



CHAPTER ccxli.

An Act to confer further powers on the Loch Leven Water and Electric Power Company and to extend the time for the purchase of lands and for the completion of part of the authorised works of that Company and for other purposes. A.D. 1904.
[15th August 1904.]

WHEREAS by the Loch Leven Water Power Act 1901 (in this Act called "the Act of 1901") the Loch Leven Water and Electric Power Company (in this Act called "the Company") were incorporated and authorised to construct and maintain the water-works electrical generating stations and other works described in the Act of 1901 for the supply of water water power electrical power and electrical energy within the area of supply defined in the Act aforesaid :

And whereas it is expedient that the Company should be empowered to abandon some of the works authorised by the Act of 1901 and in lieu of and in substitution therefor to construct and maintain the works by this Act authorised :

And whereas it is expedient that powers should be conferred upon the Company to acquire lands for the purposes of the substituted works by this Act authorised :

And whereas it is expedient that the times limited by the Act of 1901 for the purchase of lands and for the construction and completion of such of the works authorised by the said Act as are not by this Act authorised to be abandoned should be extended as by this Act provided and that the period during which the Company are by the Act of 1901 authorised to pay interest or dividend upon the amount paid up from time to time in respect of shares in the capital of the Company should be enlarged :

[Ch. ccxli.] *Loch Leven Water Power (Amendment)* [4 EDW. 7.]
Act, 1904.

A.D. 1904.

And whereas plans and sections showing the lines situations and levels of the several works authorised by this Act and describing the lands to be taken for the purposes of this Act with a book of reference containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of the lands and other property required or which may be taken for the several purposes or under the powers of this Act were duly deposited with the principal sheriff clerk of the county of Argyll and are hereinafter respectively referred to as the deposited plans sections and book of reference :

And whereas the purposes aforesaid cannot be effected without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and be it enacted by the 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 :—

Short title.

1. This Act may be cited for all purposes as the Loch Leven Water Power (Amendment) Act 1904.

Application of Electric Lighting Acts.

2. The Electric Lighting Act 1888 and the provisions of the Electric Lighting (Clauses) Act 1899 which are contained in the sections thereof hereafter mentioned shall not apply to the undertaking under this Act or the Act of 1901 or to the Company in relation to that undertaking anything in the said Acts to the contrary notwithstanding (that is to say) sections 4 5 7 to 9 and 84 of the schedule to the Act of 1899.

But except as aforesaid the provisions of the said schedule to the said Act together with the Electric Lighting Act 1882 are incorporated with and form part of this Act.

The provisions of section 14 of the schedule to the Electric Lighting (Clauses) Act 1899 shall extend and apply to the laying down and placing under the provisions of this Act of any cables or other works in through under along or across the bed and foreshore of any river.

Incorporation of general Acts.

3. The following Acts and parts of Acts are (except where expressly varied by this Act) incorporated with and form part of this Act (that is to say) :—

The Lands Clauses Acts :

The Waterworks Clauses Act 1847 sections 12 to 17 and 28 to 34 and 85 and 87 :

[4 EDW. 7.] *Loch Leven Water Power (Amendment)* [Ch. ccxli.]
Act, 1904.

The 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 with respect to the crossing of roads and other interferences therewith shall apply to the works by this Act authorised :

A.D. 1904.

Provided that the said provisions with respect to the temporary occupation of lands shall but only as regards any lands belonging or reputed to belong to James Robert Macalpine Downie be so read and construed as to extend the prescribed limits of two hundred yards therein mentioned as being not more than half a mile from any part of the authorised works on the northern side thereof and fifty yards on the southern side thereof and also that the purposes for which the Company may enter and temporarily occupy and use the said lands of the said James Robert Macalpine Downie shall in addition to other the purposes mentioned in the said provisions be deemed to include the erection and construction of tramroads and overhead railways with all necessary rails posts wires and other apparatus on or across the said lands for conveying to or from the said works plant or materials used in the construction thereof or removing therefrom earth spoil or any waste materials resulting from such construction.

4. In this Act unless the context otherwise requires the several words terms and expressions to which by the Acts wholly or partially incorporated herewith meanings are assigned shall have the same respective meanings unless there be something to the contrary contained therein :

Interpre-
tation.

The expression "the Company" means the Loch Leven Water and Electric Power Company incorporated by the Act of 1901 ;

The word "land" in this Act and in the Acts incorporated herewith as after-mentioned shall include water and any right or servitude to or over land and water ;

The expressions "the waterworks" "the undertaking" mean and include respectively the waterworks and the undertaking by this Act authorised ;

The expression "the road authority" means the district committee constituted under the Local Government (Scotland) Act 1889 and having jurisdiction in the district in which the road footpath or other right of way in relation to which the expression is used is situate.

[Ch. ccxli.] *Loch Leven Water Power (Amendment)* [4 EDW. 7.]
Act, 1904.

A.D. 1904.

Abandonment
of works autho-
rised by Act of
1901.

Compensa-
tion for
damage to
land by entry
&c. for pur-
poses of work
abandoned.

5. The Company may and shall abandon the construction of Works No. 1 No. 2 No. 3 No. 4 No. 6 and No. 7 authorised by section 10 (Works) of the Act of 1901.

6. The abandonment by the Company under the authority of this Act of the work hereinbefore authorised to be abandoned shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Company on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out of the line of work and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Company to receive compensation for such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation Act 1845 and the Act of 1901.

Compensa-
tion to be
made in re-
spect of work
abandoned.

7. Where before the commencement of this Act any contract has been entered into or notice given by the Company for the purchasing of any land for the purposes of or in relation to the works authorised to be abandoned by this Act the Company shall (if the Company so desire) be released from all liability to purchase or to complete the purchase of any such land (so far as such land is not required for the purpose of the works by this Act authorised) but notwithstanding full compensation shall be made by the Company to the owners and occupiers or other persons interested in such land for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Acts for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Extension of
time for pur-
chase of lands
and com-
pletion of
authorised
works.

8.—(1) The period limited by section 19 (Period for compulsory purchase of lands) of the Act of 1901 for the compulsory purchase or user of lands for the purposes of Work No. 5 authorised by the Act of 1901 and the lands described in the First Schedule (B) to that Act is hereby extended and may be exercised at any time within but shall not be exercised after the expiration of one year from the date of the passing of this Act.

(2) The period limited by section 20 (Period for completion of works) of the Act of 1901 for the completion of Work No. 5

[4 EDW. 7.] *Loch Leven Water Power (Amendment)* [Ch. ccxli.]
Act, 1904.

A.D. 1904.

authorised by the Act of 1901 is hereby extended to four years from the date of the passing of this Act and that period shall for all purposes be deemed to be the period originally limited for the completion of the work aforesaid and section 20 aforesaid shall be read and construed accordingly and if the same be not then completed then upon the expiration of that period the powers granted to the Company for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof as is then completed :

Provided that no application to Parliament shall be made for any further extension of time affecting the estate of Sir John Maxwell Stirling Maxwell Baronet without his consent in writing.

(3) Section 26 (Improvement of Loch Leven) and section 56 (As to payment of interest out of capital during construction) of the Act of 1901 shall be read and construed as if the time limited by this Act for the completion of the work aforesaid had been the time limited by the Act of 1901 for the completion thereof.

9. Subject to the provisions of this Act the Company may make construct lay down and maintain in the lines and situations and according to the levels shown on the deposited plans and sections the several works shown on the deposited plans and hereinafter described or some of them or some part or parts thereof together with all proper embankments dams bridges roads approaches ways wells tanks basins gauges discharge pipes washouts culverts adits shafts tunnels aqueducts cuts dredgings channels catchwaters byewashes conduits sewers drains main pipes junctions valves telegraph telephone and other means of electrical communication engines turbines apparatus houses (including houses for officers workmen and servants) buildings and conveniences connected with or auxiliary to the said works or any of them or necessary for conducting inspecting maintaining repairing cleansing managing and using the same and may enter on take and use such of the lands described in the deposited plans and book of reference as they may require for those purposes The works hereinbefore referred to are the following (that is to say) :—

Work No. 1 An aqueduct or conduit situated wholly in the parish of Lismore and Appin in the county of Argyll commencing at the western side of the embankment or dam described as Work No. 5 in section 10 (Works) of the Act of 1901 at a point distant about forty yards or thereabouts

[Ch. ccxli.] *Loch Leven Water Power (Amendment)* [4 Edw. 7.]
Act, 1904.

A.D. 1904.

measured in a southerly direction from the point of intersection of said embankment or dam with the centre of the River Blackwater and three hundred and twenty-one yards or thereabouts measured in a westerly direction from the junction of the stream Alt Lagan na Feithe with the River Blackwater and terminating at a point one hundred and sixty-seven yards measured in a northerly direction from Ordnance Bench Mark on General Wade's Road on outcrop of rock known as "The Devil's Ladder" such point being also situated one thousand two hundred yards from the junction of the stream Ailt Coire Mhorair with the River Leven measured on a line bearing one hundred and sixty-four degrees east from said junction of streams and two thousand three hundred and ninety-five yards from Tartan Cottage measured along a line bearing one hundred and twenty-seven degrees east from said cottage :

Work No. 2 A pipe aqueduct or conduit wholly situated in the parish of Lismore and Appin in the county of Argyll commencing at the termination of the aqueduct Work No. 1 above described and terminating at a point in the said parish at a distance of thirty-five yards from the north-east corner of Tartan Cottage measured in a direction fifty-six degrees east from north and at a distance of four hundred and twenty-five yards from the north-west corner of Kinlochbeg measured in a westerly direction :

Provided that any telegraphs telephones and other means of electrical communication constructed by the Company shall not be used for the purpose of transmitting telegrams or telephone messages in contravention of the exclusive privileges conferred upon the Postmaster-General by the Telegraph Act 1869.

Correction of errors &c. in deposited plans and book of reference.

10. If there be any omission misstatement 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 Company after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to the sheriff of the county in which such lands are situate for the correction thereof and if it appear to the sheriff that the omission misstatement or wrong description arose from mistake he shall certify the same accordingly and shall in his certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and such certificate

[4 EDW. 7.] *Loch Leven Water Power (Amendment)* [Ch. ccxli.]
Act, 1904.

shall be deposited with the principal sheriff clerk for the said county and a duplicate thereof shall also be deposited with the town clerk or clerk to the commissioners of any burgh or with the clerk of the parish council of any parish outside a burgh 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 such certificate and it shall be lawful for the Company to take the lands and execute the works in accordance with such certificate.

A.D. 1904.
—

11. The Company may in constructing the works by this Act authorised deviate from the lines or position thereof as shown on the deposited plans relating thereto to the extent of the limits of deviation shown thereon and the Company may also deviate from the levels of all or any of the works authorised by this Act as shown on the deposited sections to any extent not exceeding five feet upwards and to any extent downwards.

Power to deviate.

12. The Company may stop up and discontinue for public traffic any footpaths bridle-paths drove roads or other tracks on over or across the lands shown on the deposited plans and described in the deposited book of reference or which will be affected by the construction of the waterworks by this Act authorised and upon the stopping up and discontinuance for traffic of the same respectively the sites and soil thereof respectively and the fee thereof shall be by this Act vested in the Company so far as they are the owners of the adjoining lands on both sides free from all public rights of way or passage in over or affecting the same:

Company may stop up roads &c.

Provided that the Company shall if so required by the road authority provide other footpaths bridle-paths drove roads or tracks in substitution for those so stopped up and discontinued to the reasonable satisfaction of the road authority but the Company shall not be obliged in the provision of the same to go outside the limits of deviation shown on the deposited plans and in case any difference shall arise between the Company and any road authorities with respect to the matters aforesaid such difference shall be settled by an arbiter being an engineer who (unless otherwise agreed on between the parties in difference) shall on the application of either party after seven days' notice in writing to the other of them be named by the Board of Trade and the

[Ch. ccxli.] *Loch Leven Water Power (Amendment)* [4 EDW. 7.]
Act, 1904.

A.D. 1904. — costs of and incident to the reference shall be borne as the arbiter shall direct.

Power to
grant ease-
ments &c.

13. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may (if they think fit) subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement right or privilege of water in which parties other than the grantors have an interest) required for the purposes of this Act in or over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Power to
acquire ease-
ments only
for aque-
ducts.

14. The Company may in lieu of acquiring any lands for the purpose of any aqueduct conduit or pipes by this Act authorised acquire such easements servitudes and rights in such lands as they may require for the purpose of making maintaining renewing enlarging and repairing the same and may give notice to treat in respect of such easements servitudes and rights and may in such notice describe the nature thereof and the several provisions of the Lands Clauses Acts (inclusive of those with regard to limited owners and to arbitration and the summoning of a jury) shall apply to such easements servitudes and rights as fully as if the same were lands within the meaning of such Acts:

Provided also that nothing herein contained shall authorise the Company to acquire by compulsion any such easement or servitude in any case in which the owner in his particulars of claim shall require the Company to acquire the lands in respect of which they have given notice to treat for the acquisition of an easement or servitude only and every notice to treat for the acquisition of an easement or servitude only shall be endorsed with notice of this proviso:

Provided that as regards any lands taken or used by the Company for the purpose of making and maintaining such aqueducts conduits or pipes the Company shall not (unless they give notice to treat for and have acquired such lands and not merely easements or servitudes therein) 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 at all times after the completion of the works have the same rights of passing over such lands for all purposes of or connected with the use or enjoyment of the adjoining lands as if such lands had not been taken or used by the Company.

[4 EDW. 7.] *Loch Leven Water Power (Amendment)* [Ch. ccxli.]
Act, 1904.

15. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the date of the passing of this Act.

A.D. 1904.
Period for compulsory purchase of lands.

16. Subject to the provisions of this Act if the waterworks authorised by this Act are not completed within five years from the date of the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for executing any of such works not so completed or in relation thereto shall cease except as to so much thereof as is then completed but nothing herein contained shall restrict the Company from maintaining using extending enlarging altering replacing relaying increasing adding to or removing any of the aqueducts and other works at any time and from time to time as occasion requires.

Period for completion of works.

17.—(1) The Company shall not under the powers of this Act purchase or acquire in any district for the purposes of the Public Health (Scotland) Act 1897 ten or more houses which on the fifteenth day of December one thousand nine hundred and three were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Secretary for Scotland ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

Restriction on taking houses of labouring class.

(2) If the Company acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Secretary for Scotland by action in the court of session and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the court may if it think fit reduce such penalty.

(3) For the purposes of this section the expression "house" means any house or part of a house occupied as a separate dwelling and the expression "labouring class" means mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

[Ch. ccxli.] *Loch Leven Water Power (Amendment)* [4 EDW. 7.]
Act, 1904.

A.D. 1904.

For protec-
tion of Chris-
tina Cameron
Lucy of Cal-
lart &c.

18. For the protection of Christina Cameron Lucy of Callart and her successors in estate (all of whom are in this section called "the owner") the following provisions shall apply and have effect:—

- (1) Notwithstanding anything contained in the Act of 1901 or this Act or shown upon the plans and sections deposited in respect of either of such Acts the Company shall not except by agreement with the owner (and the tenant of the owner during the existing lease) enter upon take use occupy or interfere with either temporarily or permanently any land or property belonging to the owner except such land or property as the Company are authorised by the Act of 1901 to enter upon take or use for the purposes of Work No. 5 authorised by that Act:
- (2) The Company shall not (except as provided in subsections (3) and (4) of this section or as may be otherwise agreed between the Company and the owner and the tenant of the owner during the existing lease of the said lands) have any right of way or passage for the transport of men or materials over the land of the owner to or from any works of the Company and no horses carts waggons or other vehicles engaged in the transport of materials for the works of the Company shall pass along or use any road through the property of the owner on the north side of Loch Leven and the Company shall use all reasonable means to prevent any officers servants or workmen employed by them or by their contractors from trespassing on the land of the owner:
- (3) The Company shall have right to erect and use on the property of the owner a temporary service bridge above or below the dam forming Work No. 5 but within two hundred yards thereof and as near thereto as reasonably possible for the passage of men and material to and from the dam during construction which temporary bridge shall upon the completion of the said dam be removed at the expense of the Company:
- (4) The Company shall be entitled after obtaining the written consent of the tenant of the lands so long as the

[4 EDW. 7.] *Loch Leven Water Power (Amendment)* [Ch. ccxli.]
Act, 1904.

A.D. 1904.
—

existing lease shall be in force to do such things along the northern bank of Loch Inbhir on the property of the owner as may be reasonably necessary for the protection of the reservoir and any necessary plans shall before the commencement thereof be submitted to the owner and to the tenant for approval and any alterations or modifications which may be reasonably required by either of them shall be carried out by the Company. The Company shall also be entitled (after obtaining the consent of the tenant so long as the existing lease shall be in force) from time to time to have access to the shore of Loch Inbhir so far as the property of the owner for the purpose of inspecting and if necessary of repairing the northern bank thereof or any works therein so far as ex adverso of the land of the owner. The periods during which the Company shall be at liberty to so construct and inspect shall be previously agreed upon between the Company and the owner and the tenant so that there shall be no unreasonable interference with the shooting and other sporting rights :

- (5) From and after the passing of this Act so much of the area of land described in the First Schedule to the Act of 1901 as is the property of the owner shall notwithstanding anything contained in section 42 (Area of supply by Company of water power and electrical supply) of that Act cease to form part of the area of supply of the Company and the Company shall not exercise therein any of the powers conferred on them by the Act of 1901 or this Act :
- (6) The Company shall within one month after the passing of this Act serve notice to treat upon the owner in respect of all lands or property of the owner which the Company may require and are authorised to purchase or acquire for the purposes of the Act of 1901 as amended by this Act and in the event of the Company failing to serve such notice within the period aforesaid the powers of the Company to purchase or acquire any land or property of the owner except by agreement with the owner and the tenant of the owner during the existing lease or otherwise in relation thereto shall cease :
- (7) In the event of the Company serving the notice to treat referred to in the last preceding subsection the owner

[Ch. ccxli.] *Loch Leven Water Power (Amendment)* [4 EDW. 7.]
Act, 1904.

A.D. 1904.

shall sell and the Company shall purchase the lands and property therein described or referred to for the sum of twenty-two thousand pounds which sum shall include compensation for every claim competent to be made by the owner in respect of the execution by the Company of the works authorised by the Act of 1901 as amended by this Act or the exercise by the Company of the powers thereof respectively and by the tenant for damage to the amenity of Kinlochmore Lodge and for injury to the sporting rights of such tenant. The sum of five thousand pounds part of the said sum of twenty-two thousand pounds shall be paid by the Company to the owner within one month after the passing of this Act and the balance of the said sum of twenty-two thousand pounds shall be paid before the Company exercise any of the powers of the Act of 1901 or this Act so far as the same may or will affect the land or property of the owner or not later than the thirty-first day of December one thousand nine hundred and four whichever shall be the earlier date:

- (8) Notwithstanding the foregoing the lands of the owner which will be submerged by the operations of the Company shall subject to the existing lease of the same remain vested in the owner and the Company shall not acquire any right title or interest to or in such lands except the right of submerging the same in accordance with the provisions of the Act of 1901 and there shall be reserved to the owner subject as aforesaid the exclusive right of boating fishing and shooting on in or over the waters over the lands so submerged as aforesaid and all other rights of the owner in respect thereof and the Company shall not do or suffer to be done any act or thing which will or may injure the rights so reserved as aforesaid:
- (9) The Company shall pay to the owner within one month after the passing of this Act the sum of five hundred pounds and such sum shall be accepted by the owner in full discharge of all costs charges and expenses incurred or to be incurred by the owner in connection with the Bill for this Act or in connection with the acquisition by the Company of the lands or property of the owner referred to in this section.

19.—(1) Any damage which may be sustained by Sir John Maxwell Stirling Maxwell Baronet by reason of the extension under section 8 of this Act of the time limited by section 20 of the Act of 1901 shall be settled by arbitration and paid in addition to the sum of six thousand five hundred pounds referred to in section 22 of the said Act.

A.D. 1904.
For protection of Sir John Maxwell Stirling Maxwell Baronet.

(2) The provisions of section 22 of the Act of 1901 shall remain of full force and effect notwithstanding anything contained in this Act.

20. Notwithstanding anything contained in this Act the Company shall not purchase or acquire except by agreement any lands or property of James Robert Macalpine Downie or any estate or interest of the said James Robert Macalpine Downie therein.

For protection of James Robert Macalpine Downie.

21. Notwithstanding anything with respect to the sale of superfluous lands in the Lands Clauses Consolidation (Scotland) Act 1845 contained the Company may feu and lease for any term not exceeding ninety-nine years and also either before or after making any feu and lease thereof absolutely sell and dispose of to such persons and in such manner and for such consideration as the Company think fit any lands houses and property for the time being belonging to the Company which they do not require for the purposes of their waterworks by this Act authorised and on the lease or sale by the Company of any such lands houses and property they may reserve to themselves all or any part of the water or water rights or other easements or servitudes belonging thereto and may make the lease or sale subject to such reservation accordingly and may also make any such lease or sale subject to such other reservations special conditions restrictions and provisions as they think fit.

Company may dispose of lands not required.

22. The Company may at any time cause the water in any aqueduct by this Act authorised to be temporarily discharged into any available stream or watercourse.

Temporary discharge of water into streams.

In the exercise of the power conferred by this section the Company shall do as little damage as may be and shall make full compensation to all persons for any damage sustained by them by reason or in consequence of the exercise of such power the amount of compensation to be settled in case of difference by arbitration.

23. The Company shall not under the powers of this Act construct on the shore of the said Loch Leven or of the sea or of

Works below high-water mark not to

[Ch. ccxli.] *Loch Leven Water Power (Amendment)* [4 EDW. 7.]
Act, 1904.

A.D. 1904.
—
be com-
menced
without con-
sent of Board
of Trade.

any creek bay arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and reflows any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of such approval being signified as last aforesaid and where any such work may have been constructed the Company shall not at any time alter or extend the same without obtaining previously to making any such alteration or extension the like consents or approvals. If any such work be commenced or completed contrary to the provisions of this Act the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the costs and charges of the Company and the amount of such costs and charges shall be a debt due from the Company to the Crown and shall be recoverable as a Crown debt or summarily.

Saving rights
of Crown.

24. Nothing herein contained shall authorise the Company to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to the King's most Excellent Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent such Commissioners and such Board are hereby respectively authorised to give) neither shall anything therein contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the King's Majesty.

Amendment
of section 15
of Act of
1901.

25. So much of section 15 (Power to take water) of the Act of 1901 as authorises or empowers the Company to raise the level of the water in Loch Eilde Mor and Loch Eilde Beag in the said section mentioned and to take appropriate impound store use collect abstract divert and distribute such water for the purposes of the undertaking of the Company authorised by the Act of 1901 is hereby repealed and subject to the provisions of this section of this Act the said section 15 shall be read and construed accordingly.

[4 EDW. 7.] *Loch Leven Water Power (Amendment)* [Ch. ccxli.]
Act, 1904.

26. Nothing in this Act shall exempt the Company or their undertaking from the provisions of or deprive the Company of the benefits of any general Act relating to electricity or to the supply of or price to be charged for energy which may be passed after the commencement of this Act.

A.D. 1904.
Provision as
to general
Acts.

27. All costs charges expenses and liabilities of and preliminary to and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be borne and paid by the Company.

Costs of Act.

Printed by EYRE and SPOTTISWOODE,
FOR

T. DIGBY PIGOTT, Esq., C.B., the King's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C.; or
OLIVER AND ROYD, EDINBURGH; or
E. PONSONBY, 116, GRAFTON STREET, DUBLIN.