



CHAPTER i.

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1936 relating to Dumbarton Burgh.

[14th March 1940.]

WHEREAS a Provisional Order relating to Dumbarton Burgh has been made by the Secretary of State under the provisions of the Private Legislation Procedure (Scotland) Act 1936 and it is expedient that the said Order should subject to amendment be confirmed by Parliament :

26 Geo. 5. &
1 Edw. 8.
c. 52.

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 so made which as amended is set forth in the schedule hereunto annexed is hereby confirmed.

Confirmation
of Order in
schedule.

2. This Act may be cited as the Dumbarton Burgh Short title. Order Confirmation Act 1940.

SCHEDULE.

DUMBARTON BURGH.

Provisional Order to extend the boundaries of the burgh of Dumbarton to make provision with respect to the local government and health of the burgh and for other purposes.

WHEREAS the burgh of Dumbarton (hereinafter referred to as "the burgh") in the county of Dunbarton is under the government for municipal purposes of the provost magistrates and councillors of the burgh of Dumbarton (hereinafter referred to as "the Town Council"):

And whereas there are no suitable lands available for the erection of dwelling-houses within the existing burgh and it is necessary to provide for the erection of houses on lands outwith the boundaries thereof for the accommodation of persons employed therein for the relief of overcrowding which prevails in the existing burgh and to meet the needs of an increased population and additional lands will be required for such purposes:

And whereas the area described in the First Schedule to this Order (hereinafter referred to as "the added area") is situated in the county of Dunbarton and immediately adjoins the existing burgh and includes lands suitable for housing development:

And whereas the Town Council are empowered to and supply gas and water in the added area:

And whereas it is expedient and would be for public and local advantage that the boundaries of the existing burgh should be extended and should include the added area as by this Order provided and that all franchises rights privileges and immunities of and pertaining to the existing burgh and the powers and jurisdictions of the Town Council and all other powers and jurisdictions

applicable within the existing burgh should as by this Order provided be extended to and be applicable within the burgh as extended by this Order and to the inhabitants thereof:

And whereas it is expedient that subject to the provisions of this Order the added area should be separated and disjoined for the purposes of this Order from the county of Dunbarton and that all matters of administration and management and all jurisdictions powers functions and authorities within the said area should devolve upon and be vested in the Town Council:

And whereas it is expedient that the said area should be added to certain of the existing wards of the burgh as in this Order provided:

And whereas it is expedient that the compulsory limits of water supply of the Town Council should comprise the burgh as extended by this Order:

And whereas it is expedient that further provision should be made with reference to cleansing and sanitary matters and the local government and health of the burgh:

And whereas it is expedient that the Town Council should be authorised to borrow money for the purposes in this Order mentioned:

And whereas it is expedient that the further provisions contained in this Order should be enacted:

And whereas the purposes aforesaid cannot be effected without an Order confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1936:

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

PART I.

PRELIMINARY.

1. This Order may be cited as the *Dumbarton Short title. Burgh Order 1939.*

Ch. i. *Dumbarton Burgh Order* 3 & 4 GEO. 6.
Confirmation Act, 1940.

PART I.
—cont.
Commence-
ment of
Order.

2. This Order except where otherwise expressly provided shall commence and have effect on and from the date of the passing of the Act confirming this Order which date is in this Order referred to as “the commencement of this Order.”

Order
divided
into Parts.

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

Part I.—Preliminary.

Part II.—Extension of boundaries.

Part III.—Public health sanitary cleansing &c.

Part IV.—Miscellaneous.

Interpreta-
tion.

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

“ Existing burgh ” means the burgh of Dumbarton within the limits and boundaries existing immediately before the sixteenth day of May one thousand nine hundred and forty ;

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

“ Added area ” means the portion of the county by this Order incorporated with the existing burgh and described in the First Schedule to this Order and shown on the map to be deposited as hereinafter provided ;

“ Ward ” or “ wards ” means ward or wards of the burgh ;

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

“ Magistrates ” means the magistrates of the existing burgh or of the burgh as the case may be ;

“ Dean of guild ” and “ dean of guild court ” mean respectively the dean of guild and the dean

of guild court of the existing burgh or of the burgh as the case may be;

PART I.
—cont.

“Town clerk” means the town clerk of the existing burgh or of the burgh as the case may be;

“County” means the county of Dunbarton;

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

“District councils” means the district councils of the county whose districts or part of whose districts are situated in the added area and “district council” means any of the district councils;

“Town Councils Acts” means the Town Councils (Scotland) Acts 1900 to 1923 and any Acts amending or extending the same;

“Water Acts” means the waterworks provisions of the Dumbarton Waterworks Reclamation and Municipal Extension Act 1857 the Dumbarton Waterworks and Municipality Act 1869 the Dumbarton Waterworks Streets and Buildings Act 1883 the Dumbarton Burgh Act 1899 and the Dumbarton Burgh (Water &c.) Order 1914 and the provisions of the Dumbarton Burgh (Water) Order 1921 and the Dumbarton Burgh (Water) Order 1938;

20 & 21 Vict.
c. xx.
32 & 33 Vict.
c. xxxiii.
46 & 47 Vict.
c. cxlviii.
62 & 63 Vict.
c. xlvii.

“Water undertaking” means the water undertaking of the Town Council;

“Back court” means any recess yard area or enclosed space behind and contiguous or adjacent to any building and used in common by the tenants of separate parts of such building;

“Daily penalty” means a penalty for every day on which any offence is continued after conviction therefor;

“Sheriff” means the sheriff of Stirling Dumbarton and Clackmannan and includes his substitutes.

PART II.

EXTENSION OF BOUNDARIES.

Commence-
ment of
Part II of
Order.

5. This Part of this Order shall except as hereinafter provided come into operation on and from the sixteenth day of May one thousand nine hundred and forty.

Extension of
boundaries.

6. The municipal and police boundaries of the existing burgh shall be and are hereby extended to and shall include in addition to the area embraced in the existing burgh the added area as described in the First Schedule to this Order and the burgh shall be comprised within the boundaries set forth and described in the Second Schedule to this Order :

Provided that the rules prescribed by the Representation of the People Acts shall be observed and receive effect with reference to the description of boundaries contained in the said Second Schedule.

Map of
burgh.

7.—(1) A map of the burgh of which eleven copies have been signed by Matthew George Fisher K.C. Counsel to the Secretary of State under the Private Legislation Procedure (Scotland) Act 1936 shall within one month after the commencement of this Order be deposited as follows (that is to say) one copy with the town clerk one copy with the sheriff clerk of the county at his office in Dumbarton one copy in the Office of the Clerk of the Parliaments House of Lords one copy in the Committee and 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 Minister of Agriculture and Fisheries one copy with the Commissioners of Inland Revenue one copy with the Commissioners of Customs and Excise one copy with the Minister of Transport and one copy with the Board of Trade.

(2) If there be any discrepancy between the said map and the description in the Second Schedule to this Order the said map shall be deemed to be correct and shall prevail.

8. Nothing contained in this Order shall interfere with the election of members to serve in Parliament for the county and the county shall for parliamentary purposes remain in all respects as if the Act confirming this Order had not been passed.

Order not to affect election of members to serve in Parliament.

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

Added area disjoined from county.

10.—(1) The special water drainage scavenging and lighting districts so far as situated within the added area shall be and are hereby abolished and to that extent all resolutions of the county council 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 so far as extending to or affecting any part of the burgh and the county council shall be relieved by the Town Council from all obligations in respect of the said special districts so far as the same are situated within the added area.

Abolition of special districts.

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

11.—(1) The added area shall be added to the existing wards in the burgh as follows (that is to say):—

Added area added to existing wards.

(a) The portion of the added area described in Part I of the Third Schedule to this Order shall be added to and form part of the First Ward ;

(b) The portion of the added area described in Part II of the said Third Schedule shall be added to and form part of the Fourth Ward.

(2) Nothing in this section shall affect the application to the burgh of the provisions of the Local Government (Scotland) Act 1929 with regard to the alteration of the number of magistrates and councillors in burghs and to the number of councillors in each ward and to the division or re-division into wards.

19 & 20
Geo. 5. c. 25.

12. The provisions of the Town Councils Acts regarding the election of town councillors in burghs divided into wards or districts so far as the same apply to the existing burgh shall subject to the provisions of this Order apply to the five wards and to the elections

Application of Acts as to municipal elections.

Ch. i. *Dumbarton Burgh Order* 3 & 4 GEO. 6.
Confirmation Act, 1940.

PART II.
—*cont.*

therein and to the election qualification continuance in office declinations resignations and retirements of councillors and to supplying vacancies in the council by death disability resignations or other causes or otherwise.

Register of voters.

13. For the purpose of the Acts in force for the time being relating to the registration of local government voters and the election of town councillors for the respective wards in the burgh the added area shall notwithstanding anything contained in this Order be deemed to be and to have always been a part of the burgh and to have been included in the wards specified in the section of this Order of which the marginal note is "Added area added to existing wards" for the making up of the register of voters.

Town Council to administer affairs of burgh.

14. The Town Council 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 Town Council in the same position in which the Town Council of the existing burgh stood before the commencement of this Part of this Order and the Town Council 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 lawfully belonged to and were exerciseable or exercised by the Town Council of the existing burgh in regard thereto notwithstanding anything in the set usage or customs of the existing burgh to the contrary.

Powers of Town Council and magistrates extended to burgh.

15. The Town Council the magistrates and the dean of guild court shall have possess and may exercise over the burgh and the inhabitants thereof all the jurisdictions powers rights and authorities which they respectively possessed and exercised over the existing burgh and the inhabitants thereof whether at common law or by statute or otherwise including all powers of imposing levying and recovering rates and assessments dues and charges and all rights and privileges and immunities and obligations enjoyed and possessed by or incumbent on the inhabitants of the existing burgh shall subject to the provisions of this Order extend and apply to the inhabitants of the burgh.

Powers of other jurisdictions to cease.

16. Subject to the provisions of this Order all jurisdictions rights powers and duties which before the commencement of this Part of this Order were

exercised or exerciseable by the county council or any local or licensing or other authority within the added area or any part thereof under any public general or local or private Act of Parliament or Order shall cease and determine.

PART II.
—cont.

17. Subject to the provisions of this Order all property belonging to the Town Council at the commencement of this Part of this Order or to which the Town Council 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 Town Council for the behoof and benefit of the burgh or as the case may be administered by such person for or on behalf of the community of the burgh or for the public ends and purposes thereof and all debts and obligations due by or exigible from the Town Council at the commencement of this Part of this Order shall be due by and exigible from the Town Council and all debts due to the Town Council by any person before the commencement of this Part of this Order may be demanded and recovered from such person and received and applied by the Town Council for the behoof of the burgh.

Property
of existing
burgh
vested in
Town
Council.

18.—(1) Subject to the provisions of this Order all property vested in held by or due or belonging to the county council or the district councils in the added area shall by virtue of this Order be transferred to vested in held by and be due and belong to the Town Council and shall form part of the property and assets of the Town Council for all the estate and interests therein of the county council or the district councils and shall be received held and enjoyed by the Town Council accordingly.

Property
and
liabilities in
added area
vested in
Town
Council.

(2) Subject to the provisions of this Order all the powers duties liabilities debts obligations contracts and agreements of the county council or the district councils in relation to the added area shall by virtue of this Order be transferred and attached to the Town Council and shall form part of the powers duties liabilities debts obligations contracts and agreements of the Town Council and be enjoyed performed paid and discharged by them.

PART II.
—cont.
Dumbarton
Joint
Hospital.

19. Whereas Dumbarton Joint Hospital serves part of the added area therefore the following provision shall have effect if and so long as the minute of agreement relating to the said hospital entered into between the Western District Committee of the county council and the Town Council dated the thirtieth day of April one thousand eight hundred and ninety-seven remains in force (that is to say) :—

Notwithstanding anything contained in the said minute of agreement or in this Order any person resident in the added area who is admitted as a patient to the said hospital shall be admitted and paid for as provided by article tenth of the said minute of agreement.

Assessment
of burgh.

20. Subject to the provisions of this Order every rate charge or assessment authorised to be requisitioned for levied and collected by the county council over the added area or any part or parts thereof which has not been actually imposed before the commencement of this Part of this Order shall thereupon cease and determine within the added area and thereafter all assessments and rates leviable within the existing burgh by the Town Council shall be leviable on and within the burgh in the same way and manner as the same were leviable on and within the existing burgh.

Recovery of
assessments
within
added
area.

21. Every rate charge or assessment which has been actually imposed by the county council within the added area or any part thereof before the commencement of this Part of this Order together with all arrears thereof shall continue to be due and payable to and may be collected and levied by the county council and by the same ways and means and under the same restrictions and regulations as if the Act confirming this Order had not been passed and shall be received and applied by the county council to and for the purposes for which the same were authorised to be levied.

Roads &c.
in added
area.

22. Subject to the provisions of this Order the roads streets highways lanes bridges foot-pavements and foot-paths and the sewers and drains in the added area so far as the same were vested in and managed maintained and repaired by the county council or the district councils shall by virtue of this Order be transferred to and vested

in and managed maintained and repaired by the Town Council along with and in the same way and manner and to the same extent as the roads streets highways lanes bridges foot-pavements and footpaths and the sewers and drains within the existing burgh and the county council or the district councils shall be freed and relieved of the repair and maintenance of all such roads streets highways lanes bridges foot-pavements and footpaths and sewers and drains so far as within the added area in all time coming.

PART II.
—cont.

23. Nothing contained in this Order with respect to the vesting in the Town Council of roads streets highways lanes bridges foot-pavements footpaths sewers or drains within the added area shall prevent any superiors owners or other persons by whom or by whose predecessors the same 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 made between such persons respectively.

Saving
rights in
roads &c.

24.—(1) All books documents maps and plans directed or authorised to be kept by the county council in the added area by any Act or otherwise shall so far as they relate solely to the added area belong and be transferred to the Town Council and in so far as they would at the commencement of this Part of this Order be receivable in evidence shall be admitted as evidence in all courts and proceedings notwithstanding the cesser of the powers of the county council.

Books to be
evidence.

(2) The foregoing provision shall not apply to the books documents maps and plans kept by the county council which relate to parts of the county other than the added area but the Town Council 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 clerk or other officers of the county council shall afford all reasonable facilities for that purpose.

25.—(1) Except so far as inconsistent with or varied by this Order the provisions of all public and general and local and private Acts and Orders which applied to the existing burgh and all byelaws rules regulations and orders made thereunder shall extend and apply to the burgh in the same way and to the like extent as they

Application
of general
and local
Acts and
byelaws.

Ch. i. *Dumbarton Burgh Order* 3 & 4 GEO. 6.
Confirmation Act, 1940.

PART II.
—cont.

applied to and had effect within the existing burgh
Provided that nothing in this Order shall extend the
area of supply defined by the Dumbarton Electric Light-
ing Order 1902.

(2) Subject to the provisions of this Order all
byelaws rules regulations and orders made under the
provisions of any Acts or Orders relative to and in
force in the added area or any part thereof shall cease
to have effect except in so far as the same may have
been acted upon.

Variation of
procedure
under Tem-
perance
(Scotland)
Act 1913.
3 & 4 Geo. 5.
c. 33.

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

(2) This section shall come into operation on the
date of the passing of the Act confirming this Order.

Insurance
committees.

27.—(1) The Secretary of State may by order
reconstitute the insurance committees for the county
and for the burgh as from the commencement of this
Part of this Order or such subsequent date as he may
determine and that in such manner and to such extent
as he may deem necessary in consequence of the provi-
sions of this Order and any such order may contain
such incidental supplemental and consequential provi-
sions as may appear to the Secretary of State necessary
or expedient for carrying it into effect and for adapting
thereto the provisions of the National Health Insurance
Acts 1936 to 1938 Provided that any order made
under this section shall be laid before both Houses of
Parliament as soon as may be after it is made.

(2) This section shall come into operation on the
date of the passing of the Act confirming this Order.

Poor Law
settlement.

28.—(1) Every person whose settlement is derived
from birth or residence for the statutory period of three
years in the added area shall be deemed to have a
settlement within the burgh.

(2) Every person who at the commencement of this Part of this Order is resident in the added area and is in course of acquiring a settlement in the county by reason of such residence shall for the purposes of his settlement be deemed to have resided within the burgh during the period during which he has prior to the commencement of this Part of this Order resided within the added area.

PART II.
—cont.

(3) Where at the commencement of this Part of this Order a person has a settlement within the county by reason of residence partly in the added area and partly in another part of the county the burgh or the county as the case may be shall be deemed to be the area of settlement of that person according as the place of his residence at the time of his acquiring a settlement was within the added area or within another part of the county.

(4) For the purposes of section 4 of the Poor Law (Scotland) Act 1898 and subsection (3) of section 3 of the Poor Law (Scotland) Act 1934 every person who at the commencement of this Part of this Order is resident in the added area shall be deemed to have resided within the burgh during the period during which he has prior to the commencement of this Part of this Order resided within the added area or within another part of the county.

61 & 62 Vict.
c. 21.
24 & 25
Geo. 5. c. 52.

29. The House-Letting and Rating (Scotland) Act 1911 and any Act amending or extending the said Act shall if in operation in the added area or any part thereof apply to the added area or such part thereof until the fifteenth day of May one thousand nine hundred and forty-one as if the added area had not been added to the burgh until that date Provided that anything requiring to be done under the said Act to or by the county council in the added area shall be done to or by the Town Council.

Application
of House-
Letting and
Rating Act.
1 & 2 Geo. 5.
c. 53.

30. All certificates of licence granted before the commencement of this Part of this Order by the competent licensing court for the added area or any part thereof and then in force shall unless the same be revoked or previously expire subsist and continue until the twenty-eighth day of May one thousand nine hundred and

Provision
as to sub-
sisting
licences.

Ch. i. *Dumbarton Burgh Order* 3 & 4 GEO. 6.
Confirmation Act, 1940.

PART II.
—*cont.*

forty-one but all prosecutions for offences under the Licensing (Scotland) Acts 1903 to 1934 with reference to such certificates or for any breach thereof or of the byelaws or regulations made under the said Acts shall after the commencement of this Part of this Order be proceeded with in the same way as if such certificates had been originally granted within the burgh and all applications for renewal or transfer of such certificates shall after the commencement of this Part of this Order be disposed of by the licensing court of the burgh.

Power to
Town
Council and
county
council or
a district
council to
enter into
agreements.

31.—(1) Subject and without prejudice to any of the provisions of this Order the Town Council and the county council or a district council may before or after the commencement of this Part of this Order make and carry into effect agreements with respect to the transfer of property from the county council or a district council to the Town Council and for settling and adjusting any claims or any doubt or difference arising in relation thereto.

(2) The provisions of any such agreement shall be deemed to be within the powers of the Town Council and the county council or a district council and if and when made shall have and be carried into effect accordingly.

(3) Any difference or dispute arising as to any such agreement or as to any other matter or thing in relation to the transference under this Order of the property of the county council or a district council 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 any of the parties concerned.

(4) If any question of law arises 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.

Financial
adjust-
ments.

4 & 5 Geo. 5.
c. 74.

32. The financial adjustments between the Town Council and the county council or a district council consequent upon the inclusion within the boundaries of the burgh of the added area shall be made upon the basis of the provisions of the Local Government (Adjustments) (Scotland) Act 1914 and in accordance with the rules

contained in the Schedule to that Act and section 50 of the Local Government (Scotland) Act 1889 shall apply and have effect on the extension of the boundaries of the existing burgh by this Part of this Order and any dispute or difference arising in connection with such adjustments shall be settled by arbitration by an arbiter to be agreed upon or failing agreement to be appointed by the Secretary of State on the application of any of the parties concerned. If any question of law arises 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.

PART II.
—cont.
52 & 53 Vict.
c. 50.

33. The following provisions (unless otherwise agreed in writing between the Town Council and the county council) shall apply and have effect:—

For protec-
tion of
county
council.

(1) The Town Council shall on the commencement of this Part of this Order repay to the county council—

(a) the total amount of any debt incurred by the county council and outstanding at the fifteenth day of May one thousand nine hundred and forty in respect of the Glasgow-Inverness road (Route A.82) so far as the said road is situated within the added area;

(b) the total amount of all sums advanced by the county council by way of loans on the security of subjects within the added area under the Small Dwellings Acquisition Acts 1899 to 1923 the Housing &c. Act 1923 the Housing (Financial Provisions) Act 1924 the Housing (Scotland) Act 1925 the Housing (Revision of Contributions) Act 1929 and the Housing (Rural Workers) (Scotland) Acts 1926 to 1938 under deduction of any sums repaid to the county council before the commencement of this Part of this Order and in consideration of such payment the county council shall assign to the Town Council all bonds and dispositions in security or other securities held by them for repayment of

13 & 14
Geo. 5. c. 24.
14 & 15
Geo. 5. c. 35.
15 & 16
Geo. 5. c. 15.
20 & 21
Geo. 5. c. 6.

PART II.
—cont.

such advances with all rights competent to them thereunder;

(c) the total amount of all sums advanced by the county council as subsidies or grants to persons in respect of subjects in the added area under the Housing &c. Act 1923 the Housing (Financial Provisions) Act 1924 the Housing (Scotland) Act 1925 and the Housing (Rural Workers) (Scotland) Acts 1926 to 1938 under deduction of any grants received by or due to the county council from any Government Department in respect thereof at or before the commencement of this Part of this Order and in consideration of such payment the county council shall transfer to the Town Council all rights which they have to receive grants from any Government Department in respect of such subsidies or grants:

- (2) The county council shall transfer to the Town Council all rights which they have to receive from any Government Department grants in respect of any housing schemes carried out by the county council in the added area under the Housing (Scotland) Acts 1925 to 1935:
- (3) The Town Council shall relieve the county council of all obligations undertaken by them before the commencement of this Part of this Order to persons in respect of subjects within the added area under the Small Dwellings Acquisition Acts 1899 to 1923 the Housing &c. Act 1923 the Housing (Financial Provisions) Act 1924 the Housing (Scotland) Act 1925 the Housing (Revision of Contributions) Act 1929 and the Housing (Rural Workers) (Scotland) Acts 1926 to 1938 and in consideration thereof the county council shall transfer to the Town Council all rights and powers competent to the county council in respect of such obligations:
- (4) If any difference arises between the Town Council and the county council under this section such difference shall failing agreement be determined by an arbiter to be appointed (failing agreement by the parties to appoint

an arbiter) by the sheriff on the application of either of the parties.

PART II.
—cont.

- (5) If any question of law arises in the course of such arbitration the arbiter shall have power at the request of either of the parties to state a case for the opinion of the court of session and the said court shall determine such question.

34. All legal or other proceedings begun before the transfer and relating to any property or liabilities transferred to the Town Council under this Part of this Order may be carried on with the substitution of the Town Council as party to the proceedings in lieu of the transferor authority from whom the property or liabilities was or were transferred and any such proceedings may be amended in such manner as may be necessary for that purpose.

Proceedings
not to
abate.

35. The limits for the compulsory supply of water by the Town Council are hereby extended and shall be the burgh and the provisions of the Water Acts are hereby amended accordingly.

Extension
of compul-
sory limits
of water
supply.

36. Nothing contained in this Part of this Order shall transfer or be deemed or construed to transfer to the Town Council—

Saving of
existing
juris-
dictions &c.

- (1) The police station or house of the county council situated at Dumbuck :
- (2) The share of the county council in the Dumbarton Joint Hospital situated in the parish of Cardross :
- (3) Any property in the added area belonging to the electricity authorised undertakers in the said area or any powers exercised or exerciseable in the added area by such authorised undertakers :
- (4) (a) any jurisdiction power or right hitherto exercised or exerciseable by the county council within the added area which was also exercised or exerciseable within the existing burgh by the county council before the commencement of this Part of this Order ;

(b) any liability debt duty or obligation incurred by or incumbent on the county council

Ch. i. *Dumbarton Burgh Order* 3 & 4 GEO. 6.
Confirmation Act, 1940.

PART II.
—*cont.*

in connection with the exercise of any such jurisdiction power or right; or

(c) any property (including books documents maps and plans) officer or servant held or employed for the future exercise of any such jurisdiction power or right or for the discharge of any such liability debt duty or obligation.

Saving for
county
councillors
&c.
52 & 53 Vict.
c. 50.

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

For pro-
tection of
Trustees of
Clyde
Navigation
and Clyde
Pilotage
Authority.

38. Nothing contained in this Order shall prejudice take away diminish alter or abridge any jurisdiction statutory or other rights powers or privileges conferred on vested in or enjoyed by the Trustees of the Clyde Navigation or the Clyde Pilotage Authority at the commencement of this Order.

Saving for
river
baillie.

39. Nothing contained in this Order shall prejudice take away diminish alter or abridge any statutory or other rights powers privileges jurisdictions or authorities vested in or enjoyed by the bailie of the river and firth of Clyde to in over or relating to the river and firth of Clyde and such rights powers privileges jurisdictions and authorities shall continue to be held exercised and enjoyed by the bailie of the river and firth of Clyde as if the Act confirming this Order had not been passed.

For
protection
of the Clyde
Valley
Electrical
Power
Company.

40. The following provisions for the protection of the Clyde Valley Electrical Power Company, (hereinafter in this section called "the company") shall apply and have effect (that is to say):—

Notwithstanding anything contained in this Order the company shall subject to the provisions of the Clyde Valley Electrical Power Acts 1901 to

1937 be entitled to exercise all the powers of these said Acts in their area of supply in the same way as if this Order had not been confirmed notwithstanding that the said area or some part thereof is comprised within the burgh.

PART II.
—cont.

PART III.

PUBLIC HEALTH SANITARY CLEANSING &C.

41.—(1) Any occupier of any shop or other premises used for the sale preparation or storage of butcher meat poultry game fish butter meal bread or any other article of food which by its nature will be liable to contamination by contact with unclean conditions who does not keep such shop or other premises clean and in good condition shall be guilty of an offence and shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding ten shillings.

Penalty for
want of
cleanliness
in meat and
provision
shops &c.

(2) Any person who uses any cart basket or other article or thing for the disposal or sale of any article of food which by its nature will be liable to contamination by contact with unclean conditions and does not keep the same clean and in good condition shall be guilty of an offence and shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding ten shillings.

42.—(1) A noise nuisance shall be liable to be dealt with summarily in the manner provided in Part II of the Public Health (Scotland) Act 1897 in the same way and to the same effect as in cases under subsection (6) of section 16 of that Act and the Town Council shall have all the powers and duties with reference to a noise nuisance which a local authority has with reference to a nuisance under the said Act :

Noise
nuisance.
60 & 61 Vict.
c. 38.

Provided that a complaint to a sheriff or magistrate or justice under this section shall not be of any effect unless it is signed by not less than three householders or occupiers of premises within hearing of the noise nuisance which is the subject of the complaint.

(2) For the purpose of this section a noise nuisance shall be deemed to exist where any person makes or continues or causes to be made or continued any excessive or unreasonable or unnecessary noise and where such

Ch. i. *Dumbarton Burgh Order* 3 & 4 GEO. 6.
Confirmation Act, 1940.

PART III.
—cont.

noise (a) is injurious or dangerous to health and (b) is capable of being prevented or mitigated having due regard to all the circumstances of the case :

Provided that if the noise is occasioned in the course of any trade business or occupation it shall be a good defence that the best practical means of preventing or mitigating it having regard to the cost have been adopted.

(3) Nothing contained in this section shall apply to a railway company or their servants exercising statutory powers.

Loading or unloading of goods on street.

43. Any person who in connection with the loading or unloading of goods or articles of any description causes or permits straw paper packing material or debris from any crate or package to be thrown or laid on any street and does not immediately remove the same or in any way litters any street shall be guilty of an offence and shall be liable to a penalty not exceeding forty shillings.

For preventing soil and sand from being washed into streets.

44.—(1) The owners or occupiers of any lands abutting upon any public street (other than lands occupied for agricultural purposes) shall so fence off channel or embank the said lands as to prevent the soil sand or other debris of such lands from falling upon or being washed or carried into any public street or into any sewer or gully in such quantities as may obstruct the street or choke up such sewer or gully.

(2) Any person who after one month's notice in writing from the Town Council fails in any respect to comply with the provisions of this section shall be guilty of an offence and shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Sanitary conveniences for workmen engaged on buildings.

1 Edw. 8. &
1 Geo. 6.
c. 67.

45.—(1) The contractor engaged in or upon the construction or reconstruction of any work not being a work to which section 107 or 108 of the Factories Act 1937 applies shall where practicable and if required by the Town Council provide to the reasonable satisfaction of the Town Council and until the completion of any such construction or reconstruction such water or other closets and urinals in or in connection with such work as may be sufficient for the accommodation of the workmen employed.

(2) Any person who fails to comply with the provisions of this section shall be guilty of an offence and shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

PART III.
—cont.

(3) Any person aggrieved by any requirement of the Town Council under the provisions of this section may appeal therefrom and section 339 of the Burgh Police (Scotland) Act 1892 shall apply in respect of any such appeal.

46.—(1) For the protection of the amenity of the burgh and for preventing the disfigurement of the streets by the unsightly condition of adjacent lands and buildings the Town Council may make byelaws for regulating the manner in which vacant building sites fronting or abutting on streets and unoccupied or ruinous buildings in streets shall be kept :

Control of
vacant
building
areas and
derelict
buildings.

Provided that any byelaws made under the authority of this section shall not prevent or interfere with the erection of hoardings for advertisements on any vacant building site or building or the exhibition on such site or building of any advertisement as defined by the Advertisements Regulation Acts 1907 and 1925.

(2) Byelaws made under the authority of this section shall not apply to any such site or to any building in a street unless at least one-half of the frontage of one side of the street is built upon.

(3) Byelaws made under the powers of this section shall not take effect unless and until they have been confirmed by the Secretary of State who may allow modify or disallow the same as he may think fit.

(4) The owner or the occupier of a building site or building who fails to comply with the byelaws made under the authority of this section shall be guilty of an offence and shall be liable to a penalty not exceeding five pounds for each site or building in respect of which he fails to comply and to a daily penalty not exceeding forty shillings.

(5) Not less than one month before application is made by the Town Council to the said department for confirmation of a byelaw under this section notice of the

PART III.
—cont.

intended application shall be published in one or more newspapers circulating in the burgh and for a period of not less than one month before making such application a copy of the proposed byelaws shall be kept at the office of the town clerk and shall be available for inspection during office hours without charge and the town clerk shall furnish a copy of the proposed byelaws to any ratepayer on application.

(6) Any person who objects to any proposed byelaw or any proposed alteration of a byelaw may during the last-mentioned period of one month send notice in writing of his objection to the said department and a copy of such objection shall at the same time be sent to the town clerk and the said department shall consider the objection and any answers by the Town Council thereto before confirming the byelaw.

Railings in
back courts.

47.—(1) It shall not be lawful for any person to erect or cause to be erected any fence railing or wall in or between back courts of which any spike or similar projection shall form a part.

(2) After the expiry of four years from the commencement of this Order it shall not be lawful for any person to allow any spike or similar projection to form a part of any fence railing or wall belonging to him in or between back courts.

(3) Any person who acts in contravention of subsections (1) or (2) of this section shall be guilty of an offence and shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Prohibition
of entry of
petrol &c.
into sewers.

48. Any person who wilfully turns or permits to enter into any sewer of the Town Council or any drain communicating therewith any petrol oil or other like deleterious substances from any workshop motor garage or other like premises shall be guilty of an offence and shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding five pounds.

Nuisance
by dogs.

49. Any person in charge of a dog in any street and having the dog on a lead who allows or permits such dog to deposit its excrement upon a public pavement or

footway shall be guilty of an offence and shall be liable to a penalty not exceeding forty shillings.

PART III.
—cont.

50. Any person who causes or permits any foul water oil dirt filth or other offensive matter or thing to run into or be discharged upon any street shall be guilty of an offence and shall be liable to a penalty not exceeding forty shillings.

Penalty for allowing offensive matter or thing to run into street.

51.—(1) It shall not be lawful for any person without the consent of the Town Council acting as the local authority for the burgh under the Public Health (Scotland) Act 1897—

Regulation of tents vans &c.

- (a) to let or use or permit to be used any land situated within the burgh for occupation by any tent van shed or similar structure used or intended to be used for human habitation; or
- (b) to place or keep on any land situated within the burgh any such tent van shed or similar structure;

and such consent may be given for such period and on such conditions as the Town Council think fit Provided that consent shall not be required by any person in respect of—

- (i) any tent van shed or similar structure placed or kept by the occupier of a dwelling-house upon any land connected therewith and used by him or members of his household;
- (ii) any tent van shed or similar structure used or intended to be used by the occupier for human habitation where such use shall not exceed a period of three months in any period of twelve months;
- (iii) any tent van shed or similar structure provided by or belonging to or used by—
 - (a) any portion of His Majesty's Naval Military or Air Forces or any contingent of the Officers Training Corps or any cadet unit of the British National Cadet Association officially recognised by the Army Council or any University Air Squadron officially recognised by the Air Council;

structure the provision of adequate lighting of such land or area and precautions against fire and sections 183 to 187 of the said Act shall extend and apply to any byelaws made by the Town Council under this section.

PART III.
—cont.

(5) Nothing in this section shall prejudice or affect the powers and jurisdiction of the dean of guild or the dean of guild court.

PART IV.

MISCELLANEOUS.

52.—(1) The Town Council may from time to time borrow at interest for the purposes of—

Borrowing
powers.

(a) the payment of any capital sum which may be paid under the provisions of the section of this Order of which the marginal notes are “Financial adjustments” and “For protection of county council”;

(b) the payment of any capital sum in respect of any land buildings drainage works or other property taken over by the Town Council; and

(c) the payment of the costs charges and expenses of this Order;

such sums of money as may be necessary Provided that money so borrowed for purposes (a) and (b) shall be repaid within twenty-five years from the date or dates of borrowing and that money so borrowed for purpose (c) shall be repaid within five years from the commencement of this Order.

(2) (a) In addition to the moneys which the Town Council are by the Water Acts authorised to borrow they may borrow such sums of money for the purposes of the water undertaking as the Secretary of State may sanction.

(b) Any money borrowed under this subsection shall be borrowed subject to such conditions as to period and method of repayment and otherwise as the Secretary of State may prescribe.

(c) The Secretary of State shall have and may exercise in relation to any such sanction as aforesaid all the powers of section 93 of the Local Government (Scotland) Act 1889 and such sanction shall be subject to such conditions (if any) as the Secretary of State

Ch. i. *Dumbarton Burgh Order* 3 & 4 GEO. 6.
Confirmation Act, 1940.

PART IV.
—cont.

may consider proper 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.

Saving for emergency restrictions on borrowings.
2 & 3 Geo. 6. c. 62.

53. Nothing in this Order shall enable any power of borrowing to be exercised or any issue of capital to be made without compliance with the requirements of any regulation for the time being in operation under the Emergency Powers (Defence) Act 1939 or any order made under such regulation.

Vesting of property transferred to Town Council &c.

54. All property transferred to or vested in the Town Council by virtue of this Order 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 Town Council to complete a title if thought fit to any property transferred to and vested in them by virtue of this Order by expediting a notarial instrument notice of title or otherwise this Order shall be deemed to be and may be used as a general disposition or assignation as the case may be of such property in favour of the Town Council.

Recovery of penalties.

55. Any penalty under this Order or under any byelaws or regulations made under this Order unless otherwise specially provided for may be recovered in manner provided by the Summary Jurisdiction (Scotland) Acts.

Costs of Order.

56. All costs charges and expenses preliminary to and of and incidental to the preparing for obtaining and confirming of this Order or otherwise in relation thereto shall be paid by the Town Council 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 to be borrowed by them under this Order for that purpose.

The SCHEDULES referred to in the foregoing Order.

FIRST SCHEDULE.

(Referred to in the section of this Order of which the marginal note is " Interpretation.")

BOUNDARIES OF THE ADDED AREA.

The area within the parishes of Cardross Dumbarton and Old Kilpatrick and county of Dunbarton bounded as follows :—

Commencing at the point in the centre of the river Clyde directly south of Havock Beacon and running due north along a line passing through Havock Beacon to a point where the said line meets the continuation in a southward direction of the westmost boundary of the field or enclosure numbered 956 on the Ordnance survey map of the county of Dunbarton marked " Edition of 1918 " thence northward along the said line forming the continuation southward of the said boundary and northward along the said boundary to the point where the said boundary meets the southmost boundary of the Helensburgh branch of the London and North Eastern Railway thence in a line running in a northerly direction to the south-eastmost corner of the field or enclosure numbered 907 on the said Ordnance survey map thence in a northerly direction along the easterly boundary of the said field or enclosure numbered 907 and the continuation thereof to meet the southmost boundary of the field or enclosure numbered 899 on the said Ordnance survey map thence in an easterly direction along the southmost boundary of the said field or enclosure numbered 899 to the south-east corner thereof thence in a northerly and north-easterly direction along the eastmost boundary of the said field or enclosure numbered 899 and in a north-easterly direction along the eastmost boundary of the field or enclosure numbered 896 on the said Ordnance survey map to the north-eastmost corner thereof thence in a straight line running in an easterly direction to the mile post on the road leading from Dumbarton to Balloch via Renton and marked " Luss 11½ Dumbarton 1 " on the said Ordnance survey map thence in a straight line running due east to the centre line of the river Leven being the boundary between the parishes of Cardross and Dumbarton thence along the said

1st SCH.
—cont.

centre line and parish boundary in a northerly direction to the point opposite the northmost boundary of the field or enclosure numbered 215 on the said Ordnance survey map and named Dumbarton Common thence in an easterly direction in a straight line to the north-west corner of the last-mentioned enclosure thence along the northmost boundary of the said field or enclosure numbered 215 to the northmost corner thereof thence in a straight line in a north-easterly direction to the southmost corner of the field or enclosure numbered 148 on the said Ordnance survey map thence in a north-easterly direction along the southmost boundary of the said field or enclosure numbered 148 to meet the road leading from Dumbarton to Balloch via Bonhill thence in a straight line in a north-easterly direction to the north-westmost corner of the field or enclosure numbered 141 on the said Ordnance survey map thence along the northmost boundary of the said field or enclosure numbered 141 and the northmost boundary of the field or enclosure numbered 138 on the said Ordnance survey map to the north-east corner thereof and in a southerly direction along the eastmost boundary of the said field or enclosure numbered 138 to the westmost corner of the field or enclosure numbered 136 on the said Ordnance survey map thence in a south-easterly direction along the south-westmost boundary of the said field or enclosure numbered 136 and the south-westmost boundary of the field or enclosure numbered 175 on the said Ordnance survey map to meet the access road leading to Loaninghead Farm thence across the said road in a south-easterly direction to the northmost corner of the field or enclosure numbered 177 on the said Ordnance survey map thence in a south-easterly direction along the north-east boundaries of enclosures numbered 177 193 and 194 on the said Ordnance survey map to meet the westmost boundary of the field or enclosure numbered 191 on the said Ordnance survey map thence along the westmost boundary of the said field or enclosure numbered 191 in a southerly direction to the south-west corner thereof and along the southmost boundary thereof in an easterly direction to the south-east corner thereof and along the eastmost boundary thereof in a northerly direction to the north-west corner of the enclosure numbered 189 on the said Ordnance survey map thence along the northmost boundary of the said field or enclosure numbered 189 in an easterly direction to meet the road leading to Maryland Farm thence across the said road to the south-westmost corner of the field or enclosure numbered 184 on the said Ordnance survey map thence along the southmost boundary of the said field or enclosure numbered 184 in an easterly direction and along the southmost boundary of the field or enclosure numbered 185 on the said Ordnance survey map to the centre line of Garshake Burn thence along the centre line of the said Garshake Burn in a southerly direction to a point due west of the southmost corner of the field or enclosure

numbered 231 on the said Ordnance survey map thence in a straight line running due east to meet the boundary of the said field or enclosure numbered 231 thence in a north-easterly direction along the south-easterly boundary of the said field or enclosure numbered 231 to the south-westmost corner of the field or enclosure numbered 254B on the said Ordnance survey map thence in an easterly direction along the southmost boundary of the said field or enclosure numbered 254B and along the southerly and easterly boundaries in an easterly and northerly direction of the field or enclosure numbered 255 on the said Ordnance survey map to meet the south-east boundary of the field or enclosure numbered 256 on the said Ordnance survey map thence along the south-eastmost boundary of the said field or enclosure numbered 256 in a north-easterly direction to meet the boundary of the field or enclosure numbered 246 on the said Ordnance survey map thence along the eastmost boundaries of the fields or enclosures numbered 246 and 3 mainly in a northerly direction to meet the westmost boundary of the field or enclosure numbered 6 on the said Ordnance survey map thence along the westmost boundary of the said field or enclosure numbered 6 in a southerly direction to the north-west corner of the field or enclosure numbered 4A on the said Ordnance survey map and along the westmost boundary of the said field or enclosure numbered 4A in a southerly direction and along the westmost and southmost boundaries of the field or enclosure numbered 4 on the said Ordnance survey map in a southerly and easterly direction to meet the south-westmost boundary of the field or enclosure numbered 6 on the said Ordnance survey map thence along the south-westmost boundary of the said field or enclosure numbered 6 in a south-easterly direction to the eastmost corner of the reservoir thence in a south-westerly direction in a straight line to the northmost point of the overflow stream of the said reservoir thence along the said overflow stream in a south-westerly direction to the northmost boundary of the field or enclosure numbered 23 on the said Ordnance survey map thence along the said northmost boundary in a westerly direction of the said field or enclosure numbered 23 to the north-west corner thereof thence along the north-westmost boundary of the said field or enclosure numbered 23 in a southerly direction and the eastmost boundary of the field or enclosure numbered 13 on the said Ordnance survey map in a southerly direction thence along the eastmost boundary of the field or enclosure numbered 18 on the said Ordnance survey map and the southmost boundary of the said field or enclosure numbered 18 in a westerly direction thence along the north side of the road leading from Stirling Road at High Mains Farm to the entrance lodge of Barnhill House in a south-westerly direction to the point where the continuation of the north-eastmost boundary of the field or enclosure numbered 150 on the said Ordnance

1ST SCH.
—cont.

Ch. i. *Dumbarton Burgh Order* 3 & 4 GEO. 6.
Confirmation Act, 1940.

1ST SCH.
—cont.

survey map meets the north side of the said road thence along the said continuation and the said north-eastmost boundary in a south-easterly direction to the eastmost corner of the said field or enclosure numbered 150 thence in a south-westerly direction along the south-eastmost boundaries of the said field or enclosure numbered 150 of the enclosure numbered 151 and of the enclosure numbered 154 and the continuation thereof to meet the eastmost corner of the boundary of the existing burgh in the centre of Stirling Road thence in a north-westerly and westerly and southerly direction along the boundary of the existing burgh to a point in the centre of the river Clyde being the south-west corner of the existing burgh thence along the centre line of the said river Clyde in a westerly direction to the point of commencement.

SECOND SCHEDULE.

(Referred to in the section of this Order of which the marginal note is "Extension of boundaries.")

BOUNDARIES OF THE BURGH.

The area within the parishes of Cardross Dumbarton and Old Kilpatrick and county of Dunbarton bounded as follows :—

Commencing at the point in the centre of the river Clyde directly south of Havock Beacon and running due north along a line passing through Havock Beacon to a point where the said line meets the continuation in a southward direction of the westmost boundary of the field or enclosure numbered 956 on the Ordnance survey map of the county of Dunbarton marked "Edition of 1918" thence northward along the said line forming the continuation southward of the said boundary and northward along the said boundary to the point where the said boundary meets the southmost boundary of the Helensburgh branch of the London and North Eastern Railway thence in a line running in a northerly direction to the south-eastmost corner of the field or enclosure numbered 907 on the said Ordnance Survey map thence in a northerly direction along the easterly boundary of the said field or enclosure numbered 907 and the continuation thereof to meet the southmost boundary of the field or enclosure numbered 899 on the said Ordnance survey map thence in an easterly direction along the southmost boundary of the said field or enclosure numbered 899 to the south-east corner thereof thence in a northerly and north-easterly direction along the

eastmost boundary of the said field or enclosure numbered 899 and in a north-easterly direction along the eastmost boundary of the field or enclosure numbered 896 on the said Ordnance survey map to the north-eastmost corner thereof thence in a straight line running in an easterly direction to the mile post on the road leading from Dumbarton to Balloch via Renton and marked "Luss 11½ Dumbarton 1." on the said Ordnance survey map thence in a straight line running due east to the centre line of the river Leven being the boundary between the parishes of Cardross and Dumbarton thence along the said centre line and parish boundary in a northerly direction to the point opposite the northmost boundary of the field or enclosure numbered 215 on the said Ordnance survey map and named Dumbarton Common thence in an easterly direction in a straight line to the north-west corner of the last-mentioned enclosure thence along the northmost boundary of the said field or enclosure numbered 215 to the northmost corner thereof thence in a straight line in a north-easterly direction to the southmost corner of the field or enclosure numbered 148 on the said Ordnance survey map thence in a north-easterly direction along the southmost boundary of the said field or enclosure numbered 148 to meet the road leading from Dumbarton to Balloch via Bonhill thence in a straight line in a north-easterly direction to the north-westmost corner of the field or enclosure numbered 141 on the said Ordnance survey map thence along the northmost boundary of the said field or enclosure numbered 141 the northmost boundary of the field or enclosure numbered 138 on the said Ordnance survey map to the north-east corner thereof and in a southerly direction along the eastmost boundary of the said field or enclosure numbered 138 to the westmost corner of the field or enclosure numbered 136 on the said Ordnance survey map thence in a south-easterly direction along the south-westmost boundary of the said field or enclosure numbered 136 and the south-westmost boundary of the field or enclosure numbered 175 on the said Ordnance survey map to meet the access road leading to Loaninghead Farm thence across the said road in a southerly direction to the northmost corner of the field or enclosure numbered 177 on the said Ordnance survey map thence in a south-easterly direction along the north-east boundaries of enclosures numbered 177 193 and 194 on the said Ordnance survey map to meet the westmost boundary of the field or enclosure numbered 191 on the said Ordnance survey map thence along the westmost boundary of the said field or enclosure numbered 191 in a southerly direction to the south-west corner thereof and along the southmost boundary thereof in an easterly direction to the south-east corner thereof and along the eastmost boundary thereof in a northerly direction to the north-west corner of the field or enclosure numbered 189 on the said Ordnance survey map

2ND SCH.
—cont.

thence along the northmost boundary of the said field or enclosure numbered 189 in an easterly direction to meet the road leading to Maryland Farm thence across the said road to the south-westmost corner of the field or enclosure numbered 184 on the said Ordnance survey map thence along the southmost boundary of the said field or enclosure numbered 184 in an easterly direction and along the southmost boundary of the field or enclosure numbered 185 on the said Ordnance survey map to the centre line of Garshake Burn thence along the centre line of the said Garshake Burn in a southerly direction to a point due west of the southmost corner of the field or enclosure numbered 231 on the said Ordnance survey map thence in a straight line running due east to meet the boundary of the said field or enclosure numbered 231 thence in a north-easterly direction along the south-easterly boundary of the said field or enclosure numbered 231 to the south-westmost corner of the field or enclosure numbered 254B on the said Ordnance survey map thence in an easterly direction along the southmost boundary of the said field or enclosure numbered 254B and along the southerly and easterly boundaries in an easterly and northerly direction of the field or enclosure numbered 255 on the said Ordnance survey map to meet the south-east boundary of the field or enclosure numbered 256 on the said Ordnance survey map thence along the south-eastmost boundary of the said field or enclosure numbered 256 in a north-easterly direction to meet the boundary of the field or enclosure numbered 246 on the said Ordnance survey map thence along the eastmost boundaries of the fields or enclosures numbered 246 and 3 mainly in a northerly direction to meet the westmost boundary of the field or enclosure numbered 6 on the said Ordnance survey map thence along the westmost boundary of the said field or enclosure numbered 6 in a southerly direction to the north-west corner of the field or enclosure numbered 4A on the said Ordnance survey map and along the westmost boundary of the said field or enclosure numbered 4A in a southerly direction and along the westmost and southmost boundaries of the field or enclosure numbered 4 on the said Ordnance survey map in a southerly and easterly direction to meet the south-westmost boundary of the field or enclosure numbered 6 on the said Ordnance survey map thence along the south-westmost boundary of the said field or enclosure numbered 6 in a south-easterly direction to the eastmost corner of the reservoir thence in a south-westerly direction in a straight line to the northmost point of the overflow stream of the said reservoir thence along the said overflow stream in a south-westerly direction to the northmost boundary of the field or enclosure numbered 23 on the said Ordnance survey map thence along the said northmost boundary in a westerly direction of the said field or enclosure numbered 23 to the north-west corner thereof thence along the north-westmost boundary of the

said field or enclosure numbered 23 in a southerly direction and the eastmost boundary of the field or enclosure numbered 13 on the said Ordnance survey map in a southerly direction thence along the eastmost boundary of the field or enclosure numbered 18 on the said Ordnance survey map and the southmost boundary of the said field or enclosure numbered 18 in a westerly direction thence along the north side of the road leading from Stirling Road at High Mains Farm to the entrance lodge of Barnhill House in a south-westerly direction to the point where the continuation of the north-eastmost boundary of the field or enclosure numbered 150 on the said Ordnance survey map meets the north side of the said road thence along the said continuation and the said north-eastmost boundary in a south-easterly direction to the eastmost corner of the said field or enclosure numbered 150 thence in a south-westerly direction along the south-eastmost boundaries of the said field or enclosure numbered 150 of the enclosure numbered 151 and of the enclosure numbered 154 and the continuation thereof to meet the eastmost corner of the boundary of the existing burgh in the centre of Stirling Road thence in a southerly direction along the eastmost boundary of the existing burgh to a point in the centre of the river Clyde being the south-east corner of the existing burgh thence along the centre of the said river Clyde in a westerly direction to the point of commencement.

2ND SCH.
—cont.

THIRD SCHEDULE.

(Referred to in the section of this Order of which the marginal note is "Added area added to existing wards.")

PART I.

PORTION OF ADDED AREA ADDED TO FIRST WARD.

Commencing at the point in the centre of the river Clyde being the south-west corner of the existing burgh and running westwards along the centre line of the said river Clyde to a point directly south of Havock Beacon and running due north along a line passing through Havock Beacon to a point where the said line meets the continuation in a southward direction of the westmost boundary of the field or enclosure numbered 956 on the Ordnance survey map of the county of Dunbarton marked "Edition of 1918" thence northward along the said line forming the continuation southward of the said boundary and northward along the said boundary to the point where the said boundary meets the southmost boundary of the Helensburgh

field or enclosure numbered 138 on the said Ordnance survey map to the north-east corner thereof and in a southerly direction along the eastmost boundary of the said field or enclosure numbered 138 to the westmost corner of the field or enclosure numbered 136 on the said Ordnance survey map thence in a south-easterly direction along the south-westmost boundary of the said field or enclosure numbered 136 and the south-westmost boundary of the field or enclosure numbered 175 on the said Ordnance survey map to meet the access road leading to Loaninghead Farm thence across the said road in a southerly direction to the northmost corner of the field or enclosure numbered 177 on the said Ordnance survey map thence in a south-easterly direction along the north-east boundaries of the enclosures numbered 177 193 and 194 on the said Ordnance survey map to meet the westmost boundary of the field or enclosure numbered 191 on the said Ordnance survey map thence along the westmost boundary of the said field or enclosure numbered 191 in a southerly direction to the south-west corner thereof and along the southmost boundary thereof in an easterly direction to the south-east corner thereof and along the eastmost boundary thereof in a northerly direction to the north-west corner of the field or enclosure numbered 189 on the said Ordnance survey map thence along the northmost boundary of the said field or enclosure numbered 189 in an easterly direction to meet the road leading to Maryland Farm thence across the said road to the south-westmost corner of the field or enclosure numbered 184 on the said Ordnance survey map thence along the southmost boundary of the said field or enclosure numbered 184 in an easterly direction and along the southmost boundary of the field or enclosure numbered 185 on the said Ordnance survey map to the centre line of Garshake Burn thence along the centre line of the said Garshake Burn in a southerly direction to a point due west of the southmost corner of the field or enclosure numbered 231 on the said Ordnance survey map thence in a straight line running due east to meet the boundary of the said field or enclosure numbered 231 thence in a north-easterly direction along the south-easterly boundary of the said field or enclosure numbered 231 to the south-westmost corner of the field or enclosure numbered 254B on the said Ordnance survey map thence in an easterly direction along the southmost boundary of the said field or enclosure numbered 254B and along the southerly and easterly boundaries in an easterly and northerly direction of the field or enclosure numbered 255 on the said Ordnance survey map to meet the south-east boundary of the field or enclosure numbered 256 on the said Ordnance survey map thence along the south-eastmost boundary of the said field or enclosure numbered 256 in a north-easterly direction to meet the boundary of the field or enclosure numbered 246 on the said Ordnance survey map thence along the eastmost

3RD SCH.
—cont.

