



CHAPTER lix.

An Act to empower the Roxburgh Berwick and Selkirk District Board of Lunacy to construct Waterworks for the supply of water to their Asylum to make provision for the cost of such works and for other purposes.

A.D. 1896.

[2nd July 1896.]

WHEREAS the Roxburgh Berwick and Selkirk District was in the year one thousand eight hundred and fifty-nine created into a lunacy district in pursuance of the provisions of an Act passed in the 20th and 21st years of the reign of Her present Majesty intituled "An Act for the regulation of the care and treatment of lunatics and for the provision maintenance and regulation of lunatic asylums in Scotland" (herein-after referred to as "the Lunatics (Scotland) Act 1857") and a Board (herein-after called "the District Board") was elected for the said district in terms of the said Act:

20 & 21 Vict.
c. 71.

And whereas in pursuance of the provisions of the said Act the District Board have provided fitted up and furnished the Roxburgh Berwick and Selkirk District Asylum for the said district (herein-after called "the asylum") and the asylum now accommodates two hundred and fifty patients:

And whereas the present water supply of the asylum is obtained from certain springs in the neighbourhood thereof and such supply is insufficient for affording an adequate supply of water to the asylum and is to a large extent dependent upon the permission of certain adjoining landowners and other persons interested in the said springs and it is expedient that the District Board should be authorised to construct new waterworks and obtain a further supply of water for the use of the asylum and that their existing works and supply should also be sanctioned:

And whereas it is expedient that the District Board should be empowered to acquire additional lands for the general purposes of the asylum:

[Ch. lix.] *Roxburgh, Berwick, and Selkirk* [59 & 60 VICR.]
District Board of Lunacy (Water Supply) Act, 1896.

A.D. 1896.

And whereas it is expedient that the expense of the works by this Act authorised and of the lands to be acquired by the District Board under the authority of this Act and the expense of this Act should be apportioned among and assessed upon the landward parts of the counties and upon the burghs within the district as if such expense had been expenses incurred under the provisions of the Lunatics (Scotland) Act 1857:

And whereas it is expedient that the District Board should be authorised to borrow money on the security of such assessments for the purposes of this Act:

And whereas plans and sections showing the lines and levels of the works authorised by this Act and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act have been deposited with the principal sheriff clerk of the county of Roxburgh in his office at Jedburgh and are herein-after respectively referred to as the deposited plans sections and books of reference:

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 Queen'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:—

Short title.

1. This Act may be cited as the Roxburgh Berwick and Selkirk District Board of Lunacy (Water Supply) Act 1896.

Incorporation of Acts.

2. The following Acts and parts of Acts (so far as the same respectively are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with and form part of this Act:—

The Lands Clauses Acts;

Clauses 2 and 3 of the Waterworks Clauses Act 1847 and the clauses and provisions of that Act—

With respect to the construction of waterworks;

With respect to the construction of works for the accommodation of lands adjoining waterworks;

With respect to mines;

With respect to the breaking up of streets for the purpose of laying pipes;

With respect to the provision for guarding against fouling the water of the undertakers;

With respect to the recovery of damages not specially provided for, and of penalties and to the determination of any other matter referred to justices or to the sheriff; and

A.D. 1896.

With respect to access to the special Act;

The provisions of the Waterworks Clauses Act 1863 with respect to the security of the reservoirs constructed by the undertakers; and

The clauses and provisions of the Railways Clauses Consolidation (Scotland) Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof and the crossing of roads and other interference therewith.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction:

Interpretation.

The expression "the general board" means the general board of Commissioners in Lunacy for Scotland constituted by the Lunatics (Scotland) Act 1857;

The expression "the District Board" means the Roxburgh Berwick and Selkirk District Board of Lunacy;

The expression "the asylum" means the Roxburgh Berwick and Selkirk District Asylum:

In the Acts wholly or partly incorporated with this Act—

The expression "the special Act" means this Act;

The expression "schoolmaster" means the clerk of the parish council or person acting as such clerk;

The expression "the sheriff" means the sheriff of the sheriffdom of Roxburgh Berwick and Selkirk;

The expressions "the undertakers" "the company" and "the promoters of the undertaking" mean the District Board.

4. Subject to the provisions of this Act the District Board may make and maintain in the lines and according to the levels shown on the deposited plans and sections the works herein-after described with all necessary and proper works and conveniences connected therewith and may enter upon take and use such of the lands and streams and waters delineated on the said plans and described in the deposited books of reference as may be required for that purpose.

Power to construct works and acquire lands.

The works herein-before referred to and authorised by this Act are situate in the county of Roxburgh and are—

(1) A reservoir (herein-after called "the reservoir" referred to on the deposited plans and sections as Reservoir No. 2) to be situate on the stream or ditch flowing through part of the

A.D. 1896.

enclosures numbered on the 25-inch Ordnance Survey map 28 and 29 in the parish of Bowden to be formed by an embankment across the said stream or ditch with an overflow pipe terminating at the southern end of the conduit which conveys the water from the said enclosures numbered 28 and 29 on the said Ordnance Survey map under the road from Melrose to Bowden and through the enclosure numbered on the said Ordnance Survey map 26 in the parish of Bowden into the stream flowing into the millpond on the farm of Faughill ;

(2) An aqueduct conduit or line of pipes (herein-after called "Conduit No. 2") commencing in the reservoir and terminating in the parish of Melrose by a junction with the four-inch fire service main belonging to the asylum at the point where the said main leaves the water house situate in the southern corner of the grounds of the asylum ;

(3) An aqueduct conduit or line of pipes (herein-after called "Conduit No. 3") commencing in the reservoir and terminating at the western side of the road leading from Bowden to Melrose in the said conduit conveying the water from the said enclosures numbered 28 and 29 on the said Ordnance Survey map under that road ;

(4) An aqueduct conduit or line of pipes (herein-after called "Conduit No. 4") commencing in the reservoir and terminating at a point on the Dingleton Burn where it passes through an opening in the stone wall at the north-eastern corner of the enclosure numbered on the said Ordnance Survey map 28 in the parish of Bowden.

5. Subject to the provisions of this Act the District Board may maintain and continue the following existing waterworks constructed by the District Board shown on the deposited plans and sections and the District Board are hereby authorised to enter upon take and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for such works.

The existing works herein-before referred to are situate in the county of Roxburgh and are—

(5) A catchwater drain (herein-after called "Catchwater No. 4") commencing in the enclosure numbered on the said Ordnance Survey map 2,690 in the parish of Melrose and terminating in the Gathering Well or Cistern No. 2 herein-after described ;

(6) A catchwater drain (herein-after called "Catchwater No. 5") commencing in the said enclosure numbered 2,690 on the said Ordnance Survey map and terminating in the Gathering Well No. 2 herein-after described ;

Sanctioning
existing
waterworks
and power
to acquire
lands for
the pur-
poses of
such works.

- (7) A gathering well or cistern (herein-after called "Gathering Well No. 2") situate in the said enclosure numbered 2,690 on the said Ordnance Survey map ;
- (8) An aqueduct conduit or line of pipes (herein-after called "Conduit No. 5") commencing in the Gathering Well No. 2 herein-before described and terminating in the said water house ;
- (9) A catchwater drain (herein-after called "Catchwater No. 6") commencing in the enclosure numbered on the said Ordnance Survey map 30 in the parish of Bowden and terminating in the Gathering Well or Cistern No. 3 herein-after described ;
- (10) A gathering well or cistern (herein-after called "Gathering Well No. 3") situate in the said enclosure numbered 30 on the said Ordnance Survey map ;
- (11) An aqueduct conduit or line of pipes (herein-after called "Conduit No. 6") commencing in the said Gathering Well No. 3 herein-before described and terminating by a junction with the Conduit No. 5 herein-before described.

A.D. 1896.

6. The District Board may subject to the provisions of this Act and in connexion with the principal works herein-before described make and maintain all necessary and proper embankments dams weirs bridges roads approaches ways wells tanks basins gauges filter-beds fountains standpipes sluices outlets outfalls drains discharge-pipes adits shafts tunnels aqueducts culverts cuts channels conduits mains pipes junctions valves engines buildings apparatus and other conveniences in connexion with the said works or any of them or necessary or convenient for diverting impounding taking collecting storing conducting distributing and regulating the supply of water for the purposes herein-after mentioned and for compensating all persons whose supply of water may be affected by or in consequence of the works herein-before described or the other powers of this Act and for inspecting maintaining repairing altering cleansing managing and using the said several works But nothing in this Act shall exonerate the District Board from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them under the powers of this section.

Power to make and maintain embankments &c.

7. The provisions with respect to the temporary occupation of lands of the Railways Clauses Consolidation (Scotland) Act 1845 as incorporated with this Act shall apply only to the reservoir authorised by this Act and works immediately connected therewith and the provisions of sections 25 and 26 of that Act shall apply also to all the other works by this Act authorised and for the purposes of

Temporary occupation of lands.

[Ch. lix.] *Roxburgh, Berwick, and Selkirk* [59 & 60 VICT.]
District Board of Lunacy (Water Supply) Act, 1896.

A.D. 1896. — this Act those provisions shall be read as if the reservoir and works were therein mentioned instead of the railway and the boundaries of the reservoir and works instead of the centre of the railway and the prescribed limits shall be two hundred yards from such boundaries.

Limits of lateral and vertical deviation.

8. Subject to the provisions of this Act the District Board may in the construction of the works by this Act authorised deviate from the lines thereof as shown on the deposited plans to any extent not exceeding the limits of deviation defined on the said plans and may deviate vertically from the levels shown on the deposited sections to any extent not exceeding in the case of the reservoir six feet upwards and three feet downwards and not exceeding three feet upwards and ten feet downwards as regards the other works by this Act authorised. Provided that the District Board shall not in the exercise of the powers of deviation hereby conferred construct the embankment or retaining wall of the reservoir so that the height thereof above the general surface of the ground shall be more than three feet greater than the height of the corresponding embankment or retaining wall above the general surface of the ground shown on the deposited sections or raise any part of the pipes above the surface of the ground which are not shown to be so on the deposited sections.

Power to alter roads &c. temporarily.

9. During the execution of the several works which the District Board are by this Act authorised to make and subject to the provisions of this Act the District Board may from time to time alter or stop up temporarily any roads lanes paths bridges passages sewers drains watercourses gas pipes water pipes and electric apparatus in any of the lands shown on the deposited plans and specified in the deposited books of reference which they may from time to time find it expedient for any of those purposes so to interfere with the District Board doing as little damage as possible and providing substitutes for any sewers drains gas pipes or water pipes or electric or other machinery or apparatus so interfered with and making full compensation to all persons injuriously affected by the exercise of the powers of this section. Provided that nothing in this section shall extend to authorise any interference with electric apparatus or other property of Her Majesty's Postmaster General. Provided also that nothing in this section shall extend to authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Act 1882 otherwise than in accordance with the provisions of section 15 of that Act.

Power to take servitudes by agreement.

10. Persons empowered by the Lands Clauses Acts to sell and convey or dispose of lands may if they think fit subject to the

A.D. 1896.

provisions of those Acts and of this Act grant to the District Board any easement or servitude right or privilege (not being a servitude of water in which other than parties to the agreement have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and annual feu duties or ground annuals so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements or servitudes rights and privileges as aforesaid respectively.

11. The District Board may in lieu of acquiring any lands for the purpose of the conduits or lines of pipes by this Act authorised acquire such easements and rights in such lands as they may require for the purpose of making maintaining cleansing and repairing the same and may give notice to treat in respect of such easements and rights and may in such notice describe the nature thereof and the several provisions of the Lands Clauses Acts (inclusive of those with regard to limited owners and to arbitration and the summoning of a jury) shall apply to such easements and rights as fully as if the same were lands within the meaning of such Acts :

Power to acquire easement only for lines of pipes.

Provided that nothing herein contained shall authorise the District Board to acquire by compulsion any such easement in any case in which the owner in his particulars of claim shall require the District Board to acquire the lands in respect of which they have given notice to treat for the acquisition of an easement only and every notice to treat for the acquisition of an easement shall be endorsed with notice of this proviso :

Provided that as regards any lands used by the District Board for the purpose of any such conduits or lines of pipes the District Board shall not (unless they give notice to treat for and have acquired such lands and not merely easements therein) be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being shall at all times after the completion of the works have the same rights of passing over such lands for all purposes of or connected with the use or enjoyment of the adjoining lands as if such lands had not been used by the District Board.

12. Subject to the provisions of this Act the District Board may divert intercept impound take appropriate store use and distribute for the purposes of the asylum and the other purposes of this Act the waters of the streams called or known as the Holydean Burn and the Dingleton Burn and of all or any of the affluents of those streams and also all streams springs and water flowing into or

Power to divert and impound water of streams springs &c.

[Ch. lix.] Roxburgh, Berwick, and Selkirk [59 & 60 Vict.]
District Board of Lunacy (Water Supply) Act, 1896.

A.D. 1896.

arising within the site of the reservoir and other principal and subsidiary works by this Act authorised and which can be collected by that reservoir or other works or any of them or which may be found in or under any of the lands acquired under the provisions of this Act or belonging to the District Board Provided that the District Board shall not be entitled under the provisions of this section to take or intercept the water of any stream spring or well to the northward of Gathering Well No. 3 by this Act authorised.

Compensation water.

13. As compensation for the water to be taken for the purposes of this Act to all millowners and other persons interested in the waters flowing down the streams forming part of the head waters of the Dingleton and Holydean Burns the District Board shall before they commence to supply water to the asylum from the reservoir by this Act authorised or to take water under the powers of this Act for the purposes of such supply from that part of the head waters of Holydean Burn flowing into the reservoir or from the area comprised within the limits of deviation of Catchwater No. 6 Gathering Well No. 3 and Conduit No. 6 cause to be discharged from the reservoir (first) into the stream which supplies the mill pond at Faughill Farm a daily quantity of water amounting to eighteen thousand gallons and (second) into the course of the Dingleton Burn a daily quantity of water amounting to eighteen thousand gallons which two respective quantities of water shall be discharged in continuous and uniform streams during the whole period of twenty-four hours of each day.

If compensation water inadequate sheriff may restrain District Board from appropriating water.

14. In the event of the reservoir proving inadequate to afford the compensation water herein-before provided any person having a legal interest in such compensation waters shall be entitled to apply to the sheriff who shall after such inquiry as he shall consider necessary find and decern that the springs and streams diverted intercepted impounded taken or appropriated by the District Board under the provisions of this Act shall be turned into their original channels and shall continue to flow therein so long as the compensation water in each case shall be so inadequate and from and during such decree the provisions of this Act with respect to compensation water in the case of the said reservoir shall cease to apply.

District Board to construct gauges.

15.—(1) The District Board shall erect and construct and for ever maintain proper and sufficient measuring gauges at points to be determined by James Wilson of Edinburgh civil engineer whom failing by an engineer to be appointed by the sheriff over or through which the said respective quantities of water that the District Board are by the provisions of this Act bound to discharge from

A.D. 1896.

the reservoir shall flow or be discharged and such gauges shall be at all times open to the inspection examination and testing of all parties having a legal interest in the water so to flow or be discharged through or over the same and of their respective agents.

(2) Whenever such gauges are in any respect out of repair inaccurate or insufficient and the District Board shall fail to repair and make good the same within fourteen days after notice in writing by any party having a legal interest in the water flowing or discharged through or over the same or by his agent then the District Board shall be liable to pay to the party complaining a penalty not exceeding five pounds for every day on which such gauges shall remain in a state of disrepair or inefficiency after the lapse of the period before mentioned which penalty may be recovered in any court of competent jurisdiction.

(3) The expenses of the engineers to be appointed as aforesaid and of any proceedings before the sheriff shall be paid and defrayed by the District Board.

16. Nothing in this Act contained shall authorise the District Board or persons having permission from them to fish shoot or sport in or over the reservoir or to keep or use pleasure boats or other boats on the same or to skate or curl on the reservoir all which rights shall with the exception of skating and curling belong to Henry Seton-Karr and his successors in the lands of Bowden Moor.

As to sporting rights on reservoir.

17. The agreement entered into between the District Board of the first part and the most Noble William Henry Walter Duke of Buccleuch and Queensberry the most Noble Henry John Duke of Roxburghe and his curators Henry Seton-Karr of Kippilaw the trustees of the late Sir John Boyd of Maxpoffle and the commissioners of the burgh of Melrose of the second part as set forth in the schedule to this Act is hereby sanctioned and confirmed and made binding on the parties thereto for their respective rights and interests.

Confirming agreement with the Duke of Buccleuch and others.

18. Subject to the provisions of this Act and in addition to the other lands which the District Board are by this Act authorised to acquire the District Board may from time to time enter upon take use and appropriate for the purposes of the asylum the lands hereinafter described and delineated on the deposited plans and described in the deposited books of reference thereto (that is to say):—

Power to acquire additional lands.

Certain lands in the parish of Melrose and county of Roxburgh immediately adjoining the grounds of the asylum on the southern side thereof and lying on the western side of the road leading from Bowden to Melrose.

A.D. 1896.

Restriction
on taking
houses of
labouring
class.

19. The District Board shall not under the powers of this Act purchase or acquire in any district within the meaning of the Public Health (Scotland) Act 1867 ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Secretary for Scotland ten or more houses which have been or shall be subsequently so occupied.

For the purposes of this section the expression "labouring class" includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

Period for
compulsory
purchase of
lands.

20. The powers of the District Board for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of one year from the passing of this Act.

Period for
completion
of works.

21. If the works authorised by this Act are not completed within two years from the passing of this Act then on the expiration of such period the powers by this Act granted to the District Board for executing the same or in relation thereto shall cease except as to so much thereof as is then completed but nothing herein shall restrict the District Board from extending enlarging altering or renewing any of their conduits mains engines machinery weirs tanks pipes and other waterworks (other than and except the reservoir by this Act authorised) from time to time as occasion requires for supplying water to the asylum.

Power to
hold lands
needful to
prevent
fouling and
to protect
water.

22. The District Board may hold any lands acquired by them under this Act and which they may deem necessary for the purpose of preventing the fouling of the water of any stream flowing into any of their waterworks or for the protection of their waterworks against nuisances encroachments or injury and so long as such lands shall be so held they shall not be deemed to be superfluous lands within the meaning of the Lands Clauses Acts but the District Board shall not create or permit a nuisance on the lands while so held by them nor erect any buildings thereon except such buildings and works as may be incident to or connected with their waterworks.

For protec-
tion of
reservoir
from pollu-
tion.

23. The District Board may on any lands or in any stream or watercourse to which they now have right or which they may hereafter acquire under the powers of this Act or otherwise construct all such drains channels and other works as they think necessary or

desirable for preventing sewage or polluting liquids from entering or polluting any reservoir conduit or watercourse of the District Board or any waters flowing into the same. A.D. 1896.

24. All the costs to be incurred by the District Board in constructing and completing the waterworks by this Act authorised and in acquiring the lands authorised to be purchased by the District Board under this Act together with the costs charges and expenses of and incident to the preparing for obtaining and passing of this Act if the District Board so determine shall be ascertained apportioned raised and levied in such and the like manner as the expense of providing any new asylum for the district or making any enlargement or alteration of the asylum is directed by sections 53 and 54 of the Lunatics (Scotland) Act 1857 to be ascertained apportioned raised and levied and as if such costs had been expenses for those purposes or some of them. Cost of works to be deemed expenses incurred in pursuance of the Lunatics (Scotland) Act 1857.

25. The District Board may from time to time borrow on the security of the assessments to be levied under the Lunatics (Scotland) Act 1857 and this Act all or any of the moneys required for the purposes of this Act as if the same had been borrowed in pursuance of section 61 of the Lunatics (Scotland) Act 1857 and all the provisions of that Act with reference to moneys borrowed under that Act shall apply to the moneys borrowed under this Act as if they had been moneys borrowed under the authority of that Act. Power to District Board to borrow.

26. The District Board may apply to any of the purposes of this Act to which capital is properly applicable any funds belonging to them and which may not be required for the purposes for which the same were authorised to be borrowed. Surplus funds of District Board may be applied to purposes of Act.

27. All sums borrowed by the District Board under the authority of this Act shall be applied by the District Board only to purposes of this Act to which capital is properly applicable. Application of moneys borrowed.

28. No person lending money to the District Board shall be bound to inquire as to the observance by the District Board of any provision of the Lunatics (Scotland) Act 1857 or this Act or be bound to see to the application or be answerable for any loss or non-application of such money or any part thereof. Protection of lender from inquiry.

29. The costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be levied and raised in manner herein-before provided or be paid by the District Board out of any funds or moneys belonging to them. Costs of Act.

A.D. 1896.

The SCHEDULE referred to in the foregoing Act.

HEADS OF AGREEMENT between the Roxburgh Berwick and Selkirk District Board of Lunacy of the first part and the most Noble William Henry Walter Duke of Buccleuch and Queensberry K.T. the most Noble Henry John Duke of Roxburghe and his curators Henry Seton-Karr of Kippilaw M.P. Dame Isabella Lawson or Boyd John Boyd Esquire of Maxpoffle William Boyd W.S. Allan Stewart Boyd M.B. and Arthur Hamilton Boyd trustees of the late Sir John Boyd of Maxpoffle and the Commissioners of the Burgh of Melrose of the second part.

WHEREAS the first parties are promoting a Bill in Parliament intituled "A Bill to empower the Roxburgh Berwick and Selkirk District Board of Lunacy to construct waterworks for the supply of water to their asylum to make provision for the cost of such works and for other purposes";

And whereas the Commissioners of Melrose have presented a petition to the sheriff for the extension of the boundaries of the burgh so as to include the asylum and part of the grounds thereof within the burgh which application is being opposed by the first parties:

And whereas the said Commissioners have also in contemplation a scheme for supplying water to the burgh of Melrose from the Allanshaws district by which they will be enabled to supply water to the asylum of the first parties and which supply would render unnecessary certain of the works proposed by the Bill:

And whereas the second parties have presented petitions against the said Bill as prejudicially affecting their respective rights and interests but in consequence of certain negotiations which have taken place the second parties have agreed to withdraw their opposition on the terms and conditions herein-after written:

Therefore it is hereby agreed by and between the several parties hereto for their respective rights and interests as follows:—

1. The Commissioners of the burgh of Melrose hereby undertake as soon as reasonably practicable to proceed with and complete the scheme which they have at present in contemplation for securing a supply of water for the burgh of Melrose from the Allanshaws District or from the springs now held by the burgh from the Duke of Buccleuch and so as to be able to supply within two years of the passing of the Bill water to the asylum of the first parties and to their water house in the asylum grounds and the said Commissioners shall from the above sources or from any other source from which they may at the time be supplying water to the burgh be bound to supply such water to the asylum and the persons resident therein or within the grounds thereof on the same basis and to the same extent as they shall or may supply water for the domestic use of other inhabitants of the burgh and for any surplus quantity beyond that required for domestic use they shall sell or supply

water on the same terms and to the same extent as they shall or may sell or supply water to other inhabitants of the burgh.

2. The District Board hereby undertake as soon as reasonably practicable to proceed with and complete the works authorised by the Bill and in any case within two years from the passing of the Bill.
3. The first parties agree to abandon Works Nos. (1) (2) (3) (4) (5) and (7) of the Bill which relate to the Whitelaw Springs and Lady Moss
4. The first parties agree to withdraw their opposition to the asylum being included within the burgh of Melrose.
5. The first parties agree to pay to the second parties within three months from the passing of the Bill the sum of five hundred pounds towards the expense of their opposition to the Bill which payment shall be deemed to be part of the costs charges and expenses of and incident to the obtaining and passing of the Bill.
6. This agreement is made subject to such alterations as Parliament may think fit to make therein but if the Committee on the Bill make any material alteration in the agreement it shall be competent for either party to withdraw the same.

As witness the hands of the parties :—

For the District Board

C. H. SCOTT PLUMMER.
JAMES CURLE.

For the Duke of Buccleuch

ROBT. STRATHERN.

For the Duke of Roxburghe and his curators

CHA. B. LOGAN.

For Henry Seton-Karr

ROBT. STRATHERN.

For the Trustees of the late Sir John Boyd

WILLIAM BOYD.

For the Commissioners of the Burgh of Melrose.

MARK TURNBULL

Provost.

Printed by EYRE and SPOTTISWOODE,

FOR

T. DIGBY FIGOTT, Esq., C.B., the Queen's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C.; or
JOHN MENZIES & Co., 12, HANOVER STREET, EDINBURGH, and
90, WEST NILE STREET, GLASGOW; or
HODGES, FIGGIS, & Co., LIMITED, 104, GRAFTON STREET, DUBLIN.

