



CHAPTER cclii.

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Wick Burgh Extension. A.D. 1902.
[18th November 1902.]

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

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

1. The Provisional Order contained in the schedule hereunto annexed shall be and the same is hereby confirmed. Confirmation
of Order in
schedule.
2. This Act may be cited as the Wick Burgh Extension Order Confirmation Act 1902. Short title.

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SCHEDULE.WICK BURGHS EXTENSION.

Provisional Order to extend the Boundaries of the Burgh of Wick and the Royalty thereof and for other purposes.

WHEREAS the royal burgh of Wick was created by Royal Charter dated the twenty-fifth day of September one thousand five hundred and eighty-nine and lies along the north bank of the river of Wick and on the north shore of the bay of Wick:

And whereas under the powers of the General Police and Improvement (Scotland) Act 1862 the boundaries of the royal burgh were for all municipal purposes and for all matters of police including the right of voting for town councillors extended by the sheriff of Caithness Orkney and Shetland by deliverance dated the eighteenth day of October one thousand eight hundred and eighty-three and recorded in the Register of Probative Writs for the county of Caithness on the twenty-third day of October one thousand eight hundred and eighty-three:

And whereas the burgh of Wick and the burgh of Pulteneytown are managed and administered under the provisions of the Burgh Police (Scotland) Act 1892, the Public Health (Scotland) Act 1897 and Acts amending and extending those Acts:

And whereas the Provost Magistrates and Councillors of the burgh of Wick are the local road and sanitary authority therein:

And whereas the Provost Magistrates and Councillors of the burgh of Pulteneytown are the local road and sanitary authority of the said burgh:

And whereas the harbour of Pulteneytown is contiguous to the burghs of Wick and Pulteneytown but is within the rating jurisdiction of the county of Caithness:

And whereas in consequence of the community of interests existing between the burgh of Wick and the burgh of Pulteneytown and the harbour thereof and of their proximity it is expedient that the said burgh of Pulteneytown and the harbour of Pulteneytown should be amalgamated with and incorporated in the burgh of Wick and the royalty thereof and that all powers jurisdictions privileges and authorities of the magistrates and town council of the said burgh of Pulteneytown as such and as the local authority therein should subject to the provisions of this Order vest in

and be exercisable and exercised by the Provost Magistrates and Councillors of the burgh of Wick as extended and defined by this Order (who are herein-after referred to as "the Corporation"):

And whereas it is expedient that the boundaries of the burgh of Wick and the royalty thereof should be extended and should comprise and include the existing burgh of Wick and royalty thereof the burgh of Pulteneytown and the harbour of Pulteneytown and certain other districts lying contiguous and adjacent to the said burgh of Wick all as shown on the plan herein-after mentioned and as herein-after in this Order described and all franchises rights privileges and immunities of the said burgh of Wick and the royalty thereof and the powers jurisdictions authorities and privileges of the Provost Magistrates and Councillors and Commissioners and the burgh and dean of Guild Courts thereof and all other jurisdictions whatsoever should be extended over and be applicable to the whole lands and territory forming the extended burgh and royalty as herein-after described and the inhabitants of the same and the provisions of all public and local Acts in force for the time within or applicable to the existing burgh of Wick should as the same are amended by this Order be applied to the burgh of Wick and the royalty thereof as so extended:

And whereas for the purposes of such extension it will be necessary that the said burgh of Pulteneytown and the harbour thereof and the other districts within the county of Caithness added to the existing burgh of Wick by this Order should be separated and disjoined for the purposes of this Order from the said county of Caithness and that all matters of administration and management and all jurisdictions powers and authorities within the districts annexed including the maintenance and management of the roads and streets therein should devolve upon and be vested in the Corporation:

And whereas it is expedient that the said burgh of Pulteneytown and the harbour thereof and the other districts added to the existing burgh of Wick under this Order should be within the jurisdiction of the magistrates of the extended burgh and of quarter sessions of the said county of Caithness and of the commission of the peace thereof applicable to the extended burgh:

And whereas the burgh of Wick and the burgh of Pulteneytown are separately supplied with water and it is expedient that the Corporation should be authorised to maintain such supply to the separate districts and should assess such separate districts as herein-after mentioned for such supply:

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And whereas it is expedient that the agreement made between the existing burgh of Wick and the burgh of Pulteneytown in relation to future water supply as set forth in the schedule to this Order should be confirmed :

And whereas it is expedient to divide the extended burgh into separate drainage districts and to assess those districts for the construction and maintenance of the sewers therein :

And whereas it is expedient that the existing indebtedness of each of the said burghs of Wick and Pulteneytown should be borne and discharged by the ratepayers thereof respectively as herein-after provided and that special assessments over the said burghs should be authorised for the purpose of liquidating the said indebtedness :

And whereas it is expedient to abolish the petty customs presently authorised to be collected within the royal burgh of Wick :

And whereas it is expedient that any guarantee by the town council of Wick and the town council of Pulteneytown for the indebtedness of the harbour of Pulteneytown should be transferred to and borne by the Corporation And whereas it is also expedient that the harbour should be rated on one half of the assessable rateable value as appearing in the valuation roll for municipal purposes and that provision should be made for the collection and application of the harbour water rates for the purposes of this Order :

And whereas it is expedient that the Corporation should be empowered to levy rates and assessments and to borrow money for the purposes of this Order :

And whereas it is expedient that the Corporation should be authorised to enter into and carry out agreements with any person with respect to any of the purposes of this Order :

And whereas it is expedient that the further powers herein-after mentioned should be conferred on the Corporation and on the harbour trustees :

And whereas the town council of Wick the town council of Pulteneytown and the Wick and Pulteney Harbours Trustees are joint promoters of this Order :

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

Now therefore in pursuance of the powers contained in the last mentioned Act the Secretary for Scotland orders as follows:— A.D. 1902:

1. This Order may be cited for all purposes as the Wick Burgh Extension Order 1902. Short title.

2. This Order shall (except as otherwise herein provided) commence and have effect on and from the date of the passing of the Act confirming this Order which date is herein-after referred to as "the commencement of this Order." Commencement of Order.

3. In this Order and for the purposes of this Order (unless there be something in the subject or context inconsistent with or repugnant to such construction) the several words and expressions to which meanings are assigned by any public or local Act of Parliament or Order applicable within the burgh shall subject to the provisions of this Order have the same respective meanings And the following expressions shall have the meanings assigned to them in this section:— Interpretation.

"The existing burgh of Wick" means the burgh of Wick and includes the royalty thereof within the limits and boundaries existing immediately previous to the commencement of this Order;

"The burgh of Pulteneytown" means the burgh of Pulteneytown according to the boundaries thereof existing immediately previous to the commencement of this Order;

"The harbour" means the harbour of Pulteneytown according to the limits described and defined in the Wick and Pulteney Harbours Acts 1879 to 1899;

"The districts annexed" mean and comprehend so much of the burgh as extended by this Order as was beyond the boundaries of the existing burgh of Wick;

"The burgh" and "royal burgh" mean and comprehend the existing burgh of Wick as extended by this Order;

"The parliamentary burgh of Wick" means the burgh of Wick as described and defined in the Schedule M. to the Representation of the People (Scotland) Act 1832;

"The wards" mean the wards of the burgh as defined in this Order;

"The Corporation" means and includes the Provost Magistrates and Councillors and the magistrates of the burgh;

"Provost" means the provost of the burgh;

"Magistrates" mean the magistrates of the burgh and include the provost and bailies;

"Dean of Guild" means the Dean of Guild of the burgh;

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- “Treasurer” means the salaried officer discharging treasurer’s duties ;
 - “Town clerk” means the town clerk of the existing burgh of Wick and of the burgh ;
 - “Harbour Acts” mean the Wick and Pulteney Harbours Acts 1879 to 1899 ;
 - “Harbour trustees” mean the Wick and Pulteney Harbours Trustees incorporated by the Harbour Acts ;
 - “The Police Act” means the Burgh Police (Scotland) Act 1892 ;
 - “The Public Health Act” means the Public Health (Scotland) Act 1897 ;
 - “Sheriff” means the Sheriff of Caithness Orkney and Shetland and (except where expressly limited to the Sheriff) includes his salaried substitutes or any one of them within the county of Caithness ;
 - “Valuation Acts” mean the Lands Valuation (Scotland) Act 1854 and any Acts amending and extending the same ;
 - “Valuation roll” means the valuation roll made up in accordance with the Valuation Acts ;
 - “Election Acts” mean the Acts in force for the time being relating to the registration of parliamentary and municipal voters and the election of town councillors ;
 - “The Town Councils Act” means the Town Councils (Scotland) Act 1900 ;
 - “Property” means and includes all property heritable and movable real and personal and all estates common good feu-duties ground annuals interests servitudes and rights in to and out of such property including things forming the subject of suit action claim or process and all debts sums of money annual or other payments due and to become due and payable whether under Act of Parliament agreement or otherwise and registers and books and all other documents ;
 - “Powers” include rights authorities jurisdictions capacities privileges requirements and immunities ;
 - “County council” means the county council of the county of Caithness appointed under the Local Government (Scotland) Act 1889.

Extension of
boundaries.

4. The municipal and police boundaries of the existing burgh of Wick shall be and are hereby extended to and shall include and comprehend the whole territory and lands and heritages within the existing burgh of Wick the burgh of Pulteneytown the harbour and the districts situate beyond the same all which are embraced within

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the boundaries herein-after set forth (that is to say) Commencing at a point on the north-east of the existing burgh of Wick at which the Papigoe Burn joins the sea at low water mark thence up the Papigoe Burn to the high water mark thence in a straight line to a point on the Huna Road which is distant two hundred and fifty yards (measured along the Huna Road) to the north of the point at which the same leaves the Kettleburn Road thence in a straight line to the north-western corner of the Glebe of Wick thence in a straight line to the point at which the Leutskerry Burn joins the river of Wick thence up the Leutskerry Burn to the point at which the same is intersected by the southern boundary fence enclosing the ground belonging to the Highland Railway Company (to this point the boundary before described being the boundary pro parte of the existing burgh of Wick) thence in a straight line to the north-eastern corner of the boundary wall of Langley Park Garden for a distance of one hundred and sixty-seven feet six inches or thereby thence along the line of the outside of the said boundary wall to the north-western corner thereof for a distance of four hundred and fifty feet or thereby thence in a straight line to the point marked by the straining post fixing the junction of the south boundary fence of the railway line of the said Highland Railway Company with the continuation thereof on the adjoining land belonging to the Wick and Lybster Light Railway Company for a distance of forty feet or thereby thence along the northern or north-eastern boundary fence of the land and railway line belonging to the said Light Railway Company for a distance of two thousand and seventy yards or thereby to the point where the said railway boundary fence is intersected by the ditch situated at the south-western corner of the field on the west or south-west of the farm buildings of Barnyards and which ditch discharges into the burn of Milton (otherwise the burn of Newton) thence in an easterly direction along the course of the said ditch and in a straight line in continuation thereof by the existing boundary fence there to the county road leading from Wick to Lybster thence along said last-mentioned road by the west side drain thereof to a point where it will meet a straight line drawn in continuation of the boundary march of the burgh of Pulteneytown on the south or south-west side of the cemetery of Wick thence from the said last-mentioned point by a straight line across the county road leading from Wick to Lybster aforesaid to the point where the said boundary march of the burgh of Pulteneytown meets or abuts the said county road and which point is denominated in the existing description of said burgh of Pulteneytown as the fourth march stone in Barnyards from thence in a straight line extending

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Map of
burgh.

5. A map of the burgh as extended and defined by this Order having been signed in triplicate by D. Brynmor Jones esquire Member of Parliament Chairman of the Commissioners to whom this Order was referred one copy thereof shall within one month after the commencement of this Order be deposited in the office of the Secretary for Scotland another copy thereof shall be deposited with the town clerk at his office and another copy shall be deposited with the sheriff clerk of the county of Caithness at his office in Wick and a copy of such map certified by the town clerk shall be deposited with the Board of Agriculture Provided that if there be any discrepancy between the said map and the description in this Order the said map shall prevail.

Districts dis-
joined from
county of
Caithness.

Wards of
burgh.

6. The districts annexed shall be and the same are hereby for the purposes of this Order disjoined from the county of Caithness.

7. The burgh shall be and is hereby divided into five wards which shall consist of the areas respectively herein-after in this section described (that is to say):—

Ward No. 1—

That portion of the burgh lying within the boundary line commencing at a point in the centre of the river of Wick at the middle of the bridge of Wick thence northwards to the north end of the bridge of Wick thence eastwards and northwards along the high-water mark to the point at which the Papigoe Burn enters the sea thence westwards along the northern boundary of the said burgh to the centre of

Ackergill Street thence southwards along the centre of Ackergill Street and Coach Road and across Louisburga Street to the centre of Mowat's Lane thence southwards along the centre of Mowat's Lane to the centre of High Street thence eastwards along the centre of High Street to the centre of the junction of High Street with Bridge Street thence southwards along the centre of Bridge Street and the bridge of Wick to the point of commencement:

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Ward No. 2—

That portion of the burgh lying within the boundary line commencing at a point in the centre of the river of Wick at the centre of the bridge of Wick thence northwards along the boundary of the Ward No. 1 until it joins the northern boundary of the burgh thence westwards southwards and northwards along the boundary of the burgh to the centre of the county road from Wick to Lybster thence northwards along the centre of the said county road to the point where that road is intersected by the Leutskerry Burn thence northwards along the said burn to the point where it is intersected by Barbara Place (formerly Newton Street) thence northwards along the centre of Barbara Place to the centre of the junction of Barbara Place with Thurso Street thence northwards in a straight line to the south-west corner of the wall enclosing Rosebank Garden thence northwards along the outside of the west wall enclosing Rosebank Garden to the north-west corner thereof and in continuation of the last-mentioned line to the centre of the river of Wick thence eastwards along the centre of the river of Wick to the point of commencement:

Ward No. 3—

That portion of the burgh which lies within the line commencing at a point in the centre of the river of Wick at the centre of the bridge of Wick thence southwards along the centre of the bridge to the centre of and along Cliff Road to its junction with Sinclair Terrace thence southwards along the centre of Sinclair Terrace and Breadalbane Terrace to the junction of Breadalbane Terrace with Lower Dunbar Street thence southwards along the centre of Lower Dunbar Street to the centre of Argyle Square thence eastwards along the centre of Argyle Square and Grant Street to the centre of the junction of Grant Street and Macarthur Street thence northwards along the centre of Macarthur Street to its

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junction with Smith Terrace thence eastwards along the centre of Smith Terrace and Bexley Terrace to the junction of the latter terrace with Murchison Street thence northwards in a straight line to the top of the cliff thence eastwards along the top of the cliff until it meets the southern boundary of the parliamentary burgh of Wick thence eastwards along the said parliamentary boundary to low-water mark thence north-eastwards in a straight line across Wick Bay to low-water mark at the North Head thence northwards along the low-water mark to where the Papigoe Burn falls into the sea thence up the Papigoe Burn to the high-water mark thence southwards and westwards along the boundary of Ward No. 1 to the point of commencement:

Ward No. 4—

That portion of the burgh lying within the boundary line commencing at a point in the centre of the river of Wick at the centre of the bridge of Wick thence westwards and southwards along the eastern boundary of the Ward No. 2 to a point in line with the prolongation of the face of the south-west boundary wall of the cemetery of Wick thence south-eastwards along the south-western face of the said boundary wall and in continuation thereof to the centre of Harrow Road thence northwards along the centre of Harrow Road and Macrae Street to the centre of Grant Street thence westwards along the southern boundary of Ward No. 3 to the point of commencement:

Ward No. 5—

That portion of the burgh lying within the boundary line commencing at the centre of the junction of Grant Street with Macrae Street thence southwards and westwards along the eastern boundary of No. 4 Ward to the centre of the county road leading from Wick to Lybster opposite the south-western corner of the cemetery of Wick thence southwards along the centre of the said county road until it meets the boundary of the burgh thence southward eastward and northward along the boundary of the burgh to the point where the said boundary is joined by the southern boundary of No. 3 Ward thence westward along the southern boundary of No. 3 Ward to the point of commencement.

Provisions as
to valuation
roll.

8. The assessor for the burgh under the Valuation Acts shall at the same time as he makes up the valuation roll for the parliamentary burgh of Wick for the year from Whitsunday one

thousand nine hundred and two to Whitsunday one thousand nine hundred and three make up a valuation roll for the districts annexed outside the parliamentary burgh of Wick and the assessor shall annually thereafter make up a valuation roll for the burgh and the procedure therefor and the right of appeal and the forms applicable shall be the same as nearly as may be as are provided by the said Acts in relation to the existing burgh of Wick and for all municipal purposes and for all assessments such roll shall be taken to be the valuation roll under the said Acts and all other Acts general or local. Provided that so long as it shall be necessary to include any part of the lands and heritages in the districts annexed within the county of Caithness for the purposes of the Acts in force for the time being relating to the registration of parliamentary voters such assessor shall give to the assessor of the said county access to and the use within the office of the assessor first named of all books and schedules necessary to enable him to make up his list of county voters within the districts annexed.

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9. The Corporation shall yearly so long as any part of the districts annexed shall continue to be part of the county of Caithness for the purposes of parliamentary elections pay to the county council such proportion of the expenses payable by them for the registration of parliamentary voters in the said districts as the number of such voters registered yearly in the said districts shall bear to the total number of parliamentary voters registered yearly for the county of Caithness.

Expense of
registration
of voters.

10. The right of electing the town council of the burgh shall be in and belong to all such persons as have or shall have within the burgh the qualifications for voting at municipal elections specified and described in the Town Councils Act.

Qualification
of municipal
electors.

11. The assessor for the existing burgh of Wick under the Town Councils Act shall on or before the fifteenth day of September in the year one thousand nine hundred and two and in every subsequent year make out or cause to be made out a list of all persons in the districts annexed who shall be entitled to vote in the election of councillors for the burgh and the same procedure shall be applicable and be followed in reference to such list as is followed with reference to the register and lists of voters for municipal elections in the existing burgh of Wick. And on such list being completed the town clerk shall sign the same and the last-mentioned list and the register and list of voters for the existing burgh of Wick shall together form the list or roll of persons entitled to vote at the next ensuing municipal election for the

Provision as
to register
of voters.

A.D. 1902. burgh And the assessor for the burgh shall in order to enable him to make up the register of the municipal voters for the burgh for the year from Whitsunday one thousand nine hundred and two to Whitsunday one thousand nine hundred and three be entitled to access to the books and schedules of the assessor for the county of Caithness so far as relates to the districts annexed and that assessor shall give the assessor for the burgh the necessary and reasonable facilities for that purpose And the expenses of making up such registers and lists shall be paid out of the assessments to be levied by the Corporation under the Election Acts and this Order.

Rights of
inhabitants
in districts
annexed.

12. Subject to the provisions of this Order the inhabitants of the districts annexed shall have possess and enjoy all the rights franchises privileges benefits immunities duties and advantages which are held possessed and enjoyed by the inhabitants of the existing burgh of Wick.

Transfer of
property of
town
council of
Wick.

13. Subject to the provisions of this Order all the property vested in held by or due to the town council of the existing burgh of Wick shall from and after the commencement of this Order be by virtue of this Order transferred to vested in and be held by and be due and belong to the Corporation and shall form part of the property and assets of the burgh for the good of all the inhabitants of the burgh and the powers duties and liabilities of the said town council shall with respect to such property be transferred and attached to the Corporation and shall form part of the powers duties rights debts liabilities and obligations of the burgh and be enjoyed exercised paid discharged and performed by the Corporation.

Transfer of
property
within
districts
annexed.

14. Subject to the provisions of this Order all the property vested in held by or due or belonging to any councils commissioners or authorities within the districts annexed (other than the property held by the parish council of Wick and school boards and harbour trustees and property held jointly by the county council and the existing burgh of Wick and the burgh of Pulteneytown as to which joint property the Corporation shall represent the interests of the existing burgh of Wick and the burgh of Pulteneytown therein) shall from and after the commencement of this Order be by virtue of this Order transferred to vested in and be held by and be due and belong to the Corporation as such property would if within or applicable to the existing burgh of Wick belong to or be comprised within the administration of the Corporation and shall form part of the property and assets of the burgh for all the estate and interest therein of such councils commissioners and authorities and shall be

held received and enjoyed by the Corporation accordingly for the good of the inhabitants of the burgh and the powers duties and liabilities of such councils commissioners or authorities shall with respect to the property so transferred be transferred to and vested in the Corporation and shall form part of the powers duties rights debts liabilities and obligations of the burgh and be enjoyed exercised paid discharged and performed by the Corporation.

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15. Every rate charge and assessment which shall have been imposed and levied by virtue of any Act in operation within the existing burgh of Wick or within the districts annexed previous to the commencement of this Order and remaining unpaid together with all arrears and all debts and penalties incurred and due by any person under the same shall subject to the provisions of this Order be levied and recovered by the Corporation in accordance with the practice which at present obtains within the existing burgh of Wick under the Acts by virtue of which the same were imposed or otherwise as the Corporation think fit.

Recovery of
rates debts
and penal-
ties.

16.—(1) The Corporation shall pay to the county council within six months after the commencement of this Order an agreed sum of three thousand three hundred and seventy-five pounds with interest thereon at the rate of four per centum per annum from the date of payment until paid in full of all claims whatsoever competent to the county council under this Order or arising in consequence or out of the extension of the burgh under this Order. Provided that with respect to the liability in connection with the Wick and Lybster Light Railway the county council shall on payment being made by the Corporation of the aforesaid sum and interest (if any) transfer to the Corporation shares or stock in the said light railway of the nominal value of one thousand four hundred and twenty-two pounds and in respect that the shares are not fully paid up the county council shall relieve the Corporation of the existing liability for uncalled capital in respect of the said shares or stock so to be transferred as aforesaid. Provided further that nothing in this section contained shall prejudice or affect the provisions of section 81 of the Police Act.

Payment to
county
council.

(2) The Corporation in addition to any other powers of borrowing may for the purpose of paying to the county council the aforesaid sum and interest (if any) borrow such money as may be necessary under and on the security of an assessment to be imposed under and in the manner and along with but as a separate assessment from the assessment for maintenance and repair of highways leviable by the Corporation as local authority under the Roads and

A.D: 1902. — Bridges (Scotland) Act 1878 and the Corporation may assign so much or such part as may be required of such assessment as security for the money which may be so borrowed under the provisions of this section. Provided always that in the event of any money being received by the Corporation on the sale or realisation of any shares or stock of the Wick and Lybster Light Railway to be transferred to them as aforesaid such sum and any income therefrom shall be credited to the account of the money borrowed under this section. Provided further that any money so borrowed shall be repaid within twenty years from the date at which the same is borrowed.

(3) All moneys received by the county council under this section shall be applied by the county council. First In payment of the expenses incurred by the county council of and incidental to the opposition by the county council to the confirmation of this Order. Second. So far as regards the sum of one thousand and sixty-seven pounds in manner provided by section 60 of the Wick and Lybster Light Railway Order 1899 for the application of money repaid to the county council under that Order and Third. The balance of the said moneys shall be applied by the county council for such road or public health purposes within the county as the county council with the approval of the Secretary for Scotland shall determine.

Application
of Acts to
burgh.

17. The provisions of all local and personal Acts and all public general Acts already passed (except in so far as inconsistent with or varied by the provisions of this Order) which relate to or apply or are in force in or may be made applicable to the existing burgh of Wick and to the inhabitants thereof shall apply to the burgh and to the inhabitants thereof as the said several Acts apply or may apply to the existing burgh of Wick in lieu of the corresponding provisions of any other Acts which may be in force in or be applicable to the districts annexed or to any part of the same and the same shall in so far as they apply to the existing burgh of Wick apply to the burgh and the limits within which the powers and provisions of those Acts affecting the existing burgh of Wick shall be applicable shall be the limits of the burgh.

Provision as
to subsisting
licences in
districts
annexed.

18. All certificates and licences under the Public Houses and Licensing Acts before the commencement of this Order granted for the county of Caithness by the justices of the peace for the county of Caithness within the districts annexed and then in force shall unless the same shall be revoked or shall previously expire subsist and continue until the fifteenth day of May one thousand nine

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hundred and three and with reference to such certificates and licences prosecutions for offences against the Public Houses and Licensing Acts or any of them or for any breach of the regulations of such certificates and licences shall be proceeded with in the same way as if such certificates and licences had been originally granted for the burgh.

19. All public roads streets highways footpaths lanes and courts in the districts annexed where vested in any town council county council district committee or authorities within the districts annexed (other than the harbour trustees) or any of them shall be and are hereby transferred to and vested in the Corporation and the same shall subject to the provisions of this Order be held maintained managed and administered by the Corporation under the provisions of the public general Acts applicable within the burgh for the time being.

Transfer of
roads and
streets.

20.—(1) The Corporation as local authority under the Public Health Act shall pay compensation to the persons who at the commencement of this Order may hold the offices of medical officer and sanitary inspector of the burgh of Pulteneytown in respect of any loss which they may respectively sustain by diminution of salary or emoluments upon the extension of boundaries authorised by this Order such compensation if any to be ascertained in the event of difference of opinion by an arbiter to be nominated by the Secretary for Scotland. Provided that in the assessment of such compensation the arbiter shall have regard to the terms and conditions of the appointment of the said officers and the whole circumstances of the case.

Compensa-
tion to
officials.

(2) In lieu of the compensation which may be claimed under subsection (1) of this section the Corporation as local authority foresaid may elect and resolve to take over the said officers or either of them into their employment and may continue their services within the district which formed the burgh of Pulteneytown immediately previous to the commencement of this Order and in the event of the services of such officers being continued as aforesaid the Corporation as local authority foresaid may require them to undertake additional duties as medical officer and sanitary inspector respectively within such additional district or districts of the burgh as the Corporation as such local authority may determine and the Corporation as local authority foresaid shall allow to the said officers such remuneration as may be agreed upon for any additional duties or services which they may be required so to undertake.

(3) Every officer or servant in the employment on the twenty-eighth day of July one thousand nine hundred and two of any

A.D. 1902. authority in the districts annexed other than those specified in subsection (1) of this section who by virtue of this Order or anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or removal therefrom or by diminution or loss of salary or fees shall be entitled to have compensation paid to him for such pecuniary loss by the Corporation such compensation to be ascertained in the event of difference of opinion by an arbiter to be nominated by the Secretary for Scotland whose decision shall be final. Provided that in the assessment of such compensation the said arbiter shall have regard to the terms and conditions of the appointment of such officer or servant to the nature of his office or employment to the duration of his service to any additional emoluments which he might have acquired if he had not refused to accept any similar office or emolument offered by the Corporation and to all the other circumstances of the case.

(4) It shall be within the option of the Corporation to take over such officers or servants or any of them into their own employment or service in similar capacities to those presently held by them and in the event of the Corporation exercising this option such officers or servants shall have no claim to compensation except in so far as they may suffer diminution or loss of salary or emoluments through such transference.

(5) Any compensation which may be paid by the Corporation under subsections (1) (3) and (4) of this section to officers or servants in the employment of the town council of the burgh of Pulteneytown (A) as Commissioners under the Police Act shall be defrayed out of the burgh general assessment (B) as local authority under the Public Health Act out of the public health general assessment and (c) as road authority under the Roads and Bridges (Scotland) Act 1878 from the assessments to be raised by the Corporation as the road authority under the provisions of that statute.

Retirement
of council-
lors.

21. Subject to the provisions herein-after mentioned all the members of the town council of the existing burgh of Wick and all the members of the town council of the burgh of Pulteneytown shall on the first Tuesday of November one thousand nine hundred and two or on such other date as may be fixed by the sheriff under the powers conferred by the section of this Order the marginal note of which is "Power to sheriff to sanction procedure with respect to elections" cease to hold their respective offices.

Election of
councillors of
burgh.

22. On the first Tuesday of November one thousand nine hundred and two or on such other date as may be fixed by the sheriff under the powers conferred by the section of this Order the

marginal note of which is "Power to sheriff to sanction procedure with respect to elections" the electors in each of the five wards into which the burgh is by this Order divided shall elect three councillors from among the persons qualified to be councillors and such election and all subsequent elections shall be conducted and the whole procedure in connection with the election induction and tenure of and retirement from office of such councillors under the Election Acts and the election of the Provost Magistrates and other office bearers shall be regulated in all respects in the way and manner prescribed by the said Acts and this Order.

A.D. 1902.

23. The Provost Magistrates Councillors and other office bearers of the council of the existing burgh of Wick and the Provost Magistrates and Councillors and other office bearers of the council of the burgh of Pulteneytown holding office respectively immediately previous to the commencement of this Order shall retain their several offices and exercise the respective functions thereof but only until the election provided for in the immediately preceding section has taken place.

Magistrates and councillors &c. to retain office till successors elected.

24. In the event of circumstances arising in connection with the first election of councillors magistrates or other office bearers in relation to the election by this Order authorised which may render it necessary or expedient to postpone or vary any date prescribed by or in pursuance of the provisions of the Election Acts or this Order or any other matter arising thereunder the sheriff may on the application of the town clerk sanction such postponement or variation or such procedure as shall in his judgment be best fitted to meet the circumstances of the case and the whole procedure following upon such sanction shall be valid and not challengeable.

Power to sheriff to sanction procedure with respect to elections.

25. All mortifications hospitals endowments trusts however constituted charitable bequests or other grants held or administered by the Provost Magistrates and Councillors or by the magistrates in any capacity whether of the existing burgh of Wick or of the burgh of Pulteneytown separately or conjointly shall subject to the conditions and provisions under and upon which the same were conferred granted or settled be held vested in and administered by the Provost Magistrates and Councillors or by the magistrates as the case may be of the burgh elected under this Order and in the case of mortifications hospitals endowments trusts charitable bequests or other things administered by them or any of them in conjunction with others or by members of their own body or other persons elected by the Provost Magistrates and Councillors or the magistrates

Trusts to vest in town council.

A.D. 1902: as the case may be of the existing burgh of Wick or the burgh of Pulteneytown the Corporation elected under this Order shall in all respects have the same rights powers and privileges as the Provost Magistrates and Councillors of the existing burgh of Wick and the Provost Magistrates and Councillors of the burgh of Pulteneytown or both or either of them had before the commencement of this Order.

Jurisdiction
of Provost
Magistrates
and Coun-
cillors over
districts
annexed.

26. The Corporation in any capacity whatsoever wherein they may exercise their functions authority and jurisdiction within the existing burgh of Wick and the Provost Magistrates and Dean of Guild of the burgh and their respective courts shall have possess and exercise the same jurisdictions powers rights functions privileges immunities and obligations authorities and powers respectively over the burgh and over the inhabitants thereof as the Provost Magistrates and Councillors of the existing burgh of Wick in any capacity and the Provost and Magistrates and Dean of Guild of the existing burgh of Wick and their respective courts now have enjoy possess and exercise in their several characters and capacities within the existing burgh of Wick and the royalty thereof and that whether at common law or by Royal Charter or statute or otherwise including all powers of borrowing imposing levying collecting and recovering assessments rates and charges.

Separate
jurisdictions
extin-
guished.

27. Subject to the provisions of this Order and in so far as is necessary to give full effect thereto all separate magistracies councils and commissions authorities and all rights and functions heretofore exercised or exerciseable by any town council commissioners county council district committee local authority or other authority within or over the districts annexed or any part thereof shall so far as affecting the purposes of this Order cease and determine from and after the first election of the magistrates and councillors after the commencement of this Order and the several persons by whom such offices were held shall be freed and discharged from all liabilities which may attach to them in connection with these offices Provided that all actions or processes in dependence before the courts of such jurisdiction shall be adjudged and disposed of by the magistrates of the burgh to whom all such actions and processes shall according to the subject matter thereof by authority of this Order be transferred Provided also that all processes and proceedings in dependence in the Dean of Guild Court in the burgh of Pulteneytown shall be continued in and be proceeded with and be adjudged and disposed of by the Dean of Guild Court of the burgh.

Repeal of
laws incou-
sistent with
this Order.

28.—(1) All laws statutes jurisdictions powers privileges and usages now in force in relation to the districts annexed in so far as

they are inconsistent or at variance with the provisions of this Order are subject to the provisions of this Order hereby repealed put an end to and extinguished. A.D. 1902.

(2) From and after the commencement of this Order the Caithness Roads Act 1860 in so far as it is still in force within the existing burgh of Wick shall be and the same is hereby repealed.

29. The petty customs presently exigible by the town council of the existing burgh of Wick within the royalty thereof are hereby abolished. Petty
customs
abolished.

30. The Corporation may maintain the existing water supply of the existing burgh of Wick and the existing water supply of the burgh of Pulteneytown and may as and when they think fit provide a further or additional water supply for either or both of those districts in accordance with the powers and provisions of the Police Act or any other Act in force for the time or otherwise. And while and so long as the Corporation shall maintain the separate water supplies for the said districts respectively the burgh shall be and is hereby divided into two separate or special water supply districts the first whereof shall comprehend the existing burgh of Wick and that part of the districts annexed which is exclusive of the burgh of Pulteneytown and of the harbour and the second special water supply district shall consist of the burgh of Pulteneytown and all water rates and assessments shall be levied and imposed by the Corporation upon the said special water supply districts respectively (other than the harbour) in accordance with the provisions of the Burgh Sewerage Drainage and Water Supply (Scotland) Act 1901 and this Order. Water
supply.

31. The agreement between the Provost Magistrates and Councillors of the existing burgh of Wick and the Provost Magistrates and Councillors of the burgh of Pulteneytown set forth in the schedule to this Order is hereby confirmed. Confirmation
of agree-
ment.

32.—(1) The burgh shall be and the same is hereby divided into three separate drainage districts which shall consist of the following (that is to say):— Drainage
districts.

Drainage district No. 1 shall consist of that portion of the burgh lying to the north of the river and bay of Wick;

Drainage district No. 2 shall consist of the burgh of Pulteneytown;

Drainage district No. 3 shall consist of the remainder of the burgh lying to the south of the said river and bay of Wick exclusive of the burgh of Pulteneytown and the harbour:

Provided that the Corporation may at any time but subject always to the provisions of section 218 of the Police Act reduce alter or add to the said drainage districts of the burgh but shall not include

A.D. 1902. the harbour in any re-arrangement or alteration of such drainage districts.

(2) The rates and assessments for each of the said special drainage districts shall be imposed assessed levied and recovered under and in accordance with the provisions of the Burgh Sewerage Drainage and Water Supply (Scotland) Act 1901.

Capital
indebted-
ness.

33.—(1) The Corporation shall ascertain and fix the capital indebtedness and the indebtedness on revenue account as at the fifteenth day of May one thousand nine hundred and two of—

- (A) The existing burgh of Wick;
- (B) The burgh of Pulteneytown.

(2) For the purpose of liquidating the said indebtedness both on capital and revenue account of the existing burgh of Wick and the burgh of Pulteneytown respectively the Corporation may and are hereby required to impose assess levy and recover special assessments to be called the debt liquidation assessments of such amount as they may think fit upon and from all lands and heritages within the existing burgh of Wick and within the burgh of Pulteneytown respectively in the same way and manner and subject to the same exemptions as (but as a separate assessment from) the public health general assessment authorised to be imposed under the provisions of the Public Health Act. The debt liquidation assessment imposed on each of said burghs shall be applied to payment of any interest due on the indebtedness ascertained as aforesaid of the burgh on which the assessment is imposed and to the contribution to the annual sinking fund to be provided by the Corporation for repayment of the capital indebtedness of that burgh and such assessment shall continue to be imposed levied and recovered by the Corporation while and so long as any part of the existing indebtedness of each of the said burghs respectively shall remain unpaid. Provided that in the case of the indebtedness on revenue account the same shall be defrayed by the Corporation within a period not exceeding ten years after the commencement of this Order.

(3) The Corporation shall not impose any assessment under this section on the harbour.

Light rail-
way expen-
diture assess-
ments.

34. The money necessary to defray the expenditure made and to be made by the town council of the existing burgh of Wick and by the town council of the burgh of Pulteneytown respectively in respect of the share capital of the Wick and Lybster Light Railway Company incorporated by the Wick and Lybster Light Railway Order 1899 shall be raised by a uniform rate which the Corporation shall annually impose assess levy and recover upon and from the

burgh under the provisions of the said Wick and Lybster Light Railway Order in the same manner and to the same effect as if such expenditure had been made by the Corporation. A.D. 1902.

35. Section 40 of the Wick and Pulteney Harbours Act 1899 is hereby repealed and in lieu and place thereof the following provisions shall have effect:— Amendment
of Harbour
Acts.

As collateral security for the moneys to be borrowed under the authority of the Wick and Pulteney Harbours Act 1899 or any part thereof and the due and punctual payment of the principal and interest thereof—

- (1) The Corporation shall be regarded as a rating authority as defined by section 7 of the Public Works Loans Act 1882 and may (subject to the provisions of said Act) if they think it expedient for the inhabitants at large of the burgh charge any fund or rate under their control for the behoof of the community and also as commissioners acting under the Police Act for the purpose of aiding the harbour trustees in raising a loan from the Public Works Loan Commissioners or any other persons and may give such aid by guaranteeing the principal and interest of the loan or part thereof or by borrowing the sum required or part thereof and advancing it to the said trustees or partly in one way and partly in the other :
- (2) The Corporation shall not give any charge under the powers conferred upon them by this section except in pursuance of a special resolution for the purpose. Such special resolution shall be passed by a majority of two-thirds of the members present at one meeting of the Corporation and shall be published once at least in each of two successive weeks in a local newspaper circulating in the burgh and confirmed at a second meeting of the Corporation by a like majority of members present held not less than fourteen days after the first publication of the notice of such resolution and not less than three months after the meeting at which the resolution is passed :
- (3) The harbour trustees shall in the month of September in every year so long as any guarantee of the Corporation is in force ascertain whether their resources will enable them after retaining in hand a proper balance for current expenditure and claims and a reserve not exceeding two hundred pounds for contingencies to meet the interest on

A.D. 1902.

and any instalments due or falling due towards repayment of principal of any loan raised by them from the Public Works Loan Commissioners or any other persons. If their resources will after retaining such balance and reserve as aforesaid be insufficient they shall before the end of the same month of September by writing under the hand of their clerk claim payment of such sum as they shall deem to be the amount of the deficiency from the Corporation. The Corporation in order to enable them to judge of the propriety of such claim or claims may by themselves or by any person or persons on their behalf examine the books accounts and papers of the said trustees so far as they relate to or affect the subject-matter of the claim or claims and the said trustees shall give them or such person or persons as aforesaid all other information in their possession or power relating to or affecting the said subject-matter. If the Corporation shall be of opinion that the amount of the claim or claims is incorrect or that the claim or claims against them is or are otherwise improper and signify such opinion under the hand of the town clerk to the said trustees the matter in difference shall be referred to the determination of an arbiter to be appointed by the Board of Trade as herein-after provided. If in manner aforesaid it shall be found that there is a deficiency it shall be the duty of the Corporation to fulfil their guarantee by providing and paying the amount of such deficiency due by them to the said trustees but the Corporation shall in respect of any claim to be made by the said trustees in any month of September be allowed as respects one-half of the amount due by them till the end of the following month of November and as respects the other half of the amount due by them till the end of the following month of May during which to raise and provide the amount payable by them. Such amount when paid to the said trustees shall be applied by them in meeting the actual deficiency and for no other purpose and if there is any surplus after paying the actual deficiency such surplus shall be repaid to the Corporation :

- (4) If the Corporation make default in fulfilling their guarantee in manner by this Order provided the harbour trustees may recover the amount due thereunder as a simple contract debt by action in any court of competent jurisdiction but the remedies hereby provided shall be in

addition to all other powers and remedies which the lenders may have under the charge or guarantee in pursuance of the provisions of the Wick and Pulteney Harbours Act 1899 or of this Order: A.D. 1902.

- (5) All sums paid by the Corporation in fulfilment of such guarantee shall be repaid by the harbour trustees to the Corporation with interest at the rate of three per centum per annum from the date of payment as soon as the resources of the said trustees will admit and any doubt or difference as to the time and amount of any such repayment shall on the application of the Corporation stand referred to and be settled by an arbiter to be named by the Board of Trade:
- (6) All moneys repaid by the harbour trustees to the Corporation in respect of such guarantee as aforesaid shall be carried to the credit of the fund or rate out of which any payments have been made by the Corporation on account of such guarantee:
- (7) The Corporation shall provide out of the assessments levied by them within the burgh any sums from time to time required for the fulfilment of such guarantee and shall from time to time raise and levy as part of such burgh assessments such sums as may be necessary for that purpose:
- (8) Moneys borrowed by the Corporation after the commencement of this Order under the provisions of this section shall be repaid within sixty years from the time of borrowing by equal instalments of principal and interest:
- (9) All charges existing at the commencement of this Order on the assessments of the existing burgh of Wick and the burgh of Pulteneytown shall during the continuance thereof have priority over any guarantee or security given by the Corporation under the authority of this Order:
- (10) Any dispute arising between the harbour trustees and the Corporation with respect to the construction of this section or the giving effect to the same or with respect to their duties or obligations under this section shall on the written application of either party to the Board of Trade stand referred to and be determined by an arbiter to be appointed by that Board and the determination of such arbiter shall be binding on the said trustees and Corporation and be final for all purposes.

A.D. 1902.
Harbour
provisions.

36. With respect to the harbour the following provisions shall have effect:—

- (1) The assessments on the harbour and property of the harbour trustees within the harbour area for all municipal and other purposes leviable by or payable to the Corporation under any Act of Parliament or under this Order shall be imposed upon one half of the annual value thereof as entered in the valuation roll for the time being:
- (2) In lieu of a water assessment on the harbour the water dues presently leviable and collected by the harbour trustees for water supply for shipping and other purposes at the harbour shall be paid over annually by the harbour trustees to the Corporation under deduction of twenty-five per centum of the amount thereof:
- (3) In the Harbour Acts the words "police court of Pulteneytown" or other similar expression shall mean the police court or burgh court of the burgh:
- (4) Sections 17 19 and 20 of the Pulteney Harbour Act 1879 and section 4 of the Wick and Pulteney Harbours Act 1899 are hereby amended to the effect that the qualification of the classes of electors referred to in those sections (that is to say proprietors of lands and heritages shipowners of the burgh and ratepayers of the harbour) shall be every person resident or having his place of business within the burgh as extended by this Order:
- (5) The extension of the boundaries under the provisions of this Order shall be an extension of the boundaries of the burgh of Wick within the meaning of section 17 of the Pulteney Harbour Act 1879 and instead of two persons to be annually elected by the council of the burgh of Wick and three persons annually elected by the Commissioners of Pulteneytown there shall be elected five persons annually by the Corporation from their own number as trustees of the harbour of Pulteneytown such persons not including the provost of the burgh for the time being:
- (6) The harbour shall be exempted from any assessment for sewerage or drainage other than the public health general assessment.

General
saving of
rights.

37. Subject to the provisions of this Order—

- (1) All acts matters and things before the commencement of this Order done under the powers and authorities of any Acts and which are at the said date good and valid

and available and all conveyances leases mortgages bonds covenants deeds instruments contracts agreements obligations rights and remedies at the commencement of this Order existing under the same shall be and continue as good valid and available for all purposes and for and against all persons as if this Order had not been confirmed: A.D. 1902.

(2) All actions suits prosecutions or other proceedings by or against the town councils of the existing burghs of Wick and Pulteneytown respectively by reason of any matter or thing done before the commencement of this Order may be continued commenced or prosecuted by or against the Corporation:

(3) All assessments rates feu-duties ground annuals and rents at the commencement of this Order imposed or due or payable to the town councils of the existing burghs of Wick and Pulteneytown respectively may from and after the said date be collected and recovered by the Corporation.

38. Nothing in this Order contained shall affect the county of Caithness or the parliamentary burgh of Wick or the limits of the same respectively so far as regards the registration of electors or the election of members to serve in Parliament for the said county and burgh respectively. Order not to affect election of members of Parliament.

39. Except as otherwise in this Order expressly provided nothing contained in this Order shall extend to or take away abridge or diminish any property rights privileges jurisdiction or powers which now belong to or are enjoyed by the harbour trustees under the Wick and Pulteney Harbours Acts 1879 to 1899. Saving for harbour.

40. Nothing herein contained shall authorise the Corporation to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to the King's most Excellent Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent such Commissioners and such Board are hereby respectively authorised to give) neither shall anything herein contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the King's Majesty. Saving rights of Crown.

A.D. 1902.

Costs.

41.—(1) Two-thirds of the costs charges and expenses of and incidental to the preparing for obtaining and confirming this Order or otherwise in relation thereto shall be paid by the Corporation and shall in equal parts be levied and recovered by the Corporation along with and as part of the Debt Liquidation Assessment to be levied as aforesaid on the existing burgh of Wick and on the burgh of Pulteneytown respectively.

(2) One-third of the said costs charges and expenses shall be paid by the harbour trustees out of any funds under their control.

(3) For the purpose of defraying their respective proportions of the said costs charges and expenses the Corporation and the harbour trustees respectively shall have power to borrow the whole or any part of the sums required for said purpose Provided always that in the event of the costs being paid out of borrowed money the same shall be repaid within five years.

The SCHEDULE within referred to.

MINUTE OF AGREEMENT between the PROVOST MAGISTRATES and COUNCILLORS of the existing BURGH OF WICK (herein-after referred to as "the first parties") on the one part and the PROVOST MAGISTRATES and COUNCILLORS of the BURGH OF PULTENEYTOWN (herein-after referred to as "the second parties") on the other part.

WHEREAS it has been resolved by the first parties and agreed to by the second parties that the municipal and police boundaries of the burgh and royal burgh of Wick (herein-after referred to as "the burgh of Wick") should be extended so as to include and comprehend the whole territory lands and heritages within the burgh of Wick the existing burgh of Pulteneytown and the harbour of Pulteneytown and certain adjacent districts and that the said parties and the trustees of the said harbour (herein-after referred to as "the harbour trustees") have agreed to apply to His Majesty's Secretary of State for Scotland for a Provisional Order to be confirmed by Parliament to effectuate the aforesaid extension of boundaries And whereas the said parties have also agreed as one of the conditions of the said extension that the area comprehended within the limits of the existing burgh of Pulteneytown should in the option of the representatives from such area as herein-after provided be formed after the boundaries of the burgh of Wick have been extended as aforesaid into a separate water supply district and that the ratepayers within the said separate water supply district should be assessed separately for the

expenditure incurred in connexion with the water supply of that district. A.D. 1902.
And whereas it has also been agreed between the said parties that these presents should be entered into giving formal effect to the said agreement as herein-after mentioned and that the same should be embodied in the Provisional Order by being scheduled as part thereof in order that the same may receive the sanction of Parliament Therefore the said parties have agreed as they hereby agree as follows:—

Primo.—Upon the boundaries of the burgh of Wick being extended as aforesaid the representatives on the town council of such extended burgh (herein-after referred to as "the Corporation") elected by the ratepayers within the area comprehended within the existing burgh of Pulteneytown or a majority of their number shall exclusively have the power of adopting one or other of the following proposals for the water supply of the said area (provided that such adoption shall be made by resolution of such representatives at a meeting of their number to be specially called for the purpose on at least three days' previous notice in writing to be given by the town clerk of the burgh of Wick and delivered to them personally or sent by post and such resolution shall thereafter be confirmed by such representatives or a majority of their number as aforesaid at another meeting to be convened as aforesaid to be held not less than seven clear days after the meeting at which the said resolution was passed) (First) Any independent water scheme for the said area in which case the cost of such water scheme shall be borne exclusively by the ratepayers within said area and shall be recovered from them by assessment to be annually imposed and levied by the Corporation in habili modo along with the other assessments for the year until such cost (which may be raised by the Corporation by way of loan) is finally liquidated (Second) That the said area may be supplied from the Wick water supply source of Loch of Yarrows in which case the proprietary rights of the first parties in that loch shall be held by the Corporation in trust for the common behoof of the ratepayers within the whole burgh of Wick as the same shall be extended so as to include at least the area of the burgh of Pulteneytown (Third) That the inhabitants within the area of the burgh of Pulteneytown may share equally with the inhabitants of the extended burgh of Wick the water supply of the burgh of Wick and in that event the value of such portion of the said water system as may be so utilised by the inhabitants within the area of the burgh of Pulteneytown shall be ascertained by arbitration as herein-after mentioned and upon such valuation being made the sum to be so fixed shall constitute a debt by the water supply district of Pulteneytown to the water supply district of the area of the existing burgh of Wick which shall be liquidated by an annual assessment to be imposed levied and recovered by the Corporation from the ratepayers within the area of the burgh of Pulteneytown (Fourth) That the Corporation may extend the water system of the existing burgh of Wick to the area comprehended within the burgh of Pulteneytown and in that event the Corporation shall have power to impose and recover from the

A.D. 1902. . . . ratepayers within the limits of the burgh when extended as aforesaid a uniform water assessment for the liquidation of the existing debt of the first parties for the water supply of the burgh and of any additional expenditure to be incurred by the Corporation for the extension of the said system to any of the districts to be included within the limits of the burgh when extended as aforesaid and of the management of such system as now existing or as may be extended at any time.

Secundo.—In the event of the said representatives adopting an independent scheme of water supply from the Loch of Hempriggs for the said district comprehended within the burgh of Pulteneytown and the harbour of Pulteneytown then and in that event the sum payable by the harbour trustees in lieu of water rate to the Corporation shall be placed to the credit of the rate account or fund relating to the water supply for the said Pulteneytown district water supply so long as the harbour trustees may elect to have their water supply for the harbour from the existing water supply of Pulteneytown from the Loch of Hempriggs.

Tertio.—In the event of the said representatives adopting a scheme of water supply for the area comprehended within the burgh of Pulteneytown and the harbour under any one of the proposals (Second) (Third) or (Fourth) above-mentioned then the sum to be paid to the Corporation by the harbour trustees shall in the case of the proposals (Second) or (Third) be apportioned as follows namely three-fifths thereof to the water rate or account of the said Pulteneytown area of water supply and two-fifths thereof to the water rate or account of the district comprehended within the existing burgh of Wick and in the case of the proposal (Fourth) above-mentioned the said sum from the harbour trustees shall be placed to the credit of the rate or account relating to the water supply of the whole extended burgh.

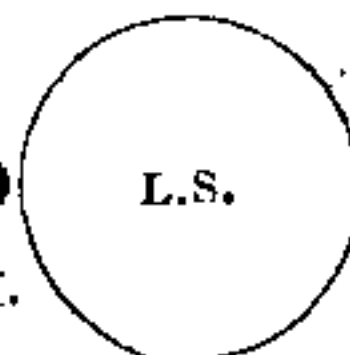
Quarto.—Any questions arising between the Corporation and the said representatives with reference to water supply including distributing pipes and the incidence of taxation relating thereto shall be submitted and referred to the decision of the consulting water engineer to the Edinburgh and District Water Trust whom failing the consulting engineer to the Glasgow Corporation Waterworks whom failing of an arbiter to be nominated by the sheriff principal of the county of Caithness.

In witness whereof these presents typewritten upon this and the three preceding pages are subscribed in duplicate by the parties hereto as follows
By William Nicolson provost of the said burgh of Wick and Hector Sutherland town clerk of the said burgh of Wick in name and on behalf of the Provost Magistrates and Councillors of said burgh of Wick at a meeting of the Provost Magistrates and Councillors of the said burgh of Wick held at Wick on the thirtieth day of June nineteen hundred and two before these witnesses Robert Georgeson Williamson and James Bain both law clerks Wick and by George Jamieson provost of the said burgh of Pulteneytown and George Alexander Oag Green town clerk of the said burgh of Pulteneytown in name and on behalf of the Provost Magistrates and

Councillors of said burgh of Pulteneytown at a meeting of the Provost Magistrates and Councillors of the said burgh of Pulteneytown held at Pulteneytown on the twelfth day of July and year last-mentioned before these witnesses David Petrie sanitary inspector and Alexander Milne burgh surveyor both of Pulteneytown. A.D. 1902.

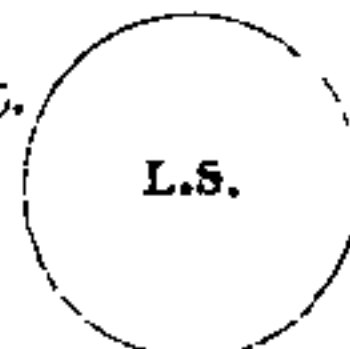
ROBT. G. WILLIAMSON Witness.
JAMES BAIN Witness.

W. NICOLSON Provost.
HECTOR SUTHERLAND
Town Clerk.



DAVID PETRIE Witness.
ALEXANDER MILNE Witness.

GEO. JAMIESON Provost.
G. A. O. GREEN
Town Clerk



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THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 309

PROFESSOR

ASSISTANT PROFESSOR

PHYSICS 309