



## CHAPTER xxviii.

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Falkirk Burgh extension drainage &c. A.D. 1929.  
[10th May 1929.]

**W**HEREAS the Provisional Order set forth in the schedule hereunto annexed has been made by one of His Majesty's Principal Secretaries of State under the provisions of the Private Legislation Procedure (Scotland) Act 1899 as read with the Secretaries of State Act 1926 and it is requisite that the said Order should be confirmed by Parliament: 62 & 63 Vict. c. 47.

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

1. The Provisional Order contained in the schedule hereunto annexed shall be and the same is hereby confirmed. Confirmation of Order in schedule.

2. This Act may be cited as the Falkirk Burgh Order Confirmation Act 1929. Short title.

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SCHEDULE.

FALKIRK BURGH.

*Provisional Order to extend the boundaries of the burgh of Falkirk to authorise the Town Council of Falkirk to construct sewers and sewage works to acquire lands to borrow money to confer further powers upon the Town Council in relation to streets and other matters and for other purposes.*

WHEREAS the provost magistrates and councillors of the burgh of Falkirk in the county of Stirling (hereinafter referred to as "the Town Council") are the local sanitary and public health and lighting authority within the said burgh and are charged with the management and administration thereof and are also the local authority within the said burgh under the Tramways Act 1870:

And whereas by virtue of the Falkirk Corporation Gas Acts 1894 to 1910 the Town Council have erected gasworks and supply gas within the burgh of Falkirk and to districts and places adjacent thereto as defined in the Falkirk Corporation Gas Act 1894:

And whereas the boundaries of the burgh were last extended by the Falkirk Corporation Gas and Burgh Extension Act 1900:

And whereas since the passing of the said Act the population of the burgh has increased and the industries of the burgh have expanded and lands available for the erection of dwelling-houses within the burgh have become very limited and it is necessary to arrange for the erection of houses on lands outwith the burgh boundaries for the accommodation of persons employed in the burgh including those to be displaced by proposed schemes for the clearance of slum areas:

And whereas lands situate within the districts proposed to be added to the burgh (hereinafter referred

to as "the district annexed") will be required for such purposes and it is expedient that such lands should be included within the boundaries of the burgh : A.D. 1929.  
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And whereas lands available for the erection of industrial premises within the burgh have also become very limited and lands situate within the district annexed will be required for such purposes and it is expedient that such lands should also be included within the boundaries of the burgh :

And whereas persons engaged in business or employed in the burgh reside in various parts of the district annexed and persons engaged in business or employed in the district annexed reside in the burgh and there is thus a single centre of population with community of interest :

And whereas certain parts of the district annexed are provided by the Town Council with certain communal services :

And whereas there are situated in the district annexed certain properties belonging to the Town Council and it is expedient that such properties should be included within the boundaries of the burgh :

And whereas it is expedient for the efficient and convenient administration and development of public services for the area that the district annexed should be included within the boundaries of the burgh :

And whereas it is expedient that the boundaries of the existing burgh of Falkirk should be extended as by this Order provided and that all franchises rights privileges and immunities of and pertaining to the existing burgh of Falkirk and the powers and jurisdictions of the Town Council and all other powers and jurisdictions applicable within the existing burgh should as by this Order provided be extended to and be applicable within the burgh as extended by this Order and to the inhabitants thereof :

And whereas for the purposes of such extension it is expedient that subject to the provisions of this Order the district annexed should be separated and disjoined for the purposes of this Order from the county of Stirling and that subject to the said provisions all matters of administration and management and all jurisdictions powers

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*Order Confirmation Act, 1929.*

A.D. 1929.      functions and authorities within the district annexed  
 — should devolve upon and be vested in the Town Council :

And whereas it is expedient that the burgh as extended by this Order should be wholly situate in the parish of Falkirk and that the boundaries of the parishes of Falkirk and Larbert should be altered and adjusted as hereinafter in this Order provided :

And whereas it is expedient that the district annexed should be added to the existing wards of the burgh :

And whereas it is expedient that the Town Council should be authorised to supply gas to the district annexed :

And whereas the existing facilities for the proper treatment and disposal of the sewage of the existing burgh of Falkirk and the district annexed are inadequate particularly in view of the growth of the burgh and the prospective development thereof and of the district annexed and it is expedient to make provision for the more effectual treatment and disposal of the said sewage :

And whereas the existing burgh of Falkirk and the district annexed form a convenient area for the purpose of a single comprehensive scheme for the treatment and disposal of sewage :

And whereas it is expedient that the Town Council should be authorised for those purposes to construct the sewers and other works by this Order authorised and to acquire lands and borrow money for those purposes and for the other purposes of this Order and to levy collect and recover rates assessments and charges within the burgh as extended by this Order all as hereinafter in this Order provided :

And whereas estimates have been prepared by the Town Council for and in relation to the purposes hereinafter mentioned in respect of which they are by this Order authorised to borrow money and such estimates are as follows :—

For the acquisition of lands minerals and	£
servitudes - - - - -	14,000
For and in connection with the construc-	
tion of the works by this Order	
authorised - - - - -	66,700

And whereas the said works included in such estimates are permanent works and it is expedient that the cost thereof should be spread over a term of years : A.D. 1929.

And whereas plans and sections showing the lines situations and levels of the works authorised by this Order and the lands proposed to be taken for the purposes thereof and of this Order and also a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands and other property required or which may be taken for the purposes or under the powers of this Order were duly deposited in the offices at Stirling and Falkirk respectively of the sheriff clerk of the county of Stirling and are hereinafter referred to as the deposited plans sections and book of reference :

And whereas it is expedient that the provisions hereinafter in this Order contained in reference to streets and other matters should be enacted :

And whereas it is expedient that further powers should be conferred upon the Town Council for preventing the spread of infectious disease in the burgh :

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

And whereas the purposes aforesaid cannot be effected without an Order confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1899 :

Now therefore in pursuance of the powers contained in the last-mentioned Act as read with the Secretaries of State Act 1926 the Secretary of State orders as follows :—

## PART I.

### PRELIMINARY.

1. This Order may be cited for all purposes as the Short title.  
*Falkirk Burgh Order 1929.*

2. This Order shall (except as otherwise in this Order provided) commence and have effect on the fifteenth day of May one thousand nine hundred and twenty-nine (which date is hereinafter in this Order referred to as “the commencement of this Order”). Commence-  
ment of  
Order.

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*Order Confirmation Act, 1929.*

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Division of  
Order into  
Parts.

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

Part I.—Preliminary.

Part II.—Burgh extension.

Part III.—Drainage.

Part IV.—Streets &c.

Part V.—Gas.

Part VI.—Miscellaneous.

Incorpora-  
tion of  
Acts.

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

The Lands Clauses Acts except section 120 of the Lands Clauses Consolidation (Scotland) Act 1845 ;

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 the crossing of roads or other interference therewith and with respect to mines lying under or near the railway :

Provided that the bond required by section 84 of the Lands Clauses Consolidation (Scotland) Act 1845 shall be under the seal of the Town Council and shall be sufficient without the securities mentioned in the said section.

This Order shall be deemed a special Act within the meaning of the Acts wholly or partially incorporated herewith.

Interpreta-  
tion.

5. In this Order unless there be something in the subject or context inconsistent with or repugnant to such construction—

(a) The several words and expressions to which meanings are assigned by any local Act of Parliament or Order applicable within the existing burgh or in any Acts wholly or partially incorporated with this Order shall subject to the provisions of this Order have the same respective meanings ; and



(b) The following words and expressions shall have the meanings assigned to them in this section (that is to say) :— A.D. 1929.  
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“Annexation” means the date referred to in the section of this Order of which the marginal note is “Commencement of Order”;

“Burgh” means the existing burgh as extended by this Order;

“County” means the county of Stirling;

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

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

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

“District annexed” means the districts by this Order incorporated with the existing burgh;

“District committee” means the district committee of the eastern district of the county;

“Election Acts” means the Acts in force for the time being relating to the registration of parliamentary and local government voters and the election of town councillors;

“Existing burgh” means the burgh of Falkirk within the limits and boundaries existing immediately previous to the commencement of this Order;

“Gas Acts” means the Falkirk Corporation Gas Acts 1894 to 1910;

“Lands and heritages” means lands and heritages as defined in the Valuation Acts;

“Liabilities” unless where otherwise expressly provided includes all debts and liabilities to which any person is or but for the passing of the Act confirming this Order would be liable or subject whether accrued due at the annexation or subsequently accruing;

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“Magistrates” means the magistrates of the existing burgh or of the burgh as the case may be;

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

“Property” includes all property heritable and moveable and all estates interests servitudes and rights in to and out of the property heritable and moveable including things forming the subject of suit claim or process and registers books and documents and when used in relation to any county clerk county council or district committee includes any property which at the annexation belongs to or is vested in or held in trust for or would but for the passing of the Act confirming this Order have on or after the annexation belonged to or been vested in or held in trust for such county clerk county council or district committee;

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

“Sheriff” means the sheriff of Stirling Dumbarton and Clackmannan and includes his substitutes;

“Statutory borrowing power” means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed or any Provisional Order confirmed by Act of Parliament passed or to be passed;



“Town clerk” means the town clerk of the existing burgh or of the burgh as the case may be; A.D. 1929.

“Town Council” means the provost magistrates and councillors of the existing burgh or of the burgh as the case may be;

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

“Valuation Acts” means the Acts in force for the time being relating to the valuation of lands and heritages;

“Valuation roll” means the valuation roll made up in pursuance of the Valuation Acts.

In the Acts wholly or partially incorporated with this Order—

The expressions “the company” “the undertakers” and “the promoters of the undertaking” and other like expressions mean for the purposes of this Order the Town Council;

The expressions “railway” “work” and “the undertaking” or other like expressions in the Lands Clauses Acts and in the provisions of the Railways Clauses Consolidation (Scotland) Act 1845 incorporated with this Order mean for the purposes of this Order the works by this Order authorised and the expression “centre of the railway” in the last-mentioned provisions means for the purposes of this Order any part of those works.

## PART II.

### BURGH EXTENSION.

6. The municipal and police boundaries of the existing burgh shall be and are hereby extended to and shall include and comprehend the existing burgh and the district annexed and the burgh shall be comprised within the limits and boundaries set forth and described in the First Schedule to this Order. Provided that the description of the said boundaries shall be subject to the rules of construction in section 5 of the Representation of the People (Scotland) Act 1832. Extension of boundaries.

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Map of  
burgh.

7. A map of the burgh of which nine copies have been signed by Percy J. Rose Assistant Under Secretary of State shall within one month after the passing of the Act confirming this Order be deposited as follows one copy with the town clerk at his office one copy with the sheriff clerk of the county at his office at Stirling and one copy with the said clerk at his office at Falkirk one copy at the Scottish Office Whitehall one copy with the Registrar-General of Births Deaths and Marriages in Scotland one copy with the Ministry of Agriculture and Fisheries one copy with the Commissioners of Customs and Excise one copy with the Board of Trade and one copy with the Ministry of Transport If there be any discrepancy between the said map and the description in the First Schedule to this Order the said map shall be deemed to be correct and shall prevail.

District dis-  
joined from  
county.

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

Burgh to be  
wholly in  
parish of  
Falkirk.

9.—(1) Subject to the provisions of the Local Government (Scotland) Acts 1889 to 1908 so much of the parish of Larbert as is within the burgh shall cease to be part of that parish and shall be and is hereby annexed and added to the existing parish of Falkirk to the same extent and effect as if this Order had been an Order under those Acts for the alteration and adjustment of boundaries.

(2) (a) The parish council of the parish of Falkirk shall assume responsibility for and shall relieve the parish council of the parish of Larbert of all advances which the latter council may be called on to make for or on account of any pauper whose claim is derived from birth or from residence for the statutory period prior to the commencement of this Order in the area transferred by this section.

(b) In all cases of a residential settlement in respect of any pauper where the settlement has been obtained by residence partly in the area transferred by this section and partly in the remaining portion of the parish of Larbert the cost of relieving such pauper shall be ultimately borne by the parish council of the parish of Falkirk and the parish council of the parish of Larbert in proportion to the periods of residence in such area and in such remaining portion respectively.

10.—(1) Any special lighting drainage or scavenging districts of the county council or the district committee so far as such districts are included in the district annexed shall be and are hereby abolished and to that extent all resolutions of the county council or the district committee and all orders and decrees of the sheriff or of any other authority constituting or relating to the said special districts shall be of no force or effect and the county council and the district committee shall be relieved from all obligations in respect of the said special districts so far as such districts are included in the district annexed.

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 Abolition  
 of special  
 districts.

(2) The Town Council shall not in respect of such special districts be under any obligations nor except by agreement with the local authorities of such districts exercise any powers in such districts so far as these are beyond the burgh.

11. The following parts of the district annexed shall without prejudice to any future re-adjustment of wards be added to the wards of the existing burgh as follows (that is to say):—

Additions  
 to wards.

The part within the boundaries first described in the Second Schedule to this Order shall be added to and included in the No. I East Ward of the existing burgh;

The part within the boundaries second described in the said Schedule shall be added to and included in the No. II West Ward of the existing burgh;

The part within the boundaries third described in the said Schedule shall be added to and included in the No. III Middle Ward of the existing burgh;

The parts within the boundaries fourth described in the said Schedule shall be added to and included in the No. IV North Ward of the existing burgh;

The part within the boundaries fifth described in the said Schedule shall be added to and included in the No. V Camelon Ward of the existing burgh;

and the said wards as so added to shall be the wards of the burgh.

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 Application  
 of Acts to  
 municipal  
 elections.

12. The provisions of the Town Councils Acts relating to the election of town councillors in burghs divided into wards or districts shall subject to the provisions of this Order apply to the elections in and to the wards of the burgh and to the election qualification continuance in office declinature resignation and retirement of town councillors and to supplying vacancies in the Town Council by death disability resignation or other causes or otherwise.

Sheriff may  
 vary pro-  
 cedure for  
 elections.

13. In the event of circumstances arising in connection with any election in the burgh which may render it necessary or expedient to fix postpone alter or vary any date (other than the date of annexation) or any procedure prescribed by or in pursuance of the provisions of the Election Acts or this Order or to make up any register or list of electors or any other matter relating to such election register or list the sheriff may on a summary application by the town clerk forthwith fix any such date or sanction any such postponement alteration or variation or dispense with any procedure in the making up of such register or list or any other matter as may in his judgment be best fitted to meet the circumstances of the case and the whole procedure following upon such application and any order made by the sheriff shall be final valid and unchallengeable.

Valuation  
 roll.

14. The portion of the valuation roll in force in and applicable to the district annexed immediately before the annexation shall remain in full force and effect in the burgh until the end of the year for which the said valuation roll was made up and shall be and be deemed to be part of the valuation roll for the burgh.

Variation of  
 procedure  
 under  
 Temperance  
 (Scotland)  
 Act 1913.

15.—(1) The Secretary of State may in order to meet the circumstances arising from the extension of the existing burgh under this Order by order vary the procedure prescribed by or in pursuance of the Temperance (Scotland) Act 1913 in connection with the taking of polls under that Act or otherwise including any dates fixed in connection with such procedure.

(2) This section shall come into operation on the passing of the Act confirming this Order.

Town  
 Council to  
 administer

16. The Town Council shall in all respects stand in relation to the administration of the affairs and property of the burgh and of property under the care

and management of the Town Council in the same position in which the Town Council of the existing burgh stood previous to the annexation and the Town Council shall have the same rights and powers of administration of the property and affairs of the burgh and of making all usual and necessary appointments as shall have lawfully belonged to and been exerciseable or exercised by the Town Council of the existing burgh in regard thereto anything in the usage or customs of the existing burgh to the contrary notwithstanding.

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 affairs of  
 burgh.

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

Powers of  
 Town  
 Council &c.  
 extended to  
 burgh.

18. Subject to the provisions of this Order all jurisdictions rights powers functions duties and authorities which previous to the annexation were exercised or exerciseable by the county council or any committee thereof or any local licensing or other authority within the district annexed or any part thereof under any public general or local or private Act of Parliament or Order (with the exception of such jurisdictions rights powers and authorities as are presently exercised or exerciseable by the county council or any committee thereof or other authority within the existing burgh) shall cease and determine.

Powers of  
 other juris-  
 dictions to  
 cease.

19. Subject to the provisions of this Order the common good and all property (including all means revenues and income of every description arising therefrom) belonging to the existing burgh or to which the existing burgh is entitled or which is held or administered by any person for or on behalf of the community of

Property of  
 existing  
 burgh  
 vested in  
 Town  
 Council.



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Property  
and  
liabilities  
in district  
annexed  
vested in  
Town  
Council.

20.—(1) Subject to the provisions of this Order and except as otherwise provided in this Order the lands heritages works depôts sewers lamps lamp-posts pipes mains cables wires apparatus plant and all other property and assets of every description in the district annexed vested in held by or due or belonging to the county council or the district committee are by virtue of this Order transferred to and vested in and shall be held by and be due and belong to the Town Council and shall form part of the property and assets of the Town Council for all the estate and interest therein of such county council or district committee and shall be received held and enjoyed by the Town Council accordingly.

(2) All the powers duties liabilities contracts and agreements of the county council or the district committee in relation to the district annexed are by virtue of this Order transferred to and shall attach to the Town Council and shall form part of the powers duties liabilities contracts and agreements of the Town Council and be enjoyed performed paid and discharged by them.

(3) Except as otherwise provided in this Order the Town Council shall determine any question which shall arise as to the department of the Town Council to which any part of such lands heritages and other property ought to belong and any question as to the fund of the Town Council out of which such liabilities and obligations shall be defrayed.

Roads &c.  
in district  
annexed.

21. Subject to the provisions of this Order all highways roads streets lanes courts bridges foot-pavements footpaths sewers and drains in the district annexed



which are vested in the county council or the district committee or which the county council or the district committee by minute or otherwise at or before the passing of the Act confirming this Order shall have taken over or have agreed to take over and maintain or have maintained are by virtue of this Order transferred to and vested in and shall be managed maintained and repaired by the Town Council along with and in the same way and manner and to the same extent as the highways roads streets lanes courts bridges foot-pavements footpaths sewers and drains within the existing burgh and the county council and the district committee shall be freed and relieved of the liability to repair and maintain all such highways roads streets lanes courts bridges foot-pavements footpaths sewers and drains in all time coming.

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

Saving  
rights in  
roads &c.

23. Notwithstanding anything in this Order or in any other Act or Order contained the following provisions shall apply and have effect (that is to say) :—

Provisions  
as to certain  
properties.

(1) So much of the existing sewer known as the Larbert sewer as lies between a point in the centre of the river Carron opposite the sewage tank in the enclosure numbered 522 on the Ordnance survey edition of 1917 (1/2500 scale) and a point situate in enclosure numbered 503 on said Ordnance survey seventy yards or thereby north-east from the westmost corner of the said enclosure shall remain vested in the county council :

(2) As from the date of completion of the works by this Order authorised or as from such other date as may be agreed between the county council or the district committee and the Town Council

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the northern sewer between the last-mentioned point and the point of termination of the said sewer at Cobblebrae sewage works shall by virtue of this section vest in the county council and the southern sewer between the two last-mentioned points shall by virtue of this section vest in the Town Council. Provided that until such time as the sewers before mentioned vest respectively in the county council and the Town Council any agreement between the county council or the district committee and the Town Council existing at the commencement of this Order with regard to the management control and maintenance of the said sewers shall remain in full force and effect :

- (3) As from the date of completion of the works by this Order authorised or as from such other date as may be agreed between the county council or the district committee and the Town Council the Town Council shall not be liable for any payments to the county council in respect of any of the sewers referred to in this section nor shall the county council be liable for any payments to the Town Council in respect thereof.

Books to be  
evidence.

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

(2) This section shall not apply to the registers books documents maps and plans kept by the county council and the district committee which relate to parts of the county other than the district annexed but the Town Council and their officers shall be entitled to access to such registers books documents maps and plans in so far as may be necessary in relation to matters affecting the district annexed and the respective clerks or other officers of the county council and the district committee shall

afford all necessary and reasonable facilities for that purpose. A.D. 1929.

25.—(1) The public and general and local and personal Acts and Orders relating to and in force in the existing burgh and all byelaws rules regulations and orders made thereunder shall subject to the provisions of and except as otherwise provided by this Order be exercised over and be applicable to the burgh. Provided that any byelaws rules regulations or orders in operation in the existing burgh applicable to new buildings shall not apply to any buildings in the district annexed which have been or are being constructed or the plans of which have been approved prior to the annexation and the erection thereof commenced within one year from the annexation in accordance with any byelaws rules regulations and orders in operation in the district annexed immediately prior to the annexation unless and until such buildings are subsequently altered or added to when the said byelaws rules regulations and orders applicable to new buildings in the burgh shall apply to any such alteration or addition.

Application  
of general  
and local  
Acts and  
byelaws.

(2) All byelaws rules regulations and orders made under the provisions of any Act or Order relating to and in force in the district annexed or any part thereof shall cease to have effect except as otherwise provided by this Order or in so far as the same may have been acted upon or are not inconsistent with or superseded by the byelaws rules regulations and orders in force in the burgh.

26.—(1) Subject and without prejudice to the provisions of this Order the Town Council and the county council and the district committee or any of them before or after the annexation may make and carry into effect agreements with respect to the transfer to the Town Council of the property liabilities or powers from such county council and district committee or either of them and for settling and adjusting any claim or any doubt or difference arising in relation thereto and generally with respect to the execution of the provisions of this Order to which any such agreement may relate.

Power to  
Town  
Council and  
authorities  
to enter  
into agree-  
ments.

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

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(3) Any difference arising as to any such agreement or as to any other matter or thing in relation to the transference under this Order of the property liabilities or powers of such county council and district committee or either of them shall be determined by an arbiter to be agreed upon or failing agreement to be appointed by the Secretary of State on the application of any of the parties concerned. The costs of any such arbitration shall be borne as the arbiter shall direct and if any question of law shall arise in the course of such arbitration the arbiter shall have power at the request of any of the parties concerned to state a case for the opinion of the Court of Session and the said court shall determine such question.

New  
contracts  
or agree-  
ments.

27. The county council or the district committee shall not after the passing of the Act confirming this Order without the previous consent of the Town Council make or enter into any contract or agreement in respect of the district annexed or any part thereof which imposes or might at any time thereafter impose any obligation or liability on the Town Council except such contract or agreement as is necessary for carrying into effect obligations existing at and discharging liabilities incurred prior to that date and such as shall be in the ordinary course of the proper administration of their district and the due observance of their statutory obligations. And such authorities shall liquidate as far as practicable before the annexation all current debts and liabilities incurred by them respectively so far as affecting the district annexed.

For pro-  
tection of  
county  
council.

28. The following provisions shall (unless otherwise agreed in writing between the Town Council and the county council) apply and have effect in relation to the annexation to the existing burgh of the district annexed (that is to say) :—

- (1) The Town Council shall within thirty days from the commencement of this Order pay to the county council the sum of eighteen thousand four hundred and forty pounds fifteen shillings and elevenpence together with interest thereon at the rate of five per centum per annum from the commencement of this Order until the date of actual payment which sum shall be applied by the county council with the sanction of the Secretary of State either in repayment of debt

or for such other purposes as the county council may determine : A.D. 1929.

- (2) The said sum of eighteen thousand four hundred and forty pounds fifteen shillings and elevenpence and the interest thereon (if any) shall be accepted by the county council in full satisfaction of all claims whatsoever competent to the county council in connection with or arising in consequence of the annexation to the existing burgh of the district annexed and also in full of all and every claim for compensation by officers or servants of the county council in respect of loss or diminution of salary or emoluments consequent upon the annexation to the existing burgh of the district annexed :
- (3) Within three months from the commencement of this Order the Town Council shall produce to the Commissioners of Inland Revenue a King's Printer's copy of the Act confirming this Order duly impressed with the same stamp duty as would be payable upon an instrument (as defined by the Stamp Act 1891) executed by the Town Council containing the provisions of this section and in default of such production the duty with interest thereon at the rate of five per centum per annum from the commencement of this Order shall be a debt due to His Majesty from the Town Council and recoverable as such.

29. With respect to any agricultural lands and heritages as defined in the Rating (Scotland) Act 1926 and including dairies cowsheds stables or piggeries (hereinafter in this section called " agricultural subjects ") within the district annexed the Town Council may relax or modify to such extent as they may consider proper and reasonable any of the provisions of the Police Acts the Public Health Acts and this Order and of any bye-laws or regulations made or to be made by the Town Council under the authority of the same or of the Diseases of Animals Act 1894 the Milk and Dairies (Scotland) Act 1914 the Dairies Cowsheds and Milk Shops Order of 1885 the Dairies Cowsheds and Milk Shops Amending Order of 1887 and the Dairies Cowsheds and Milk Shops Order of 1899 with respect to lighting cleansing ventilation and

As to  
 agricultural  
 or pasture  
 lands.



A.D. 1929. — drainage the supply of gas the accumulation of manure the working and manuring of the land the keeping of dogs cows horses pigs and poultry and the discharge of fire-arms Provided that if the Town Council refuse to relax or modify such provisions any owner or occupier of such agricultural subjects aggrieved by the refusal of the Town Council so to do may within three months after the date of such refusal appeal to the Scottish Board of Health who shall have regard to the character and situation of the subjects and all the circumstances of the case and may if of opinion that there is no prejudice to health relax or modify such provisions to such extent as they may think fit.

National  
insurance  
committees.

30. After the passing of the Act confirming this Order the powers of the Scottish Board of Health (hereinafter in this section referred to as "the board") shall operate for the purpose of reconstituting by order made by the board the insurance committees for the county and for the burgh as from the annexation or such subsequent date as shall be determined by the board and that in such manner and to such extent (if any) as the board may deem necessary in consequence of the provisions of this Order and for the adjustment consequent on the said provisions of the boundaries of the areas and the financial rights and obligations of the said committees and any such order made by the board may contain such incidental supplemental and consequential provisions as may appear to the board necessary or expedient for carrying the order made by them into effect and for adapting thereto the provisions of the National Health Insurance Act 1924 Provided that any order so made shall be laid before both Houses of Parliament as soon as may be after it is made.

Recovery of  
assessments  
within  
district  
annexed.

31. Every rate charge or assessment which shall have been actually imposed by the county council or any local or other authority who had jurisdiction within the district annexed or any part thereof before the commencement of this Order together with all arrears thereof shall continue to be due and payable and may be collected and levied by the authority which respectively imposed the same and by the same ways and means and under the same restrictions and regulations as if this Order had not been confirmed and shall be received and applied by such authority respectively to



and for the purposes for which the same were authorised to be levied. A.D. 1929.

32.—(1) The Town Council in addition to any other powers of borrowing which they now have or may obtain may borrow such sum (not exceeding in the whole the amount of such expenditure as may be necessary for satisfying paying and discharging all obligations imposed upon or undertaken by them under this Part of this Order and for exercising any of the powers by this Part of this Order conferred on them) as may be ascertained and determined by the Secretary of State by a certificate under his hand on the security of an assessment to be imposed in the same manner and along with and as part of the assessment for the maintenance and repair of highways leviable by the Town Council as local authority under the Roads and Bridges (Scotland) Act 1878 or the public health general assessment leviable under the Public Health (Scotland) Act 1897 or any Acts amending the said Acts or under any of those Acts and the Town Council may assign so much or such part as may be required of such assessment as security for the money which may be so borrowed under the provisions of this section. Provided that money so borrowed shall be repaid in accordance with the provisions of the said Act of 1897 except that so much of such money as is applicable to any housing scheme of the county council or district committee in the district annexed taken over by the Town Council under the powers of this Order shall be repaid within the unexpired period originally sanctioned for the repayment of such money.

(2) The amount so ascertained and determined by the Secretary of State in terms of subsection (1) of this section shall be dealt with and regarded as if such amount were specified in this section as the amount hereby authorised to be borrowed.

### PART III.

#### DRAINAGE.

33. The Town Council may subject to the provisions of this Order make and maintain in the lines and according to the levels shown on the deposited plans and sections the sewers and the other works hereinafter described or some one or more of them or some part or parts thereof

Power to  
execute  
works.

A.D. 1929. — together with all necessary drains and storm overflows outfalls junctions syphons culverts manholes walls embankments tanks pumping stations electrical motors works and conveniences connected therewith and may enter upon take appropriate and use such of the lands delineated on the deposited plans and described in the deposited book of reference as may be required for those purposes The said works are—

- (1) A sewer (Work No. 1) partly in the burgh of Falkirk and wholly in the parish of Falkirk and the county of Stirling commencing at a point in the parish of Falkirk one hundred and seventeen yards or thereby south-east of Cauld-hame Steading and terminating in the parish of Falkirk by a junction with the sewer (Work No. 5) hereinafter described five yards or thereby south of the southmost corner of enclosure No. 2233 of the 1/2500 Ordnance survey map of the parish of Falkirk (1916 Edition):
- (2) A sewer (Work No. 2) wholly in the burgh and parish of Falkirk and the county of Stirling in Carron Road Falkirk commencing at a point two hundred and sixty-seven yards or thereby north of the junction of the said road with Gairdoch Street and terminating by a junction with the sewer (Work No. 1) hereinbefore described at the said junction of Carron Road and Gairdoch Street:
- (3) A sewer (Work No. 3) partly in the burgh of Falkirk and wholly in the parish of Falkirk and the county of Stirling commencing at a point in the parish of Falkirk forty-seven yards or thereby west of the north-west corner of enclosure No. 1769 of the 1/2500 Ordnance survey map of the parish of Falkirk (1917 edition) and terminating in the burgh of Falkirk by a junction with an existing manway at a point forty-three yards or thereby north by east of the south-east corner of enclosure No. 1829 of the said Ordnance survey map:
- (4) A sewer (Work No. 4) wholly in the parish of Falkirk and the county of Stirling commencing at a point in the road from Laurieston to Wester Newlands one hundred and ten yards or thereby

north of the junction of the said road with A.D. 1929.  
 Grahams Dyke Street Laurieston and terminating by a junction with the sewer (Work No. 5) hereinafter described thirty-seven yards or thereby south-east of Orchardhall :

- (5) A sewer (Work No. 5) wholly in the parish of Falkirk and the county of Stirling commencing at a point thirty-seven yards or thereby south-east of Orchardhall and terminating at the sewage works (Work No. 8) hereinafter described :
- (6) An outfall sewer (Work No. 6) wholly in the parish of Falkirk and the county of Stirling commencing at the sewage works (Work No. 8) hereinafter described and terminating in the south bank of the river Carron two hundred and seventy-three yards or thereby north by east of the said sewage works :
- (7) A road of access (Work No. 7) wholly in the parish of Falkirk and the county of Stirling commencing at a point eighty yards or thereby south-east of Dalderse Mill Steading and terminating at the sewage works (Work No. 8) hereinafter described :
- (8) Sewage works (Work No. 8) wholly in the parish of Falkirk and the county of Stirling situate within the enclosure No. 2230 of the 1/2500 Ordnance survey map of the parish of Falkirk (1916 edition) four hundred yards or thereby east by north of Dalderse Mill Steading.

34. Notwithstanding anything contained in this Order or shown on the deposited plans the Town Council shall not construct so much of the sewer Work No. 4 as is situate between the point of commencement of the said work and the south side of the bridge carrying the London Midland and Scottish Railway (Grangemouth Branch) over Bog Road. Provision as to Work No. 4.

35. In the execution of the said works or any of them described in this Part of this Order the Town Council may deviate laterally to any extent within the limits of deviation shown on the deposited plans and where on any road no such limits are shown the boundaries of such road shall be deemed to be such limits and they may also deviate vertically from the levels shown on the deposited Power to deviate.

[Ch. xxviii.] *Falkirk Burgh* [19 & 20 GEO. 5.]  
*Order Confirmation Act, 1929.*

A.D. 1929. — sections to any extent not exceeding five feet upwards and to any extent downwards Provided that no deviation either lateral or vertical below high-water mark of ordinary spring tides shall be made without the consent in writing of the Board of Trade.

Period for completion of works.

36. If the works described in this Part of this Order and shown on the deposited plans are not completed within seven years from the commencement of this Order then on the expiration of that period the powers hereby granted for the execution of the same shall cease except as to so much thereof as is then completed.

Power to alter roads &c. temporarily.

37. For the purposes and during the execution of the several works which the Town Council are by this Order authorised to make and in maintaining the same and subject to the provisions of this Order the Town Council may temporarily from time to time break up or cross over or under alter or stop up any streets highways roads lanes footways footpaths bridges railways passages sewers drains watercourses gas pipes and water pipes and electric or telephonic apparatus in any of the lands shown on the deposited plans and specified in the deposited book of reference which they may from time to time find it expedient for any of those purposes so to interfere with providing when possible a proper temporary substitute before interrupting the traffic on any such street highway road lane footway footpath bridge railway or passage or the flow of water gas sewage or electricity or telephonic communication in any such sewer drain watercourse pipe or apparatus and making full compensation to all persons injuriously affected thereby Provided that nothing in this section shall extend to authorise any interference with any telegraphic line (as defined by the Telegraph Act 1878) or other property of His Majesty's Postmaster-General Provided also that nothing in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electricity (Supply) Acts 1882 to 1926 to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with the provisions of that section.

Construction of future sewers.

38. After the commencement of this Order any sewer which may be constructed within the burgh shall so far as may be practicable and subject to the provisions of this Order be so constructed as to convey the sewage

therein to the sewers and works by this Order authorised so far as such sewers and works have at the time been constructed and are ready for use. A.D. 1929. —

39. It shall not be lawful for any person to send or permit to flow or pass into any sewers of the Town Council authorised by this Order or into any sewers or drains connecting therewith any liquid substance or matter which would be injurious to the construction maintenance use or efficiency of such sewers or of any sewage works of the Town Council or which would cause or be likely to cause silting up corrosion or decay of the materials of such sewers or works or to interfere with the efficient treatment of the sewage passing through such sewers and every person offending against this enactment shall for every such offence be liable on summary conviction by the sheriff to a penalty not exceeding ten pounds and a daily penalty not exceeding five pounds.

Injurious matter not to be allowed to pass into sewers.

40. The Town Council may from time to time make and carry out agreements with any company body or person with reference to the carrying out of any of the purposes of this Part of this Order not herein specially provided for.

Power to make agreements for purposes of this Part of Order.

41.—(1) The Town Council may acquire compulsorily or by agreement the lands described in the Third Schedule to this Order and shown on the deposited plans and described in the deposited book of reference or some part or parts thereof and may construct thereon and thereafter maintain use and manage all necessary and proper erections appliances tanks reservoirs basins pumping and other engines electrical motors cables sidings mains buildings machinery apparatus and works for pumping receiving conveying storing filtering precipitating disinfecting using distributing and disposing and carrying out bacteriological or chemical or other treatment of the whole or any portion of the sewage conveyed by the sewers of the Town Council.

Lands for sewage purposes &c.

(2) The Town Council may by means of the existing sewers outfalls of sewers and drains of the Town Council and the sewers and works authorised by this Order or any part thereof discharge or permit to flow into the river Carron any sewage or other effluent passing through or discharged from or over the sewers or drains or works of the Town Council but not so as to cause a nuisance.



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 Lands for  
 extra-  
 ordinary  
 purposes.

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

Town  
 Council may  
 acquire  
 servitudes.

43.—(1) The Town Council may in lieu of acquiring any lands for the purposes of the works authorised by this Order where the same are intended to be constructed underground acquire such servitudes only in such lands as they may require for such purposes and may give notice to treat in respect of such servitudes describing the nature thereof and the provisions of the Lands Clauses Acts shall apply to and in respect of the acquisition of such servitudes as fully as if the same were lands within the meaning of those Acts.

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

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

Omission  
 or mis-  
 statement  
 in plans or  
 book of  
 reference  
 may be  
 corrected.

44.—(1) If there be any omission mis-statement or erroneous description of any lands which may be required or taken for the purposes of this Order or any of them or of the owners lessees or occupiers of any such lands shown on the deposited plans or specified in the deposited book of reference the Town Council after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to the sheriff for the correction thereof and if it appear to the sheriff that such omission mis-statement or erroneous description arose from accident or mistake he shall certify the same accordingly and shall



in such certificate state the particulars of the omission and in what respect any such matter is mis-stated or erroneously described and the decision of the sheriff in such matter shall be final. A.D. 1929.  
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(2) The certificate of the sheriff shall be deposited in the offices in Falkirk and Stirling of the sheriff clerk of the county and shall be kept by such sheriff clerk along with the other documents to which the same relates and thereupon the deposited plans and book of reference shall be deemed to be corrected in accordance with the certificate and the Town Council may enter upon purchase take hold and use for the purposes of this Order any lands in accordance with such certificate as if such omission mis-statement or erroneous description had not been made.

45. The powers of the Town Council for the compulsory purchase of lands for the purposes of this Order shall cease after the expiration of four years from the commencement of this Order. Limiting period for compulsory purchase of lands.

46. Whereas in the construction of the works authorised by this Order or otherwise in exercise of the powers of this Order it may happen that portions only of the lands and properties shown on the deposited plans and described in the Fourth Schedule to this Order 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 said lands and properties and whereof parts only are required for the purposes of this Order may if such portions can in the opinion of the official arbiter or other authority to be appointed under the provisions of the Acquisition of Land (Assessment of Compensation) Act 1919 be severed from the remainder of such properties without material detriment thereto be required to sell and convey to the Town Council the portions only of the said properties so required without the Town Council being obliged or compellable to purchase the whole or any greater portion thereof the Town Council paying for the portions required by them and making compensation for any damage sustained by the owners thereof and other parties interested by severance or otherwise. Owners may be required to sell parts only of certain lands and buildings.

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Power to  
grant  
servitudes  
&c. by  
agreement.

47. Persons empowered by the Lands Clauses Acts to sell and convey or discharge lands may if they think fit subject to the provisions of those Acts and of this Order grant to the Town Council any servitude right or privilege (not being a servitude right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Order or any of them in over or affecting any such lands and the provisions of the said Acts with respect to lands and ground annuals 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.

Existing  
sewers and  
drains to be  
connected  
with works.

48. The Town Council may make and maintain all such sewers drains or pipes and appurtenances as may be necessary for connecting any existing sewers outfalls of sewage or drains with the sewers and sewage treatment works by this Order authorised or any of them and for such purpose may remove replace diminish enlarge or alter or stop up any existing sewer outfalls of sewage or drains and may vary the direction and levels of the same.

For protec-  
tion of  
Postmaster-  
General.

49. Any electrical works constructed maintained or used by the Town Council under the powers of this Order shall be so constructed maintained and used as to prevent interference 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.

For protec-  
tion of  
Admiralty.

50. Whereas the construction maintenance or repair of the sewer Work No. 4 by this Order authorised will or may affect the oil fuel pipe (hereinafter in this section referred to as "the said pipe") belonging or reputed to belong to the Admiralty and situate in the towing path of the Forth and Clyde Navigation Therefore the following provisions shall unless otherwise agreed between the Admiralty and the Town Council apply and have effect :—

- (1) At least seven days before commencing to break up the towing-path of the Forth and Clyde Navigation the Town Council shall give to the Admiralty Superintending Civil Engineer H.M. Dockyard Rosyth written notice of their intention to do so and such notice shall be accompanied by a plan showing the site and the operations proposed thereon :

- (2) Within seven days from the receipt of such notice the said superintending civil engineer may serve on the Town Council a requisition requiring them to adopt such reasonable precautions as may be therein specified with a view to the safeguarding of the said pipe and the prevention of damage thereto and of the interruption thereof and the Town Council shall conform with such reasonable precautions as may be specified in such requisition : A.D. 1929.  
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- (3) When the Town Council break up the said towing-path they shall (in order that the period of interruption of the said pipe may be reduced to a minimum) complete with all convenient speed the work for which the said towing-path may be broken up and shall fill in the ground and reinstate and make good the said towing-path and for all damage occasioned to the said pipe through their operations the Town Council shall be responsible and they shall pay and make good such damage (as the same may be certified by the said superintending civil engineer) to the Admiralty :
- (4) If any dispute or difference shall at any time arise under this section between the Admiralty and the Town Council or their respective engineers such dispute or difference shall be determined by an arbiter to be appointed in case of difference by the sheriff on the application of either party.

51. For the protection of the Falkirk and District Tramways Company (in this section called "the company") the following provisions shall unless otherwise agreed upon between the Town Council and the company have effect (that is to say) :—

For protection of  
Falkirk and  
District  
Tramways  
Company.

- (1) Before commencing any part of the sewers Works Nos. 1 and 2 by this Order authorised in any road street or place where the tramways of the company are laid the Town Council shall submit to the company for their reasonable approval plans sections specifications and drawings showing the method of constructing such sewers in so far as the same may interfere with or in any way affect the tramways of the com-

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pany Provided that if the company shall not have notified to the Town Council their disapproval of such plans sections specifications and drawings within ten days from the receipt thereof they shall be deemed to have approved the same :

- (2) The Town Council shall construct the said sewers as aforesaid in all respects in accordance with such plans sections specifications and drawings as may have been reasonably approved as aforesaid or settled in case of difference by arbitration as hereinafter provided and the Town Council shall not during the construction of the said sewers as aforesaid cause any interruption of or impediment to the traffic on the tramways of the company :
- (3) The Town Council shall pay to the company all reasonable expenses to which the company may be put by or in connection with the construction of the said sewers and in payment of watchmen and inspectors (if necessary) on the tramways of the company during the construction of the said sewers :
- (4) If any difference shall arise under this section between the Town Council and the company the same shall be determined by an arbiter to be appointed in case of difference by the sheriff on the application of either party.

For protection of  
James Ross  
and Company (Lime  
Wharf)  
Limited.

52. For the protection of James Ross and Company (Lime Wharf) Limited (in this section referred to as "the company") the following provisions shall unless otherwise agreed in writing between the Town Council and the company apply and have effect (that is to say) :—

- (1) The company shall provide and thereafter efficiently maintain as near their works as possible such tanks as may be necessary for effectually receiving all the liquid substance or matter (exclusive of domestic sewage) from the said works which tanks shall have a combined capacity of not less than the maximum quantity of such liquid substance or matter which the said works are capable of discharging during any day of twenty-four hours and the company

shall provide such valves works and other necessary apparatus whereby such maximum quantity of such liquid substance or matter shall be discharged or delivered from the said tanks into the sewers of the Town Council or into the sewers or drains connecting therewith and such liquid substance or matter shall be discharged or delivered as aforesaid in a continuous flow and at a uniform rate over each day of twenty-four hours :

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- (2) If and so long as the company comply with the provisions of subsection (1) of this section the section of this Order of which the marginal note is "Injurious matter not to be allowed to pass into sewers" shall not apply to the company :
- (3) All the tanks and other works referred to in subsection (1) of this section shall be constructed and maintained by the company in an efficient state and shall at all reasonable times be open to the inspection of the engineer to the Town Council :
- (4) If any dispute or difference shall at any time arise under this section between the company and the Town Council or their respective engineers such dispute or difference shall be determined by an arbiter to be appointed in case of difference by the sheriff on the application of either party.

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

For protection of London Midland and Scottish Railway Company.

- (1) The Town Council shall not under the powers of this Order take or acquire by compulsion any lands or property of the company but the Town Council may purchase and the company shall if required by the Town Council sell such servitude in under over or upon the lands property and works of the company as may be required for constructing and maintaining any sewer or drain by this Order authorised



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(hereinafter in this section referred to as "the works") :

- (2) Notwithstanding anything shown on the deposited plans and sections or contained in the section of this Order of which the marginal note is "Power to deviate" the sewer (Work No. 4) where it passes under the Forth and Clyde Navigation shall be so constructed that the highest part of the work shall be at a level of not less than twelve feet six inches below the normal water level of the canal :
- (3) Before commencing the construction of the works or any subsequent repairs renewals or duplications of the works in over under or affecting any of the railways canals works or property of the company (hereinafter in this section referred to as "the railways") the Town Council shall submit to the company plans sections working drawings and specifications thereof for the approval of the company which approval shall not be unreasonably withheld and shall be deemed to have been given unless the company signify their disapproval within twenty-one days after submission of the said plans sections working drawings and specifications for approval :
- (4) The works shall be constructed carried on and completed and thereafter maintained repaired and renewed by the Town Council in strict conformity with the plans sections working drawings and specifications so approved at the sole risk and cost of the Town Council and at the sight and to the reasonable satisfaction of the company :
- (5) The Town Council shall not without the previous consent in writing of the company enter upon alter or interfere with the railways further than may be necessary for constructing and maintaining the works of which they shall give the company twenty-one days' notice in writing except in cases of emergency in which cases notice shall be given as early as possible :



(6) The Town Council shall pay to the company A.D. 1929.

all reasonable costs charges and expenses which the company may incur in connection with the construction maintenance renewal duplication use alteration replacing or repair of the works including (without prejudice to the said generality) any reasonable expense incurred by the company in connection with the employment of inspectors signalmen watchmen canal overseers bankmen and others and for superintendence of the works and all extra precautions including lighting of any coffer-dams or other works at night for the safety and working of the company's traffic or protection of their property on account of the construction maintenance renewal duplication use alteration replacing or repair of the works :

- (7) The works including the maintenance renewal duplication alteration replacing or repair thereof shall in so far as the same affect the railways be carried out by the Town Council so as not to alter or interfere with (except so far as may be necessary for carrying out the works) or injure or endanger the structure or stability of the railways and the Town Council shall at their own expense execute all underpinning coffer-dams or other works which may be necessary to secure the support or safety of the railways or any part thereof so far as rendered necessary by the works and should any damage or injury to or interference with the passage of traffic on the railways be caused by or be due to the exercise of the powers of the Town Council or the failure of or defect in the works the Town Council shall free of all expense to the company execute all such works as may be necessary to repair and make good the damage or prevent such interference as the case may be or the company in their option may on giving the Town Council as long notice as possible in the circumstances enter upon the works or property of the Town Council and execute all such works as may be necessary to repair and make good such damage or prevent

A.D. 1929.

such interference and the Town Council shall repay to the company all reasonable costs and expenses incurred by them in connection therewith :

- (8) The Town Council shall make reasonable compensation to the company for all loss or damage caused to the company by during or in consequence of the execution of the works or interference with the railways and the Town Council shall also free and relieve the company from all damages or compensation which may be recovered from the company by reason of such execution or interference or of any accident so far as such may have been occasioned by the act or default of the Town Council or those for whom they are responsible :
- (9) Should it be necessary in constructing maintaining duplicating altering or repairing the works to alter or remove any telegraph posts wires or other telegraphic telephonic or signalling apparatus belonging to or maintained by the company any works reasonably necessary for such alteration or removal may be executed by the company and the Town Council shall pay to the company all reasonable expenses incurred in connection therewith :
- (10) Nothing in this Order contained or which may be done in pursuance thereof shall prevent the company from maintaining and repairing and whenever in their discretion thought necessary re-constructing altering renewing strengthening widening deviating or enlarging any of the railways Provided that such operations shall not injuriously affect the works or interrupt the flow of sewage therein otherwise than may be reasonably necessary in connection therewith and if any injury or other interruption shall arise to the works the company shall forthwith make good or remove such injury or interruption and in the event of the company failing to do so within a reasonable time the Town Council may enter upon the works or property of the company and execute all such works as may be necessary to repair and make good such damage or prevent

such interruptions and the company shall repay to the Town Council all reasonable costs and expenses incurred by them in connection therewith. Before commencing any operations under the provisions of this subsection the company shall give twenty-one days' previous notice in writing to the Town Council and any such operations shall so far as they may interfere with the works be carried out to the reasonable satisfaction of the engineer to the Town Council. Any extra expense which the company may incur in carrying out such operations by reason of the existence of the works shall be paid by the Town Council as such extra expense may in the event of any difference of opinion be determined by an arbiter to be appointed as after-mentioned:

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- (11) If the company give to the Town Council notice that they themselves desire to construct so much of the works or to carry out so much of the alterations of any sewers drains or pipes to be laid by the Town Council under the powers of this Order so far as the same affect the railways the company may themselves carry out the works and alterations at the sight and to the reasonable satisfaction of the Town Council's engineer and recover the reasonable cost thereof from the Town Council:
- (12) Any question or difference between the Town Council and the company arising under this section shall be referred to and determined by an arbiter to be appointed failing agreement by the sheriff principal of the sheriffdom of Stirling Dumbarton and Clackmannan on the application of the Town Council or the company and the costs of any such reference shall be borne by the Town Council.

54. The purposes of the sewers and sewage treatment works and subsidiary works connected therewith and the acquisition of lands and servitudes and construction of works authorised by this Order shall be held to be purposes within the meaning of the Public Health Acts with respect to which the sewer assessment under those Acts may be imposed.

Sewer  
assessment.

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Power to  
borrow.

55. The Town Council may in accordance with the provisions of the Public Health Acts and subject to the provisions of this Order from time to time borrow on mortgage or otherwise for and in connection with the sewerage and other purposes of this Order the sums following :—

- (1) For the acquisition of lands minerals and servitudes by this Order authorised any sum not exceeding fourteen thousand pounds;
- (2) For the construction of the sewers and sewage works and works connected therewith by this Order authorised any sum not exceeding sixty-six thousand seven hundred pounds;
- (3) For the payment of the costs charges and expenses of and incidental to the obtaining and confirming this Order the sum requisite for the said purposes; and
- (4) For and in connection with the sewerage purposes of this Order to which capital is properly applicable with the consent of the Secretary of State but not otherwise such further moneys as the Town Council may require;

and the Town Council may make and grant mortgages or other securities in the manner authorised by the Public Health Acts of the sewer assessment authorised by those Acts in security of the money so borrowed.

Power to  
re-borrow.

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

- (a) to borrow for the purpose of paying off any moneys previously borrowed under this Order which are intended to be forthwith repaid; or
- (b) to borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Town Council in repaying moneys previously borrowed under this Order and which at the time of such repayment it was intended to replace by borrowed moneys.

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

the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section.

A.D. 1929.

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

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

- (a) by instalments or annual payments; or
- (b) by means of a sinking fund; or
- (c) out of moneys derived from the sale of land; or
- (d) out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

57. The Town Council may accept and take from any bank or banking company credit on a cash account to be opened and kept with such bank or banking company in the name of the Town Council according to the usage of bankers in Scotland to the extent of the aggregate amount which the Town Council are at the time authorised to borrow under this Part of this Order or any part of that amount and may make and grant mortgages and assignments of the sewer assessment authorised and leviable under the authority of the Public Health Acts in security of the payment of the amount of such credit or of the sums advanced from time to time on such cash account with interest thereon. Provided always that the whole sums due and owing by the Town Council on such cash account and borrowed by them on mortgage shall never when taken together exceed the aggregate amount of the sum by this Part of this Order authorised to be borrowed and not repaid by instalments or by sinking fund.

Town Council may borrow on cash account.

58. The Town Council shall pay off all moneys borrowed by them for capital expenditure under this part of this Order either by means of a sinking fund formed under the provisions of this Order or by equal yearly or half-yearly instalments of principal or of principal and

Mode of repayment of borrowed money.



A.D. 1929. — interest combined or partly by one of these methods and partly by another or others of them.

Repayment of borrowed money. 59. The Town Council shall pay off all moneys borrowed by them within the periods following (hereinafter referred to as "the prescribed period") (that is to say):—

As to moneys borrowed for the acquisition of lands minerals and servitudes authorised by this Order within sixty years from the date or dates of borrowing the same;

As to moneys borrowed for the construction of the sewers and sewage treatment works and works connected therewith authorised by this Order within fifty years from the date or dates of borrowing the same;

As to moneys borrowed for payment of the costs of this Order within five years from the passing of the Act confirming this Order;

As to moneys borrowed with the consent of the Secretary of State within such period and by such method as the Secretary of State may prescribe.

Sinking fund.

60.—(1) If the Town Council determine to repay by means of a sinking fund any moneys borrowed by virtue of this Order such sinking fund shall be formed and maintained either—

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

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

(2) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in securities in which trustees are by law for the time being authorised to invest or in mortgages bonds debentures debenture stock stock or other securities (not being annuity certificates or securities payable to bearer) duly issued by any local authority the Town Council being at liberty from time to time to vary and transpose such investments. A.D. 1929.

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

(4) The Town Council may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the Town Council shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

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

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

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

(7) If it appears to the Secretary of State or to the Town Council at any time that the amount in the sinking

A.D. 1929. — fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Town Council to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose.

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

(9) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Town Council be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Town Council may with the consent of the Secretary of State reduce the payments to be made to the sinking fund either temporarily or permanently to such amounts as will be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed.

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

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

(12) The period at which the payments into the sinking fund shall commence shall be one year after the date or dates of borrowing.

Annual  
return to  
Secretary of  
State with

61. The burgh chamberlain shall within six months after the expiration of each year during which any sum is required to be paid as an instalment or to be set apart for a sinking fund under this Order transmit to the

Secretary of State a return in such form as may be prescribed by the Secretary of State and verified by statutory declaration if so required by him showing the amount which has been so paid or set apart in respect of that year and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of such sinking fund and the interest or income thereof have been applied during the same period and the total amount remaining invested at the end of the year and in the event of any default in making such return such chamberlain so making default shall be liable to a penalty not exceeding twenty pounds which shall be recoverable by the Secretary of State as a debt to the Crown is recoverable. If it appear to the Secretary of State by any such return or otherwise that the Town Council have failed to pay any instalment or to set apart any sum required by this Order to be set apart for the sinking fund or to make any increased payment thereto by this Order required or have applied any portion of the moneys set apart for that fund or any interest or income thereof to any purposes other than those authorised by this Order the Secretary of State may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund and such order shall be enforceable by decree of either division of the Inner House of the Court of Session in Scotland pronounced in a summary application presented for that purpose.

A.D. 1929.  
 —  
 respect to  
 sinking  
 fund.

#### PART IV.

##### STREETS &C.

62.—(1) Where it appears to the Town Council to be necessary or expedient to provide parking places in the burgh for vehicles the Town Council may provide such parking places in accordance with the provisions of this section and for that purpose may—

Parking  
 places for  
 vehicles.

- (a) By order authorise the use as a parking place of any public street or part of a public street; or
- (b) Acquire by agreement lands suitable for use as a parking place; or
- (c) Utilise any lands belonging to them which may lawfully be appropriated for the purpose.

A.D. 1929.

(2) An order under this section shall not authorise the use of any part of a street so as unreasonably to prevent access to any premises adjoining the street or so as to be a nuisance.

(3) Where the Town Council propose to make an order under this section authorising the use as a parking place of any land forming a street or part of a street or propose to acquire or utilise any land for the purposes of this section they shall cause notice of the proposal to be published once in each of two successive weeks with an interval between such publications of not less than six clear days in some newspaper or newspapers published or circulating in the burgh and every such notice shall—

(a) specify the land to which the proposal relates; and

(b) notify the date (which shall not be less than twenty-eight days) within which any objection to the proposal shall be sent in writing to the town clerk; and

(c) contain a notification of the right of appeal conferred by this section.

(4) Before making any order under this section the Town Council shall consider any objection to the proposal which is sent to them in writing within the time fixed in that behalf and shall after so considering it give notice of their decision to the person by whom the objection was made and if any person who shall have objected is aggrieved by any such decision he may within twenty-one days after receiving notice thereof appeal therefrom to the sheriff provided he sends written notice of the grounds of his appeal to the town clerk.

(5) The Town Council may take all such steps as may be necessary to adapt for use as a parking place any land not being part of a street which they may acquire or utilise under this section and may appoint such officers and servants as may be necessary for the superintendence of parking places.

(6) The exercise by the Town Council of their powers under this section with respect to the use as a parking place of any part of a street shall not render them subject to any liability in respect of loss of or damage to any



vehicle or the fittings or contents of any vehicle parked in such parking place. A.D. 1929.

(7) The Town Council may make regulations as to the use of parking places and in particular as to the vehicles or class of vehicles which may be entitled to use any such parking place as to the conditions upon which any such parking place may be used and as to the charges to be paid to the Town Council in connection with the use of any parking place not being part of a street. A copy of any such regulations shall be exhibited at or near any parking place to which the regulations relate.

(8) While any vehicle is within a parking place it shall not be lawful for the driver or conductor of the vehicle or for any person employed in connection therewith to ply for hire or accept passengers for hire.

(9) Any person contravening any of the provisions of this section or of any order or regulations made thereunder shall be liable to a penalty not exceeding forty shillings.

(10) Any order or regulations made under this section may be varied or revoked by any subsequent order or regulations made in like manner.

(11) In this section the expression "parking place" means a place where vehicles or vehicles of any particular class or description may wait.

63.—(1) The Town Council may make byelaws for the prevention of danger or obstruction to persons using any street or public place from posts wires tubes aerials or any other apparatus in connection with or for the purposes of wireless telegraphy or telephony installations stretched or placed whether before or after the commencement of this Order on or over any premises and liable to fall on to any street or public place.

Byelaws as to wires &c. connected with wireless installations.

(2) Any person contravening any byelaws made under this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(3) In this section the expression "public place" includes any public park or garden and any ground to which the public have or are permitted to have access whether on payment or otherwise.

(4) Subject to the provisions of this section the provisions of the Police Acts with respect to byelaws

A.D. 1929. shall extend and apply to any byelaws made under this section.

(5) Nothing in any byelaws made under this section shall extend to any apparatus belonging to any statutory undertakers.

For pre-  
venting soil  
and sand  
being  
washed into  
streets.

64. The owners or occupiers of any lands abutting upon any public street (other than lands occupied for agricultural purposes) shall so fence off channel or embank the said lands as to prevent the soil sand and other debris of such lands from falling upon or being washed or carried into any street or into any sewer or gully in such quantities as may obstruct the street or choke up such sewer or gully and if any person shall for one month after notice in writing from the Town Council fail in any respect to comply with the provisions of this section he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Lopping of  
overhanging  
trees hedges  
and shrubs.

65.—(1) Where any tree hedge or shrub overhangs any street footway or footpath so as to obstruct or interfere with the light from any public lamp or to endanger or obstruct the passage of vehicles or foot passengers or to obstruct the view of drivers of vehicles the Town Council may serve a notice on the owner of the tree hedge or shrub or on the occupier of the premises on which such tree hedge or shrub is growing requiring him to lop or cut the tree hedge or shrub within fourteen days so as to prevent such obstruction or interference or danger and in default of compliance the Town Council may themselves carry out the requisition of their notice doing no unnecessary damage and may recover the cost as a debt from the owner or occupier upon whom the notice was served.

(2) Any person aggrieved by any notice of the Town Council under this section may appeal to the sheriff within the foresaid period of fourteen days provided he gives written notice of such appeal and of the grounds thereof to the town clerk and the sheriff shall have power to make such order as he may think fit.

Closing  
streets &c.

66.—(1) The Town Council may by resolution passed or order made at a meeting of the Town Council after notice of the intention to exercise the powers of this section has been given in the notice convening the meeting of the Town Council and by advertisement

published once in each of two successive weeks with an interval between such publications of not less than six clear days in some newspaper or newspapers published or circulating in the burgh shut up discontinue and close any public street or right of way or any portion of a public street or right of way which has from change of circumstances or otherwise become useless to the public or dangerous to foot passengers or may by resolution or order as aforesaid consent to the shutting up and closing of the same on such terms and conditions as may be arranged with the owner of the solum thereof.

A.D. 1929.  
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(2) Any resolution or order of the Town Council under this section shall be published once in each of two successive weeks with an interval between such publications of not less than six clear days in some newspaper or newspapers published or circulating in the burgh and by a printed copy thereof being affixed in some conspicuous place at both ends of such street or right of way and a notice narrating such resolution or order and containing a copy of this section shall be served on every owner lessee and occupier of lands and heritages fronting or abutting on or entering from the street or right of way referred to in the resolution or order.

(3) Within one month after the first publication of such resolution or order and the service of such notice the Town Council shall report the resolution or order to the sheriff and any person aggrieved by the resolution or order may within the said period of one month appeal to the sheriff against such resolution or order provided that he gives written notice of such appeal and the grounds thereof to the town clerk.

(4) On such resolution or order being reported to him the sheriff shall take the same into consideration along with any appeal which may have been made against the same under the provisions of this section and shall hear parties and may require them to submit evidence and the sheriff may either confirm the resolution or order or if he considers that in the circumstances the resolution or order should not have been made declare the same to be void and of no effect and his decision shall be final as regards the said resolution or order and he may award expenses such expenses to be recoverable as a civil debt.

A.D. 1929.

(5) In the event of the sheriff confirming the resolution or order he shall in his interlocutor declare the solum of the street or right of way or portion thereof referred to in the resolution or order to be vested in the person or persons whose lands immediately adjoin thereto in the event of such person or persons appearing before the sheriff and claiming the same before the date of such interlocutor or failing such claim the sheriff shall declare the said solum to be vested in the Town Council and the solum so vested shall thereupon be deemed to be freed and discharged from the public use thereof.

(6) In the event of the sheriff declaring the solum to be vested in the Town Council the Town Council may sell convey or otherwise dispose of the same for such consideration as they may consider reasonable or proper and in the event of the sheriff declaring the solum to be vested in the person or persons whose lands immediately adjoin thereto the Town Council shall be entitled within one month from the sheriff's interlocutor to appropriate and remove the causeway setts road metal paving material kerbs water channels gullies lamp posts or other Town Council property thereon.

Power to  
close  
Sunday  
schools &c.  
to prevent  
spread of  
disease.

67.—(1) If the Town Council or any committee of the Town Council acting on the advice of the medical officer for the burgh with the view of preventing the spread of infectious disease require the closing of any Sunday school or any department thereof or the exclusion of certain children therefrom for a specified time or the exclusion of children from places of public entertainment or assembly for a specified time such requirement shall be at once complied with.

(2) Any person responsible for the conduct or management of any Sunday school or any department thereof or place of public entertainment or assembly wilfully failing to comply with any such requirement shall for every such failure be liable to a penalty not exceeding twenty shillings.

(3) For the purposes of this section the following words and expressions shall have the meanings hereinafter assigned to them (that is to say):—

(a) the expression "infectious disease" means any infectious disease to which the Infectious Disease

(Notification) Act 1889 for the time being applies within the burgh; A.D. 1929.

(b) the expression "children" means persons under the age of fourteen years; and

(c) the expression "Sunday school" means any premises in which children are assembled for instruction on a Sunday.

## PART V.

### GAS.

68. The limits for the supply of gas by the Town Council under the Gas Acts are hereby extended to and shall include the burgh and the said Acts are hereby amended accordingly. Extension of gas limits.

69. The Town Council in addition to any sums they are authorised to borrow under the Gas Acts may borrow for the purposes of their gas undertaking to which capital is properly applicable such further moneys as the Secretary of State may sanction and the provisions of the Gas Acts with respect to the security for money borrowed and the forms of mortgage transfers and discharge and the repayment of money borrowed and the guarantee rate and for the appointment of a judicial factor shall be and are hereby made applicable to the money to be borrowed by virtue of this section Provided that any moneys borrowed under this section shall be repaid within such period or periods and by such method as the Secretary of State may prescribe. Power to borrow for gas undertaking.

## PART VI.

### MISCELLANEOUS.

70. The Town Council may use for the purpose of any statutory borrowing power possessed by them any moneys forming part of any sinking fund loans fund redemption fund reserve fund or insurance fund of the Town Council (in this section respectively referred to as "the lending fund") and not for the time being required subject to the following conditions :— Use of moneys forming part of sinking and other funds.

(a) The moneys so used shall be repaid to the lending fund in the same manner as those in respect of other mortgage loans borrowed under the same



A.D. 1929.

authority Provided that nothing in this section shall be held to relieve the Town Council from any obligation as to borrowing and repayment of loans;

(b) Interest shall be paid to the lending fund on any moneys so used and for the time being not repaid to the fund Such interest shall be calculated at a rate per centum per annum to be determined by the Town Council and to be equal as nearly as may be to the rate of interest which would be payable on a loan raised on mortgage under the statutory borrowing power and shall be paid out of the fund rate or revenue which would be applicable to the payment of interest on a loan raised under the statutory borrowing power;

(c) The statutory borrowing power for the purpose of which the moneys are so used shall be deemed to be exercised by such use as fully in all respects as if a loan of the same amount had been raised in exercise of the power;

and the provisions of any enactment as to re-borrowing of sums raised under the statutory borrowing power shall apply accordingly.

Vesting of  
property  
transferred  
to Town  
Council.

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

Actions &c.  
not to  
abate.

72.—(1) No action arbitration prosecution or proceeding commenced pending or existing by or against the county council or the district committee in relation to any powers duties liabilities or property by this Order transferred to the Town Council shall in any wise abate or be discontinued or prejudicially affected by reason of the passing of the Act confirming this Order but may

be continued prosecuted and enforced by or in favour of or against the Town Council as successors of the county council or the district committee as fully and effectually as if the Act confirming this Order had not been passed. A.D. 1929.  
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(2) All deeds contracts bonds agreements and other instruments entered into or made and subsisting at the annexation and affecting any such powers duties liabilities or property shall be of as full force and effect in favour of or against the Town Council and may be enforced as fully and effectually as if instead of the county council or the district committee the Town Council had been a party thereto.

73. No person lending or paying money to the Town Council under this Order shall be bound to inquire as to the observance by the Town Council of any provisions of this Order or of any Act incorporated herewith or to see to the application or be answerable for any loss mis-application or non-application of such money or any part thereof. Protection of lenders from inquiry.

74. Nothing in this Order contained shall prejudice or affect in any degree any debentures mortgages or assignations in security granted by the Town Council previous to the commencement of this Order and such debentures mortgages and assignations shall be as valid and effectual in all respects as if this Order had not been confirmed and shall attach to and form burdens upon the rates duties assessments and charges by this Order authorised in priority to any money which may be raised under this Order. Saving existing securities.

75. The mortgagees of the Town Council under this Order 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 five thousand pounds. Appointment of a judicial factor.

76. In relation to any sanction or consent to be given by the Secretary of State to the borrowing of moneys under this Order or to any certificate to be given by the Secretary of State with regard to such borrowing the Secretary of State shall have and may exercise all the Powers of Secretary of State in relation to borrowing.

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*Order Confirmation Act, 1929.*

A.D. 1929. powers of section 93 of the Local Government (Scotland)  
Act 1889.

Repeal of  
laws &c.  
inconsistent  
with Order.

77. All laws statutes powers and usages in force at the  
annexation in relation to the district annexed in so far as  
they are inconsistent or at variance with the provisions of  
this Order are subject to the provisions of this Order  
hereby repealed.

For pro-  
tection of  
Scottish  
Central  
Electric  
Power  
Company  
and Scottish  
Midlands  
Electricity  
Supply  
Limited.

78.—(1) Nothing in this Order contained shall extend  
or be deemed or construed to extend the area of supply  
defined by the Falkirk Electric Lighting Order 1901 nor  
shall anything in this Order or in the Scottish Central  
Electric Power Act 1903 be deemed or construed to  
prejudice or affect the rights and powers of the Scottish  
Central Electric Power Company under the said Act of  
1903 or the rights and powers of the Scottish Midlands  
Electricity Supply Limited under the Linlithgow and  
Falkirk District Electricity Orders 1912 and 1926 for and  
in relation to the supply of electricity within the district  
annexed. Provided that nothing herein contained shall  
be deemed or construed to prejudice or affect the rights  
and powers of the Town Council to acquire so much of  
the undertaking authorised by the said Orders of 1912  
and 1926 as is situate within the district annexed.

(2) The provisions of section 54 (For protection of  
county authorities) of the said Act of 1903 shall extend  
and apply to and for the protection of the Town Council  
in respect of the roads streets bridges sewers drains  
pipes and other works within the district annexed  
presently or which may hereafter be vested in or under  
the jurisdiction of or belonging to the Town Council  
and for the purposes of this subsection the words "county  
authority" occurring in the said section 54 shall mean the  
Town Council.

Recovery  
and appli-  
cation of  
penalties.

79. Unless where otherwise provided all penalties  
exigible under this Order or under any byelaws orders  
or regulations made under this Order may be recovered  
in manner provided by the Summary Jurisdiction  
(Scotland) Acts and shall be paid to the Town Council  
and carried to the credit of the appropriate account  
Provided that costs and expenses except such as are  
recoverable along with a penalty shall not be recovered  
as penalties but may be recovered as civil debts.

80.—(1) Subject to the provisions of this Order any work authorised by this Order shall only be constructed so far as the same shall be on under or over tidal waters or tidal lands below high-water mark of ordinary spring tides in accordance with plans and sections approved by the Board of Trade under the hand of one of the secretaries or assistant secretaries of the Board of Trade and subject to such restrictions and regulations as the said Board may prescribe before such work is begun.

A.D. 1929.

Works below high-water mark to be subject to approval of Board of Trade.

(2) Any alteration or extension of any such work shall be subject to the like approval.

(3) If any such work be commenced or completed contrary to the provisions of this section the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost of the Town Council and the amount of such cost shall be a debt due from the Town Council to the Crown and shall be recoverable either as a debt due to the Crown or by the Board of Trade summarily as a civil debt.

81. Nothing in this Order shall affect prejudicially any estate right power privilege or exemption of the Crown or shall subject to the provisions of this Order any lands buildings or works vested in or occupied by the Crown or any department of His Majesty's Government except to such extent as His Majesty or such department may voluntarily agree and in particular nothing herein contained shall authorise the Town Council to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land heritages subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Crown Lands or of the Board of Trade respectively without the consent in writing of the Commissioners of Crown Lands or of the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose.

Crown rights.

82. All costs charges and expenses of and incidental to the preparing for obtaining and confirming this Order or otherwise in relation thereto shall be paid by the Town Council out of the moneys by this Order authorised to be borrowed by them for that purpose or out of any rates or assessments leviable within the burgh.

Costs of Order.

A.D. 1929. The SCHEDULES referred to in the foregoing Order.

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### FIRST SCHEDULE.

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

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#### BOUNDARIES OF THE BURGH.

Commencing at a point in the centre of the river Carron on the boundary of the existing burgh at the breakwater at Carron-side thence proceeding in a north-easterly direction along the centre of the river Carron until it reaches the existing parish boundary thence proceeding along the said boundary in the said river in a northerly southerly northerly easterly southerly and easterly direction to a point 500 yards or thereby north-west of Kerse Bridge over the river Carron thence southwards following the east bank of the burn forming the west boundary of the saltings 2252 on the Ordnance survey of Stirlingshire (1/2500 scale) and continuing along the east bank of said burn forming the west boundary of enclosure 2228 on said Ordnance survey to a point on the north side of the towing path of the Forth and Clyde Canal immediately to the east of the houses and in line with the said east boundary of said burn thence westwards along said north side of said towing path to a point 27 yards west or thereby from the centre of the London and North Eastern Mineral Railway (Grahamston branch) thence in a southerly direction across the Forth and Clyde Canal and continuing in a straight line to a point on the southern side of the road leading from Falkirk to Grangemouth at the north-east corner of enclosure 2059 on said Ordnance survey thence continuing in a southerly direction along the eastern boundary of said enclosure 2059 to the south-east corner thereof thence continuing in a straight line for a distance of 222 yards or thereby to a point on the boundary between enclosures 2062b and 2061 on said Ordnance survey thence in an easterly direction along said last mentioned boundary until it reaches the north-west boundary fence of the London Midland and Scottish Railway (Grangemouth branch) thence along the said boundary fence in a south-westerly direction until it reaches a point 130 yards or thereby north-east from the centre of the bridge carrying the said railway over the Bog Road thence in a southerly direction across said railway and continuing in a straight line in a southerly direction parallel with and 25 feet east of the eastern boundary of Bog Road and through enclosures 2016a 2016 2017 2018 2019 1992 and 1993 until it reaches the



south-west boundary of enclosure 1993 thence following said boundary in a south-easterly direction thence proceeding in a south-easterly direction in a straight line two feet west of and parallel with the westmost gable of the tenement property until it reaches the northern side of the road from Falkirk to Linlithgow thence in a south-easterly direction across said road and across the London and North Eastern Railway (Stirlingshire and Midland line) until it reaches the north-east boundary wall of Callendar Policies thence in a south-easterly direction following the said boundary wall to a point in line with the southern boundary of enclosure 867<sup>a1</sup> thence in a straight line through Callendar Policies in a south-westerly direction until it reaches the road leading from Falkirk to Glen Village thence across the last mentioned road in a south-westerly direction to the north-east corner of enclosure 969 on said Ordnance survey thence in a south-westerly direction along the divisions between enclosures 968 969 970 969a 973 and 942 on said Ordnance survey thence across the Callendar Coal Company Mineral Railway thence continuing in a westerly direction along the divisions between enclosures 940 and 983 and 938 and 938a on said Ordnance survey thence northerly along the division between said enclosures 983 and 938 thence following the south-eastern and eastern boundary of service road 985 on said Ordnance survey until it reaches a point in line with the division between enclosures 988 and 986 on said Ordnance survey thence in a south-westerly direction across said road and continuing in a south-westerly direction along the divisions between enclosures 988 986 987 990 934 932 991 996 and 931 on said Ordnance survey until it reaches the division between enclosures 996 and 929 on said Ordnance survey thence in a northerly direction along the last mentioned division until it reaches the road from Falkirk to Slamannan thence across said road thence in a straight line in a north-westerly direction through enclosures 998 1002 and 1003 on said Ordnance survey until it reaches the north-west corner of enclosure 1003 on said Ordnance survey thence in a northerly direction across Standalane Road thence in a westerly direction following the northern boundary of said road until it reaches the south-western corner of plantation 1084 thence in a north-westerly and westerly direction following the northern boundary of the road between the last mentioned point and the south-eastern corner of plantation 1184 on said Ordnance survey thence following the eastern boundary of said plantation thence in a straight line in a northerly direction until it reaches the southern boundary fence of the London and North Eastern Railway (Edinburgh and Glasgow line) thence in a westerly direction along the said southern boundary fence until it reaches the north-western corner of enclosure 1201 on said Ordnance survey thence across said railway to the northern boundary thereof at the south-western corner of enclosure 1722 on said Ordnance survey thence

A.D. 1929.

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[Ch. xxviii.]      *Falkirk Burgh*      [19 & 20 GEO. 5.]  
*Order Confirmation Act, 1929.*

A.D. 1929.      in a westerly direction along the northern boundary of said railway to a point in line with the eastern side of Lime Road thence proceeding in a westerly direction along a curved line approximately parallel to the northern rail of the north-most railway track to the eastern end of the raised loading bank of the Lime Road goods station thence proceeding in a westerly direction along the southern face of the said loading bank and thereafter along a curved line approximately parallel to the northern rail of the north-most railway track to the most southerly point of enclosure 1709a on the said Ordnance survey thence proceeding in a westerly direction along the northern boundary of said railway until it reaches the eastern parapet of the bridge carrying the Bonnyhill Road over the said railway thence in a westerly direction across the said road thence proceeding in a westerly direction along the northern boundary of the said railway until it reaches the west-most corner of enclosure 1700 on said Ordnance survey thence proceeding in a northerly direction across the Roughcastle Branch of the London and North Eastern Railway thence proceeding in a north-easterly direction along the northern boundary of the said railway until it reaches the south-eastern corner of plantation 1784 on said Ordnance survey thence following the division between the said plantation and plantation 1783 on said Ordnance survey thence proceeding in a northerly direction in a straight line in continuation of the said division to a point 26 yards or thereby west of the south-eastern corner of enclosure 1795 on said Ordnance survey thence proceeding in an easterly direction along the southern boundary of the said enclosure for a distance of 26 yards or thereby thence proceeding in a north-easterly and north-westerly direction along the western boundary of the London Midland and Scottish Railway until it reaches the western corner of enclosure 1841 on said Ordnance survey thence proceeding across the London Midland and Scottish Railway (Denny branch) until it reaches the west-most corner of enclosure 2377 on said Ordnance survey thence proceeding in a north-easterly direction between said enclosure 2377 and enclosure 2376 on said Ordnance survey to the east-most corner of enclosure 2376 thence proceeding in a straight line in a northerly direction through enclosures 2377 2378 2405 2406 2406a and 2404b until it reaches the centre of the river Carron at the weir thence proceeding generally in an easterly north-westerly and easterly direction along the centre of the said river until it reaches the boundary of the existing burgh at Carron Bridge thence proceeding in an easterly southerly easterly northerly and southerly direction along the boundary of the existing burgh until it reaches the centre of the river Carron at the breakwater at Carronside being the point of commencement.

SECOND SCHEDULE.

A.D. 1929.

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

FIRST.

*Boundaries of Area added to No. 1 East Ward of the existing Burgh.*

Commencing at the point on the existing burgh boundary where it joins the road leading from Falkirk to Linlithgow thence in a northerly direction along the present burgh boundary until it reaches the centre of the road leading from Falkirk to Grangemouth thence in an easterly direction along the centre of said road until it reaches a point immediately opposite the north-east corner of enclosure 2059 on the Ordnance survey of Stirlingshire (1/2500 scale) thence in a southerly direction along the eastern boundary of said enclosure 2059 to the south-east corner thereof thence continuing in a straight line for a distance of 222 yards or thereby to a point on the boundary between enclosures 2062b and 2061 on said Ordnance survey thence in an easterly direction along said last mentioned boundary until it reaches the north-west boundary fence of the London Midland and Scottish Railway (Grangemouth branch) thence along the said boundary fence in a south-westerly direction until it reaches a point 130 yards or thereby north-east from the centre of the bridge carrying the said railway over the Bog Road thence in a southerly direction across said railway and continuing in a straight line in a southerly direction parallel with and 25 feet east of the eastern boundary of Bog Road and through enclosures 2016a 2016 2017 2018 2019 1992 and 1993 until it reaches the south-west boundary of enclosure 1993 thence following said boundary in a south-easterly direction thence proceeding in a southerly direction in a straight line two feet west of and parallel with the westmost gable of the tenement property until it reaches the northern side of the road from Falkirk to Linlithgow thence in a south-easterly direction across said road and across the London and North Eastern Railway (Stirlingshire and Midland line) until it reaches the north-east boundary wall of Callendar Policies thence in a south-easterly direction following the said boundary wall to a point in line with the southern boundary of enclosure 867<sup>a1</sup> thence in a straight line through Callendar Policies in a south-westerly direction until it reaches the centre of the road leading from Falkirk to Glen Village thence in a northerly direction along the centre of said road until it reaches the existing burgh boundary

[Ch. xxviii.]      *Falkirk Burgh*      [19 & 20 GEO. 5.]  
*Order Confirmation Act, 1929.*

A.D. 1929.      —      thence in a north-easterly direction following the existing burgh boundary until it reaches the point of commencement.

SECOND.

*Boundaries of Area added to No. II. West Ward of the existing Burgh.*

Commencing at a point where the existing burgh boundary crosses the road leading from Falkirk to Glen Village thence in a southerly direction along the centre of said road until it reaches a point seven yards south of where the southern boundary of Callendar Policies joins the said road thence in a south-westerly direction across said road until it reaches the north-east corner of enclosure 969 on the Ordnance survey of Stirlingshire (1/2500 scale) thence in a south-westerly direction along the divisions between enclosures 968 969 970 969a 973 and 942 on said Ordnance survey thence across Callendar Coal Company Mineral Railway thence continuing in a westerly direction along the divisions between enclosures 940 and 983 and 938 and 938a on said Ordnance survey thence northerly along the division between said enclosures 983 and 938 thence following the south-eastern and eastern boundary of service road 985 on said Ordnance survey until it reaches a point in line with the division between enclosures 988 and 986 on said Ordnance survey thence in a south-westerly direction across said road and continuing in a south-westerly direction along the divisions between enclosures 988 986 987 990 934 932 991 996 and 931 on said Ordnance survey until it reaches the division between enclosures 996 and 929 on said Ordnance survey thence in a northerly direction along the last mentioned division until it reaches the road from Falkirk to Slamannan thence across said road thence in a straight line in a north-westerly direction through enclosures 998 1002 and 1003 on said Ordnance survey until it reaches the north-west corner of enclosure 1003 on said Ordnance survey thence in a northerly direction across Standalane Road thence in a westerly direction following the northern boundary of said road until it reaches the south-western corner of plantation 1084 thence in a north-westerly and westerly direction following the northern boundary of the road between the last mentioned point and the south-eastern corner of plantation 1184 on said Ordnance survey thence following the eastern boundary of said plantation thence in a straight line in a northerly direction until it reaches the southern boundary fence of the London and North Eastern Railway (Edinburgh and Glasgow line) thence continuing in a straight line across said railway to the northern boundary thereof thence in an easterly direction along said northern boundary to the existing burgh boundary thence in an easterly direction along the existing burgh boundary to the point of commencement.

THIRD.

A.D. 1929.

*Boundaries of Area added to No. III. Middle Ward of the  
existing Burgh.*

Commencing at a point where the existing burgh boundary crosses the road from Falkirk to Grangemouth at Woodburn House thence in a north-easterly direction along the centre of said road until it reaches a point immediately opposite the north-east corner of enclosure 2059 on the Ordnance survey of Stirlingshire (1/2500 scale) thence in a straight line in a north-westerly direction through enclosures 2084 and 2078 until it reaches the southern boundary of the Forth and Clyde Canal thence across said canal to the northern boundary of the towing-path of said canal at a point approximately 27 yards west or thereby from the centre of the London and North Eastern Mineral Railway (Grahamston branch) thence in a westerly direction along the said northern boundary of said towing-path of said canal to the existing burgh boundary at Dalderse thence in a southerly direction following the existing burgh boundary to the point of commencement.

FOURTH.

*Boundaries of Areas added to No. IV. North Ward of  
the existing Burgh.*

Commencing at the point at which the boundaries of the existing North and Camelon Wards join 160 yards or thereby north-east of Blacking Mill thence proceeding in a north-westerly direction along the existing burgh boundary to the centre of the burn dividing enclosures 1940 and 1965 on the Ordnance survey of Stirlingshire (1/2500 scale) thence in a northerly direction following the centre of said burn until it reaches the north-east corner of enclosure 1964 on said Ordnance survey thence in a westerly direction along the division between enclosures 1964 and 2290 on said Ordnance survey to the south-west corner of said enclosure 2290 thence in a northerly direction along the burn in enclosures 2290 2293 2294 2310 2354 and 503 on said Ordnance survey until it reaches the centre of the river Carron where said burn enters the river Carron thence in a north-easterly and easterly direction along the centre of the river Carron to the boundary of the existing burgh in the centre of the river Carron 23 yards or thereby west from the centre of Carron Bridge thence in a southerly south-westerly northerly and southerly direction along the existing burgh boundary to the point of commencement.

Commencing at a point in the centre of the river Carron on the boundary of the existing burgh at the breakwater at Carronside thence proceeding in a north-easterly direction along the centre of the river Carron until it reaches the existing parish



A.D. 1929. boundary thence proceeding along the said boundary in the said river in a northerly southerly northerly easterly southerly and easterly direction to a point 500 yards or thereby north-west of Kerse Bridge over the river Carron thence southwards following the east bank of the burn forming the west boundary of the saltings numbered 2252 on said Ordnance survey and continuing along the east bank of said burn forming the west boundary of enclosure 2228 on said Ordnance survey to a point on the north side of the towing-path of the Forth and Clyde Canal immediately to the east of the houses and in line with the said east boundary of said burn thence westwards along said north side of said towing-path to a point 27 yards west or thereby from the centre of the London and North Eastern Mineral Railway (Grahamston branch) thence along the said north side of said towing-path to the existing burgh boundary at Dalderse thence following the existing burgh boundary in a northerly westerly and northerly direction to the point of commencement.

FIFTH.

*Boundaries of Area added to No. V. Camelon Ward of the  
existing Burgh.*

Commencing at a point on the existing burgh boundary 62 yards or thereby south from Greenbank Place thence for a distance of 70 yards or thereby in a westerly direction along the northern boundary fence of the London and North Eastern Railway (Edinburgh and Glasgow line) thence in a straight line in a southerly direction across said railway until it reaches the southern boundary fence thereof thence in a westerly direction along the said southern boundary fence until it reaches the north-western corner of enclosure 1201 on the Ordnance survey of Stirlingshire (1/2500 scale) thence across said railway to the northern boundary thereof at the south-western corner of enclosure 1722 on said Ordnance survey thence in a westerly direction along the northern boundary of said railway to a point in line with the eastern side of Lime Road thence proceeding in a westerly direction along a curved line approximately parallel to the northern rail of the north-most railway track to the eastern end of the raised loading bank of the Lime Road goods station thence proceeding in a westerly direction along the southern face of the said loading bank and thereafter along a curved line approximately parallel to the northern rail of the north-most railway track to the most southerly point of enclosure 1709a on said Ordnance survey thence proceeding in a westerly direction along the northern boundary of said railway until it reaches the eastern parapet of the bridge carrying the Bonnyhill Road over said railway thence in a westerly direction across said road thence proceeding in a westerly direction along the northern boundary of the said

railway until it reaches the westmost corner of enclosure 1700 on said Ordnance survey thence proceeding in a northerly direction across the Roughcastle branch of the London and North Eastern Railway thence proceeding in a north-easterly direction along the northern boundary of the said railway until it reaches the south-eastern corner of plantation 1784 on said Ordnance survey thence following the division between the said plantation and plantation 1783 on said Ordnance survey thence proceeding in a northerly direction in a straight line in continuation of the said division to a point 26 yards or thereby west of the south-east corner of enclosure 1795 on said Ordnance survey thence proceeding in an easterly direction along the southern boundary of the said enclosure for a distance of 26 yards or thereby thence proceeding in a north-easterly and north-westerly direction along the western boundary of the London Midland and Scottish Railway until it reaches the western corner of enclosure 1841 on said Ordnance survey thence proceeding across the London Midland and Scottish Railway (Denny branch) until it reaches the westmost corner of enclosure 2377 on said Ordnance survey thence proceeding in a north-easterly direction between said enclosure 2377 and enclosure 2376 on said Ordnance survey to the eastmost corner of enclosure 2376 thence proceeding in a straight line in a northerly direction through enclosures 2377 2378 2405 2406 2406a and 2404b until it reaches the centre of the river Carron at the weir thence proceeding generally in an easterly north-westerly and easterly direction along the centre of the said river until it reaches the point in the said river where the burn dividing enclosures 2290 and 503 enters the said river thence southerly along the centre of the burn between enclosures 2290 503 2354 2310 2294 and 2293 on said Ordnance survey until it reaches the south-west corner of said enclosure 2290 on said Ordnance survey thence in an easterly direction along the division between enclosures 2290 and 1964 until it reaches the centre of the burn at the north-east corner of said enclosure 1964 thence in a southerly direction along the centre of the burn between enclosures 1964 and 1967 and enclosures 1966 1940 and 1965 on said Ordnance survey to the point where the existing burgh boundary crosses the said burn thence following the existing burgh boundary in a westerly south-westerly westerly northerly south-westerly easterly southerly easterly southerly westerly southerly easterly and southerly direction to the point of commencement.

A.D. 1929.

A.D. 1929.

THIRD SCHEDULE.

(Referred to in the section of this Order of which the marginal note is "Lands for sewage purposes &c.").

DESCRIPTION OF LANDS FOR SEWAGE PURPOSES.

The lands situated in the county of Stirling forming Dalderse Mill Farm and Carronbank and bounded as follows viz. :—

Commencing at a point on the southern bank of the river Carron in line with the west boundary of field numbered 2266 on the Ordnance survey edition of 1916 (1/2500 scale) thence in a northerly easterly southerly and easterly direction following the said southern bank of the river Carron until it reaches a point where the burn enters the river Carron at the north-east corner of Saltings numbered 2251a on said Ordnance survey thence in a southerly direction following the eastern boundary of said Saltings thence in a south-westerly direction to the north-east corner of field numbered 2230 on said Ordnance survey thence in a southerly direction following the east boundary of said field numbered 2230 on said Ordnance survey to a point at the houses at the south-east corner of field numbered 2207 on said Ordnance survey thence in a westerly direction following the boundary of said field numbered 2207 until it reaches the London and North Eastern Mineral Railway (Grahamston branch) thence in a westerly direction across the said railway thence along the southern boundary of field numbered 2230a on said Ordnance survey until it reaches the south-western corner of said field numbered 2230a at Abbotshaugh thence in a straight line northwards to the north-east corner of Abbotshaugh Grounds numbered 2205 on said Ordnance survey thence in a westerly direction to the eastern boundary of the road leading from the canal bank to Dalderse Mill Farm thence in a northerly direction along said eastern boundary of said road until it reaches the said railway (Grahamston branch) thence in a northerly direction following the said eastern boundary of said road until it reaches a point on the division between fields numbered 2237 and 2238 on said Ordnance survey thence in a north-westerly direction following said last-mentioned division until it reaches the north corner of said field numbered 2238 thence in a south-westerly direction following the division between said field numbered 2238 and field numbered 2239 on said

Ordnance survey until it reaches the south corner of said field numbered 2239 thence in a northerly direction along the division between said field numbered 2239 and field numbered 2268 on said Ordnance survey until it reaches the road from David's Loan to Carronbank thence in a northerly direction across said road and continuing in a northerly direction along the west boundary of field numbered 2266 on said Ordnance survey until it reaches the point of commencement.

A.D. 1929.

FOURTH SCHEDULE.

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

PROPERTIES OF WHICH PORTIONS ONLY MAY BE TAKEN  
WITHOUT TAKING THE WHOLE.

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