

[1 EDW. 8. & Grangemouth Burgh [Ch. xxix.]
1 GEO. 6.] Extension Order Confirmation
Act, 1937.



CHAPTER xxix.

An Act to confirm a Provisional Order under A.D. 1937.
the Private Legislation Procedure (Scotland) —
Act 1936 relating to Grangemouth Burgh
Extension. [10th June 1937.]

WHEREAS the Provisional Order set forth in the
schedule hereunto annexed has been made by the
Secretary of State under the provisions of the Private 26 Geo. 5. &
Legislation Procedure (Scotland) Act 1936 and it is 1 Edw. 8.
requisite that the said Order should be confirmed by c. 52.
Parliament :

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 Confirmation
hereunto annexed is hereby confirmed. of Order in
schedule.

2. This Act may be cited as the Grangemouth Burgh Short title.
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And whereas it is expedient that the wards of the burgh should be defined and that the number of the members of the Town Council should be increased and provision made for the election of the town councillors : A.D. 1937.

And whereas the existing burgh is supplied with water by the Town Council under the Burgh Police (Scotland) Acts 1892 to 1903 the Grangemouth Water Order 1901 the Grangemouth Water Order 1903 the Grangemouth Waterworks and Burgh Extension Order 1905 and the Grangemouth Burgh Extension Order 1922 and the existing burgh forms the compulsory supply limits of the water undertaking of the Town Council under the said Acts and Orders and it is expedient that the burgh as extended by this Order should form the compulsory supply limits of the said undertaking and that the Town Council should be the sole authority for the supply of water in the extended burgh all as hereinafter in this Order provided :

And whereas it is expedient that the further provisions contained in this Order should be enacted :

And whereas the purposes aforesaid cannot be effected without an Order of the Secretary of State confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1936 :

Now therefore in pursuance of the powers contained in the last mentioned Act the Secretary of State orders as follows :—

PART I.

PRELIMINARY.

1. This Order may be cited for all purposes as the Grangemouth Burgh Extension Order 1937 and this Order the Grangemouth Waterworks and Burgh Extension Order 1905 and the Grangemouth Burgh Extension Order 1922 may be cited together as the Grangemouth Burgh Extension Orders 1905 to 1937. Short title
and citation.

2. This Order shall (except as otherwise in this Order provided) commence and have effect on and from the date of the passing of the Act confirming the same which date is hereinafter referred to as "the commencement of this Order." Commence-
ment of
Order.

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PART I.

—cont.

Division of
Order into
Parts.

Interpreta-
tion of
terms.

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

Part I.—Preliminary.

Part II.—Extension of boundaries.

Part III.—Miscellaneous.

4. In this Order unless there be something in the subject or context inconsistent with or repugnant to such construction the several words and expressions to which meanings are assigned by any public or local Act of Parliament or Order applicable within the existing burgh shall subject to the provisions of this Order have the same respective meanings And unless the context otherwise requires the following expressions shall in this Order have the meanings assigned to them in this section :—

“ Existing burgh ” means the burgh of Grangemouth within the limits and boundaries existing immediately previous to the sixteenth day of May one thousand nine hundred and thirty-seven ;

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

“ County ” means the county of Stirling ;

“ County council ” means the county council of the county ;

“ Dean of guild court ” means the dean of guild court of the existing burgh or of the burgh as the case may be ;

“ District annexed ” means the portion of the county by this Order incorporated with the existing burgh and described in the First Schedule to this Order ;

“ New wards ” means Ward II Park and Ward IV Newlands of the burgh ;

“ Wards ” means the wards of the burgh ;

“ 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 existing burgh or of the burgh as the case may be and includes the provost and bailies ;

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“ Valuation roll ” means the valuation roll made up in accordance with the Acts in force for the time being relating to the valuation of lands and heritages;

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PART I.
—cont.

“ Town Councils Acts ” means the Town Councils (Scotland) Acts 1900 to 1923 and any Acts amending or extending the same;

“ Police Acts ” means the Burgh Police (Scotland) Acts 1892 to 1911 and any Acts amending or extending the same;

“ Order of 1901 ” means the Grangemouth Water Order 1901;

“ Order of 1903 ” means the Grangemouth Water Order 1903;

“ Order of 1905 ” means the Grangemouth Waterworks and Burgh Extension Order 1905;

“ Order of 1922 ” means the Grangemouth Burgh Extension Order 1922;

“ Water Acts ” means the Order of 1901 the Order of 1903 the Order of 1905 the Grangemouth and Stirling Water Order 1921 the Order of 1922 and the Grangemouth and Stirling Water Order 1932;

“ Water board ” means the Stirlingshire and Falkirk Water Board incorporated by the Stirlingshire and Falkirk Water Order 1921;

“ Classified road ” has the same meaning as in the Local Government (Scotland) Act 1929;

“ Sheriff ” means the sheriff of Stirling Dumbarton and Clackmannan or any of his substitutes within the county.

PART II.

EXTENSION OF BOUNDARIES.

5. This Part of this Order shall (except as hereinafter provided) be deemed to have come into operation on and from the sixteenth day of May one thousand nine hundred and thirty-seven.

Commencement of Part II of Order.

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PART II.

—cont.

Extension
of boun-
daries.

6. The municipal and police boundaries of the existing burgh shall be and are hereby extended to and shall include and comprehend the existing burgh and the district annexed and the burgh shall be comprised within the boundaries set forth and described in the Second Schedule to this Order. Provided that the rules prescribed by the Representation of the People Acts shall be observed and receive effect with reference to the description of boundaries contained in the said Second Schedule.

Map of
burgh.

7. A map of the burgh of which thirteen copies have been signed by Matthew George Fisher counsel to the Secretary of State under the Private Legislation Procedure (Scotland) Act 1936 shall within one month after the passing of the Act confirming this Order be deposited as follows (that is to say) one copy in the office of the Clerk of the Parliaments House of Lords one copy in the Committee and Private Bill Office of the House of Commons one copy at the Scottish Office Whitehall one copy with the town clerk two copies with the sheriff clerk of the county at his offices in Falkirk and Stirling respectively one copy with the Board of Trade one copy with the Commissioners of Customs and Excise one copy with the Commissioners of Inland Revenue one copy with the Registrar-General of Births Deaths and Marriages in Scotland one copy with the Minister of Transport one copy with the Electricity Commissioners and one copy with the Ministry of Agriculture and Fisheries. If there be any discrepancy between the said map and the description in the Second Schedule to this Order the said map shall be deemed to be correct and shall prevail.

District
annexed dis-
joined from
county.

8. The district annexed shall be and the same is hereby for the purposes of this Order disjoined from the county.

As to
Laurieston
special
drainage
district.

9.—(1) The Laurieston special drainage district so far as situated within the district annexed shall be and is hereby abolished and to that extent all resolutions of the county council and all orders and decrees of the sheriff or of any other authority constituting or relating to the said special district shall be of no force or effect so far as extending to or affecting any part of the burgh and the county council shall be relieved by the Town

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Council from all obligations in respect of the said special district so far as the same is situated within the district annexed.

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PART II.

—cont.

(2) Subject to the provisions of this section the Town Council shall not in respect of such special district be under any obligations nor except by agreement with the local authority of such district exercise any powers in such district so far as it is beyond the burgh.

(3) In the event of such special district so far as remaining within the county being at any time extended then notwithstanding anything contained in the agreement dated the ninth and twelfth days of October one thousand nine hundred and eleven and made between the Town Council and the then eastern district committee of the county council or the agreement dated the sixteenth day of July one thousand nine hundred and thirty-four and made between the Town Council and the county council the Town Council shall not object to the county council conveying the sewage from any extended part of such special district by means of the sewers referred to in the last-mentioned agreement and for that purpose enlarging or duplicating the sewer referred to in the said last-mentioned agreement as "the present Laurieston sewer" Provided that if any such enlargement or duplication shall involve any enlargement of the sewer referred to in the said last-mentioned agreement as "the joint outfall sewer" the rights of the Town Council and the county council thereanent shall be regulated as provided for in the said last-mentioned agreement in reference to any enlargement of the last-mentioned sewer for the purposes therein mentioned.

(4) Nothing in this section shall interfere with or prejudice the rights of Scottish Dyes Limited under the agreements between the Town Council and Scottish Dyes Limited dated the nineteenth day of September and the first day of October one thousand nine hundred and twenty-seven and the sixteenth day of June and the fifth day of July one thousand nine hundred and thirty.

10.—(1) The part of the burgh first described in Part I of the Third Schedule to this Order shall be and is hereby formed into a ward of the burgh which shall

New wards
&c.

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PART II.
—cont.

(2) The part of the burgh second described in Part I of the Third Schedule to this Order shall be and is hereby formed into a ward of the burgh which shall be designated Ward IV Newlands and the said ward shall be represented in the Town Council by three members.

(3) The part of the district annexed described in Part II of the Third Schedule to this Order shall be added to Ward I of the existing burgh and the said ward as so added to shall be a ward of the burgh and shall be designated Ward I Zetland.

(4) Ward III of the existing burgh shall be a ward of the burgh and shall be designated Ward III Dundas.

Number of
councillors
and magis-
trates.

11. At and after the date of the first election of town councillors for the new wards the Town Council shall consist of twelve members being the six persons who are in office as town councillors at such date and the six persons elected as the members for the new wards and the number of magistrates shall be five of whom one shall be the provost of the burgh.

Election &c.
of coun-
cillors.

12. On the first Tuesday of November one thousand nine hundred and thirty-seven or on such other date as may be fixed by the sheriff under the powers conferred by this Order—

(a) the members of the Town Council representing Ward II of the existing burgh shall cease to hold office; and

(b) the electors in each of the new wards shall elect three persons as members of the Town Council in respect of each of the new wards from among the persons qualified to be councillors.

Future
elections.

13. In the year one thousand nine hundred and thirty-eight and in every year thereafter the electors in the four wards shall proceed in the usual manner in accordance with the provisions of the Town Councils Acts to return members to the Town Council in lieu of those who retire by rotation and otherwise from the said four wards.

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14. The provisions of the Town Councils Acts so far as the same apply to the existing burgh regarding the election of town councillors in burghs divided into wards or districts shall subject to the provisions of this Order apply to the elections in and to the four wards and to the election qualification continuance in office declinations resignations and retirements of councillors and to supplying vacancies in the Council by death disability resignations or other causes or otherwise.

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 PART II.

—cont.

Application
 of Acts as to
 municipal
 elections.

15. For the purpose of the Acts in force for the time being relating to the registration of local government voters and the election of town councillors for the respective wards in the burgh the district annexed shall notwithstanding anything in this Order contained be deemed to be and to have always been a part of the burgh and to have been included in the wards specified in the section of this Order of which the marginal note is "New wards &c." for the making up of the register of voters.

Register of
 voters.

16. In the event of circumstances arising in connection with the first election of councillors for the new wards or either of them which may render it necessary or expedient to postpone or vary any date prescribed by or in pursuance of the provisions of the Town Councils Acts or this Order or any other matter arising thereunder the sheriff may on the application of the town clerk sanction such postponement or variation or such procedure as shall in his judgment be best fitted to meet the circumstances of the case and the whole procedure following upon such sanction shall be valid and not challengeable.

Power to
 sheriff
 to sanction
 procedure
 with respect
 to elections.

17. The Town Council shall in all respects stand in relation to the administration of the affairs and property of the burgh and of property under the care and management of the Town Council in the same position in which the Town Council of the existing burgh stood previous to the commencement of this Part of this Order and the Town Council shall have the same rights and powers of administration of the property and affairs of the burgh and of making all usual and necessary appointments as lawfully belonged to and were exerciseable or exercised by the Town Council of the existing burgh

Town
 Council to
 administer
 affairs of
 burgh.

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PART II.
—cont.

in regard thereto anything in the set usage or customs of the existing burgh to the contrary notwithstanding.

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

18.—(1) Except so far as inconsistent with or varied by this Order the provisions of all local and personal and public and general Acts and Orders which applied to the existing burgh and all byelaws rules regulations and orders made thereunder shall extend and apply to the burgh in the same way and to the like extent as they applied to and had effect within the existing burgh.

(2) Subject to the provisions of this Order all byelaws rules regulations and orders made under the provisions of any Acts or Orders relative to and in force in the district annexed or any part thereof shall cease to have effect except in so far as the same may have been acted upon.

Powers of magistrates and councillors extended to burgh.

19. The Town Council the magistrates and the dean of guild court respectively shall have possess and may exercise over the burgh and the inhabitants thereof all the jurisdictions powers rights and authorities which they respectively possessed and exercised over the existing burgh and the inhabitants thereof whether at common law or by statute or otherwise including all powers of imposing levying and recovering rates and assessments dues and charges and all rights privileges immunities and obligations enjoyed and possessed by or incumbent on the inhabitants of the existing burgh shall subject to the provisions of this Order extend and apply to the inhabitants of the burgh.

Separate jurisdictions to cease.

20. Subject to the provisions of this Order all jurisdictions powers rights and duties which previous to the commencement of this Part of this Order were exercised or exerciseable by the county council or any local or licensing or other authority within the district annexed or any part thereof under any public general or local or private Act of Parliament or Order shall cease and determine.

Extension of compulsory limits of water supply.

21.—(1) The limits for the compulsory supply of water by the Town Council under the Police Acts and the Water Acts are hereby extended so as to include therein the district annexed and section 16 of the Order of 1901

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as amended by section 24 of the Order of 1903 section 20 of the Order of 1905 and section 13 of the Order of 1922 is hereby amended accordingly.

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—cont.

(2) The water board shall not levy water rates assessments dues or charges for any period subsequent to the commencement of this Part of this Order within any part of the district annexed nor except with the consent of the Town Council supply water in any part of the district annexed and the provisions of any Act or Order so far as the same authorise the supply of water or the levying of water rates assessments dues or charges by the water board for any period subsequent to the commencement of this Part of this Order within the district annexed shall cease and determine.

22.—(1) The pipes and apparatus belonging to the water board situate within the district annexed are by virtue of this Part of this Order transferred to and vested in the Town Council and shall form part of their water undertaking and shall be held and used by the Town Council for the purposes of their water undertaking.

Transfer of
water pipes
in district
annexed.

(2) The said pipes and apparatus shall be cut off and disconnected at the boundaries of the burgh in the Falkirk-Grangemouth road and in the main road from Stirling to Polmont north of Beancross.

(3) Notwithstanding anything in this section the existing three-inch distribution pipe situate within the district annexed laid in the east side of the main road from Stirling to Polmont from Beancross northwards for a distance of five hundred and five yards or thereby shall continue to belong to the water board and be maintained by them for the purpose of supplying water to lands and heritages on the west side of such road.

23.—(1) The Town Council shall within thirty days from the passing of the Act confirming this Order pay to the water board the sum of eleven thousand five hundred pounds together with interest thereon at the rate of four per centum per annum from the sixteenth day of May one thousand nine hundred and thirty-seven until the date of actual payment.

For pro-
tection of
water
board.

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PART II.
—*cont.*

(2) The said sum of eleven thousand five hundred pounds and the interest thereon (if any) shall be accepted by the water board in full satisfaction of all claims whatsoever competent to the water board in connection with or arising in consequence of the operation of the two immediately preceding sections of this Order and shall be applied by the water board to the purposes of their undertaking to which capital is properly applicable or to such other purposes as the water board with the sanction of the Secretary of State may determine.

Valuation
roll.

24. The portions of the valuation rolls in force in and applicable to the district annexed at the commencement of this Part of this Order shall remain in full force and effect in the burgh until the end of the year for which the said valuation rolls were made up and shall be and be deemed to be a part of the valuation roll for the burgh.

Trusts
vested in
Council.

25. All mortifications endowments trusts charitable bequests or other grants however constituted held or administered by the Town Council of the existing burgh shall subject to all the conditions and provisions under and upon which the same were conveyed granted settled or held be vested in and administered by the Town Council of the burgh.

Property of
existing
burgh
vested in
Town
Council.

26. Subject to the provisions of this Order all property belonging to the Town Council at the commencement of this Part of this Order or to which the Town Council is entitled or which is held or administered by any person for or on behalf of the community of the existing burgh or for the public ends and purposes thereof shall be vested in and be held by the Town Council for the behoof and benefit of the burgh or as the case may be administered by such person for or on behalf of the community of the burgh or for the public ends and purposes thereof and all debts and obligations due by or exigible from the Town Council at the commencement of this Part of this Order shall be due by and exigible from the Town Council and all debts due to the Town Council by any person prior to the commencement of this Part of this Order may be demanded and recovered from such person and received and applied by the Town Council for the behoof of the burgh.

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27.—(1) Subject to the provisions of this Order all property vested in held by or due or belonging to the county council in the district annexed shall by virtue of this Order be transferred to vested in held by and be due and belong to the Town Council and shall form part of the property and assets of the Town Council for all the estate and interests therein of the county council and shall be received held and enjoyed by the Town Council accordingly.

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 PART II.
 —cont.

Property
 and
 liabilities
 in district
 annexed
 vested in
 Town
 Council.

(2) Subject to the provisions of this Order all the powers duties liabilities debts obligations contracts and agreements of the county council in relation to the district annexed shall by virtue of this Order be transferred and attached to the Town Council and shall form part of the powers duties liabilities debts obligations contracts and agreements of the Town Council and be enjoyed performed paid and discharged by them.

28. Subject to the provisions of this Order every rate charge or assessment authorised to be requisitioned for levied and collected by the county council over the district annexed or any part or parts thereof which have not been actually imposed previous to the commencement of this Part of this Order shall thereupon cease and determine within the district annexed and thereafter all assessments and rates leviable within the existing burgh by the Town Council shall be leviable on and within the burgh in the same way and manner as the same were leviable on and within the existing burgh.

Assessment
 of burgh.

29. Every rate charge or assessment which has been actually imposed by the county council within the district annexed or any part thereof before the commencement of this Part of this Order together with all arrears thereof shall continue to be due and payable to and may be collected and levied by the county council and by the same ways and means and under the same restrictions and regulations as if the Act confirming this Order had not been passed and shall be received and applied by the county council to and for the purposes for which the same were authorised to be levied.

Recovery of
 assessments
 within
 district
 annexed.

30. The roads streets highways lanes bridges foot pavements and footpaths (other than classified roads)

Roads &c.
 in district
 annexed.

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A.D. 1937. and the sewers and drains within the district annexed so far as the same were vested in and managed maintained and repaired by the county council shall by virtue of this Order be transferred to and vested in and managed maintained and repaired by the Town Council along with and in the same way and manner and to the same extent as the roads streets highways lanes bridges foot pavements and footpaths (other than classified roads) and the sewers and drains within the existing burgh and the county council shall be freed and relieved of the repair and maintenance of all such roads streets highways lanes bridges foot pavements and footpaths and sewers and drains so far as within the district annexed in all time coming.

Saving rights in roads &c.

31. Nothing in this Order contained with respect to the vesting in the Town Council of roads streets highways lanes bridges foot pavements footpaths sewers or drains within the district annexed shall prevent any superiors owners or other persons by whom or by whose predecessors the same shall have been formed from recovering the cost or any proportion of the cost of forming the same from feuars or other persons under any agreements made between such persons respectively.

Books to be evidence.

32.—(1) All books documents maps and plans directed or authorised to be kept by the county council in the district annexed by any Act or otherwise shall so far as they relate solely to the district annexed belong and be transferred to the Town Council and in so far as they would at the commencement of this Part of this Order be receivable in evidence shall be admitted as evidence in all courts and proceedings notwithstanding the cesser of the powers of the county council.

(2) The foregoing provision shall not apply to the books documents maps and plans kept by the county council which relate to parts of the county other than the district annexed but the Town Council and their officers shall be entitled to access to such books documents maps and plans in so far as may be necessary in relation to matters affecting the district annexed and the respective clerks or other officers of the county council shall afford all reasonable facilities for that purpose.

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33.—(1) Subject and without prejudice to any of the provisions of this Order the Town Council and the county council may make and carry into effect agreements with respect to the transfer of property from the county council to the Town Council and for settling and adjusting any claims or any doubt or difference arising in relation thereto.

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PART II.
—cont.

Power to
Town
Council and
county
council to
enter into
agreements.

(2) The provisions of any such agreement shall be deemed to be within the powers of the Town Council and the county council and if and when made shall have and be carried into effect accordingly.

(3) Any difference or dispute arising as to any such agreement or as to any other matter or thing in relation to the transference under this Order of the property of the county council shall be determined by an arbiter to be agreed upon or failing agreement to be appointed by the Secretary of State on the application of the Town Council or the county council.

34. The financial adjustments between the Town Council and the county council or the eastern No. 2 district council of the county consequent upon the inclusion within the boundaries of the burgh of the district annexed shall be made upon the basis of the provisions of the Local Government (Adjustments) (Scotland) Act 1914 and in accordance with the rules contained in the schedule to that Act and section 50 of the Local Government (Scotland) Act 1889 shall apply and have effect on the extension of the boundaries of the existing burgh by this Order and any dispute or difference arising in connection with such adjustments shall be settled by arbitration by an arbiter to be agreed upon or failing agreement to be appointed by the Secretary of State on the application of the Town Council or the county council or the said district council as the case may be.

Financial
adjust-
ments.

± & c. 74.

52 & 53 Vict.
c. 50.

35. No action arbitration prosecution or proceeding commenced pending or existing by or against the county council in relation to any powers liabilities or property by this Order transferred to the Town Council shall in anywise abate or be discontinued or prejudicially affected by reason of the passing of the Act confirming this Order

Actions &c.
not to abate.

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PART II.
—*cont.*

but may be continued prosecuted and enforced by or in favour of or against the Town Council as successors of the county council as fully and effectually as they could have been continued prosecuted and enforced by or in favour of or against the county council if the Act confirming this Order had not been passed.

Saving of
existing
jurisdic-
tions &c.

36. Nothing in this Order contained shall transfer or be deemed or construed to transfer to the Town Council—

- (a) any jurisdiction power or right hitherto exercised or exerciseable by the county council within the district annexed which was also exercised or exerciseable within the existing burgh by the county council previous to the commencement of this Part of this Order;
- (b) any liability debt duty or obligation incurred by or incumbent on the county council in connection with the exercise of any such jurisdiction power or right; or
- (c) any property officer or servant held or employed for the future exercise of any such jurisdiction power or right or for the discharge of any such liability debt duty or obligation.

Borrowing
powers:

37. The Town Council in addition to any other powers of borrowing which they now have or may obtain may (a) for the purpose of the payment of any capital sum which may be paid under the provisions of the sections of this Order whereof the marginal notes are "Financial adjustments" and "For protection of water board" (b) for the purpose of the payment of any capital sum in respect of any land buildings drainage works or others taken over by the Town Council and (c) for the purpose of paying the costs charges and expenses of and incidental to the preparing for obtaining and confirming this Order or otherwise in relation thereto borrow such money as may be necessary for those purposes respectively.

Application
of sections
of Order of
1903.

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

Section 33 (Periods of repayment of borrowed money);

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|------------|--|-------------------------|
| Section 34 | (Sinking fund) (except subsection (12) of that section); | A.D. 1937. |
| Section 35 | (Power to re-borrow); | —
PART II,
—cont. |
| Section 36 | (Town Council may borrow on cash account); | |

shall apply to any money borrowed under the section of this Order the marginal note of which is "Borrowing powers." Provided that the "prescribed period" in the said section 33 shall as regards sums borrowed for the purposes (a) and (b) mentioned in the said section of this Order be twenty-five years from the date of borrowing and as regards sums borrowed for the purpose (c) mentioned therein be five years from the commencement of this Part of this Order.

39. All laws statutes jurisdictions powers privileges and usages now in force in relation to or within the district annexed in so far as they are inconsistent or at variance with the provisions of this Part of this Order are subject to the provisions of this Part of this Order hereby repealed and extinguished. Repeal of laws inconsistent with this Order.

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

PART III.

MISCELLANEOUS.

41.—(1) The Town Council may require the occupiers of houses shops or other premises to provide portable dustbins for domestic refuse and such dustbins shall be of such size and construction as may be approved by the Town Council and any person not complying with any such requirement shall be liable to a penalty not exceeding twenty shillings. Dustbins.

(2) The Town Council may purchase suitable or standard dustbins and supply the same to occupiers of shops houses or other premises on such terms and conditions as may be agreed upon.

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PART III.
—cont.
Nuisance
by dogs.

42. Every person in charge of a dog in any street and having the dog on a lead who shall allow or permit such dog to deposit its excrement upon a public pavement or footway shall be liable to a penalty not exceeding forty shillings.

Byelaws
as to loud-
speakers.

43.—(1) The Town Council may make byelaws for regulating and controlling the use of loud-speakers gramophones and any other devices for the reproduction and amplification of sound (in this section referred to as “loud-speakers”) used in such manner as to be audible in any street to the annoyance of the lieges or if they think fit for prohibiting the use in such a manner as to be audible in any street of loud-speakers for advertising purposes.

55 & 56 Vict.
c. 55.

(2) Sections 317 to 323 of the Burgh Police (Scotland) Act 1892 shall extend and apply to any byelaws that may be made by the Town Council under the provisions of this section.

Vesting of
property
transferred
to Town
Council &c.

44. All property transferred to or vested in the Town Council by virtue of this Order shall vest in them without the necessity of recording in the register of sasines any conveyance notarial instrument notice of title or other deed or writing but for the purpose of enabling the Town Council to complete a title if thought fit to any property transferred to and vested in them by virtue of this Order by expediting a notarial instrument notice of title or otherwise this Order shall be deemed to be and may be used as a general disposition or assignation as the case may be of such property in favour of the Town Council.

Recovery of
penalties.

45. Any penalty under this Order or under any byelaws or regulations made under this Order unless otherwise specially provided for may be recovered in manner provided by the Summary Jurisdiction (Scotland) Acts.

For protec-
tion of
Scottish
Central
Electric
Power
Company
and others.

46. Nothing in this Order shall extend or be deemed or construed to extend the area of supply defined by the Grangemouth Electric Lighting Orders 1905 and 1911 and nothing in this Order shall be deemed or construed to repeal or in any way restrict the powers of the Scottish

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Central Electric Power Company under the Scottish Central Electric Power Acts 1903 and 1930 or of the Scottish Midlands Electricity Supply Limited under the Linlithgow and Falkirk District Electricity Orders 1912 to 1928 for and in relation to the supply of electricity within the district annexed.

A.D. 1937.
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PART III.
—cont.
3 Edw. 7.
c. ccxli.
20 & 21 Geo. 5.
c. lxx.

47. All costs charges and expenses of and incidental to the preparing for obtaining and confirming this Order or otherwise in relation thereto shall be paid by the Town Council out of moneys borrowed by them under this Order for that purpose or any rates and assessments which they are authorised to levy.

Costs of
Order.

A.D. 1937. The SCHEDULES referred to in the foregoing Order.

THE FIRST SCHEDULE.

(Referred to in the section of this Order of which the marginal note is "Interpretation of terms.")

BOUNDARIES OF THE DISTRICT ANNEXED.

Commencing at the north-western point of the existing burgh at a point 21 yards west of the centre of the recently realigned main road from Stirling to Polmont thence in a south-easterly direction to a point on the north bank of the river Carron a distance of 15 yards or thereby thence in a westerly direction along the north bank of the river Carron following a line representing the high-water mark of ordinary spring tides for a distance of 487 yards or thereby thence in a south-westerly direction for a distance of 25 yards where it makes contact with and abuts on the Falkirk Burgh boundary thence continuing this abutment in a south-westerly direction along the east fence of a ditch to a point in the centre of the north towpath of the Forth and Clyde Canal a distance of 709 yards or thereby thence continuing abutment with Falkirk Burgh boundary in a westerly direction along the centre of the said towpath to a point on the north-west side of the railway swing bridge a distance of 380 yards or thereby thence continuing abutment with Falkirk Burgh boundary in a south-easterly direction to a point at the north-west fence of the Falkirk-Grangemouth main road a distance of 1052 yards or thereby thence across the said road continuing and completing abutment with Falkirk Burgh boundary in a south-easterly and easterly direction along a fence line and prolongation thereof and the centre line of a ditch to a point at the north-west face of the culvert under the Grangemouth branch railway a distance of 583 yards or thereby thence in an easterly direction across the said railway and along the centre line of the said ditch to a point where it bends to the north-east and along an undefined line from the said point to the fence 192 yards or thereby south of Wester Newlands on the road leading to Laurieston thence in an easterly direction along said fence and prolongation thereof to a point in the centre of the main road from Stirling to Polmont a distance of 1525 yards or thereby thence in a south-easterly direction along the centre line of the said main road to a point 43 yards or thereby north-west of its junction at Beancross with

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the Mumrills-Laurieston road a distance of 505 yards or thereby thence in a north-easterly and easterly direction to a point in the centre of the channel of the Westquarter Burn and along the centre of the said channel in an easterly direction to its junction with the Grange Burn a distance of 263 yards or thereby thence along the centre of the channel of the Grange Burn in a northerly direction till it meets the existing burgh a distance of 1012 yards or thereby thence following the south and south-westerly boundaries of the existing burgh in a westerly south-westerly westerly southerly westerly north-westerly northerly westerly north-westerly easterly and northerly direction to the point of commencement.

A.D. 1937.

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1ST SCH.
—cont.

THE SECOND SCHEDULE.

(Referred to in the section of this Order of which the marginal note is "Extension of boundaries.")

BOUNDARIES OF THE BURGH.

Commencing at the north-western point of the existing burgh at a point 21 yards west of the centre of the recently realigned main road from Stirling to Polmont thence in a south-easterly direction to a point on the north bank of the river Carron a distance of 15 yards or thereby thence in a westerly direction along the north bank of the river Carron following a line representing the high-water mark of ordinary spring tides for a distance of 487 yards or thereby thence in a south-westerly direction for a distance of 25 yards where it makes contact with and abuts on the Falkirk Burgh boundary thence continuing this abutment in a south-westerly direction along the east fence of a ditch to a point in the centre of the north towpath of the Forth and Clyde Canal a distance of 709 yards or thereby thence continuing abutment with Falkirk Burgh boundary in a westerly direction along the centre of the said towpath to a point on the north-west side of the railway swing bridge a distance of 380 yards or thereby thence continuing abutment with Falkirk Burgh boundary in a south-easterly direction to a point at the north-west fence of the Falkirk-Grangemouth main road a distance of 1052 yards or thereby thence across the said road continuing and completing abutment with Falkirk Burgh boundary in a south-easterly and easterly direction along a fence line and prolongation thereof and the centre line of a ditch to a point at the north-west face of the culvert under the Grangemouth branch railway a distance of 583 yards or thereby thence in an easterly direction across the

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A.D. 1937.

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 2ND SCH.
 —cont.

said railway and along the centre line of the said ditch to a point where it bends to the north-east and along an undefined line from the said point to the fence 192 yards or thereby south of Wester Newlands on the road leading to Laurieston thence in an easterly direction along the said fence and prolongation thereof to a point in the centre of the main road from Stirling to Polmont a distance of 1525 yards or thereby thence in a south-easterly direction along the centre line of the said main road to a point 43 yards or thereby north-west of its junction at Beancross with the Mumrills-Laurieston road a distance of 505 yards or thereby thence in a north-easterly and easterly direction to a point in the centre of the channel of the Westquarter Burn and along the centre of the said channel in an easterly direction to its junction with the Grange Burn a distance of 263 yards or thereby thence along the centre of the channel of the Grange Burn in a northerly direction till it meets the existing burgh a distance of 1012 yards or thereby thence following the southerly easterly and northerly boundaries of the existing burgh in an easterly southerly easterly northerly north-easterly south-easterly north-easterly south-easterly easterly northerly easterly northerly north-westerly northerly north-westerly south-westerly southerly and south-westerly direction to the point of commencement.

THE THIRD SCHEDULE.

(Referred to in the section of this Order of which the marginal note is "New wards &c.")

PART I.

FIRST.

AREA FORMING WARD II PARK.

Commencing at a point on the centre line of the main road from Falkirk to Grangemouth where it cuts the prolongation of the centre line of the embankment between the Timber Basins on the south-east side of the said road thence in a south-easterly direction along the centre line of the said embankment thence across the Grangemouth branch railway and thereafter along the centre line of Kerse Road to a point where it meets the centre line of Abbots Road for a distance of 697 yards or thereby thence in a north-easterly direction along the centre line of Abbots Road to a point where it meets the centre line of Bo'ness Road for a distance of 267 yards or thereby thence in a south-easterly

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direction along the centre line of Bo'ness Road to a point where it meets a line representing the centre of the river Avon for a distance of 3137 yards or thereby thence in a south-westerly direction along the centre line of the river Avon for a distance of 1047 yards or thereby thence in a southerly direction along the burgh boundary for a distance of 40 yards or thereby thence in a north-westerly south-westerly westerly north-westerly south-westerly southerly westerly northerly and westerly direction along the burgh boundary to a point on the centre line of the Grange Burn for a distance of 2777 yards or thereby thence in a northerly direction along the centre line of the Grange Burn to a point where it meets the prolongation of the centre line of Newhouse Road for a distance of 300 yards or thereby thence in a northerly and north-westerly direction along the centre line of Newhouse Road to a point where it meets the centre line of Lumley Street for a distance of 627 yards or thereby thence in a northerly direction along the centre line of Lumley Street for a distance of 183 yards or thereby thence in a north-westerly north-easterly and northerly direction following the centre line of a right of way from Lumley Street to the main road from Falkirk to Grangemouth to a point where it meets the centre line of the said road for a distance of 577 yards or thereby thence in a north-easterly direction along the centre line of the said road for a distance of 22 yards or thereby to the point of commencement.

A.D. 1937.

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3RD SCH.
—cont.

SECOND.

AREA FORMING WARD IV NEWLANDS.

Commencing at a point in the centre line of the main road from Falkirk to Grangemouth where it meets the centre line of a right of way from Lumley Street to the said road thence in a southerly south-westerly and south-easterly direction along the centre line of the said right of way to a point where it meets the centre line of Lumley Street for a distance of 577 yards or thereby thence in a southerly direction along the centre line of Lumley Street to a point where it meets the centre line of Newhouse Road for a distance of 183 yards or thereby thence in a south-westerly and southerly direction along the centre line of Newhouse Road and prolongation thereof to a point where it meets the centre line of the Grange Burn for a distance of 627 yards or thereby thence in a southerly direction along the centre line of the Grange Burn to a point where it meets the centre line of Westquarter Burn for a distance of 1306 yards or thereby thence in a westerly direction along the centre line of Westquarter Burn and thereafter along an imaginary line to a point on the centre line of the road

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3RD SCH.
—cont.

from Stirling to Polmont for a distance of 257 yards or thereby thence in a north-westerly direction along the centre line of the Stirling-Polmont road for a distance of 500 yards or thereby thence in a westerly direction along a fence line and prolongation thereof and thereafter along the centre line of a ditch to a point on the centre line of the Grangemouth branch railway for a distance of 1510 yards or thereby thence in a north-easterly direction along the centre line of the said railway to a point where it cuts the centre line of the main road from Stirling to Polmont for a distance of 1150 yards or thereby thence in a north-westerly direction along the centre line of the said road to a point where it meets the centre line of the main road from Falkirk to Grangemouth for a distance of 472 yards or thereby thence in a north-easterly direction along the centre line of the Falkirk-Grangemouth road for a distance of 1314 yards or thereby to the point of commencement.

PART II.

PART OF DISTRICT ANNEXED ADDED TO WARD I
OF THE EXISTING BURGH.

Commencing at the north-western point of the existing burgh at a point 21 yards west of the centre of the recently realigned main road from Stirling to Polmont thence in a south-easterly direction to a point on the north bank of the river Carron for a distance of 15 yards or thereby thence in a westerly direction along the north bank of the river Carron following a line representing the high-water mark of ordinary spring tides for a distance of 487 yards or thereby thence in a south-westerly direction for a distance of 25 yards where it makes contact with and abuts on the Falkirk Burgh boundary thence continuing this abutment in a south-westerly direction along the east fence of a ditch to a point in the centre of the north towpath of the Forth and Clyde Canal for a distance of 709 yards or thereby thence continuing the abutment with the Falkirk Burgh boundary in a westerly direction along the centre of the said towpath to a point on the north-west side of the railway swing bridge for a distance of 380 yards or thereby thence continuing the abutment with the Falkirk Burgh boundary in a south-easterly direction to a point at the north-west fence of the Falkirk-Grangemouth main road for a distance of 1052 yards or thereby thence across the said road continuing and completing the abutment with the Falkirk Burgh boundary in a south-easterly and easterly direction along a fence line and prolongation thereof and the centre line of a ditch to a point in the centre of

