



CHAPTER ii.

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Stirling Corporation (Water &c.) A.D. 1922.
[29th March 1922.]

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 Stirling Corporation (Water &c.) Order Confirmation Act 1922. Short title.

A.D. 1922.

SCHEDULE.

STIRLING CORPORATION (WATER &c.).

Provisional Order to confer further powers on the Stirling Waterworks Commissioners and on the Town Council of Stirling to regulate the administration of Cowane's and Spittal's Hospitals and the Stirling Educational Trust and for other purposes.

WHEREAS by the Stirling Waterworks Act 1848 the Stirling Waterworks Commissioners (hereinafter called "the Commissioners") were constituted and authorised to supply water within the limits mentioned in the said Act :

And whereas by the Stirling Waterworks Amendment Act 1864 the Stirling Waterworks Amendment Act 1881 the Stirling Waterworks Act 1893 and the Stirling Corporation Order 1901 further powers were conferred upon the Commissioners :

And whereas it is expedient to make further provision for the election of the Commissioners :

And whereas it is expedient to increase the amount of the public water rate which the Commissioners are authorised to levy under and by virtue of the Stirling Waterworks Act 1893 :

And whereas it is expedient that further powers should be conferred on the Commissioners as hereinafter in this Order contained :

And whereas it is expedient that the Town Council of Stirling should have further powers conferred on them in connection with their municipal and other buildings and with respect to the acquisition of lands therefor :

And whereas it is expedient that the provisions hereinafter contained for the administration of Cowane's Hospital and Spittal's Hospital Stirling and the Stirling Educational Trust should be enacted :

And whereas plans showing the lands authorised to be acquired for the purposes of this Order and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Order were duly deposited in the office at Stirling of the principal sheriff clerk of the county of Stirling and such plans and book of reference are hereinafter respectively referred to as the deposited plans and book of reference : A.D. 1922.

And whereas the purposes aforesaid cannot be effected without an Order of the Secretary for Scotland confirmed by Parliament under 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 :—

1. This Order may be cited as the Stirling Corporation (Water &c.) Order 1922 and shall (unless otherwise in this Order provided) come into operation on the date of the passing of the Act confirming the same which date is in this Order referred to as “the commencement of this Order.” Short title and commencement.

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

Part I.—Preliminary.

Part II.—Water.

Part III.—Municipal Buildings &c.

Part IV.—Cowane’s Hospital Spittal’s Hospital and Stirling Educational Trust.

Part V.—Miscellaneous.

PART I.

PRELIMINARY.

3. The Stirling Waterworks Acts 1848 to 1893 and the Stirling Corporation Order 1901 (in this Order referred to as “the recited Acts”) and this Order may be cited together as the Stirling Water Acts 1848 to 1922. Citations.

4. In this Order the several words and expressions to which meanings are assigned by the recited Acts or Interpretation.

A.D. 1922. by the Acts wholly or partially incorporated herewith
 — have the same respective meanings unless there be
 something in the subject or context repugnant to such
 construction And the following words and expressions
 have the several meanings in this section assigned to
 them (that is to say) :—

“The burgh” means the burgh of Stirling;

“The town council” means the provost magistrates
 and councillors of the burgh;

“The Commissioners” means the Stirling Water-
 works Commissioners and “Commissioner”
 means one of the Commissioners;

“The Act of 1864” means the Stirling Waterworks
 Amendment Act 1864;

“The Act of 1881” means the Stirling Waterworks
 Amendment Act 1881;

“The Act of 1893” means the Stirling Waterworks
 Act 1893;

“The sheriff” means the sheriff of Stirling Dum-
 barton and Clackmannan and includes his
 substitutes at Stirling.

Incorpora-
 tion of
 Acts.

5. The following Acts and parts of Acts (so far as
 the same respectively are applicable to the purposes of
 and are not inconsistent with this Order) are hereby
 (except where expressly varied by this Order) incorpo-
 rated with this Order—

(1) The Lands Clauses Acts.

(2) The Commissioners’ Clauses Act 1847 with the
 exception of sections 20 to 25 28 to 33 45 49
 50 84 86 and 87 thereof.

This Order shall be deemed to be a special Act
 within the meaning of those Acts.

PART II.

WATER.

Agree-
 ments for
 giving or
 receiving
 supply of
 water.

6. The Commissioners may enter into and carry
 into effect agreements with any local authority company
 or person for the giving of a supply of water beyond the
 limits of the recited Acts to or receiving a supply of

water from any local authority company or person in bulk or otherwise for such remuneration and on such terms and conditions and for such period as may be agreed upon. Provided that a supply of water given by the Commissioners under this section shall not prejudicially affect or restrict the supply of water from time to time for any purpose within the limits of compulsory supply. Provided further that a supply of water under this section shall not be given by the Commissioners except with the consent of any local authority company or person supplying water under parliamentary authority within the particular part of the district in which the supply is to be afforded and of the local authority of that district. Any revenue arising from such supply of water given so far as not required to meet the expenses incurred by the Commissioners in affording the supply shall be applied to the same purposes as those to which the water assessments leviable by the Commissioners are applicable.

A.D. 1922.
—

7. Section 15 of the Act of 1864 section 18 of the Act of 1881 and section 48 of the Act of 1893 in so far as the said several sections apply to the percentage of the gross annual revenue of the Commissioners payable for the time being to the owner of the estate of Touch are hereby repealed and in lieu thereof the said percentage payments are commuted into an annual payment of three hundred and twenty pounds payable half-yearly the first payment being made at the term of Martinmas one thousand nine hundred and twenty.

As to
payment
to owner
of Touch
estate.

8. The Commissioners may sell meters and any fittings connected therewith upon and subject to such terms (pecuniary or otherwise) and conditions as they think fit.

Power to
sell meters
&c.

9. Before any person connects or disconnects any meter by means of which any of the water of the Commissioners is intended to be or has been registered he shall give not less than twenty-four hours' notice in writing to the Commissioners of his intention so to do and all alterations or repairs and the connecting and disconnecting of meters shall be done at his cost and under due superintendence of any officer of or person authorised by the Commissioners and any person offending against

Notice of
connecting
or dis-
connecting
meters.

[Ch. ii.] *Stirling Corporation* [12 GEO. 5.]
(Water &c.) Order Confirmation Act, 1922.

A.D. 1922. this enactment shall be liable to a penalty not exceeding
 — forty shillings.

Power to
borrow
tempor-
arily. 10. Section 49 (Power to borrow temporarily) of
 the Burgh Police (Scotland) Act 1903 shall apply to
 the Commissioners and in such application the words
 "town council" in the said section shall mean the
 Commissioners and the expression "any public general
 Act" shall include the recited Acts the Grangemouth
 and Stirling Water Order 1921 and this Order.

Reserved
fund. 11. Section 45 (Increase of reserved fund) of the
 Act of 1893 shall be amended by the substitution of
 "eight thousand pounds" for "five thousand pounds"
 wherever appearing in the said section.

Repair of
common
pipe burst
main or in
emergency. 12. Section 41 of the Act of 1881 shall be amended
 by the addition of the following words at the end of
 said section :—
 "When several persons are jointly liable for the
 cost of such repair alteration or renewal the
 respective proportions or contributions shall be
 settled by the manager or other authorised
 officer or servant of the Commissioners In
 the case of the bursting of any main pipe or
 the apparatus pertaining thereto which the
 Commissioners are not under obligation to
 maintain or in the case of any emergency by
 which in consequence of any injury to or
 defect in any pipe or other apparatus which
 the Commissioners are not under obligation to
 maintain any waste of water or injury or risk
 of injury to person or property is in the opinion
 of the manager or other authorised officer or
 servant of the Commissioners caused or likely
 to be caused it shall be lawful for the Com-
 missioners to make the requisite repairs them-
 selves without sending any requisition to the
 owner or any other person and the Commis-
 sioners shall be entitled to recover the cost
 and penalty as prescribed in this section."

Commis-
sioners not
bound to
supply
several
houses by
one pipe. 13. The Commissioners shall not be bound to
 supply more than one house by means of the same
 communication pipe and they may if they think fit
 require that a separate pipe be laid from the main pipe
 into each house supplied by them with water.

14. Section 51 of the Act of 1893 is hereby repealed and in lieu thereof the following provisions shall have effect :— A.D. 1922.

Every person eligible for election as a town councillor of the burgh shall from and after the commencement of this Order be eligible for election as a Commissioner. Qualifica-
tion of
Commis-
sioners.

15. Section 52 of the Act of 1893 is hereby repealed and in lieu thereof the following provisions shall have effect :— Qualifica-
tion of
electors.

The municipal register for the burgh shall be the register for the election of Commissioners (other than the Commissioners nominated and appointed by the town council under the recited Acts hereinafter called "the appointed Commissioners") and the electors whose names are on the said register shall come in place of the ratepayers entitled to vote under the recited Acts and the qualification for voting in the said election of Commissioners shall be the same as the qualification for voting in the election of town councillors.

16. The Commissioners holding office at the commencement of this Order shall hold office for the respective periods for which they have been elected but the retirement of Commissioners (other than the appointed Commissioners) and also the filling up of vacancies occurring after the commencement of this Order shall be regulated by this Order. Present
Commis-
sioners to
continue in
office.

17. With respect to the election of Commissioners (other than the appointed Commissioners) sections 34 35 36 37 38 39 and 40 of the Town Councils (Scotland) Act 1900 as modified by any Act or Acts amending the same shall apply with the necessary variations. Retirement
of Com-
missioners
and filling
up of
vacancies.

18. Section 53 of the Act of 1893 is hereby repealed and in lieu thereof the following provisions shall have effect :— Regula-
tions as to
election of
Commis-
sioners.

With respect to the election of Commissioners (other than the appointed Commissioners) the following provisions shall have effect :—

(1) The election of Commissioners shall take place on the same day and as nearly as may

A.D. 1922.
—

be in the same manner in the same places and with the same returning and presiding officers and clerks as the election of town councillors for the burgh or if there is a contested election for Commissioners but there is no contested election for town councillors in any ward or wards of the burgh as if there were a contested election for town councillors in such ward or wards. For the purposes of the election of Commissioners the burgh shall not be divided into wards;

(2) Any enactments in force for the time being relating to and regulating the election of town councillors shall with any necessary variations extend and apply to the election of the Commissioners;

(3) It shall be the duty of the town council to make due provision for the election of such Commissioners;

(4) The expenditure incurred in the election of such Commissioners as ascertained and apportioned between the town council and the Commissioners by the returning officer shall be paid to the town council by the Commissioners.

Payment of
rates and
appeals.

19. Once in each year the Commissioners shall fix a day on or before which the rates levied under the recited Acts and this Order shall be payable and another day upon which appeals by any persons complaining that they have been improperly rated shall be lodged with the clerk or collector to the Commissioners and another day or days on which such appeals shall be heard.

Fractions
of a pound
not to be
reckoned
in assess-
ing.

20. In imposing assessing levying and collecting all rates and assessments under the recited Acts and this Order any fractional part of a pound exceeding ten shillings shall be reckoned as one pound of rateable rent or value ten shillings shall be reckoned as ten shillings and any fractional part less than ten shillings shall not be taken into account. In the case of the public water rate imposed upon owners under the section of this Order of which the marginal note is "Public water rate" this section shall apply to the total rental of an owner's properties according to the valuation roll.

21. Section 31 (Public water rate) of the Act of 1893 is hereby repealed and in lieu thereof the following provisions shall apply and have effect :—

A.D. 1922.
 Public
 water rate.

The Commissioners shall and they are hereby authorised and required annually to impose assess and levy a rate to be called “the public water rate” upon and from the owners of all lands and heritages within the limits of compulsory supply of the Commissioners according to the full annual rent or value thereof according to the valuation roll for the time being in force and such public water rate may be levied by the Commissioners from the occupiers of such lands and heritages and any occupier so paying the said water rate shall be entitled to deduct from his rent the rate so paid by him. The public water rate hereinbefore in this section mentioned shall not exceed fourpence in the pound when the domestic water rate leviable by the Commissioners does not exceed two shillings and sixpence in the pound and shall not exceed fivepence in the pound when the said domestic water rate exceeds two shillings and sixpence in the pound.

22.—(1) Section 43 of the Act of 1881 shall be read as if the words “special or second” occurring therein were omitted therefrom.

Repeal of
 enactments

(2) Section 30 of the Act of 1893 shall be read as if paragraph (B) of the proviso to the said section were omitted therefrom.

(3) Section 34 of the Act of 1893 shall be read as if the words “within ten days after such notice” occurring therein were omitted therefrom.

(4) Section 38 of the Act of 1893 shall be read as if the words “within ten days from the date of the notice being given of such rate” and the words “on the last Tuesday of October yearly” occurring therein were omitted therefrom.

(5) Section 39 of the Act of 1893 shall be read as if the words “in advance by a yearly payment as at Whitsunday in each year for the year following” and the words “and the first assessment under this Act shall be made and imposed as from the term of Whitsunday one thousand eight hundred and ninety-three for the year following and the rates so assessed

A.D. 1922. " shall be payable as at such last-mentioned term " occurring therein were omitted therefrom.

PART III.

MUNICIPAL BUILDINGS &C.

Annual
payment to
common
good for
municipal
buildings.

23. The town council having erected municipal buildings and offices upon a piece of land in Corn Exchange Road within the burgh of Stirling and county of Stirling which belongs to and is vested in the town council as administrators of the common good of the burgh the town council shall as from the fifteenth day of May nineteen hundred and eighteen pay into the common good the annual sum of two hundred and fifty pounds as the annual ground rent to be paid in respect of the said piece of land.

The said piece of land is bounded as follows :—

On the north-east by the Corn Exchange Restaurant and yard and other properties belonging to the town council on the south-east by Corn Exchange Road on the south-west by Back Walk and on the north-west by property belonging or reputed to belong to Mrs. Elizabeth Yule Denovan or Sangster.

Annual
payment to
common
good for
site in
Corn Ex-
change
Road.

24. When the town council proceed to erect upon the site in Corn Exchange Road and Spittal Street (lying to the north-east of the municipal buildings within the burgh) which belongs to and is vested in the town council as administrators of the common good of the burgh any buildings which they are or may be authorised by law to erect the town council shall as from the date when the said site is first occupied for the purpose aforesaid pay into the common good such annual sum as shall be fixed by a property valuator to be appointed on the application of the town council by the Secretary for Scotland to be a fair and reasonable annual ground rent to be paid in respect of the said site and such annual sum shall be so paid at the term of Whitsunday yearly The said site is bounded as follows :—

On the north-east by Spittal Street on the south-east by Corn Exchange Road on the south-west by the municipal buildings and on the north-west by property belonging or reputed to belong to Mrs. Elizabeth Yule Denovan or Sangster.

25. The town council may compulsorily or by agreement enter upon take acquire and use the lands shown on the deposited plans applicable thereto and situated in Spittal Street within the burgh with the houses and property thereon and may use the same for improving the amenity of the municipal buildings and offices belonging to the town council and the extension of the buildings mentioned in the two immediately preceding sections of this Order for building erecting and maintaining additional municipal buildings and offices or for the provision and maintenance of public baths and washhouses public drying grounds or for other public purposes for which the town council are or may be authorised by law to use the said lands The lands hereinbefore in this section referred to are bounded as follows :—

A.D. 1922.
 —
 Extension
 of municipal
 buildings
 public
 baths &c.

On the north-east by Spittal Street on the south-east by the municipal buildings and other properties belonging to the town council on the south-west by the old town wall of Stirling abutting on Back Walk and on the north-west by Allan's School belonging or reputed to belong to the education authority of the county of Stirling.

26. The powers of the town council for the compulsory purchase of lands and premises for the purposes of this Part of this Order shall cease after the expiration of three years from the commencement of this Order.

Limitation
 of period for
 compulsory
 purchase of
 lands.

27. For the acquisition of lands and premises and the erection of buildings for the purposes of this Part of this Order the town council may exercise the powers of borrowing money conferred by the Burgh Police (Scotland) Acts 1892 to 1911.

Application
 of Burgh
 Police
 (Scotland)
 Acts.

PART IV.

COWANE'S HOSPITAL SPITTAL'S HOSPITAL AND STIRLING EDUCATIONAL TRUST.

28. From and after the commencement of this Order no consent or approval of the Guildry Incorporation of Stirling shall be required to any act or resolution of the Patrons of Cowane's Hospital Stirling in the administration of the said hospital and the whole provisions requirements and obligations set forth respectively in the minute the interlocutors and the minute

Adminis-
 tration of
 Cowane's
 Hospital.

A.D. 1922. of agreement hereinafter in this section mentioned shall
— cease to have effect The said minute interlocutors and
minute of agreement referred to are the following :—

- (1) Minute for Ebenezer Bow merchant in Stirling and others for themselves and as a committee empowered by the Guildry Incorporation of said burgh and as representing the said Guildry Incorporation and hail members thereof pursuers in the several actions hereinafter mentioned authorised by minute of the Guildry Incorporation of Stirling dated the twentieth day of October eighteen hundred and twenty-nine and act of the Patrons of Cowane's Hospital of the same date :
- (2) Interlocutor by the Lords of Council and Session dated the twenty-second day of June eighteen hundred and twenty-four and the ninth day of July eighteen hundred and thirty-one in two conjoined actions namely first a summons and action of reduction damages et cetera at the instance of Ebenezer Bow merchant in Stirling and others all guild brethren and burgesses of the burgh of Stirling for themselves and as representing the said Guildry Incorporation against Thomas Wright residing in Stirling and provost thereof and others and second supplementary summons of reduction damages et cetera at the instance of Ebenezer Bow merchant in Stirling and others all guild brethren and burgesses of the burgh of Stirling for themselves and as representing the said Guildry Incorporation against Robert Gillies skinner in Stirling provost of the said burgh and others with reference to the letting of the farm of Hood :
- (3) Interlocutor by the Lords of Council and Session dated the ninth day of July eighteen hundred and thirty and the ninth day of July eighteen hundred and thirty-one in summons and action of reduction damages et cetera at the instance of Ebenezer Bow merchant in Stirling and others all guild brethren and burgesses of the burgh of Stirling for themselves and as representing the

said Guildry Incorporation against John Thomson residing at Allan Park near Stirling provost of the said burgh and others with reference to the letting of the farm of East Side of Abbey:

A.D. 1922.

- (4) Interlocutor by the Lords of Council and Session dated the ninth day of July eighteen hundred and thirty and the ninth day of July eighteen hundred and thirty-one in summons and action of reduction damages et cetera at the instance of Ebenezer Bow merchant in Stirling and others all guild brethren and burgesses of the burgh of Stirling for themselves and as representing the said Guildry Incorporation against John Thomson residing at Allan Park near Stirling provost of Stirling and others with reference to the letting of the farm of Ladysneuck:
- (5) Minute of agreement between the Patrons of Cowane's Hospital and the Guildry Incorporation of Stirling dated twenty-ninth March and first April and recorded in the Sheriff Court books of Stirlingshire third April eighteen hundred and ninety-nine.

29. The Patrons of Cowane's Hospital and the Patrons of Spittal's Hospital respectively shall subject to the provisions of this Order have the whole powers and privileges conferred upon trustees by the Trusts (Scotland) Act 1921 and also powers to purchase lands and heritages and the provisions of subsection (2) of section 4 of the Trusts (Scotland) Act 1921 shall extend and apply to such powers to purchase lands and heritages as if such powers were contained in subsection (1) of section 4 of the said Act.

Powers of patrons of Cowane's and Spittal's Hospitals.

30. The provisions of section 98 of the Town Councils (Scotland) Act 1900 shall with the necessary variations apply to the Patrons of Cowane's Hospital and to the Patrons of Spittal's Hospital in their administration of the said hospitals respectively except that in the case of leases or tacks of heritable property for more than five but not more than eighteen years the said patrons respectively may instead of proceeding by public roup as required by the said section proceed by receiving

Alienations of heritable property.

A.D. 1922.

Quorum of patrons.

Provost ex-officio
chairman
of patrons.

Minutes
and pro-
ceedings of
patrons.

Provided that in the application of subsection (5) of section 13. of the Town Councils (Scotland) Act 1900 as aforesaid a person shall not be disqualified for being or continuing to be a patron of Cowane's Hospital or of Spittal's Hospital by reason of his having any share or interest in any land disposed or to be disposed in feu or subject to a ground annual by the patrons of either of the said hospitals.

Amendment of Educa- tional Trust Scheme.

Windsor the third day of April eighteen hundred and A D. 1922.
eighty-six is hereby amended as follows :—

- (1) Section 2 is hereby repealed and the following is enacted in lieu thereof :—

“ (A) From and after the date of this scheme the whole rights funds and estates heritable and moveable belonging to Allan’s Mortification and Cunningham’s Mortification or vested in the present governing bodies thereof shall be transferred to and vested in the governing body hereinafter constituted without the necessity of any new conveyance or instrument.

“ (B) Subject to the provisions for a sinking fund hereinafter mentioned the Patrons of Cowane’s Hospital shall divide the free annual income thereof into two equal portions and shall set aside one of such portions as a pension fund out of which fund all pensions payable by the said Patrons of Cowane’s Hospital to those having a claim thereto shall be paid and which shall not be used for any other purpose than for the payment of such pensions and for funeral allowances and in the payment of which pensions and allowances the patrons shall not be considered as restricted to any fixed and limited number of guild brethren and the patrons shall pay the other portion to the said governing body by half-yearly instalments as nearly equal as may be at Whitsunday and Martinmas and in said portion shall be included the sum of one hundred and sixty-eight pounds eleven shillings and tenpence formerly paid by the said patrons to the school board of the burgh.

“ (C) The Patrons of Cowane’s Hospital shall have power in any year to set aside such amount of the free income of Cowane’s Hospital as they think fit as a sinking fund for paying off the debt of said hospital provided that no sum shall be so set aside for said sinking fund unless in the same year

A.D. 1922.

the sum of not less than six hundred pounds has been paid to the said pension fund and the sum of not less than six hundred pounds has been paid to the governing body and further provided that if in any year the free income of Cowane's Hospital exceeds one thousand four hundred pounds there shall be set aside for said sinking fund so long as there is any debt of the hospital a sum of not less than one-half of the excess of said free income over one thousand four hundred pounds.

“(D) The Patrons of Spittal's Hospital shall pay to the said governing body by equal half-yearly instalments at Whitsunday and Martinmas the annual sum of not less than four hundred and fifty pounds being the sum of four hundred and twenty-six pounds eleven shillings in addition to the sum of twenty-three pounds nine shillings formerly paid by the said Patrons of Spittal's Hospital to the said school board Subject to the provisions for a sinking fund hereinafter mentioned the Patrons of Spittal's Hospital shall pay the balance of the free income into a pension fund out of which all pensions payable by the said Patrons of Spittal's Hospital to those having a claim thereto shall be paid and which shall not be used for any other purpose than the payment of such pensions and for funeral allowances.

“(E) The Patrons of Spittal's Hospital shall have power in any year to set aside such amount of the free income of Spittal's Hospital as they think fit as a sinking fund for paying off the debt of said hospital provided that no sum shall be so set aside for said sinking fund unless in the same year the sum of not less than four hundred and fifty pounds has been paid to the said pension fund and not less than the said sum of four hundred and fifty pounds has been paid to the governing body and further provided that if in any year the free income of Spittal's Hospital exceeds one

thousand pounds there shall be set aside for A.D. 1922.
said sinking fund so long as there is any
debt of the hospital a sum of not less than
one-half of the excess of said free income
over one thousand pounds.

“(F) In ascertaining the free annual income
of Cowane’s Hospital and of Spittal’s Hos-
pital the amount thereof shall be fixed by the
accounts of the respective patrons as audited
in terms of the Town Councils (Scotland)
Act 1900 and the Stirling Corporation Order
1901 ” :

- (2) Section 22 is hereby repealed from and inclusive
of the words “The Patrons of Cowane’s Hospital
shall have power each year” to the end of
the section :
- (3) Section 27 is hereby amended by the addition at
the end thereof of the following words “The
“ foundationers appointed under this section
“ may be either boys or girls” and by the
repeal of the words “they attain the age of
fourteen years complete” and the insertion
in lieu thereof of the words “their obligation
to attend school lapses” :
- (4) In section 28 the words from “In the case
of children under ten years of age” to the
words “not exceeding three years as the
governors may determine” both inclusive are
hereby repealed :
- (5) Sections 28 and 29 are hereby amended to the
effect that the sums of one hundred pounds and
fifty pounds therein mentioned making together
one hundred and fifty pounds may be expended
by the governors for any of the purposes
mentioned in the said sections :
- (6) Section 36 is hereby amended by the addition
at the end thereof of the following words
“The classes mentioned in this section shall
“ include any classes conducted in Stirling
“ under the Continuation Classes Code” :

A.D. 1922.
—

- (7) In section 38 the following words are hereby repealed “by the expiry of the payments
“ under the twenty-second and twenty-third
“ sections hereof” and from and inclusive of
the words “In the event of a deficiency” to
the end of the section.

PART V.

MISCELLANEOUS.

Costs of
Order.

35. The costs charges and expenses of and incident to the preparing for applying for obtaining and confirming this Order and otherwise in relation thereto shall be paid in the following proportions namely by the Commissioners to the extent of two-thirds thereof and by the town council the Patrons of Cowane’s Hospital the Patrons of Spittal’s Hospital and the governors of the Stirling Educational Trust respectively to the extent of one-twelfth thereof each but if such costs charges and expenses are in any case paid out of borrowed money the same shall be repaid within five years from the commencement of this Order.

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CHAPTER ii.

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Stirling Corporation (Water &c.) [29th March 1922.] A.D. 1922.

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 Stirling Corporation (Water &c.) Order Confirmation Act 1922. Short title.

A.D. 1922.
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SCHEDULE.

STIRLING CORPORATION (WATER &c.).

Provisional Order to confer further powers on the Stirling Waterworks Commissioners and on the Town Council of Stirling to regulate the administration of Cowane's and Spittal's Hospitals and the Stirling Educational Trust and for other purposes.

WHEREAS by the Stirling Waterworks Act 1848 the Stirling Waterworks Commissioners (hereinafter called "the Commissioners") were constituted and authorised to supply water within the limits mentioned in the said Act :

And whereas by the Stirling Waterworks Amendment Act 1864 the Stirling Waterworks Amendment Act 1881 the Stirling Waterworks Act 1893 and the Stirling Corporation Order 1901 further powers were conferred upon the Commissioners :

And whereas it is expedient to make further provision for the election of the Commissioners :

And whereas it is expedient to increase the amount of the public water rate which the Commissioners are authorised to levy under and by virtue of the Stirling Waterworks Act 1893 :

And whereas it is expedient that further powers should be conferred on the Commissioners as hereinafter in this Order contained :

And whereas it is expedient that the Town Council of Stirling should have further powers conferred on them in connection with their municipal and other buildings and with respect to the acquisition of lands therefor :

And whereas it is expedient that the provisions hereinafter contained for the administration of Cowane's Hospital and Spittal's Hospital Stirling and the Stirling Educational Trust should be enacted :

And whereas plans showing the lands authorised to be acquired for the purposes of this Order and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Order were duly deposited in the office at Stirling of the principal sheriff clerk of the county of Stirling and such plans and book of reference are hereinafter respectively referred to as the deposited plans and book of reference :

A.D. 1922.
—

And whereas the purposes aforesaid cannot be effected without an Order of the Secretary for Scotland confirmed by Parliament under 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 :—

1. This Order may be cited as the Stirling Corporation (Water &c.) Order 1922 and shall (unless otherwise in this Order provided) come into operation on the date of the passing of the Act confirming the same which date is in this Order referred to as “the commencement of this Order.”

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

Part I.—Preliminary.

Part II.—Water.

Part III.—Municipal Buildings &c.

Part IV.—Cowane’s Hospital Spittal’s Hospital and Stirling Educational Trust.

Part V.—Miscellaneous.

Short title and commencement.

Division of Order into Parts.
- PART I.
PRELIMINARY.
3. The Stirling Waterworks Acts 1848 to 1893 and the Stirling Corporation Order 1901 (in this Order referred to as “the recited Acts”) and this Order may be cited together as the Stirling Water Acts 1848 to 1922.
- Citations.
4. In this Order the several words and expressions to which meanings are assigned by the recited Acts or
- Interpretation.
- A 23

A.D. 1922.

“The burgh” means the burgh of Stirling;

“The town council” means the provost magistrates and councillors of the burgh;

“The Commissioners” means the Stirling Waterworks Commissioners and “Commissioner” means one of the Commissioners;

“The Act of 1864 ” means the Stirling Waterworks
Amendment Act 1864;

“The Act of 1881 ” means the Stirling Waterworks
Amendment Act 1881;

“The Act of 1893 ” means the Stirling Waterworks
Act 1893;

“The sheriff” means the sheriff of Stirling Dum-barton and Clackmannan and includes his substitutes at Stirling.

Incorporation of Acts.

5. The following Acts and parts of Acts (so far as the same respectively are applicable to the purposes of and are not inconsistent with this Order) are hereby (except where expressly varied by this Order) incorporated with this Order—

(1) The Lands Clauses Acts.

(2) The Commissioners' Clauses Act 1847 with the exception of sections 20 to 25 28 to 33 45 49 50 84 86 and 87 thereof.

This Order shall be deemed to be a special Act within the meaning of those Acts.

PART II.

WATER.

Agree-
ments for
giving or
receiving
supply of
water.

6. The Commissioners may enter into and carry into effect agreements with any local authority company or person for the giving of a supply of water beyond the limits of the recited Acts to or receiving a supply of

A.D. 1922.

As to
payment
to owner
of Touch
estate.

Power to
sell meters
&c.

Notice of connecting or dis- connecting meters.

A.D. 1922. this enactment shall be liable to a penalty not exceeding forty shillings.

Power to borrow temporarily.

10. Section 49 (Power to borrow temporarily) of the Burgh Police (Scotland) Act 1903 shall apply to the Commissioners and in such application the words "town council" in the said section shall mean the Commissioners and the expression "any public general Act" shall include the recited Acts the Grangemouth and Stirling Water Order 1921 and this Order.

Reserved fund.

11. Section 45 (Increase of reserved fund) of the Act of 1893 shall be amended by the substitution of "eight thousand pounds" for "five thousand pounds" wherever appearing in the said section.

Repair of common pipe burst main or in emergency.

12. Section 41 of the Act of 1881 shall be amended by the addition of the following words at the end of said section :—

"When several persons are jointly liable for the cost of such repair alteration or renewal the respective proportions or contributions shall be settled by the manager or other authorised officer or servant of the Commissioners In the case of the bursting of any main pipe or the apparatus pertaining thereto which the Commissioners are not under obligation to maintain or in the case of any emergency by which in consequence of any injury to or defect in any pipe or other apparatus which the Commissioners are not under obligation to maintain any waste of water or injury or risk of injury to person or property is in the opinion of the manager or other authorised officer or servant of the Commissioners caused or likely to be caused it shall be lawful for the Commissioners to make the requisite repairs themselves without sending any requisition to the owner or any other person and the Commissioners shall be entitled to recover the cost and penalty as prescribed in this section."

Commissioners not bound to supply several houses by one pipe.

13. The Commissioners shall not be bound to supply more than one house by means of the same communication pipe and they may if they think fit require that a separate pipe be laid from the main pipe into each house supplied by them with water.

14. Section 51 of the Act of 1893 is hereby repealed and in lieu thereof the following provisions shall have effect:—

A.D. 1922.

Qualifica-
tion of
Commis-
sioners.

Every person eligible for election as a town councillor of the burgh shall from and after the commencement of this Order be eligible for election as a Commissioner.

15. Section 52 of the Act of 1893 is hereby repealed and in lieu thereof the following provisions shall have effect:—

Qualifica-
tion of
electors.

The municipal register for the burgh shall be the register for the election of Commissioners (other than the Commissioners nominated and appointed by the town council under the recited Acts hereinafter called "the appointed Commissioners") and the electors whose names are on the said register shall come in place of the ratepayers entitled to vote under the recited Acts and the qualification for voting in the said election of Commissioners shall be the same as the qualification for voting in the election of town councillors.

16. The Commissioners holding office at the commencement of this Order shall hold office for the respective periods for which they have been elected but the retirement of Commissioners (other than the appointed Commissioners) and also the filling up of vacancies occurring after the commencement of this Order shall be regulated by this Order.

Present
Commis-
sioners to
continue in
office.

17. With respect to the election of Commissioners (other than the appointed Commissioners) sections 34 35 36 37 38 39 and 40 of the Town Councils (Scotland) Act 1900 as modified by any Act or Acts amending the same shall apply with the necessary variations.

Retirement
of Com-
missioners
and filling
up of
vacancies.

18. Section 53 of the Act of 1893 is hereby repealed and in lieu thereof the following provisions shall have effect:—

Regula-
tions as to
election of
Commis-
sioners.

With respect to the election of Commissioners (other than the appointed Commissioners) the following provisions shall have effect:—

(1) The election of Commissioners shall take place on the same day and as nearly as may

A.D. 1922.

be in the same manner in the same places and with the same returning and presiding officers and clerks as the election of town councillors for the burgh or if there is a contested election for Commissioners but there is no contested election for town councillors in any ward or wards of the burgh as if there were a contested election for town councillors in such ward or wards For the purposes of the election of Commissioners the burgh shall not be divided into wards;

(2) Any enactments in force for the time being relating to and regulating the election of town councillors shall with any necessary variations extend and apply to the election of the Commissioners;

(3) It shall be the duty of the town council to make due provision for the election of such Commissioners;

(4) The expenditure incurred in the election of such Commissioners as ascertained and apportioned between the town council and the Commissioners by the returning officer shall be paid to the town council by the Commissioners.

Payment of
rates and
appeals.

19. Once in each year the Commissioners shall fix a day on or before which the rates levied under the recited Acts and this Order shall be payable and another day upon which appeals by any persons complaining that they have been improperly rated shall be lodged with the clerk or collector to the Commissioners and another day or days on which such appeals shall be heard.

Fractions
of a pound
not to be
reckoned
in assess-
ing.

20. In imposing assessing levying and collecting all rates and assessments under the recited Acts and this Order any fractional part of a pound exceeding ten shillings shall be reckoned as one pound of rateable rent or value ten shillings shall be reckoned as ten shillings and any fractional part less than ten shillings shall not be taken into account In the case of the public water rate imposed upon owners under the section of this Order of which the marginal note is "Public water rate" this section shall apply to the total rental of an owner's properties according to the valuation roll.

21. Section 31 (Public water rate) of the Act of 1893 is hereby repealed and in lieu thereof the following provisions shall apply and have effect :—

A.D. 1922.

Public
water rate.

The Commissioners shall and they are hereby authorised and required annually to impose assess and levy a rate to be called "the public water rate" upon and from the owners of all lands and heritages within the limits of compulsory supply of the Commissioners according to the full annual rent or value thereof according to the valuation roll for the time being in force and such public water rate may be levied by the Commissioners from the occupiers of such lands and heritages and any occupier so paying the said water rate shall be entitled to deduct from his rent the rate so paid by him. The public water rate hereinbefore in this section mentioned shall not exceed fourpence in the pound when the domestic water rate leviable by the Commissioners does not exceed two shillings and sixpence in the pound and shall not exceed fivepence in the pound when the said domestic water rate exceeds two shillings and sixpence in the pound.

22.—(1) Section 43 of the Act of 1881 shall be read as if the words "special or second" occurring therein were omitted therefrom.

Repeal of
enactments

(2) Section 30 of the Act of 1893 shall be read as if paragraph (B) of the proviso to the said section were omitted therefrom.

(3) Section 34 of the Act of 1893 shall be read as if the words "within ten days after such notice" occurring therein were omitted therefrom.

(4) Section 38 of the Act of 1893 shall be read as if the words "within ten days from the date of the notice being given of such rate" and the words "on the last Tuesday of October yearly" occurring therein were omitted therefrom.

(5) Section 39 of the Act of 1893 shall be read as if the words "in advance by a yearly payment as at Whitsunday in each year for the year following" and the words "and the first assessment under this Act" shall be made and imposed as from the term of "Whitsunday one thousand eight hundred and ninety-three for the year following and the rates so assessed

A.D. 1922. " shall be payable as at such last-mentioned term " occurring therein were omitted therefrom.

PART III.

MUNICIPAL BUILDINGS &C.

Annual
payment to
common
good for
municipal
buildings.

23. The town council having erected municipal buildings and offices upon a piece of land in Corn Exchange Road within the burgh of Stirling and county of Stirling which belongs to and is vested in the town council as administrators of the common good of the burgh the town council shall as from the fifteenth day of May nineteen hundred and eighteen pay into the common good the annual sum of two hundred and fifty pounds as the annual ground rent to be paid in respect of the said piece of land.

The said piece of land is bounded as follows :—

On the north-east by the Corn Exchange Restaurant and yard and other properties belonging to the town council on the south-east by Corn Exchange Road on the south-west by Back Walk and on the north-west by property belonging or reputed to belong to Mrs. Elizabeth Yule Denovan or Sangster.

Annual
payment to
common
good for
site in
Corn Ex-
change
Road.

24. When the town council proceed to erect upon the site in Corn Exchange Road and Spittal Street (lying to the north-east of the municipal buildings within the burgh) which belongs to and is vested in the town council as administrators of the common good of the burgh any buildings which they are or may be authorised by law to erect the town council shall as from the date when the said site is first occupied for the purpose aforesaid pay into the common good such annual sum as shall be fixed by a property valuator to be appointed on the application of the town council by the Secretary for Scotland to be a fair and reasonable annual ground rent to be paid in respect of the said site and such annual sum shall be so paid at the term of Whitsunday yearly The said site is bounded as follows :—

On the north-east by Spittal Street on the south-east by Corn Exchange Road on the south-west by the municipal buildings and on the north-west by property belonging or reputed to belong to Mrs. Elizabeth Yule Denovan or Sangster.

A.D. 1922.

Extension
of municipal
buildings
public
baths &c.

On the north-east by Spittal Street on the south-east by the municipal buildings and other properties belonging to the town council on the south-west by the old town wall of Stirling abutting on Back Walk and on the north-west by Allan's School belonging or reputed to belong to the education authority of the county of Stirling.

Limitation
of period for
compulsory
purchase of
lands.

Application
of Burgh
Police
(Scotland)
Acts.

PART IV.

COWANE'S HOSPITAL SPITTAL'S HOSPITAL AND
STIRLING EDUCATIONAL TRUST.

Adminis-
tration of
Cowane's
Hospital.

A.D. 1922. of agreement hereinafter in this section mentioned shall
— cease to have effect The said minute interlocutors and
minute of agreement referred to are the following :—

- (1) Minute for Ebenezer Bow merchant in Stirling and others for themselves and as a committee empowered by the Guildry Incorporation of said burgh and as representing the said Guildry Incorporation and hail members thereof pursuers in the several actions hereinafter mentioned authorised by minute of the Guildry Incorporation of Stirling dated the twentieth day of October eighteen hundred and twenty-nine and act of the Patrons of Cowane's Hospital of the same date :
- (2) Interlocutor by the Lords of Council and Session dated the twenty-second day of June eighteen hundred and twenty-four and the ninth day of July eighteen hundred and thirty-one in two conjoined actions namely first a summons and action of reduction damages et cetera at the instance of Ebenezer Bow merchant in Stirling and others all guild brethren and burgesses of the burgh of Stirling for themselves and as representing the said Guildry Incorporation against Thomas Wright residing in Stirling and provost thereof and others and second supplementary summons of reduction damages et cetera at the instance of Ebenezer Bow merchant in Stirling and others all guild brethren and burgesses of the burgh of Stirling for themselves and as representing the said Guildry Incorporation against Robert Gillies skinner in Stirling provost of the said burgh and others with reference to the letting of the farm of Hood :
- (3) Interlocutor by the Lords of Council and Session dated the ninth day of July eighteen hundred and thirty and the ninth day of July eighteen hundred and thirty-one in summons and action of reduction damages et cetera at the instance of Ebenezer Bow merchant in Stirling and others all guild brethren and burgesses of the burgh of Stirling for themselves and as representing the

said Guildry Incorporation against John Thomson residing at Allan Park near Stirling provost of the said burgh and others with reference to the letting of the farm of East Side of Abbey:

A.D. 1922.

- (4) Interlocutor by the Lords of Council and Session dated the ninth day of July eighteen hundred and thirty and the ninth day of July eighteen hundred and thirty-one in summons and action of reduction damages et cetera at the instance of Ebenezer Bow merchant in Stirling and others all guild brethren and burgesses of the burgh of Stirling for themselves and as representing the said Guildry Incorporation against John Thomson residing at Allan Park near Stirling provost of Stirling and others with reference to the letting of the farm of Ladysneuck:
- (5) Minute of agreement between the Patrons of Cowane's Hospital and the Guildry Incorporation of Stirling dated twenty-ninth March and first April and recorded in the Sheriff Court books of Stirlingshire third April eighteen hundred and ninety-nine.

29. The Patrons of Cowane's Hospital and the Patrons of Spittal's Hospital respectively shall subject to the provisions of this Order have the whole powers and privileges conferred upon trustees by the Trusts (Scotland) Act 1921 and also powers to purchase lands and heritages and the provisions of subsection (2) of section 4 of the Trusts (Scotland) Act 1921 shall extend and apply to such powers to purchase lands and heritages as if such powers were contained in subsection (1) of section 4 of the said Act.

Powers of patrons of Cowane's and Spittal's Hospitals.

30. The provisions of section 98 of the Town Councils (Scotland) Act 1900 shall with the necessary variations apply to the Patrons of Cowane's Hospital and to the Patrons of Spittal's Hospital in their administration of the said hospitals respectively except that in the case of leases or tacks of heritable property for more than five but not more than eighteen years the said patrons respectively may instead of proceeding by public roup as required by the said section proceed by receiving

Alienations of heritable property.

A.D. 1922. — sealed offers of which public notice shall be given by advertisement published in a newspaper or newspapers circulating in the burgh once weekly for at least three weeks immediately preceding the date when such offers are to be opened and the patrons shall not be bound to accept the highest or any offer that may be so received by them but if they accept any offer other than the highest not fewer than eleven of the patrons present must concur in the acceptance The said patrons shall have power to grant leases or tacks of heritable property for not more than five years by private bargain.

Quorum of patrons. 31. Seven members shall constitute a quorum of the Patrons of Cowane's Hospital and of the Patrons of Spittal's Hospital respectively.

Provost ex-officio chairman of patrons. 32. The provost of Stirling for the time being shall be ex-officio chairman of the Patrons of Cowane's Hospital and of the Patrons of Spittal's Hospital.

Minutes and proceedings of patrons. 33. Sections 13 (subsections (4) and (5)) 68 69 70 72 73 74 75 76 and 77 of the Town Councils (Scotland) Act 1900 shall with the necessary variations apply to the membership and minutes and proceedings of the Patrons of Cowane's Hospital and the Patrons of Spittal's Hospital and in the application of the said sections any reference therein to the town council and councillors shall mean the said patrons respectively and any reference to the town clerk shall mean the clerk to the said patrons respectively.

Provided that in the application of subsection (5) of section 13 of the Town Councils (Scotland) Act 1900 as aforesaid a person shall not be disqualified for being or continuing to be a patron of Cowane's Hospital or of Spittal's Hospital by reason of his having any share or interest in any land disposed or to be disposed in feu or subject to a ground annual by the patrons of either of the said hospitals.

Amendment of Educational Trust Scheme. 34. The scheme made by the Commissioners appointed under the provisions of the Educational Endowments (Scotland) Act 1882 relating to Stirling:—Cowane's Hospital Spittal's Hospital Allan's Mortification Cunningham's Mortification approved by the late Queen Victoria's most Excellent Majesty in Council at the Court at

Windsor the third day of April eighteen hundred and A D. 1922.
eighty-six is hereby amended as follows :—

- (1) Section 2 is hereby repealed and the following is enacted in lieu thereof :—

“ (A) From and after the date of this scheme the whole rights funds and estates heritable and moveable belonging to Allan's Mortification and Cunningham's Mortification or vested in the present governing bodies thereof shall be transferred to and vested in the governing body hereinafter constituted without the necessity of any new conveyance or instrument.

“ (B) Subject to the provisions for a sinking fund hereinafter mentioned the Patrons of Cowane's Hospital shall divide the free annual income thereof into two equal portions and shall set aside one of such portions as a pension fund out of which fund all pensions payable by the said Patrons of Cowane's Hospital to those having a claim thereto shall be paid and which shall not be used for any other purpose than for the payment of such pensions and for funeral allowances and in the payment of which pensions and allowances the patrons shall not be considered as restricted to any fixed and limited number of guild brethren and the patrons shall pay the other portion to the said governing body by half-yearly instalments as nearly equal as may be at Whitsunday and Martinmas and in said portion shall be included the sum of one hundred and sixty-eight pounds eleven shillings and tenpence formerly paid by the said patrons to the school board of the burgh.

“ (C) The Patrons of Cowane's Hospital shall have power in any year to set aside such amount of the free income of Cowane's Hospital as they think fit as a sinking fund for paying off the debt of said hospital provided that no sum shall be so set aside for said sinking fund unless in the same year

A.D. 1922.
—

the sum of not less than six hundred pounds has been paid to the said pension fund and the sum of not less than six hundred pounds has been paid to the governing body and further provided that if in any year the free income of Cowane's Hospital exceeds one thousand four hundred pounds there shall be set aside for said sinking fund so long as there is any debt of the hospital a sum of not less than one-half of the excess of said free income over one thousand four hundred pounds.

“(D) The Patrons of Spittal's Hospital shall pay to the said governing body by equal half-yearly instalments at Whitsunday and Martinmas the annual sum of not less than four hundred and fifty pounds being the sum of four hundred and twenty-six pounds eleven shillings in addition to the sum of twenty-three pounds nine shillings formerly paid by the said Patrons of Spittal's Hospital to the said school board Subject to the provisions for a sinking fund hereinafter mentioned the Patrons of Spittal's Hospital shall pay the balance of the free income into a pension fund out of which all pensions payable by the said Patrons of Spittal's Hospital to those having a claim thereto shall be paid and which shall not be used for any other purpose than the payment of such pensions and for funeral allowances.

“(E) The Patrons of Spittal's Hospital shall have power in any year to set aside such amount of the free income of Spittal's Hospital as they think fit as a sinking fund for paying off the debt of said hospital provided that no sum shall be so set aside for said sinking fund unless in the same year the sum of not less than four hundred and fifty pounds has been paid to the said pension fund and not less than the said sum of four hundred and fifty pounds has been paid to the governing body and further provided that if in any year the free income of Spittal's Hospital exceeds one

thousand pounds there shall be set aside for A.D. 1922.
said sinking fund so long as there is any
debt of the hospital a sum of not less than
one-half of the excess of said free income
over one thousand pounds.

“(F) In ascertaining the free annual income
of Cowane’s Hospital and of Spittal’s Hos-
pital the amount thereof shall be fixed by the
accounts of the respective patrons as audited
in terms of the Town Councils (Scotland)
Act 1900 and the Stirling Corporation Order
1901 ” :

- (2) Section 22 is hereby repealed from and inclusive
of the words “The Patrons of Cowane’s Hospital
shall have power each year” to the end of
the section :
- (3) Section 27 is hereby amended by the addition at
the end thereof of the following words “The
“ foundationers appointed under this section
“ may be either boys or girls ” and by the
repeal of the words “they attain the age of
fourteen years complete” and the insertion
in lieu thereof of the words “their obligation
to attend school lapses” :
- (4) In section 28 the words from “In the case
of children under ten years of age” to the
words “not exceeding three years as the
governors may determine” both inclusive are
hereby repealed :
- (5) Sections 28 and 29 are hereby amended to the
effect that the sums of one hundred pounds and
fifty pounds therein mentioned making together
one hundred and fifty pounds may be expended
by the governors for any of the purposes
mentioned in the said sections :
- (6) Section 36 is hereby amended by the addition
at the end thereof of the following words
“The classes mentioned in this section shall
“ include any classes conducted in Stirling
“ under the Continuation Classes Code” :

A.D. 1922.
—

(7) In section 38 the following words are hereby repealed “by the expiry of the payments
“under the twenty-second and twenty-third
“sections hereof” and from and inclusive of
the words “In the event of a deficiency” to
the end of the section.

PART V.

MISCELLANEOUS.

Costs of
Order.

35. The costs charges and expenses of and incident to the preparing for applying for obtaining and confirming this Order and otherwise in relation thereto shall be paid in the following proportions namely by the Commissioners to the extent of two-thirds thereof and by the town council the Patrons of Cowane’s Hospital the Patrons of Spittal’s Hospital and the governors of the Stirling Educational Trust respectively to the extent of one-twelfth thereof each but if such costs charges and expenses are in any case paid out of borrowed money the same shall be repaid within five years from the commencement of this Order.

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