



CHAPTER ciii.

An Act to confirm a Provisional Order made under the Public Health (Scotland) Act, 1867, relating to the Village of Renton. [6th August 1885.]

A.D. 1885.

WHEREAS the Right Honourable Sir William Vernon Harcourt, one of Her Majesty's Principal Secretaries of State, made a Provisional Order, set forth in the Schedule hereunto annexed, under the provisions of the Public Health (Scotland) Act, 1867 :

30 & 31 Vict. c. 101.

And whereas it is requisite that the said Order should be confirmed by Parliament :

Be it therefore enacted by the Queen'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 Order set forth in the schedule hereunto annexed is hereby confirmed.

Order in schedule confirmed.

2. The local authority mentioned in the said Order shall not, under the powers of this Act or of the said Order, without the consent of the Secretary of State for the Home Department, purchase or acquire in any district within the meaning of the Public Health (Scotland) Act, 1867, ten or more houses which, after the passing of this Act, have been, or on the fifteenth day of December last were, occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

Provision as to houses occupied by the labouring class.

For the purposes of this section the expression "labouring class" includes mechanics, artizans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages, but working at some trade or handicraft without employing others except members of their own family, and persons, other than domestic servants, whose income does not exceed an average of

A.D. 1885. thirty shillings a week, and the families of any of such persons who may be residing with them.

Short title. 3. This Act may be cited as the *Renton Water Supply Confirmation Act, 1885.*

SCHEDULE.

RENTON WATER SUPPLY.

PROVISIONAL ORDER.

Public Health (Scotland) Act, 1867.

WHEREAS by the Public Health (Scotland) Act, 1867, it is, among other things, enacted, section eighty-nine, that “with respect to parishes (exclusive of any parts of such parishes as are situated within the district of any local authority other than the parochial boards of such parishes) the local authority, if they think it expedient so to do, may acquire and provide or arrange for a supply of water for the domestic use of the inhabitants, and for that purpose may conduct water from any lake, river or stream, may dig wells, make and maintain reservoirs, may purchase, take upon lease, hire, construct, lay down and maintain such waterworks, pipes and premises, and do and execute all such works, matters and things as shall be necessary and proper for the aforesaid purpose, and may themselves furnish a supply of water, or contract or arrange with any other person to furnish the same; and for the purposes aforesaid the local authority shall be held to have all the powers and rights given to promoters of undertakings by the Lands Clauses Acts: Provided always, that they shall make reasonable compensation for the water so taken by them, and for the damage which may be done to any lands by reason of the exercise of the powers hereby conferred in terms of the said Acts;” and that “the local authority, if they have any surplus water after fully supplying what is required for domestic purposes, may supply water from such surplus to any public baths and washhouses, or for trading or manufacturing purposes, on such terms and conditions as may be agreed on between the local authority and the persons desirous of being so supplied:”

And whereas it is further provided by the said Act, section ninety, that, upon compliance with the provisions therein contained with respect to advertisements and notices, the local authority may present to one of Her Majesty's Principal Secretaries of State a petition stating the land intended to be taken and the purposes for which it is required, and the names of the owners, lessees and occupiers of land who have assented, dissented, or are neuter in respect of the taking of such land, or who have returned no answer to the notice, and praying that the local authority may, with reference to such land, be allowed to put in

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force the powers of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement; and that, upon the receipt of such petition, and proof of the proper advertisements having been published and notices served, the Secretary of State may direct an inquiry in the district in which the land is situate, or otherwise inquire as to the propriety of assenting to the prayer of such petition; and, after the completion of such inquiry, the Secretary of State may, by Provisional Order, empower the local authority to put in force, with reference to the land referred to in such Order, the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement, or any of them, and either absolutely or with such conditions and modifications as he may think fit:

And whereas the Parochial Board of the parish of Cardross, in the county of Dunbarton, are the local authority in the said parish under the Public Health (Scotland) Act, 1867:

And whereas, under the provisions of the said Public Health (Scotland) Act, 1867, by a decree of the Sheriff Substitute of Dunbarton, dated the first day of December one thousand eight hundred and eighty-two, and confirmed by a decree of the Sheriff of the said county, dated the twenty-sixth day of January, one thousand eight hundred and eighty-three, certain portions of the said parish of Cardross, comprising the village of Renton and lands adjacent thereto, were formed into a special drainage and water supply district:

And whereas a petition under the Public Health (Scotland) Act, 1867, and the Public Health (Scotland) Amendment Act, 1871, and the Public Health (Scotland) Act (1867) Amendment Act, 1882, has been presented to me as one of Her Majesty's Principal Secretaries of State by the said local authority, setting forth, among other things, the formation of such water supply district, and that the present water supply is insufficient, and that it would be of great advantage to the inhabitants of the said district if the said local authority were authorised to obtain a supply of water for the domestic use of the inhabitants, and for trading and manufacturing and other purposes, under the provisions of the said Public Health (Scotland) Act, 1867, and for the purpose of affording such supply of water the Petitioners proposed to construct works, and to purchase and take, under the powers and provisions of the Lands Clauses Consolidation (Scotland) Act, 1845, and the Lands Clauses Consolidation Acts Amendment Act, 1860, which Acts are herein termed and referred to as the Lands Clauses Acts, the lands and other property required for the purposes of the said water supply and the said works; and that the Petitioners had published the advertisements, and deposited a plan, sections and book of reference, and served the notices required by section ninety of the said Public Health (Scotland) Act, 1867; and the said petition prayed that a Provisional Order might be made empowering the Petitioners to put in force, with reference to the lands and water mentioned in such petition the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement:

And whereas due inquiry having been directed and held in respect of the matters contained in the said petition, I have resolved to grant the prayer thereof; and a plan, describing the reservoirs, aqueducts, conduits and lines of pipe, and the lands, water, roads and other property intended to be taken for the purposes thereof, and of the said water supply, and a book of reference to such plan, containing the names of the owners or reputed owners, lessees or reputed lessees,

[Ch. clii.] *Renton Water Supply Confirmation* [48 & 49 VICT.]
Act, 1885.

A.D. 1885. — and occupiers of such lands, water, roads, and other property, have been signed by me with reference to this Order, and will be deposited with the Sheriff Clerk of the county of Dumbarton, at his office in Dumbarton.

Now therefore in pursuance of the powers vested in me by the Public Health (Scotland) Act 1867 I as one of Her Majesty's Principal Secretaries of State do by this Provisional Order under my hand and seal, direct that from and after the passing of any Act of Parliament confirming the same,—

1. The expression "the special Act" in the Lands Clauses Acts shall mean this Order; and the expression "the promoters of the undertaking" in the Lands Clauses Acts shall, with reference to this Order, mean the Parochial Board of the parish of Cardross, herein-after called the Local Authority; and the word "lands" in this Order shall have the meaning attached to it in the Lands Clauses Acts, and shall include water and the right thereto.

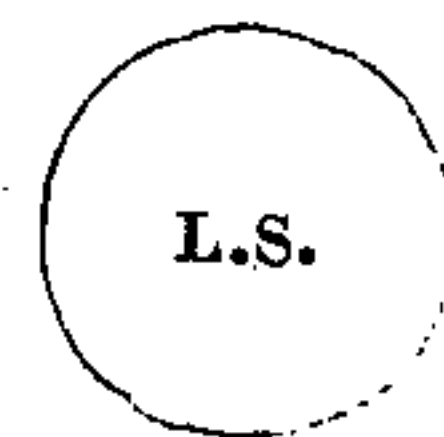
2. The Local Authority for supplying water to the special water supply district before mentioned, for the purposes in the said Public Health (Scotland) Act 1867 specified, may put in force with reference to the lands water roads and other property described on the said plan, and in the said book of reference, the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement.

3. The Local Authority, in constructing the works described on the said plan, may deviate laterally from the lines laid down thereon to any extent not exceeding the limits of lateral deviation shown thereon, and may deviate vertically from the levels of the said works as defined on the sections to any extent not exceeding five feet upwards and five feet downwards: Provided always, that they may erect any water tower, stand pipe, or other like work of any height which for the time being may be necessary or proper for the purposes of this Order.

4. The Local Authority may, in the execution of their works, take way-leaves, easements, servitudes or other limited rights over lands and other property, subject to such conditions as may be agreed on with the persons interested.

5. All questions of compensation betwixt the Local Authority and any person whatsoever with regard to the taking and abstraction of water under this Order, shall be referred to arbitration in manner provided by the Lands Clauses Acts.

Given under my hand and seal at White-
hall, this tenth day of June, one
thousand eight hundred and eighty-
five.



W. V. HARCOURT.