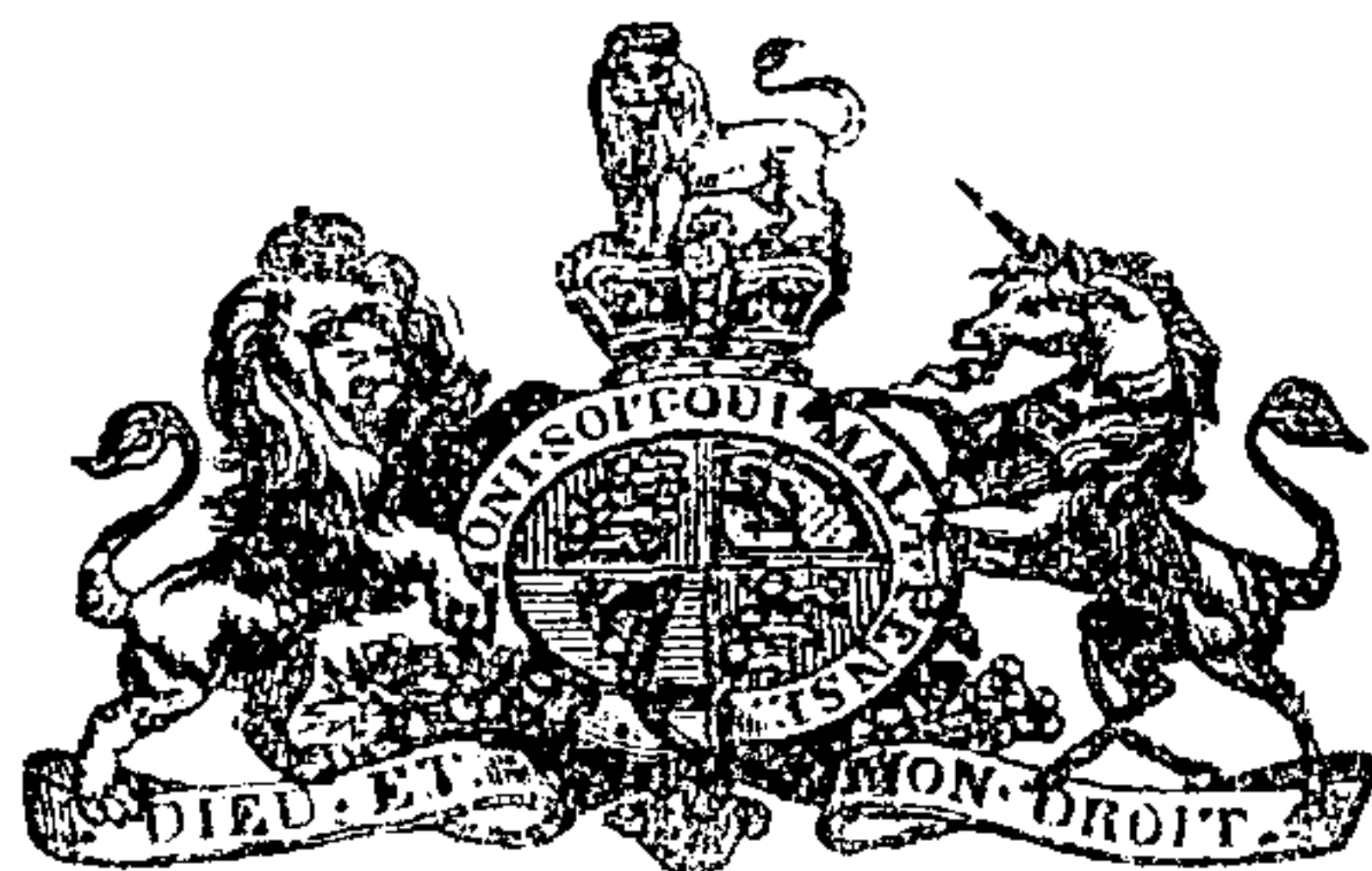


[2 EDW. 7.]      *Glasgow Corporation (Water and*      [Ch. cclxi.]  
*General) Order Confirmation Act, 1902.*



**CHAPTER cclxi.**

An Act to confirm a Provisional Order under the Private      A.D. 1902.  
Legislation Procedure (Scotland) Act 1899 relating to  
Glasgow Corporation (Water and General).

[18th December 1902.]

**W**HEREAS 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      62 & 63 Vict.  
1899 and it is requisite that the said Order should be confirmed      c. 47.  
by Parliament:

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

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

2. This Act may be cited as the Glasgow Corporation (Water      Short title  
and General) Order Confirmation Act 1902.

A.D. 1902.

SCHEDULE.

GLASGOW CORPORATION (WATER AND GENERAL).

*Provisional Order to authorise the Corporation of the City of Glasgow to construct new waterworks in the Counties of Perth Stirling and Renfrew to raise further moneys and for other purposes.*

WHEREAS by the Glasgow Corporation Waterworks Act 1855 the Corporation of the city of Glasgow (in this Order called "the Corporation" and "the City" respectively) were authorised to purchase and acquire the Glasgow Waterworks and the Gorbals Gravitation Waterworks and to introduce an additional supply of water from Loch Katrine and to supply with water the city and suburbs and districts and places adjacent:

And whereas the Corporation purchased and acquired the undertakings of the Glasgow Waterworks Company and the Gorbals Gravitation Water Company and the whole waterworks property rights and privileges of those companies were transferred to and vested in the Corporation:

And whereas further powers were conferred upon the Corporation by the Glasgow Corporation Waterworks Acts 1855 to 1899:

And whereas it is expedient that the Corporation should be authorised to construct and maintain additional waterworks to purchase and acquire lands wayleaves and other rights of property therefor and to abandon such of the waterworks authorised by the Glasgow Corporation Waterworks Act 1885 as may be rendered unnecessary by the works by this Order authorised:

And whereas for the purposes aforesaid and for the general purposes of their water undertaking it is expedient that the Corporation should be authorised to raise further money and that their borrowing powers should be enlarged:

And whereas it is expedient that the Corporation should be authorised to levy an increased assessment and to borrow further moneys for the purposes of section 12 of the Glasgow Corporation (Improvements and General Powers) Act 1897 and that sections 12 and 16 of that Act should be amended:



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*General) Order Confirmation Act, 1902.*

And whereas the Corporation in 1833 acquired from the directors of the Glasgow Asylum for the Blind subject to certain conditions and restrictions a piece of ground on the east side of Castle Street Glasgow which was subsequently formed into a burial place known as St. Mungo's Burying Ground: A.D. 1902.

And whereas in terms of the Glasgow Public Parks Act 1859 the greater portion of the said burying ground was in that year conveyed by the Corporation to the Glasgow Royal Infirmary free from the said conditions and restrictions and the remaining portion of the said burying ground was closed as a burial place by order of the sheriff in 1870:

And whereas it is expedient that the conditions and restrictions before referred to so far as affecting the aforesaid remaining portion of the said burying ground should be removed and that the Corporation should be authorised to acquire the rights and interests (if any) of other persons therein and should be empowered to convey or transfer the same to the said Glasgow Royal Infirmary freed from those conditions and restrictions and from those rights and interests (if any) and that the said Glasgow Royal Infirmary should be authorised to remove the human remains in the aforesaid remaining portion of the said burying ground:

And whereas it is expedient that further powers should be conferred on the Corporation as in this Order provided:

And whereas plans and sections showing the lines and levels of the works authorised by this Order and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Order were duly deposited with the principal sheriff clerks of the counties of Lanark Stirling Perth and Renfrew respectively and are hereinafter respectively referred to as the deposited plans sections and books of reference:

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

Now therefore in pursuance of the powers contained in the last-mentioned Act the Secretary for Scotland orders as follows:—

1. This Order may be cited as the Glasgow Corporation (Water and General) Order 1902. Short title of  
Order and  
citation of Acts.

A.D. 1902.

This Order and the Glasgow Corporation Waterworks Acts 1855 to 1899 may be cited as "the Glasgow Corporation Waterworks Acts 1855 to 1902."

This Order and the Glasgow Corporation (City Improvements) Acts 1866 to 1897 may be cited as the Glasgow Corporation (City Improvements) Acts 1866 to 1902.

This Order and the Glasgow Corporation Tramways Acts 1870 to 1901 may be cited as the Glasgow Corporation Tramways Acts 1870 to 1902.

This Order and the Glasgow Corporation Acts 1855 to 1902 and any other Order or Act passed during the present session of Parliament relating to the Corporation may be cited as the Glasgow Corporation Acts 1855 to 1902.

Order  
divided into  
Parts.

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

Part I.—Preliminary.

Part II.—Water.

Part III.—City Improvements.

Part IV.—General.

## PART I.

### PRELIMINARY.

Incorporation  
of Acts.

3. The following Acts (so far as the same are applicable for the purposes and not inconsistent with the provisions of this Order) are hereby (except where expressly varied by this Order) incorporated with this Order:—

(1) The Lands Clauses Acts :

(2) The Waterworks Clauses Acts 1847 and 1863 except—

(A) The words "with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner" in section 44 of the Waterworks Clauses Act 1847 ;

(B) Sections 75 to 82 of the Waterworks Clauses Act 1847 with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit and section 83 relating to accounts :

(3) The sections and provisions of the Railways Clauses Consolidation (Scotland) Act 1845 with respect to roads and to the temporary occupation of lands near the railway during the construction thereof.



4. In this Order the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction. The expressions "the promoters of the undertaking" "the commissioners" and "the company" respectively mean the Corporation. And in this Order—

A.D. 1902.  
Interpreta-  
tion.

- "The city" means the city and royal burgh of Glasgow;
- "The Corporation" means the Corporation of the city;
- "The Water Acts" mean the Glasgow Corporation Waterworks Acts 1855 to 1899;
- "The water undertaking" means the undertaking of the Corporation authorised by the Water Acts;
- "The Act of 1885" means the Glasgow Corporation Waterworks Act 1885;
- "The Act of 1892" means the Glasgow Corporation Waterworks Act 1892;
- "The Act of 1897" means the Glasgow Corporation (Improvements and General Powers) Act 1897.

## PART II.

### WATER.

5. Subject to the provisions of this Order the Corporation may make and maintain in the lines and according to the levels shown on the deposited plans and sections the waterworks and other works herein-after described with all proper conveniences connected therewith and may enter upon take and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for that purpose. The works herein-before referred to are—

Power to  
construct  
works.

- (1) A dam or embankment for the purpose of enlarging Loch Arklet and raising the level of the water in that loch to be situated across the river or stream known as the Arklet Water commencing at a point 60 yards or thereabouts north of a point in the road leading from Inversnaid to Stronachlachar 440 yards or thereabouts (measuring on a straight line) westwards from the south-west corner of Lettereigh Cottage crossing the said road and the Arklet Water in a southerly direction for a distance of 331 yards or thereabouts and terminating there at a point 558 yards or thereabouts

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(measuring on a straight line in a south-westerly direction) from the south-west corner of the said cottage;

- (2) A discharge culvert commencing in the Arklet Water at a point 165 yards or thereabouts (measuring on a straight line in a north-easterly direction) from the point herein-before described as the point of the termination of the said dam or embankment passing in a westerly direction through the said dam or embankment and terminating in the Arklet Water at a point 260 yards or thereabouts (measuring on a straight line in a westerly direction) from the point herein-before described as the point of the commencement of the said discharge culvert;
- (3) A diversion of the road leading from Inversnaid to Stronachlachar commencing in the said road at a point 935 yards or thereabouts (measuring along the said road) westwards from Lettereigh Cottage and terminating by a junction with the said road at a point 610 yards or thereabouts (measuring along the said road) eastwards from the said cottage;

which said dam or embankment discharge culvert and road diversion will be wholly situate in the parish of Buchanan in the county of Stirling;

- (4) A conduit or line of pipes commencing in the said parish of Buchanan from and out of the eastern end of Loch Arklet at a point 310 yards or thereabouts (measuring on a straight line in a south-easterly direction) from the house called Bruach on the road from Inversnaid to Stronachlachar and terminating in the parish of Aberfoil in the county of Perth in that part of Loch Katrine known as Coalbarns Bay 560 yards or thereabouts (measuring on a straight line in a southerly direction) from the Stronachlachar Hotel;
- (5) A filter bed partly in the plantation numbered 570 and partly in the enclosure numbered 573 on the 25-inch scale revised Ordnance Survey map of the parish of Eastwood marked second edition 1897 and which filter bed will be situate 57 yards or thereabouts south-west from the centre of the high clear water tank connected with the Gorbals Gravitation Waterworks of the Corporation near Barrhead;
- (6) A filter bed partly in the enclosure numbered 573 partly in the fields numbered 575 and 578 and partly in the plantation numbered 577 on the said Ordnance Survey map of the said parish of Eastwood and which filter bed will be



situate 57 yards or thereabouts north-east from the said high clear water tank; and A.D. 1902.

- (7) A conduit or line of pipes commencing by a junction with the existing pipe leading out of the east low clear water tank connected with the said Gorbals Gravitation Waterworks of the Corporation near Barrhead at a point 134 yards or thereabouts (measuring in a south-westerly direction) from Upper Darnley farm steading and terminating by a junction with the existing water main of the Corporation at a point in the Barrhead Road 80 yards or thereabouts (measuring in a north-westerly direction) from the north end of Herriot Street in the burgh of Pollokshaws;

which last-mentioned filter beds and conduit or line of pipes will be wholly situate in the said parish of Eastwood in the county of Renfrew.

6. For the protection of the county council of the county of Renfrew and the first or upper district committee of that county (in this section together referred to as "the county council") the following provisions shall unless otherwise agreed apply and have effect (that is to say):—

For protection of county council of county of Renfrew and first or upper district committee of that county.

In laying the conduit or line of pipes (7) by this Order authorised across the Busby Branch of the Caledonian Railway and across the Auldhouse Burn the Corporation shall construct the same at such a distance from the existing bridge carrying the Thornliebank Road over that railway and also at such a distance from the existing bridge over the said burn as to permit of either or both of the said bridges being at any time hereafter reconstructed to a width of sixty feet and so that the additional width may be added at either side of the existing bridges as the county council may think expedient.

7. For the protection of the Caledonian Railway Company (in this section called "the company") the following provisions shall have effect:—

For protection of Caledonian Railway Company.

- (1) In carrying the conduit or line of pipes (7) by this Order authorised across the Busby Branch Railway of the company the Corporation shall not interfere with the existing bridge carrying the road between Thornliebank and Pollokshaws over the said branch railway at a point near Thornliebank Station but shall carry the said conduit or line of pipes over the said branch railway at or near the



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point before mentioned by means of an independent bridge to be constructed by them ;

- (2) The said bridge for carrying the said conduit or line of pipes across the said branch railway shall be constructed by the Corporation on such site within the limits of deviation shown upon the deposited plans and in accordance with such general and detailed plans and sections as shall be approved of by the engineer of the company previously to the work being commenced ;
- (3) The said conduit or line of pipes and the bridge carrying the same over the said branch railway shall be maintained by the Corporation in all time coming in a state of proper repair and at the sole risk of the Corporation ; and
- (4) In the event of any damage being caused to the said branch railway or the works connected therewith during and in consequence of the operations connected with the construction of the said bridge or the laying of the said conduit or line of pipes over the same or at any time thereafter the Corporation shall be liable to the company for the actual amount of such damage as the same shall failing agreement be ascertained by some competent person to be appointed by the Board of Trade on the application of the Corporation or the company.

For protection of Glasgow and Kilmarnock Joint Line Committee.

8. For the protection of the Glasgow and Kilmarnock Joint Line Committee of the Caledonian Railway Company and the Glasgow and South Western Railway Company (in this section called "the Joint Line Committee") the following provisions shall have effect :—

- (1) The Corporation before entering upon or interfering with any lands or works belonging to the Joint Line Committee for the purpose of laying the conduit or line of pipes (7) by this Order authorised under the Spiersbridge Branch of the Glasgow and Kilmarnock Joint Railway shall submit a plan section and specification showing the manner in which the work is to be executed for the approval of the engineer of the Joint Line Committee and the work shall be executed to the reasonable satisfaction of the said engineer ;
- (2) The Corporation shall not acquire any portion of the lands or property of the Joint Line Committee but merely a right of servitude or wayleave in or under the same for the purpose of laying and maintaining the said conduit or line of pipes ;



(3) The said conduit or line of pipes shall be maintained by the Corporation in all time coming in a state of proper repair and at the sole risk of the Corporation ; and A.D. 1902.

(4) In the event of any damage being caused to the said branch railway or the works connected therewith during and in consequence of the operations connected with the laying of the said conduit or line of pipes or at any time thereafter the Corporation shall be liable to the Joint Line Committee for the actual amount of such damage as the same shall failing agreement be ascertained by some competent person to be appointed by the Board of Trade on the application of the Corporation or the Joint Line Committee.

9. In the construction of the works by this Order authorised the Corporation may deviate laterally from the lines thereof as shown on the deposited plans to the extent of the limits of lateral deviation marked thereon and vertically from the levels shown on the deposited sections to any extent not exceeding five feet upwards and five feet downwards : Limits of deviation.

Provided that the Corporation shall not in the exercise of the powers of lateral deviation hereby conferred raise the dam or embankment (1) by this Part of this Order authorised to a greater height above the general surface of the ground than the height shown on the deposited sections and three feet in addition Except for the purpose of crossing over a stream no part of the conduits or lines of pipes (4) and (7) by this Part of this Order authorised shall be raised above the surface of the ground unless and except so far as is shown on the deposited sections.

10. And whereas in the construction of the works authorised by this Part of this Order it may happen that portions only of certain houses or other buildings or manufactories shown on the deposited plans may be sufficient for the purposes of the same and that such portions may be severed from the remainder of the said properties without material detriment thereto Therefore notwithstanding section 90 of the Lands Clauses Consolidation (Scotland) Act 1845 the owners of and other persons interested in any of the properties described in the schedule to this Order and whereof parts only are required for the purposes of this Order may if such portions can in the opinion of the jury arbiters or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of the premises without material Owners may be required to sell parts only of certain properties.

A.D. 1902. — detriment thereto be required to sell and convey to the Corporation the portions only of the premises so required without the Corporation being obliged or compellable to purchase the whole or any greater portion thereof the Corporation paying for the portion taken by them and making compensation for any damage sustained by the owners thereof and other parties interested therein by severance or otherwise.

Servitudes  
instead of  
acquisition  
of lands.

11. The Corporation may in lieu of acquiring any lands for the purpose of any of the waterworks and other works by this Part of this Order authorised acquire such servitudes wayleaves and rights in through or over such lands as they may require for the purpose of constructing placing laying inspecting maintaining repairing or renewing the same (except a servitude right or privilege of water in which persons other than the grantors have an interest) or of obtaining access thereto and may give notice to treat in respect of such servitudes wayleaves and rights and may in such notice describe the nature thereof and the several provisions of the Lands Clauses Acts as modified by this Order and of this Order (inclusive of those with regard to limited owners) shall apply to such servitudes wayleaves and rights as fully as if the same were lands within the meaning of such Acts :

Provided that as regards any lands taken or used by the Corporation for the purpose of constructing the said waterworks and other works in through or under such lands where the same are laid under ground the Corporation shall not (unless they give notice to treat for such lands and not merely for servitudes or wayleaves therein) be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being shall at all times after the completion of the said works have the same rights of passing over such lands for all purposes of or connected with the use or enjoyment of the adjoining lands as if such lands had not been taken or used by the Corporation :

Provided also that nothing herein contained shall authorise the Corporation to acquire by compulsion any such servitude or wayleave in any case in which the owner in his particulars of claim shall require the Corporation to acquire the lands in respect of which they have given notice to treat for the acquisition of a servitude or wayleave only and every notice to treat for the acquisition of a servitude or wayleave shall be endorsed with notice



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of this proviso but this proviso shall not apply in regard to so much of the conduit or line of pipes (4) by this Part of this Order authorised as shall be in tunnel and at a depth of not less than forty feet from the surface of the ground. A.D. 1902.

12. Any question of disputed compensation in respect of lands or servitudes or wayleaves therein taken compulsorily under the powers of this Order shall notwithstanding anything contained in the Land Clauses Acts be referred to the determination of a sole arbiter to be appointed by the parties or if the parties do not concur in such appointment then by a sole arbiter to be appointed by the Secretary for Scotland on the application of either of them and the remuneration to be paid to the arbiter shall be fixed by the Secretary for Scotland. An arbiter appointed under this section shall be deemed to be a sole arbiter within the meaning of the said Acts and the provisions of those Acts with respect to an arbitration shall apply accordingly but the arbiter shall notwithstanding anything contained in the said Acts determine by whom the expenses in the arbitration shall be paid and such determination shall be final. Questions of disputed compensation to be determined by a sole arbiter.

13. Persons empowered by the Lands Clauses Acts to sell and convey or discharge lands may if they think fit subject to the provisions of those Acts and of this Order grant to the Corporation any servitude right or privilege (not being a servitude right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Order in over or affecting any such land and the provisions of the said Acts with respect to lands and rentcharges or feu duties so far as the same are applicable in this behalf shall extend and apply to such grants and to such servitudes rights and privileges as aforesaid respectively. Power to take servitudes &c. by agreement.

14. The Corporation may for the purposes of the water undertaking acquire by agreement or feu any quantity of land not exceeding in the whole five acres but nothing in this Order shall exempt the Corporation from any action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon any lands acquired under the provisions of this section. Additional land.

15. Subject to the provisions of this Order the works to be constructed under the authority of this Order shall for all purposes whatsoever be deemed part of the water undertaking. New works to form part of Corporation's water undertaking.

16. The Corporation shall abandon the construction of the Works Nos. (3) (4) and (5) authorised by and described in section 5 of the Act of 1885. Portions of authorised works to be abandoned.



A.D. 1902.

Compensation for damage to land by entry &c. for purposes of works abandoned.

17. The abandonment by the Corporation under the authority of this Order of any works shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Corporation on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out the line of the work and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Corporation to receive compensation for such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation (Scotland) Act 1845 the Waterworks Clauses Act 1847 or the Act of 1885.

Compensation to be made in respect of works abandoned.

18. Where before the passing of this Order any contract has been entered into or notice given by the Corporation for the purchasing of any land for the purposes of or in relation to any portions of the works authorised to be abandoned by this Order the Corporation shall be discharged from all liability to purchase or to complete the purchase of any such land but notwithstanding full compensation shall be made by the Corporation to the owners and occupiers or other persons interested in such land for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Acts for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Period for compulsory purchase of lands.

19. The powers of the Corporation for compulsory purchase of lands for the purposes of this Part of this Order shall cease after the expiration of five years from the passing of the Act confirming this Order.

Periods for completion of works.

20. The Works (1) (2) (3) and (4) by this Part of this Order authorised shall be completed within ten years and the Works (5) (6) and (7) thereby authorised shall be completed within seven years after the passing of the Act confirming this Order and on the expiration of these respective periods the powers by this Order granted to the Corporation for executing the said works shall cease except as to so much thereof as shall then be completed.

Extent to which level of Loch

21. The Corporation notwithstanding anything contained in section 16 (Extent to which level of Loch Katrine may be raised or



lowered) of the Act of 1885 shall not raise the water in Loch Arklet to any greater extent than twenty-two feet above the ordinary summer level as described on the deposited sections without the previous consent in writing of all the owners or reputed owners of the lands adjoining the said loch.

A.D. 1902.  
—  
Arklet may  
be raised.

22. Subject to the provisions of this Order the Corporation may by means of any works by this Order authorised and which may hereafter be authorised or constructed take collect divert impound and use all the waters of Loch Arklet and the Arklet Water and of any streams springs and burns supplying or flowing into the same respectively Provided that nothing contained in this section shall increase or extend the powers conferred upon the Corporation by section 17 of the Act of 1885.

Power to  
také waters  
of Loch  
Arklet and  
Arklet  
Water.

23. Section 20 (Regulating supply of water to Arklet Water) of the Act of 1885 is hereby repealed and in lieu thereof the following provisions shall apply The Corporation shall at the same time as they commence to withdraw or appropriate water from Loch Arklet cause to flow from and out of Loch Arklet by the outlet and stream from the said loch into Loch Lomond passing over the falls known as Inversnaid Falls a quantity of water not being less than two million three hundred and four thousand eight hundred gallons every day reckoned from midnight to midnight and such daily quantity shall be discharged into the said stream at the average rate of two hundred and fifty-six cubic feet per minute and the Corporation shall not be entitled to withdraw or appropriate any water from Loch Arklet unless they shall also discharge daily down the said stream the quantity of water herein-before mentioned Provided always that the said quantity of water shall be accepted by the owners lessees and occupiers of all mills manufactories and other works on the River Leven as full compensation for all their rights if any in respect of water to be drawn or appropriated from Loch Arklet and the Arklet Water by means of the works by this Order authorised and which may hereafter be authorised or constructed.

Regulating  
supply of  
water to  
Arklet  
Water.

24. The provisions of section 22 (Commissioners to erect and maintain gauges) 23 (Inspection by landowners of gauges) and 24 (For repair by landowners of gauges) of the Act of 1885 shall extend and apply to the compensation water to be afforded under the immediately preceding section of this Order.

Application  
of provisions  
of sections  
22 23 and  
24 of Act of  
1885.

[A.D. 1902.

For protec-  
tion of Duke  
of Montrose.

25.—(A) The whole provisions of the agreement between the Duke of Montrose and the Corporation scheduled to and confirmed by the Act of 1885 so far as those provisions have reference to Loch Arklet and works connected therewith and are not altered or varied by this Order shall apply and shall be read and construed as if the works authorised by the Act of 1885 had been those authorised by this Part of this Order.

(B) The section of this Order the marginal note of which is "Questions of disputed compensation to be determined by a sole arbiter" shall not apply to questions of disputed compensation arising between the Duke or his successors and the Corporation in consequence of the exercise of any of the powers of this Part of this Order but all such questions shall be determined in the manner provided by the said agreement.

(c) The powers and duties of the arbiter referred to in the said agreement in regard to the assessment of the compensation payable to the Duke or his successors in respect of the exercise of any of the powers of this Part of this Order shall be the same in all respects as in an arbitration under the Lands Clauses Acts except in so far as altered or varied by the terms of said agreement And provided always that in estimating the amount of the compensation to be paid to the Duke or his successors in respect of the taking of any lands belonging to him under any of the powers of this Part of this Order if the arbiter shall be of opinion that any sheep farm or grazing of which the lands so taken form part is rendered unsuitable or is prejudicially affected for the purposes of such sheep farm or grazing the said arbiter shall take into account any loss which may be suffered by the Duke or his successors through the taking of such lands in connection with taking over the sheep stock on such sheep farm or grazing in terms of any obligation to that effect in any existing lease of the same or in terms of any obligation to the same effect in any lease of the same to be hereafter granted And further provided that in estimating such compensation account shall also be taken of all loss or damage arising from interference with the sporting rights over the lands or waters belonging to the Duke or his successors in consequence of the exercise of any of the powers of this Part of this Order.

Power to  
borrow for  
purposes of  
this Part of  
Order.

26. The Corporation may borrow for the purpose of carrying out the powers conferred upon them by the Water Acts and this Part of this Order any sum or sums of money not exceeding five



hundred thousand pounds in addition to the moneys authorised to be borrowed by the Water Acts and they may again borrow any sums which may be repaid by them from time to time otherwise than by means of the sinking funds provided by the Water Acts and any moneys so borrowed by them shall be deemed to have been borrowed under the powers and for the purposes of the Water Acts and this Part of this Order and shall form part of the moneys authorised to be borrowed under the Water Acts and the maximum sum which may be borrowed under the Water Acts is hereby increased accordingly. A.D. 1902.

27. The Corporation shall annually set apart as a sinking fund such sum as will secure that the amount from time to time borrowed by them for the purposes of this Part of this Order and not paid off by other means than such sinking fund shall be repaid within a period not exceeding sixty years and they shall from time to time apply such sinking fund in paying off the principal sum so borrowed. As to sinking fund.

### PART III.

#### CITY IMPROVEMENTS.

28. The proviso to section 12 (Power to take lands by agreement) of the Act of 1897 shall be read and have effect as if the sum of two hundred and fifty thousand pounds had been mentioned therein instead of the sum of one hundred thousand pounds and section 16 (Power to borrow for purposes of this Part of this Act) of the said Act shall be read and have effect as if the sum of seven hundred and ten thousand pounds had been mentioned therein instead of the sum of five hundred and sixty thousand pounds. Provided that in the event of the Corporation deeming it expedient so to do it shall be lawful for them to sell the whole or any portion of the lands already acquired by them for the purposes of section 12 of the Act of 1897 (so far as not built upon) and to apply the price received therefor and any money they are authorised to borrow for those purposes in the purchase of other lands either within the City or within a radius of half-a-mile from the boundary of the City for the purpose of erecting thereon dwellings for the poorest classes as authorised by the said section. Provided also that the extent of the land at any time held or acquired by the Corporation under the powers of section 12 of the Act of 1897 shall not exceed twenty-five acres. Amendment of sections 12 and 16 of Act of 1897 as to lands taken by agreement and power to borrow therefor and sale thereof.



A.D. 1902.

Amendment  
of section 18  
of Act of  
1897 as to  
amount of  
assessment.

29. Section 18 (New assessment) of the Act of 1897 shall be read and have effect as if the annual assessment therein authorised were one penny farthing per pound in place of one penny per pound.

PART IV.

GENERAL.

Correction of  
errors &c,  
in deposited  
plans and  
books of  
reference.

30. If there be any omission mis-statement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or described in the deposited books of reference the Corporation after giving ten days' notice to the owners lessees and occupiers affected by such proposed correction may apply to the sheriff of the county in which such lands are situate for the correction thereof and if it appear to the sheriff that such omission mis-statement or wrong description arose from accident or mistake he shall certify the same accordingly and shall in such certificate state the particulars of the omission and in what respect any such matter is mis-stated or wrongly described The certificate of the sheriff shall be deposited with the sheriff clerks of the counties of Lanark Stirling Perth and Renfrew respectively and a duplicate thereof with the town clerk of the city the town clerk of the burgh of Pollokshaws and the clerk of the parish council of the parish as the case may be in which the lands in question lie and such certificate and duplicate respectively shall be kept by the said sheriff clerks town clerks and clerk of the parish council respectively with the other documents to which it relates and thereupon the deposited plans and books of reference shall be deemed to be corrected in accordance with such certificate and the Corporation may purchase take and use for the purposes of this Order any lands in accordance with such certificate as if such omission mis-statement or wrong description had not been made.

Provisions as  
to Saint  
Mungo's  
burying  
ground.

31. The conditions and restrictions subject to which the Corporation acquired the ground on the east side of Castle Street Glasgow in the parish of Glasgow the city and county of the city of Glasgow and county of Lanark which was formed by them into a burial place known as Saint Mungo's Burying Ground (and the portion of which burying ground now to be conveyed or transferred to the Glasgow Royal Infirmary as hereinafter mentioned is shown upon the deposited plans) videlicet that the Corporation should use the same solely for the purpose of a burying ground and for no other purpose and that no building or other



erection whatever should be made or put thereon except such as should be necessary for the sole purpose of such burying ground and all rights and interests if any belonging to or acquired by others in the said burying ground (except any ground annuals feu duties or other annual burdens affecting the same) are so far as still subsisting hereby cancelled annulled and extinguished and the Corporation may and are hereby authorised to convey or transfer to the said Glasgow Royal Infirmary the solum of the said burying ground in so far as not already conveyed or transferred to them by the Corporation in terms of the Glasgow Public Parks Act 1859 free from all such conditions and restrictions and such rights and interests if any (except as aforesaid) and that for such purposes and on such terms and conditions as have been or may be agreed upon between the Corporation and the said Glasgow Royal Infirmary. A.D. 1902.

32.—(1) Before the said Glasgow Royal Infirmary shall commence to use or appropriate the portion of the solum of the said burying ground to be conveyed or transferred to them as aforesaid for any of the purposes for which it may be so conveyed or transferred the managers of the said infirmary shall publish a notice once in each of three successive weeks in two local newspapers circulating in the city intimating the purposes for or to which the solum of the said burying ground or any part thereof is intended to be used or appropriated and such notice shall have embodied in it the substance of subsections (2) (3) (4) (5) (6) and (7) of this section. As to removal of human remains.

(2) At any time within two months after the first publication of such notice any person who is an heir executor or administrator or relative of any person whose remains are buried in the said burying ground may give notice in writing to the secretary of the said Glasgow Royal Infirmary addressed to him at his office in Glasgow of his intention to undertake the removal of such remains and thereupon he shall be at liberty to cause such remains to be removed to and reinterred in any burial ground or cemetery in which burials may legally take place.

(3) If any person giving such notice as aforesaid shall fail to satisfy the managers of the said infirmary that he is such heir executor administrator or relative as he claims to be the question shall be determined on the application of either party in a summary manner by the sheriff of Lanarkshire who shall have power to make an order specifying who shall remove the remains.

A.D. 1902.

(4) The expense of such removal and reinterment (not exceeding in respect of remains removed from any one grave the sum of ten pounds) shall be defrayed by the said Glasgow Royal Infirmary.

(5) If within the aforesaid period of two months no such notice as aforesaid shall have been given to the secretary of the said infirmary in respect of the remains in any grave or if after such notice has been given the person giving the same shall fail in any respect to comply with the provisions of this section the managers of the said Infirmary shall remove such remains and cause them to be interred in such burial ground or cemetery in which burials may legally take place as the managers of the said Infirmary think suitable for the purpose.

(6) Any monuments or tombstones relating to any deceased person which may be removed under this section shall at the expense of the said Glasgow Royal Infirmary be removed and re-erected at the places of re-interment of such remains or at such place within the city as the sheriff of Lanarkshire may direct on the application of any such heir executor administrator or relative as aforesaid.

(7) The removal of the remains of any deceased person shall be carried out to the satisfaction of the medical officer of health for the city.

Amendment  
of section 20  
of Glasgow  
Corporation  
(Tramways  
Libraries  
&c.) Act  
1899.

33. Section 34 (Recovery of tolls charges &c.) of the Glasgow Corporation Act 1893 shall extend and apply to any byelaws and regulations which may be made by the Corporation under section 20 (Power to make byelaws to facilitate traffic) of the Glasgow Corporation (Tramways Libraries &c.) Act 1899.

Superannua-  
tion fund &c.  
for Corpora-  
tion em-  
ployees.

34. The Corporation may contribute annually or otherwise from the revenues received by them in connection with any of their departments such sums as they may think fit towards the funds of any friendly society superannuation provident sickness or other similar fund that has been or may be instituted for the benefit of the servants workmen and other persons employed by the Corporation in such departments and the Corporation may as a condition of any of the said servants workmen and other persons becoming members of any such friendly society or being entitled to receive any benefit from such superannuation provident sickness or other fund require such servants workmen and other persons to contribute to such friendly society superannuation provident sickness or other fund.



35. Any scheme for the establishment of a friendly society superannuation provident sickness or other similar fund under this Order shall not come into operation until the Corporation shall in respect of such society or fund have been registered under the Friendly Societies Act 1896 and the provisions of that Act (except the proviso to subsection (1) of section 8 section 41 and sections 70 to 73) so far as they are applicable and are not inconsistent with the provisions of this Order shall apply:—

A.D. 1902.  
 Registration of scheme for establishment of fund &c. under Friendly Societies Act.

- (A) As if the Corporation were a society to which that Act applies and were the trustees of such society;
- (B) As if the scheme were the rules of such society;
- (C) As if the superannuation or provident funds were the funds of such society; and
- (D) As if the contributors to the funds were the members of such society.

36. The costs charges and expenses of and incident to the preparing for obtaining and confirming of this Order or otherwise in relation thereto shall be paid by the Corporation and if paid out of borrowed money shall be repaid out of revenue within five years.

Expenses of Order.

The SCHEDULE referred to in the foregoing Order.

HOUSES BUILDINGS OR MANUFACTORIES PARTS ONLY OF WHICH  
 MAY BE TAKEN.

Parish.	Nos. on deposited Plans.
Eastwood	19 44 45 46 54 55 and 74

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