

[21 & 22 GEO. 5.] *Midlothian County* [Ch. lxxxiv.]  
*Council (Calder) Water Order Confirmation*  
*Act, 1931.*



**CHAPTER lxxxiv.**

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Midlothian County Council (Calder) Water. A.D. 1931.  
—  
[31st July 1931.]

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

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

1. The Provisional Order contained in the schedule hereto annexed is hereby confirmed. Confirmation:  
of Order in  
schedule.

2. This Act may be cited as the Midlothian County Council (Calder) Water Order Confirmation Act 1931. Short title:

[Ch. lxxxiv.] *Midlothian County* [21 & 22 GEO. 5.]  
*Council (Calder) Water Order Confirmation*  
*Act, 1931.*

A.D. 1931.

SCHEDULE.

MIDLOTHIAN COUNTY COUNCIL  
(CALDER) WATER.

*Provisional Order to authorise the county council of the county of Midlothian to borrow further moneys and for other purposes.*

WHEREAS by the Midlothian (Calder District) Water Order 1924 (hereinafter referred to as "the Order of 1924") the district committee of the Calder District of the county of Midlothian were authorised to construct certain waterworks for the supply of that district and the county council of the county of Midlothian (hereinafter referred to as "the County Council") were authorised to borrow money for the purposes of that Order:

And whereas the works authorised to be constructed by the Order of 1924 have been completed and the County Council have exercised to the full their borrowing powers under that Order and the undertaking of the district committee under that Order has now become vested in the County Council by virtue of the Local Government (Scotland) Act 1929 and the County Council are now the undertakers for the purposes of the Order of 1924:

And whereas by section 71 of the Order of 1924 the County Council in addition to other moneys were authorised to borrow the sum of seven thousand pounds for the general purposes of the undertaking but owing to the erection of a considerable number of additional houses and public schools and the reconstruction of existing houses to bring them up to modern sanitary requirements within the water supply area it has become necessary for the County Council to execute further works and for that purpose to borrow further moneys:

[21 & 22 GEO. 5.] *Midlothian County* [Ch. lxxxiv.]  
*Council (Calder) Water Order Confirmation*  
*Act, 1931.*

And whereas the estimates for the said works are as follows :— A.D. 1931.

	£
Additional mains and pipes - - - - -	13,500
Service tank - - - - -	1,000
Lands and servitudes - - - - -	500

And whereas the said works are permanent works and it is expedient that the cost thereof should be spread over a number of years as provided by the Order of 1924 :

And whereas it is expedient to authorise the County Council to borrow such further moneys as may be necessary for the purposes of the undertaking as may be sanctioned by the Secretary of State :

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

Now therefore in pursuance of the powers contained in the last-mentioned Act as read with the Secretaries of State Act 1926 the Secretary of State orders as follows :—

1.—(1) This Order may be cited for all purposes as the Midlothian County Council (Calder) Water Order 1931. Short title and citation.

(2) The Midlothian (Calder District) Water Order 1924 and this Order may be cited together as the Midlothian County Council (Calder) Water Orders 1924 and 1931.

2. The County Council may from time to time borrow at interest— Power to borrow.

(a) for the general purposes of the undertaking authorised by and under the powers of the Order of 1924 the sum of fifteen thousand pounds in addition to the moneys authorised by the Order of 1924 to be so borrowed; and

(b) with the sanction of the Secretary of State but not otherwise such further sums as may be necessary for distribution mains and the general purposes of the said undertaking to which capital is properly applicable.

[Ch. lxxxiv.] *Midlothian County* [21 & 22 GEO. 5.]  
*Council (Calder) Water Order Confirmation*  
*Act, 1931.*

A.D. 1931.  
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Repayment  
of borrowed  
money.

3.—(1) All money borrowed by the County Council under the powers of this Order shall be repaid as to money borrowed for the purposes (a) mentioned in the immediately preceding section within the period of thirty years from the date or dates of borrowing the same and as to money borrowed for the purposes (b) mentioned in the said section with the sanction of the Secretary of State within such period not exceeding forty years and by such method as the Secretary of State may prescribe.

(2) In relation to any sanction to be given by the Secretary of State to the borrowing of money by the County Council under this Order the Secretary of State shall have and may exercise all the powers of section 93 of the Local Government (Scotland) Act 1889 Provided that for the purposes of this provision the sum of five guineas shall be substituted for the sum of three guineas in that section mentioned.

Costs of  
Order.

4. The costs charges and expenses of and incident to the preparing and making of this Order and the confirmation thereof by Parliament or otherwise in relation thereto shall be paid by the County Council out of the assessments or rates to be levied under authority of the Order of 1924 or out of any other moneys which the County Council may legally apply to such purpose Provided that in the event of such costs being paid out of borrowed money the same shall be repaid within five years from the date of the passing of the Act confirming this Order.

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