



## CHAPTER lxxix.

An Act for incorporating and conferring powers upon the Grampian Electricity Supply Company and for other purposes. [4th August 1922.] A.D. 1922

**W**HEREAS the construction and working of electricity generating stations at Dull Blair Atholl and Fortingall in the county of Perth for the supply of electricity within the area defined by this Act would be of public and local benefit :

And whereas the application for that purpose by means of the works by this Act authorised of power afforded by water derived from lochs rivers streams and gathering grounds in the neighbourhood of the Grampian Hills will facilitate the provision of such supply at low rates of charge :

And whereas the persons in this Act named with others are willing at their own expense to construct such generating stations and works for the purposes of such supply and it is expedient that they be incorporated into a company (hereinafter called "the Company") and that power should be conferred on the Company for such purposes and for acquiring certain lands for such generating stations and works and generally for carrying out the objects and provisions of this Act :

And whereas it is expedient that powers should be conferred upon the Company to make contracts and agreements with local authorities companies persons and others for the supply of electricity in bulk or otherwise and for other purposes :

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And whereas it is expedient that the other powers mentioned in this Act should be conferred on the Company and that such other provisions should be made as are in this Act contained :

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

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

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

Short title.

1. This Act may be cited as the Grampian Electricity Supply Act 1922.

Application  
of Elec-  
tricity  
(Supply)  
Acts.

2. This Act shall be deemed a special Act within the meaning of the Electricity (Supply) Acts 1882 to 1919 and the Electric Lighting (Clauses) Act 1899 but sections 2 and 3 of the Electric Lighting Act 1888 shall not apply to the Company or to their undertaking.

Incorpora-  
tion of Acts.

3. The following Acts and parts of Acts so far as the same are applicable for the purposes of and are not inconsistent with or varied by the provisions of this Act are incorporated with and form part of this Act (that is to say) :—

(1) The Companies Clauses Consolidation (Scotland) Act 1845 :

(2) Part I. (Cancellation and surrender of shares) and Part III. (Debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts :



(3) The Lands Clauses Acts with the exception of section 120 (Lands not wanted to be sold or in default to vest in owners of adjoining lands) of the Lands Clauses Consolidation (Scotland) Act 1845 : A.D. 1922.

(4) The provisions of the Railways Clauses Consolidation (Scotland) Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof and with respect to the crossing of roads or other interference therewith and section 16 (Company may execute works) of that Act Provided that in the application of the said provisions to this Act "the railway" shall mean the several works by this Act authorised and "the centre of the railway" shall mean the boundaries of the reservoirs so authorised and any part of any other works so authorised as shown on the deposited plans :

(5) The provisions of the schedule to the Electric Lighting (Clauses) Act 1899 except the following provisions (that is to say) :—

Section 2 (2) sections 3 5 7 to 9 21 to 28 section 30 (so far as regards a supply to authorised undertakers but not including in such exception subsection (2) ) and sections 31 to 33 35 to 37 41 48 60 63 to 68 75 and 78 and which provisions shall not apply to the Company or their undertaking.

4. In this Act the several words terms and expressions to which by the principal Acts or the Acts wholly or partially incorporated herewith meanings are assigned shall have the same respective meanings unless varied by this Act or unless there be something in the subject or context repugnant to that construction And— Interpreta-  
tion.

"The Company" means the Company incorporated by this Act;

"The area of supply" means the area of supply defined by this Act;

"The undertaking" means the undertaking authorised by this Act;

"The principal Acts" means the Electric Lighting Acts 1882 and 1888 and the schedule to the Electric Lighting (Clauses) Act 1899;

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“The Electricity Commissioners” means the Electricity Commissioners constituted under the Electricity (Supply) Act 1919;

“Authorised distributors” means any local authority company body or person authorised by Act of Parliament license Provisional Order confirmed by Parliament or special or other order to supply energy within any part of the area of supply;

“Authorised undertakers” means authorised distributors and any authority authorised by any general or special Act of Parliament licence Provisional Order confirmed by Parliament or special or other order to undertake or contract for the lighting of streets bridges or public places within any part of the area of supply;

“The road authority” means the district committee constituted under the Local Government (Scotland) Acts and having jurisdiction in the district in which the road footpath or other right of way in relation to which the expression is used is situate;

“The directors” means the directors of the Company.

Railway and  
tramway  
crossings.

5. The provisions of section 13 of the Electric Lighting Act 1882 and of section 12 of the schedule to the Electric Lighting (Clauses) Act 1899 shall apply to tramways or railways within the area of supply as if the Company were specially authorised to break up or interfere with the same by special powers inserted in this Act.

Company  
incor-  
porated.

6. His Grace John George Stewart Murray Duke of Atholl Sir Henry Babington Smith Sir Austin Edward Harris James Ernest Cox and John William Beaumont Pease and all other persons who have already subscribed to or shall hereafter become proprietors in the undertaking and their executors administrators successors and assigns respectively shall be and are hereby united into a company for the purposes hereinafter mentioned and for those purposes shall be and are hereby incorporated by the name of “the Grampian Electricity Supply Company” and by that name shall be a body corporate with perpetual succession and a common seal and with power to purchase take hold and dispose of land and other property for the purposes of this Act and with all the other powers and privileges of a body corporate.



7. The Company shall be established for the purpose of producing generating using and supplying electricity and abstracting diverting and using water for furthering such production and generation and of constructing erecting laying down maintaining working and using electricity generating stations engines dynamos reservoirs supply channels mains pipes and other works for the said purposes or any of them and generally for the purpose of carrying out the powers and purposes of this Act and the Company may subject to the provisions of this Act erect lay down maintain work and use such stations and works and produce generate use transform transmit distribute and supply electricity and abstract divert and use water accordingly and the powers of the Company shall include the acquisition construction maintenance working and user or discontinuance sale letting and disposal of all such land buildings works machinery plant materials matters and things and the exercise of such powers and the construction and doing of such works and things as may be necessary or convenient in for or in connection with or arise or be used in the production generation use transformation transmission distribution and supply of electricity and shall include all necessary powers for providing or working materials matters and things for those purposes or any of them or for otherwise carrying on the undertaking.

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 General pur-  
 poses and  
 powers of  
 Company.

8. The domicile of the Company for the purposes of any judicial proceedings relating to the undertaking or to the execution of any of the powers contained in this Act shall be deemed to be Edinburgh.

Domicil of  
 Company.

9. The capital of the Company shall be one million seven hundred and fifty thousand pounds Provided that the capital of the Company may from time to time be increased to such extent up to but not exceeding four million pounds as may be authorised by a special order made by the Electricity Commissioners and confirmed by the Minister of Transport in accordance with the provisions of the Electricity (Supply) Acts 1882 to 1919 and the Company are hereby authorised to make application for and the commissioners to make and the Minister of Transport to confirm such orders accordingly Provided that a special order made in pursuance of the powers conferred by this section shall be laid before each House of Parliament and shall not come into force unless

Capital.

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A.D. 1922. — and until approved either with or without modifications by a resolution passed by each such House The Company may raise any capital which they may from time to time be authorised to raise by the creation and issue at their option of shares or stock either ordinary or preference and either of one class with like privileges or of several classes and with different privileges and of the same or different amounts and respectively with any fixed fluctuating contingent preferential perpetual terminable deferred or other dividend or interest or wholly or partially by one or more of those modes respectively Provided always that the Company shall not issue any share of less nominal value than one pound nor shall any share vest in the person accepting the same unless and until a sum not being less than one-fifth of the amount of such share shall have been paid in respect thereof.

Power to  
borrow.

10. The Company may raise for the purposes of this Act at their option either by borrowing on mortgage of the undertaking or by the creation and issue of debentures or debenture stock or wholly or partially by any of those modes any sum or sums not exceeding in the whole one-half part of any capital for the time being issued by the Company under the provisions of the section of this Act of which the marginal note is "Capital" In addition to exercising the foregoing provisions of this section the Company may with the consent of the Electricity Commissioners (which consent the said commissioners are hereby authorised to give) raise for the purposes aforesaid wholly or partially by any of the said modes such further sum or sums not exceeding in the whole one-half part of the capital for the time being issued by the Company under the provisions of the said section :

Provided always that no part of any such sum or sums shall be borrowed or raised until the whole of the capital in respect of which the power to raise the same is exercised is issued and accepted and one-half thereof is paid up and the Company have proved to the sheriff who is to certify under the forty-second section of the Companies Clauses Consolidation (Scotland) Act 1845 before he so certifies that the whole of such portion of capital has been issued and accepted and that one-half thereof has been paid up and that not less than one-fifth part of the amount of each separate share in such



portion of capital has been paid on account thereof before or at the time of the issue or acceptance thereof and that such portion of capital was issued bonâ fide, and is held by the persons to whom the same was issued or their executors administrators successors or assigns and that such persons their executors administrators successors or assigns are legally liable for the same and upon production to such sheriff of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which shall be sufficient evidence thereof. A.D. 1922.

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

12. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock and of all mortgages or debentures at any time created and issued or granted by the Company under this or any subsequent Act shall subject to the provisions of any subsequent Act rank *pari passu* (without respect to the dates of the securities or of the Acts or resolutions by which the stock debentures and mortgages were authorised) and shall have priority over all principal moneys secured by such mortgages and debentures. Notice of the effect of this enactment shall be endorsed on all mortgages debentures and certificates of debenture stock. Debenture stock.

13. Subject to the provisions of this Act all moneys raised under this Act whether by shares stock debentures debenture stock or borrowing shall be applied only to purposes to which capital is properly applicable. Application of moneys.

14.—(1) The Company may issue as redeemable preference shares or stock or redeemable debentures or debenture stock any preference shares or stock or debentures or debenture stock which the Company are authorised by this Act to create and issue provided that Redeemable securities.

A.D. 1922. — the resolution authorising the creation or issue of such redeemable preference shares or stock debentures or debenture stock (hereinafter in this section referred to as “redeemable shares or stock”) shall specify the terms and conditions on which redeemable shares or stock shall be redeemed.

(2) If it is so provided in the resolution under which redeemable shares or stock are or is created or issued as the case may be the Company may—

(a) Call in and pay off the redeemable shares or stock or any part thereof at any time before the fixed date of redemption; and

(b) Redeem the redeemable shares or stock or any part thereof either by paying off the redeemable shares or stock or by issuing to any shareholder or stockholder subject to his consent other shares stock or securities in substitution therefor and may for the purpose of providing money for paying off the redeemable shares or stock or of providing substituted shares stock or securities create and issue new shares stock or securities (either redeemable or irredeemable) or reissue redeemable shares or stock originally created and issued under this section Provided that the creation and issue for the purpose of any particular class of capital does not make the total nominal amount of such capital exceed the amount of that class of capital which the Company are by this Act for the time being authorised to issue save so far as such creation and issue is for the purpose of paying off shares stock debentures or debenture stock issued under the provisions of this section or of providing shares stock debentures or debenture stock substituted therefor under this section.

Purchase  
and cancel-  
lation of  
Company's  
securities.

**15.** Nothing in the section of this Act of which the marginal note is “Redeemable securities” shall be deemed to prevent the Company and the Company are hereby authorised to purchase any securities of the Company issued under the provisions of that section.

Any securities so purchased shall immediately after the purchase thereof be cancelled and shall thenceforth be and be taken to be extinguished and the directors



shall cause the same to be duly noted as so cancelled and extinguished in the books of the Company. A.D. 1922.

No such security so purchased otherwise than in the open market shall be purchased at a price exceeding the price as recorded in the Company's books at which the last transaction in the same class of security has taken place.

The Company shall not reissue any security which shall have been cancelled under the provisions of this section.

**16.** When fifty thousand pounds of the capital of the Company shall have been subscribed under contract binding the parties thereto and their personal representatives or successors for the payment of the several sums in such portion of capital by them respectively subscribed it shall be lawful for the Company to put in force the powers of this Act in relation to the compulsory taking of land and such sum shall be deemed to be the prescribed sum for the purposes of section 16 of the Lands Clauses Consolidation (Scotland) Act 1845. Capital subscription for exercise of compulsory powers.

**17.** A certificate under the hand of the sheriff certifying that the said sum of fifty thousand pounds has been subscribed as aforesaid shall be sufficient evidence thereof and on the application of the Company and the production of such evidence as the sheriff shall think proper and sufficient a certificate shall be granted accordingly. Certificate of subscription of capital.

**18.** The Company may agree with the owner of any lands or any estate or interest therein or any right or servitude in or over or affecting the same which the Company are by this Act authorised to acquire that the consideration to be paid for the same including the compensation (if any) for damage by severance or other injurious affection of the lands of the owner shall be paid wholly or in part by the allotment to such owner of such number of fully paid-up shares or fully paid-up stock in the capital of the Company or such debentures or such amount of debenture stock as shall be agreed upon between the Company and such owner and thereupon it shall be lawful for the Company to issue such shares stock debentures or debenture stock accordingly and all shares or stock issued pursuant to this section shall for all purposes be deemed to be fully paid-up shares or stock Shares &c. may be issued in payment for land &c.

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A.D. 1922. — in the capital of the Company and all shares stock debentures or debenture stock so issued shall vest in the person to whom they are issued and the names of the holders thereof shall be inserted as such in the registers of the Company of shareholders stockholders debenture holders or debenture stockholders as the case may be.

Power to  
subscribe  
for shares &c.  
or lend  
money to  
other under-  
takings.

**19.** The Company may subscribe for purchase hold and dispose of shares stock or securities in any incorporated company taking or agreeing to take a supply of electricity from the Company or making producing or dealing in electrical plant or appliances or other articles used in or in connection with the generation or use of electricity and may lend money on mortgage bond or other security to any such company or to any firm or person taking or agreeing to take such supply from the Company or making producing or dealing in such plant appliances or articles.

First  
ordinary  
meeting.

**20.** The first ordinary meeting of the Company shall be held within six months after the passing of this Act.

Annual  
meeting of  
Company.

**21.** The ordinary general meeting of the Company shall be held in each year in the months of March or April or at such other times as the directors may from time to time appoint and the books of the Company shall be balanced yearly.

Number of  
directors.

**22.** The number of directors shall be three but the Company may vary the number provided that the number be not less than three nor more than ten.

Qualifica-  
tion of  
directors.

**23.** The qualification of a director shall be the possession in his own right of shares or stock or shares and stock of the Company of the nominal value of five hundred pounds and every director who is not qualified at the time of his appointment as a director shall obtain his qualification within two months after his appointment and if any director does not within such two months obtain his qualification he shall vacate his office as director and shall be incapable of being re-appointed a director until he has obtained his qualification.

Quorum.

**24.** The quorum of a meeting of directors shall be two when the total number of directors does not exceed five and three when the total number of directors exceeds five.



**25.** Sir Henry Babington Smith Sir Austin Edward Harris and James Ernest Cox shall be the first directors of the Company and shall continue in office until the first ordinary meeting held after the passing of this Act. At that meeting the proprietors of the Company present in person or by proxy may either continue in office the directors appointed by this Act or any of them or may elect a new body of directors or directors to supply the place of those not continued in office the directors appointed by this Act being if they continue qualified eligible for re-election. At the first ordinary meeting to be held in every year after the first ordinary meeting the proprietors of the Company present in person or by proxy shall (subject to the power hereinbefore contained for varying the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions of the Companies Clauses Consolidation (Scotland) Act 1845. The several persons elected at any such meeting being neither removed nor disqualified nor having died or resigned shall continue to be directors until others are duly elected in their stead.

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 —  
 Directors.

**26.** Subject to the provisions of this Act the Company may make construct lay down and maintain in the lines and situations and according to the levels shown on the deposited plans and sections the works hereinafter described with all proper embankments dams roads approaches ways pumping works tanks weirs sluices culverts tunnels aqueducts channels catchwaters sewers drains pipes telegraphs telephones engines turbines apparatus buildings works and conveniences connected with or auxiliary to the said works or any of them or necessary or convenient for constructing inspecting maintaining repairing cleansing managing and using the same and may enter upon take hold appropriate and acquire and use such of the lands and properties shown on the deposited plans and described in the deposited book of reference as they may require for the purposes of the said works or some of them. The works hereinbefore referred to are wholly situate in the counties of Perth and Inverness and are the following (that is to say):—

Work No 1 A catchwater aqueduct conduit line or lines of pipes in the parishes of Blair Atholl

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Dull and Fortingall in the county of Perth commencing in the reservoir (Work No. 2) hereinafter described at a point four thousand eight hundred and thirty yards or thereabouts measured in a westerly direction along the River Tummel from the centre of Tummel Bridge and terminating at a point in the said river two hundred and sixty yards or thereabouts measured in a south-easterly direction along that river from the centre of Tummel Bridge :

Work No. 2 A reservoir in the said parish of Fortingall to be formed by a dam eighty-seven yards or thereabouts in length across the River Tummel at the point of commencement of Work No. 1 hereinbefore described and which said reservoir will commence at a point two thousand eight hundred yards or thereabouts measured in an easterly direction along the River Tummel from the centre of the bridge over the said river at Kinloch Rannoch and terminate at the said dam :

Work No. 3 A reservoir wholly in the said parish of Fortingall being an enlargement of Loch Rannoch to be formed by a dam sixty-five yards or thereabouts in length across the River Tummel at a point three hundred and fifty yards or thereabouts measured in a south-westerly direction along the said river from the centre of the bridge over the said river at Kinloch Rannoch and which said reservoir will commence at or near Victoria Bridge Bridge of Gaur and terminate at the said dam :

Work No. 4 A catchwater aqueduct conduit line or lines of pipes wholly in the said parish of Fortingall commencing at a point on the northern shore of Loch Rannoch one thousand three hundred yards or thereabouts measured in a southerly and easterly direction along the road from Rannoch to Kinloch Rannoch from the centre of the Bridge of Ericht and terminating in the reservoir (Work No. 7) hereinafter described :

Work No. 5 A catchwater aqueduct conduit line or lines of pipes wholly in the said parish of Fortingall commencing by a junction with Work No. 4 and terminating in the Killichonan Burn



at a point five thousand eight hundred and thirty yards or thereabouts measured along that burn from its junction with Loch Rannoch : A.D. 1922.

Work No 6 A catchwater aqueduct conduit line or lines of pipes wholly in the said parish of Fortingall commencing at a point in the River Allt Domhain seven hundred and sixteen yards or thereabouts measured along that river from its junction with Killichonan Burn and terminating in the Aulich Burn at a point four hundred and thirty yards or thereabouts measured in a north-easterly direction from the said point of commencement :

Work No. 7 A reservoir in the said parish of Fortingall and in the parishes of Laggan and Kingussie and Insh in the county of Inverness (being an enlargement of Loch Ericht) to be formed by a dam four hundred and twenty yards or thereabouts in length across the River Ericht at a point on the River Ericht one thousand nine hundred and seventy yards or thereabouts south-east of the junction of that river with Loch Ericht and by a dam four hundred and twenty yards or thereabouts in length at a point eight hundred and thirty yards or thereabouts north-east of the northern end of Loch Ericht :

Work No. 8 A catchwater aqueduct conduit line or lines of pipes in the said parishes of Laggan and Kingussie and Insh commencing in the said reservoir (Work No. 7) and terminating in the River Truim at a point one thousand and seventy yards or thereabouts measured in a southerly direction from the south end of the Loch Ericht Hotel :

Work No. 9 A catchwater aqueduct conduit line or lines of pipes in the said parishes of Laggan and Kingussie and Insh commencing at a point in the River Allt an t-Sluic eight hundred and thirty yards or thereabouts measured in a north-westerly direction from the bridge carrying the Highland Railway over the said river and terminating in the reservoir (Work No. 7) hereinbefore described :

Work No. 10 A catchwater aqueduct conduit line or lines of pipes in the said parishes of Laggan and Kingussie and Insh commencing at the

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termination of Work No. 8 hereinbefore described and terminating in Loch Cuaich at or near its junction with the River Allt Cuaich :

Work No. 11 A catchwater aqueduct conduit line or lines of pipes wholly in the said parish of Kingussie and Insh commencing at a point on the north-east shore of Loch Cuaich one hundred yards or thereabouts measured in a south-easterly direction from the junction of the River Feith na Braclaith with that loch and terminating in the River Tromie at a point two thousand three hundred yards or thereabouts measured along that river in a southerly direction from its junction with the River Allt Bhran :

Work No. 12 A catchwater aqueduct conduit line or lines of pipes wholly in the said parish of Kingussie and Insh commencing at a point in the River Allt Bhran two thousand seven hundred and thirty yards or thereabouts measured along that river in a south-easterly direction from its junction with the River Tromie and terminating in the River Tromie at or near the termination of Work No. 11 :

Work No. 13 A reservoir in the said parish of Kingussie and Insh being an enlargement of Loch an t Seilich to be formed by a dam sixty-five yards or thereabouts in length across the River Tromie at or near the termination of Works Nos. 11 and 12 :

Work No. 14 A reservoir in the said parishes of Blair Atholl and Kingussie and Insh (being an enlargement of Loch-an-Duin) to be formed by a dam one hundred and forty yards or thereabouts in length across the River Allt Loch-an-Duin at a point sixty yards or thereabouts measured in a northerly direction from the junction of the said river and loch :

Work No. 15 A catchwater aqueduct conduit line or lines of pipes wholly in the said parish of Blair Atholl commencing in the Edendon Water six hundred and ninety yards or thereabouts measured in a westerly direction from the south-west end of Loch Duin and terminating at or near the south end of the said loch :



Work No. 16. A reservoir in the said parishes of Fortingall and Blair Atholl (being an enlargement of Loch Garry) to be formed by a dam one hundred yards or thereabouts in length across the River Garry at a point on that river one hundred yards or thereabouts measured in a south-westerly direction from the junction of that river with the River Allt Coire Luidhearnaidh : A.D. 1922.

Work No. 17 A catchwater aqueduct conduit line or lines of pipes wholly in the said parish of Blair Atholl commencing at a point in the River Allt Poll Dubh-Ghlas one thousand seven hundred yards or thereabouts measured in a south-easterly direction from the centre of Loch Meall na Leitrach and terminating in a stream unnamed at a point one thousand three hundred and eighty yards or thereabouts measured in a southerly direction from the centre of the said loch :

Work No. 18 A catchwater aqueduct conduit line or lines of pipes in the said parishes of Fortingall and Blair Atholl commencing at a point on the western shore of Loch Garry three thousand three hundred and seventy yards or thereabouts measured in a southerly direction from the junction of the River Allt Coire Luidhearnaidh with the River Garry and terminating in the said reservoir (Work No. 7) :

Work No. 19 A catchwater aqueduct conduit line or lines of pipes wholly in the said parish of Blair Atholl commencing at a point in the River Allt Dubhaig five hundred and seventy yards or thereabouts north-west of its junction with the Allt Ruidh nan Sgoilearan and terminating in the said reservoir (Work No. 16) :

Work No. 20 A catchwater aqueduct conduit line or lines of pipes wholly in the said parish of Blair Atholl commencing in the River Allt Coire Mhic-Sith at a point two hundred and thirty yards or thereabouts measured in a south-westerly direction along the said river from the bridge carrying the Highland Railway thereover and terminating in Work No. 19 hereinbefore described at a point seven hundred and twenty yards or thereabouts

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measured in a north-westerly direction from the point of junction of the River Allt Coire Luidhearnaidh with the River Garry :

Work No. 21 A catchwater aqueduct conduit line or lines of pipes wholly in the said parish of Blair Atholl commencing at a point in the River Feith Ghorm Ailleag one thousand two hundred and ten yards or thereabouts measured in a westerly and southerly direction along that river from its junction with the Caochan Lub and terminating in the river known as Tarf Water at a point three thousand five hundred and eighty yards or thereabouts measured in a westerly direction from its junction with the River Glas Féith Mhór :

Work No. 22 A catchwater aqueduct conduit line or lines of pipes wholly in the said parish of Blair Atholl commencing at a point on the River Allt Mon'an Fhiadhain five hundred and thirty yards or thereabouts measured in a southerly direction from its junction with the River Allt á Chuil and terminating at or near the point of termination of Work No. 21 hereinbefore described :

Work No. 23 A catchwater aqueduct conduit line or lines of pipes wholly in the said parish of Blair Atholl commencing at a point in the River Glas Féith Mhór four hundred yards or thereabouts measured in a northerly direction from the junction of that river with Tarf Water and terminating in the reservoir (Work No. 24) hereinafter described :

Work No. 24 A reservoir in the said parish of Blair Atholl (being an enlargement of Loch Mhaire) to be formed by a dam three hundred and ten yards or thereabouts in length across the river Allt Mhaire (or Féith an Lochain) at a point on that river three thousand one hundred yards or thereabouts measured in a southerly direction from the south end of Loch Mhaire :

Work No. 25 A catchwater aqueduct conduit line or lines of pipes wholly in the said parish of Blair Atholl commencing at a point fifty yards or thereabouts measured in a northerly direction along the River Allt Mhaire (or Féith an Lochain) from the point where the dam referred to in Work No. 24



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intersects that river and terminating on the river known as Bruar Water at a point six hundred and fifty yards or thereabouts measured in a southerly direction along that river from the bridge carrying the road over that river to Bruar Lodge :

Work No. 26 A catchwater aqueduct conduit line or lines of pipes wholly in the said parish of Blair Atholl commencing on the River Allt-Beinn Losgar-naich at a point one thousand six hundred yards or thereabouts measured in a north-easterly direction along that river from the junction thereof with the Bruar Water and terminating by a junction with Work No. 25 at a point nine hundred yards or thereabouts measured in a south-easterly direction from the centre of the said bridge carrying the road over the Bruar Water to Bruar Lodge :

Work No. 27 A catchwater aqueduct conduit line or lines of pipes wholly in the said parish of Blair Atholl commencing at the point of termination of Work No. 26 hereinbefore described and terminating at a point in the River Allt Sheicheachan three thousand six hundred and fifty yards or thereabouts measured in a north-easterly direction along the said river from its junction with the Bruar Water :

Work No. 28 A reservoir in the said parish of Blair Atholl to be formed by a dam one hundred and five yards or thereabouts in length across the Bruar Water at a point thereon two thousand eight hundred and eighty yards or thereabouts measured in a southerly direction along the Bruar Water from the bridge carrying the road across Bruar Water at Bruar Lodge :

Work No. 29 A catchwater aqueduct conduit line or lines of pipes in the said parish of Blair Atholl commencing at or near the southern end of Work No. 28 hereinbefore described and terminating in the River Garry at a point one hundred and thirty yards or thereabouts measured in an easterly direction from the West Lodge at the entrance of the private road leading to Blair Castle :

Work No. 30 An alteration in the said parish of Fortingall of the level of the main road from Rannoch to Kinloch Rannoch commencing at a

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point on the said main road one thousand yards or thereabouts measured in a southerly and easterly direction along the road from the bridge carrying the said main road over the River Ericht and terminating at a point six hundred yards or thereabouts measured in an easterly direction along the said main road from the said point of commencement :

Work No. 31 A road in the said parish of Fortingall (being a diversion of the eastern approach road from the Rannoch Kinloch—Rannoch main road to Ardlarach Farm) commencing at a point on the said main road one thousand and fifty yards or thereabouts measured in a southerly and easterly direction along the same from the centre of the bridge carrying the said road over the River Ericht and terminating at a point eighty yards or thereabouts measured in an easterly and southerly direction along the said approach road from the Ardlarach Farm House :

Work No. 32 A road in the said parishes of Laggan and Kingussie and Insh (being a diversion of the existing road from Ben Alder Lodge along the western shore of Loch Ericht to Dalwhinnie) commencing at a point two thousand four hundred yards or thereabouts measured in a south-westerly direction from the level crossing on the Highland Railway three hundred yards or thereabouts south of Dalwhinnie Station and terminating at the point where the said existing road joins the said crossing :

Work No. 33 A road in the said parishes of Laggan and Kingussie and Insh (being a diversion of the existing road leading from the boat houses at the north-east end of Loch Ericht to the main road from Dalwhinnie to Blair Atholl) commencing at a point one hundred and fifty yards or thereabouts measured in a south-easterly direction from a point on the eastern shore of Loch Ericht four hundred yards or thereabouts measured in a south-easterly direction along that shore from the said boat houses and terminating at a point fifty yards or thereabouts measured in a south-westerly direction from the bridge carrying the Highland Railway over the said existing road :



Work No. 34 An alteration in the said parish of Blair Atholl of the level of the main road from Blair Atholl to Dalwhinnie commencing at a point on the said main road six hundred and thirty yards or thereabouts measured along the said existing road in an easterly direction from the milestone thereon marked "Dalnacardoch  $8\frac{1}{4}$  miles Blair Atholl  $2\frac{1}{2}$  miles" and terminating at a point two hundred and thirty yards or thereabouts measured in an easterly direction along the said existing road from the said point of commencement: A.D. 1922.

Work No. 35 An alteration in the said parish of Dull of the level of the road from Tummel Bridge to Aberfeldy commencing at a point on the said main road one hundred and sixty yards or thereabouts measured in a south-easterly direction along the road from the south end of Tummel Bridge and terminating at a point two hundred and forty yards or thereabouts measured in a south-easterly and easterly direction along the said road from the said point of commencement:

Provided that any telegraphs or telephones made constructed laid down and maintained by the Company under this section shall not be used for the transmission of any telegram which is within the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869.

27.—(1) In the execution maintenance and working of the works authorised by this Act all reasonable regard shall be had to the preservation as well for the public as for private owners of the beauty of the scenery of the districts in which the said works are situated. For protection of scenery.

(2) For the purpose of securing the observance of the foregoing provisions of this section and of aiding the Company therein it shall be lawful for the Secretary for Scotland at any time after the commencement of this Act and after consultation with the Company to appoint a committee consisting of such number of persons as he shall think proper.

(3) The Company shall—

(a) At least one month before commencing the execution of any such work furnish to the committee such plans and particulars as

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may be reasonably necessary to enable the committee to judge of the effect upon the beauty of the scenery of the execution maintenance and working of the work ;

(b) At all times so far as they lawfully can afford to the committee reasonable facilities for inspection of the sites and surroundings of such works and of works during construction ;

(c) Defray the reasonable expenses of the committee incurred under this section as approved by the Secretary for Scotland but to an amount not exceeding two hundred pounds in any one year or one thousand pounds in the whole.

(4) The committee may make to the Company such recommendations as they think proper and reasonable for the preservation of the beauty of the scenery and shall if so desired consult with representatives of the Company thereon before making the same.

(5) If the Company are prepared to comply with any such recommendation they shall intimate their acceptance thereof to the committee within one month after the receipt of the recommendation or within such further time as the committee may in any case agree and failing such intimation the committee may make a representation to the Secretary for Scotland who after consideration of the representation and after giving to the committee and the Company an opportunity of being heard may make such order or orders (if any) as he thinks fit and the Company shall comply with any order so made.

(6) Provided always that no recommendations or orders made under this section shall be of such a character as would be likely to imperil the financial success of the undertaking or be such as cannot be carried out on lands which can be acquired by the Company under the powers of this Act or such as to conflict with any obligations which the Company may have entered into with any landowner or other person for the preservation of the beauty of the scenery nor shall any such order require the Company to pull down any works already constructed by them or to construct any other works in lieu thereof.



(7) The Company shall not exhibit or permit to be exhibited any advertisement (other than advertisements relating to the undertaking or advertisements approved by the committee or the Secretary for Scotland) on any lands acquired or leased by them under the provisions of this Act. A.D. 1922.

(8) If the Company wilfully fail to comply with any order of the Secretary for Scotland made under this section or with any recommendation of the committee which has been accepted by the Company or with the provisions of the immediately preceding subsection they shall be liable to a penalty not exceeding twenty pounds and to a further penalty not exceeding five pounds for every day during which such non-compliance may continue after conviction in that behalf such penalty and daily penalty to be recoverable by the Secretary for Scotland as a debt to the Crown is recoverable.

**28.** In addition to acquiring any other lands which the Company are authorised to acquire by this Act the Company may subject to the provisions of this Act enter upon take hold appropriate and acquire and use the lands hereinafter described in the parishes of Blair Atholl in the county of Perth and Kingussie and Insh in the county of Inverness for the purpose of approaches and gaining accesses to the works by this Act authorised and of erecting laying down maintaining renewing repairing inspecting testing and working aqueducts conduits cables mains apparatus transformer stations and other underground works and standards and overhead cables wires and apparatus and constructing thereon roads approaches ways and means of access to any such works and may enter upon pass over break open take use and otherwise interfere with such lands and do all such works and things as may be necessary for effecting the purposes aforesaid or any of them in along across under or over the said lands. Additional lands for accesses to works.

The said lands hereinbefore referred to in this section are as follows :—

Lands in the said parish of Blair Atholl bounded on the north by an imaginary straight line drawn due east and west through a point one thousand one hundred yards or thereabouts measured in a

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*Supply Act, 1922.*

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southerly direction from the south end of Loch-an-Duin on the south by the main road from Blair Atholl to Dalnacardoch on the east by an imaginary line drawn on the east side of and ten feet from and parallel throughout to the centre line of the road leading from the said main road to Sronphadruig Lodge on the west by an imaginary line drawn on the west side of and ten feet from and parallel throughout to the said centre line of the said road leading from the said main road to Sronphadruig Lodge :

Lands in the said parish of Blair Atholl bounded on the north by an imaginary straight line drawn due east and west through a point six hundred yards or thereabouts measured in a southerly direction from the south end of Loch-an-Duin on the south by an imaginary straight line drawn due east and west through a point one thousand one hundred yards or thereabouts measured in a southerly direction from the south end of Loch-an-Duin on the east by the north-western boundary of the policies of Sronphadruig Lodge on the west by an imaginary line drawn twenty feet from and parallel throughout to the said north-western boundary of the policies of Sronphadruig Lodge :

Lands in the parish of Kingussie and Insh in the county of Inverness bounded on the north by an imaginary straight line drawn due east and west across the road from Gaick Lodge to Tromie Bridge through a point on the said road three hundred and thirty yards or thereabouts measured in a northerly direction from the entrance gate to Gaick Lodge on the south by an imaginary straight line drawn due east and west across the footpath from Sronphadruig Lodge to Gaick Lodge through a point on that footpath three hundred and fifty yards or thereabouts measured in a northerly direction from the north end of Loch-an-Duin on the east by an imaginary line drawn on the east side of and ten feet from and parallel throughout to the centre line of the said footpath and thence on the east side of and ten feet from and parallel throughout to the centre line of the said road from Gaick Lodge to Tromie Bridge and on the west by



an imaginary line drawn on the west side of and ten feet from and parallel throughout to the centre line of the said footpath and thence on the west side of and ten feet from and parallel throughout to the centre line of the last-mentioned road : A.D. 1922.

Lands in the said parish of Kingussie and Insh bounded on the north by the road leading from Kingussie to Tromie Bridge on the south by an imaginary straight line drawn due east and west across the road from the said bridge to Gaick Lodge through a point in the last-mentioned road one thousand nine hundred and fifty yards or thereabouts measured in a northerly direction from the north end of Loch Seilich on the east by an imaginary line drawn on the east side of and ten feet from and parallel throughout to the centre line of the said road from Tromie Bridge to Gaick Lodge and on the west by an imaginary line drawn on the west side of and ten feet from and parallel throughout to the centre line of the said last-mentioned road :

Lands in the said parish of Blair Atholl bounded on the north by an imaginary straight line drawn due north and south across the road leading from Calvine to Bruar Lodge at a point on the said road three thousand seven hundred yards or thereabouts measured in a southerly direction from the centre of the bridge carrying the said road over Bruar Water to Bruar Lodge on the south by the main road leading from Blair Atholl to Dalnacardoch on the east by an imaginary line drawn on the east side of and ten feet from and parallel throughout to the centre line of the said road from Calvine to Bruar Lodge and on the west by an imaginary line drawn on the west side of and ten feet from and parallel throughout to the centre line of the said last-mentioned road :

Lands in the said parish of Blair Atholl bounded on the north by an imaginary straight line drawn due east across the road which is wholly on the east side of the River Tilt and leads from the Bridge of Tilt to Marble Lodge from the point of junction of the River Tilt with the River Allt Mhairc on the south by the main road leading from Blair

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Atholl to the Bridge of Tilt on the east by the eastern limits of the said road on the east side of the River Tilt and on the west by the western limits of the last-mentioned road :

Lands in the said parish of Blair Atholl bounded on the north by an imaginary straight line drawn due east and west across the River Allt Mhairc through the point of junction of that river with the River Allt Creagan Breac on the south by an imaginary straight line drawn due east and west across the River Tilt at a point on the said river two hundred and twenty yards or thereabouts due south of the centre of the bridge over the said river known as Gilberts Bridge on the south-east by an imaginary line drawn in a north-easterly direction from a point on the said southern boundary of the said lands one hundred yards or thereabouts due east of the centre line of the said River Tilt along the eastern limits of the western road from the Bridge of Tilt to Marble Lodge and up to a point on such eastern limits four hundred yards or thereabouts due north of the junction of the River Allt Mhairc with the River Tilt and on the east by an imaginary straight line drawn from the last-mentioned point on the said eastern limits to a point on the said northern boundary of the said lands four hundred yards or thereabouts due east of the said junction of the River Allt Mhairc with the River Allt Creagan Breac and on the west by an imaginary straight line drawn in a southerly direction from a point on the said northern boundary of the said lands three hundred and fifty yards or thereabouts due west of the said point of junction of the River Allt Mhairc with the River Allt Creagan Breac to a point on the said southern boundary of the said lands two hundred and eighty yards or thereabouts due west of the centre line of the said River Tilt.

Power to  
deviate..

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



**30.** If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Company after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to the sheriff for the county in which such lands are situate for the correction thereof and if it appears to the sheriff that the omission misstatement or wrong description arose from mistake he shall certify the same accordingly and shall in his certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the principal sheriff clerk for the said county and a duplicate thereof shall also be deposited with the clerk of the parish council of any parish in which the lands affected thereby are situate and such certificate and duplicate respectively shall be kept by such clerks with the other documents to which the same relate and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Company to take the lands and execute the works in accordance with such certificate.

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Correction  
of errors in  
deposited  
plans and  
book of  
reference.

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

Company  
may stop up  
footpaths  
&c.

**32.** Subject to the provisions of this Act the Company may within the limits of deviation or within the limits of lands to be acquired shown on the deposited plans deepen dredge widen alter and improve the bed banks channel and shores of any loch river stream or water-course and lay down erect construct make and maintain temporarily or permanently cofferdams piles piers weirs stages walls embankments excavations and other works

Subsidiary  
works.



A.D. 1922. — in upon or over any part of any loch river stream or water-course and may reclaim and use for the purposes of and in connexion with any works or any generating station authorised by this Act any part of any such bed bank channel and shore as aforesaid and may appropriate use and dispose of any materials obtained by them in carrying out any such operation.

Owners may be required to sell parts only of certain lands and buildings.

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

Acquisition of servitudes &c.

**34.**—(1) Notwithstanding anything contained in this Act the Company in lieu of acquiring for any purposes of this Act the lands whereof the whole or any part is described in the Fourth Schedule to this Act or any part of any such lands may acquire compulsorily servitudes rights or privileges of using such lands or any of them or any part thereof for the purpose of approaches or accesses to and conveying materials to and from any works by this Act authorised whether during or after their construction and forming and making and maintaining thereon roads approaches ways and means of access to such works or any of them and of laying underground aqueducts conduits cables mains apparatus transformer



stations or other underground works under or erecting and maintaining standards on and overhead cables wires and apparatus over such lands or any of them or any part thereof (whether the surface of the lands be temporarily broken or not) and of laying such aqueducts conduits works and cables mains apparatus and wires under over or across any part of any railway tramway canal navigation loch river or stream whereof the whole or any part is so described (including servitudes rights or privileges of renewing maintaining repairing inspecting and working and access to such aqueducts conduits works cables mains apparatus stations standards and wires) and of submerging such lands or any of them or of using the waters of any such loch river or stream and may give notice to treat in respect of such servitudes rights or privileges describing the nature thereof and the rights which the Company require for or incidental to the said purposes without being required or becoming liable to acquire any other property or interest in any such lands railway tramway canal navigation loch river or stream.

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(2) The Company may also give notice to treat for and acquire compulsorily servitudes rights or privileges of using temporarily any lands whereof the whole or any part is described in the said Fourth Schedule or any part of any such lands for dwelling-houses or camps for persons employed in or in connexion with the construction of any works by this Act authorised without being required or becoming liable to acquire any other property or interest in any such lands.

(3) For the purposes of this section the provisions of the Lands Clauses Acts with respect to lands or rent-charges or feu duties so far as the same are applicable in this behalf shall extend and shall apply to any such servitude right or privilege as if the same were lands within the meaning of those Acts Provided that as regards any lands in respect of which the Company have acquired such servitude right or privilege under the provisions of this section the Company shall not be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being shall at all times after the completion of the works have the same rights of passing over such lands for all purposes of or connected with the use or enjoyment of the adjoining lands as if such lands had not been taken or used by the Company.

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Lands for  
generating  
stations.

**35.** The Company may subject to the provisions of this Act enter upon take and use the lands in the parishes of Dull Blair Atholl and Fortingall in the county of Perth shown on the deposited plans and described in the deposited book of reference and in the First Schedule to this Act and may on any of those lands or on any part or parts thereof erect maintain work and use a station or stations and works for generating and transforming electricity and for producing manufacturing and dealing with any product or thing arising or used in such generation or transformation with all necessary and convenient buildings turbines engines dynamos pipes pumps motors plant machinery works apparatus and conveniences and may generate transform produce manufacture use transmit and distribute and deal with such electricity products and things.

Submission  
to Elec-  
tricity Com-  
missioners  
of plans &c.

**36.** The Company shall submit to the Electricity Commissioners plans of the generating stations by this Act authorised and shall comply with any regulations made by the Electricity Commissioners as to type of current to be generated at such stations and the frequency and pressure thereof.

Lands by  
agreement.

**37.** The Company may for the general purposes of their undertaking purchase and hold or take on lease (by agreement but not otherwise) in addition to the lands delineated on the deposited plans and described in the deposited book of reference any lands and heritages not exceeding in the whole three hundred acres which the Company may from time to time require for the purpose of providing sites for manufacturing and other works and industries and for any of the purposes of this Act or of the undertaking but the Company shall not create or permit a nuisance on any such lands :

Provided always that the Company shall not (save so far as they may be authorised so to do by competent authority) erect any station for generating electricity upon any lands acquired under this Act other than the lands referred to in the First Schedule to this Act.

Period for  
compulsory  
purchase of  
lands.

**38.** The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of five years from the passing of this Act.



**39.** Subject to the provisions of this Act if the works authorised by this Act are not completed within ten years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for making and completing the said works or otherwise in relation thereto shall cease except as to so much thereof as is then completed but nothing herein contained shall restrict the Company from maintaining using extending enlarging altering replacing relaying increasing adding to or removing any of the said works and generating stations at any time and from time to time as occasion requires.

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 Period for  
 completion  
 of works.

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

Power to  
 take servi-  
 tudes &c. by  
 agreement.

**41.** Subject to the provisions with respect to the sale of superfluous lands in the Lands Clauses Consolidation (Scotland) Act 1845 contained the Company may feu and lease for such periods and for such consideration as the Company think fit any lands houses and property for the time being belonging to the Company which they do not require for the purposes of the undertaking or any interest therein or rights or other servitudes belonging thereto.

Company  
 may dispose  
 of lands not  
 required.

**42.** The Company may at any time cause the water in any of the works by this Act authorised to be temporarily discharged into any available stream or water-course In the exercise of the power conferred by this section the Company shall do as little damage as may be and shall make full compensation to all persons for any damage sustained by them by reason or in consequence of the exercise of such power and the amount of compensation shall be settled in case of difference by arbitration.

Temporary  
 discharge of  
 water into  
 streams.

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Power to  
take water.

**43.** Subject to the provisions of this Act the Company may by means of the works by this Act authorised or some of them take appropriate impound store use collect abstract divert and distribute for the purposes of the undertaking the waters of the following lochs (namely) :—

Loch Rannoch Loch Ericht Loch Cuaich Loch Seilich Loch Brodainn Loch-an-Duin Loch Garry Loch Mhaire Lochan Dubh Lochan na Doire-Uaine and of the following rivers and streams (namely) River Tummel Killichonan Burn Aulich Burn River Gaur Allt Ghlas River Ericht Cam Chriochan Allt ant' Sluic Allt Cuaich River Truim Allt Coire Chuaich Allt a' Choire Chàis Allt a' Choire Chàim Feith na Braclaich River Tromie Allt Bhran Allt na Fearna Allt na Feinnich River Garry Allt Shallain Allt Poll Dubh Ghlas Allt na Cosaig Allt Dubhaig Allt Coire Mhic-sith Edendon Water Bruar Water Allt Sheicheachan Allt Molach Allt Beinn Losgarnaich Allt nan Dearcag Feith Gorm Ailleag Allt a' Chùil Caochan Lub Allt Damh Dubh Feith Odhar Mhor Feith Odhar Bheag Allt Mon an Fhiadhain Allt Coire Camartaich Tarf Water Glas Feith Mhor Feith an Lochan Allt Diridh and all brooks waters springs and tributaries flowing into or arising in the said lochs rivers and streams or any one or more of the same and all such waters as may be intercepted by the works authorised by this Act and may raise or lower or regulate the water or the level or flow of water in the said lochs rivers streams brooks springs or tributaries or any of them.

For securing  
full develop-  
ment of  
water power.

**44.** The Company shall subject to the provisions of this Act in constructing the works by this Act authorised so construct the same as to secure so far as is reasonably practicable that the waters which they are authorised to divert and appropriate for the purposes of the production of motive power and the generation of electricity shall be used to the best advantage for such purposes.

As to  
abstraction  
of water

**45.—(1)** The Company shall not impound collect abstract or divert any water from the Rivers Truim and Tromie and their respective tributaries otherwise than



by means of the Works Nos. 8 9 10 11 12 13 and 14 and subject to the provisions hereinafter set forth. A.D. 1922.

(2) On any day prior to the construction of Work No. 10 during such time as the flow of water in the River Truim shall be less than at the rate of thirteen million gallons per day of twenty-four hours measured at the point on the River Truim at which it is intended to terminate the proposed Work No. 8 the Company shall not be entitled to abstract or divert by means of Works Nos. 8 and 9 by this Act authorised water from the said river but during such time as the flow of water in the said river is in excess of the foresaid rate the Company may abstract or divert by means of the said works all or any part of the water of the said river in excess of what is required to provide the foresaid rate of flow in the said river. from Rivers Truim and Tromie &c.

(3) On any day after the construction of Work No. 10 during such time as the total flows in the Rivers Truim and Allt Cuaich shall be together less than thirteen million gallons per day of twenty-four hours the respective flows being measured at the point on the River Truim above described and at the point on the Allt Cuaich where it joins the River Truim the Company shall not be entitled to abstract or divert by means of Works Nos. 8 9 and 10 by this Act authorised water from the said rivers but during such time as the flows of water in the said rivers measured at the said points are together in excess of the foresaid rate the Company may abstract or divert by means of the said works all or any part of the water of the said rivers in excess of what is required to provide the foresaid rate of flow in the said rivers The Spey District Fishery Board (in this section called "the board") shall have the power to fix the proportions of the said rate of flow according to drainage areas or otherwise which will under this subsection be provided in the River Truim and the Allt Cuaich and its tributaries The said proportions may be varied from time to time at the reasonable request of the board If any difference arises between the Company and the board as to the proportions of the said rate of flow to be provided as aforesaid or as to the variation thereof the same shall be determined by the Fishery Board for Scotland.

(4) Until the coming into operation of the works authorised by the Lochaber Water Power Act 1921 on

A.D. 1922. — any day during such time as the flow of water in the River Tromie shall be less than at the rate of fifteen million gallons per day of twenty-four hours measured at the termination of Work No. 11 the Company shall not be entitled to abstract or divert by means of Works Nos. 11 12 13 and 14 by this Act authorised any water from the said river but during such time as the flow of water in the said river is in excess of the foresaid rate the Company may abstract or divert by means of the said works all or any part of the water of the said river in excess of what is required to provide the foresaid rate of flow in the said river.

(5) From and after the coming into operation of the said works authorised by the said Act of 1921 the provisions of the last preceding subsection of this section shall be read and construed as if twenty-four million gallons were inserted therein instead of fifteen million gallons.

(6) Before the Company abstract or divert any water from the Rivers Truim Tromie and Allt Cuaich or any of them the Company shall provide at points on the said rivers to be arranged with the board proper and suitable apparatus to the reasonable satisfaction of the board for measuring the flow of water in the said rivers and such apparatus shall be maintained in good and efficient condition by the Company and shall be open at all times to the examination and inspection of persons duly authorised in writing by the board.

(7) In case of neglect on the part of the Company to maintain the said apparatus in a state of efficiency or in case of any other neglect on the part of the Company by or in consequence of which water shall be abstracted or diverted in contravention of the foregoing provisions of this section the Company shall for every day upon which such neglect continues after notice in writing thereof by the board to the Company forfeit and pay to the board (who may sue for and recover the same) the sum of twenty pounds.

(8) During the construction of the Works Nos. 7 8 and 9 by this Act authorised or any of them the Company shall if so required by the board pay to the board the reasonable cost of the employment of an additional watcher or bailiff for the protection of the fisheries of the Rivers Truim and Allt Cuaich and their



respective tributaries and further from and during the construction of the Works Nos. 10 11 12 13 14 and 15 by this Act authorised or any of them the Company shall if so required by the board pay to the board the reasonable cost of the employment of a further additional watcher or bailiff for the protection of the fisheries of the River Tromie and its tributaries and the Company shall take all such steps as may be reasonably necessary to prevent as far as possible pollution of the said rivers and tributaries arising from the construction of the works by this Act authorised or by workmen employed in such construction. A.D. 1922.

(9) If any difference arises between the Company and the board with respect to the said apparatus or the use state of repair or condition thereof or as to any contravention by the Company of the provisions of this section such difference shall be determined by arbitration.

46. For the protection of the Tay District Board of Salmon Fisheries (in this section called "the board") the following provisions shall unless otherwise agreed between the Company and the board apply and have effect (that is to say) :—

For protection of Tay District Board of Salmon Fisheries.

(1) The Company shall from and after they commence the construction of any of the works by this Act authorised discharge or deliver into the River Tummel from the dam at the eastern end of the reservoir (Work No. 2) authorised by this Act and between the said dam and the generating station which the Company are by this Act authorised to construct on the lands first described in the First Schedule to this Act such an amount of water as shall represent a daily average flow over each year of fifty-four million gallons :

(2) The minimum flow in the said River Tummel at the said point in any one day shall be forty-five million gallons and during six periods of five days each in the months of May June July and August in each year commencing on the first day of May the Company shall discharge or deliver such a quantity of water as shall secure a daily average flow of not less than one hundred and fifty million gallons to

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pass down the said stretch of the said River Tummel but there shall be an interval of at least sixteen days between each of the said periods. Before abstracting water from the said river the Company shall at their own expense and to the reasonable satisfaction of the board carry out such reasonable alterations in the channel of the said river over the said stretch as shall permit of the free passage of fish at all times having regard to the minimum daily flow referred to in this section :

(3) The Company shall also at their own expense and to the reasonable satisfaction of the board carry out such reasonable minor works for the improvement of spawning beds above the said dam as failing agreement between the board and the Company shall be determined by arbitration as in this section provided :

(4) If after the execution of the works it shall be found that the said daily average flow of fifty-four million gallons is in excess of the amount required or is insufficient for the preservation of the fishery interests in the river the amount shall be reduced or increased to such extent as may be agreed between the board and the Company :

(5) The Company shall during the first two days of the Lammas spate at the end of July or during August allow so far as may be reasonably possible the natural conditions of the flow of the river below the said generating station to prevail :

(6) The board shall not require any compensation water to be given in respect of the Rivers Garry Tarf Bruar Edendon Mhaire or Allt Diridh provided that in the case of the Rivers Tarf and Mhaire such water as is not required for the purpose of generating electricity shall be re-diverted into the River Tarf :

(7) (a) For the purpose of measuring the quantity of water to be so discharged or diverted as aforesaid the Company shall erect and maintain to the reasonable satisfaction of the board at points suitable for the purposes proper and



A.D. 1922. under this Act shall be laid or carried in such line or route and in such manner as may be agreed between the Company and the local authority or as failing agreement shall be settled by the Minister of Transport And the Company shall show on the plan of the works to be served on such local authority in accordance with the provisions of the Electric Lighting (Clauses) Act 1899 incorporated with this Act the route proposed to be taken and the manner in which the electric lines are to be laid or carried :

Provided that where the local authority objects to any proposed line or route on the ground that it would traverse a principal thoroughfare or busy street or is otherwise inconvenient and indicates an alternative route or deviation within the area of the local authority which the Company are willing to adopt or which in the opinion of the Minister of Transport is reasonably practicable and does not involve undue increase of expenditure such alternative route or deviation shall be adopted.

(2) The reasonable and proper costs charges and expenses incurred by any local authority in relation to any reference to the Minister of Transport under this section shall unless the Minister of Transport shall certify that the action of the local authority in the matter has been unreasonable be paid by the Company.

(3) Nothing in this section shall take away or prejudicially affect the rights of the Postmaster-General under section 14 of the schedule to the Electric Lighting (Clauses) Act 1899.

Power to lay  
down pipes.

**49.** Subject in every respect to the provisions of this Act it shall be lawful for the Company within the area of supply to lay down maintain repair alter and use pipes for conveying water and any other materials matters or things used by them in or resulting from the process of generating or transforming or distributing electricity to or from any generating station or works of the Company and the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes shall so far as applicable extend and apply to the laying down repairing altering or removing of pipes for such purposes but nothing contained in this section shall authorise the Company to supply water to other persons :

suitable measuring gauges over or through which the said water so discharged delivered or diverted shall flow and which gauges shall be open to the inspection and examination of all persons interested therein ; A.D. 1922.

(b) In case of any neglect on the part of the Company to maintain any gauge in a state of efficiency or in case of any other neglect by or in consequence of which the said respective quantities of water shall not so flow the Company shall for every day on which such neglect continues after notice in writing thereof by the board to the Company forfeit and pay to the board (who may sue for and recover the same) the sum of five pounds :

(8) The Company shall before interfering with the flow of water in the River Garry or its tributaries execute at the sight of and to the specification of the board such works as the board may require to a value not exceeding four thousand pounds :

(9) Particulars of the works to be executed by the Company under the immediately preceding subsection shall be submitted by the board to the Company within three calendar months of receipt by the board of notice from the Company requiring the same to be so submitted :

(10) If any difference shall arise between the board and the Company as to any matters specified in or arising out of this section such difference shall be referred to the Fishery Board for Scotland as arbiters and their decision shall be final and binding.

47. The area within which the Company may supply electricity subject to the provisions of this Act shall be the counties of Perth Kinross and Forfar and the parishes of Kingussie and Insh and Laggan in the county of Inverness the parish of Lismore and Appin in the county of Argyll and the parishes of Buchanan Drymen Killearn Balforn Kippen Fintry and Gargunnock in the county of Stirling. Area of supply.

48.—(1) Subject to the provisions of this Act any electric lines laid down in any street by the Company As to route.



Provided that nothing in this section shall authorise the Company to break up any road or street for the purpose of laying down altering removing or (except in cases of emergency) repairing pipes for the purposes aforesaid without the consent of the road authority in whose district the road or street is situate which consent shall not be unreasonably withheld. A.D. 1922.

**50.** The Company shall cause a map to be made showing the line and depth below the surface of all electric lines laid down under the powers of this Act and shall once in every year cause such map to be duly corrected so as to show the then existing lines. The Company shall also if so required by the Electricity Commissioners or the Postmaster-General cause to be made sections showing the level of all such electric lines. The said map and sections shall be made on such scale or scales as the Electricity Commissioners shall prescribe. Every map and section so made or corrected or a copy thereof marked with the date when it was so made or last corrected shall be kept by the Company at their principal office and shall at all reasonable times be open to the inspection of all applicants and such applicants may take copies of the same or any part thereof. The Company may demand and take from every such applicant as aforesaid such fee not exceeding one shilling for each inspection of such map sections or copy and such further fee not exceeding five shillings for each copy of the same or of any part thereof taken by such applicant as they may prescribe. Map of electric lines.

The Company shall if so required by the Electricity Commissioners or the Postmaster-General or by the local authority supply to them or him a copy of such map or sections and cause such copy to be duly corrected so as to agree with the original or originals thereof as kept for the time being at the office of the Company.

If the Company fail to comply with any of the requirements of this section with respect to maps and sections they shall for every such offence be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding two pounds for each day on which such offence is continued after conviction therefor.

**51.—(1)** Subject to the provisions of this Act the Company shall not supply electricity (except for power or to authorised undertakers or to any company body Limitation of powers.

A.D. 1922. — or person owning or working any railway light railway tramway tramroad waterworks harbour dock canal or navigation) in any area which at the commencement of this Act forms part of the area of supply of any authorised distributors without the consent of those distributors :

Provided that where any authorised distributors refuse or withhold such consent the Company may appeal to the Electricity Commissioners as to whether the consent of such authorised distributors is unreasonably refused or withheld and the Electricity Commissioners may dispense with such consent if in their opinion it is unreasonably refused or withheld. The consent shall be deemed to be unreasonably refused or withheld if such authorised distributors are not willing and in a position to give the requisite supply upon reasonable terms and within a reasonable time and in considering what are reasonable terms and what is a reasonable time the Electricity Commissioners shall amongst other things have regard to the terms upon which and the time within which the Company are willing and able to give the supply.

(2) Electricity supplied by the Company to any person for power may be used by such person for lighting any premises on any part of which such electricity is utilised.

(3) Electricity supplied by the Company at any point within the area of supply to any company body or person owning or working an undertaking being a railway light railway tramway tramroad waterworks harbour dock canal or navigation which is partly within and partly without the area of supply may be used for all or any purposes of any part of such undertaking whether within or without the area of supply.

(4) If at any time after the commencement of this Act any local authority become authorised distributors in any area within the area of supply the Company shall be subject to any provisions which may be made by the Act or Order under which such local authority are constituted authorised distributors as to the taking over by the local authority of any supply then given by the Company for use exclusively within the area of supply of the authorised distributors and such provisions may be made in any Order under the Electricity (Supply) Acts 1882 to 1919.



**52.** The Company shall supply electricity to any authorised undertakers or to any company body or person to whom the Company are under the powers of this Act entitled to give a supply of electricity at such point or points within the area of supply as such authorised undertakers company body or person may reasonably require and shall furnish and lay such electric lines as may be necessary for that purpose upon the terms and subject to the conditions following (that is to say):—

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Company to  
furnish  
supply of  
electricity.

Any such authorised undertakers company body or person requiring a supply of electricity shall—

- (a) Serve a notice upon the Company specifying a point at which such electricity is required to be supplied and the maximum power required to be supplied and the day upon which such supply is required to commence (not being an earlier day than a reasonable time after the date of the service of such notice having regard to the situation of the point at which such supply is required to be given and to the length of electric line required to be laid and plant required to be erected for affording such supply); and
- (b) Enter into a written contract with the Company (if required by them so to do) to continue to receive and pay for a supply of electricity for a period of at least seven years of such an amount that the payment to be made for the same shall not be less than twenty-five pounds per centum per annum on the outlay (excluding expenditure on generating plant then already provided and any electric line then already laid) incurred by the Company in making provision for such supply :

Provided that the number of different points at which any such authorised undertakers company body or person may require a supply to be given shall not exceed one in respect of each two hundred and fifty kilowatts with which such authorised undertakers company body or person may require to be supplied :

Provided also that any authorised undertakers company body or person other than a local authority so requiring a supply of electricity shall give to the Company (if required by them to do so) sufficient security

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A.D. 1922. — for the payment of all moneys which may become due to the Company under such contract :

Provided further that the Company shall grant to any such authorised undertakers company body or person as favourable terms and conditions for the supply of electricity as those granted by the Company to any other authorised undertakers company body or person whose circumstances are similar.

If any difference arises under this section such difference shall be determined by arbitration.

The provisions of this section shall not apply to any supply which the Company may be required to afford under this Act to a local authority for the lighting of streets bridges or public places.

For protec-  
tion of  
Postmaster-  
General.

**53.** Any electricity supplied under this Act to any company body or person shall not be used by the company body or person receiving such supply in such manner as to cause or be likely to cause any interference (whether by induction or otherwise) with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General or with telegraphic communication by means of such line. But this provision shall not apply to any such company body or person who are or is authorised to use electricity by Act of Parliament or by an Order confirmed by or having the effect of an Act of Parliament containing provisions for the protection of the telegraphic lines of the Postmaster-General against the use of electricity.

Penalty for  
failure to  
supply.

**54.** Whenever the Company make default in supplying energy to any authorised undertakers to whom they may be and are required to supply electricity in accordance with the provisions of this Act they shall be liable in respect of each default to a penalty not exceeding ten pounds for each day on which the default occurs. Provided that the penalties to be inflicted on the Company under this section shall not exceed in respect of any one default not being a wilful default on the part of the Company the sum of five hundred pounds and provided also that in no case shall any penalty be inflicted in respect of any default if the court are of opinion that the default was caused by inevitable accident or force majeure or was of so slight and unimportant a character as not materially to affect the value of the supply :



Provided that in the case of failure at any time of the supply by the Company such authorised undertakers shall not be liable to any of their consumers for the consequences of such failure or for any loss or damage which may be sustained in consequence thereof. A.D. 1922.

**55.** If any local authority within the area of supply shall at any time after the commencement of this Act apply for a special order under the Electricity (Supply) Acts 1882 to 1919 to authorise them to generate and supply electricity the Company shall not be entitled to oppose such application merely on the ground that they have under this Act the powers to supply electricity thereby conferred upon them except so far as may be necessary in order to secure the insertion in such order of clauses or amendments to protect their electric lines and works and with respect to any provisions which may be contained in any such order as to the taking over of any supply then given by the Company provided that nothing in this section shall prejudice the right of the Company to oppose any such application if the Company shall have entered into a binding agreement with such authority to afford to the whole area proposed to be dealt with by such authority a supply of electricity for the same purposes and to the same extent as is proposed by such authority or shall have offered to enter into such an agreement on terms not less favourable than those on which the authority propose to provide such supply and if necessary to apply for powers in that behalf. Company not to oppose application by local authorities for authority to supply electricity.

**56.—(1)** Notwithstanding anything in the Electricity (Supply) Acts 1882 to 1919 or in any Act of Parliament or Provisional or special or other Order authorising an undertaking any authorised undertakers company body or person having a separate supply shall not be entitled to demand or continue to receive from the Company a supply of electricity for any premises unless such authorised undertakers company body or person have or has agreed with the Company to pay to them such minimum annual sum as will give them a reasonable return on the capital expenditure and will cover other standing charges incurred by them in order to meet the possible maximum demand of such authorised undertakers company body or person. The sum to be so paid shall be determined in default of agreement by arbitration under the Electric Lighting Act 1882. Supply to authorised undertakers and persons having separate supply.

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(2) The provisions of this section shall be in addition to and shall not derogate from the provisions of the section of this Act of which the marginal note is "Company to furnish supply of electricity."

Notice of  
discon-  
tinuance  
of supply.

**57.** Any authorised undertakers company body or person supplied with electricity by the Company under this Act who desire or desires that the Company shall cease to give to them or him such supply shall give to the Company twelve months' notice in writing to cease giving such supply. Such notice shall not be given so as to expire before the end of the period for which the authorised undertakers company body or person giving the notice have contracted to receive and pay for such supply or at any subsequent date.

For pre-  
vention of  
improper  
use.

**58.** If any authorised undertakers company body or person uses or deals with the electricity supplied to them or him by the Company in such manner as to interfere unduly or improperly with the efficient supply of electricity to any other authorised undertakers company body or person by the Company the Company may if they think fit cease to supply electricity to the first-mentioned authorised undertakers company body or person.

Limitation  
of demand  
for maxi-  
mum power.

**59.** The maximum power with which any authorised undertakers company body or person shall be entitled to be supplied shall be of such amount as they or he may require to be supplied with not exceeding what may be reasonably anticipated as their or his maximum consumption.

If any difference arises between any such undertakers company body or person and the Company as to what may be reasonably anticipated as their or his maximum consumption such difference shall be determined by arbitration.

Stated price.

**60.—**(1) The prices to be charged by the Company to authorised undertakers or to any company body or person owning or working any railway light railway tramway tramroad waterworks harbour dock canal or navigation or to any power user whose maximum demand exceeds two hundred and fifty kilowatts for a supply of electricity under the powers of this Act shall not exceed those stated in Part I. of the Second Schedule to this Act.



(2) The prices to be charged by the Company for a supply of electricity under the powers of this Act (other than a supply to authorised undertakers or to any company body or person owning or working any railway light railway tramway tramroad waterworks harbour dock canal or navigation or any power user whose maximum demand exceeds two hundred and fifty kilowatts) shall not exceed those stated in Part II. of the said Second Schedule. A.D. 1922.

(3) Nothing in this Act or in the principal Acts shall prevent the Company from making any agreements as provided by this Act.

**61.** The local authority of any district within the area of supply or such number of consumers not being less than twenty as the Minister of Transport considers sufficient having regard to the population of the area of supply or the Company may at any time after the expiration of three years after the passing of this Act make a representation to the Minister of Transport that the prices or methods of charge for a supply of electricity authorised by this Act ought to be altered and on any such representation being made the Minister of Transport after such inquiry as he may think fit may make an order varying such prices or methods of charge or substituting other prices or methods of charge and the prices or methods of charge so varied or substituted shall have effect on and after such day as may be mentioned in the order as if they had been stated in this Act. Provided also that the prices and methods of charge for the time being in force may be altered in like manner at any time after the expiration of any or every period of three years after they were last altered. Revision of prices.

**62.** The Company and any authorised undertakers or any company body or person to whom the Company are entitled to give a supply of electricity may enter into and carry into effect contracts agreements and arrangements for and with respect to all or any of the following matters (that is to say):— Agreements for supply of electricity.

The supply by the Company to any such authorised undertakers or any such company body or person of electricity plant fittings or materials:

The prices to be charged for and the terms and conditions of such supply:

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The execution or exercise by any such undertakers or any such company body or person on behalf of the Company or by the Company on behalf of such undertakers or of any such company body or person of any works or powers in reference to the supply or use of electricity.

Agreements  
with  
Government  
depart-  
ments and  
others.

**63.** The Company on the one hand and any Government department conservators proprietors trustees body or person interested in the waters of any loch river stream canal or navigation within the area of supply or any of them on the other hand may from time to time enter into and carry into effect contracts agreements and arrangements for and with respect to the construction laying down alteration maintenance repair and use of electric lines pipes jetties piers embankments works appliances and apparatus for the purposes of this Act on the bed banks and foreshore of any such loch river stream canal or navigation.

Agreements  
with railway  
companies  
for works.

**64.** The Company on the one hand and any railway company whose railway or any part thereof is situate within the area of supply on the other hand may enter into and carry into effect agreements for and in relation to the construction laying down alteration maintenance repair and use of works and electric lines for the purpose of this Act upon and across railways bridges or other property within the area of supply belonging to any such railway company.

Purchase of  
electricity  
in bulk.

**65.** The Company and any local authority company body or person producing or supplying electricity whether within or beyond the area of supply may enter into and carry into effect contracts and arrangements for the supply of such electricity in bulk to the Company by such local authority company body or person Provided that nothing in this section shall authorise the Company to open or break up any roads outside the area of supply.

Inspectors.

**66.—(1)** The Minister of Transport on the application of any authorised undertakers or persons supplied with electricity by the Company under the powers of this Act may appoint and keep appointed one or more competent and impartial person or persons to be electrical inspectors under this Act and the Minister may prescribe the fees to be taken by any such inspector and the mode



of application thereof and those fees shall be accounted for and applied as may be directed by the Minister. A.D. 1922.

(2) The Company shall whenever reasonably required by any local authority through whose district any trunk main is laid test and furnish a record of the testing of the main passing through their district or if necessary that portion of the main within their district and in case the Company fail to comply with the provisions of this subsection any such local authority may apply to the Minister of Transport to appoint an inspector for the purpose of testing such main and the foregoing provisions of this section shall apply to the appointment of such inspector and the Company shall pay the cost of such testing.

**67.**—(1) Section 14 of the Schedule to the Electric Lighting (Clauses) Act 1899 so far as it relates to the Postmaster-General shall apply to the construction or laying down under this Act of any works across or along any land railway canal or navigation whether below ground or above ground in like manner as it applies to the execution of works in under along or across any street or public bridge. For further protection of Postmaster-General.

(2) Nothing in this Act shall prejudice or affect the rights of the Postmaster-General in relation to railways or canals under the Telegraph Acts 1863 to 1921 or any agreement or award made thereunder or shall operate in such a manner as to interfere with or involve additional expense in the exercise of any such rights.

**68.** The Company may erect and maintain upon the lands for the time being belonging to or held on lease by them or as to which they may have acquired any right or permission so to do cottages or dwelling-houses suitable for their officers workmen and servants and dwelling-houses and camps for persons engaged in or in connection with the construction or maintenance or management of any works authorised by this Act. Dwelling-houses for employees.

**69.** Subject to the provisions of this Act the Company may acquire maintain use sell let on hire and otherwise dispose of electric and other dynamos cables conductors services wires transformers fittings lamps and any other machinery apparatus and appliances necessary or useful in connection with the supply of electricity. Power to deal in apparatus.

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Provision of  
fish ladders.

**70.** Where under the powers of this Act any dam weir or other structure is so constructed in any river or loch over which any district fishery board has jurisdiction at the passing of this Act as to obstruct the passage of fish the Company shall construct or provide all such ladders or other apparatus as the Fishery Board for Scotland may on the application of the Company or such district fishery board reasonably prescribe or approve for enabling fish to pass such dam weir or structure.

The Company shall further construct or provide all such hecks or other apparatus for preventing fish entering conduits or other works authorised by this Act and also such parts of streams as are in the opinion of the Fishery Board for Scotland rendered dangerous to fish life by the construction or operation of any of the works by this Act authorised as the Fishery Board for Scotland on the application of the Company or such district fishery board or any person having an interest therein may reasonably prescribe or approve.

Power to  
hold patent  
rights &c.

**71.** The Company may acquire and hold patent and other rights and licences (not being exclusive) in relation to the use of electricity for the purposes of this Act.

Exemption  
from  
pounding  
of articles  
on hire.

**72.** No articles or things let on hire by the Company shall be deemed to be landlords' fixtures or be subject to pounding or to the landlords' hypothec or remedy for rent nor be taken in execution under any process of a court of law or any proceedings in bankruptcy against the person in whose possession the same may be. Provided that such articles and things have upon them a distinguishing metal plate affixed on or to a conspicuous part thereof or are marked or impressed with a sufficient mark or brand indicating the Company as the actual owners thereof.

Transfer of  
under-  
takings of  
local autho-  
rities and  
others to  
Company.

**73.—**(1) The Company may by agreement (but not otherwise) acquire from any local authority or other undertakers to whom a Provisional Order or a special or other order under the Electricity (Supply) Acts 1882 to 1919 or any of those Acts shall have been or may be granted relating to a district or place within or partly within the area of supply the undertaking authorised by such order and the powers rights authorities and privileges of the undertakers under any such order and any such undertakers to whom any such order has



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prior to the passing of this Act been granted may with the approval of the Electricity Commissioners by deed to be approved by the commissioners (which approval the commissioners are hereby authorised to give) transfer the said undertaking powers rights authorities and privileges to the Company subject to such exceptions and modifications (if any) and on such terms and conditions as may be specified in the deed and in the event of the Company so acquiring any such undertaking they shall subject to such modifications and exceptions as aforesaid be deemed to be the undertakers for all the purposes of the Provisional Order or special or other order the powers of which are so transferred Provided that—

- (a) The Company shall be allowed to charge for electricity supplied under any such order such rates as the order or any modification thereof prescribes but as regards a supply for power the Company shall be subject to the provisions of this Act with respect to the terms upon which such supply is to be afforded :
- (b) In the case of any such Provisional Order granted prior to the year one thousand nine hundred the provisions of the schedule to the Electric Lighting (Clauses) Act 1899 shall from and after such transfer be deemed to have been incorporated with such order and shall control and supersede such of the provisions of that order as are at variance or inconsistent therewith :
- (c) In the event of any such undertaking being acquired by the Company under this section the provisions of the Electricity (Supply) Acts 1882 to 1919 shall subject to any modification of those Acts made by any such order apply to that undertaking and when the undertakers are a local authority such undertaking shall be deemed to be subject to the provisions of section 2 of the Electric Lighting Act 1888 provided that the periods at which the local authority may under the provisions of the said section repurchase or purchase such undertaking or so much thereof as is within their jurisdiction shall be reckoned from the date of the acquisition thereof by the Company :

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(d) None of the provisions of any such order or of the Electricity (Supply) Acts 1882 to 1919 shall extend to authorise the purchase by any local authority of any generating station or other works of the Company which are not exclusively used or required for the purposes of supplying electricity under such order within the area defined by such order :

(e) The powers conferred by this section may be exercised in respect of part only of any such undertaking or part only of any such powers rights authorities and privileges as aforesaid.

(2) References in this section to a Provisional Order or a special order shall be deemed to include references to any Act or Acts of Parliament relating to the undertaking or powers rights authorities and privileges to be transferred.

(3) Any capital moneys received by any local authority in respect of any transfer under this section shall be applied by such authority in manner provided by subsection (2) of section 7 of the schedule to the Electric Lighting (Clauses) Act 1899.

As to application for special and other orders.

**74.** Nothing in this Act shall prevent the Company from applying and the Company may apply for special or other orders under the Electricity (Supply) Acts 1882 to 1919.

Cesser of powers.

**75.** If within five years from the passing of this Act the Company have not in the opinion of the Electricity Commissioners substantially commenced their works for the purpose of carrying out their powers under this Act the Minister of Transport may order that the powers of the Company under this Act shall cease as to the whole or any part of the area of supply and on any such order being made those powers shall cease accordingly.

For protection of Duke of Atholl.

**76.** For the protection of His Grace John George Stewart Murray Duke of Atholl or other the owner or owners for the time being of the estates in the parishes of Blair Atholl Moulin Logierait Dunkeld and Dowally Little Dunkeld Dull Clunie Caputh Kinclaven Auchtergaven Moneydie and Redgorton (in this section called "the said parishes") known as the Atholl Estates (all of whom are in this section included in the expression



“ the owner ”) the following provisions shall unless otherwise agreed in writing between the owner and the Company apply and have effect (that is to say) :—

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- (1) Save so far as the Company may be required under the provisions of this section to give a supply to any local authority company or person or to owners and occupiers of property in the said parishes the Company shall not interfere with or object to the owner affording supplies of electricity from his own generating station at Blair Atholl or any other generating station he may have or erect to premises which are on his estates or to other premises in the said parishes in which the said estates now are situate and to which he is now affording such supplies or to any supply which the owner may hereafter afford from any such station to others on his estates or in the parish of Blair Atholl :
- (2) As and from the time when the Company shall be in a position to supply electricity from the generating stations which the Company are by this Act authorised to erect the Company shall subject to and in accordance with the provisions of the section of this Act of which the marginal note is “ Company to furnish supply of electricity ” (except in so far as altered or affected by this section) on receiving reasonable notice from the owners and occupiers of property in any of the said parishes who are willing to receive and pay for a supply of electricity for a period of at least seven years afford to such owners and occupiers a supply of electricity on terms and conditions which shall be in all respects as favourable to such owners and occupiers as the terms and conditions on which the Company may be affording a supply of electricity for similar purposes to any other consumers and in similar or as nearly as may be similar circumstances and not exceeding a price (exclusive of cost of transmission) of eight pounds per kilowatt per annum for each and every kilowatt of the maximum demand sustained for one quarter of an hour during any statutory year of the Company and in addition a price not exceeding

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one penny per unit for each and every unit supplied to the consumer and such price shall include all transforming of the energy supplied to such pressure as the consumer may reasonably require :

Provided always that such owners and occupiers shall if required by the Company enter into a contract to take the quantity of electricity named in such notice as aforesaid and shall if required afford the Company reasonable security for the due performance of the said contract :

- (3) In the event of the owner being hereafter authorised by an order under the Electricity (Supply) Acts 1882 to 1919 or otherwise to supply electricity within any area comprising the whole or any or any part of the said parishes the Company shall subject to and in accordance with the provisions of the section of this Act of which the marginal note is "Company to furnish supply of electricity" (except in so far as altered or affected by this section) afford to the owner supplies of electricity in bulk for use in such of the said parishes or in such parts thereof as shall be comprised in the said area at such prices and on such terms and conditions as shall be at least as favourable as those under and subject to which the Company may be affording a supply in bulk in similar or as nearly as may be similar circumstances and not exceeding a price (exclusive of transmission) of eight pounds per kilowatt per annum for each and every kilowatt of the maximum demand sustained for one quarter of an hour during any statutory year of the Company and in addition a price not exceeding one penny per unit for each and every unit supplied to the owner and such price shall include all transforming of the energy supplied to such pressure as the owner may reasonably require And upon the granting of any such order as aforesaid the obligations of the Company under the preceding subsection of this section shall cease so far as regards the said parishes or such of them or such parts



thereof as are comprised within the area of supply in respect of which such order shall have been granted : A.D. 1922.

(4) The owner shall forthwith on being authorised by such order as aforesaid take over from the Company all plant electric wires and apparatus of the Company situate within the said parishes or such of them or such parts thereof as are comprised within the area of supply named in such order and which are used solely for supply in such parishes or parts of parishes on such terms as may be agreed between the Company and the owner or as failing such agreement may be determined by an engineer nominated by the Minister of Transport :

(5) If any local authority company or person (other than the owner) shall at any time hereafter be authorised by any such order as aforesaid to supply electricity within an area comprising the whole or any or any part of the said parishes or shall become authorised to exercise the powers conferred by any such order the owner shall be entitled to assign or transfer to such local authority company or person upon such terms as he shall think fit the rights conferred on the owner and the benefit to him of the obligations imposed on the Company by subsection (3) of this section but subject to the obligations imposed on the owner by subsection (4) of this section and upon such assignment or transfer those subsections shall be read and take effect as if for the expression "the owner" appearing therein there were substituted the name of such local authority company or person :

(6) If any difference arises under this section such difference shall except where otherwise provided be referred to and determined by arbitration.

77. For the protection of the county councils of the counties of Argyll Forfar Inverness Perth and Stirling or the district committee of any district of any of the said counties (in this section called "the county authority") and of the roads streets and bridges sewers pipes water-

For protec-  
tion of  
county  
authorities.

[Ch. lxxix.]      *Grampian Electricity* [12 & 13 GEO. 5.]  
*Supply Act, 1922.*

A.D. 1922: works channels conduits and other property vested or to  
— be vested in or that are or may be under the jurisdiction  
of the county authority the following provisions shall  
notwithstanding anything contained in this Act or in  
the Acts incorporated therewith have effect unless  
otherwise agreed on between the county authority and  
the Company :—

- (1) Nothing in this Act shall in any way limit or affect the powers of the county authority to rebuild alter widen or repair the structure of any bridge under the jurisdiction of the county authority (in which expression is included the approaches to such bridge) upon which any work by this Act authorised shall be constructed or impose upon the county authority any liability which was not by law imposed upon them prior to the passing of this Act :
- (2) If at any time the county authority require to carry out such works for rebuilding altering widening or repairing any bridge as might involve interference with any portion of the undertaking they shall prior to the commencement of such works give the Company one month's notice of their intention to carry out such works and if in order to avoid interruption to the supply by the Company of electricity it is in the opinion of the county surveyor necessary to remove temporarily the mains and other electrical appliances belonging to the Company from such bridge then the Company shall and may at their own expense temporarily carry their cables and wires across such bridge overhead or at the side thereof in such a manner as will not be a danger or inconvenience to the public or unreasonably interfere with the works to be carried out by the county authority Provided that the county authority shall not be liable to make compensation to the Company in respect of any expense or loss incurred by the Company by reason of the rebuilding altering widening or repairing of such bridge When the rebuilding altering widening or repairing of such bridge shall have been completed the Company shall have the same rights and



powers with regard to such bridge as they had before such rebuilding altering widening or repairing: A.D. 1922.  
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- (3) When any road street or bridge in which any pipe wire cable electric line box or other apparatus or property of the Company shall be laid is proposed to be opened up by the county authority or by any person acting under their authority the Company on receiving forty-eight hours' notice thereof at their head office or at the branch office of the Company nearest to such road street or bridge or in cases of emergency such shorter notice as may be practicable shall at their own expense send and be represented at the time and place specified in the said notice by a superintendent or other qualified person who shall point out the position level and dimensions of the Company's works and give such reasonable information and assistance as may be necessary to enable the operations of the county authority or person aforesaid to be carried out expeditiously and in safety:
- (4) All additional expenditure at any time after the passing of this Act reasonably incurred by the county authority in maintaining any road street or bridge for the maintenance whereof the county authority is responsible in consequence of the construction or laying down or by reason of the existence of any pipes wires cables electric lines boxes or other apparatus or property of the Company in such road street or bridge which but for the passing of this Act and the powers thereby conferred upon the Company would not otherwise have arisen shall be borne and paid by the Company:
- (5) The county authority shall not except in the case of their negligence be liable for any damage (other than wilful damage) which the Company or those supplied by them may sustain through the acts of the county authority in constructing reconstructing improving enlarging repairing or maintaining any road street or bridge sewer drain pipe channel conduit or waterwork or other work or through the use of steam rollers

A.D. 1922.

or road scarifiers of a reasonable weight or through the reasonable exercise of any right function power or privilege vested or to be vested in such authority or through the flooding of the mains or property of the Company :

- (6) The Company shall not in the construction repair maintenance or use of any work of the Company discharge or emit any water steam or other thing which may cause danger or avoidable annoyance to the traffic on any road or street under the jurisdiction of the county authority :
- (7) All works of the Company which may interfere with any road street bridge sewer pipe waterwork channel conduit or other property under the jurisdiction of or vested in the county authority shall be carried out under the superintendence if the same be given and to the reasonable satisfaction of a qualified person appointed by and responsible to the county authority who shall have power to prescribe his duties and whose reasonable remuneration shall be repaid to them by the Company and all such works shall be completed with all reasonable expedition and so as to cause as little interference with or damage to such road street bridge sewer pipe waterwork channel conduit or other work or property or interruption to the user thereof as circumstances admit If any diversion of a sewer drain or pipe of the county authority is rendered necessary in carrying out any such work of the Company a new sewer drain or pipe with all proper valves scour drains and other necessary works shall at the reasonable expense of the Company be provided laid fitted and jointed under the superintendence if the same be given and to the reasonable satisfaction of the county authority or of a person appointed by them for that purpose as hereinbefore provided before the existing sewer drain or pipe and works connected therewith respectively are interfered with :
- (8) The Company in opening or breaking up the surface of a road or street under the jurisdiction of the county authority shall not without the



consent of the county authority have more than one hundred lineal yards open or broken up at one time in any road or street less than one-quarter of a mile in length and in a road or street of greater length shall not at one time have open or broken up any continuous portion exceeding one hundred lineal yards in length with intervals of not less than two hundred and fifty lineal yards of clear space between any portions opened or broken up and the Company shall complete their operations and restore the surface of such road or street or the portion thereof so opened or broken up to the reasonable satisfaction of the county authority or in case of difference to that of an arbiter to be appointed as provided by this Act with all reasonable despatch and shall maintain the same for twelve months from the date which the county authority or their surveyor or such arbiter shall certify to be the date on which such road or street or portion thereof as aforesaid had been restored to their or his satisfaction. The Company shall efficiently fence off light and watch all portions of roads and streets so opened or broken up as aforesaid until the surface has been restored as aforesaid :

A.D. 1922.

- (9) The Company shall make full compensation to the county authority for all loss damage or expense which they may sustain or incur including reparation to third parties by reason or in consequence of any injury or damage to any road street bridge sewer drain pipe waterwork channel conduit or other property under the jurisdiction of or vested in the county authority consequent upon or arising from the construction or existence of the works of the Company or the exercise or user of any power by this Act conferred upon the Company or due to or arising from electricity in or escaping from the mains or other works of the Company and whether or not such loss or damage shall have occurred or arisen by reason or in consequence of any act or default of the Company and the Company shall indemnify the county authority from all liability including reparation to third

A.D. 1922.

parties in respect of such loss or damage. Provided always that the county authority shall forthwith give to the Company notice of any claim made upon the county authority for any such loss damage or expense and that the Company shall be at liberty at their own expense and if they so desire in the name of the county authority to resist defend or compromise any such claim and that the county authority will at the expense of the Company afford the Company all reasonable information and assistance for such purposes :

- (10) The Company shall grant to the county authority as favourable terms and conditions for the supply of electricity as those granted by the Company to any other local authority whose circumstances are similar :
- (11) The Company shall in addition to the copy of the map and sections which they are required by the section of this Act of which the marginal note is "Map of electric lines" to supply to the local authority supply at the request of the local authority free of charge one copy of the said map and sections to the district committee of each district within the area of supply so far as the same relates to the district under the jurisdiction of such district committee and shall once in every year at such request as aforesaid cause the said copy to be duly corrected or supply corrected copies thereof so as to agree with the original or originals thereof as kept for the time being at the office of the Company and if the Company fail to comply with this subsection they shall for every such offence be liable to the penalties imposed by the said section for a breach thereof :
- (12) In the event of an order being made by the Minister of Transport under the section of this Act of which the marginal note is "Cesser of powers" or in the event of the abandonment by the Company of any portion of the works by this Act authorised subsequent to the construction or partial construction thereof the Company shall if required by notice in writing from the



county authority within one year from the date of such order or from the date of such abandonment as the case may be forthwith remove the pipes wires cables electric lines boxes and other apparatus and property which are required exclusively for that part of the area of supply to which such order relates or the pipes wires cables electric lines boxes and other property and apparatus so abandoned being in either case at the date of such order or abandonment under over upon along or across the roads streets or bridges of the county authority and reinstate the roads streets and bridges and any sewers pipes drains or other works of the county authority affected by such removal to the reasonable satisfaction of the county authority and if the Company shall for three months neglect or delay so to do the county authority may themselves remove such works of the Company and reinstate such roads streets bridges sewers pipes drains and works of the county authority as aforesaid and recover the cost of so doing from the Company and the county authority may sell the works so removed and apply the proceeds in reimbursement of their costs and outlays which shall be a first and preferable charge thereon and shall pay over any balance of such proceeds to the Company :

A.D. 1922.

- (13) Nothing in this Act shall prevent the county authority from generating or using electrical energy within any special lighting district formed or to be formed under the provisions of the Local Government (Scotland) Act 1894 :
- (14) If any difference shall arise under this section between the Company and the county authority other than in respect of a default or alleged default by the Company in complying with any requirement or restriction contained in subsections (3) (6) (7) (8) and (11) of this section such difference shall be determined by arbitration in manner provided by this Act :
- (15) If the Company make default in complying with any of the requirements or restrictions contained in subsections (6) (7) or (8) of this

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section they shall in addition to any other compensation which they may be liable to make be liable for each default to a penalty not exceeding ten pounds and in the case of continuing default to a daily penalty not exceeding five pounds and any such penalty may be prosecuted and recovered in manner provided by the section of this Act of which the marginal note is "Recovery of penalties" provided that the Company shall not be subject to any such penalty as aforesaid if the court are of opinion that the case was one of emergency and that the Company complied with the requirements of the subsection in respect of which the default has occurred so far as was reasonable under the circumstances.

For protection of  
Perth  
County  
Council and  
district  
committees  
thereof.

**78.**—In addition and without prejudice to the provisions contained in the section of this Act of which the marginal note is "For protection of county authorities" the following provisions for the protection of the county council of the county of Perth including the district committees thereof (all hereinafter in this section included in the expression "the county council") shall (except as otherwise agreed in writing between the Company and the county council) have effect:—

- (1) Notwithstanding anything contained in this Act or in any Act incorporated therewith the Company shall at least three months before commencing Works Nos. 2 and 3 by this Act authorised or any other works thereby authorised which concern or relate to the closing and diversion of roads public tracks or rights of way construction of new and temporary roads retaining walls fences bridges culverts or drains tunnelling under roads or crossing roads in open cuttings the laying of pipes channels aqueducts cables or overhead lines along or across roads in the county of Perth furnish to the county council plans sections and specifications of works proposed. If within two months of the date of receiving the said plans sections and specifications the county council shall object in writing thereto or to any specified part thereof and the Company shall refuse or delay to give effect to the said objections the



matters in question shall be referred to arbitration No approval or consent express or implied by the county council to the said works or any part of them nor the adoption by the Company of any alterations suggested by the county council shall relieve the Company of their responsibility for the sufficiency of any of the works in question The county council shall be entitled at the expense of the Company to reasonable inspection of the said works during their progress :

A.D. 1922.

- (2) Where this Act authorises the diversion or alteration of a road and the stopping up of an existing road or any portion thereof such stopping up shall not take place until the alteration or diversion is completed to the satisfaction of the road authority and is open for public use or in case of difference between the Company and the road authority until the sheriff of the county of Perth shall have certified that the new road including bridges culverts drainage and fencing as necessary has been completed to his satisfaction and is open for public use and where the alteration consists in raising the level of an existing roadway the work shall be carried out in such a way as not to interfere unduly with the public use of the road Before applying to the sheriff for his certificate the Company shall give to the road authority fourteen days' notice in writing of their intention to apply for the same As from the completion of the new road to the satisfaction of the road authority or as from the date of the said certificate as the case may be all rights of way over or along the existing road or portion shall be extinguished and the Company may subject to the provisions of the Railways Clauses Consolidation (Scotland) Act 1845 with respect to mines lying under or near to the railway appropriate and use for the purposes of their undertaking the portion of road stopped up as far as the same is bounded on both sides by lands of the Company :

A.D. 1922.

Provided that the Company shall make full compensation to all parties interested in respect of any private rights of way extinguished by virtue of this section and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement :

The proposed generating station at Blair Castle West Lodge shall be so placed as not to be less than thirty feet from the centre of the public road leading from Blair Atholl to Struan :

(3) If in the opinion of the county council any bridge belonging to them is not of such construction as to be able to carry any aqueduct conduit tunnel pipe wire cable electric line box or other apparatus in under or upon the footway or roadway or structure thereof they shall give notice to this effect to the Company requiring them to make provision for carrying such aqueduct conduit tunnel pipe wire cable electric line or other apparatus separate from and not in any way attached to the said bridge or alternatively to strengthen such bridge in accordance with plans to be submitted to and reasonably approved by the county council :

(4)—(a) For the purpose of section 57 of the Roads and Bridges (Scotland) Act 1878 as amended by section 24 of the Local Government (Scotland) Act 1908 the Company shall be deemed to be the person by or in consequence of whose order any excessive weight shall have been passed or any extraordinary traffic conducted on the county highways if such excessive weight is passed or such traffic is conducted in connection with the execution of the works by this Act authorised ;

(b) Where in the case of roads over which the plant materials and other things necessary for the execution of the works by this Act authorised are to be carried the county council find it necessary to increase the expenditure thereon in order to keep these roads in a proper and sufficient state of repair the Company shall



be bound to pay to the county council such increased cost of maintenance during the period of construction of the works and also the cost of making good the surface where the same is cut through or damaged by such traffic as the same may be agreed upon or as may be determined by arbitration. On completion of any of the works by this Act authorised the Company shall pay to the county council the cost of restoring and reinstating every road bridge and culvert in along or under which any works are constructed or along or over which any haulage of plant materials and things used in connection with the said works has taken place as the same may be agreed upon or as may be determined by arbitration;

A.D. 1922.  
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(c) If the county council shall at any time give notice to the Company that any bridge or culvert on any highway to be used by them for the carriage or haulage of plant materials and things as aforesaid is incapable of carrying any load in excess of a specified weight then the Company shall be bound before crossing any such bridge or culvert with any load in excess of the weight specified temporarily to strengthen any such bridge or culvert and in the event of any damage being done to any such bridge or culvert through such crossing the Company shall make good all such damage to the satisfaction of an engineer to be agreed upon by the county council and the Company or failing agreement to be nominated by the sheriff of the county of Perth and if the Company shall fail forthwith to carry out such works then the county council shall be entitled to carry out the work and to recover the actual cost from the Company. Provided always that if the Company shall consider that any weight specified as aforesaid is below the carrying capacity of the bridge or culvert the weight which such bridge or culvert is capable of carrying shall failing agreement between the parties be determined by arbitration. The provisions herein contained shall not in any way affect or detract from the

A.D. 1922.

statutory provisions regulating the use of locomotives on highways in Scotland contained in the Locomotive (Scotland) Act 1861 and Acts amending the same;

(d) In the event of any part of the highways aforesaid being temporarily rendered impassable or dangerous for passenger or vehicular traffic or of any of the bridges or culverts being destroyed or rendered unsafe by or through any operations of the Company during the construction of the works by this Act authorised the Company shall relieve the county council of all lawful claims in respect thereof and shall cause danger lights to be placed at night at the ends and by the side of the parts of the highways aforesaid or of such bridges and culverts (which danger lights shall be kept burning from one hour before sunset to one hour after sunrise) and shall employ watchmen so as to ensure the safety of the public until the highways bridges and culverts have been repaired:

- (5) Notwithstanding anything contained in the section of this Act of which the marginal note is "Power to deviate" the Company shall not in constructing the reservoirs (Works Nos. 2 and 3) or in any works crossing the roadways and property of the county council deviate upwards from the levels shown in the deposited sections except with the consent in writing of the county council but such consent shall not be unreasonably withheld:
- (6) If by reason of the construction of any of the works by this Act authorised the solum or foundation of any roads abutments piers or retaining walls in the county become sodden waterlogged or flooded so that their inspection and maintenance or reconstruction is rendered difficult or expensive the Company shall on the reasonable instruction of the county council and to their reasonable satisfaction and free of cost to them satisfactorily remedy the matters complained of or if it is impossible so to remedy the same shall provide substitute roads piers abutments retaining walls and fences and shall pay to the county council that increment of



increased maintenance expenditure which has to be met by reason of the construction of the said new works : A.D. 1922.

- (7) Notwithstanding anything contained in the section of this Act whereof the marginal note is "Company may stop up footpaths &c." it is hereby provided and declared that no public footpath bridle path drove road or other track shall be stopped up submerged or discontinued until substitute footpaths bridle paths drove roads or other tracks have been completed by the Company to the satisfaction of the road authority and opened for public use or in case of difference between the Company and the road authority until the sheriff of the county of Perth shall have certified that the said footpaths bridle paths drove roads or other tracks have been completed to his satisfaction and are open for public use Before applying to the sheriff for his certificate the Company shall give to the road authority fourteen days' notice in writing of their intention to apply for the same The Company shall at their own expense maintain the said footpaths bridle paths drove roads or other tracks for two years from the date of completion and opening thereof for public use :
- (8) Notwithstanding anything contained in the section of this Act of which the marginal note is "Additional lands for accesses to works" the Company shall have no power to acquire or interfere with the public road leading from Bridge of Tilt to Fender Bridge or any right of way in over or upon the lands specified in the said section :
- (9) If it should at any time appear to the county council that a danger or menace to public safety has arisen or is likely to arise from the blocking by snow ice or other agency of open aqueducts constructed under the powers contained in this Act then the Company will be bound to take immediate steps to obviate this danger or menace to the reasonable satisfaction of the county council :

[Ch. lxxix.]      *Grampian Electricity* [12 & 13 GEO. 5.]  
*Supply Act, 1922.*

A.D. 1922.  
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(10) Notwithstanding anything contained in the deposited plans and book of reference the works and operations of the Company authorised by this Act shall be so carried out as not to interfere with the use and occupation by the county council of Ardlarach Quarry and if as a result of said works and operations the access to Ardlarach Quarry from the public road leading from Kinloch Rannoch to Rannoch Station is interfered with the Company shall be bound at their own expense to provide a new access to the said quarry to the reasonable satisfaction of the county council and nothing in this Act contained shall be deemed to confer on the Company any right of user of the said quarry :

(11)—(a) If the public health authorities for the county of Perth shall at any time after the passing of this Act apply for a special order or Act of Parliament to enable them to take water for the purpose of domestic water supply or for the disposal of sewage from any loch river or stream the water in which the Company is by means of the works by this Act authorised empowered to appropriate impound store use collect abstract divert and distribute for the purposes of the undertaking the Company shall not be entitled to oppose such application merely on the ground of the powers so conferred upon them by this Act except so far as may be necessary in order to secure the insertion in such order or Act of clauses or amendments to protect their electric lines and works and in particular they shall not be entitled to object to the said public health authorities taking and appropriating from Loch Ericht a quantity of water not exceeding two million gallons daily for the purpose of domestic water supply or for the disposal of sewage within their area Provided that nothing in this section shall prejudice the right of the Company to oppose any such application except as regards the aforesaid limited supply from Loch Ericht if the proposed abstraction of water by the said public health authorities would unreasonably reduce or interfere with the amount of power



to be generated at any of the generating stations which the Company are authorised by this Act to erect; A.D. 1922.  
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(b) For the purpose of giving effect to paragraph (a) of this subsection the public health authorities for the county of Perth may enter upon construct and maintain in or upon the works of the Company the necessary conduits bye-channels connections and intakes required for such abstraction and may also instal and maintain gauges and meters for ascertaining the volume of water so abstracted Any works to be constructed by the public health authorities under the provisions of this subsection shall be constructed to the reasonable approval of the Company :

- (12) The Company shall take all reasonable precautions to prevent the pollution of the waters of the lochs lochans rivers and streams with deleterious matter from the works authorised by this Act or otherwise arising out of the Company's operations and shall provide such works as are reasonably necessary to prevent such pollution and they shall be responsible for any damage arising from such pollution :
- (13) If owing to the diminution of the flow of water in the rivers and streams in the county resulting from the carrying out of the works authorised by this Act the supply or supplies of water at present drawn from the said rivers or streams for any dwelling-houses or holdings in the said county have been rendered insufficient or unsuitable as regards quality the Company shall forthwith provide and maintain at their own cost at such houses or holdings a sufficient and suitable supply or supplies of water therefor In the event of any question or difference arising between the county council and the Company with reference to the carrying out or giving effect to the provisions contained in this subsection such question or difference shall be referred to arbitration :
- (14)—(a) If owing to the construction and operation of the works authorised by this Act or any of

A.D. 1922.

them the volume of waters in the rivers and streams is diminished to such an extent that it will not suffice to carry away sewage which at the passing of this Act is discharged into the said rivers and streams from houses and other buildings adjacent thereto and in consequence thereof the present mode of disposing of the said sewage shall become objectionable the Company shall if and when reasonably required by the county council or the local authority provide and put into operation at the expense of the Company and to the reasonable satisfaction of the county council and the local authority such other arrangements for disposing of the said sewage as the county council and the local authority may reasonably direct;

(b) In the event of any question or difference arising as to whether any such requirements or directions of the county council or the local authority are reasonable or necessary such question or difference shall on the application of the county council the local authority or the Company be referred to the Scottish Board of Health whose decision shall be final and binding on all parties :

- (15) The Company shall so control the top water level of the reservoirs authorised by this Act as to prevent any greater volume of water being discharged therefrom than is presently carried in time of flood by the rivers or streams leading from them or any increase in the incidence of such flooding :
- (16) The Company shall relieve the county council of any claims against them by third parties for damage caused by flooding water logging erosion or silting arising out of or in consequence of the operations of the Company either through the bursting of dams overflowing of conduits or aqueducts diversion of water or otherwise and the Company shall restore remake or replace any road bridge culvert river or flood embankments fence or other property belonging to the county council so damaged or pay to the county council such sum as may be agreed



A.D. 1922.

between them or determined by arbitration to have been the reasonable cost to them of carrying out the said work :

- (17) The Company shall at their own expense before altering the flow of water in any of the rivers streams or lochs in such a way as to render useless any existing ford or footbridge provide alternative means of crossing such river stream or loch of such nature and in such position as may be arranged with the county council or as may be determined by an arbiter appointed as after-mentioned and particularly shall before altering the flow of water in the River Garry erect such a bridge over the River Garry at Woodend Ferry :
- (18) If the county council shall find it necessary to appoint additional public health officials in connection with the supervision of the housing accommodation and sanitary requirements of the persons employed in constructing the works by this Act authorised or to provide additional hospital accommodation therefor the Company shall pay to the county council the cost of such additional public health officials or additional accommodation as the same may failing agreement be determined by the Scottish Board of Health :
- (19) Section 2 of the Police (Scotland) Act 1858 which provides for the appointment of additional constables shall apply to the works by this Act authorised and the Company shall comply with the provisions of that section :
- (20) In the event of an order being made by the Minister of Transport under the section of this Act of which the marginal note is "Cesser of powers" or in the event of the abandonment by the Company of any portion of the works by this Act authorised subsequent to the construction or partial construction thereof the Company shall by notice in writing from the county council forthwith remove all embankments dams roads approaches ways pumping works tanks weirs sluices culverts tunnels aqueducts channels catchwaters sewers drains

A.D. 1922.  
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pipes turbines apparatus buildings and works which are required exclusively for that part of the area of supply to which such order of the Minister of Transport relates or which shall be so abandoned and reinstate the lochs rivers and lands and others affected by such removal to the reasonable satisfaction of the county council and if the Company shall for three months neglect or delay so to do the county council may themselves remove such works of the Company and reinstate in such manner as aforesaid and recover the costs of so doing from the Company and the county council may sell the works so removed and apply the proceeds towards reimbursement of their costs and outlays which shall be a first and preferable charge thereon and shall pay any balance remaining over to the Company :

- (21) Notwithstanding anything contained in this Act or in the incorporated sections it is hereby specially provided that the Company shall be bound to supply electricity to consumers within the county of Perth including the police burghs therein at a rate not exceeding the lowest rate at which they supply electricity to consumers either within or without the area of supply whose circumstances are similar :
- (22) If any difference shall arise between the county council and the Company touching this section or anything to be done or not to be done thereunder such difference shall failing agreement be referred to the decision of an arbiter to be named (failing agreement of the parties to name an arbiter) by the sheriff of the county of Perth on the application of either party and the decision of such arbiter shall be final.

For protection of  
Inverness  
County  
Council  
and district  
committees  
thereof.

**79.** In addition and without prejudice to the provisions contained in the section of this Act of which the marginal note is " For protection of county authorities " the following provisions for the protection of the county council of the county of Inverness including the district committees thereof (all of whom are hereinafter in this section included in the expression " the county council ")



shall (except as otherwise agreed in writing between the Company and the county council) have effect :— A.D. 1922.

- (1) Where this Act authorises the diversion or alteration of a road and the stopping up of an existing road or any portion thereof such stopping up shall not take place until the alteration or diversion is completed to the satisfaction of the road authority and is open for public use or in case of difference between the Company and the road authority until the sheriff of the counties of Inverness Elgin and Nairn shall have certified that the altered or diverted road including bridges culverts drainage and fencing as necessary has been completed to his satisfaction and is open for public use Before applying to the sheriff for his certificate the Company shall give to the road authority fourteen days' notice in writing of their intention to apply for the same As from the completion of the altered or diverted road to the satisfaction of the road authority or as from the date of the said certificate as the case may be all rights of way over or along the existing road or portion shall be extinguished and the Company may subject to the provisions of the Railways Clauses Consolidation (Scotland) Act 1845 with respect to mines lying under or near to the railway appropriate and use for the purposes of their undertaking the portion of road stopped up as far as the same is bounded on both sides by lands of the Company :

Provided that the Company shall make full compensation to all parties interested in respect of any private rights of way extinguished by virtue of this section and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

- (2)—(a) Nothing in this Act shall be deemed to prevent any public health authority for the county of Inverness at any time after the passing of this Act from taking under any existing powers of such public health authority in that behalf power for the purpose of domestic

A.D. 1922.

supply or for the disposal of sewage from any loch river or stream the waters whereof the Company are by means of the works by this Act authorised empowered to appropriate impound store use collect abstract divert and distribute for the purposes of the undertaking Provided that no such public health authority shall (except so far as they may be hereafter authorised by any Act of Parliament or Order confirmed by or having the effect of an Act of Parliament) take from any such loch river or stream such a quantity of water (being a quantity in excess of the quantity which the public health authority are taking at the passing of this Act) as will unreasonably reduce or interfere with the amount of power to be generated at any generating station which the Company are authorised by this Act to erect and any such public health authority shall in exercising any such powers of taking water otherwise than by means of existing works take all such steps as may be reasonably necessary to protect the Company's electric lines and works;

(b) For the purpose of giving effect to paragraph (a) of this subsection any such public health authority may enter upon construct and maintain in or upon the works of the Company the necessary conduits bye-channels connections and intakes required for such abstraction and may also instal and maintain gauges and meters for ascertaining the volume of water so abstracted Any works to be constructed by any such public health authority under the provisions of this subsection shall be constructed to the reasonable approval of the Company :

- (3) The Company shall relieve the county council of any claims against them by third parties for damage caused by flooding water logging erosion or silting arising out of or in consequence of the operations of the Company either through the bursting of dams diversion of water or otherwise and the Company shall restore remake or replace any road bridge culvert river or flood embankments fence or other property belonging to the



county council so damaged or pay to the county council such sum as may be agreed between them or determined by arbitration to have been the reasonable cost of carrying out the said work : A.D. 1922.

- (4) In the event of any depreciation of the assessable rental in the county of Inverness being caused by operations of the Company in constructing or carrying out any works in the said county under the powers of this Act the Company shall until the completion of such works pay in each year to the county council a sum equivalent to such loss of the assessments leviable by the county council as the county council may suffer and as may be attributable to such depreciation of rental after deduction of the amount of the assessment on the rental value of the said works. In the event of any question or difference arising as to whether there has been any depreciation of assessable rental as aforesaid or as to the amount of such depreciation or the amount of loss of assessments in any year to be paid by the Company as aforesaid such question or difference shall be referred to an arbiter to be appointed by the county council and the Company mutually or failing agreement to be appointed on the application of either of the said parties by the sheriff of the counties of Inverness Elgin and Nairn :
- (5) In any case or cases in which the Company by means of any of their works under this Act in the said county shall take or divert water from any course or courses from which a supply or supplies is or are at the passing of this Act derived for primary or farm purposes by any person or persons resident in the said county whereby such person or persons is or are deprived of a supply or supplies of water which he is or they are taking or receiving from such course or courses at the passing of this Act the Company shall forthwith make provision for affording to such person or persons a supply or supplies of water equivalent in amount and as conveniently accessible to such person or persons

A.D. 1922.

as the supply or supplies of which such person or persons is or are deprived as aforesaid or the Company may if they think fit in lieu of affording such supply or supplies or any of them make compensation in money to such person or persons for such deprivation as aforesaid. In the event of any question or difference arising between the county council and the Company with reference to the carrying out or giving effect to the provisions contained in this subsection such question or difference shall be referred to an engineer to be appointed by the county council and the Company mutually or failing agreement to be appointed by the sheriff of the counties of Inverness Elgin and Nairn as hereinbefore provided :

- (6) The provisions of subsections (4) (7) (12) (14) and (15) of the section of this Act of which the marginal note is "For protection of Perth County Council and district committees thereof" shall extend and apply for the protection of the county council as if they were expressly re-enacted in this section and as if the sheriff of the counties of Inverness Elgin and Nairn were therein referred to in place of the sheriff of the county of Perth.

For protection of corporation of city of Glasgow.

**80.** For the protection of the corporation of the city of Glasgow (in this section called "the corporation") the following provisions shall (except so far as may be otherwise agreed between the corporation and the Company) apply and have effect and be binding on the Company :—

- (1) The Company shall not without the consent of the corporation exercise any of the powers of this Act within the limits of supply of the corporation for electrical energy as defined by the Glasgow Electric Lighting Acts 1890 to 1912 or any extension of that area which may be authorised within two years from the passing of this Act but nothing in this section shall derogate from or deprive the Company of any rights under section 5 of the Electric Lighting Act 1909 :



(2) Before the Company commence to construct A.D. 1922.

alter reconstruct or renew any of the works by this Act authorised which may pass over across along under or otherwise interfere with any main pipe lines or aqueducts of the corporation bringing water from Loch Katrine to the said city the Company shall submit to the corporation plans sections and particulars of the proposed works for the reasonable approval of the corporation and the corporation may approve any such plans sections and particulars with or without modification or may disapprove the same and the Company shall not commence such construction alteration reconstruction or renewal unless and until such plans sections and particulars shall have been so approved or settled by arbitration as hereinafter provided If the corporation shall not intimate in writing their approval of any such plans sections and particulars to the Company within one month of the same being submitted to the corporation they shall be deemed to have approved thereof:

(3) The said works of the Company shall be constructed altered reconstructed renewed and maintained only in accordance with plans sections and particulars so approved or settled at the sole risk and cost of the Company and at the sight (if given) and to the reasonable satisfaction of the engineer of the water department of the corporation (hereinafter referred to as "the engineer") and the engineer shall be entitled by himself or other proper person employed by him to superintend the said works and to inspect the materials for the same at all times during the construction alteration reconstruction renewal and maintenance thereof:

(4) If the engineer shall fail to superintend the said works of the Company after the Company have given twenty-one days' notice of their intention to commence the same such works may be commenced without his superintendence:

(5) The Company shall on demand pay to the corporation the reasonable expense of any temporary or permanent works which may be

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necessary in connexion with the construction alteration reconstruction renewal and maintenance of the said works of the Company including the reasonable expense of diverting or altering any main pipe line or aqueduct which it may be reasonably necessary to divert or alter in consequence of the said works of the Company and of all precautions which the corporation may reasonably require to take for the safety of the said main pipe lines or aqueducts of the corporation and the reasonable expense incurred by the corporation in the employment of a sufficient number of inspectors and watchmen to be appointed by the corporation for watching the said main pipe lines and aqueducts during the construction alteration reconstruction renewal and maintenance of the said works of the Company :

- (6) Notwithstanding the approval of the plans sections and particulars or any of them by the <sup>engineer</sup> or of the superintendence given by him the Company shall be responsible for and make good to the corporation any loss or damage or any reasonable cost or expense which may be occasioned to the corporation by reason or in consequence of the works of the Company :
- (7) If any difference shall arise between the Company and the corporation under this section such difference shall be referred to and determined by an engineer to be agreed on or in case of difference shall be determined by arbitration.

For protection of city of Dundee and Dundee Gas Commissioners.

**81.** For the protection of the lord provost magistrates and councillors of the city and royal burgh of Dundee and the Dundee Gas Commissioners (in this section respectively called "the corporation" and "the city" and "the commissioners") the following provisions shall unless otherwise agreed between the Company and the corporation and the commissioners apply and have effect (that is to say) :—

Notwithstanding anything contained in this Act the powers of this Act shall not apply to or be exercised or exerciseable within the city except with the consent of the Corporation and the commissioners



save that the Company may supply outside the city electricity for use within the city for the purposes of traction on railways and lighting vehicles drawn by such traction. A.D. 1922.

82. For the protection of the lord provost magistrates and councillors of the city and royal burgh of Perth (in this section respectively called "the corporation" and "the burgh") the following provisions shall unless otherwise agreed between the Company and the corporation apply and have effect (that is to say) :—

For protection of burgh of Perth.

- (1) Notwithstanding anything contained in this Act the powers of this Act shall not apply to or be exercised or exerciseable within the burgh except with the consent in writing of the corporation burgh ~~el~~at the Company may supply outside the the purposes of ~~city~~ for use within the burgh for vehicles drawn by such traction. Provided that in the event of any extension of the boundaries of the burgh within two years from the passing of this Act such extension shall for the purposes of this section be deemed to be part of the burgh. Provided further that the Company may subject to the provisions in this section ~~contained~~ lay electric mains through the burgh for the purpose of supplying any places within the area of supply ~~beyond the~~ burgh but that only by such route as may be allowed under the provisions of the section of this Act whereof the marginal note is "As to route" and the provisions of the section of this Act whereof the marginal note is "For protection of county authorities" shall so far as applicable apply to the laying down of such mains pipes cables wires inspection boxes and other similar necessary apparatus :
- (2) The Company shall during every day of twenty-four hours after they commence the construction of the dam on the River Ericht authorised by this Act and before they commence to operate by water power the generating station which the Company are by this Act authorised to construct on the lands second described in

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the First Schedule to this Act discharge or deliver such a quantity of water as shall secure that the regular uniform and continuous flow of water flowing down the River Ericht past the said dam shall be at the rate of not less than sixteen million gallons in each such day. The Company shall during every day of twenty-four hours during the months of May to September both inclusive after they commence to operate by water power the said generating station discharge or deliver into Loch Rannoch in a regular uniform and continuous flow not less than thirty-five million gallons in each such day and from and after they commence to operate by water power the generating station which the Company are by this Act authorised to construct on the lands first described in the First Schedule to this Act the Company shall during every day of twenty-four hours discharge or deliver into the River Tummel such a quantity of water as shall secure that the regular uniform and continuous flow of water in the said river immediately below the site of the last-mentioned generating station shall be at a rate not less than the rate of seventy-six million gallons in each such day and shall on every day of twenty-four hours after the Company shall have constructed the works on the upper waters of the River Garry Edendon Water and Bruar Water by this Act authorised discharge and deliver into the said River Tummel such a quantity of water as shall secure that the regular uniform and continuous flow of water in the said River Tummel immediately below the site of the said generating station shall be at a rate not less than the rate of one hundred million gallons in each such day :

- (3) (a) For the purpose of measuring the quantity of water to be so discharged by the Company into the said River Ericht Loch Rannoch and River Tummel respectively the Company shall erect and maintain to the reasonable satisfaction of the corporation at points suitable for the purposes respectively proper and suitable



measuring gauges over or through which the said water so discharged or delivered shall flow and which gauges shall be open to the inspection and examination of all persons interested therein; A.D. 1922.

(b) In case of any neglect on the part of the Company to maintain any gauge in a state of efficiency and in case of any other neglect by or in consequence of which the said respective quantities of water shall not so flow the Company shall for every day on which such neglect occurs forfeit and pay to the corporation (who may sue for and recover the same) the sum of five pounds and shall in addition make compensation for any loss damage or injury sustained by the corporation :

- (4) If any difference arises between the Company and the corporation with respect to the construction or use of any gauge or the state of repair or condition thereof or as to any other matter arising under this section such difference shall be referred to the arbitration of an engineer to be nominated (unless otherwise agreed) on the application of either of them by the sheriff of the county of Perth.

**83.** For the protection of the Caledonian Railway Company the Callander and Oban Railway Company the Killin Railway Company the Brechin and Edzell District Railway Company the North British Railway Company and the Caledonian and North British Railway Companies as owners of the Dundee and Arbroath Joint Line (each of whom is hereinafter in this section referred to as "the railway company") the following provisions shall have effect unless otherwise agreed between the Company and the railway company (that is to say) :—

For protection of certain railway companies.

- (1) The Company shall not exercise the powers of the section of this Act of which the marginal note is "Power to lay down pipes" in relation to any lands railways works or property belonging to or maintained by the railway company without the consent of the railway company which consent shall not be unreasonably withheld :

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- (2) All works by this Act authorised so far as affecting the lands railways works and property belonging to or maintained by the railway company (all of which lands railways works and property so belonging or maintained are hereinafter in this section called "railway works") shall be executed and thereafter maintained by the Company at their sole risk and expense under the superintendence (if given) and to the reasonable satisfaction of the railway company and according to plans sections and particulars previously submitted to the railway company and approved of by them in writing or in case of difference between the Company and the railway company settled by arbitration as hereinafter in this section provided Provided that if the railway company shall not have expressed their approval or disapproval of such plans sections and particulars within twenty-eight days after the same shall have been submitted to them they shall be deemed to have approved thereof :
- (3) The Company shall not without the previous consent in writing of the railway company (which shall not be unreasonably withheld) enter upon alter or interfere with any railway works further or otherwise than may be reasonably necessary for constructing and maintaining any works authorised by this Act or under the Electricity (Supply) Acts 1882 to 1919 or any of those Acts and the Company shall give to the railway company twenty-eight days' notice in writing before commencing to carry out any such works of construction or maintenance except in cases of emergency in which case notice shall be given as early as possible :
- (4) If the railway company shall within twenty-one days from the receipt by them of any such plans sections and particulars as aforesaid give to the Company notice in writing that the railway company desire to themselves execute any works shown therein affecting railway works the railway company shall be entitled to execute the same at the reasonable cost and



under the superintendence (if given) and to the reasonable satisfaction of the Company. Provided always that if the railway company give any such notice to the Company they shall give to the Company seven days' notice in writing of the time at which they will commence such works and shall commence and proceed with the same with all reasonable despatch and shall execute the same in all respects in conformity with the plans sections and particulars thereof as so approved or settled as aforesaid and that if the railway company fail to so commence or to so proceed with or to so execute the works the Company may forthwith execute or proceed with the execution of such works : A.D. 1922.

- (5) The Company shall reimburse the railway company in all reasonable costs and expenses which they may reasonably incur including the employment of inspectors signalmen watchmen and others in the superintendence of the construction maintenance or renewal of the works by this Act authorised so far as the same affect the railway works and the Company shall also pay the reasonable cost of all precautionary measures which may reasonably require to be taken for the safety of the railway works and the ~~working of the traffic thereon~~ on account of the construction maintenance or renewal of the said works :
- (6) In the event of the telegraphic telephonic or electric signal communications of the railway company being at any time injuriously affected by induction or otherwise by the electric lines of the Company the Company shall be at the expense of such remedial works as may be reasonably necessary for the protection of the railway company and in the event of any difference between the Company and the railway company regarding the works so to be executed such difference shall be determined by arbitration in manner hereinafter in this section provided :
- (7) The Company shall from time to time pay to the railway company any additional expense which

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the railway company may incur in effecting any repair renewal widening alteration or extension of the railway works by reason of the existence of any mains pipes apparatus or works of the Company in over upon across or under the railway works :

- (8) The Company shall indemnify the railway company against all loss or damage caused to the railway company by the works and operations of the Company :
- (9) Any question or difference between the Company and the railway company arising under this section shall be referred to and determined by arbitration.

For protection of Highland Railway Company.

**84.** For the protection of the Highland Railway Company (in this section referred to as "the Highland Company") the following provisions shall notwithstanding anything contained in this Act or shown on the deposited plans and sections and unless otherwise agreed apply and have effect (that is to say) :—

- (1) The Company shall so control the top water level of the water in the reservoirs by this Act authorised as to prevent any greater volume of water being discharged from the reservoirs than is presently carried in time of flood by the rivers or streams leading from them or any increase in the incidence of such flooding Suitable gauges shall be provided for ascertaining the discharge from the reservoirs and in the event of dispute the volume and incidence of flooding shall be determined by arbitration as in this section provided :
- (2) Notwithstanding anything contained in the section of this Act of which the marginal note is "Power to deviate" the Company shall not in constructing any works crossing the railways works and other property of the Highland Company (hereinafter in this section referred to as "the railway") deviate upwards from the levels thereof shown on the deposited sections :
- (3) In the construction of open aqueducts provision shall so far as may be reasonably necessary for the protection of the railway be made for



assuring that no greater volume of water shall be admitted to them than they can be reasonably expected to carry without risk of overflow or critical flooding and in the case of both open and pressure aqueducts provision shall be made for cutting off the supply of water and of emptying them in the event of their failing or becoming obstructed or otherwise defective : A.D. 1922,

- (4) At least six weeks before the Company commence the construction of any of the works by this Act authorised the construction maintenance or user of which might affect or in the reasonable opinion of the engineer of the Highland Company be a source of danger to the railway (hereinafter in this section referred to as "the said works") the Company shall submit to the said engineer plans sections specifications and other particulars thereof (hereinafter in this section referred to as "the plans and specifications") for his reasonable approval and if at the expiration of one month after the plans and specifications shall have been submitted to him the engineer of the Highland Company shall not have approved the same in writing he shall be deemed to have disapproved thereof and a difference shall be deemed to have arisen which shall be settled by arbitration as in this section provided The Company shall give the said engineer seven days' notice of their intention to commence any of the said works :

- (5) The said works shall be constructed by the Company only in accordance with the plans and specifications so approved or settled as aforesaid and so far as regards works crossing the railway at such times and in such manner as shall have been reasonably approved by and to the reasonable satisfaction and under the superintendence (if given) of the engineer of the Highland Company and the said engineer shall be entitled by himself or other proper person employed by him to inspect any and every part of the said works and the materials for the same at all times during the construction thereof and at all times after the completion thereof :

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—

- (6) If in the construction of any works by this Act authorised the Company require to break up alter or otherwise interfere with the railway the Highland Company may on giving to the Company within twenty-one days of the receipt by the Highland Company of the plans sections specifications and particulars relating to such works notice in writing of their intention so to do carry out such works so far as they consist of breaking up altering or otherwise interfering with the railway and the expense and cost reasonably incurred by the Highland Company in so doing shall be paid by the Company but in the event of the Highland Company not proceeding forthwith to execute such works or failing to execute the same with due despatch the Company may execute the same as if no such notice as is last hereinbefore mentioned had been given :
- (7) The said works shall be executed by and in all things at the expense of the Company and in such manner as not to cause any injury to the railway or any interruption to the passage or conduct of the traffic thereon and if any such injury or interruption shall arise the Company shall make full compensation to the Highland Company in respect thereof :
- (8) Where the said works shall be carried under the railway they shall wherever it is reasonably necessary for the protection of the railway be so carried by means of walled passages or culverts of sufficient height and width to admit of the same being examined to ascertain the conditions and state of repair and to effect the repairs and renewals thereof and of such walled passages or culverts :
- (9) The Company shall bear and on demand pay to the Highland Company the reasonable expense of any temporary works which may be reasonably necessary in connexion with the execution and maintenance of the said works over into through or under the railway and of the employment by the Highland Company (if and so far as reasonably necessary) of a sufficient



number of inspectors watchmen signalmen and flagmen to be appointed by the Highland Company for watching and signalling the railway and for the conduct of the traffic thereon with reference to and during the construction of the said works : A.D. 1922.

- (10) If at any time after the completion of the said works the same shall become so out of repair as to cause risk of injury to the railway the Company shall forthwith put the same in fit repair and condition and if they fail to do so after reasonable notice in writing to that effect given to them by or on behalf of the Highland Company then the Highland Company may enter upon the said works and carry out such reasonable operations as shall render the defective works incapable of damaging the railway and may recover from the Company the reasonable cost of so doing :
- (11) The Company shall not under the powers of this Act acquire any land or property of the Highland Company but the Company may purchase and take and the Highland Company shall at the request of the Company sell and grant such easements or rights of using so much of the land or property of the Highland Company as may be necessary for the construction maintenance and use of the said works over into through or under the railway in accordance with the provisions of this section and the Company shall pay to the Highland Company in respect of any such easements or rights such sum as shall in case of dispute be determined by arbitration under and in accordance with the provisions of the Lands Clauses Acts with respect to the settlement of cases of disputed compensation under those Acts Nothing in this section shall derogate from any powers or rights of the Company with respect to wayleaves under the Electricity (Supply) Acts 1882 to 1919 or any Act amending the same :
- (12) Any additional expense which the Highland Company may reasonably incur by reason of the existence of the said works in widening

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altering or improving under their existing powers in that behalf the railway or increasing under such powers the railway accommodation shall be paid by the Company :

- (13) The Company shall so construct maintain and work any wires conductors or apparatus for transmitting electrical energy under the powers of this Act as not to damage or interfere with the working of any telephone telegraph train signalling or other apparatus of the Highland Company and if any such interference shall take place the Highland Company shall be at liberty to make such alterations of their apparatus as may be reasonably necessary to prevent the continuance of such interference and the Company shall repay to the Highland Company the reasonable cost of such alterations :

- ~~(14)~~ (14) Notwithstanding the approval of plans and specifications of the said works by the engineer of the Highland Company or any superintendence as aforesaid the Company shall be responsible for and make good to the Highland Company any losses or damages and any reasonable costs and expenses which may be occasioned to them or to the railway or to the traffic thereon or otherwise by reason or in consequence of the construction execution or failure in whole or in part of the said works or any of them or by any act or omission of the Company or of their contractors agents or other persons in their employment and the Company shall also effectually indemnify and hold harmless the Highland Company from all claims and demands upon or against them by reason of such execution or failure or of such act or omission :

- (15) The Highland Company may under any existing powers of the Highland Company in that behalf repair and when necessary reconstruct the railway and construct and maintain sidings therefrom on any lands other than lands of the Company on under or over which any of the said works may be constructed and the Company shall from time to time pay to the Highland Company any extra expense which the Highland



Company may incur in effecting any such repair or reconstruction of the railway and the construction and maintenance of sidings therefrom by reason of the existence of any works of the Company in or over upon across or under the railway. Provided that the Highland Company shall only exercise the powers of this subsection in accordance with plans sections and particulars submitted to and approved by the Company or settled by arbitration as hereinafter provided : A.D. 1922.

(16) If the Highland Company are deprived of any supply of water for their engines stations and servants' cottages taken from any river stream or spring the waters whereof are appropriated by the Company under the powers of this Act the Company shall either give free of charge to the Highland Company and maintain a supply equivalent to the existing supply of which the Highland Company may be so deprived as aforesaid or shall make compensation to the Highland Company for such deprivation and such compensation shall in default of agreement be settled by arbitration :

(17) If any difference shall arise between the Company and the Highland Company under this section such difference shall (except where the determination thereof is in this section otherwise provided for) be referred to arbitration.

**85.** For the protection of the Arbroath Electric Light and Power Company Limited (in this section called "the Arbroath Company") the following provisions shall unless otherwise agreed between the Company and the Arbroath Company apply and have effect (that is to say) :—

For protection of Arbroath Electric Light and Power Company Limited.

Notwithstanding anything contained in this Act the powers of this Act shall not apply to or be exercised or exerciseable within the area of supply of the Arbroath Company as defined by the Arbroath Electric Lighting Order 1907 except with the consent of the Arbroath Company save that the Company may supply outside the said area of supply electricity for use within the said area of supply for the purposes of traction on railways and lighting vehicles drawn by such traction.

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For protection  
of United Free  
Church of Scot-  
land: Congrega-  
tion of Kinloch  
Rannoch.

Reference to  
arbitration.

Payment  
of interest  
out of  
capital.

**86.** Notwithstanding anything contained in this Act or shown on the deposited plans the Company shall not enter upon take or use compulsorily the lands numbered on the said plans 139 in the parish of Fortingall or any part of any of those lands.

**87.**—Where under this Act any question or dispute is to be referred to arbitration then unless other provision is made the reference shall be to an arbiter agreed on between the parties or failing agreement appointed by the Minister of Transport. The arbiter shall if any question of law arises in the course of an arbitration under this section have power at the request of either party to state a case for the opinion of the Court of Session and the said court shall determine such question.

**88.** Notwithstanding anything in this Act or any Act or Acts incorporated therewith the Company may out of any money by this Act authorised to be raised pay and charge to capital account interest at such rate not exceeding eight pounds per centum per annum as the directors may determine to any shareholder (which expression where used in this section includes stockholder) on the amount from time to time paid up on the shares or stock (all of which are in this section included in the expression "~~shares~~" or the expression "shares") held by him from the respective times of such payments until the expiration of the time limited by this Act for the completion of the works by this Act authorised or for such less period as the directors may determine ~~but~~ subject always to the conditions hereinafter stated (that is to say):—

- (a) No such interest shall accrue in favour of any shareholder for any time during which any call on any of his shares is in arrear:
- (b) The aggregate amount to be so paid for interest shall not exceed one-fifth of the capital for the time being issued and paid up and the amount so paid shall not be deemed capital in respect of which the borrowing powers of the Company may be exercised:
- (c) Notice that the Company has power so to pay interest out of capital shall be given in every prospectus advertisement or other document of the Company inviting subscriptions for shares



and in every certificate of shares which may be issued by or on behalf of the Company during any period during which such interest shall be paid : A.D. 1922.

- (d) The yearly accounts of the Company shall show the amount of capital on which and the rate at which interest has been paid in pursuance of this section.

Save as hereinbefore set forth and except as may be otherwise expressly provided by this Act no interest or dividend shall be paid out of any share or loan capital which the Company are by this Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation (Scotland) Act 1845.

**89.** The Company may charge to capital account the interest accruing during the period by this Act limited for the completion of the works by this Act authorised or such less period as the directors may determine on all or any moneys borrowed or moneys raised by the issue of debentures or debenture stock created and issued under the powers of this Act for the purpose of providing funds for the construction of the works by this Act authorised or other purposes to or on which capital may under the provisions of this Act be applied or expended. Interest on borrowed money out of capital.

**90.** Except as is by this Act expressly provided nothing in this Act shall exempt the Company or their undertaking from the provisions of or deprive the Company of the benefits of any general Act relating to electricity or to the supply of or to the price to be charged for electricity which has been already passed or which may be passed after the passing of this Act. Provision as to general Acts.

**91.** The Company shall if and when required by the local authority of the district in which the works by this Act authorised are situate (in this section called "the local authority") make provision to the satisfaction Accommodation for workmen &c.

A.D. 1922. of the local authority for the proper housing and sanitary requirements of the persons employed in constructing the works by this Act authorised and for the treatment of cases of sickness (including infectious disease) and accident occurring among the said persons during the construction of the said works. In considering what provision ought to be made for the said purposes the local authority shall take into consideration the provision already available in the neighbourhood of or conveniently accessible from the said works.

In the event of any dispute arising between the Company and the local authority as to the amount or nature or situation of the housing accommodation and sanitary requirements to be provided or as to the sufficiency of the provision for the treatment of cases of sickness (including infectious disease) and accident or as to the time within which such accommodation shall be provided and such provision made or as to the carrying out by the Company of any requirement of the local authority under this section either party may appeal to the Scottish Board of Health (in this section called "the Board") and their decision shall be final and binding on both parties :

Provided that if it appear to the Board at any time that sufficient provision for the aforesaid purpose is not made they shall have power to require the Company to make provision or additional provision therefor to the satisfaction of the Board.

In the event of the Company or the local authority failing to comply with any order or requirement of the Board under this section they shall be liable to a penalty not exceeding twenty pounds and to a further penalty not exceeding five pounds for every day during which such failure continues and such penalties shall be recoverable with expenses at the instance of the Lord Advocate on behalf of the Board in any competent court.

For the purposes of this section the Board shall have the same powers of holding inquiries and of requiring reports to be made by local authorities and their officials as they have under the Public Health (Scotland) Act 1897 for the purposes of that Act and the provisions of the said Act relating to such inquiries and reports shall apply accordingly.



**92.** Save so far as the Board of Trade (in this section referred to as "the Board") may on the application of the Company otherwise direct the following provisions shall apply and have effect (that is to say):—

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Purchase of  
under-  
taking.

(1) The Board with the consent of the Treasury may at any time within six months after the expiration of the fifty-ninth year from the passing of this Act or within six months after the expiration of any subsequent period of ten years by notice in writing require the Company to sell to the Board at the expiration of such period (not being less than one year nor more than three years from the date of the notice) as is mentioned in the notice so much of the undertaking of the Company as is for the time being used by the Company in connexion with the appropriation diversion and user of water for the production of motive power and the generation of electricity thereby (including lands wayleaves and other servitudes buildings machinery works and apparatus of the Company used in so producing motive power and generating electricity and all main transmission lines as defined by the Electricity (Supply) Act 1919 belonging to the Company and used in connexion with the part of the undertaking sold) and at the expiration of the period mentioned in the notice the Company shall sell the same to the Board and the Board shall purchase the same at the price hereinafter mentioned:

(2) The price to be paid shall be—

(a) as respects so much of the part of the undertaking sold as consists of civil engineering works and other property of a permanent character including land wayleaves and other servitudes dams watercourses and buildings the capital expended thereon as shown by the audited accounts of the Company less one per centum for each year that has elapsed since the expiration of the tenth year from the passing of this Act with the addition to the amount so determined of a percentage of

A.D. 1922.

such capital expenditure ascertained in accordance with the following scale :—

If the purchase takes place—

in the sixty-first year from the passing of this Act ten per centum ;

in the sixty-second year therefrom nine and three-quarters per centum ;

in the sixty-third year therefrom nine and a half per centum ;

and so on ;

- (b) as respects so much of the part of the undertaking sold as consists of other works including sluice-gates pipes turbines electric generators and other machinery and plant and main transmission lines the capital expended thereon as shown by such audited accounts as aforesaid less the value of any physical deterioration which may be shown to have occurred therein :

Provided that the price to be paid for any work building or main transmission line shall in no case exceed the cost of the replacement thereof at the date of the notice to purchase :

- (3) If any question arises—

(a) as to the works or property to be included in the sale or the liabilities or obligations to be transferred to the Board thereon as hereinafter in this section mentioned ; or

(b) as to whether any property falls within the terms of paragraph (a) or the terms of paragraph (b) of subsection (2) of this section ; or

(c) as to the price to be paid to the Company for the part of the undertaking acquired by the Board ; or

(d) as to any approval required to be given under subsection (6) of this section ;  
the question shall be determined by the arbitration of an arbiter appointed by the Lord President of the Court of Session :



- (4) On the completion of the purchase the part of the undertaking purchased shall vest in His Majesty free from any debts or mortgages of the Company and all rights powers and authorities exerciseable by the Company in relation to the part of the undertaking purchased (including the power of taking water) and all liabilities or obligations to which the Company may be subject under any contracts for the supply of electricity existing at the date of the notice referred to in subsection (1) of this section or in relation to the discharge of compensation water or the supply of water or generally in relation to the part of the undertaking purchased shall be transferred to and vest in the Board: A.D. 1922.
- (5) Nothing in this section shall affect the part of the undertaking not included in the purchase or any power right authority obligation or liability of the Company to supply electricity other than liabilities and obligations of the Company under any such contract for the supply of electricity as is mentioned in the last preceding subsection of this section but no obligation of the Company under this Act to furnish a supply of electricity shall be enforceable against the Company after the completion of the purchase if and so far as the performance thereof is rendered impracticable in consequence of such purchase:
- (6) Nothing in this section shall place the Board under any obligation to afford any supply of electricity otherwise than under a contract for the supply of electricity existing at the date of the said notice referred to in subsection (1) of this section Provided always that no liability or obligation to which the Company may be subject under any contract for the supply of electricity shall be transferred to and vest in the Board under this section unless any terms and conditions of such contract which are to be carried out after the expiration of the fifty-ninth year from the passing of this Act shall have been approved by the Electricity Commissioners No such approval shall be unreasonably withheld and the

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Electricity Commissioners are hereby authorised to approve any such terms and conditions in any such contract accordingly.

Recovery of penalties.

**93.** Save as is otherwise by this Act expressly provided all offences against this Act and all penalties forfeitures costs and expenses imposed or recoverable under this Act may be prosecuted and recovered in a summary manner Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

Recovery of demands.

**94.** Proceedings for the recovery of any demand made under the authority of this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any sheriff court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court according to the law of Scotland for the time being.

Crown salmon fishings.

**95.** The Company shall make compensation for the damage or injury (if any) which may be sustained by His Majesty or His tenants in respect of His right of salmon fishing through the exercise of the powers of this Act and in case the amount of such compensation shall not be agreed upon the same shall be ascertained and fixed by the decision and decree arbitral of two arbiters to be appointed the one by the Commissioners of Woods and the other by the Company or of an oversman to be named by the said arbiters to act in the event of their differing in opinion and the Arbitration (Scotland) Act 1894 shall apply to any arbitration under this section.

Costs of Act.

**96.** All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.



The SCHEDULES referred to in the  
foregoing Act.

A.D. 1922.

FIRST SCHEDULE.

LANDS FOR GENERATING STATIONS.

First Lands in the parishes of Dull and Blair Atholl in the county of Perth on the Tiver Tummel bounded on the north by the part of the main road from Kinloch Rannoch to Pitlochry which commences at a point on the said road one hundred and thirty yards or thereabouts measured along the said road in a south-easterly direction from the centre of Tummel Bridge and terminates at a point on the said road six hundred and sixty yards or thereabouts measured in an easterly direction along the said road from the said point of commencement bounded on the east by an imaginary straight line commencing at the point of termination of the said northern boundary of the said lands and terminating at a point four hundred and thirty yards or thereabouts due south of its commencement bounded on the south by an imaginary straight line commencing at the said point of termination of the said eastern boundary of the said lands and terminating at a point five hundred yards or thereabouts measured in a westerly direction from the said point of commencement and five hundred and thirty yards or thereabouts measured in a south-easterly direction from the centre of Tummel Bridge and bounded on the south-west by an imaginary straight line commencing at the said point of termination of the said southern boundary of the said lands and terminating at a point three hundred and thirty yards or thereabouts measured in a north-westerly direction from the point of its commencement and three hundred yards or thereabouts measured in a southerly direction from the centre of Tummel Bridge and bounded on the north-west by an imaginary straight line commencing at the said point of termination of the said south-western boundary of the said lands and terminating at the said point of commencement of the said northern boundary thereof.

Secondly Lands in the parish of Fortingall in the county of Perth on the north shore of Loch Rannoch bounded on the southern side by the part of the main road from Rannoch to Kinloch Rannoch which commences at a point on the said road seven hundred yards or thereabouts measured in a southerly and easterly direction along the said road from the centre of the Bridge of Ericht and terminates at a point on the said road one thousand and seventy yards or thereabouts measured in an easterly direction along the said road from the said point of

A.D. 1922. commencement bounded on the western side by a fence commencing at the said point of commencement and terminating at a point on the western approach road to Ardlarach Farm four hundred yards or thereabouts measured in a north-easterly direction along the said approach road from the point of junction thereof with the said main road bounded on the northern side by the approach road leading to Ardlarach Farm from the said main road and by a fence three hundred and seventy yards or thereabouts in length extending from a point three hundred and thirty yards or thereabouts measured in a south-easterly direction from Ardlarach Farmhouse to a point two hundred and twenty yards or thereabouts measured in a north-westerly direction from the point of termination of the southern boundary hereinbefore described and bounded on the eastern side by a fence two hundred and twenty yards or thereabouts in length extending between the said respective points of termination of the said northern and southern boundaries.

Thirdly Lands in the said parish of Blair Atholl situated on the Bruar Water and bounded on the north by an imaginary straight line commencing at a point four hundred yards or thereabouts measured in a south-westerly direction from Bruar Lodge and one thousand eight hundred and fifty yards or thereabouts measured in a northerly direction from a point on the Bruar Water six hundred and fifty yards or thereabouts measured in a southerly direction along the Bruar Water from the bridge carrying the road over Bruar Water to Bruar Lodge and terminating at a point nine hundred and twenty yards or thereabouts measured due east from the said point of its commencement bounded on the east by an imaginary straight line commencing at the said point of termination of the said northern boundary of the said lands and terminating at a point nine hundred and twenty yards or thereabouts measured due south from its said point of commencement bounded on the south by an imaginary straight line commencing at the point of termination of the said eastern boundary of the said lands and terminating at a point nine hundred and twenty yards or thereabouts measured due west from its said point of commencement and bounded on the west by an imaginary straight line drawn from the said point of termination of the southern boundary to the said point of commencement of the northern boundary of the said lands.

Fourthly Lands in the said parish of Blair Atholl being the western part of the enclosure numbered 293 on the  $\frac{251}{2500}$  Ordnance map (edition 1900 Perthshire sheet XXI—13) the said lands being bounded on the north by the main road from Blair Atholl to Dalnacardoch on the south by the River Garry on the west by the western boundary of the said enclosure and on the east by an imaginary straight line drawn due north and south through a point two hundred and forty yards due east of the westernmost point on the said western boundary.



SECOND SCHEDULE.

A.D. 1922.

PART I.

Section 1.

Where the Company charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter :—

- (a) For any quantity not exceeding the equivalent of four hundred hours of supply at any one point of supply at the maximum power which has been demanded by him at that point at the rate of threepence per unit :
- (b) For any further quantity exceeding the equivalent of four hundred hours of supply at any one point of supply at the maximum power which has been demanded by him at that point at the rate of twopence per unit.

And the prices so charged under this section shall include the cost of transforming the energy (if so required by the authority or person supplied) to such pressure as the authority or person respectively may reasonably require.

Section 2.

Where the Company charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this Part of the Schedule the amount of energy supplied to him being taken to be the product of such electrical quantity and the declared pressure at the consumer's terminals (that is to say) such a constant pressure at those terminals as may be declared by the Company under the regulations of the Minister of Transport.

PART II.

Section 1.

Where the Company charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter :—

For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence.

Section 2.

Where the Company charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this Part of this Schedule the amount of energy supplied to

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A.D. 1922. him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals (that is to say) such a constant pressure at those terminals as may be declared by the Company under the regulations of the Minister of Transport.

In this Schedule—

The expression “ unit ” shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

### THIRD SCHEDULE.

Describing Properties of which portions only may be taken compulsorily.

Parish.	Nos. on Deposited Plans.
Laggan - - - - -	10 11 12 14 16 24 30 and 34.
Kingussie and Insh - - - - -	4 and 17.
Blair Atholl - - - - -	19 20 21 31 32 33 34 71 79 80 81 82 and 88.
Fortingall - - - - -	20 30 40 43 44 49 50 51 52 53 54 55 60 67 68 69 70 73 75 76 77 78 79 80 81 82 88 98 103 105 107 108 112 115 116 122 123 124 125 126 127 130 136 137 138 140 146 147 149 150 151 152 156 157 158 161 162 163 164 166 167 169 170 171 174 175 177 179 180 181 191 192 193 194 195 196 198 199 201 203 204 205 207 209 210 211 213 214 217 218 219 220 221 222 223 224 225 229 230 231 232 238 242 243 245 246 247 258 261 262 263 264 265 290 291 293 and 294.
Dull - - - - -	2 3 4 and 6.



FOURTH SCHEDULE.

A.D. 1922.

Describing Properties in respect of which Servitudes only  
 may be taken compulsorily.

Parish.	Nos. on Deposited Plans.
Laggan - - - - -	1 2 3 9 13 38 43 44 52 56 65 69 70 71 72 73 74 75 76 77 and 78.
Kingussie and Insh - - -	1 2 3 16 20 21 22 23 25 26 27 28 29 30 31 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 and 55.
Blair Atholl - - - - -	1 2 3 4 6 7 10 11 12 13 27 30 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 69 72 73 74 77 78 87 89 90 91 and 93.
Fortingall - - - - -	1 2 3 4 7 8 9 10 11 12 13 14 15 16 17 18 29 39 41 42 61 71 72 74 88 89 101 119 128 131 143 144 145 159 183 184 185 186 187 188 189 190 197 208 233 244 250 260 267 269 272 274 275 276 277 279 280 281 282 291 292 293 and 294.
Dull - - - - -	1 2 4 and 5.

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