

[3 GEO. 5.] *Edinburgh and East of Scotland College* [Ch. i.]
of Agriculture Order Confirmation Act, 1913.



CHAPTER i.

An Act to confirm a Provisional Order under the Private A.D. 1913.
Legislation Procedure (Scotland) Act 1899 relating to the
Edinburgh and East of Scotland College of Agriculture.
[25th April 1913.]

WHEREAS His Majesty's Secretary for Scotland has made
the Provisional Order set forth in the schedule hereunto
annexed under the provisions of the Private Legislation Procedure 62 & 63 Vict.
(Scotland) Act 1899 and it is requisite that the said Order c. 47.
should be confirmed by Parliament:

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

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

2. This Act may be cited as the Edinburgh and East of Short title.
Scotland College of Agriculture Order Confirmation Act 1913.

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SCHEDULE.

EDINBURGH AND EAST OF SCOTLAND COLLEGE
OF AGRICULTURE.

Provisional Order for enabling the Edinburgh and East of Scotland College of Agriculture to acquire compulsorily certain lands in the city of Edinburgh and for other purposes.

WHEREAS in the year 1894 there was established in Edinburgh an Association called the Edinburgh School of Rural Economy with the object of imparting instruction in agriculture and similar subjects and otherwise:

And whereas in the year 1902 the said Association which had proved successful and beneficial to the public and particularly to persons interested in agriculture was incorporated under the Companies Acts 1862 to 1900 by the name of the "Edinburgh and East of Scotland College of Agriculture" (in this Order called "the College") with a view to the better conduct of its operations and one of the objects of the College as incorporated was to establish in Edinburgh and to equip carry on and develop a college or school having for its main objects the communication of instruction in and the study of agriculture and the promotion of agricultural research:

And whereas the College obtained a licence from the Board of Trade dispensing with the use of the word "limited" as part of the name of the College in respect that no part of the funds of the College can be paid or transferred directly or indirectly by way of dividend or bonus or otherwise howsoever by way of profit to its members:

And whereas the College in the year 1904 acquired by purchase the premises No. 13 George Square Edinburgh and expended considerable sums in fitting up the same as offices classrooms and premises for the purposes of the College and the headquarters and operations of the College have since then been conducted at the said premises and the operations of the College have also comprised the imparting of agricultural knowledge throughout the counties in the east of Scotland by means of local lectures and otherwise:

And whereas the funds of the College have been provided mainly from grants made by the Treasury through the Scotch

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Education Department and in succession to the said Department A.D. 1913.
through the Board of Agriculture for Scotland in furtherance of
agricultural education votes or grants by town and county
councils and other bodies and fees paid by students:

And whereas the governing body of the College consists of
representatives of various town and county councils and educa-
tion committees and of the court of the University of Edinburgh
and of other public bodies:

And whereas the number of students of the College has
greatly increased and the scope of its active operations has been
enlarged and the premises at No. 13 George Square Edinburgh
are now inadequate for the purposes of the College and it is
expedient and would be of public advantage that for the purpose
of extending and improving the College buildings the College
should be authorised to acquire additional lands as in this Order
provided:

And whereas a plan of the lands and property to be acquired
and taken for the purposes of this Order and also a book of
reference to the said plan containing the names of the owners and
lessees or reputed owners and lessees and of the occupiers of the
lands and property required or which may be taken for the
purposes or under the powers of this Order were duly deposited
with the principal sheriff clerks of the county of Midlothian and
of the county of the city of Edinburgh respectively and such plan
and book of reference are hereinafter referred to as the deposited
plan and book of reference:

And whereas the purposes aforesaid cannot be effected without
an Order of the Secretary for Scotland 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 the Secretary for Scotland orders as
follows:—

1. This Order may be cited as the Edinburgh and East of Short title.
Scotland College of Agriculture Order 1913 and shall commence
and have effect from and after the date of the passing of the
Act confirming the same which date is in this Order referred to
as "the commencement of this Order."

2. The Lands Clauses Acts are incorporated with this Incorporation
Order. of Acts.

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Interpreta-
tion.

3. In this Order the several words and expressions to which meanings are assigned by the Acts incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction.

Further in-
terpretation.

4. The following words and expressions in this Order have the respective meanings hereby assigned to them unless there be something in the subject or context inconsistent with or repugnant to such meaning (that is to say):—

“The College” means the Edinburgh and East of Scotland College of Agriculture;

“The sheriff” means the sheriff of the Lothians and Peebles and includes his substitutes.

Power to
take lands.

5. Subject to the provisions of this Order the College may enter upon take hold and use for the purposes of the College the lands shown on the deposited plan and specified and described in the deposited book of reference The said lands are the following (that is to say):—

The lands and property being No. 15 George Square Edinburgh and the back buildings northward of the said premises which are adjuncts thereto but are now separately occupied as stable premises and enter from Charles Street Lane Edinburgh all situate in the city and city parish of Edinburgh and county of the city of Edinburgh and county of Midlothian together with the site and solum of said several premises and the front area and back and other ground connected therewith and the right in George Square Gardens pertaining to the said lands and property and the whole parts and pertinents of the said lands and property.

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

6. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plan or specified in the deposited book of reference the College 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 the omission misstatement or wrong description arose from mistake he shall certify the same accordingly and he shall in his certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the principal sheriff clerk of the county of Midlothian and

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a duplicate thereof shall also be deposited with the principal sheriff clerk of the county of the city of Edinburgh and such certificate and duplicate shall be kept by such sheriff clerks respectively with the other documents to which the same relate and thereupon the deposited plan and book of reference shall be deemed to be corrected according to such certificate and the College may enter upon take and use the lands in accordance with such certificate. A.D. 1913.

7. All cases of disputed compensation in respect of land taken compulsorily under this Order or whereby any compensation falls under this Order to be determined under the provisions of the Lands Clauses Acts shall notwithstanding anything contained in those Acts be determined by a single arbiter to be appointed by the parties or in case both parties do not concur in the appointment of a single arbiter it shall be in the power of either party to apply to the Secretary for Scotland to appoint a single arbiter to determine the compensation to be paid and it shall not be competent thereafter to have the same determined by arbiters oversman sheriff or jury acting under the last-mentioned Acts. The said arbiter upon appointment shall be deemed to be a sole arbiter within the meaning of the Lands Clauses Acts and the provisions of those Acts with regard to arbitration shall apply accordingly and the arbiter shall notwithstanding anything contained in those Acts determine the amount of the expenses in the arbitration and such determination shall be final. The remuneration of the said arbiter shall failing agreement be fixed by the Secretary for Scotland. Compensation to be settled by single arbiter.

8. The powers of the College for the compulsory purchase of lands for the purposes of this Order shall cease after the expiration of two years from the commencement of this Order. Period for compulsory purchase of lands.

9. The costs charges and expenses of preparing for obtaining and confirming this Order shall be paid by the College out of any funds or money in their hands not appropriated to any other specific purpose. Costs of Order.

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