



CHAPTER lxxvi.

An Act to extend the boundaries of the burgh of Greenock to make further provision in relation to streets sewers and other matters, to confer further powers upon the Corporation with regard to their water gas and electricity undertakings and for other purposes. [29th July 1927.] A.D. 1927.

WHEREAS the corporation of Greenock (hereinafter referred to as "the Corporation") are vested with the municipal government of the burgh of Greenock in the county of Renfrew (hereinafter referred to as "the existing burgh") and are the local authority therein for police public health road sanitary and other purposes and are also the local authority for the Port of Greenock :

And whereas by the Greenock Corporation Act 1909 the local Acts and Orders relating to the burgh as then existing were consolidated and by the Greenock Corporation Acts 1909 to 1926 further powers were conferred upon the Corporation :

And whereas the lands available for the erection of dwelling-houses within the existing burgh are limited and it is necessary to provide for the erection of houses on lands outwith the boundaries thereof for the accommodation of persons employed therein and additional lands will be required for such purposes :

And whereas it is expedient that the boundaries of the existing burgh should be extended to include the area in the county of Renfrew by this Act annexed to the

A.D. 1927. burgh (which area is hereinafter referred to as "the added area") and that all franchises rights privileges and immunities and all public and general and local and personal Acts and Orders relating to and in force in the existing burgh should as by this Act amended be applied to the added area :

And whereas it is expedient that the added area should be added to an existing ward of the burgh as in this Act provided :

And whereas it is expedient that the powers of the Corporation as the local authority for the purposes of the Burial Grounds (Scotland) Act 1855 as amended by section 69 of the Nuisances Removal (Scotland) Act 1856 and any Act amending or extending those Acts should be extended to the burgh as in this Act provided :

And whereas it is expedient that certain of the provisions of the Greenock Corporation Act 1909 in relation to streets and sewers should be repealed or amended as in this Act provided :

And whereas it is expedient that further provisions with regard to the water gas and electricity undertakings of the Corporation should be made as in this Act contained :

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

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

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the 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:—

PART I.

PRELIMINARY.

Short title. 1. This Act may be cited as the Greenock Burgh Extension &c. Act 1927.

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2. The Acts of 1909 to 1926 and this Act may be cited together as the Greenock Corporation Acts 1909 to 1927. A.D. 1927.
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Citation of Acts.

3. This Act shall (except as otherwise provided in this Act) commence and have effect on the first Tuesday of November one thousand nine hundred and twenty-seven (which date is hereinafter in this Act referred to as "the commencement of this Act"). Commence-
ment of
Act.

4. This Act is divided into Parts as follows :— Division of
Act into
Parts.

Part I.—Preliminary.
 Part II.—Extension of burgh.
 Part III.—Streets and sewers.
 Part IV.—Water.
 Part V.—Gas.
 Part VI.—Electricity.
 Part VII.—Assessments and finance.
 Part VIII.—Miscellaneous.

5. In this Act unless there be something in the subject or context repugnant to such construction the following words and expressions shall have the meanings hereinafter respectively assigned to them (that is to say) :— Interpreta-
tion.

“ Act of 1909 ” means the Greenock Corporation Act 1909 ;

“ Acts of 1909 to 1926 ” means the Greenock Corporation Acts 1909 to 1926 and the Greenock Gas (Charges) Order 1922 ;

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

“ Annexation ” means the date referred to in the section of this Act of which the marginal note is “ Commencement of Act ” ;

“ Assessor ” means the assessor and the registration officer of the existing burgh or of the burgh as the case may be acting under the Valuation Acts and the Election Acts ;

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- “Burgh” means with respect to and for the purposes of the police jurisdiction and police powers conferred by the Acts of 1909 to 1926 and this Act the burgh of Greenock within the police boundaries referred to in the section of this Act of which the marginal note is “Boundaries of burgh” and with respect to and for the other purposes powers and jurisdictions of and conferred by the Acts of 1909 to 1926 and this Act means the said burgh within the municipal boundaries referred to in the said section;
- “Burial Grounds Acts” means the Burial Grounds (Scotland) Act 1855 as amended by section 69 of the Nuisances Removal (Scotland) Act 1856 and any Act amending or extending those Acts;
- “Common good” means the common good of the burgh;
- “Corporation” means the corporation of Greenock;
- “Costs” includes charges and expenses;
- “County” means the county of Renfrew;
- “County council” means the county council of the county;
- “District committee” means the district committee of the second or lower district of the county;
- “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 as defined by the Act of 1909;
- “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 passing of this Act would be liable or subject whether accrued due at the annexation or subsequently accruing;

- “ Local Government Acts ” means the Local Govern- A.D. 1927.
ment (Scotland) Acts 1889 to 1908 and any Act
amending or extending the same; —
- “ Magistrates ” means the magistrates of the burgh
and includes the provost and bailies;
- “ Order of 1926 ” means the Greenock Corporation
Order 1926;
- “ Police Acts ” means the Burgh Police (Scotland)
Acts 1892 to 1911 and any Act amending or
extending the same;
- “ Powers ” includes rights authorities jurisdictions
(civil and criminal) capacities privileges and
immunities;
- “ Property ” includes all property heritable and
moveable and all estates interests servitudes
and rights in to and out of property heritable
and moveable including things forming the
subject of suit claim or process and registers
books and documents and when used in relation
to any county clerk county council or district
committee includes any property which at the
annexation belongs to or is vested in or held in
trust for or would but for the passing of this
Act have on or after that date belonged to or
been vested in or held in trust for such county
clerk county council or district committee;
- “ Provost ” means the provost of the burgh;
- “ Public Health Acts ” means the Public Health
(Scotland) Acts 1897 to 1907 and any Act
amending or extending the same;
- “ Sheriff ” means the sheriff of Renfrew and Bute
and includes the salaried sheriff substitutes or
any one of them within the county;
- “ Sheriff clerk ” means the sheriff clerk of the county
and includes his depute at Greenock;
- “ Town clerk ” means the town clerk of the existing
burgh or of the burgh as the case may be;
- “ Town Councils Acts ” means the Town Councils
(Scotland) Acts 1900 to 1923 and any Act
amending or extending the same;

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

“Valuation roll” means the valuation roll made up in pursuance of the Valuation Acts.

And other words and expressions construed in the Act of 1909 shall if and when used in this Act and when not inconsistent with any of the provisions of this Act respectively have the same meanings assigned to them as in the Act of 1909.

Expressions in Police Acts deemed to be adopted by this Act.

6.—(1) In the sections of the Police Acts which are by this Act brought into force within the burgh the following expressions shall unless there be something in the subject or context repugnant to such construction have the meanings hereinafter respectively assigned to them (that is to say):—

“This Act” means the Acts of 1909 to 1926 and this Act;

“Before this Act came into operation” means before the commencement of this Act;

“Burgh” means the burgh as defined by this Act;

“Burgh general assessment” means the burgh general assessment leviable within the burgh;

“Drain” includes all soil pipes and all other pipes traps and apparatus used for or in connection with the removal of sewage or waste water;

“Any rate applicable to the maintenance of highways or streets” in section 104 (2) (t) of the Burgh Police (Scotland) Act 1903 includes the burgh general assessment or the assessment leviable within the burgh under the Roads and Bridges (Scotland) Act 1878;

“Sewer rates” means the sewer assessment which the Corporation are by this Act authorised to raise and levy;

“Street” “public street” and “private street” have the respective meanings assigned to them in the Police Acts;

“Treasurer” means the chamberlain of the burgh for the time being.

And other words and expressions used in the sections of the Police Acts which are by this Act brought into force within the burgh and which are defined in section 5 of the Act of 1909 shall have the respective meanings assigned to them by that section. A.D. 1927.

(2) Section 22 of the Burgh Police (Scotland) Act 1903 shall in its application to the burgh be read and have effect as if the burgh general assessment had been referred to therein instead of the general improvement rate.

(3) Section 104 (2) (c) of the Burgh Police (Scotland) Act 1903 shall in its application to the burgh be read and have effect as if the Acts of 1909 to 1926 and this Act had been referred to therein instead of the Roads and Streets in Police Burghs (Scotland) Act 1891 and the Police Acts.

PART II.

EXTENSION OF BURGH.

7.—(1) (a) The municipal and police boundaries of the existing burgh shall be and are hereby extended to and shall include and comprehend the existing burgh and the added area which added area is described in Part I of the First Schedule to this Act. Boundaries of burgh.

(b) The municipal boundaries of the burgh are hereby declared to be the boundaries described in Part II of the First Schedule to this Act.

(c) The police boundaries of the burgh are hereby declared to be the boundaries described in Part III of the First Schedule to this Act.

(2) 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 boundaries before referred to.

8. A map of the burgh (distinguishing the added area) of which twelve copies have been signed by Sir Joseph Nall the Chairman of the Select Committee of the House of Commons to whom the Bill for this Act was referred shall within one month after the passing of this Act be deposited as follows (that is to say) one copy with the town clerk at his office one copy with the sheriff clerk at his office in Greenock one copy in the office of the Map of burgh.

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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 Registrar General of Births Deaths and Marriages in Scotland 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 Ministry of Transport and one copy with the Electricity Commissioners If there be any discrepancy between the said map and the descriptions in the First Schedule to this Act the said map shall be deemed to be correct and shall prevail.

Added area
disjoined
from county.

9. The added area shall be and is hereby for the purposes of this Act disjoined from the county.

Abolition
of special
districts.

10.—(1) Any special water lighting drainage or scavenging districts of the county council or the district committee so far as such districts are included in the added area shall be and are hereby abolished and to that extent all resolutions of the county council or the district committee and all orders and decrees of the sheriff or of any other authority constituting or relating to the said special districts shall be of no force or effect and the county council and the district committee shall be relieved from all obligations in respect of the said special districts so far as such districts are included in the added area.

(2) The Corporation shall not in respect of such special districts be under any obligations nor except by agreement with the local authorities of such districts exercise any powers in such districts so far as these are beyond the burgh.

Addition to
existing
ward.

11. The added area shall without prejudice to any future re-adjustment of wards be added to and form part of the eighth ward of the burgh.

Application
of Acts to
municipal
elections.

12. The provisions of the Town Councils Acts relating to the election of town councillors in burghs divided into wards or districts shall subject to the provisions of this Act apply to the elections in and to the wards of the burgh established by the Act of 1909 and this Act and to the election qualification continuance in office declinature resignation and retirement of town councillors and to supplying vacancies in the Corporation by death disability resignation or otherwise.

13. In the event of circumstances arising in connection with any election in the burgh which may render it necessary or expedient to fix postpone alter or vary any date (other than the date of annexation) or any procedure prescribed by or in pursuance of the provisions of the Election Acts or this Act or to make up any register or list of electors or any other matter relating to such election register or list the sheriff may on a summary application by the town clerk forthwith fix any such date or sanction any such postponement alteration or variation or dispense with any procedure in the making up of such register or list or any other matter as may in his judgment be best fitted to meet the circumstances of the case and the whole procedure following upon such application and any order made by the sheriff shall be final valid and unchallengeable.

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Sheriff may vary procedure for elections.

14. The portion of the valuation roll in force in and applicable to the added area at the annexation shall remain in full force and effect in the burgh until the end of the year for which the said valuation roll was made up and shall be and be deemed to be part of the valuation roll for the burgh.

Valuation roll.

15. From and after the date of the publication under and in terms of the provisions of the Election Acts of the yearly register of electors in the year one thousand nine hundred and twenty-seven and notwithstanding anything to the contrary in any Act contained the following provisions shall apply and have effect with respect to the registration of electors in the burgh (that is to say):—

Register of electors.

- (1) The duties falling to be performed by any registration officer acting under the Election Acts in the added area shall be performed by the assessor:
- (2) Whatever is necessary to be done to or by the registration officer acting under the Election Acts in relation to the list or register of electors for parliamentary and local government purposes for the existing burgh shall be done to or by the assessor in relation to the list or register of electors for parliamentary and local government purposes for the added area:

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- (3) The duties falling to be performed by any registration officer (other than the assessor) acting under the Election Acts so far as relating to the preparation revision and completion of any list or register of electors for parliamentary and local government purposes for the added area shall cease and determine but the registration officer of the county shall make up the yearly register in the said year in a separate part so far as relating to the added area and such part of the register shall be and be deemed to be part of the register of local government electors for the burgh:
- (4) In order to enable the assessor to make up for the added area the yearly register of electors in the year one thousand nine hundred and twenty-eight he shall be entitled to access to the books and schedules of the registration officer acting under the Election Acts for the county so far as they relate to the added area and such registration officer shall give the assessor all necessary and reasonable facilities for that purpose:
- (5) The register of local government electors made up for the existing burgh and for the added area shall together form the register of local government electors for the burgh: and
- (6) All rights and liabilities under any contracts entered into prior to the passing of this Act by the county council or by any registration officer as to the printing of the list or register of parliamentary and local government electors shall so far as applying to the added area be transferred to and vested in the Corporation or the assessor as the case may be and all expenses connected with the making up of the register of such electors for the added area shall be borne in accordance with and in terms of the provisions of the Election Acts.

Variation of
procedure
under Tem-
perance
(Scotland)
Act 1913.

16.—(1) The added area shall be disjoined from the area of which at the passing of this Act it formed part for the purposes of the Temperance (Scotland) Act 1913 and shall be combined with and form part of the eighth ward for the purposes of the said Act and the

resolution in force in the said ward at the passing of this Act shall apply and shall continue in force until the said resolution is altered under and in terms of the said Act. The questions to be submitted to the electors at the next poll in the eighth ward shall be those questions which would be submitted to the electors if such ward and the added area had not been combined in terms of this section and the time at which such poll shall be taken shall be that at which it could be taken in such ward if this Act had not been passed.

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

(3) This section shall come into operation on the passing of this Act.

17. The Corporation shall in all respects stand in relation to the administration of the affairs and property of the burgh and of property under the care and management of the Corporation in the same position in which the Corporation of the existing burgh stands previous to the annexation and the Corporation shall have the same rights and powers of administration of the property and affairs of the burgh and of making all usual and necessary appointments as shall have lawfully belonged to and been exerciseable or exercised by the Corporation of the existing burgh in regard thereto anything in the set usage or customs of the existing burgh to the contrary notwithstanding.

Corporation to administer affairs of burgh.

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

Powers of Corporation &c. extended to burgh.

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Officers of
existing
burgh.

19. The several officers of or appointed by the Corporation who hold office at the annexation shall continue to be officers of the Corporation and 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 annexation they were entitled to make with reference to the officers of the existing burgh.

Separate
jurisdic-
tions to
cease.

20. Subject to the provisions of this Act and in so far as necessary to give full effect thereto all separate councils commissions authorities and jurisdictions in the added area shall cease and determine.

Property
of existing
burgh
vested in
Corpora-
tion.

21. Subject to the provisions of this Act the common good and all property (including all means revenues and income of every description arising therefrom) belonging to 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) 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 annexation may be demanded and recovered from such person and received and applied by the Corporation for behoof of the burgh.

Property
and liabili-
ties in added
area vested
in Corpora-
tion.

22.—(1) Subject to the provisions of this Act and except as otherwise provided in this Act the lands heritages works depôts sewers lamps lamp-posts pipes mains cables wires apparatus plant and all other property assets and powers of every description in the added area vested in held by or due or belonging to the county council or the district committee are by virtue of this Act 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 county council or district committee and shall be received held and enjoyed by the Corporation accordingly. A.D. 1927.

(2) All the powers duties liabilities contracts and agreements of the county council or the district committee in relation to the added area are by virtue of this Act transferred to 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) Except as otherwise provided in this Act the Corporation shall determine any question which shall arise as to the department of the Corporation to which any part of such lands heritages and other property ought to belong and any question as to the fund of the Corporation out of which such liabilities and obligations shall be defrayed.

23. All highways roads streets lanes courts bridges footpaths sewers and drains in the added area which are vested in the county council or the district committee or which the county council or the district committee by minute or otherwise at or before the passing of this Act shall have taken over or have agreed to take over and maintain or have maintained are by virtue of this Act transferred to and vested in and shall be managed maintained and repaired by the Corporation subject to the provisions of the Acts of 1909 to 1926 and this Act and the county council and the district committee shall be freed and relieved of the liability to repair and maintain all such highways roads streets lanes courts bridges footpaths sewers and drains in all time coming. Roads streets and footpaths.

24. Nothing in this Act contained with respect to the vesting in the Corporation of highways roads streets lanes courts bridges footpaths sewers and drains within the added area shall prevent any superiors owners or other persons by whom or by whose predecessors the same shall have been formed from recovering the cost or any proportion of the cost of forming the same from feuars or other persons under any agreements or feu contracts made between the said parties respectively. Saving rights in roads footpaths sewers and drains.

25.—(1) All registers books documents maps and plans directed or authorised to be kept by the county council or the district committee in the added area by any Books to be evidence.

A.D. 1927. — Act or otherwise shall so far as they relate to the added area be transferred and belong to the Corporation and in so far as they would at the annexation be receivable in evidence shall be admitted as evidence in all courts and proceedings notwithstanding the cesser of the powers of such county council or district committee.

(2) This section shall not apply to the registers books documents maps and plans kept by the county council and the district committee which relate to parts of the county other than the added area but the Corporation and their officers shall be entitled to access to such books documents maps and plans in so far as may be necessary in relation to matters affecting the added area and the respective clerks or other officers of the county council and the district committee shall afford all necessary and reasonable facilities for that purpose.

Applica-
tion of
general and
local Acts
and bye-
laws.

26.—(1) The public and general and local and personal Acts and Orders relating to and in force in the existing burgh and all byelaws rules regulations and orders made thereunder shall subject to the provisions of and except as otherwise provided by this Act be exercised over and be applicable to the burgh :

Provided that the provisions of the Act of 1909 and any byelaws rules and regulations made thereunder in operation in the existing burgh applicable to new buildings shall not apply to any buildings in the added area which have been or are being constructed or the plans of which have been approved prior to the annexation and the erection thereof commenced within one year from the annexation in accordance with any Act byelaws rules and regulations in operation in the added area immediately prior to the annexation unless and until such buildings are subsequently altered or added to when the said byelaws rules and regulations applicable to new buildings in the burgh shall apply to any such alteration or addition.

(2) All byelaws rules regulations and orders made under the provisions of any Act or Order relative to and in force in the added area or any part thereof shall cease to have effect except as otherwise provided by this Act or in so far as the same may have been acted upon or are not inconsistent with or superseded by the byelaws rules regulations and orders in force in the burgh.

27.—(1) The Corporation and the county council and the district committee or either of them before or after the annexation may make and carry into effect agreements with respect to the transfer to the Corporation of the property liabilities or powers from such county council and district committee or either of them and for settling and adjusting any claim or any doubt or difference arising in relation thereto and generally with respect to the execution of the provisions of this Act to which any such agreement may relate.

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Power to Corporation and authorities to enter into agreements.

(2) The provisions of any such agreement shall be deemed to be within the powers of the Corporation and of such county council and district committee or either of them and if and when made 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 Act of the property liabilities or powers of such county council and district committee or either 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.

28. The county council or the district committee shall not after the passing of this Act without the previous consent of the Corporation make or enter into any contract or agreement in respect of the added area or any part thereof which imposes or might at any time thereafter impose any obligation or liability on the Corporation except such contract or agreement as is necessary for carrying into effect obligations existing at and discharging liabilities incurred prior to that date and such as shall be in the ordinary course of the proper administration of their district and the due observance of their statutory obligations. And such authorities shall liquidate as far as practicable before the annexation all current debts and liabilities incurred by them respectively so far as affecting the added area.

New contracts or agreements.

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For protection of
Renfrew-
shire
County
Council.

29. The Corporation in respect of the annexation to the burgh of the added area shall within one month after the annexation pay to the county council the sum of two hundred and twenty-five pounds with interest at the rate of five per centum per annum from the date of payment until paid in respect of the proportion applicable to the added area of any debt or capital expenditure or of continuing administrative expenditure in connection with the county generally for police lands valuation diseases of animals general purposes roads public health or any other matter whatsoever which sum shall be applied by the county council with the sanction of the Secretary of State in payment pro tanto of the debts or capital expenditure of the county council or for behoof of the county in such manner as they may think fit The said sum shall be in full satisfaction of all claims competent to the county council in connection with the annexation to the burgh of the added area and also in full of all and every claim for compensation by officers or servants of the county council in respect of loss or diminution of salary or emoluments consequent upon the annexation to the burgh of the added area.

Application
of House-
Letting and
Rating
(Scotland)
Acts.

30. The House-Letting and Rating (Scotland) Act 1911 and any Act amending or extending that Act shall if in operation in the added area apply to the added area until the fifteenth day of May one thousand nine hundred and twenty-eight as if the added area had not been annexed to the burgh until that date Provided that anything requiring to be done under the said Acts to or by the county council in the added area shall be done to or by the Corporation.

National
insurance
com-
mittees.

31. After the passing of this Act the powers of the Scottish Board of Health (hereinafter in this section called "the board") shall operate for the purpose of reconstituting by order made by the board the insurance committees for the county and for the burgh as from the annexation 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 Act 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 supple-

mental 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. A.D. 1927.

32.—(1) As from the fifteenth day of May one thousand nine hundred and twenty-eight the parishes or parts of parishes within the limits of the burgh shall for the purposes of the Burial Grounds Acts be held to be one united parish and all that is comprehended within such limits shall be excluded from other parishes for such purposes and the Corporation shall be the board of such united parish. Powers of Corporation under Burial Grounds Acts.

(2) The Corporation and the local authority of any parish or district adjacent to the burgh may enter into and carry into effect agreements for the use of any cemetery or burial ground belonging to or under the control of the Corporation or of any such local authority by the inhabitants of any such parish or district or of the burgh as the case may be and any such agreement may provide for the appointment of a joint committee or committees consisting partly of members of the Corporation and partly of members of the local authority who are parties to such agreement and the Corporation and such local authority may delegate to any such joint committee such of their powers under the Burial Grounds Acts as they may think fit.

(3) Any agreement entered into under the provisions of this section shall be deemed to be a purpose of the Burial Grounds Acts.

33.—(1) In consideration of the exclusion from the parish of Inverkip for the purposes of the Burial Grounds Acts of so much of that parish as is comprised within the burgh (including the parts of that parish annexed to the burgh by the Act of 1909 and this Act) and the extinguishment of the powers of the parish council of the parish of Inverkip (hereinafter in this section called "the parish council") for the levying of assessments within any part of the burgh under or for the purposes of the Burial Grounds Acts the Corporation shall within three months from the fifteenth day of May one thousand For protection of Inverkip Parish Council.

A.D. 1927. — nine hundred and twenty-eight pay to the parish council the sum of two hundred and sixty pounds and interest thereon at the rate of five per centum per annum from the expiry of the said period to the date of payment which sum shall be in full satisfaction of all claims competent to the parish council and their officers and servants in respect thereof.

(2) The said sum of two hundred and sixty pounds and the interest thereon (if any) paid to the parish council under this section shall be applied by the parish council with the sanction of the Scottish Board of Health either in repayment of debt or for such other purposes as the parish council may determine.

PART III.

STREETS AND SEWERS.

Repeal of certain provisions of Act of 1909.

34. The sections of the Act of 1909 mentioned in the Second Schedule to this Act are hereby repealed.

Recovery of expense of streets and sewers formed by Corporation.

35. Whereas prior to the commencement of this Act streets and sewers were formed or in course of formation by the Corporation under and in terms of various Acts and Orders and the expense of certain of such streets and sewers or parts thereof has not been recovered by the Corporation from the owners liable therefor Nothing in this Act contained shall be held to relieve the owners of lands and heritages of their obligations to pay the expense of such streets and sewers incurred by the Corporation as aforesaid with interest thereon nor to relieve the owners of unfeued ground of their obligation to pay the interest on the expense of such streets and sewers incurred by the Corporation under the Act of 1909 and the provisions of sections 81 to 93 95 181 and 198 of the Act of 1909 shall notwithstanding anything in this Act contained apply to the recovery of such expense and interest and for such purpose the said sections 181 and 198 shall be read and have effect as if instead of the words "three and three-quarters per centum" mentioned in the said section 181 the words "four and one-half per centum" had been inserted therein but except as provided by this section the provisions of the said sections 81 to 93 95 181 and 198 shall cease to be applicable.

36.—(1) The streets and portions of streets in the existing burgh mentioned in the Third Schedule to this Act shall notwithstanding anything contained in the Act of 1909 be deemed to be completed streets or portions of streets in respect of which the obligations of the owners of lands and heritages to make and form such streets in terms of that Act have been fulfilled and shall be entered in the register of public streets as completed streets but nothing in this section contained shall prejudice the rights of the Corporation to recover any expenses outstanding in respect of unfeued ground or otherwise.

A.D. 1927.
—
Certain streets to be deemed completed streets.

(2) Except as hereinbefore in this section provided all uncompleted streets and uncompleted courts in the existing burgh at the commencement of this Act shall for the purposes of the further formation of such streets and courts be deemed to be private streets and the provisions of the Police Acts applied by the Act of 1909 and this Act relating to the proper formation of private streets and to footways in private streets shall apply accordingly :

Provided that subject to the provisions of this subsection and notwithstanding the repeal by this Act of section 207 (Corporation to maintain streets and sewers) of the Act of 1909 all streets opened and temporarily formed and sewers constructed in the existing burgh prior to the commencement of this Act by the Corporation at the expense of the owner or owners of lands and heritages fronting on or adjoining such streets respectively shall be maintained by the Corporation.

(3) Notwithstanding anything contained in this Act or in any of the sections of the Police Acts applied by the Act of 1909 or this Act in the case of any uncompleted street or portion of an uncompleted street in the existing burgh which was opened and temporarily formed prior to the commencement of the Act of 1909 and is situate ex adverso any unfeued lands belonging to the owner or owners of the estate of Greenock the Corporation shall not during the period of twelve years from the commencement of this Act undertake any further formation of such street or portion of street without the previous written consent of such owner or owners.

A.D. 1927.

(4) Nothing in this section contained shall prejudice or affect (a) the agreement dated the third day of November one thousand eight hundred and seventy-eight and the seventeenth day of February one thousand eight hundred and seventy-nine made between the late Sir Michael Robert Shaw Stewart Baronet and the Board of Police of Greenock relating to the formation and maintenance of Lyle Road (b) the agreement dated the twenty-ninth and thirty-first days of January one thousand nine hundred and eight made between Sir Michael Hugh Shaw Stewart Baronet (hereinafter in this section referred to as "the proprietor") and the provost magistrates and councillors of the burgh relating to the formation and maintenance of Grieve Road (c) the agreement dated the fifth and sixth days of July one thousand nine hundred and twenty-seven made between the proprietor and the Corporation relating to the formation and maintenance of Fort Matilda Place or (d) the agreement dated the fifth and sixth days of July one thousand nine hundred and twenty-seven made between the proprietor and the Corporation relating to the formation and maintenance of Denholm Street and part of Robertson Street.

Applica-
tion of
Police Acts
to streets
and sewers.

37. The sections of the Police Acts mentioned in the Fourth Schedule to this Act shall be deemed to have been duly adopted by the Corporation in terms of the Police Acts and shall come into force in the burgh as part of this Act.

Register
and map
of streets.

38. The register of public streets and the map of public streets for the existing burgh shall be continued and the Corporation shall include in the said register and map the public streets in the added area.

Petition
for warrant
to form
new street.

39.—(1) Every person who intends to form or lay out in the burgh any new street or to widen extend or otherwise alter any street shall present a petition for warrant to do so to the dean of guild and along with the same he shall lodge a plan of the street as proposed to be laid out or altered with longitudinal and cross sections showing the proposed centre building and kerb lines and also the inner lines of the footway where these differ from the building lines showing also the levels and means of drainage specifying the proposed materials and mode of construction and

having marked upon it the names as appearing in the valuation roll of all persons owning the street or any ground abutting thereon affected by the proposal. A.D. 1927.

(2) A copy of the said petition shall be served by the petitioner upon all such owners and also upon the master of works in the manner provided in the Act of 1909 for the service of notices and the dean of guild shall fix a diet for hearing the parties and shall dispose of the application as soon as possible thereafter.

(3) If it shall appear to the dean of guild that the proposed street or any portion thereof or any of the details shown on the said plan does not fulfil the conditions required by the Act of 1909 and this Act or is otherwise contrary to law or to private rights the dean of guild may either refuse the said petition or grant the same subject to such alterations and modifications on the plan or other lawful conditions as may be necessary in the circumstances.

(4) The dean of guild shall not grant warrant for the erection of any building abutting on any new street until warrant for the formation of such street has been granted and any person who shall commence to erect any building in any such street in violation of the provisions of this section shall be guilty of a guild offence and be liable to a penalty not exceeding fifty pounds.

(5) The plans approved of by the dean of guild shall except in so far as they may afterwards be altered in terms of this section by the authority of the dean of guild be adhered to by the applicant and by every person erecting any building abutting on the street.

40. Any person presenting a petition to the dean of guild for warrant to form or lay out any new street shall fulfil any conditions which the dean of guild may by the warrant granting the petition impose with regard to the following matters viz. :— Dean of guild may make certain conditions.

- (1) The avoidance of a cul de sac ;
- (2) The provisions of suitable and convenient accesses to the street by cross streets continuation of streets or otherwise ;
- (3) The formation of lanes (parallel to the street or otherwise) or other secondary means of access to buildings ;

A.D. 1927.

(4) The fixing of the line level position and direction of the street and footways so as to make provision for the amenity of the locality for convenient communication with other streets for gradients suitable for traffic for the convenient drainage of the streets and footways and of buildings fronting the same and for areas for light and ventilation; and

(5) The provision for carrying off the surface water.

Parking
places for
vehicles.

41.—(1) Where in the opinion of the Corporation it is necessary or expedient to provide parking places in the burgh for vehicles the Corporation may provide such parking places in accordance with the provisions of this section and for that purpose may:—

(a) By order authorise the use as a parking place of any public street or part of a public street; or

(b) Acquire by agreement lands suitable for use as a parking place; or

(c) Utilise any lands belonging to them which may lawfully be appropriated for the purpose.

(2) An order under this section shall not authorise the use of any street or part of a street so as unreasonably to prevent access to any premises adjoining the street or so as to obstruct traffic or be a nuisance.

(3) Where the Corporation propose to make an order under this section authorising the use as a parking place of any street or part of a street or propose to acquire or utilise any land for the purposes of this section they shall cause notice of the proposal to be published once in each of two successive weeks with an interval between such publications of not less than six clear days in some newspaper or newspapers circulating in the burgh and shall also cause a copy of such notice to be posted for not less than fourteen days in the part of the street which it is proposed to use as a parking place and every such notice shall—

(a) Specify the land to which the proposal relates;

(b) Notify the date (which shall not be less than twenty-eight days) within which any objection to the proposal shall be sent in writing to the town clerk; and

(c) Contain a notification of the right of appeal conferred by this section. A.D. 1927.

(4) Before making any order under this section the Corporation shall consider any objection to the proposal which is sent to the town clerk in writing within the time fixed in that behalf and shall after so considering it give notice of their decision to the person by whom the objection was made and if any person who shall have objected is aggrieved by any such decision he may within twenty-one days after receiving notice thereof appeal therefrom to the sheriff provided he sends written notice of the grounds of his appeal to the town clerk.

(5) The Corporation may—

(a) take all such steps as may be necessary to adapt for use as a parking place any land not being part of a street which they may acquire or utilise under this section; and

(b) appoint such officers and servants as may be necessary for the superintendence of parking places.

(6) The exercise by the Corporation of their powers under this section with respect to the use as a parking place of any street or part of a street shall not render them subject to any liability in respect of loss of or damage to any vehicle or the fittings or contents of any vehicle parked in such parking place or loss injury or damage to the owner of such vehicle or any other person.

(7) The Corporation may make regulations as to :—

(a) The use of parking places ;

(b) The vehicles or class of vehicles which may use any parking place ;

(c) The conditions upon which any parking place may be used ; and

(d) The charges to be paid to the Corporation in connection with the use of any parking place not being part of a street.

A copy of any such regulations shall be exhibited at or near any parking place to which the regulations relate.

A.D. 1927.

(8) While any vehicle is within a parking place it shall not be lawful for the driver or conductor of such vehicle or for any other person to ply for hire or accept passengers for conveyance by such vehicle.

(9) Any person contravening any of the provisions of this section or of any order or regulation made thereunder shall be liable to a penalty not exceeding forty shillings.

(10) Any order or regulation made under this section may be varied or revoked by any subsequent order or regulation made in like manner.

(11) In this section the expression "parking place" means a place provided under this section where vehicles or vehicles of any particular class or description may wait.

Corporation
to have
powers of
Public
Health
Acts.

42. The powers and duties of the Corporation with reference to sewerage and drainage shall extend to the burgh and the Corporation in addition to the powers conferred upon them by the Acts of 1909 to 1926 and this Act or any other Act or Order shall with reference to sewerage and drainage within the burgh have the same rights powers and privileges as are conferred by the Public Health Acts upon local authorities in districts other than burghs with the exception of the rights powers and privileges conferred by sections 122 and 131 of the Public Health (Scotland) Act 1897 to which sections the provisions of this section shall not apply and in so far as necessary for giving effect to this enactment the last-mentioned Act and the Acts and parts of Acts incorporated therewith are subject to the necessary modifications hereby incorporated with the Acts of 1909 to 1926 and this Act:

Provided that all costs and charges incurred by the Corporation in the exercise of such rights powers and privileges shall be provided for out of the sewer assessment which the Corporation are by this Act authorised to raise and levy.

Amending
section 202
of Act of
1909.

43. Section 202 (Power to Corporation and owners to contract for construction and maintenance of common sewers) of the Act of 1909 shall be read and construed as if the words "in the manner herein provided with respect to expense of the construction of public sewers" at the end of that section had been omitted.

therefrom and as if it had been therein provided that if any owner shall consider himself aggrieved by the decree of the dean of guild apportioning the cost of such work he may appeal to the sheriff as provided by section 443 (Adoption of Burgh Police (Scotland) Act 1892—Appeal) of the Act of 1909. A.D. 1927.

44. The Corporation shall one month at least before commencing under the provisions of the Acts of 1909 to 1926 and this Act the construction of any new sewer through across under or on any lands other than a public street give notice of the intended work by advertisement in one or more newspapers circulating in the burgh which notice shall describe the nature of the intended work and shall state the intended termini thereof and the name of the lands through across under or on which the work is to be made and shall refer to the plans of the intended work and shall specify a place where such plans may be seen and a time when and place where persons interested in such intended work may be heard thereupon. Notice as
to sewerage
works.

45. The Corporation shall meet at the time and place mentioned in the said notice to hear any objections against such intended work and all persons interested therein or likely to be aggrieved thereby shall be entitled to be heard at such meeting and the Corporation shall consider such objections and may at their discretion proceed with the said intended work or make such alterations thereon as they judge fit or abandon the same. Meeting
to hear
objections.

46. Where in the opinion of the Corporation the refuse of any trade or manufacture is of such a nature that if suffered to flow either directly or indirectly into any public sewer it will cause or be likely to cause of itself or by admixture with other matters in such sewer noxious or offensive effluvia or incrustation or chemical action or be injurious to health they may at the expense of the owner of any lands or heritages in which such trade or manufacture is carried on construct a special sewer for the purpose of carrying off such refuse and may require the owner of the lands or heritages on which such trade or manufacture is carried on and the owner of any other lands or heritages in the vicinity of such sewer from which refuse of a like nature is produced to construct in a suitable manner and from time to time Special
sewers may
be con-
structed.

A.D. 1927. — alter renew add to repair and maintain a private sewer and to connect such private sewer with the said special sewer so that the whole of such refuse or so much thereof as the Corporation may from time to time direct shall be effectually drained into such special sewer to the satisfaction of the master of works Provided always that if any owner so required shall consider himself aggrieved by the requisition he may appeal to the sheriff as provided by section 443 (Adoption of Burgh Police (Scotland) Act 1892—Appeal) of the Act of 1909.

Cost of special sewer.

47. The owners of lands and heritages requiring any special sewer shall severally be bound to relieve the Corporation from the expense of constructing the same and the proportion of such expense effecting to every such owner shall be paid in one single payment unless within fourteen days after notice given to him by the Corporation such owner shall declare his option to pay his proportion of such expense by annual payments and the amount of such single payment or of such annual payments as the case may be and the duration thereof may be settled by agreement between the Corporation and any such owner or in case of dispute shall be settled by the sheriff.

Junctions or connections to sewers.

48. With respect to any sewer or drain which may be constructed by any person and intended to be connected with any public sewer the point of junction or connection of such sewer or drain with such public sewer and the mode of effecting such junction or connection shall be determined by the Corporation and the Corporation shall have the exclusive right of executing any works on any of the public sewers required for making any junction or connection to any such sewer and any expense incurred by the Corporation in so doing shall be repaid by the person on whose behalf or at whose request such junction or connection is made.

Corporation may clean sewer at owner's expense.

49. In case an owner of lands and heritages bound under the Acts of 1909 to 1926 and this Act to keep any common or private sewer or any drain or cesspool clean and in proper order shall fail to do so to the satisfaction of the sanitary inspector the Corporation may keep such sewer clean for any period they think fit at the expense of such owner who shall be bound to repay to the Corporation the expense so incurred by them.

PART IV.

A.D. 1927.

WATER.

50. The limits within which the Corporation are by the Acts of 1909 to 1926 authorised to supply water are subject to the provisions of this Act hereby extended to and shall include the burgh and the said Acts are hereby amended accordingly.

Extension of water limits.

51. Every person who shall (without the consent of the Corporation) wilfully or negligently close or shut off or interfere with any valve cock or other work or apparatus belonging to the Corporation whereby the supply of water shall be interfered with shall (without prejudice to any other right or remedy of the Corporation) be liable on conviction to a penalty not exceeding five pounds and the Corporation may in addition thereto recover the amount of any damage sustained by them Provided that this section shall not apply to a consumer closing any valve on his communication pipe.

Penalty for closing valves and apparatus.

52. Every person who without the consent of the Corporation takes water from any of the public fountains or stand pipes supplied from any of the mains or pipes of the Corporation for any purpose other than domestic use shall for every such offence be liable on conviction to a penalty not exceeding five pounds.

Taking water from public fountains &c.

53. It shall not be lawful for the owner or occupier of any building or premises supplied with water by the Corporation without the written consent of the Corporation to affix or permit or suffer to be affixed any tube or hose to any of the mains or pipes of the Corporation or to any service pipe or apparatus of such owner or occupier for the purpose of washing horses or carriages motor cars or other vehicles houses or buildings or windows or for watering gardens or washing pavements or roads or for any other purpose and any person who contravenes this enactment shall be guilty of an offence and shall for every such offence be liable on conviction to a penalty not exceeding forty shillings.

Tube or hose not to be affixed to mains or pipes except with consent.

A.D. 1927.

PART V.

GAS.

Extension
of gas
limits.

54. The limits for the supply of gas by the Corporation under the Acts of 1909 to 1926 are subject to the provisions of this Act hereby extended to and shall include the burgh and the said Acts are hereby amended accordingly.

PART VI.

ELECTRICITY.

Maximum
prices in
added area.

55. Notwithstanding anything contained in section 8 (Maximum prices in the added area) of the Greenock Electricity (Extension) Special Order 1925 the maximum prices which may be charged by the Corporation as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 within so much of the parish of Inverkip as is under the provisions of this Act comprised within the burgh are those stated in the Sixth Schedule to the Act of 1909.

Byelaws
as to appa-
ratus and
fittings.

56. The Corporation may make byelaws for the purpose of preventing fire in any building or premises supplied with electricity by the Corporation with respect to the nature material workmanship and mode of arrangement of the wires apparatus and fittings in any such building or premises and required or used for the purpose of such supply and the provisions of section 6 (Regulations to be inserted in licences &c.) of the Electric Lighting Act 1882 shall apply to any byelaws made under this section :

Provided that nothing contained in this section or in any byelaw to be made thereunder shall apply to or in respect of any building or premises (other than a dwelling-house) belonging to the London Midland and Scottish Railway Company.

PART VII.

ASSESSMENTS AND FINANCE.

Assess-
ments in
extended
burgh.

57. Subject to the provisions of the Acts of 1909 to 1926 and this Act the Corporation shall in respect of all lands and heritages within the burgh fix impose

assess levy collect and recover the rates charges and assessments authorised by the Acts of 1909 to 1926 and this Act and all rates charges and assessments authorised by any public and general or local and personal Acts or Orders relating to or in force within the burgh. A.D. 1927.

58. The proportion of the assessments levied by the county council for the year from and after the fifteenth day of May one thousand nine hundred and twenty-seven and applicable to the period from the annexation to the fifteenth day of May one thousand nine hundred and twenty-eight shall so far as effeiring to the added area be recoverable and be accounted for by the county council to the Corporation and shall be paid to the Corporation on or before the fifteenth day of May one thousand nine hundred and twenty-eight and any dispute or difference as to the amount to be paid by the county council to the Corporation under the provisions of this section shall be determined by an arbiter to be agreed upon or failing agreement to be appointed by the Secretary of State on the application of either party. Recovery of rates and assessments.

59. The Corporation in addition to any other powers of borrowing which they now have or may obtain may borrow— Borrowing powers.

(a) such sum (not exceeding in the whole the amount of such expenditure as may be necessary for satisfying paying and discharging all obligations imposed upon or undertaken by them under this Act and for exercising any of the powers by this Act conferred on them) as may be ascertained and determined by the Secretary of State by a certificate under his hand and the amount so ascertained and determined shall be dealt with and regarded as if such amount were specified in this section as the amount hereby authorised to be borrowed; and

(b) such sum as may be requisite for the purpose of paying the costs preliminary to and of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto

on the security of the funds rates assessments and revenues of the Corporation and the provisions of Part III (Finance) of the Order of 1926 shall extend and apply

A.D. 1927. — mutatis mutandis to the money which may be so borrowed under the provisions of this section.

Repayment
of borrowed
moneys.

60.—(1) Any money borrowed by the Corporation for the purpose (a) mentioned in the immediately preceding section of this Act shall be repaid within a period of thirty years from the date of borrowing the same.

(2) Any money borrowed by the Corporation for the purpose (b) mentioned in the said section shall be repaid within five years from the passing of this Act.

Security
for sums
borrowed
for sewers
&c.

61. Where sums of money have been borrowed or are owing by the Corporation for purposes of sewerage and drainage the Corporation shall provide the sums necessary for repaying the principal and paying the interest of such sums out of the sewer assessment which the Corporation are by this Act authorised to raise and levy and the said sums shall constitute a charge on the funds rates assessments and revenues of the Corporation and creditors shall have all the powers rights and remedies exerciseable by a lender of money to the Corporation.

Sewer as-
sessment.

62. Except as otherwise provided by this Act the expense incurred either before or after the commencement of this Act for sewerage and drainage within the burgh or any special or separate drainage district formed therein under any Act or for the purposes thereof and the sums necessary for repayment of any money borrowed therefor either before or after the commencement of this Act together with the interest thereof shall be paid out of a sewer assessment which the Corporation shall raise and levy on and within the burgh or within such special or separate district in the same manner and with the same remedies and modes of recovery and incidents as are provided for the public health general assessment leviable within the burgh under the Public Health Acts :

Provided that where a special or separate drainage district has been formed under the provisions of any Act and drainage works have been executed and are maintained therein the lands and heritages situated within such special or separate district shall not be liable to assessment for the expense of sewerage and drainage works in other parts of the burgh :

Provided also that it shall not be lawful to impose any rate in respect of the expenditure within any special

or separate drainage district upon any premises without such district. A.D. 1927.

63. If the owner of any premises made liable by the provisions of this Act for the sewer assessment which the Corporation are by this Act authorised to raise and levy or private improvement expenses or any charge for the repayment to the Corporation of any expenses incurred by them do not as soon as the same become due and payable from him pay such assessment or repay all such expenses to the Corporation the Corporation may without prejudice to the preferable right and summary mode of recovery and the powers contained in the Acts of 1909 to 1926 and this Act recover such assessment or expenses with the interest thereof from the time when the same was due and payable from such owner in the same manner as any debt may be recovered by the law and practice of Scotland.

How expenses are to be recovered from owner.

64. The Corporation may out of the proceeds of the domestic and public water rates and the revenues of their water undertaking provide a reserve fund for that undertaking by setting aside such sums as they may from time to time think fit and investing the same and the resulting income thereof in any securities in which they are authorised to invest sums paid into any sinking fund which reserve fund shall not at any time exceed in the whole the sum of twenty-five thousand pounds and shall be applicable as and when the Corporation may determine from time to time for the renewals of the waterworks plant and apparatus or to meet any extraordinary claim or demand at any time arising against the Corporation or to answer any deficiency at any time happening in the income of the Corporation in respect of their water undertaking.

Water reserve fund.

65. Nothing in this Act contained shall prejudice or affect the provisions of section 123 (Saving for piers and harbours of Greenock) of the Act of 1909 and the said section shall be read and construed as if the expression "the Corporation" contained therein included the Corporation under this Act Provided that as regards any rate or assessment under the Roads and Bridges (Scotland) Act 1878 the trustees of the port and harbours of Greenock shall in respect of any lands and heritages used for the purposes of piers and harbours be assessed

For protection of trustees of port and harbours of Greenock.

A.D. 1927. — for so much only of any such rate or assessment as shall be applicable to expenditure for or in connection with highways existing in the burgh at the commencement of this Act as the same are defined by the said Roads and Bridges (Scotland) Act 1878.

PART VIII.

MISCELLANEOUS.

Vesting of property transferred to Corporation &c.

66. All property transferred to or vested in the Corporation by virtue of this Act shall vest in them without the necessity of recording in the register of sasines any conveyance notarial instrument notice of title or other deed or writing but for the purpose of enabling the Corporation to complete a title if thought fit to any property transferred to and vested in them by virtue of this Act by expeding a notarial instrument notice of title or otherwise this Act shall be deemed to be and may be used as a general disposition or assignation as the case may be of such property in favour of the Corporation.

Saving of election of members of Parliament teinds &c.

67. Nothing in this Act shall affect—

- (1) The burgh and the county or the limits thereof or the electors thereof so far as regards the election of members to serve in Parliament and the burgh and the county shall for parliamentary purposes remain the same as if this Act had not been passed;
- (2) The teinds payable out of the lands situated within the burgh or the rights privileges and emoluments of the ministers kirk sessions and session clerks of the parishes within the same; and
- (3) The holdings or tenure of any lands or heritages.

Actions &c. not to abate.

68.—(1) No action arbitration prosecution or proceeding commenced pending or existing by or against the county council or the district committee in relation to any powers duties liabilities or property by this Act transferred to the Corporation shall in anywise abate or be discontinued or prejudicially affected by reason of the passing of this Act but may be continued prosecuted

and enforced by or in favour of or against the Corporation as successors of the county council or the district committee as fully and effectually as if this Act had not been passed. A.D. 1927.

(2) All deeds contracts bonds agreements and other instruments entered into or made and subsisting at the annexation 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 county council or the district committee the Corporation had been a party thereto.

69. For the protection of the London Midland and Scottish Railway Company (in this section referred to as "the company") the following provisions shall unless otherwise agreed between the Corporation and the company apply and have effect (that is to say):—

For protection of London Midland and Scottish Railway Company.

(1) Nothing in section 182 (Rails iron plates &c. may be laid for facilitating traffic) of the Act of 1909 shall authorise the Corporation or empower the Corporation to authorise any other person either to break up or interfere with any railway or work owned or used by the company or to lay any rails tramway or line or rails along any street or portion of a street along which street or portion any railway owned or used by the company is laid without the consent in writing of the company and no byelaw or regulation made by the Corporation under the said section 182 shall apply to any railway owned or used by the company:

(2) The provisions of section 107 of the Public Health (Scotland) Act 1897 shall apply in relation to every sewer of the Corporation and the Corporation shall make compensation to the company in respect of any injury or damage which may be done to any lands and heritages of the company by the construction alteration or maintenance of any such sewer and the provisions of section 164 of the said Act of 1897 shall apply to and in respect of any such compensation:

A.D. 1927.

(3) In the exercise of the powers of section 190 (Erection of statues &c.) of the Act of 1909 the Corporation shall not erect or maintain any statue in any position so as to render less convenient the access to any station depôt or other work or property of the company.

Repeal of laws &c. inconsistent with Act.

70. All laws statutes powers and usages in force at the annexation in relation to the added area in so far as they are inconsistent or at variance with the provisions of this Act are subject to the provisions of this Act hereby repealed.

Crown rights.

71. Nothing in this Act shall affect prejudicially any estate right power privilege or exemption of the Crown or shall subject to the provisions of this Act any lands buildings or works vested in or occupied by the Crown or any department of His Majesty's Government except to such extent as His Majesty or such department may voluntarily agree and in particular nothing herein contained shall authorise the Corporation to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land heritages subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Crown Lands or of the Board of Trade respectively without the consent in writing of the Commissioners of Crown Lands or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose.

Costs of Act.

72. All costs preliminary to and of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Corporation out of any funds (not being in the nature of capital) rates or revenues belonging to them or under their control or out of moneys borrowed for that purpose under the powers of this Act.

The SCHEDULES referred to in the
foregoing Act.

A.D. 1927.

THE FIRST SCHEDULE.

(Referred to in the section of this Act of which the marginal note is "Boundaries of burgh").

PART I.—ADDED AREA.

Such part of the parish of Inverkip as is situate within the following boundaries (that is to say):—

Commencing at a point on the western boundary of the existing burgh on the march between the parishes of Greenock and Inverkip at the north-east corner of the enclosure numbered 711 on the Ordnance survey map of the county of Renfrew scale 25·344 inches to one mile (1914 edition) thence westward along the south face of the stone wall separating the enclosure numbered 711 from the footpath or enclosure numbered 710c on the said Ordnance survey map to the north-east corner of the enclosure numbered 1130 on the said Ordnance survey map thence in a southerly direction along the eastern boundary of the said last-mentioned enclosure to the service road leading from Auchneagh Farm to Gourock and along the west side of the said service road and in a straight line in continuation thereof through the enclosures numbered 1127 and 1126B on the said Ordnance survey map to the top of the Craig marked "Long Craig" on the said Ordnance survey map thence in a south-westerly direction along the top of the said Craig to the boundary of the enclosure numbered 1093 on the said Ordnance survey map thence in a south-easterly south-westerly southerly westerly northerly north-westerly and south-westerly direction along the boundary of the last-mentioned enclosure to the south-eastern corner of the enclosure numbered 1095 on the said Ordnance survey map thence in a south-westerly direction along the boundary of the said last-mentioned enclosure to the road marked Larkfield Road on the said Ordnance survey map and in a straight line across the said last-mentioned road thence in a north-

A.D. 1927.

westerly direction along the south-west side of that road to the north-east corner of the enclosure numbered 1098 on the said Ordnance survey map thence in a westerly direction along the north boundaries of the enclosures numbered 1098 1099 1072 and 1070 on the said Ordnance survey map and in a straight line across the wood numbered 1069 on the said Ordnance survey map to the public road leading from Gourock to Ravenscraig and across the said last-mentioned road to the south-east corner of the wood numbered 1108 on the said Ordnance survey map thence in a southerly direction along the west side of the said road to and across the main road from Inverkip to Greenock thence in a north-easterly direction along the south-east side of the said main road to its junction with the road leading to Ravenscraig station thence in a south-easterly direction along the south-west side of such last-mentioned road to the boundary fence of the London Midland and Scottish Railway (Greenock and Wemyss Bay Branch) thence across such last-mentioned road and along the said boundary fence in a north-easterly direction till it meets the boundary of the existing burgh thence in a northerly easterly and northerly direction along that boundary to the point of commencement.

PART II.—NEW MUNICIPAL BOUNDARIES OF BURGH.

Commencing at a point on the west of the burgh at which the shore of the Firth of Clyde is met by the march between the parishes of Greenock and Inverkip thence southward along the said march to the north-east corner of the enclosure numbered 711 on the Ordnance survey map of the county of Renfrew scale 25·344 inches to one mile (1914 edition) thence westward along the south face of the stone wall separating the enclosure numbered 711 from the footpath or enclosure numbered 710c on the said Ordnance survey map to the north-east corner of the enclosure numbered 1130 on the said Ordnance survey map thence in a southerly direction along the eastern boundary of the said last-mentioned enclosure to the service road leading from Auchneagh Farm to Gourock and along the west side of the said service road and in a straight line in continuation thereof through the enclosures numbered 1127 and 1126B on the said Ordnance survey map to the top of the Craig marked "Long Craig" on the said Ordnance survey map thence in a south-westerly direction along the top of the said Craig to the boundary of the enclosure numbered 1093 on the said Ordnance survey map thence in a south-easterly south-westerly southerly westerly northerly north-westerly and south-westerly direction along the boundary of the

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last-mentioned enclosure to the south-eastern corner of the enclosure numbered 1095 on the said Ordnance survey map thence in a south-westerly direction along the boundary of the said last-mentioned enclosure to the road marked Larkfield Road on the said Ordnance survey map and in a straight line across the said last-mentioned road thence in a north-westerly direction along the south-west side of that road to the north-east corner of the enclosure numbered 1098 on the said Ordnance survey map thence in a westerly direction along the north boundaries of the enclosures numbered 1098 1099 1072 and 1070 on the said Ordnance survey map and in a straight line across the wood numbered 1069 on the said Ordnance survey map to the public road leading from Gourock to Ravenscraig and across the said last-mentioned road to the south-east corner of the wood numbered 1108 on the said Ordnance survey map thence in a southerly direction along the west side of the said road to and across the main road from Inverkip to Greenock thence in a north-easterly direction along the south-east side of the said main road to its junction with the road leading to Ravenscraig station thence in a south-easterly direction along the south-west side of such last-mentioned road to the boundary fence of the London Midland and Scottish Railway (Greenock and Wemyss Bay Branch) thence across such last-mentioned road and along the said boundary fence in a north-easterly direction till it meets the boundary of the existing burgh thence along the western boundary of the lands of Smithston to the south side of the aqueduct belonging to the Corporation thence in an easterly direction along the south side of the said aqueduct and following the bends thereof to the east side of the bridge at Overton which carries the road leading to Loch Thom over the said aqueduct thence in a southerly direction along the west face of the western boundary wall of the enclosure numbered 356 on the said Ordnance survey map to the south-west corner thereof thence in an easterly direction along the south face of the south boundary wall of the said last-mentioned enclosure and of the wall enclosing the ground on the south side of Overton reservoir and in a straight line in an easterly direction to the western side of the old road leading to Largs thence in a southerly direction along the western side of the said road to a point one hundred and twenty feet or thereby south from the Ordnance bench mark 597.9 on the east side of the said road thence eastward across the said road to the south side of the north fence of the enclosure numbered 344 on the said Ordnance survey map thence eastward along the said fence to the west boundary wall of Whinhill reservoir thence southward along the said west boundary wall and fence to the south boundary wall or fence of the said reservoir thence in an easterly direction following the wall and fence enclosing the ground of the said reservoir and of the filters to the southern side of the fence on the south side of Auchmountain Glen thence in a north-easterly direction along the southern side of the said fence to a point two

A.D. 1927. — hundred and seventy feet or thereby east of the southmost corner of the enclosure numbered 229 on the said Ordnance survey map thence in a straight line in a north-easterly direction to the burgh boundary stone on the south-west side of the Kilmacolm Road thence in a straight line eastwards to the southmost corner of Maukinhill Farm steading thence eastwards in a straight line in the direction of the waterfall of the Devol's Glen Burn to a march stone fixed at the point where the said straight line is intersected by a line the prolongation of which in a north-easterly direction runs along the centre of Boundary Street thence in a north-easterly direction to and along the centre line of Boundary Street to the line of low-water mark of the Firth of Clyde thence westward along the line of low-water mark to a point opposite the north-west corner of the lands on which the gasworks of the Corporation are situated thence in a straight line in a north-westerly direction across the entrance to the Great Harbour to the north side of the existing or authorised works of the trustees of the port and harbours of Greenock thence northward and westward along the north line of those works and the north line of various ship-building yards to a point where low-water mark meets a point in line with the west side of Campbell Street thence following the line of low-water mark in a westerly direction to the point of commencement.

PART III.—NEW POLICE BOUNDARIES OF BURGH.

Commencing at a point on the west of the burgh at which the shore of the Firth of Clyde is met by the march between the parishes of Greenock and Inverkip thence southward along the said march to the north-east corner of the enclosure numbered 711 on the Ordnance survey map of the county of Renfrew scale 25·344 inches to one mile (1914 edition) thence westward along the south face of the stone wall separating the enclosure numbered 711 from the footpath or enclosure numbered 710c on the said Ordnance survey map to the north-east corner of the enclosure numbered 1130 on the said Ordnance survey map thence in a southerly direction along the eastern boundary of the said last-mentioned enclosure to the service road leading from Auchneagh Farm to Gourock and along the west side of the said service road and in a straight line in continuation thereof through the enclosures numbered 1127 and 1126B on the said Ordnance survey map to the top of the Craig marked "Long Craig" on the said Ordnance survey map thence in a south-westerly direction along the top of the said Craig to the boundary of the enclosure numbered 1093 on the said Ordnance survey map thence in a south-easterly south-westerly southerly westerly northerly north-westerly and south-westerly direction along the boundary of the last-mentioned enclosure to the south-eastern corner of the enclosure numbered 1095 on the said Ordnance survey map thence in a south-westerly

A.D. 1927.

direction along the boundary of the said last-mentioned enclosure to the road marked Larkfield Road on the said Ordnance survey map and in a straight line across the said last-mentioned road thence in a north-westerly direction along the south-west side of that road to the north-east corner of the enclosure numbered 1098 on the said Ordnance survey map thence in a westerly direction along the north boundaries of the enclosures numbered 1098 1099 1072 and 1070 on the said Ordnance survey map and in a straight line across the wood numbered 1069 on the said Ordnance survey map to the public road leading from Gourock to Ravenscraig and across the said last-mentioned road to the south-east corner of the wood numbered 1108 on the said Ordnance survey map thence in a southerly direction along the west side of the said road to and across the main road from Inverkip to Greenock thence in a north-easterly direction along the south-east side of the said main road to its junction with the road leading to Ravenscraig Station thence in a south-easterly direction along the south-west side of such last-mentioned road to the boundary fence of the London Midland and Scottish Railway (Greenock and Wemyss Bay Branch) thence across such last-mentioned road and along the said boundary fence in a north-easterly direction till it meets the boundary of the existing Burgh thence along the western boundary of the lands of Smithston to the south side of the aqueduct belonging to the Corporation thence in an easterly direction along the south side of the said aqueduct and following the bends thereof to the east side of the bridge at Overton which carries the road leading to Loch Thom over the said aqueduct thence in a southerly direction along the west face of the western boundary wall of the enclosure numbered 356 on the said Ordnance survey map to the south-west corner thereof thence in an easterly direction along the south face of the south boundary wall of the said last-mentioned enclosure and of the wall enclosing the ground on the south side of Overton Reservoir and in a straight line in an easterly direction to the western side of the old road leading to Largs thence in a southerly direction along the western side of the said road to a point one hundred and twenty feet or thereby south from the Ordnance bench mark 597.9 on the east side of the said road thence eastward across the said road to the south side of the north fence of the enclosure numbered 344 on the said Ordnance survey map thence eastward along the said fence to the west boundary wall of Whinhill Reservoir thence southward along the said west boundary wall and fence to the south boundary wall or fence of the said reservoir thence in an easterly direction following the wall and fence enclosing the ground of the said reservoir and of the filters to the southern side of the fence on the south side of Auchmountain Glen thence in a north-easterly direction along the southern side of the said fence to a point two hundred and seventy feet or thereby east of the southmost corner of the enclosure numbered 229 on the said Ordnance survey map thence

A.D. 1927. in a straight line in a north-easterly direction to the Burgh boundary stone on the south-west side of the Kilmacolm Road thence in a straight line eastwards to the southmost corner of Maukinhill Farm steading thence eastwards in a straight line in the direction of the waterfall of the Devol's Glen Burn to a march stone fixed at the point where the said straight line is intersected by a line the prolongation of which in a north-easterly direction runs along the centre of Boundary Street thence in a north-easterly direction to and along the centre line of Boundary Street thence in a north-easterly direction into the Firth of Clyde in continuation of the centre line of Boundary Street for a distance of one thousand seven hundred lineal yards and there turning at a right angle and running north-westward in a straight line to a point in the Firth of Clyde opposite the march between the parishes of Greenock and Inverkip and there turning at a right angle and running in a south-westerly direction to the point of commencement.

THE SECOND SCHEDULE.

(Referred to in the section of this Act of which the marginal note is "Repeal of certain provisions of Act of 1909").

No. of Section.	Marginal note of Section.
166	Notice of resolution to open and form streets to be given.
167	Corporation may agree as to making new streets not on feuing plan.
168	Notice of intention to lay out new street to be given to Corporation.
169	Lines and levels how to be fixed.
170	Buildings in new streets not to be commenced till lines fixed &c.
173	Obstructions to be removed.
174	Levelling of uncompleted streets.
175	Formation of foot pavements and roadways.
176	Corporation to be relieved of expense by owners.
177	Master of works to make an estimate of expense <i>Objections which may be stated.</i>
178	Corporation may carry out warrant.
179	Dean of guild may decern for expense.
183	Corporation may form streets in a temporary manner and afterwards complete same.
196	Public sewers to be made and maintained by Corporation.
197	Further provisions as to sewers.

No. of Section.	Marginal note of Section.
199	Drainage of back properties.
200	Proceedings in forming sewers.
205	Special public sewers may be constructed.
206	Cost thereof to be paid by persons using same.
207	Corporation to maintain streets and sewers.
208	Owners relieved of maintenance on completion.
211	Corporation may clean common or private sewer at owner's expense.

THE THIRD SCHEDULE.

(Referred to in the section of this Act of which the marginal note is "Certain streets to be deemed completed streets.")

Ann Street from Market Lane to Roxburgh Street and from Wellington Street to Nile Street.

Ardgowan Street (West) from Patrick Street to Fox Street.

Armadale Place from a point 130 feet west of Bank Street to Mearns Street.

Arthur Street from Rue-End Street to Cartsburn Street.

Baker Street.

Bank Street from Shaw Place to Wellington Street.

Bell Entry.

Belville Street from Crescent Street to Lauriston Street.

Bentinck Street from Eldon Street to Newark Street.

Bogle Street from London Midland and Scottish Railway to Regent Street.

Boyd Street from Ker Street to Clarence Street.

Brachelston Street from Murdieston Street to Inverkip Road.

Brisbane Street from Nelson Street to Forsyth Street.

Brougham Street from Campbell Street to Margaret Street.

Bruce Street from a point 170 feet south of Inverkip Street to Roxburgh Street and from Holmscroft Street to Wellington Street.

Campbell Street.

Captain Street from Wellington Street to Dempster Street.

Carnock Street from East Blackhall Street to Dellingburn Street.

Cartsburn Street from a point 270 feet south of John Street to a point 175 feet north of Ingleston Street.

[Ch. lxxvi.] *Greenock Burgh* [17 & 18 GEO. 5.]
Extension &c. Act, 1927.

- A.D. 1927. — Carwood Street from East Crawford Street to Thomas Street.
Cathcart Street from Cross Shore Street to Brymner Street.
Chapel Street.
Church Place from a point 70 feet south of Hamilton Street to Market Street.
Clarence Street from Ker Street to Patrick Street.
Crescent Street from Orchard Street to Belville Street (south side).
Dempster Street from Brachelston Street to Mount Pleasant Street and from Ann Street to Mearns Street.
Dock Breast from New Dock Lane to East India Breast.
Donalds Court.
Drummers Close.
Duff Street from Cathcart Street to a point 150 feet south of Shaw Street.
Duncan Street from Holmscroft Street to Wellington Street.
East Blackhall Street from Carnock Street to London Midland and Scottish Railway.
East Hamilton Street from crown of hill to Ratho Street.
East India Breast.
East William Street.
Eldon Place.
Eldon Street from Margaret Street to Esplanade.
Finnart Street from Nelson Street to east side of Stoneleigh.
Forsyth Street from Brougham Street to South Street.
George Square.
Hamilton Street from Sugarhouse Lane to Westburn Street.
Hay Street.
Hill Street from Lyle Street to a point 30 feet northwards therefrom.
Holmscroft Street from Trafalgar Street to Duncan Street and from Mount Pleasant Street to Orangefield.
Hope Street from Antigua Street to Bank Street.
Houston Street from Patrick Street to Robertson Street.
Hunter Place from Vennel to Harvey Lane and from Harvey Lane to Charles Street.
Inchgreen Street from Port Glasgow Road to a point 80 feet southwards therefrom.
Ingleston Street from a point 480 feet east of Baker Street to Crescent Street.
Jamaica Lane.
Jamaica Street from West Stewart Street to Union Street.
John Street from Cartsburn Street to Stanners Street.
Johnstone Street.
Kelly Street from Brisbane Street to Finnart Street and from Newton Street to Caddlehill Laundry.
Ker Street.
Kilblain Street from Westburn Street to Inverkip Street.
Knowe Road.

Lauriston Street. A.D. 1927.
Lyle Street from a point 180 feet west of Lynedoch Street to
Bank Street. —
Lynedoch Street from Drumfrochar Road to London Midland
and Scottish Railway.
Madeira Street from Esplanade to Finnart Street.
Mansionhouse Lane.
Margaret Street from Union Street to Finnart Street.
Mearns Street from Roxburgh Street to Wellington Street and
from Dempster Street to Drumfrochar Road.
Mill Street.
Mount Pleasant Street from Holmscroft Street to Dempster Street.
Murdieston Street from Brachelston Street to Dempster Street.
Nelson Street.
Newark Street from Union Street to Wood Street.
Newton Street from Inverkip Street to Forsyth Street.
Nicolson Street from West Shaw Street to Nelson Street.
Nile Street.
Patrick Street from West Blackhall Street to Brougham Street
and from Union Street to Finnart Street.
Port Glasgow Road from Inchgreen Street to Boundary Street.
Pottery Street from Port Glasgow Road to London Midland
and Scottish Railway.
Princes Street from Nelson Street West to Nicolson Street and
from West Burn Lane to Inverkip Street.
Regent Street from Dellingburn Square to a point 104 feet east
of Hill Street and from Trafalgar Street to Ann Street.
Robertson Street from Brougham Street to South Street.
Roxburgh Street from Orangefield to Mount Pleasant Street and
from Bank Street to Regent Street.
Rue-End Street from Arthur Street to Cartsburn Street.
St. Lawrence Street.
Scott Street.
South Street from Nelson Street West to Forsyth Street.
Sugarhouse Lane from Vennel to a point 54 feet northwards
therefrom.
Trafalgar Street.
Union Street.
Wallace Place in front of Library.
Wellington Street.
Wood Street from Octavia Terrace to Newark Street.

A.D. 1927.

THE FOURTH SCHEDULE.

(Referred to in the section of this Act of which the marginal note is "Application of Police Acts to streets and sewers.")

THE BURGH POLICE (SCOTLAND) ACT 1892.

No. of Section.	Marginal note of Section.
132	Commissioners may allow telegraph poles &c. in or under the streets.
135	Temporary works on private streets.
137	Expense to be paid by owners.
139	Owners to be liable only for proportions of expenses.
140	Right of relief &c. not to be affected.
141	Foot pavements.
142	When Commissioners undertake maintenance of foot pavements owners to put same in a sufficient state of repair.
143	Right of appeal.
149	Situation of gas and water pipes to be altered if required by Commissioners.
150	Commissioners may agree as to making of new streets.
151	Commissioners may make new streets.
156	Commissioners may require dangerous openings in streets and courts to be built up.
216	Power to purchase &c. certain sewers.
217	Private sewers or watercourses &c. not to be used without consent.
218	Drainage districts to be formed subject to approval of the sheriff.
219	Power to Commissioners to construct sewers where none exist making compensation to owners of property.
222	Where works for sewage provided streams not to be polluted.
223	Throwing rubbish into streams.
224	Commissioners may alter sewers from time to time.
225	Commissioners not to destroy existing sewers &c. without providing others.
226	Commissioners to cause estimates to be prepared before execution of works.
229	Sewers &c. to be trapped and ventilated.
233	Distillers and others to construct reservoirs to deposit refuse.

No. of Section.	Marginal note of Section.	A.D. 1927.
237	Appeal by persons aggrieved by making &c. sewers.	
245	Parties aggrieved may appeal to sheriff.	
255	Power to enforce conversion of privies into waterclosets.	
360	Assessment for maintenance and repair of foot pavements.	
365	Assessment for private improvements.	
366	Certain rates to continue burdens on lands.	
367	Collector of rates to grant certificate. And Schedule VI.	

THE BURGH POLICE (SCOTLAND) ACT 1903.

No. of Section.	Marginal note of Section.
16	Footways of private streets.
17	Footways.
19	Operations on streets to be recorded in register.
20	Notice of operations on private streets (so far as relating to section 135 of the Burgh Police (Scotland) Act 1892).
22	Payment of expenses in connection with streets.
104 (1)	Portions of principal Act repealed or amended (so far as relating to any section of the Burgh Police (Scotland) Act 1892 deemed to have been adopted by this Act).
104 (2) (c)	Carriageway and footways of public streets to be under control of Council.
104 (2) (f)	In certain cases proportion of expenses to be fixed by Council.
104 (2) (n)	Council may construct drains from houses charging owners &c. with the expense.
104 (2) (o)	No house to be hereafter built without drains being constructed (so far as is necessary for the purposes of the said section 104 (2) (n)).
104 (2) (s)	
104 (2) (t)	
104 (2) (u)	

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