



CHAPTER xli.

An Act for erecting Coatbridge, in the county of Lanark, A.D. 1885.
into a burgh ; and for other purposes. [25th June 1885].

WHEREAS the town or district of Coatbridge, in the county of Lanark, is a populous place, containing a population of twenty-five thousand persons or thereabouts, and is in need of additional legislative provisions for the regulation of the police, and in the interests of public health :

And whereas these purposes can be best attained by the erection of the said town into a burgh, and the establishment of municipal government therein by magistrates and town councillors :

And whereas the provisions of the Public General Acts relating to police and public health in Scotland are not adequate for these objects, and it is expedient that special provisions should be made for a town of the size and importance of Coatbridge, and having large manufacturing and mining industries carried on therein :

And whereas the provisions of the Public Health Acts with regard to smoke would if applied to the district of Coatbridge unduly interfere with the processes of iron manufacture carried on thereat, and it is expedient that the burgh should be excepted from the operation of those provisions :

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

May it therefore please Your Majesty, that it may be enacted, and be it enacted, by the 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 (that is to say) :

1. This Act may be cited as the Coatbridge Burgh Act 1885.

Short title.

2. This Act shall for the purposes of fixing the boundaries of the burgh, the division of the burgh into wards, the election of the magistrates and town council, the appointment by the magistrates and town council of officers, servants, and officials, and of all proceedings preliminary to the town council undertaking office,

Commence-
ment of
Act.

A.D. 1885. — commence and come into operation on its passing, and for all other purposes (save as expressly provided) shall commence and come into operation on the eleventh day of January, one thousand eight hundred and eighty-six.

Interpreta-
tion.

3. The following words and expressions in this Act, or in the clauses of the General Police and Improvement (Scotland) Act 1862 incorporated herewith, shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction (that is to say):—

- (1.) “The burgh” shall mean the burgh of Coatbridge, as in this Act defined;
- (2.) “Chief magistrate” shall mean the provost or senior magistrate of the burgh, or, in his absence, the magistrate present next in seniority, according to priority of election, and also the magistrate temporarily acting as chief magistrate in the burgh;
- (3.) “The commissioners” shall mean the town council elected under this Act, when acting under the powers of the General Police Acts, or in relation to any similar matters under this Act;
- (4.) “The commissioners of supply” shall mean the commissioners of supply for the county;
- (5.) “County” shall mean the county of Lanark;
- (6.) “Court” shall mean a court or recess or area forming a common access to lands and premises separately occupied, including any common passage or entrance thereto;
- (7.) “General Police Acts” shall mean the General Police and Improvement (Scotland) Act, 1862, and Acts amending the same;
- (8.) “Head constable” shall mean the chief constable or other person having charge of the police force of the burgh;
- (9.) “House” shall mean dwelling-house, and shall include out-houses and other erections being pertinents of the house;
- (10.) “Householder” shall mean any occupier of lands or premises of the yearly value of four pounds or upwards, and shall include any female occupier of lands or premises as aforesaid who is not married, or who, being married, does not live in family with her husband;
- (11.) “Infectious disease” shall mean and include cholera, small-pox, typhus, typhoid, scarlet, relapsing, continued, and puerperal fever, measles, scarlatina, whooping cough, and diphtheria, and such other diseases as the town council, or Her Majesty by Order in Council, may from time to time declare, for the purposes of this Act, to be infectious;

- (12.) "Lands Clauses Acts" shall mean the Lands Clauses Consolidation (Scotland) Act 1845 and the Lands Clauses Consolidation Acts Amendment Act 1860, and any Acts amending the same;
- (13.) "Magistrates" shall include the provost and the bailies of the burgh;
- (14.) "Municipal Elections Acts" shall mean and include the Acts third and fourth William the Fourth, chapter seventy-six; the Municipal Elections Amendment (Scotland) Act 1868; the Municipal Elections Amendment (Scotland) Act 1870; the Ballot Act 1872; the Municipal Elections Amendment (Scotland) Act 1881; and any other Acts explaining or amending the same;
- (15.) "Private court" shall mean a court maintained or liable to be maintained by persons other than the town council;
- (16.) "Provost" shall mean the provost of the burgh;
- (17.) "Public Health Acts" shall mean the Public Health (Scotland) Act 1867, and any Act amending the same;
- (18.) "Registration Acts" shall mean the public Act of the nineteenth and twentieth Victoria, chapter fifty-eight, as amended by the Acts thirty-first and thirty-second Victoria, chapter forty-eight, thirty-third and thirty-fourth Victoria, chapter ninety-two, and forty-fourth Victoria, chapter thirteen, and any other Acts explaining or amending the same;
- (19.) "Royal burgh" shall mean a royal burgh in Scotland not now entitled to return or contribute to the return of a member to Parliament;
- (20.) "Secretary of State" shall mean one of Her Majesty's Principal Secretaries of State;
- (21.) "Sheriff" shall mean the sheriff of the county, and shall (except as regards the fixing and extending the boundaries of the burgh or the wards thereof) include his substitutes;
- (22.) "Street" and "private street" shall have the meanings assigned to those expressions by the General Police and Improvement (Scotland) Act, 1862;
- (23.) "Town clerk" shall mean the town clerk of the burgh;
- (24.) "Town council" shall mean the magistrates and council of the burgh, and shall include the commissioners;
- (25.) "Valuation Acts" shall mean the public Act of the seventeenth and eighteenth Victoria, chapter ninety-one, intituled "An Act for the valuation of lands and heritages in Scotland," and any Acts amending that Act;
- (26.) "Valuation roll" means the valuation roll made up under the Valuation Acts.

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Boundaries.

4. For the purposes of this Act the burgh of Coatbridge shall comprise the district included within the boundaries following situate in the parishes of Old Monkland and New Monkland, and county of Lanark, viz. :—

A line, commencing on the highway from Old Monkland Church to Coatbridge, at a point forty-five yards north of the line of the north side wall of the said church, and proceeding along the said highway northward to a point in line with the north wall of the Old Monkland Cemetery; thence about one hundred and five yards westward along the line of the said wall; thence northward, parallel to and at a distance of one hundred yards westward from the west side of the said highway, to a point one hundred yards southward from the south side of the avenue leading to Kirkwood Farmhouse; thence about one hundred and fifty-two yards westward, parallel to the said avenue; thence northward, crossing the Edinburgh and Glasgow highway at a point about one hundred and fifty-eight yards westward from the aforesaid highway from Old Monkland Church to Coatbridge, and continuing about one hundred and twenty-one yards northward thereafter; thence north-eastward, parallel to and one hundred yards north-westward from the north-west side of the said Edinburgh and Glasgow highway, to a point one hundred yards westward from the west side of Blair Road; thence northward, parallel to and one hundred yards westward from the west side of Blair Road, to the highway from Coatbridge to Townhead Farm; thence north-eastward to the bridge which carries the Caledonian Railway over the now disused Espieside Colliery Railway; thence eastward to the Airdrie North Burn at a point about six hundred and sixty-seven yards below the Burnbank Bridge, measured along the course of the said burn; thence eastward, crossing the highway from Coatbridge to New Monkland Church, at a point about one hundred and thirty yards southward from the front of Kipps' Farmhouse, and continuing to the boundary between the lands of Kipps and Kippsbyre; thence southward following the said boundary and a line in continuation thereof to the south boundary of the Airdrie and Coatbridge Branch Railway, at a point about one hundred and eighty-two yards eastward from the boundary between the parishes of Old Monkland and New Monkland; thence along the south fence of the said branch railway to a viaduct carrying the same over the Airdrie South Burn, thence southward along the said burn to the south side of the Monkland Canal; thence eastward along the south side of that canal to the southern boundary of the Caledonian

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Railway from Whifflet to Airdrie; thence eastward along the said southern boundary for a distance of about three hundred yards, and thence southward in a straight line to the east side of the Monkland Canal, at a point three hundred and thirty-three yards northward from the north side of Sikeside Canal Bridge; thence across the said canal in a south-westerly direction; thence southward along the west side of the said canal to a burn about one hundred and thirty-seven yards from the south wing of Sikeside Canal Bridge; thence along the said burn to the North Calder Water; thence along the North Calder Water to the Caledonian Railway Bridge; thence westward to the south entrance of the tunnel on the old mineral line of railway near Rosehall Colliery; thence westward for a distance of about four hundred and seventy-four yards to a point one hundred yards southward from the south side of the highway leading from Coathill to Old Monkland Church; thence westward, parallel to the last-mentioned highway, to the herein-before described point of commencement of the said line:

In the construction of the foregoing description of boundaries, and the boundaries of the wards herein-after mentioned, the same rules shall be observed as are enacted in the fifth section of the Act of the second and third years of the reign of William the Fourth, chapter sixty-five, intituled "An Act to amend the Representation of the People in Scotland."

5. An Ordnance Survey map or plan, certified and signed by the provost and the town clerk, showing the boundaries of the burgh as fixed by this Act, shall within four weeks after the said eleventh day of January, one thousand eight hundred and eighty-six, be deposited with the town clerk, and with the sheriff clerk of the county, at their offices respectively, and shall be open at all reasonable times to the inspection of any ratepayer without charge; and a copy thereof certified as aforesaid shall be sent as soon as may be after such deposit to the Director General of Her Majesty's Ordnance Survey.

Deposit of
map of
burgh.

6. From and after the passing of this Act, the burgh of Coatbridge, within the boundaries aforesaid, shall be, and the same is hereby created, united, erected, and incorporated into a free and independent burgh, and shall be now and in all time hereafter called and known by the name of "the town of Coatbridge," with all the powers, privileges, liberties, immunities, and jurisdictions of whatever description, pertaining and belonging and competent by law to royal burghs in Scotland; but it shall not be necessary, unless the town council otherwise determine, to establish a roll of

Erection of
burgh.

A.D. 1885. — burgesses, and no burgess qualification shall be imposed on or required of any magistrate or councillor as a condition of his election or tenure of office.

Burgh dis-
joined from
county.

7. From and after the eleventh day of January, one thousand eight hundred and eighty-six, the district comprised within the boundaries of the burgh shall be disjoined from the county for the purposes of this Act, and, except as otherwise expressly provided by this Act, the whole powers, jurisdictions, authorities, rights, and privileges (including all powers of imposing, levying, and recovering rates, taxes, and assessments) at present possessed within those boundaries by the justices of the peace, the commissioners of supply, and other local authorities, and the officials appointed by them, shall cease and determine:

Provided that the powers of the commissioners of supply of imposing, levying, and recovering rates and assessments within the said boundaries shall not cease and determine until the fifteenth day of May, one thousand eight hundred and eighty-six, but the said commissioners shall be bound to account to the town council for the balance (if any) in their hands at the last-mentioned date, of the rates and assessments imposed, levied, and recovered by them within the said boundaries after deduction of all payments therefrom and charges thereon, so far as such payments and charges are applicable to the district within the said boundaries.

Qualification
of commis-
sioners of
supply.

8. Any commissioner of supply whose qualification as such arises from property situated within the burgh shall, from and after the commencement of this Act, be disqualified from acting as a commissioner of supply of the county, unless he may have a qualification as a commissioner of supply in respect of property beyond the burgh boundaries.

Act not to
affect election
of members
to serve in
Parliament.

9. Nothing in this Act contained shall interfere with the county, or the electors thereof, so far as regards the election of members to serve in Parliament for the said county, or any division thereof, and the county and the divisions thereof shall, for parliamentary purposes, remain in all respects the same as if this Act had not been passed.

Act not to
affect school
board.

10. Nothing in this Act shall affect or alter the powers, duties, jurisdictions, rights, or obligations of any school board having, or which may have, schools or other buildings within the boundaries of the burgh, or their rights of property, or of levying assessments under the Education (Scotland) Act 1872 and any Acts amending that Act, but nothing herein contained shall prevent the same being dealt with under the powers of the Education (Scotland) Act 1878.

11. Nothing in this Act shall alter, diminish, or affect the existing jurisdiction and authority of the sheriff.

Jurisdiction
of sheriff
not to be
affected.
Wards.

12. For the purposes of this Act the burgh shall be divided into five wards, as follows:—

FIRST OR WEST WARD.—Bounded by the Edinburgh and Glasgow highway, Academy Street, Railway Street, Sunnyside Street, past Sunnyside Station, the road leading from Sunnyside Station to Hollandhirst, and the boundary line of the burgh;

SECOND OR NORTH WARD.—Bounded by the main street or Edinburgh and Glasgow highway, Jackson Street to Muirhall Street, Dunbeth Road, the Slamannan Branch of the North British Railway, the boundary line of the burgh, and the first ward as herein-before described;

THIRD OR CENTRE WARD.—Bounded by the Edinburgh and Glasgow highway, the road from Coatbridge to Whiffat, and the road from Whiffat to Dundyvan;

FOURTH OR SOUTH WARD.—Bounded by the Edinburgh and Glasgow highway, the Dundyvan Road, the Whiffat and Bellshill Road, the road leading eastward to Whiffat Station, the line of the Caledonian Railway, and the boundary line of the burgh;

FIFTH OR EAST WARD.—Bounded by the line of the Caledonian Railway, the road from Whiffat Station to the Whiffat and Bellshill Road, the road from Whiffat to Coatbridge, and by Jackson Street, Muirhall Street, Dunbeth Road, the Slamannan Branch of the North British Railway, and the boundary line of the burgh.

13. Upon the first Tuesday of November, one thousand eight hundred and eighty-five, there shall be an election of councillors and those persons whose names are in the list next herein-after mentioned and no others shall be entitled to vote at such election.

First elec-
tion.

For the purposes of such election the sheriff shall require the assessor acting for the time under the Valuation Acts for the district of the county within which the parish of Old Monkland is situate to make up a list of all the householders within the limits of the burgh, and such assessor shall state separately the householders in each ward respectively, and the list shall be subscribed by such assessor and delivered to the sheriff, and shall be the list of voters entitled to vote in that election.

14. The sheriff shall conduct such election, and shall give due intimation thereof, and of the time within which the nomination of candidates for the office of councillor shall be made to him, and he shall be the returning officer, with power to appoint presiding

Sheriff to
conduct the
election.

A.D. 1885. — officers, assistants, and clerks, and all other persons necessary to preside and officiate at the polling places in the several wards of the burgh.

The nomination and election shall be conducted as nearly as circumstances will permit in the manner prescribed by the Municipal Elections Acts; and the sheriff shall determine in a summary manner all questions that may arise in reference to the election, and his decision shall be final; and in case of equality of votes in any ward the sheriff shall have a casting vote.

Persons
eligible to be
elected.

15. At the first and every future election any male householder in the burgh, or any male person on the list or register of voters in the burgh, or any male member of a trading firm, company or corporation being householders in the sense of this Act, who is not in arrear as respects any burgh assessment shall be eligible as a councillor for the purposes of this Act.

Number of
councillors.

16. The number of councillors to be elected shall be fifteen, and the number to be elected by each of the five wards herein-before mentioned shall be three.

Expenses of
sheriff to be
defrayed.

17. All reasonable charges or expenses incurred by the sheriff, or by persons appointed by him, or by the assessor herein-before mentioned, in performance of the duties hereby required of them, shall be defrayed out of the police assessment to be levied in virtue of this Act.

Future elec-
tions to be
same as
elections
in royal
burghs.

18. There shall, after the first election, be an annual election of councillors under this Act, on the first Tuesday of November: and such annual election, and all elections of provost, magistrates, and office-bearers shall, except as herein otherwise provided, be conducted and regulated in all respects in the manner provided by the Acts of Parliament regulating the election of magistrates and town councils in Scotland in royal burghs which are divided into wards or districts, and the several provisions and enactments of the said Acts, so far as not altered by or inconsistent with the provisions of this Act, shall be as valid and effectual for carrying this Act into execution as if they were herein specially enacted and made applicable to the burgh.

Magistrates
to be elected.

19. The councillors first elected under this Act shall, at twelve of the clock noon on the first Friday after their election hold their first meeting in a hall, or other convenient place appointed by the sheriff, and the councillors present at such meeting shall elect a chairman of the meeting and a clerk, and thereafter, by a majority (the chairman having a casting vote in case of equality) shall elect from among the councillors a provost and four other bailies, and

a treasurer; and the councillors first elected shall be entitled to act, although from any cause the full number may not be filled up: and all subsequent elections of provost, bailies, and treasurer, shall take place to the number aforesaid, at the same time and in the same manner as if the burgh were a royal burgh. A.D. 1885.
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20. At every election subsequent to the first the right of electing the town council shall be in and belong to all such persons as have or shall have the qualifications specified and described in the third section of the Municipal Elections Amendment (Scotland) Act 1868, as amended by the Municipal Elections Amendment (Scotland) Act 1881. Provided that the word royalty in the said Acts shall for the purposes of this Act mean the boundaries of the burgh. Qualification
of electors.

21. A list and register of the persons entitled to vote in each annual election shall be made up yearly, and the procedure to be followed, with reference to such list and register, and the names to be entered therein, shall, as far as practicable, be in accordance with the provisions of the Registration Acts, and the provisions of those Acts shall apply to the burgh in the same manner as if it were a royal burgh. Register of
voters to be
made similar
to register
of royal
burghs.

22. One third of the councillors shall retire annually on the first Tuesday of November, and the provost and treasurer shall remain in office for three years after their election to that office, and for that purpose shall be held to have had the largest number of votes in their respective wards at the first election, and to have been newly elected as at the date of their appointment to these offices respectively in all subsequent cases under this Act. Councillors'
to retire in
the same
manner as
councillors
in royal
burghs.

23. The one third of the councillors who shall go out of office at the second election under this Act shall consist of the councillors who, at the first election in each ward, had the smallest number of votes in such ward; and the one third of the councillors who shall go out of office at the third election of councillors under this Act shall consist of the councillors who, at the first election in each ward, had the next smallest number of votes in such ward; and thereafter the one third of the councillors in each ward who shall annually go out of office shall consist of the councillors who have been longest in office, provided always that in the event of any councillors being elected without a poll at the first election, or should there be an equality of votes for any councillors elected at such election, the town council shall decide which councillors elected without a poll or having an equality of votes shall go out of office. Order of
retirement.

24. All reasonable charges and expenses incurred in connexion with the elections shall be defrayed out of the assessments leviable Expenses to
be defrayed
out of police
assessment.

A.D. 1885. under this Act, and may be apportioned among such assessments as the town council think proper, and may be recoverable from the treasurer, who is authorised to charge the same against the funds in his hands.

Powers of magistrates and town council.

25. The magistrates and the town council elected in virtue of this Act shall, respectively, within the limits of the burgh, possess such and the like rights, powers, authorities, and jurisdiction as are possessed by the magistrates, and by the town council respectively, of royal burghs.

Appointment of officials.

26. The magistrates and the town council shall have power to appoint a town clerk, chamberlain, collector, auditor, surveyor, master of works, procurator fiscal, inspector, assessor, officer of health, and other officers, servants, and officials under this Act, and under all or any of the Acts incorporated herewith, or with reference to which powers and jurisdictions are conferred on the magistrates and the town council; and the same person may hold two or more of these offices, with the exception of the town clerk and the auditor, who shall hold no other office. The persons so appointed shall hold office for a period not exceeding one year or during the pleasure of the magistrates and the town council as the case may be according to the terms of their appointment.

Town may send representatives to the convention of burghs.

27. The burgh shall have the right of sending representatives to the convention of royal and parliamentary burghs, to the same extent, in the same manner and under the like conditions as the parliamentary burghs enumerated in the schedule to the Convention of Royal Burghs (Scotland) Act 1879, possess under that Act.

Seal, execution of deeds, &c.

28. (1) The burgh shall have a common seal. The seal shall bear a device to be fixed on by the town council.

(2) Excepting bonds for moneys borrowed under the provisions of the General Police Acts, all deeds, contracts, and writings of importance, shall be granted by the burgh in its corporate name, and shall be signed by three councillors and by the town clerk, and sealed with the common seal.

(3) The titles to all heritable property acquired by the burgh shall be taken in its corporate name.

Incorporation of Lands Clauses Acts.

29. The Lands Clauses Acts with respect to the provisions thereof as to acquiring lands by agreement shall be incorporated with and form part of this Act.

Magistrates and councillors not to hold places of profit under this Act.

30. No magistrate or councillor shall, directly or indirectly, derive any emolument or profit from any business or work performed by him under this Act, nor be capable of enjoying any office of profit to be created or established by virtue of this Act, or of holding

any share or interest in any contract relating to the execution of this Act, or of being a competitor for any such contract, save and except contracts entered into with any chartered or joint-stock company of which he may be a partner, or of standing as a candidate for any such office; and any magistrate or councillor who shall act in contravention of this section shall ipso facto cease to hold office, and the sheriff may declare the office to be vacant at the instance of any householder within the burgh, and may upon such contravention inflict a fine not exceeding one hundred pounds: Provided always that all acts done and performed by such magistrate or councillor while in office shall be held as good and valid as if such contravention had not taken place.

31. The town council shall be the commissioners for carrying into effect the provisions of the General Police Acts so far as the same are incorporated herewith, and the magistrates as magistrates of police shall have all the powers, privileges, and jurisdiction of magistrates of police conferred by the said Acts.

Town council to be commissioners under General Police Acts.

32. The following parts and sections of the General Police and Improvement (Scotland) Act 1862, except where expressly varied by this Act, shall be incorporated with and form part of this Act, that is to say, clause three, Part I. clause ten, and clause six, so far as necessary for the interpretation of clause ten, section six (with the exception of clauses fifty-nine and sixty-one), and sections seven and eight; Part II.; Part III.; Part IV. with the exception of clauses one hundred and seventy-seven, one hundred and seventy-eight, one hundred and eighty, and one hundred and eighty-one; Part V.; and Part VI. with the exception of clauses three hundred and ninety, three hundred and ninety-one, and four hundred and thirty-nine.

Incorporation of parts of General Police Act.

33. The town council may, by special resolution, fix stated meetings to be held at such time and place as they may determine, and alter such resolution from time to time as they may see proper; and until such special resolution has been passed, meetings shall be held upon the second Monday of the months of January, April, July, and October, at such place within the burgh and at such hour as the provost may fix; and the provost may at all times call a special meeting of the town council by circular stating the business to be transacted at the meeting.

Meetings of town council.

34. For the purpose of aiding the police constables on occasion of emergency, and for suppressing or preventing tumult or riot, the magistrates may from time to time appoint any of the owners or occupiers of lands or premises, or other persons residing within the burgh between the ages of twenty and fifty, to act as special

Magistrates may appoint special constables.

A.D. 1885. — constables, and may recall such appointment at pleasure; and the special constables so appointed shall have the same powers and privileges as constables of police appointed and acting under this Act.

Roll of special constables to be kept.

35. A roll of the names and addresses of all special constables shall be kept by the head constable, and the expenses of providing them with batons, or otherwise equipping, training, and employing them, shall be paid out of the police assessment.

Special constables on duty to be under head constable.

36. Every special constable shall, when on duty, be under the direction of the head constable, but the magistrates may make such regulations for the organisation and training of such special constables as they think proper.

Highways and bridges within burgh.

37. From and after the fifteenth day of May, one thousand eight hundred and eighty-six, the highways and bridges situated within the burgh shall be by virtue of this Act, and subject to the provisions herein-after contained, transferred to and vested in the town council, who shall have the entire management and control of the same, and shall possess the same rights of assessment and other rights, powers, and privileges, and be subject to the same liabilities in reference to such highways and bridges (including the right to any assets belonging thereto and the powers and liabilities with respect to the construction of new roads and bridges) as the burgh local authority of any burgh under the Roads and Bridges (Scotland) Act 1878 possess and are liable to in reference to highways, and bridges within such burgh, and shall also have and may exercise with reference to the construction, maintenance, and repair of the highways and bridges within the burgh, such and the like powers and authorities as from and after the passing of this Act they possess, or may possess with reference to any streets within the same; and the town council may agree with the county road trustees as to the terms upon which the highways within the burgh shall be transferred to the town council, and failing agreement the said terms shall be settled on summary application by the sheriff principal, who shall take into consideration all the circumstances and whose decision shall be final. In the event of the boundaries of the burgh being extended in the manner provided by this Act the town council and the said county road trustees may agree as to any alteration of the terms previously agreed upon or settled as aforesaid which may be proper in consequence of such extension; and failing agreement either of the said parties may make summary application for such alteration to the sheriff, who shall take into consideration all the circumstances of the case and whose decision shall be final: Provided always, that the powers by this section given shall not

extend or apply to any matter relating to the debt, which at the date of transference of the highways within the burgh to the town council as aforesaid or of such extension may affect the county or the county road trustees of the county under the provisions of the Roads and Bridges (Scotland) Act 1878, and that nothing in this section contained shall be deemed to abridge the powers and duties of the county road trustees in regard to the payment of such debt, or relieve the proprietors of lands and heritages within the burgh from assessment by the said trustees for the extinction of such debt and interest thereon under the powers of the said Act: Provided further, that any commissioner of supply whose qualification as such arises from property situated within the burgh shall from and after the fifteenth day of May, one thousand eight hundred and eighty-six, be subject to the same disqualification for acting as a county road trustee as is provided by the last-mentioned Act in relation to burghs under that Act. "Highways" and "bridges" shall, for the purposes of this section, have the meanings assigned to them in the Roads and Bridges (Scotland) Act 1878.

38. Whereas the commissioners of supply have incurred a debt under the powers contained in the Prisons (Scotland) Act 1877, which is charged partly upon the whole county and partly upon the southern prison district of the county, and the proportion of which debt applicable to the area erected into the burgh is four hundred and thirty-five pounds eight shillings, and a further debt for the erection of police stations within the Airdrie police district of the county, the proportion of which applicable to the said district is twenty pounds; and whereas by the operation of this Act the commissioners of supply will be deprived of the portions of the assessments applicable to the extinction of the said respective debts, which if this Act had not passed would have continued to be leviable by them from lands and heritages within the said area, and also of those portions of the assessment under the County General Assessment (Scotland) Act 1868 and of the assessment under the County Voters Registration (Scotland) Act 1861, which if this Act had not passed would have continued to be leviable by the commissioners of supply from the said lands and heritages; and whereas it is just and proper for the said several purposes that the town council should make the payments after provided to the commissioners of supply; therefore the town council shall, at the first day of January, one thousand eight hundred and eighty-seven, pay to the commissioners of supply the said sums of four hundred and thirty-five pounds eight shillings and twenty pounds, and the further sum of one thousand pounds as compensation for the loss of the said portions of the assessments under the County General Assessment (Scotland) Act

Compensation to commissioners of supply of county.

A.D. 1885. 1868, which but for the passing of this Act would have been leviable by the commissioners of supply upon the said area, together with interest on the said several sums at the rate of five pounds per centum per annum till payment thereof, and the said payments shall be charged upon the police assessment to be levied in virtue of this Act; and the town council shall further, on the said first day of January, one thousand eight hundred and eighty-seven, and annually thereafter on the first day of January, so long as the said area shall continue to be part of the county, for the purposes of parliamentary elections pay to the commissioners of supply such proportion of the expenses payable by the commissioners of supply for the registration of voters in the parliamentary district of North Lanarkshire, or in such other district as the burgh may for the time form part as the number of voters taken yearly in the said area shall bear to the total number of voters taken yearly in the said parliamentary district and interest thereon at the rate aforesaid till payment thereof.

Dean of
guild court.

39. The town council may by special resolution establish a dean of guild court, and thereafter a dean of guild shall be elected annually from among the members of the town council at the meeting of the town council held for the election of magistrates, and such dean of guild shall have jurisdiction in enforcing the provisions of this Act and of the General Police Acts, in so far as they apply to the formation by any person other than the town council of new streets or sewers, to the erection of new buildings or the alteration of existing buildings, to ventilation, to precautions during the construction, alteration, or repair of buildings and streets, and to old and ruinous tenements; and the town council may appoint a vice-dean of guild to act during the absence or incapacity of the dean of guild. The town clerk shall be the clerk of the dean of guild court.

Procedure in
dean of
guild court.

40. The procedure before the dean of guild court shall be the same as the procedure before burgh courts in Scotland. The master of works, if and when appointed shall report to the court upon all plans lodged for approval and upon the execution thereof, and shall be made a party to all proceedings before the court.

Notices by
surveyor and
master of
works.

41. Any notice or order by the surveyor or the master of works bearing to be given on the authority of the dean of guild or of the town council, shall, until the contrary be shown, be treated as given by the dean of guild or the town council as the case may be, and wherever under the provisions of this Act any matter or thing is ordered to be done to the satisfaction of the dean of guild the report of such surveyor or master of works shall be conclusive of their satisfaction or dissatisfaction until the contrary be shown.

42. Where in the judgment of the town council it is not expedient that any private street should be paved or causewayed and flagged and channelled to the full extent provided for in the General Police Acts, they may cause any such private street, or any part thereof, to be only temporarily put in order; and in carrying out this enactment the town council may cause all or any of the following works to be executed, viz.:—

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Temporary
works on
private
streets.

(1). The carriageway to be properly levelled, and laid with road metal, or such other material as they shall deem proper:

(2). Lines of kerbstones to be laid in such position, to such level, and of such size, shape, and material as the town council may determine:

(3). Channels or gutters with gratings or gullies to be made to carry off the water:

(4). Temporary footways to be formed and made, using gravel, or road metal, or other material, to secure public convenience:

And the town council may from time to time cause such temporary works to be renewed: Provided, however, that such temporary works shall not be renewed beyond a period of fourteen years, and that it shall always be in the power of the persons upon whom an order for such temporary works is pronounced, to elect, by a majority, to have permanent works executed instead, in which case such permanent works shall be executed in the same manner, and subject to the same rights on the part of the proprietors as if an order for permanent works had been originally given by the town council; the majority under this section being determined by the amount of the valuation upon which the expense of such works falls to be assessed; and provided always that the town council may at any time after two years subsequently to the execution of such temporary works, or any renewals thereof, cause the street or any part thereof to be permanently paved or causewayed and flagged and channelled in the manner provided for in the said Acts in regard to private streets, or to cause the footways to be permanently laid in the manner therein provided for in regard to foot pavements of streets, at any time they may deem proper, though the causeway and channels or gutters be not permanently completed till a subsequent time.

43. Where, in the judgment of the town council, it is not necessary to pave or causeway the carriageway of any private street or of any part thereof, but only to macadamise the same, it shall be lawful for the town council to cause the carriageway of any such street, or part thereof, to be macadamised in such manner and with such materials as they shall deem proper, provided that the owners of two-thirds of the frontage of the lands and premises

Carriageway
of private
streets may in
certain cases
be macada-
mised.

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Footpaths
may for a
time be laid
with gravel,
&c.

in such street, or part thereof, consent to such macadamising in lieu of paving or causewaying the same; and where such macadamising of the carriageway is so agreed on and completed, with all necessary fences, posts, crossings, kerbstones, and gutters, to the satisfaction of the town council, such street or part thereof shall, with the exception of the footways, be maintained by the town council; and in such case the footpaths of such street or part thereof shall be dealt with as the town council shall deem proper (that is to say): they may cause the same to be paved in the ordinary way as other foot pavements, or they may allow the same to be temporarily dealt with by the owners (using gravel, or road metal, or other material) to serve the public convenience, for such time, and from time to time, as the town council shall see fit; but all such owners shall be bound to lay and maintain foot pavements before their respective properties in the ordinary way, whenever required to do so.

Width of new
streets.

44. It shall not be lawful to form or lay out any new street, or part thereof, unless the same shall (measuring from the buildings or intended buildings thereon at the level of the surface of the ground) be at least forty feet wide for the carriageway and foot pavements, unless with consent of the town council; and no dwelling-house shall be built in any such street or in any court which shall exceed in height, from the level of the pavement to the eaves of the roof, one and a quarter times the width of such street or court, measuring from the front wall of the buildings or intended buildings on each side thereof. Provided always, that where any road or street fronts any open area, or in other exceptional circumstances, the dean of guild may allow buildings of greater height; and provided also, that for the purposes of this enactment a street shall not include a mews or other lane, which may be made twelve feet and a half wide, or such other width according to the use to be made thereof, of which the dean of guild shall judge, and shall fix the width accordingly; but in no case shall the buildings fronting such lane exceed in height one and a half times the width of the lane: Provided also, that where a building shall be situated so as to abut on two streets or courts of different levels, the height shall be measured from the street which lies on the higher level.

Open space
in rear of
houses.

45. Every building erected for the purpose of being used as a dwelling-house, and any building not previously used as a dwelling-house when the same is altered for the purpose of being so used, shall have all the rooms sufficiently lighted and ventilated from an adjoining street, or other open space directly attached thereto, equal to at least three fourths of the area to be occupied by the

intended building; and such space shall be free from any erections thereon other than waterclosets, ash-pits, coal-houses, or other conveniences, all which conveniences shall, as to height, position, and dimensions, be erected subject to the consent and approval of the dean of guild: Provided also, that in cases of conversion of a house into a building for business premises, the dean of guild may sanction the erection of saloons upon such open space, of such height and construction as to him shall seem proper, such saloons to continue so long only as such building is so used for business purposes only:

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Provided further, that if an existing building, used as a dwelling-house or dwelling-houses, is wholly or partially destroyed by fire, and the owner desires to re-erect it for dwelling-house purposes, it shall be competent for the owner to do so of the same external dimensions as formerly, notwithstanding the above restriction as to open spaces; but the town council shall have power to enforce such restriction on making compensation to the owner for the loss he may sustain in consequence thereof; and the amount of such compensation shall, failing agreement, be determined by the sheriff.

46. No tenement of houses shall, without the authority of the dean of guild, which in special circumstances he may grant, have more than twelve dwelling-houses entering from one common stair or passage when the common stair or passage is within the tenement, but when there is an outside stair, with balconies, twenty-four houses may be permitted to enter from the said common stair or passage, and the width of such stairs, passages, balconies, and stair landings shall in no case be less than four feet, finished size.

Limit to
number of
houses in
common
stairs.

47. In every new building to be used as a dwelling-house, and in every building not previously used as a dwelling-house, when altered to be used as a dwelling-house, every habitable room on the ground floor shall be in every part thereof ten feet at least in height from the floor to the ceiling, and every other habitable room, except attic rooms, shall be in every part thereof nine feet six inches at least in height from the floor to the ceiling, and every habitable attic-room shall be eight feet at least in height from the floor to the ceiling, throughout not less than one third of the area of the room, and it shall in no part thereof be less than three feet in height: Provided, that the dean of guild may, at his discretion, alter or modify the foregoing rule as regards self-contained cottages or self-contained dwelling-houses, or as regards the attics of any new building, where the attics are to be occupied in connexion with the flat immediately below, or as regards the attics of any new building of a public character.

Height of
rooms.

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Windows in
rooms.

48. In every new or altered building to be used as a dwelling-house every habitable room shall have at least one window; and the total area of glass in the windows, clear of the frame and sash, shall be (unless in any case the dean of guild otherwise determine) at least one tenth of the area of the room; and the top of at least one window shall not be less than seven feet six inches above the floor, and in case of a sash window the upper half at least shall be made to open the full width, and in the case of a casement window one half, at least, shall be made to open.

Common
stairs to be
kept in
repair.

49. The owners of premises in or entering from common stairs and common passages shall keep the steps, landing-places, and passages in a proper state of repair, and shall provide and keep in proper repair sufficient rails at the side of such stairs, landing-places, and passages to the satisfaction of the dean of guild, and when required shall fence, in such manner as the dean of guild shall direct, all windows in such common stairs and passages; and any owner who fails so to do, after notice served on him by the surveyor, shall be guilty of an offence under this Act.

Lighting, &c.
of public
buildings.

50. Every public building shall be supplied with means of lighting, and of sufficient ingress and egress for the protection of the public in case of emergency, to be approved of by the dean of guild from time to time as he shall deem necessary.

Pipes to be
approved of
by the dean
of guild.

51. No pipe for conveying smoke or heated air shall be fixed within any new building, otherwise than in the wall thereof, except in a manner to be approved by the dean of guild.

Provisions
regarding
new build-
ings.

52. With regard to new buildings the following rules shall be observed:—

Excavations.

(1.) The site of a building intended to be used as a dwelling-house shall be dug out to such depth as shall be necessary, in the opinion of the dean of guild, for the removal therefrom of night soil or refuse, and it shall not be lawful for any person to build a dwelling-house upon any site until such night soil or refuse is so removed;

Walls.

(2.) The walls of every new building to be used as a dwelling-house shall have a damp course of durable material impervious to moisture, the damp course for external walls to be at the level of the ground directly abutting upon the external wall, or at such other level as the dean of guild shall order. Party walls to have the damp course at a level not lower than the under side of the joisting of the lowest floor, but where, in the judgment of the dean of guild, the nature of the soil requires it, the whole internal area of the site shall be covered with a layer of asphalte, cement, concrete, or suitable material;

- (3.) The outer walls, and the party walls, and separate side or end walls, and the joisting and principal timber and iron work, shall be of sufficient strength and stability; A.D. 1885.
Strength.
- (4.) There shall be, to the satisfaction of the dean of guild, sufficient ashpit and watercloset or privy accommodation in connexion with any building to be used as a dwelling-house; Ashpits, &c.
- (5.) The plan of new buildings shall not contemplate the raising or lowering of any article, from windows or openings above any public street, by hoists or other appliances outside the building line; Hoists above streets.
- (6.) The joists under every hearth in every tenement of dwelling-houses shall be bridled; and, where practicable, the hearth shall be supported by a brick arch or concrete under its whole area, or be otherwise constructed or supported as the dean of guild may direct. Every fireplace in such tenement shall have jambs and lintels or arches of incombustible material, projecting at least to the flush of the plaster work. No timber, joist, beam, or safety lintel in such tenement shall be inserted into a wall nearer to the fireplace or vents, where practicable, than twelve inches; Joists to be bridled.
- (7.) Every building on the line of a street shall have rhones, gutters, or spouts along the eaves thereof, with down spouts to carry all water falling on the roof thereof to the drains; Buildings to have gutters and spouts.
- (8.) Every chimney head of any building on the line of a street shall have a stone cope, into which chimney cans can with safety be inserted; and such chimney cans shall be sufficiently guarded; Chimney heads to be stayed.
- (9.) The floors between each flat of a tenement of dwelling-houses shall be deafened; Floors to be deafened.
- (10.) All plumber work connected with sanitary arrangements of dwelling-houses shall be trapped and otherwise constructed to the satisfaction of the dean of guild; Plumber work.
- (11.) All the joints of house drains shall be sealed with Portland cement or other suitable material: and where the ground is soft, such drains shall be laid upon a sufficient stratum of concrete. All such drains shall be ventilated with a suitable pipe, carried up outside the building to the ridge of the roof, and completed at the sight and to the satisfaction of the dean of guild; House drains.
- (12.) All private courts, common passages, and common areas (other than bleaching greens), shall be paved with natural or artificial stone, or such other material as the dean of guild shall approve, and be provided with proper and sufficient means for taking off the surface water. Passages and courts, &c. to be paved.

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Conversion
of business
premises into
dwelling-
houses.

Preventing
building on
ground filled
up with
offensive
matter.

Ventilation
of habitable
rooms.

Where works
for sewage
provided,
streams not to
be polluted.

Throwing
rubbish into
streams.

53. No person shall convert business premises into dwelling houses, or let or occupy such premises as dwelling-houses without the sanction of the dean of guild, and without complying with the regulations herein contained in respect to dwelling-houses.

54. No person shall erect any building upon any ground which shall have been filled up with any material impregnated with foecal matter, or with any animal or vegetable or other offensive matter, which, in the opinion of the officer of health, may tend by decomposition, or otherwise, to the prejudice of the health of any future resident or occupier of such building, or of any resident in the neighbourhood, except upon a certificate of such officer of health that proper precautions in his opinion have been taken to obviate any such result; and every person who erects or causes to be erected, either wholly or partially, any building on any such ground, shall be guilty of an offence under this Act, and a further offence for every day during which such building, or part of a building, shall continue upon any such ground after an order of the dean of guild to remove the same.

55. Every habitable room hereafter built of less superficial area than one hundred square feet, and without a fireplace, shall be provided with special means of ventilation to be determined by the dean of guild.

56. Whenever the town council have caused pipes or other works to be laid in or along any river, burn, canal, or watercourse for the purpose of intercepting and conveying away the sewage which would otherwise flow into and pollute the same, or have taken other means of disposing of such sewage, it shall not be lawful for any person to introduce into any part of such river, burn, canal, or watercourse, along which such pipes are laid, any sewage or other offensive matter or thing from any source; and the town council are hereby authorised and required to allow junctions to be made with such pipes or works, for the purpose of drainage of any lands and premises which would naturally fall into such river, burn, canal, or watercourse, on such terms as they may arrange with the persons requiring such drainage, and failing such arrangement on such terms as may be fixed by the sheriff; and the sheriff is hereby required to hear and determine any question affecting such drainage that may be submitted to him; and every person who shall infringe the provisions of this enactment shall be guilty of an offence under this Act, and a further offence for each day during which such infringement shall be continued after he is ordered to discontinue the same.

57. Any person who shall lay or throw, or cause or procure to be laid or thrown, any rubbish, earth, ashes, corks, straw, soil, filth,

refuse, or any offensive matter into the channel, or on the banks, or on the sides of any river, burn, canal, or watercourse, shall be guilty of an offence under this Act. A.D. 1885.

58. The town council shall from time to time provide efficient means of ventilation of the existing sewers and drains, and of such sewers and drains as may hereafter be constructed; and for that purpose they may acquire by agreement lands and premises, and may construct all ventilating shafts, furnaces, and other means of ventilating the sewers and other works which may from time to time be found necessary; and if, for completing any works required in the execution of this provision, it be found necessary to carry them upon, into, or through any enclosed or other private premises, the town council shall have and may exercise the like powers, and be liable to the like conditions and restrictions, as with reference to the construction of sewers. Ventilation of sewers.

59. The town council may also arrange with the owners or occupiers of any manufactory, gas work, or brewery, having furnace and chimney shafts so situated as to be available for the ventilation of the adjacent sewers and drains, for such ventilation, or with the proprietors or occupiers of other suitable premises for laying and fixing such ventilators, pipes, or shafts into, on, or against any such buildings or premises as to them may seem proper and as may be agreed on, making compensation to the owners thereof. Town council may arrange with the occupier of any manufactory, &c.

60. All costs and expenses which may be incurred by the town council in carrying the provisions for ventilating the sewers or drains into effect shall form a charge against the "general sewer rate," or against any "special sewer rate," which, in their judgment, may be properly chargeable therewith. Costs and charges.

61. The situation, dimensions, materials, and construction, of every watercloset, or earth-closet, or privy, shall be subject to the approval of the dean of guild, and every watercloset, earth-closet, or privy, shall be placed in such a position that one of its sides shall be an external wall with a window therein, or shall have a window in the roof, the window in either case containing an area of at least three superficial feet, one half of which shall be made to open, and the cistern which supplies the watercloset shall have no direct communication with the water supply of the rest of the house. Construction of water closets, &c.

62. In all houses and buildings the water used for drinking and cooking purposes shall not be supplied from any cistern which is placed in or immediately over any watercloset or the waste pipe from which discharges into any drain, or soil pipe or which is otherwise placed so as to be exposed to contamination, and any owner who Water not to be supplied from cisterns exposed to contamination.

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contravenes this provision, after the expiry of fourteen days notice from the town council, shall be guilty of an offence under this Act during each day the water is so supplied.

Fire-plugs,
flushing
sewers, and
watering
streets.

63. The provisions of the Airdrie and Coatbridge Waterworks Act 1846 shall be read and construed with reference to the burgh as if the rights therein conferred upon the magistrates and town council of the burgh of Airdrie were conferred upon the town council of the burgh of Coatbridge; and in particular the town council shall have and may exercise within the burgh the powers in relation to fire plugs and keys thereof, and the cleansing of sewers and drains, and the cleansing and watering of streets which are conferred by sections fifty-nine, sixty, sixty-one, and sixty-six of the said Act upon the magistrates and town council of the burgh of Airdrie in the same manner and subject to the same conditions as if the burgh and the town council had been expressly mentioned in these sections.

Cisterns
under Airdrie
and Coat-
bridge
Waterworks
Act.

64. Notwithstanding anything in this Act, or in the Airdrie and Coatbridge Waterworks Act 1846, contained, the owners and occupiers of property shall be entitled to a supply of water, to be used for drinking and cooking purposes, direct from the service supply pipe, without providing a cistern for the same.

Construction
of cesspools,
&c.

65. A cesspool shall not be allowed for any house except when there is no public sewer within a convenient distance and at a suitable level, in which event it shall be constructed in such situation, and in such manner, and under such conditions, as the town council may direct. It shall in every case be made water-tight, and shall be arched or otherwise covered over, and shall have a current of fresh air conducted by pipe or shaft thereinto, and a pipe or shaft for ventilation shall be carried up from it, or from the drain communicating with it from the watercloset or privy, as the town council may direct.

Owners to
permit town
council to
apply smoke
test.

66. Whenever the town council have reasonable grounds for believing that any drain or soil-pipe connected with any house or building is defective, so as to admit of the escape of any noxious effluvia, they may, after notice to the owner and occupier of such house or building, apply the smoke or other test to such drain or soil pipe for the purpose of discovering the place or places from which such noxious effluvia are escaping, and any owner or occupier who refuses to allow such test to be applied, or to render such assistance as may be necessary in applying such test, shall be guilty of an offence under this Act.

Construction
of ashpits, &c.
and use of
same.

67. The situation, dimensions, drainage materials, mode of access, and construction of every ashpit shall be subject to the

approval of the dean of guild: Provided that if any person, not being the owner or occupier of the house or premises to which any ashpit belongs or is attached, shall use the said ashpit, such party shall be guilty of an offence under this Act. A.D. 1885.

68. The owner of any privy, ashpit, cesspool, or midden extending wholly or partially under or close to any room used, or intended to be used for human habitation or occupation, shall, within one month after notice to that effect from the town council, remove such privy, ashpit, cesspool, or midden, and the contents thereof. Owners to remove cesspools after notice.

69. Where any privy, ashpit, or cesspool is certified by the officer of health to be prejudicial to health, of defective construction, or without drainage, or in a bad state of repair, or to be so situate that the removal of filth or refuse therefrom is prejudicial to health, the dean of guild may by written notice require the owner of the same, within a reasonable time, to be specified in the notice, to reconstruct, or alter, or repair such privy, ashpit, or cesspool, or to convert the privy into a watercloset or earth-closet, or other improved closet, as the case may require, to the satisfaction of the dean of guild, and the dean of guild may, if he think fit, order the removal of such privy, ashpit, or cesspool. Power to enforce conversion of privies into waterclosets.

70. Failing the establishment of a dean of guild court, and the election of a dean of guild, as herein-before provided, the provisions and jurisdiction which under this Act or the General Police Acts might have been enforced or exerciseable by such dean of guild court or dean of guild may be enforced and exerciseable by the magistrates or any two of their number. Magistrates may act if no dean of guild.

71. The town council may order the owner or occupier of any inn, public-house, beer-house, eating-house, cook-shop, or other place of public entertainment or amusement, to provide and thenceforward to maintain, upon or adjoining his premises, waterclosets, earth-closets, or other approved closets and urinals, one or more, to the satisfaction of the town council; and if any person fail in any respect to comply with the provisions of this enactment, he shall be liable to a penalty not exceeding five shillings for every day during which such failure continues, after the expiration of fourteen days from the service of such order on him, and the town council may order the owner and occupier of any premises to remove any watercloset, earth-closet, or urinal belonging thereto, where it appears to them so situated or constructed as to be a nuisance, or offensive to public decency, or otherwise objectionable. Urinals, &c. attached to public-houses, &c.

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Urinals to be
cleansed.

72. All urinals shall be cleansed once in every twenty-four hours by the occupier of the house or place to which they belong, to the satisfaction of the town council, and in default thereof such occupier shall be guilty of an offence under this Act.

Powers of
dean of
guild not to
extend to
ironworks.

73. Nothing in this Act contained shall empower the town council or the dean of guild, or any officer of the burgh, to interfere with or prescribe rules for any existing or future buildings (other than dwelling houses) forming part of any colliery, ironworks, iron factory, or mine in the burgh, except in so far as the same abut upon any street.

Notice to be
given of per-
sons suffering
from infec-
tious disease.

74. In order to secure that due notice be given to the town council that any inmate of any building used for human habitation is suffering from any infectious disease, the following provisions shall take effect (that is to say):—

- (1.) Every medical practitioner resident or practising within the burgh shall, within twenty-four hours of the same coming to his knowledge, report to the officer of health every case of infectious disease occurring in his practice, and state the building where the patient is being treated, and, failing his doing so, he shall be guilty of an offence under this Act; and, unless it be found on inquiry by the medical officer of health that the diagnosis of such practitioner was incorrect, such practitioner shall be paid the sum of two shillings and sixpence for each case reported and verified as aforesaid;
- (2.) The town council shall provide and supply gratuitously, to every legally qualified medical practitioner resident or practising within the burgh who shall apply for the same, forms for the certificate or declaration to be made by such medical practitioner of the particulars herein-after mentioned, in relation to such cases.

Other dis-
eases may be
declared to be
within the
foregoing
provision.

75. The town council may from time to time by resolution, on the report of the officer of health, and approved of by the board of supervision, order that any infectious disease other than those specifically mentioned in this Act shall be deemed to be an infectious disease within and subject to the provisions of this Act, and may recall such order.

- (1.) Any such order may be permanent until recalled, or temporary only; and if temporary, the period during which it is to continue in force shall be specified therein, and the town council shall give public notice of the order, by advertisement in two of the local newspapers circulating in the burgh; and after such public notice has been given the provisions of this Act, so long as the order continues in force, shall apply to the disease

specified therein, in like manner and in all respects as if the disease were an infectious disease specifically mentioned in this Act;

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(2.) The production of the newspapers containing a copy of the resolution shall be conclusive evidence that public notice of the order has been so given;

(3.) The town council shall, immediately after any such order has been made, send a copy thereof to each legally qualified medical practitioner resident or practising in the burgh; but the omission to send any such copy shall not affect the validity of such order.

76. The town council shall intimate any outbreak of infectious disease within the burgh to the board of supervision, and that board shall notify such outbreak to the contiguous local authorities under the Public Health Acts.

Intimation of outbreak of infectious disease.

77. When infectious disease exists or has existed in any overcrowded house, or in any house occupied or used for the purpose of sleeping in by persons in excess of the numbers allowed by any regulation made under the Public Health Acts, which cannot in the opinion of the officer of health be thoroughly cleansed and disinfected while the inmates continue to reside therein, or in any house the inmates of which are unable to provide themselves with clothing or bedding which is clean and free from infection, while their clothing and bedding which has been exposed to infection is being washed and disinfected, the town council may, on the application of the procurator-fiscal or sanitary inspector, and on production of a certificate, signed by the officer of health, that the removal from such house of all the residents therein who are not suffering from contagious or infectious disease is necessary to prevent the spread of such disease among the lieges, grant warrant to remove the said residents to the reception house to be provided by the town council, who shall accommodate and maintain such persons therein, for such period not exceeding fourteen days as the officer of health may consider necessary for the public safety, and such warrant shall be sufficient authority for any officer of the burgh, or other person named in the warrant, to compel the removal from the said house of the residents therein to the said reception house, and to prevent the return of any of the said residents until the said house, with all the bed and body clothing of such residents, has been cleansed and disinfected to the satisfaction of the medical officer.

Persons to be removed from infected house to reception house.

78. The town council may, subject to the provisions of the Public Health Acts, provide within or near the burgh an hospital for the treatment of persons suffering from infectious disease, and a

Hospital and reception house.

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reception house as a temporary residence for persons removed from an infected house, and not suffering from any infectious disease; and they may, subject to the provisions of the Public Health Acts, combine with the magistrates and council of the burgh of Airdrie, or any other neighbouring burgh, in providing and maintaining a common hospital and a common reception house, and disinfecting house, with necessary apparatus.

Further powers in relation to disinfection of premises.

79. Where the town council are of opinion, on the certificate of the officer of health, or of any legally qualified medical practitioner, that the cleansing and disinfecting of any house or part thereof, and of any articles therein likely to communicate any infectious disease or to retain infection would tend to prevent or check infectious disease, and that such cleansing and disinfection would more effectually be carried out by the town council than by the owner or occupier of such house or part thereof, the town council may, without requiring such owner or occupier to carry out such cleansing and disinfection as aforesaid, cause such house or part thereof and articles to be cleansed and disinfected at the cost of the burgh, and may for that purpose cause any such articles to be removed; and compensation shall be made by the town council to such owners or occupiers for all property or articles destroyed or injured by the exercise of the provisions of this section, and any person who shall obstruct any duly authorised officer of the town council in carrying out the provisions of this section shall be guilty of an offence under this Act.

Town council may erect and maintain mortuaries and provide carriages.

80. The town council may provide mortuaries or proper places for the reception of dead bodies, and may provide or contract for the provision of a carriage or carriages suitable for the decent conveyance of dead bodies transferred thereto in accordance with the provisions of this Act.

Penalty on failing to disinfect public conveyances.

81. Every owner or driver of a public conveyance shall immediately disinfect such conveyance to the satisfaction of the officer of health, after it has, to his knowledge, conveyed any person suffering or who may have died from any infectious disease aforesaid, and if he fails to do so he shall be guilty of an offence, under this Act, but no such owner or driver shall be required to convey any person so suffering until he has been paid a sum sufficient to cover any loss or expense incurred by him in carrying into effect the provisions of this section.

Penalty on exposing bedding, &c. exposed to infection.

82. Every person who, in a washing-house or on a washing-green provided for the common use of two or more tenants or families, washes or exposes any bedding, clothing, or other articles which have been exposed to infection from any infectious disease, and

which have not been previous to such washing or exposure disinfected at the place provided by the town council for the purpose, or otherwise to the satisfaction of the officer of health or sanitary inspector, or of some legally qualified medical practitioner as certified by him in writing, or who shall sell, pawn, or deliver to another any such bedding, clothing, or other article shall be guilty of an offence under this Act. A.D. 1885.

83. Whenever it shall be certified to the town council, by the officer of health or other legally qualified medical practitioner, that the outbreak or spread of infectious disease is, in the opinion of such officer or medical practitioner, attributable to milk supplied by any cowkeeper, purveyor of milk, whether wholesale or retail, or occupier of a dairy, milk store, or milk shop, or to milk supplied by one or other of such several persons, whether within the burgh or beyond its boundaries, the town council may require such cowkeeper, purveyor of milk, or occupier, to furnish to them, within a time to be fixed by them, a full and complete list of the names and addresses of all his customers within the burgh, and such cowkeeper, purveyor of milk, or occupier, shall furnish such list accordingly, and also a full and complete list of the names and addresses of the farmers, cowkeepers, milk dealers, or other parties from whom, during a period to be specified, the milk or any part of the milk supplied by him, was obtained, and the town council shall pay to him for any such list at the rate of sixpence for every twenty-five names contained therein, but no such payment shall exceed two shillings, and every person who shall refuse or fail to comply with any requisition of the town council under this section shall be guilty of an offence under this Act. Milk dealers to supply information and produce invoices, &c.

84. Whenever it shall be certified by the officer of health that milk is being brought within the burgh from any farmhouse, dairy, or other place beyond the burgh, in which any person is ill of infectious disease, or that in his opinion an infectious disease is being spread or is likely to be spread by the sale or delivery of milk from any such farmhouse, dairy, or other place either within or beyond the burgh, and that the said milk is being sold or offered for sale in any shop or premises within the burgh, or distributed therein from carts or otherwise, at the risk of communicating such disease to the inhabitants, the procurator-fiscal or sanitary inspector shall apply to the town council for an order to prohibit the sale of milk so brought until the person affected has been removed or shall have recovered from such illness, and the premises have been disinfected, and the bedding and clothing have been destroyed or disinfected, and until it is certified by the officer of health that the said premises are free from infection, and that the sale of milk may Sale of milk from an infected farm or dairy to be prohibited.

A.D. 1885. be safely resumed therein ; and every person contravening such order shall be guilty of an offence under this Act.

Further, the procurator-fiscal shall immediately intimate to the local authority, under the Public Health Acts, of the parish or burgh in which such farmhouse, dairy, or place is situate, the facts which have come to his knowledge regarding the same, in order that such further measures may be adopted in relation thereto as may be considered proper, and as may be within the province of the local authority, and the local authority shall intimate the facts to the board of supervision.

Saving for
general Acts
relating to
dairies,
animals, &c.

85. Nothing in or done under this Act shall interfere with the operation or effect of the Contagious Diseases (Animals) Act, 1878, or of any order, license, or act of Her Majesty's Privy Council, made, granted, or done, or to be made, granted, or done thereunder, or of any order, regulation, license, or act of a local authority made, granted, or done, or to be made, granted, or done, under any such order of the Privy Council, or exempt the dairies, milk stores, or milk shops to which this Act relates, or any of them, or any building or thing whatsoever, or any body or person, from the provisions of any general Act relating to dairies, or milk, or animals, already passed, or to be passed, in this or any future session of Parliament.

Expenses
from assess-
ment under
Public
Health Acts.

86. All expenses to be incurred by the town council, in carrying out the provisions of this Act, in reference to the mitigation and prevention of disease, may be defrayed out of the assessment to be imposed under the Public Health Act, or this Act.

Application
of Public
Health Acts.

87. The provisions of this Act shall not supersede, but shall be additional and supplementary to, the provisions of the Public Health Acts, and the officer of health and the sanitary inspector appointed by the town council shall be deemed the medical officer and the sanitary inspector under the Public Health Acts, and other officers of the town council shall be deemed the officers referred to in the Public Health Acts.

Provision as
to smoke.

88. Nothing in this Act, or in the Public Health Acts, so far as the same relate to the burgh, shall be construed to extend to mines so as to interfere with or obstruct the efficient working of the same, nor to the smelting of ores and minerals, nor to the calcining, puddling, or rolling of iron or other metals, whether in their crude or manufactured state, nor to the conversion of pig iron into wrought iron, so as to obstruct or interfere with any of such processes respectively: Provided that nothing in this section contained shall extend to exempt the burgh from the provisions of subsection (i) of section 16 of the Public Health (Scotland) Act, 1867.

A.D. 1885.

89. The provisions of the Cattle Sheds in Burghs (Scotland) Act 1866, and of any Act amending the same, shall apply to and may be enforced by the town council within the burgh as if it were a royal or parliamentary burgh within the meaning of that Act.

Offences
under Cattle
Sheds in
Burghs Acts.

90. The word "burgh" in the Weights and Measures Act 1878, shall include the burgh.

Offences
under
Weights and
Measures
Act.

91. The provisions of the Sale of Food and Drugs Act 1875, and of any Act amending the same, shall apply to the burgh as if it were a "borough" within the meaning of that Act.

Offences
under Sale
of Food
and Drugs
Acts.

92. The town council shall, in respect of the burgh, be the local authority, within the meaning of the Gasworks Clauses Act 1871, under the Coatbridge Gas Act 1877, and shall have and may exercise, with reference to the Coatbridge Gas Company, all the powers of a local authority under the Gasworks Clauses Act 1871.

Town council
to be local
authority
under Gas
Acts.

93. The magistrates shall within the burgh have the same right of granting, renewing, and refusing licenses under the Acts regulating the sale of intoxicating liquors, and the same jurisdiction to try offences and impose penalties under those Acts as the magistrates of royal burghs; without prejudice to the right of appeal, where competent under the said Acts, to the justices of the peace for the county in quarter sessions assembled.

Public-house
licenses.

94. The burgh shall be a burgh within the meaning of the Public Libraries Act (Scotland) 1867, the Public Libraries Act (Scotland 1867) Amendment Act 1871, and the Public Libraries Amendment Act 1877, and the town council shall have and may exercise within the burgh all the powers and duties by those Acts conferred upon magistrates and councils in burghs, and boards in districts as therein defined, and the provost or chief magistrate shall have and may exercise within the burgh all the rights and powers thereby conferred upon the chief magistrates in burghs and the sheriff of the county in districts.

Public
Libraries
Acts.

95. The provisions of the Artizans and Labourers Dwellings Improvement (Scotland) Act 1875, as amended by the Artizans and Labourers Dwellings Improvement (Scotland) Act 1880, shall apply to the burgh, and the town council shall be the local authority for carrying out within the burgh the provisions of those Acts.

Artizans
Dwellings
Acts to apply
to burgh.

96. The town council shall, as occasion requires, appoint one or more fit and proper persons to be assessors within the burgh for the purposes of the Valuation Acts, and the burgh shall be a burgh within the meaning of those Acts and the magistrates shall have and may exercise all the powers and duties, and discharge

Appointment
of assessor
under
Valuation
Acts.

A.D. 1885. — all the functions conferred and imposed upon magistrates of burghs under the said Acts.

Registration
of births, &c.

97. Notwithstanding the passing of this Act, the registrars for the parishes of Old Monkland and New Monkland, under the Acts for the registration of births, deaths, and marriages in Scotland, shall continue in office, and the registers for the said parishes shall continue as at present until the term of Whitsunday, one thousand eight hundred and eighty-six, and thereafter the provisions of the said Acts shall be carried out in the Burgh in the same manner as in royal burghs in Scotland.

Jurisdiction
of magistrates
of police.

98. The magistrates, or any one or more of them, except where otherwise provided in this Act, and the sheriff acting in the police court of the burgh shall have jurisdiction and power to take cognizance of all crimes, offences, and breaches of the police regulations in this Act contained or referred to or contained in any other Act in force in the burgh, or of any byelaws made in virtue of the provisions of this or any other Act, and of any other crime or offence which is punishable by public, general, or local statute or common law, and is within the jurisdiction of the magistrates of any royal burgh, and shall have the like jurisdiction within the burgh as any magistrate of a royal burgh, or any dean of guild of a royal burgh, has by the law of Scotland, and also the jurisdiction to try offences and award punishment conferred on any justices of the peace, or on any magistrate, by any Act, public or local, passed or to be passed, or any byelaws, orders, or regulations made in virtue thereof and in force in the burgh.

The sheriff shall have power to sit and act in the police court, with consent of the magistrates, on any special occasion, or under any continuing arrangement.

Offences how
prosecuted.

99. Any person who is guilty of an offence under this Act shall be liable in a penalty not exceeding two pounds for each offence, and on default in payment to imprisonment for a period not exceeding one month, and may be prosecuted before the magistrate sitting in the police court, at the instance of the procurator-fiscal. Penalties for continuing offences shall not begin to accrue till after conviction for the original offence.

Offences by
companies,
associations,
or corpora-
tions, how to
be dealt with.

100. With regard to offences or omissions by companies, associations, or incorporations, the following provisions shall apply:—

(1.) In the case of an ordinary company, any one or more of the partners thereof, or the manager or person locally in charge of the concern, may be dealt with as if he or they were the person or persons offending;

(2.) In the case of an association, incorporation, or incorporated company, any one or more of the directors or persons managing the affairs thereof, or the clerk, secretary, or other principal officer thereof, or the person in charge or locally in charge of the affairs thereof, may be dealt with as if he or they were the person or persons offending. A.D. 1885.

101. Nothing herein contained shall derogate from or affect the provisions of the Summary Prosecutions Appeals (Scotland) Act 1875, and any Act amending the same. Saving of
Summary
Prosecutions
Appeals Act.

102. Nothing in this Act contained (saving always and excepting the operation of section 88 hereof the marginal note whereof is "Provision as to smoke") shall exempt the burgh from the provisions of any general Act relating to the police and health of burghs in Scotland which may hereafter pass during this or any future session of Parliament. Saving as to
general Acts.

103. All costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the town council out of the police assessment. Expenses of
Act.

