with such junction shall be done by them at the expense of the person desiring such junction which expense may be recovered by the Town Council from such person as an ordinary debt.

Appeal.

32. Any person liable to pay or contribute towards the expense of any works ordered or required by the Town Council under the three immediately preceding sections of this Order and any person whose property may be affected or who thinks himself aggrieved by any order or act of the Town Council made or done thereunder may appeal in manner provided by section 339 of the Burgh Police (Scotland) Act 1892 as amended by section 104 of the Burgh Police (Scotland) Act 1903.

Traders may discharge trade refuse into sewers.

33.—(1) Subject to the provisions of this Order any trader may require the Town Council to receive the trade refuse produced from his trade premises and shall on compliance with the provisions of this Order and of any regulations made under the same for the time being in force be entitled to discharge such trade refuse through any properly made drains communicating with the sewers.

Notice of intention to discharge.

(2) Any trader requiring the Town Council to receive trade refuse as aforesaid or proposing to discharge trade refuse into any sewer by any drain or to enlarge or alter any drain used for the purpose of discharging trade refuse into any sewer shall

at least one month previously serve the Town Council with notice of his requirement or proposal as aforesaid and stating the branch of industry or trade carried on in the trade premises affected and the name and postal address of the owner and the occupier respectively of such premises and every part thereof. A.D. 1914.

(3) The provisions of this section shall not come into force until—

(A) The construction and completion of such main and other sewers as shall in the opinion of the Town Council be sufficient not only for the sewage purposes of the burgh but also for the reception of trade refuse; and

(B) The regulations to be made as hereinafter provided shall come into operation:

Provided that in the meantime the existing rights of the Town Council and the traders respectively shall remain unaffected.

34. The owner and occupier of any lands and premises on in through or under which any drain pipe channel or outlet is situate by means whereof any trade refuse flows or is or may be discharged into any sewer within the burgh shall upon application in writing by the town clerk produce for inspection by the Town Council or their officers or agents and the Town Council shall upon application in writing by any such owner or occupier as aforesaid produce for inspection by him or his agents all such plans of such sewer drain pipe channel or outlet as aforesaid as he or they respectively possess and if required shall furnish to the Town Council or to such owner or occupier as the case may be at reasonable charges copies of all such plans and such information thereon as he or they respectively is or are able to afford and in case of default shall be liable for every such offence to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings. Production of plans &c.

35. The Town Council may if they deem it expedient enter into and carry out agreements with any traders on such terms as may be arranged to construct or provide separate sewers or other works for receiving and disposing of any trade refuse or may by means of a combined scheme or schemes with all necessary sewers and works receive and dispose of the trade refuse from two or more trade premises apart or separately from the general sewerage system or disposal works of the Town Council. Power to make separate or combined systems or schemes.

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Power to
Town
Council to
combine
with other
authorities.

36. The Town Council may combine with one or more of the local authorities of any other districts for the purpose of the exercise and performance either separately or jointly with them of the powers and duties of the Town Council under Part II. of this Order either alone or in conjunction with the powers and duties of one or more of such other local authorities and may enter into and carry into effect any agreements for such purpose.

Disposal of
sludge &c.

37. The Town Council may at the request and cost of any trader or other person for the time being interested in any trade premises remove and dispose of any sludge deposit or other substance which may have been produced in the course of the treatment of trade refuse upon or in connection with such trade premises.

Town
Council
shall make
regulations.

38.—(1) Subject to the provisions of this Order the Town Council shall make regulations which shall be conformed to and observed by traders proposing to discharge trade refuse into the sewers under the provisions of this Order and such regulations shall provide for inter alia—

- (A) The preliminary treatment of trade refuse ;
- (B) The admission of certain trade refuse from trade premises direct into the sewers without preliminary treatment and the exclusion therefrom of certain trade refuse until subjected to preliminary treatment ;
- (C) The provision to be made by traders by way of manholes or other openings on the line of drain between trade premises and the sewer for enabling the Town Council to inspect the trade refuse and to take samples ; and
- (D) The dimensions and capacity of any pipe by which trade refuse may be discharged from trade premises into the sewers or any of them and the quantity temperature and condition of such trade refuse which shall be admitted into the sewers ;

and may include reasonable charges by the Town Council for the removal and disposal of trade refuse where there shall be no preliminary treatment thereof or where there shall be exceptional circumstances as regards volume quality or otherwise.

(2) The said regulations shall be made with due regard to the capacity and fitness of the sewers and the purification works

and the methods of purification employed therein and also with regard to the reasonableness of cost the effect on and circumstances connected with the respective branches of industry or trade in the burgh so as to ensure that no material injury will be inflicted by such regulations on the interests of such industries or trades and shall make all reasonable distinctions between such respective branches of industry or trade. A.D. 1914.

(3) Any regulations made by the Town Council under the provisions of this section and any variation alteration or modification of the same shall be published by being advertised once in each of two successive weeks in one or more newspapers published or circulating in the burgh and a copy shall be furnished by the Town Council to any trader on application without charge.

(4) Such regulations and any variation alteration or modification of the same shall come into force on the expiration of two months from the date of the last advertisement unless before the expiration of such period any trader shall lodge a representation with the Town Council against such regulations or any of them or any variation alteration or modification thereof and in the event of any such representation being received by the town clerk the same shall be considered by the Town Council who may if they think fit modify such regulations or any of them or such variation alteration or modification and in the event of any difference arising between the Town Council and any trader on any such regulations such difference shall be settled by arbitration under the provisions of the section of this Order the marginal note of which is "Reference of questions in dispute."

(5) A copy of such regulations certified to be correct by the town clerk shall be received as evidence in all legal proceedings.

39. Any trader affected by any regulations made by the Town Council as aforesaid and in force for the time may serve on the Town Council a representation setting forth that such regulations or any of them are or have become unnecessary or unsuitable and that the same should be modified varied or rescinded and that further or other regulations should be made and substituted therefor and if the Town Council should agree in the representation so made they may make such modified

Right to call
for modifica-
tion &c. of
regulations.

[Ch. cxcii.] *Coatbridge Drainage and Burgh* [4 & 5 GEO. 5.]
Extension Order Confirmation Act, 1914.

A.D. 1914. — or substituted regulations which shall be made with due regard to all and every of the matters mentioned and referred to in subsection (1) of the section of this Order the marginal note of which is "Town Council shall make regulations" and the same procedure shall be applicable in all respects to such substituted regulations as is provided with respect to the original regulations.

Regulating
discharge of
offensive
liquid refuse.

40. Nothing in this Part of this Order contained shall entitle any trader to require the Town Council to receive or dispose of—

(A) Any liquids which would prejudicially affect the sewers or purification works or the methods of purification employed in the said purification works;

(B) Any waste steam condensing water heated water or other liquid (such water or other liquid being of a higher temperature than 110° Fahrenheit) which either alone or in combination with the sewage would cause a nuisance or be dangerous or injurious to health;

(C) Any water solid matter or grease which by the regulations to be made under the provisions of this Order shall be required to be excluded or removed from trade refuse;

or to discharge or continue to discharge the same through any drain communicating with the sewers or purification works.

Reference of
questions in
dispute.

41. In the event of any dispute or difference arising between the Town Council and any trader with respect to any matters arising under the eight immediately preceding sections of this Order or under any regulations made thereunder such dispute or difference shall be decided between the parties differing by an arbiter to be agreed on by the parties or failing agreement in the nomination of such arbiter then by an arbiter to be named by the Local Government Board for Scotland on the application of either party and the decision of such arbiter shall be final.

Penalties.

42. Any trader who shall wilfully discharge any trade refuse into a sewer except in accordance with the provisions of this Part of this Order or of any regulations for the time being in force thereunder or who shall otherwise infringe such provisions or regulations shall be liable to a penalty not exceeding thirty pounds and to a daily penalty not exceeding five pounds.

43. The purposes of the sewerage and drainage undertaking shall be held to be purposes within the meaning of the Burgh Police Acts with respect to which the sewer assessment under those Acts may be imposed. A.D. 1914.
Sewer
assessment.

44. The Town Council may in accordance with the provisions of the Burgh Police Acts and in addition to any statutory powers they now possess from time to time borrow on mortgage or otherwise any sums required for the purposes of the sewerage and drainage undertaking so far as properly chargeable against capital and for payment of the costs incurred for and in connection with the preparing for obtaining and confirming this Order not exceeding in the whole eighty thousand pounds and may make and grant mortgages or other securities in the manner authorised by the Burgh Police Acts over the sewer assessment authorised by those Acts in security of the money so borrowed and interest thereon. Power to
borrow.

45.—(1) The Town Council shall have power—

(A) To borrow for the purpose of paying off any moneys previously borrowed under this Order which are intended to be forthwith repaid; or Town
Council may
reborrow.

(B) To borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Town Council in repaying moneys previously borrowed under this Order and which at the time of such repayment it was intended to replace by borrowed moneys.

(2) Any moneys borrowed under this section shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the prescribed period which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section.

(3) The Town Council shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

(4) The Town Council shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

(A) By instalments or annual payments; or

(B) By means of a sinking fund; or

[Ch. cxci.] *Coatbridge Drainage and Burgh* [4 & 5 GEO. 5.]
Extension Order Confirmation Act, 1914.

A.D. 1914.

(c) Out of moneys derived from the sale of land; or

(d) Out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

Town
Council may
borrow on
cash account.

46. 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 or any part thereof and may make and grant mortgages and assignments of the sewer assessment in security of 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 borrowed by them on mortgage shall never when taken together exceed the aggregate amount of the sum by this Order authorised to be borrowed.

Mode of re-
payment of
borrowed
money.

47. The Town Council shall pay off all moneys borrowed by them for capital expenditure under this Part of this Order either by means of a sinking fund formed under the provisions of this Part of this Order or by equal yearly or half-yearly instalments of principal or of principal and interest combined or partly by one of these methods and partly by another or others of them.

Repayment
of borrowed
money.

48. The Town Council shall pay off all moneys borrowed by them under the authority of this Part of this Order within the periods following (hereinafter referred to as "the prescribed period") (that is to say):—

(1) As to moneys borrowed for the sewerage and drainage undertaking—

(A) Within fifty years from the date or dates of borrowing the same if repayment be by means of equal yearly or half-yearly instalments of principal or by means of a non-accumulating sinking fund as after mentioned;

(B) Within forty years from the date or dates of borrowing the same if repayment be by equal yearly or half-yearly instalments of principal and

interest combined or by means of an accumulating sinking fund as after mentioned: A.D. 1914.

- (2) As to moneys borrowed for payment of the costs of this Order within five years from the commencement of this Order.

49.—(1) If the Town Council determine to repay by means of a sinking fund any moneys borrowed such sinking fund shall be formed or maintained either— Sinking fund.

(A) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is hereinafter called a non-accumulating sinking fund; or

(B) By payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is hereinafter called an accumulating sinking fund.

(2) Every sum paid to a sinking fund and in case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in securities in which trustees are by law for the time being authorised to invest or in mortgages bonds debentures debenture stock stock or other securities (not being annuity certificates or securities payable to bearer) duly issued by any local authority other than the Town Council the Town Council being at liberty from time to time to vary and transpose such investments.

(3) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Town Council towards the equal annual payments to the fund.

(4) The Town Council may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the

[Ch. cxcii.] *Coatbridge Drainage and Burgh* [4 & 5 GEO. 5.]
Extension Order Confirmation Act, 1914.

A.D. 1914. Town Council shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(5)--(A) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any deficiency shall be made good by the Town Council :

(B) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any such excess may be applied towards such annual payments.

(6) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Order shall be paid by the Town Council in addition to the payments provided for by this Order.

(7) If it appears to the Secretary for Scotland or to the Town Council at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Town Council to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose.

(8) If the Town Council desire to accelerate the repayment of any loan they may increase the amount payable to any sinking fund.

(9) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Town Council be more than sufficient to repay within the prescribed period the moneys for the repayment of which the

sinking fund is formed the Town Council may with the consent of the Secretary for Scotland reduce the payments to be made to the sinking fund either temporarily or permanently to such amounts as will be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed. A.D. 1914.

(10) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Town Council be sufficient to repay the loan in respect of which it is formed within the prescribed period the Town Council may with the consent of the Secretary for Scotland discontinue the annual payments to such sinking fund.

(11) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose as the Town Council may determine.

(12) The payment of the first instalment or the first equal annual payment to the sinking fund shall be made within one year (or where repayment is by half-yearly instalments then within six months) after the date of borrowing the sum in respect of which payment is made but it shall not be necessary (except in the case of sums borrowed for the payment of the costs of this Order) to make the first payment earlier than the fifteenth day of May one thousand nine hundred and fifteen.

50. The Town Clerk shall within four months after the expiration of each year during which any sum is by this Order required to be paid as an annual instalment or to be set apart for a sinking fund transmit to the Secretary for Scotland a return in such form as may be prescribed by the Secretary for Scotland and verified by statutory declaration if so required by him showing the amount which has been so paid or set apart in respect of that year and the description of the securities upon which any investment has been made and also showing the purposes to which any portion of such sinking fund and the interest or income thereof have been applied during the same period and the total amount remaining invested at the end of the year and in the event of any default in making such return the Town Clerk shall be liable to a penalty not exceeding twenty pounds which shall be recoverable by the Secretary for Scotland as a debt to the Crown is recoverable

Annual
return to
Secretary for
Scotland
with respect
to sinking
fund.

[Ch. cxci.] *Coatbridge Drainage and Burgh* [4 & 5 GEO. 5.]
Extension Order Confirmation Act, 1914.

A.D. 1914. If it appear to the Secretary for Scotland by any such return or otherwise that the Town Council have failed to pay any instalment or to set apart the sum required by this Order to be set apart for the sinking fund or have applied any portion of the moneys set apart for that fund or any interest or income thereof to any purposes other than those authorised by this Order the Secretary for Scotland may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be paid or set apart and invested as part of the sinking fund and such order shall be enforceable by decree of either division of the Inner House of the Court of Session in Scotland pronounced in a summary application presented for that purpose.

Appointment
of a judicial
factor.

51. 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 eight thousand pounds in the whole.

Prosecution
of offences.

52. All offenders against any of the provisions of this Part of this Order or against any regulations made under this Part of this Order may be prosecuted summarily and all penalties expenses and forfeitures (except any penalties or expenses payable by the Town Council) in respect of offences against any of such provisions or regulations may be recovered by and in the name of the Town Council for the time being in any court of competent jurisdiction in the manner provided by the Summary Jurisdiction (Scotland) Act 1908 together with the expenses of prosecution and conviction.

Application
of penalties.

53. All penalties and forfeitures exigible under this Part of this Order or under any regulations made in pursuance of this Part of this Order shall (except any penalties payable by the Town Council) be payable to the Town Council and shall when recovered be applied by them to the purposes of this Part of this Order.

Saving for
Rivers Pol-
lution Acts.

54. Nothing in this Order contained shall prejudice or affect the provisions of the Rivers Pollution Prevention Acts 1876 and 1893.

55. The agreement made between David William Ramsay Carrick-Buchanan and the Town Council as set forth in the Third Schedule to this Order is hereby confirmed and made binding on the parties thereto.

A.D. 1914.
Confirming
agreement
between
D. W. R.
Carrick-
Buchanan and
Town Council.

PART III.

BURGH EXTENSION.

56. From and after the fifteenth day of May in the year one thousand nine hundred and fourteen the municipal and police boundaries of the existing burgh shall be and are hereby extended so as to include and shall include the lands and area within the limits defined in the Fourth Schedule to this Order situate in the parish of Old Monkland and county of Lanark and the district annexed shall as from and after that date be disjoined from the county of Lanark. Provided always that the description of boundaries contained in the said schedule shall be subject to the rules of construction laid down in section 5 of the Representation of the People (Scotland) Act 1832.

Extension
of burgh
boundaries.

57. A map of the burgh showing the municipal boundaries as existing at the commencement of this Order and also as extended by this Order of which five copies have been signed by Robert Hendry junior counsel to the Secretary for Scotland under the Private Legislation Procedure (Scotland) Act 1899 one copy thereof shall within one month after the commencement of this Order be deposited in the office of the Secretary for Scotland Whitehall London another copy thereof shall be deposited with the town clerk and another copy with the sheriff clerk of Lanarkshire at his offices in Glasgow and Airdrie respectively and one copy of the said map certified by the town clerk shall be sent as soon as may be after such deposit to the Board of Agriculture and Fisheries and one copy so certified to the Commissioners of Customs and Excise. In case of any discrepancy between the boundaries as delineated on the said map and the boundaries as described in the Fourth Schedule hereto the said map shall be deemed to be correct and shall prevail.

Deposit of
plan of
burgh.

58. The district annexed shall for all purposes be added to the Fourth Ward of the existing burgh.

District an-
nexed part of
Fourth Ward.

[Ch. cxc.] *Coatbridge Drainage and Burgh* [4 & 5 GEO. 5.]
Extension Order Confirmation Act, 1914.

A.D. 1914.

Parochial
arrange-
ments not to
be affected.

59. The lands within the burgh shall remain parts and portions of the parish within which they now lie and shall not in so far as regards the settlement relief or management of the poor the imposing or levying or the payment of poor rates or school rates or other parochial or ecclesiastical burdens or other parochial or ecclesiastical arrangements be affected by any of the provisions of this Order.

Powers of
local autho-
rities to
cease in
added area.

60. Subject to the provisions of this Order all jurisdictions rights powers and authorities heretofore exercised or exerciseable by the county council or by any district committee of the county council or any committee thereof (with the exception of such jurisdictions rights powers and authorities as are presently exercised or exerciseable by such authorities or officers within the existing burgh) within or over the district annexed or any part or parts thereof shall cease and determine from and after the fifteenth day of May in the year one thousand nine hundred and fourteen Provided that nothing in this Order shall affect any jurisdiction judicial or administrative appertaining or relating to Inland Revenue.

Assessments
on burgh.

61. Subject to the provisions of this Order every rate toll or assessment authorised to be collected and levied by the county council or other local authority having jurisdiction over the district annexed or any part or parts thereof but which shall not have been actually imposed previous to the fifteenth day of May in the year one thousand nine hundred and fourteen shall on that date cease and determine within the district annexed and thereafter the assessments and rates leviabie under the Burgh Police Acts and Public Health Acts and all other burghal assessments and rates shall thenceforth be leviabie on and within the burgh in the same way and manner as the same are leviabie on and within the existing burgh.

Extension
and applica-
tion of pro-
visions of
Acts and
certain rights
to burgh.

62. The provisions of the Coatbridge Burgh Act 1885 and of the Burgh Police Acts the Town Councils Acts the Public Health Acts and all other general and local Acts relating to the existing burgh shall apply to the burgh in the same way and manner and as fully to all intents and purposes as they apply to the existing burgh and all rights powers jurisdictions (civil and criminal) authorities privileges immunities and obligations at present enjoyed possessed by or incumbent on the Town Council the magistrates or the inhabitants of the existing burgh whether at common law or by statute or otherwise

[4 & 5 GEO. 5.] *Coatbridge Drainage and Burgh* [Ch. cxci.]
Extension Order Confirmation Act, 1914.

including all powers of imposing levying and recovering assessments rates and taxes shall from the fifteenth day of May in the year one thousand nine hundred and fourteen extend and apply to the burgh and the inhabitants thereof Provided that nothing in this section shall extend the area of supply defined by the Coatbridge Electric Lighting Orders 1890 and 1905. A.D. 1914.

63. The sheriff shall hold use and exercise all and every jurisdiction of whatever kind or nature civil as well as criminal which he has or is in any way entitled to hold use and exercise in the same way and manner as if the Act confirming this Order had not been passed. Saving jurisdiction of sheriff.

64. Whereas a Joint Committee of the House of Lords and House of Commons was appointed to enquire into the application of the provisions contained in the Local Government Acts 1888 and 1894 and the Local Government (Scotland) Acts 1889 and 1894 relating to financial adjustments consequent on the alteration of the boundaries of a local government area or on an alteration in the constitution or status of the governing body of a local government area and they reported that in their opinion amendment in such provisions is desirable Be it therefore enacted as follows:— Financial adjustments.

- (1) Notwithstanding the provisions of the Local Government (Scotland) Acts 1889 to 1908 relating to financial adjustments no adjustments to be made between the Town Council and the county council or between any authorities affected by this Order shall be made except by agreement until after the thirtieth day of September one thousand nine hundred and fourteen:
- (2) The Secretary for Scotland shall make such Provisional Order subject to confirmation by Parliament as shall be necessary for the purpose of applying the recommendations of the said Joint Committee so far as they are applicable to any adjustments to be made between the Town Council and the county council and other authorities referred to in subsection (1) of this section and as to which no agreement shall have been made between the authorities affected:
- (3) The provisions of the Local Government (Scotland) Act 1889 as read with subsection (1) of section 16 of the Private Legislation Procedure (Scotland) Act 1899

[Ch. cxci.] *Coatbridge Drainage and Burgh* [4 & 5 GEO. 5.]
Extension Order Confirmation Act, 1914.

A.D. 1914.

relating to Provisional Orders shall so far as they are applicable and with any necessary modifications extend and apply to any Provisional Order made in pursuance of this section.

Borrowing
and assessing
powers for
financial
adjustments.

65. The Town Council in addition to any other statutory powers of borrowing which they now possess may for the purposes of the payment (if any) under the provisions of the section of this Order of which the marginal note is "Financial adjustments" borrow such sum as may be necessary under and on the security of the assessment leviable by the Town Council under the Roads and Bridges (Scotland) Act 1878 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 borrowed under the provisions of this section. Provided that any money borrowed under this section shall be repaid within a period of thirty years from the date or dates of borrowing the same.

Continuance
in office of
Town
Council.

66. The Town Council shall continue to consist of the same number of members as at present and shall continue in office subject to the provisions of the Coatbridge Burgh Act 1885 the Town Council Acts and other statutes regulating the election of magistrates and councillors and the order of their retirement shall not be affected.

Crown
rights.

67. Nothing in this Order shall affect prejudicially any estate right power privilege or exemption of the Crown or shall subject to the provisions of this Order any lands buildings or works vested in or occupied by the Crown or any department of His Majesty's Government except to such extent as His Majesty or such department may voluntarily agree.

Costs of
Order.

68. All costs charges and expenses of or incident 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 in their hands or out of money borrowed under the powers of this Order.

The SCHEDULES referred to in the foregoing Order.

A.D. 1914.

THE FIRST SCHEDULE.

Referred to in the Section of the Order of which the marginal note
is "Lands for sewage purification."

Coatbridge Main Purification Works.

1.—(a) The part of the lands of Drumpellier in the parish of Old Monkland and county of Lanark embraced in the following boundaries and limits viz. Beginning at a point on the public highway leading from Glasgow to Coatbridge where the present boundary of the burgh intersects the south side of the said public highway one hundred and fifty-seven yards or thereabouts westwards from the west building line of Woodside Street where it joins Bank Street thence in a southerly direction along the boundary of the burgh to a point where the said boundary intersects the north boundary of the ground belonging to the Caledonian Railway Company distant two hundred and sixteen yards or thereabouts westwards from the west abutment of the railway bridge over Woodside Street thence westwards along the north and north-north-west boundaries of the said ground belonging to the Caledonian Railway Company to a point four hundred and three yards or thereabouts south-westwards from the south-west side of the footbridge leading from Old Kirkwood to Orchard across the Caledonian Railway Company's main line from Glasgow to Coatbridge thence in a northerly direction on an imaginary straight line for a distance of one hundred and sixty yards or thereabouts to a point on the south side of Enclosure 769 on the revised edition of the $\frac{1}{2500}$ -inch Ordnance Survey map of the parish of Old Monkland published in 1912 sheet No. VII. 11 and also on the revised edition of the $\frac{1}{2500}$ -inch Ordnance Survey map of the parish of Old Monkland published in 1913 sheet No. VII. 12 and distant two hundred and forty-three yards or thereabouts south-westwards from the gate on the south-west side of Enclosure 842 on the said Ordnance map published in 1913 sheet No. VII. 12 thence along the south-east and east sides of the said Enclosure 769 to a point where the north-west side of the footpath leading to the said public highway intersects the said east side of the said last-mentioned enclosure thence along the north-west side of the said footpath to a point where the said north-west side of the said footpath intersects the south-west side of the said public highway directly opposite West Lodge and thence along the south-west and south sides of the said public highway to the point of commencement.

[Ch. cxci.] *Coatbridge Drainage and Burgh* [4 & 5 GEO. 5.]
Extension Order Confirmation Act, 1914.

A.D. 1914.

(b) The part of the lands of Drumpellier within the burgh of Coatbridge in the parish of Old Monkland and county of Lanark embraced in the following boundaries and limits viz. Beginning at a point on the public highway leading from Glasgow to Coatbridge where the present boundary of the burgh intersects the south side of the said public highway one hundred and fifty-seven yards or thereabouts westwards from the west building line of Woodside Street where it joins Bank Street thence in a north-easterly direction along the south and south-east sides of the said public highway to a point twenty-seven yards or thereabouts south-westwards from the said west building line of Bank Street thence south-eastwards and southwards along the western boundaries of the properties fronting Woodside Street to a point where the line of the said western boundaries intersects the south side of the Luggie Burn thirty-five yards or thereabouts westwards from the west side of Woodside Street where that street crosses that burn thence along the south side of the Luggie Burn to a point where it intersects the west side of the said last-mentioned street and thence along the west side of the said last-mentioned street to a point where it intersects the north boundary of the ground belonging to the Caledonian Railway Company forty yards or thereabouts southwards from the south wall of the Langloan Corn Mill on the west side of the said street thence along the north boundary of the Caledonian Railway Company's ground to the point where the present boundary of the burgh intersects the north boundary of the ground belonging to the Caledonian Railway Company and thence in a northerly direction along the said boundary of the burgh to the point of commencement.

Brewsterford Purification Works.

2. The part of the lands of Cairnhill Estate and of the lands of Garturk Estate in the district of Brewsterford within the burgh of Coatbridge in the parish of Old Monkland and county of Lanark embraced within the following boundaries and limits viz. Beginning in the centre of the North Calder Water where the eastern face of Brewsterford Bridge cuts the centre of the said North Calder Water thence in a northerly direction in a straight line for a distance of twenty-seven yards or thereabouts along the eastern face of Brewsterford Bridge and range thereof thence north-eastwards in a straight line for a distance of seventy-five yards or thereabouts to Brewsterford Burn thence in a south-south-easterly direction in a straight line for a distance of fifty yards or thereabouts thence in a south-easterly direction in a straight line for a distance of forty-four yards or thereabouts thence again in a south-casterly direction in a straight line for a distance of sixty-one yards or thereabouts to a point two yards or thereabouts westwards from the centre of the existing ditch

[4 & 5 GEO. 5.] *Coatbridge Drainage and Burgh* [Ch. cxci.]
Extension Order Confirmation Act, 1914.

leading into the said North Calder Water thence in a southerly direction in a straight line for a distance of sixty yards or thereabouts along a line distant two yards or thereabouts westwards from and parallel to the centre of the said ditch to the centre of the said North Calder water thence generally north-westwards for a distance of one hundred and ninety-four yards or thereabouts along the centre of the said North Calder Water to the point of commencement. A.D. 1914.

Old Monkland Purification Works.

3. The part of the lands of Douglas Support in the district of Old Monkland within the burgh of Coatbridge in the parish of Old Monkland and county of Lanark embraced within the following boundaries and limits viz. Beginning at a point on the east side of Woodside Street forty-seven yards or thereabouts southwards from the junction of the said Woodside Street and Old Monkland Road thence eastwards for a distance of fifty yards or thereabouts thence southwards for a distance of thirty-seven yards or thereabouts to the boundary of the burgh thence along the said boundary for a distance of fifty-seven yards or thereabouts to a point where the said boundary intersects the east side of Woodside Street and thence northwards along the east side of the said Woodside Street for a distance of sixty-two yards or thereabouts to the point of commencement.

THE SECOND SCHEDULE.

Referred to in the Section of the Order of which the marginal note is "Owners may be required to sell parts only of certain lands and buildings."

SCHEDULE OF LANDS AND BUILDINGS OF WHICH PORTIONS ONLY MAY
 BE TAKEN WITHOUT TAKING THE WHOLE.

Parish.	Numbers on deposited Plans.														
Old Monkland	-	1	4	9	18	20	21	23	24	25	26	27	28	29	33
		34	35	36	37	38	39	41	42	44	45	46	47	48	
		49	51	52	53	54	55	56	58	59	60	61	62	63	
		64	65	66	67	68	69	71	72	73	74	75	76	77	
		78	79	80	82	83	84	85	88	89	90	91	92	94	
		96	97	98	99	100	101	102	104	105	107	108			
		109	111	112	113	114	115	116	119.						

[Ch. cxci.] *Coatbridge Drainage and Burgh* [4 & 5 GEO. 5.]
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A.D. 1914.

THE THIRD SCHEDULE.

Referred to in the section of this Order of which the marginal note is "Confirming agreement between D. W. R. Carrick-Buchanan and Town Council."

Stamp.



THIS AGREEMENT entered into between DAVID WILLIAM RAMSAY CARRICK-BUCHANAN of Drumpellier Coatbridge (hereinafter called the first party) of the first part and the PROVOST MAGISTRATES AND COUNCILLORS OF THE BURGH OF COATBRIDGE (hereinafter called the second party) of the second part.

WITNESSETH that whereas the second party are in course of promoting a Provisional Order in Parliamant to authorise them inter alia to construct and maintain main and branch sewers and sewage purification works and to acquire lands for sewage purification and whereas in connection with the said works they have arranged to acquire from the first party certain subjects forming part of the entailed estates of Drumpellier of which the first party is proprietor as heir of entail in possession under a deed of entail executed by the now deceased David Carrick Robert Carrick-Buchanan of Drumpellier dated the twenty-ninth day of August eighteen hundred and sixty-four and with warrant of registration thereon recorded in the General Register of Sasines first September eighteen hundred and sixty-four and in the Register of Tailzies the fifteenth day of March eighteen hundred and sixty-five on certain terms and conditions and whereas the first party some time ago agreed to gift to the second party a strip of ground at Blairhill Coatbridge also forming part of the said entailed estates hereinafter described on certain terms and conditions and whereas no title has yet been granted to the second party and it is desired that this should now be done and whereas it is right and proper that the whole arrangements between the parties should be reduced to writing Therefore the parties have agreed and do hereby agree as follows:—

First The first party shall sell to the second party and the second party shall purchase all and whole that area of ground (hereinafter called the said area) at Langloan partly in the burgh of Coatbridge and parish of Old Monkland and county of Lanark and partly in the parish of Old Monkland and county of Lanark containing thirty-six acres or thereby delineated and coloured brown on the plan marked number one annexed and signed as relative hereto and extending from the West Lodge to Drumpellier House to Woodside Street and bounded on the north and north-east by the turnpike road leading from Glasgow to Edinburgh on the east by Woodside Street on the south by the property of the Caledonian Railway Company and on the west and north-west by other property belonging to the first party together with

[4 & 5 GEO. 5.] *Coatbridge Drainage and Burgh* [Ch. cxci.]
Extension Order Confirmation Act, 1914.

the whole houses and other erections on the said area The first party shall have right of access to his remaining lands by the existing roadway opposite the West Lodge. A.D. 1914.

Second. The purchase price for the said area shall be the sum of fifty-two hundred and fifty pounds sterling with entry and settlement at the term of Martinmas nineteen hundred and fourteen The first party shall be entitled to the rents (and arrears if any) conventionally payable at Martinmas nineteen hundred and fourteen the second party being entitled to the rents and others conventionally payable thereafter but in the event of the second party desiring earlier possession of the said area they shall be entitled to such earlier possession upon making payment of the purchase price in which case the rents rates and taxes shall be apportioned between the first and second parties according to the possession.

Third The said area shall be used as the site of the accommodation works to be constructed by the second party in connection with their sewage purification scheme and as sludge beds No erections of any description other than those already on the ground or those connected with the said works and together if desired by the second party with dwelling houses for employees engaged in said works shall be permitted except with the written consent of the first party.

Fourth The second party shall be bound prior to the commencement of their operations upon the said area to enclose the west boundary thereof on the Glasgow turnpike road opposite the West Lodge up to the Caledonian Railway Company's boundary fence with a good and sufficient agricultural fence to the satisfaction of the first party In the event of the lands adjoining the said area being at any time feued by the first party the second party shall be bound to pay one-half of the cost of such boundary walls and fences as may be erected.

Fifth The second party shall be bound to maintain all enclosure fences in good and sufficient repair in all time coming.

Sixth The second party shall as soon as practicable and at latest within two years from the inauguration of the said sewage works plant a strip measuring at least twenty feet in width along the said Glasgow turnpike road forming the northern boundary of the said area in a manner to be approved by the first party and so as to screen effectively the said accommodation works from the mansion house and estate of Drumpellier ex adverso of the said area and to the north of the said turnpike road.

Seventh There shall be reserved to the first party the whole metals or minerals of every kind and description in the said area with full power to the first party or others having his authority to work win and carry away the same the first party being responsible for all

[Ch. cxci.] *Coatbridge Drainage and Burgh* [4 & 5 GEO. 5.]
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A.D. 1914. damage which may be occasioned by future mineral workings within the area occupied by the bacteria beds and clarification tanks as these are shown on the said plan number one but no responsibility shall attach to the first party for and the second party shall have no claim in respect of the lowering of the surface of the said area or damage consequent on withdrawal of water by future mineral workings or otherwise or damage due to existing mineral workings in the said area.

Eighth The second party shall be entitled at their expense to construct a culvert over the Luggie Water flowing through the said area but in the event of their doing so they shall be bound to see that the same is sufficiently strong and they shall also be bound to maintain it in good order and condition in all time coming They shall further be responsible for all damage which may arise in any manner of way in consequence of the construction of the said culvert.

Ninth The second party shall be bound so long as the first party desires it to allow the first party's present tenant of Orchard Cottage erected on part of the said area to occupy the said cottage the first party being bound during such occupancy to repay to the second party in lieu of rent the rates taxes and fire insurance premium paid by the second party The first party shall also be bound during such occupancy at his expense to execute such repairs as may be necessary on the said cottage to maintain it in its present state of repair.

Tenth The second party shall be bound to settle direct and so free and relieve the first party of all claims by the agricultural tenant of the said area in connection with the second party's operations except the abatement from rent consequent upon the resumption thereof which shall be paid by the first party.

Eleventh The first party shall continue to make payment of the teind and cess applicable to the said area along with those applicable to his remaining lands and so free and relieve the second party thereof and the second party shall in all time coming make payment to the first party annually at Martinmas of the sum of three pounds sterling in respect thereof.

Twelfth The second party shall be responsible for all damage caused to lower riparian proprietors or others consequent upon the operations of the second party in the said area and shall settle the same direct with the parties sustaining such damage without the intervention of the first party.

Thirteenth Upon payment of the purchase price the first party shall deliver to the second party a valid disposition of the said area containing all usual and necessary clauses He shall also exhibit a good and valid title and clear searches In respect the titles refer to

other subjects of greater value they shall not be delivered but the first party shall undertake to make the same so long as in his possession furthcoming to the second party at the latter's expense on all necessary occasions on the usual terms and to take the parties to whom he may deliver the same bound in a similar obligation In respect the first party is presently in possession of the said subjects as heir of entail he shall in the event of this agreement not becoming part of the said Provisional Order or of the latter not passing into law be bound to free the same from the conditions provisions and clauses irritant etcetera contained in the said deed of entail and for that purpose to institute and timeously follow furth proceedings for the disentail of said subjects. A.D. 1914.

Fourteenth The first party shall convey to the second party and that without payment of any purchase price all and whole that strip of ground situated at Blairhill Coatbridge in the county of Lanark lying between King Street and the Monkland Canal and extending from Blair Bridge to Merrystone Bridge and bounded as follows On the north by the north side of the footpath along King Street on the east by Blairhill Street on the south by the Monkland Canal the property of the Caledonian Railway Company and on the west by Drumpellier Street all as delineated and shown within the boundaries coloured red on the plan marked plan number two annexed and signed as relative hereto.

Fifteenth No erection of any kind shall be put up at any time upon the said last-mentioned strip of ground but the same shall be used by the second party in all time coming for the benefit of the public and the second party shall be responsible for the fencing or otherwise of the said strip of ground in all time coming.

Sixteenth The whole costs expenses and charges in connection with the sale of the said area these presents the Parliamentary procedure and the preparation execution and completion of all deeds and documents to follow hereon for transferring the said area and the said strip of ground including if necessary disentail proceedings and the consents of the holders of the bond and disposition in security affecting said subjects and the necessary surveys and plans shall be paid by the second party.

Seventeenth The whole clauses of this agreement shall notwithstanding completion of the conveyances or other deeds to follow hereon remain in full force until final implement thereof.

Eighteenth In respect the first party holds the estate of Drumpellier under entail the purchase price payable under the Second Article hereof shall when paid be applied by the first party in reduction of the mortgages affecting the said entailed estate.

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Nineteenth This agreement is subject to such alterations as Parliament may think fit to make thereon but if any material alteration be made then it shall be competent to either of the parties to withdraw from this agreement And both parties consent to the registration hereof for preservation In witness whereof these presents typewritten on this and the five preceding pages are together with the plans attached executed in duplicate as follows videlicet They are subscribed by John Findlay Robertson solicitor Glasgow as agent for and authorised by the said David William Ramsay Carrick-Buchanan and by John Alston solicitor and town clerk Coatbridge as authorised by the provost magistrates and councillors of the burgh of Coatbridge both at Glasgow on the fourteenth day of July in the year nineteen hundred and fourteen before these witnesses Thomas McLelland Ure and Alexander Duncan Bryden both clerks to Dixon Erskine and Company solicitors Glasgow.

JNO. FINDLAY ROBERTSON

For the Town Council of Coatbridge.

JNO. ALSTON

Town Clerk.

THOMAS McLELLAND URE Witness.

ALEC. D. BRYDEN Witness.

THE FOURTH SCHEDULE.

Referred to in the Section of this Order of which the marginal note is "Extension of burgh boundaries."

The part of the lands of Drumpellier in the parish of Old Monkland and county of Lanark embraced in the following boundaries and limits viz. Beginning at a point on the present boundary of the burgh eight feet southwards from the point where the said boundary intersects the south side of the public highway leading from Glasgow to Coatbridge one hundred and fifty-seven yards or thereabouts westwards from the west building line of Woodside Street where it joins Bank Street thence in a southerly direction along the boundary of the burgh to a point where the said boundary intersects the north boundary of the ground belonging to the Caledonian Railway Company distant two hundred and sixteen yards or thereabouts westwards from the west abutment of the railway bridge over Woodside Street thence westwards along the north and north-north-west boundaries of the said ground belonging to the Caledonian Railway Company to a point four hundred and three yards or thereabouts south-westwards from the

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south-west side of the footbridge leading from Old Kirkwood to Orchard across the Caledonian Railway Company's main line from Glasgow to Coatbridge thence in a northerly direction on an imaginary straight line for a distance of one hundred and sixty yards or thereabouts to a point on the south side of Enclosure 769 on the revised edition of the $\frac{1}{2500}$ -inch Ordnance survey map of the parish of Old Monkland published in 1912 sheet No. VII. 11 and also on the revised edition of the $\frac{1}{2500}$ -inch Ordnance survey map of the parish of Old Monkland published in 1913 sheet No. VII. 12 and distant two hundred and forty-three yards or thereabouts south-westwards from the gate on the south-west side of Enclosure 842 on the said Ordnance map published in 1913 sheet No. VII. 12 thence along the south-east and east sides of the said Enclosure 769 to a point where the north-west side of the footpath leading to the said public highway intersects the said east side of the said last mentioned enclosure thence along the north-west side of the said footpath to a point where the said north-west side of the said footpath intersects the south-west side of the said public highway opposite West Lodge and thence along the south-west side of the said public highway for a distance of one hundred and forty-four yards or thereabouts thence along the south-west and south side of the said public highway as proposed to be widened on a line approximately parallel to and distant fifty feet from the north-east and north side of the said public highway to the point of commencement.

A.D. 1914.

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