



## CHAPTER II.

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Airdrie Burgh Extension &c. A.D. 1927.  
[29th July 1927.]

**W**HEREAS the Provisional Order set forth in the schedule hereunto annexed has been made by one of His Majesty's Principal Secretaries of State under the provisions of the Private Legislation Procedure (Scotland) Act 1899 as read with the Secretaries of State Act 1926 and it is requisite that the said Order should be confirmed by Parliament : 62 & 63 Vict.  
c. 47.  
16 & 17  
Geo. 5. c. 18.

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. Confirma-  
tion of  
Order in  
schedule.

2. This Act may be cited as the Airdrie Burgh Extension &c. Order Confirmation Act 1927. Short title.

A.D. 1927.

SCHEDULE.

AIRDRIE BURGH EXTENSION &c.

*Provisional Order to extend the municipal and police boundaries of the burgh of Airdrie in the county of Lanark and to confer further powers on the provost magistrates and councillors of the burgh of Airdrie in connection with their gas undertaking and for other purposes.*

WHEREAS the burgh of Airdrie in the county of Lanark (hereinafter called "the burgh") is a burgh which formerly contributed to send a member to Parliament but is now included within the Coatbridge Parliamentary Division of the county of Lanark and the provost magistrates and councillors of the burgh (hereinafter called "the Corporation") are the police public health municipal local and road authority within the burgh under the Burgh Police (Scotland) Acts 1892 to 1911 the Public Health (Scotland) Act 1897 and the Roads and Bridges (Scotland) Act 1878 and other public and local statutes and are charged with the administration and management thereof :

And whereas for the purpose of providing housing accommodation for the inhabitants of the burgh and removing the overcrowding which prevails in parts thereof the Corporation have purchased land in the county of Lanark and have erected and are proceeding with the erection of houses thereon :

And whereas further land which can only be obtained in the said county will be required for additional housing schemes in the near future and it is expedient that such lands should be included within the boundaries of the burgh :

And whereas the Corporation have acquired lands adjoining the burgh for sewage purification purposes and hospital accommodation and they also own other land and property including part of a public park which should be included within the burgh :

And whereas the Corporation are the authority for the supply of and are supplying gas in the greater part of the areas proposed to be added to the burgh : A.D. 1927.

And whereas it is expedient that the boundaries of the existing burgh should be extended as hereinafter provided and that all franchises rights privileges and immunities of and pertaining to the existing burgh and the powers and jurisdictions of the Corporation and all other powers and jurisdictions applicable within the existing burgh and all public and local Acts and Orders relating to and in force for the time being within or applicable to the existing burgh should as the same are amended by this Order be applied to the burgh as extended by this Order and to the inhabitants thereof :

And whereas it is expedient that the Corporation should be empowered to levy rates and assessments within the burgh as extended by this Order and to borrow money on the security thereof :

And whereas it is expedient that the Corporation should be authorised to borrow further moneys for the provision of additional plant for the purposes of their gas undertaking and for additional gas mains and services :

And whereas it is expedient that the further powers in this Order contained should be conferred upon the Corporation :

And whereas the purposes aforesaid cannot be effected without an Order 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 as read with the Secretaries of State Act 1926 the Secretary of State orders as follows :—

## PART I.

### PRELIMINARY.

1. This Order may be cited as the *Airdrie Burgh Extension &c. Order 1927.* Short and collective titles.

[Ch. li.] *Airdrie Burgh* [17 & 18 GEO. 5.]  
*Extension &c. Order Confirmation Act, 1927.*

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— This Order and the Act 1 & 2 Geo. 4 cap. 60 (local) the Airdrie Police and Municipal Act 1849 the Airdrie Burgh Extension Act 1885 the Airdrie Corporation Gas Order 1904 the Airdrie Corporation Gas Order 1913 and the Airdrie Gas (Charges) Order 1924 may be cited together as the Airdrie Corporation Acts 1821 to 1927.

This Order and the Airdrie Corporation Gas Order 1904 the Airdrie Corporation Gas Order 1913 and the Airdrie Gas (Charges) Order 1924 may be cited together as the Airdrie Corporation Gas Orders 1904 to 1927.

Incorporation of Acts.

2. The following Acts are hereby incorporated with this Order namely :—

The Gasworks Clauses Act 1847 (except the provisions thereof with respect to the amount of profit to be received by the Undertakers when the gasworks are carried on for their benefit and with respect to the yearly receipt and expenditure of the Undertakers) Provided that section 13 of that Act shall be read as if the words "or any premises" were inserted after the words "private building" and as if the words "Provided also that every such contract entered into by the undertakers shall be alike in terms and amount to all consumers of gas supplied in like circumstances and for the same purposes" were added at the end of that section;

The Gasworks Clauses Act 1871 (except sections 7 8 and 35 thereof); and

The Commissioners Clauses Act 1847 with respect to the mortgages to be executed by the commissioners except sections 84 86 and 87;

and this Order shall be deemed to be a special Act within the meaning of those Acts.

Commencement.

3. This Order shall except as otherwise expressly provided come into operation on the fifteenth day of May one thousand nine hundred and twenty-seven (which date is hereinafter referred to as "the commencement of this Order").

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

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Interpreta-  
tion.

“ Added area ” means the areas by this Order incorporated with the existing burgh and shown on the map to be deposited in accordance with the provisions of the section of this Order of which the marginal note is “ Map of burgh ” ;

“ Burgh ” means the burgh of Airdrie as extended by this Order ;

“ Common good ” means the common good fund of the burgh ;

“ Corporation ” means the provost magistrates and councillors of the existing burgh or of the burgh as the case may be ;

“ Costs ” includes charges and expenses ;

“ County council ” means the county council of the county of Lanark ;

“ Dean of Guild Court ” means the Dean of Guild Court of the burgh ;

“ District committee ” means the district committee of the district of the middle ward of the county of Lanark ;

“ Duties ” includes responsibilities and obligations ;

“ Election Acts ” means the Acts in force for the time being relating to the registration of parliamentary and local government electors and the election of town councillors ;

“ Existing burgh ” means the burgh of Airdrie within the limits and boundaries thereof existing immediately previous to the commencement of this Order ;

“ Gas limits ” means the limits within which the Corporation are authorised by the Gas Orders as extended by this Order to supply gas ;

“ Gas Orders ” means the Airdrie Corporation Gas Orders 1904 and 1913 and the Airdrie Gas (Charges) Order 1924 ;

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- “ Gas undertaking ” means the gas undertaking of the Corporation ;
- “ Lands and heritages ” means lands and heritages as defined in the Valuation Acts ;
- “ Liabilities ” unless where otherwise expressly provided includes all debts and liabilities to which any person is or but for the confirmation of this Order would be liable or subject whether accrued due at the commencement of this Order or subsequently accruing ;
- “ Office ” includes any place situation or employment ;
- “ Order of 1904 ” means the Airdrie Corporation Gas Order 1904 ;
- “ Police Acts ” means the Burgh Police (Scotland) Acts 1892 to 1911 and any Acts amending or extending the same ;
- “ Powers ” includes rights authorities jurisdictions civil and criminal capacities privileges and immunities ;
- “ Property ” includes all property real and personal and all estates interests servitudes and rights in to and out of property real and personal including things forming the subject of suit claim or process and registers books and documents and when used in relation to any sheriff-clerk town clerk clerk of the peace county clerk town council county council district committee justices board or other authority includes any property which at the commencement of this Order belongs to or is vested in or held in trust for or would but for the passing of the Act confirming this Order have on or after that date belonged to or been vested in or held in trust for such sheriff-clerk town clerk clerk of the peace county clerk town council county council district committee justices board or other authority ;
- “ The sheriff ” and “ the sheriff-clerk ” mean respectively the sheriff of the county of Lanark and any of his substitutes and the sheriff-clerk of the county of Lanark ;

“Town clerk” means the town clerk of the existing burgh or of the burgh as the case may be and includes any deputy acting for him; A.D. 1927.

“Valuation Acts” means the Acts in force for the time being relating to the valuation of lands and heritages.

## PART II.

### EXTENSION OF BURGH.

5. From and after the fifteenth day of May one thousand nine hundred and twenty-seven the municipal and police boundaries of the existing burgh shall be and are hereby extended to and shall include and comprehend in addition to the area embraced in the existing burgh the lands and areas within the limits defined in the First Schedule to this Order situated in the parishes of New Monkland and Old Monkland and the county of Lanark: Boundaries of burgh.

Provided that the rules prescribed by section 5 of the Representation of the People (Scotland) Act 1832 shall be observed and receive effect with reference to the description of boundaries contained in the said schedule.

6. A map of the burgh (distinguishing the added area) of which twelve copies have been signed by Philip Francis Wood Counsel to the Secretary of State under the Private Legislation Procedure (Scotland) Act 1899 shall within one month after the date of the passing of the Act confirming this Order be deposited as follows (that is to say) one copy with the town clerk at his office two copies with the sheriff-clerk that is one at each of his offices in Glasgow and Airdrie respectively one copy in the office of the Clerk of the Parliaments one copy in the Private Bill Office of the House of Commons one copy at the Scottish Office Whitehall one copy with the Ministry of Agriculture and Fisheries one copy with the Commissioners of Customs and Excise one copy with the Board of Trade one copy with the Postmaster-General one copy with the Electricity Commissioners and one copy with the Registrar-General of Births Deaths and Marriages in Scotland. If there be any discrepancy between the said map and the descriptions: Map of burgh.

[Ch. II.] *Airdrie Burgh* [17 & 18 GEO. 5.]  
*Extension &c. Order Confirmation Act, 1927.*

A.D. 1927. in the First Schedule to this Order the said map shall  
--- be deemed to be correct and shall prevail.

Added area  
disjoined  
from county.

7. From and after the fifteenth day of May one thousand nine hundred and twenty-seven the added area shall be separated and disjoined from the county of Lanark and the burgh of Coatbridge.

Added  
area to  
form part  
of existing  
wards.

8. The added area shall for all purposes be added to and form part of the existing wards of the existing burgh as follows that is to say:—

- (a) the portion of the added area described in Part I of the First Schedule to this Order shall be added to and included in the Third Ward;
- (b) the portion of the added area described in Parts II and III of the said schedule shall be added to and included in the Fifth Ward;
- (c) the portion of the added area described in Part IV of the said schedule shall be added to and included in the First Ward.

Parochial  
arrange-  
ments not  
to be  
affected.

9. The lands and heritages within the added area shall remain parts and portions of the respective parishes within which they now lie and shall not be affected by any of the provisions of this Order in so far as regards the settlement relief or management of the poor the erection and maintenance of district lunatic asylums the operation of the Burial Grounds (Scotland) Act 1855 the Cremation Act 1902 and any Act extending or amending either of those Acts the payment of poor rates or education rates or any burdens for purposes other than those for which the said lands and heritages will be assessed under the provisions of the Police Acts or any other public or local statutes presently affecting or which may hereafter affect the existing burgh and of this Order.

Applications  
for certifi-  
cates under  
Licensing  
(Scotland)  
Acts 1903  
to 1921.

10. From and after the date of the passing of the Act confirming this Order all applications for certificates or renewal of certificates or confirmation of new certificates and all appeals under and in terms of the Licensing (Scotland) Acts 1903 to 1921 in respect of premises in the added area shall be made to the licensing court for the burgh and Court of Appeal for the burgh and shall be dealt with and finally disposed of by the said licensing court and Court of Appeal.



11. Subject to the provisions of this Order the common good and all property (including all means revenues and income of every description arising therefrom) belonging to or leviable within the existing burgh or to which the existing burgh is entitled or which is held or administered by any person for or on behalf of the community of the existing burgh or for the public ends and purposes thereof shall be vested in and be held by the Corporation for the behoof and benefit of the burgh or as the case may be administered by such person for or on behalf of the community of the burgh or for the public ends and purposes thereof and all debts and obligations due by or exigible from the existing burgh shall be due by and exigible from the burgh and all debts due to the Corporation by any person prior to the commencement of this Order may be demanded and recovered from such person and received and applied by the Corporation for the behoof of the burgh.

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Property of  
existing  
burgh  
vested in  
Corporation.

12. Subject to the provisions of this Order all powers heretofore exercised or exerciseable by the county council or other local authority within or over the added area or any part or parts thereof (with the exception of such powers (if any) as are presently exercised by the county council or other local authority other than the Corporation within the existing burgh or any part thereof) shall cease and determine from and after the commencement of this Order.

Powers of  
local  
authorities  
to cease in  
added area.

13. The Corporation the provost the magistrates and the dean of guild of the existing burgh and their respective courts shall have possess and exercise the same powers including (subject to the provisions of this Order) powers of assessment respectively in and over the burgh and over the inhabitants thereof as they and their respective courts have possess and exercise in their several characters and capacities in and over the existing burgh and over the inhabitants thereof whether at common law or by statute.

Powers  
extended  
over added  
area.

14. Subject to the provisions of this Order all mortifications endowments and trusts however constituted charitable bequests or other grants held or administered by the Corporation or the magistrates or office bearers of the existing burgh by themselves or in conjunction with any person or persons body or bodies

Existing  
trusts  
vested  
in Cor-  
poration.

A.D. 1927. (but under the liabilities to which the same are legally subject) shall be vested in held and administered by the Corporation or the magistrates or office bearers of the burgh or so many of their number to be chosen by the Corporation for that purpose as are appointed by the deeds or writings under which such mortifications endowments trusts bequests or other grants are constituted together with the other trustees also therein nominated for the purposes and with the rights powers and authorities and subject to all the conditions and provisions under and upon which the same were conveyed granted or settled by the grantors or makers of such mortifications endowments trusts bequests or other grants.

Register of voters and valuation roll.

15. For the purpose of the Election Acts the added area shall notwithstanding anything in this Order contained be deemed to be and to have always been a part of the existing burgh and to have been included in the wards specified in the section of this Order of which the marginal note is "Added area to form part of existing wards" for the making up of the register of voters.

Officers in existing burgh.

16. The several officers of or appointed by the Corporation shall have possess and exercise in their several characters and capacities the same powers in and over the burgh as they have possess and exercise in their several characters and capacities in and over the existing burgh whether at common law or by statute but without prejudice to the right of the Corporation to make such arrangements in regard to the said officers and their respective duties as before the commencement of this Order they were entitled to make with reference to the officers of the existing burgh.

Transfer of property and liabilities.

17.—(1) Subject to the provisions of this Order and except as otherwise in this Order expressly provided the lands buildings depôts sewers lamps lamp-posts pipes mains cables wires apparatus plant and all other property assets and powers of every description vested in held by or due or belonging to the county council district committee or other authorities in the added area (other than an education authority a parish council a railway company the Airdrie Coatbridge and District

Water Board or an electricity supply company) are by virtue of this Order and without the necessity of recording in the register of sasines any conveyance notarial instrument notice of title or other deed or writing transferred to and vested in and shall be held by and be due and belong to the Corporation and shall form part of the property and assets of the Corporation for all the estate and interest therein of such council committee or authorities and shall be received held and enjoyed by the Corporation accordingly.

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(2) All the powers duties liabilities contracts and agreements of such council committee or authorities in relation to the added area are by virtue of this Order transferred and shall attach to the Corporation and shall form part of the powers duties liabilities contracts and agreements of the Corporation and be enjoyed performed paid and discharged by them.

(3) For the purpose of enabling the Corporation to complete a title if thought fit to any part of the lands buildings and other heritable property transferred to and vested in them by virtue of this Order by expeding a notarial instrument notice of title or otherwise this Order shall be deemed to be and may be used as a general disposition or assignation as the case may be of such lands buildings and other property in favour of the Corporation.

(4) The Corporation shall determine any question which shall arise as to the department of the Corporation to which any part of such property ought to belong and any question as to the fund of the Corporation out of which such liabilities and obligations shall be defrayed.

(5) This section shall not apply to the property and assets situated beyond the burgh which belong to the county council district committee or other authority.

18. Nothing in this Order contained shall prejudice or interfere with the powers of the county council or other local authority to recover all rates and assessments imposed by and due to them in respect of subjects in the added area for any year prior to the commencement of this Order.

Saving recovery of rates by county council or other local authority.

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Corporation  
may enter  
into agree-  
ments.

19.—(1) Subject and without prejudice to any of the provisions of this Order the Corporation and the county council or district committee or other authority (all of whom are hereinafter in this section referred to as “the authorities”) or any of them may make and carry into effect agreements with respect to the transfer of property from the authorities or any of them to the Corporation and for settling and adjusting any claims or any doubt or difference arising in relation thereto.

(2) The provisions of any such agreement shall be deemed to be within the powers of the Corporation and of the authorities or any of them respectively and shall have and be carried into effect accordingly.

(3) Any difference arising as to any such agreement or as to any other matter or thing in relation to the transference under this Order of the property liabilities or powers of the authorities or any of them shall failing agreement be determined by an arbiter to be appointed by the Secretary of State on the application of any of the parties concerned. The costs of any such arbitration shall be borne as the arbiter shall direct and if any question of law shall arise in the course of such arbitration the arbiter shall have power at the request of any of the parties concerned to state a case for the opinion of the Court of Session and the said court shall determine such question.

Application  
of general  
and local  
Acts.

20. The public and general and local and personal Acts relating to and in force in the existing burgh and all byelaws rules regulations and orders made thereunder shall subject to the provisions of this Order be exercised over and be applicable to the burgh. Provided that nothing in this Order shall extend the area of supply defined by the Airdrie Burgh Electric Lighting Orders 1898 and 1905.

Roads  
streets and  
footpaths.

21. All bridges highways roads streets footpaths lanes courts and sewers in the added area which are vested in the county council the district committee or other authorities (other than railway companies) or which the said council and committee or authorities by minute or otherwise at or before the commencement of this Order shall have taken over or have agreed to take over and maintain or have

maintained are by virtue of this Order transferred to and vested in and shall be managed maintained and repaired by the Corporation subject to the provisions of the Police Acts and the said council committee or authorities shall be freed and relieved of the liability to repair and maintain all such bridges highways roads streets footpaths lanes courts and sewers in all time coming. A.D. 1927.  
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22. After the date of the passing of the Act confirming this Order the powers of the Scottish Board of Health (hereinafter in this section referred to as "the Board") shall operate for the purpose of reconstituting by order made by the Board the insurance committees for the county of Lanark for the burgh of Coatbridge and for the burgh as from the date of the passing of the Act confirming this Order or such subsequent date as shall be determined by the Board and that in such manner and to such extent if any as the Board may deem necessary in consequence of the provisions of this Order and for the adjustment consequent on the said provisions of the boundaries of the areas and the financial rights and obligations of the said committees and any such order made by the Board may contain such incidental supplemental and consequential provisions as may appear to the Board necessary or expedient for carrying the order made by them into effect and for adapting thereto the provisions of the National Health Insurance Act 1924 Provided that any order so made shall be laid before both Houses of Parliament as soon as may be after it is made. National Insurance Committees.

23.—(1) The Corporation shall pay to the persons now holding the respective offices of justice of the peace procurator fiscal clerk of the peace and county assessor under the Election Acts for the added area compensation in respect of any loss which they may respectively sustain by diminution of salary or emoluments or loss of office consequent upon the extension of the boundaries of the existing burgh by this Order authorised. Compensation to clerks of peace &c.

(2) In the event of the several compensations to be paid under this section not being agreed between the parties or in so far as such compensations are not

A.D. 1927. — so agreed the same shall be determined by an arbiter to be appointed by the Secretary of State on the application of any of the parties concerned and the decision of such arbiter shall be final.

Borrowing  
and  
assessing  
powers.

24. The Corporation in addition to the sum authorised to be borrowed under Part III of this Order and to any other statutory powers of borrowing which they now possess may for the purposes of (a) satisfying paying and discharging all obligations undertaken by them under this Part of this Order and (b) the payment of any capital sums and interest which may be payable under the provisions of the sections of this Order whereof the marginal notes are "For protection of county council and district committee" and "For protection of provost magistrates and councillors of burgh of Coatbridge" borrow such sum of money as may be necessary under and on the security of the assessment for the maintenance and repair of highways leviable by the Corporation under the Roads and Bridges (Scotland) Act 1878 or any Act amending that Act and the public health general assessment leviable by the Corporation under the Public Health (Scotland) Act 1897 or any Act amending that Act and the Corporation may assign so much or such part as may be required of such assessment or assessments and in such proportions as the Corporation may determine as security for the money which may be borrowed under the provisions of this section Provided that any money borrowed under this section shall be repaid within a period of twenty-five years from the date or dates of borrowing the same.

Saving for  
county  
councillors.

25. Notwithstanding anything contained in the Local Government (Scotland) Act 1889 or this Order any member of the county council who at the commencement of this Order represents any electoral division situated partly within and partly without the added area shall continue to be a member of the county council (unless he resigns) until the next election of county councillors after the commencement of this Order.

Variation of  
procedure  
under  
Temperance

26.—(1) Until the next poll after the commencement of this Order under the provisions of the Temperance (Scotland) Act 1913 is taken in the burgh the resolutions

at present in force in (a) the existing burgh and (b) the added area shall respectively continue in force. A.D. 1927.

(2) The resolutions to be submitted to the electors at the first poll (which shall if required be held in the year one thousand nine hundred and twenty-nine but not earlier) in the burgh after the commencement of this Order shall be those which would have been submitted if the existing burgh had not been extended. (Scotland) Act 1913.

(3) The Secretary of State may in order to meet the circumstances arising from the extension of the boundaries of the existing burgh by this Order authorised by order vary the procedure prescribed by or in pursuance of the Temperance (Scotland) Act 1913 in connection with the taking of polls under the last-mentioned Act or otherwise including any dates fixed in connection with such procedure.

27.—(1) The Corporation shall pay to the county council as for themselves and on behalf of the district committee the sum of twelve thousand and seventy pounds sterling with interest thereon at the rate of five per centum per annum from the fifteenth day of May one thousand nine hundred and twenty-seven until the date of actual payment which sum shall subject as hereinafter provided be accepted by the county council and district committee as full compensation for the cesser of all such powers as were before the commencement of this Order exercised or exerciseable by the county council and district committee within the added area and are by the provisions of this Order to cease and determine from and after the commencement thereof. For protection of county council and district committee.

(2) The said sum of twelve thousand and seventy pounds and the interest thereon shall be applied by the county council with the sanction of one of His Majesty's principal Secretaries of State either in repayment of debt or for such other purposes as the county council may determine.

(3) If and when the district committee shall resolve to light that part of the county of Lanark adjacent to Part I of the added area described in the First Schedule to this Order known as the Scarhill and Cairnhill Road the Corporation shall bear the half of the cost of providing

[Ch. li.] *Airdrie Burgh* [17 & 18 GEO. 5.]  
*Extension &c. Order Confirmation Act, 1927.*

A.D. 1927. — and maintaining the lighting of that part of the road in the county coinciding with the boundary of the burgh.

(4) In so far as the Scarhill and Cairnhill Road in the county of Lanark coincides with the boundary of the burgh the Corporation shall bear the half of the cost of maintaining such portion of the said road.

(5) In all cases where one side of a road or street forms the boundary of the added area (the road or street itself being in the county of Lanark) the Corporation shall be entitled to lay down construct and maintain in such road or street any sewer gas water or electrical mains or pipes necessary for the added area and for the protection of the county council and the district committee the provisions of section 35 (For protection of burghs of Hamilton Motherwell and Wishaw) of the Lanarkshire (Middle Ward District) Water Order 1913 shall apply as if the construction of any sewer gas water or electrical mains or pipes by the Corporation or repair thereof in such road or street were works authorised by the said Order and as if for the expression "the district committee" wherever occurring in the said section there were substituted the expression "the Corporation" and for the expression "the Corporation" wherever occurring in the said section there were substituted the expression "the district committee."

(6) Nothing in this order shall affect any existing agreement or arrangement between the county council or the district committee and the Corporation with respect to the Corporation receiving and disposing of drainage from areas in the district of the Middle Ward of the county of Lanark so far as such areas are not included in the added area.

(7) The Corporation shall receive into their sewers presently existing or which may hereafter be constructed by them and deal with and dispose of the sewage from all subjects and premises in that part of the county of Lanark immediately adjacent to the burgh as far as the said subjects and premises by reason of the configuration of the ground naturally or conveniently drain towards the burgh or the said sewers and with that object the Corporation in executing or renewing hereafter any scheme or schemes of sewerage or sewage purification shall make provision in such scheme or



schemes for a reasonable development of the part of the county of Lanark aforesaid all on terms to be mutually agreed on or failing agreement to be determined by an arbiter to be mutually appointed or failing agreement to be appointed by the sheriff. A.D. 1927.  
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(8) Notwithstanding the provisions of this Order the district committee shall within the added area have the like powers of laying down maintaining using extending altering renewing relaying replacing enlarging and increasing the number and size of the main pipes in use or required for conveying water through the added area as they presently possess within the existing burgh but always subject to and in accordance with the provisions of subsections (5) and (6) of the said section 35 of the Lanarkshire (Middle Ward District) Water Order 1913.

28.--(1) The Corporation shall pay to the provost magistrates and councillors of the burgh of Coatbridge the sum of two thousand pounds sterling with interest thereon at the rate of five per centum per annum from the fifteenth day of May one thousand nine hundred and twenty-seven until the date of actual payment which sum shall be accepted by the said provost magistrates and councillors as full compensation for the cesser of all such powers as were previous to the commencement of this Order exercised or exerciseable by the said provost magistrates and councillors within the added area and are by the provisions of this Order to cease and determine from and after the commencement thereof. For protection of provost magistrates and councillors of burgh of Coatbridge.

(2) The said sum of two thousand pounds sterling and interest thereon shall be applied by the said provost magistrates and councillors with the sanction of one of His Majesty's principal Secretaries of State either in repayment of debt or for such other purposes as the said provost magistrates and councillors may determine.

29. Within three months of the passing of the Act confirming this Order the Corporation shall produce to the Commissioners of Inland Revenue a King's Printer's copy of the said Act duly impressed with the ad valorem stamp duty payable upon an instrument (as defined by the Stamp Act 1891) constituting an obligation to pay the sums of twelve thousand and seventy pounds and two thousand pounds referred to respectively in the Stamp duty.

A.D. 1927. — sections of this Order of which the marginal notes are  
“For protection of county council and district committee” and “For protection of provost magistrates and councillors of burgh of Coatbridge” and in default of such production the duty with interest at the rate of five per centum per annum from the date of the passing of the said Act shall be a debt due to His Majesty from the Corporation and recoverable as such.

For protection of  
Airdrie Coat-  
bridge and  
District Water  
Board.

30. Nothing in this Order shall affect the powers of the Airdrie Coatbridge and District Water Board.

### PART III.

#### GAS.

Power to  
borrow for  
gas under-  
taking.

31. In addition to any sums they were authorised to borrow under the Gas Orders the Corporation may from time to time after the date of the passing of the Act confirming this Order with the consent of the Secretary of State but not otherwise and subject to such conditions as to repayment or otherwise as he may prescribe borrow on mortgage or otherwise at interest for the purposes of the gas undertaking such sums not exceeding sixty thousand pounds in all as may be required and the Secretary of State shall have and may exercise in relation to such consent all the powers of section 93 of the Local Government (Scotland) Act 1889 and the Corporation may make and grant mortgages or other securities of the several rates rents and charges and other revenues to be levied and received by the Corporation under the provisions of the Gas Orders and this Part of this Order in security of the money so borrowed and interest thereon.

Application  
of sections  
of Order of  
1904.

32. The following sections of the Order of 1904 shall mutatis mutandis be and are hereby made applicable to all moneys borrowed or raised by the Corporation under the powers of this Part of this Order in the same manner as if such moneys had been borrowed or raised under the powers of the Order of 1904 (that is to say):—

Section 47 (Guarantee rate);

Section 48 (Assessment and levy of rate);

Section 51 (Power to borrow on a cash credit);

- Section 53 (Form of mortgage) and the Third Schedule therein mentioned; A.D. 1927. —
- Section 54 (Manner in which mortgages and orders on bank account to be signed and executed);
- Section 55 (Transfers of mortgages) and the Fourth Schedule therein mentioned;
- Section 56 (Transmission of mortgages in case of bankruptcy);
- Section 57 (Mortgages of rates to be personal estate);
- Section 58 (Discharge of mortgages) and the Fifth Schedule therein mentioned;
- Section 59 (Corporation not bound to regard trusts as regards mortgages);
- Section 61 (Mode of payment off of money borrowed);
- Section 62 (Sinking fund);
- Section 63 (Arrears may be enforced by appointment of judicial factor);
- Section 64 (Powers and duties of judicial factor).

33. The Corporation shall pay off all moneys borrowed by them with the consent of the Secretary of State under the powers of this Part of this Order within such periods as he may prescribe and such periods shall in the application of section 62 (Sinking fund) of the Order of 1904 to money so borrowed be deemed to be the prescribed period referred to in that section. Repayment of moneys borrowed.

34. If after having borrowed the sum of sixty thousand pounds by this Part of this Order authorised or any part thereof the Corporation shall pay off the same or any part thereof otherwise than by means of instalments or of the sinking fund authorised by the Order of 1904 or by means of the proceeds of any lands being part of the gas undertaking sold by them it shall be lawful for the Corporation again to borrow the amount so paid off upon the same securities as those upon which the moneys so paid off were secured and so from time to time. Corporation may re-borrow.

[Ch. li.] *Airdrie Burgh* [17 & 18 GEO. 5.]  
*Extension &c. Order Confirmation Act, 1927.*

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Priority of  
existing  
mortgages.

35. All mortgages assignments or other securities on the rates rents charges and other revenues leviabie and receivable by the Corporation granted by the Corporation in pursuance of the powers and provisions of the Order of 1904 before and subsisting at the date of the passing of the Act confirming this Order shall during the continuance of such mortgages assignments or securities have priority over any mortgages assignments or securities on the same rates rents charges and other revenues of the Corporation granted under the powers of this Order after the date of the passing of the Act confirming this Order Provided that all securities hereafter granted by the Corporation for money borrowed or raised for the gas undertaking shall rank together *pari passu* without preference or priority the one over the other All mortgages granted by the Corporation after the date of the passing of the Act confirming this Order shall contain an indorsation to that effect.

Protection  
of lender  
from  
inquiry.

36. A person lending money to the Corporation shall not be bound to inquire as to the observance by them of any provision of this Part of this Order or be bound to see to the application or be answerable for any loss misapplication or non-application of such money or any part thereof.

Application  
of money  
borrowed.

37. All moneys borrowed by the Corporation under this Part of this Order shall be applied only to purposes sanctioned by the Secretary of State to which capital is properly applicable.

Power to  
lay mains  
in private  
streets.

38. The Corporation may on the application of the owner or occupier of any premises within the gas limits abutting on any street laid out but not dedicated to public use supply those premises with gas and for that purpose the Gasworks Clauses Act 1847 shall apply as if section 7 of that Act were excepted from incorporation in this Order.

Power to  
lay pipes  
for ancillary  
purposes.

39. The Corporation may within the gas limits lay down and repair take up relay or renew mains pipes and culverts for the purpose of procuring conducting or disposing of any oil or other materials used by them in or resulting from the manufacture of gas or any residual products thereof or for any purpose connected with their

gas undertaking and the provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes and for the protection of pipes when laid so far as they are applicable for the purposes of this section shall extend and apply *mutatis mutandis* to and for the purposes thereof. A.D. 1927.

40.--(1) Every consumer of gas supplied by the Corporation who uses air at high pressure for or in connection with the consumption of such gas (in this section referred to as "high pressure air") shall if required to do so by the Corporation provide and fix in a suitable position and use an efficient valve or other appliance for preventing the admission of such air into the service pipe or any main through which such gas is supplied and shall at all times at his own expense keep in proper order and repair any such valve or other appliance as aforesaid which shall have been provided and fixed whether upon such requirement or otherwise. Provision of valve where high pressure air used.

(2) It shall not be lawful for any consumer at any time after the date of the passing of the Act confirming this Order to commence to use high pressure air unless and until he shall have given to the Corporation not less than fourteen days' previous notice in writing of his intention to do so.

(3) Every consumer who at the date of the receipt by him of any such demand note as is referred to in paragraph (a) of subsection (5) of this section is using high pressure air shall within one month after that date give to the Corporation notice in writing of such use and if within one month after the giving of such notice the Corporation require the consumer giving the same to provide and fix such a valve or other appliance as aforesaid it shall not be lawful for him after the expiration of fourteen days from the receipt of the requirement to continue to use high-pressure air unless before such expiration he shall have complied with the requirement.

(4) If any consumer shall fail to comply with any requirement of the Corporation or any obligation under this section the Corporation may cease to supply gas to him and shall not be under any obligation to resume such supply until the default shall have been remedied to their satisfaction.

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(5) The Corporation shall give notice of the effect of the foregoing provisions of this section—

(a) In the case of all persons who at the date of the passing of the Act confirming this Order are consumers of gas supplied by the Corporation on the demand notes for gas charges payable to the Corporation issued next after that date; and

(b) In the case of any person becoming after the date of the passing of the Act confirming this Order a consumer of gas supplied by the Corporation on the first of such demand notes delivered to such person after he shall have become a consumer.

(6) The Corporation shall have access at all reasonable times to all premises supplied by them with gas in or upon which high pressure air is used or the Corporation have reason to believe that high-pressure air is or may at the time be used in order to ascertain whether any such valve or appliance as aforesaid is efficient or is in proper order and repair or whether such a valve or appliance is provided and fixed where necessary.

(7) The Corporation shall be at liberty to take off remove test inspect and replace any such valve or other appliance as aforesaid such taking off removing testing inspecting and replacing to be done at the expense of the Corporation if the valve or other appliance be found in proper order but otherwise at the expense of the consumer.

Anti-  
fluctuators  
to be used  
with gas  
engines.

41.—(1) The Corporation may by notice in writing require a consumer of gas supplied by the Corporation and used for the working of an engine to fix and use an efficient anti-fluctuator in a suitable position upon the premises upon which the engine is in use or to keep any anti-fluctuator fixed and used by the consumer in proper order and repair at all times while in use or to repair renew or replace an anti-fluctuator which is not in proper order or repair.

(2) If the consumer after any such notice as aforesaid fails to fix and use an efficient anti-fluctuator or to keep an anti-fluctuator in proper order and repair or to repair renew or replace an anti-fluctuator which is not in proper order and repair the Corporation may cease to supply him with gas.

(3) The Corporation may at all reasonable times demand and shall thereupon have access to any anti-fluctuator fixed upon any premises to which gas is supplied by the Corporation and for the purpose of ascertaining whether the anti-fluctuator is efficient and in proper order and repair may take off remove test and inspect the anti-fluctuator such taking off removing testing and inspecting to be done at the expense of the Corporation if the anti-fluctuator be found efficient and in proper order but otherwise at the expense of the consumer.

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(4) For the purpose of this section an "anti-fluctuator" means an apparatus for the purpose of controlling and regulating the supply of gas to any engine and preventing any inconvenience or danger from the intermittent consumption of gas by the engine.

42. Unless at the date of the demand for any such new or increased supply of gas as is hereinafter referred to the capacity of the distribution works of the Corporation is in the opinion of the arbiter appointed as hereinafter provided insufficient to meet (with a reasonable margin) the requirements (as existing immediately before that date) of the consumers in the portion of the gas limits for which such works have been provided (so far as such requirements could reasonably have been foreseen) the Corporation notwithstanding anything contained in any other enactment shall not be obliged to give for any purpose other than lighting or domestic use—

Relief from  
obligation  
to supply.

- (a) a new supply of gas for the premises of any person demanding such supply at any time after the date of the passing of the Act confirming this Order; or
- (b) an increased supply of gas (other than an increased supply necessitated by any reduction of the declared calorific value of the gas);

where the giving of such new or increased supply would render necessary the laying of a new main or the making (as an alternative to the laying of a new main) of any enlargement or alteration of or addition to the distribution works of the Corporation Provided that the foregoing provisions of this section shall not apply in any case in which the person demanding the new or increased supply (in this section referred to as "the

A.D. 1927. applicant") shall enter into a written contract with  
the Corporation—

- (i) to receive and pay for a supply of gas of such minimum quantity and for such minimum period as the Corporation may reasonably require; or
- (ii) to make such payment or payments to the Corporation (in addition to any payments to be made from time to time for gas supplied to the applicant) as the Corporation may reasonably require;

(according as the Corporation may in their discretion determine) in consideration of or by way of contribution towards the expenses to be incurred by the Corporation in laying such new main or making such enlargement alteration or addition as aforesaid and shall give such security (if any) for the payment of all moneys which may become due under the contract as the Corporation may reasonably demand Provided also that if any question shall arise under the provisions of this section between the Corporation and the applicant as to the sufficiency of the distribution works of the Corporation or as to whether such new or increased supply would necessitate the laying of a new main or the making of any such enlargement alteration or addition as aforesaid or as to the reasonableness of the minimum quantity or period or of the payments (in addition to payments for gas supplied) required by the Corporation or as to the nature or amount of the security demanded by the Corporation such question shall be referred to and determined by an arbiter to be appointed (failing agreement between the Corporation and the applicant) by the Board of Trade on the application of either party after notice in writing to the other of them and the decision of such arbiter shall be final and binding Provided also that in determining any such question as aforesaid the arbiter shall have regard to the following among other considerations (that is to say):—

- (1) the total annual quantity of gas required by the applicant the maximum quantity required per hour and the hours of the day during which the Corporation may be called upon to supply gas to the applicant;



- (2) the capital expenditure which the Corporation would have to incur in the laying of a new main or the making of any enlargement or alteration of or addition to their distribution works as aforesaid in connection with the giving of such new or increased supply; and
- (3) how far such capital expenditure may become unproductive to the Corporation in the event of the cesser of the new or increased supply.
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43. In order to enable the Corporation to ensure a satisfactory supply of gas to their consumers the following provisions shall have effect :—

As to  
construction  
and placing  
of pipes &c.

- (1) The Corporation may if they think fit make a specification or specifications with regard to the minimum size and the material of the pipes with the fittings thereof which are to be laid by the owner or occupier of any premises on those premises either in the first instance or on the occasion of any renewal and different specifications may be made for different classes of premises or for particular premises having regard to the probable maximum consumption of gas thereon at any one time but a specification shall have no force or effect until it has been approved by the Board of Trade who before giving such approval shall refer the matter to an independent gas engineer and may if they think fit direct such engineer to hold a public inquiry into any proposed specification and to have regard to any representations made to the Board by any persons who appear to the Board to be affected by the specification and who attend such inquiry :
- (2) (a) The Corporation shall publish once in the *Edinburgh Gazette* and once in each of two newspapers circulating within the gas limits a notice of any application made by them to the Board of Trade for approval of any specification together with a copy of the proposed specification and an intimation in a form to be approved by the Board of Trade that any person affected by such proposed specification may make representations in writing to the

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Board of Trade within a period to be specified in the notice;

(b) As soon as practicable after the Board of Trade have approved any specification the Corporation shall comply with any directions given to them by the Board of Trade as to the publication or service of copies of the specification as approved or of notice of the giving of such approval;

(c) A copy of every specification approved by the Board of Trade under this section shall be kept for public inspection at the offices of the Corporation and copies of every such specification shall be purchasable by any person at the said offices at the price of sixpence for each copy:

- (3) When any such pipe or fittings as aforesaid is or are about to be laid or placed notice thereof shall be given to the Corporation accompanied by a description of the size and materials of the proposed pipe or fittings and of the purposes for which the gas to be supplied through the same is intended to be used:
- (4) The Corporation shall as soon as practicable after receiving such notice (after making such inspection if any of the said pipe or fittings and of the premises in which the same is or are proposed to be laid or placed as they may deem necessary) intimate in writing to the person giving the notice their approval or disapproval of the pipe or fittings as complying or not complying with the appropriate specification:
- (5) No such pipe or fittings as aforesaid shall be laid or placed unless or until the same shall have been approved as aforesaid and when any such pipe or fittings has or have been laid or placed notice thereof shall be given to the Corporation and the pipe or fittings shall not be covered over until after the expiration of twenty-four hours from the service of such notice on the Corporation or until

the pipe or fittings as laid or placed has or have been inspected and approved by the Corporation whichever shall first happen : A.D. 1927.

- (6) Any officer of the Corporation duly appointed may between nine o'clock in the morning and five o'clock in the afternoon attend for the purpose of any such inspection as aforesaid and if the officer is not permitted to make the inspection or if the pipes or fittings are not according to the appropriate specification of the Corporation the Corporation may refuse to supply gas to the premises until the provisions of this section have been complied with :
- (7) Every meter to be used in a new building or a building not previously supplied with gas or in connection with a new or substituted pipe laid between the main and the meter shall be placed as near as practicable to the Corporation's main but within the outside wall of the building and when any such meter has been placed the person placing the same shall give to the Corporation the like notice and the Corporation shall have the like right of inspection as are respectively referred to in subsections (5) and (6) of this section and if the meter is not placed as required by this section the Corporation may refuse to supply gas to the premises until the provisions of this section have been complied with :
- (8) The provisions of this section relating to pipes and the fittings thereof shall not apply to any pipes or fittings belonging to a railway company and laid or placed or intended to be laid or placed in any premises (not being a dwelling-house or premises appurtenant to a dwelling-house) of that company—
- (a) elsewhere than between the main of the Corporation and the meter; or
  - (b) between such main and the meter unless and except so far as such pipes or fittings are covered over or intended to be covered over :

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(9) In and for the purposes of this section the expression "fittings" includes only the joints angles and connections used in placing or laying pipes.

Removal  
of fittings

44. The power to enter premises and remove pipes meters and fittings or apparatus conferred upon the Corporation by section 22 of the Gasworks Clauses Act 1871 shall extend to all cases in which any person entering into occupation of any premises previously supplied with gas by the Corporation shall not require to take a supply of gas from the Corporation or to hire all or any of the pipes meters fittings or apparatus belonging to the Corporation.

As to mode  
of cutting  
off supplies.

45.—(1) In any case in which the Corporation are by virtue of any enactment relating to the gas undertaking authorised to cut off and discontinue the supply of gas to any premises in consequence of any default on the part of the occupier of the premises it shall be lawful for the Corporation without prejudice to any other remedy which may be lawfully available to them to disconnect at the meter the service pipe (whether belonging to the consumer or to the Corporation) and any person who shall re-connect such service pipe with the meter without the consent of the Corporation shall be deemed to commit an offence within the meaning of section 18 of the Gasworks Clauses Act 1847 :

Provided that if and so soon as the matter complained of shall have been remedied nothing in this section shall prejudice or interfere with any rights vested in any person by virtue of section 11 of the Gasworks Clauses Act 1871.

(2) For the purposes of this section the Corporation (subject to the conditions specified in section 22 of the Gasworks Clauses Act 1871) shall have and may exercise the like powers of entry as are exerciseable under the said section for the purposes of that section.

Expenses  
of re-con-  
necting  
discon-  
tinued  
supply.

46. In any case in which in consequence of any default on the part of the occupier of any premises the Corporation have cut off the supply of gas to such premises and the occupier so in default shall desire to resume such supply he shall pay to the Corporation the expenses of re-connecting the supply and the Corporation shall not

be under any obligation to supply gas to such occupier until he shall have paid such expenses. A.D. 1927.

47.—(1) If the Corporation shall at any time serve notice upon any consumer to the effect that an officer or servant of the Corporation has reported after inspection of any internal piping or gas consuming appliance or fitting on such consumer's premises that he is of opinion that any such internal piping or gas consuming appliance or fitting is in such a condition as to be dangerous to the occupiers of the premises such consumer shall forthwith carry out such works as may be necessary to remove the cause of danger. If the consumer shall fail to carry out forthwith such works as aforesaid the Corporation may stop the gas from entering the premises of such consumer by cutting off the service pipe or by such other means as the Corporation shall think fit. Any expenses lawfully incurred by the Corporation in cutting off the gas from such premises may be recovered by the Corporation summarily.

Power to compel repairs in case of danger.

(2) For the purposes of this section the Corporation shall subject to the provisions of section 21 of the Gasworks Clauses Act 1871 have and may exercise the like powers of entry as are exerciseable under that section.

(3) Nothing in this section shall apply to any internal piping gas consuming appliance or fitting on the premises (other than a dwelling-house) of any railway company nor shall the powers of this section be exerciseable in respect of such premises.

48. The following provisions for the protection of the London Midland and Scottish Railway Company and the London and North Eastern Railway Company (hereinafter in this section called for their respective interests "the company") shall unless otherwise agreed between the company and the Corporation apply and have effect (that is to say) :—

For protection of London Midland and Scottish and London and North Eastern Railway Companies.

(1) Before commencing any works or operations for the purpose of laying down executing maintaining repairing or renewing the proposed or existing mains pipes or fittings or other works affecting any lines of railway or other works or land or property belonging to or occupied by the company or any bridge or

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approaches thereto or the roadway on or under such bridge or other work belonging to or maintainable or repairable by the company or within sixty feet of any such lines of railway the Corporation shall (except in cases of emergency as hereinafter provided) submit to the company plans sections working drawings and specifications thereof showing the manner in which such works or operations are to be carried out as well as the design material and mode of execution thereof for approval of the company which approval shall not be unreasonably withheld and shall be deemed to have been given unless the company signify their disapproval within fourteen days after submission of the said plans sections working drawings and specifications All the said works and operations shall except as aforesaid be constructed carried on and completed in conformity only with the plans sections working drawings and specifications so approved at the sole risk and cost of the Corporation and at the sight and to the reasonable satisfaction of the company and all such works shall be maintained repaired or renewed by the Corporation in all time coming at their sole cost at the sight and to the satisfaction of the company :

- (2) The Corporation shall not (except in cases of emergency as hereinafter provided) without the previous consent in writing of the company which consent shall not be unreasonably withheld enter upon or interfere with any railway or other works or land or other property belonging to or occupied by the company or any bridge or approaches thereto or other subject belonging to or maintainable or repairable by the company further or otherwise than may be necessary for constructing and maintaining any works or carrying out any operations of the Corporation to be executed carried out or laid in upon over or under any such railway bridge work or land or other property and they shall not alter or interfere with the works of any such railway :

- (3) The Corporation shall give fourteen days' previous notice in writing to the company of their intention to commence any of the works by this Order authorised which will affect the property or works of the company except in cases of emergency arising from defects in any of the mains pipes or other works of the Corporation and then so soon as is possible after the beginning of the work or after the necessity for the same shall have arisen and such works shall be completed with all reasonable despatch : A.D. 1927.
- (4) The Corporation shall pay to and reimburse the company in all reasonable costs charges and expenses which they may incur in connection with the approval of any plans sections working drawings and specifications which may be submitted to them for approval as aforesaid or in connection with the construction of the works authorised by this Order or the subsequent maintenance use alteration replacing or repair thereof including (without prejudice to the said generality) any expenses which the company may reasonably incur in connection with the employment of inspectors signalmen watchmen and others and for the superintendence and all reasonable extra precautions for the safety and working of their traffic or protection of their property during execution or in connection with the maintenance use alteration replacing or repair of the said works :
- (5) All the works and operations of the Corporation under this Order including the maintenance and any alteration replacing or repair thereof shall in so far as the same affect the railway or other works or lands or bridges or other property of the company be constructed executed and completed by the Corporation at their sole risk and cost and so as not to injure alter or interfere with or endanger the structure or stability of any of the said railway or other works or lands or bridges or other property of the company in or about which the said mains or pipes are to be laid or the roadway on or under any bridge belonging to or maintainable by the company

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or in or about the approaches thereto or the electric telephonic or signalling apparatus belonging to or maintainable by the company and the Corporation shall if necessary underpin or otherwise strengthen or support such bridges or other works and should any danger injury interruption impediment or interference to or with the passage or conduct of traffic on any such railway be caused by or be in any way owing to the works or operations of the Corporation or the failure of or defect in the said mains pipes or fittings or any works of the Corporation or be reasonably apprehended in connection therewith the Corporation shall free of all expense to the company execute and do all such works as may be necessary to restore remove or prevent such injury danger interruption or impediment as the case may be or the company in their option and for any of these purposes may enter upon the works or property of the Corporation and execute and do all such works and things as may be necessary to restore remove or prevent such injury danger interruption or impediment and the Corporation shall on demand repay to the company all reasonable costs and expenses incurred by them in connection therewith Provided further that the Corporation shall pay all costs and expenses and shall make reasonable compensation to the company for all loss or damage including loss of traffic caused by such works and operations interruption impediment or interference to or with the railways or other works lands bridges or other property owned maintained or repairable or used or occupied by the company And the Corporation shall also free and relieve and indemnify the company from all damages and compensation which may be recovered from them at the instance of their employees passengers owners of merchandise traders or owners of property adjoining the said works or any other person or persons by reason of such interruption impediment or interference or by reason of any accident so far as such interruption impediment interference or accident shall have been



occasioned by or through the acts or default of the Corporation or those for whom they are responsible :

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- (6) Should it be necessary in constructing maintaining renewing altering or repairing any of the said works to alter or remove any telegraph posts wires or other telegraphic or telephonic apparatus belonging to or maintained by the company the Corporation shall pay to and reimburse the company in all expense incurred by them in connection with such alteration or removal and the erection of other posts wires or apparatus in substitution for those so altered or removed :
- (7) Nothing in this Order contained or which may be done in pursuance thereof shall prevent the company if they have power to do so from maintaining repairing renewing deviating widening enlarging altering or reconstructing their railways bridges or approaches or other works in connection therewith without incurring any liability to the Corporation or to any person using the works authorised by this Order for any loss injury damage or expenses which may arise from such maintenance repair deviation alteration or reconstruction Provided that in the event of the company so deviating widening altering or reconstructing their railways bridges or approaches or other works they shall conduct their operations in such manner as to cause as little damage and interference as practicable to and with the said works of the Corporation hereby authorised the company except in cases of emergency giving fourteen days' previous notice in writing to the Corporation before commencing any such operations as may affect any of the works of the Corporation by this Order authorised Provided that any extra expense which the company may incur in such reconstruction maintenance repair renewal deviation widening enlarging alteration or reconstruction by reason of the existence of any of the said works by this Order authorised shall be paid by the Corporation :

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(8) If the company give to the Corporation notice that they themselves desire to construct so much of any of the said works as will be situate on the lands and property of the company or any work of maintenance renewal alteration replacing or repair thereof the company may themselves at the sight and to the satisfaction of the Corporation execute such works and recover the reasonable cost thereof from the Corporation :

(9) Any question or difference between the Corporation and the company arising under this section shall be referred to and determined by an arbiter to be agreed upon between the Corporation and the company or failing agreement to be nominated by the sheriff of the county of Lanark on the application of the Corporation or the company.

Tenants'  
liability  
for sub-  
tenants'  
gas supply.

49. The Corporation may in the case of sub-lets and in addition to their recourse against the actual consumer charge and recover from the tenant of any house or other premises who sub-lets such house or premises for a period not exceeding two months the amount of rates and charges for gas used and consumed thereon and any other sums due to the Corporation in connection with the supply of gas to such sub-tenant during such sub-tenancy unless the tenant shall not less than twenty-four hours before the commencement of the sub-tenancy have given notice in writing to the Corporation of the date of the commencement of the sub-tenancy and the duration thereof.

Period of  
error in  
defective  
meter.

50. In the event of any meter used by a consumer of gas being tested in manner provided by the regulations made by the Board of Trade under the Gas Regulation Act 1920 and being proved to register erroneously within the meaning of the said regulations such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter. The amount of the allowance to be made to or of the surcharge to be made upon the consumer by the Corporation shall be paid by or to the Corporation to or by the consumer as the case

may be and shall be recoverable in the like manner as gas charges are recoverable by the Corporation. A.D. 1927.

51. The Corporation may in connection with and for the purposes of the gas undertaking fit up showrooms and offices and exhibit specimen installations and give demonstrations of the uses to which gas may be put and may appoint and pay persons for the purposes aforesaid. As to offices and showrooms.

52. Subject to the consent of the Secretary of State the Corporation may pay out of the revenue of the gas undertaking reasonable subscriptions whether annually or otherwise to the funds of any association formed or to be formed for the discussion of questions relating to the gas industry and for consultation on matters affecting the common interests of gas undertakers and any reasonable expenses of the attendance of any members or officers of the Corporation at conferences or meetings of any such association and the cost of purchasing reports and contributing towards the expenses of the proceedings of any such conferences or meetings. Subscriptions to associations and other expenses.

53. The Corporation and any other local authority and any company or body supplying gas may with the approval of the Board of Trade enter into and carry into effect agreements for the interchange of facilities or for mutual assistance of the one by the other with regard to the giving or taking of a supply of gas and the distribution and supply of gas and the management and working of the gas works of the parties to any such agreement and any matters or things incidental to or connected with any of the matters aforesaid: Power to enter into agreements with other gas undertakers for mutual assistance.

Provided that the parties entering into any such agreement shall remain and be subject to all and the same obligations and liabilities to all persons not being parties to such agreement as they would have been if no such agreement had been entered into.

54. The sections of the Airdrie Corporation Gas Orders 1904 and 1913 set out in the Second Schedule to this Order shall by virtue of this Order be repealed as from the date of the passing of the Act confirming this Order. Repeal of provisions of Gas Orders.

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PART IV.

MISCELLANEOUS.

Not to  
affect  
election of  
members  
to serve in  
Parliament.

55. Nothing in this Order contained shall interfere with the election of members to serve in Parliament for the county of Lanark and that county shall for Parliamentary purposes remain the same as if the Act confirming this Order had not been passed.

Actions  
&c. not  
to abate.

56.—(1) No action arbitration prosecution or proceeding commenced pending or existing by or against the county council the district committee or any other authority in relation to any powers duties liabilities or property by this Order transferred to the Corporation shall in anywise abate or be discontinued or prejudicially affected by reason of the passing of the Act confirming this Order but may be continued prosecuted and enforced by or in favour of or against the Corporation as successors to the said council committee or other authority as fully and effectually as if the Act confirming this Order had not been passed.

(2) All deeds contracts bonds agreements and other instruments entered into or made and subsisting at the commencement of this Order and affecting any such powers duties liabilities or property shall be of as full force and effect in favour of or against the Corporation and may be enforced as fully and effectually as if instead of the said council committee or other authority the Corporation had been a party thereto.

Repeal of  
laws incon-  
sistent with  
Order.

57. All laws statutes powers and usages in force at the commencement of this Order in relation to the added area 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.

Costs of  
Order.

58.—(1) The costs of and incident to the preparing for obtaining and confirming of this Order or otherwise in relation thereto shall be paid by the Corporation out of (a) the assessment for the maintenance and repair of highways leviable by the Corporation under the Roads and Bridges (Scotland) Act 1878 or any Act amending that Act or the public health general assessment leviable by the Corporation under the Public Health (Scotland) Act, 1897 or any Act amending that Act or the rents revenues and charges leviable by the Corporation under the Gas Orders in respect of the gas undertaking or out

of any one or more of them in such proportions as the Corporation may determine or (b) moneys borrowed as hereinafter in this section provided. A.D. 1927.

(2) The Corporation may borrow such sum of money as may be required for the payment of the said costs or any part thereof on the security of the two assessments aforesaid and of the rents revenues and charges aforesaid and the Corporation may assign the said assessments and the rents revenues and charges aforesaid or any one or more of them as the Corporation may determine in security for the money so borrowed. Provided that any money so borrowed shall be repaid within five years from the date of the passing of the Act confirming this Order.

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The SCHEDULES referred to in the foregoing Order.

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### THE FIRST SCHEDULE.

(Referred to in the sections of this Order of which the marginal notes are "Boundaries of burgh" "Map of burgh" and "Added area to form part of existing wards.")

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#### PART I.

#### CAIRNHILL HOUSING AND SEWAGE PURIFICATION WORKS AREAS.

Commencing at the point where the boundary of the existing burgh crosses the west fence of the London Midland and Scottish Railway (Airdrie Branch) one hundred and twenty-four yards or thereabouts south of the bridge carrying that railway over Hogg Street extending thence in a southerly and south-westerly direction along the west and north-west sides of the said railway to the point where the fence of the said railway meets the east side of Cairnhill Road thence in a southerly direction along the east side of Cairnhill Road to the boundary between the parishes of Old Monkland and New Monkland thence in a westerly direction along the said boundary between the parishes of Old Monkland and New Monkland to the south-west corner of enclosure No. 3256A on the Ordnance Survey Map of Lanarkshire scale 25·344 inches to one mile (1912 edition) thence in a westerly direction along the southern boundary of enclosure No. 902 on the said map and in a straight line in continuation thereof to the centre of the Monkland Canal thence in a north-westerly northerly and north-westerly direction along the centre line of the said canal

[Ch. li.] *Airdrie Burgh* [17 & 18 GEO. 5.]  
*Extension &c. Order Confirmation Act, 1927.*

A.D. 1927. — to the boundary of the burgh of Coatbridge thence in a westerly north-westerly and northerly direction along the boundary of the burgh of Coatbridge until that boundary meets the boundary of the existing burgh thence in an easterly direction along the boundary of the existing burgh to the point of commencement.

PART II.

NEW BURGH HOSPITAL AREA.

Commencing at the eastmost point of the boundary of the existing burgh extending thence in a southerly direction in a straight line to the centre of the North Calder Water at a point thereon three hundred and forty yards or thereabouts measured in a south-westerly direction along the North Calder Water from the viaduct carrying the London and North Eastern Railway (Springbank Branch) over the North Calder Water thence in a southerly and easterly direction along the centre line of the North Calder Water to a point opposite the point where the boundary fence between enclosures Nos. 2989 and 2996 on the Ordnance survey map of Lanarkshire scale 25·344 inches to one mile (1912 edition) meets the North Calder Water thence in a southerly direction to and along the said boundary between these enclosures for a distance of sixty-five feet or thereabouts thence in a westerly northerly and westerly direction along the northern boundary of enclosure No. 2997 on the said map and in a straight line in continuation thereof across Towers Road to a point one hundred and fifty feet or thereabouts westward of the west side of that road thence in a northerly and north-westerly direction on a line parallel to and distant one hundred and fifty feet or thereabouts from the west side of that road to the boundary of the existing burgh thence in a north-easterly direction along the boundary of the existing burgh to the point of commencement.

PART III.

COLLIERTREE AREA.

Commencing at the point in the centre of Airdriehill Street where the boundary of the existing burgh crosses that street extending thence in a straight line in a south-easterly direction to a point in enclosure No. 2880 on the Ordnance survey map of Lanarkshire scale 25·344 inches to one mile (1912 edition) one hundred feet or thereabouts east of the western boundary of that enclosure measured at right angles therefrom and one hundred and forty-five feet or thereabouts from the south-west corner of that enclosure thence in a southerly direction on a line drawn parallel to and one hundred and twenty feet or thereabouts east of Colliertree Road till it meets the boundary of the existing burgh thence along the boundary of the existing burgh in a westerly southerly south-westerly westerly and northerly direction to the point of commencement.

PART IV.

AIRDRIE HOUSE AREA.

Commencing at the point on the boundary of the existing burgh east of Coatdyke Station where the boundary between the parishes of New Monkland and Old Monkland leaves the boundary of the existing burgh extending thence in a westerly northerly and north-westerly direction along the said boundary of the said parishes to its point of intersection with the boundaries between enclosures Nos. 2687 2688 and 868 on the Ordnance survey map of Lanarkshire scale 25·344 inches to one mile (1912 edition) thence in a north-easterly direction along the western boundary of the said enclosure No. 2688 and enclosure No. 2688A on the said map and along the northern boundaries of the said enclosure No. 2688A and enclosure No. 2689 on the said map thence along the north-western and northern boundaries of enclosure No. 2668A on the said map to the boundary of the existing burgh thence in a southerly and westerly direction along the boundary of the existing burgh to the point of commencement.

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THE SECOND SCHEDULE.

(Referred to in the section of this Order of which the marginal note is "Repeal of provisions of Gas Orders.")

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AIRDRIE CORPORATION GAS ORDER 1904.

- Section 26 (Power to lay pipes in streets not dedicated to public use.)  
Section 27 (Anti-fluctuators for gas engines.)  
Section 37 (Period of error in defective meters.)  
Section 39 (As to specification of internal fittings and construction and placing of pipes &c. between mains and consumer's premises.)

AIRDRIE CORPORATION GAS ORDER 1913.

- Section 6 (Power to lay pipes in streets not dedicated to public use.)

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