

PROVISIONAL ORDER COMMITTEES.

Monday, December 2, 1901.

NOTICES TO AGENTS.

Private Legislation Procedure—Notices to Agents—Notice as to Proofs—Notice as to Fees—Notice as to Applications for Fresh Borrowing Powers.

The following Notices to Agents were published of date December 2, 1901, in the Journal of Proceedings upon Applications to the Secretary for Scotland for Provisional Orders under the Private Legislation Procedure (Scotland) Act 1899:—

Proofs.

“All persons acting as agents under the Private Legislation Procedure (Scotland) Act are requested to take note that they are responsible for the accuracy of the statements contained in the formal proofs of compliance with the General Orders. It is the duty of the agent in every case to call the examiner’s attention to any instance in which the requirements of the General Orders have not been fully complied with, and he will be held responsible for any neglect of this duty and for the consequences thereof. Statements of General Order Proofs can be obtained from the usual Government publication agents.”

Fees.

“All fees under General Orders must be paid to the Secretary for Scotland’s Office.

“Fees should be remitted to the Scottish Office by letter addressed to the Under Secretary for Scotland. Bank Drafts and cheques should be made payable to His Majesty’s Paymaster-General, and crossed to the account of that officer at the Bank of England. As regards fees in respect of proceedings before the Examiner or Commissioners, it has been arranged that a daily note of these fees shall be handed or forwarded to each party appearing at such proceedings. As soon as the proceedings are closed the total amount due should be remitted to the Scottish Office in the manner above mentioned. Remittances should be made separately in respect of each Draft Provisional Order where an agent is concerned in more than one.

“Sessional Orders of both Houses of Parliament provide that petitions deposited at the office of the Secretary for Scotland pursuant to General Order 77 in favour of

or against any proposed Provisional Order, the provisions of which are subsequently proceeded with as a bill, will, on transmission from the office of the Secretary for Scotland, be received as if duly deposited in favour of or against such bill. No fees are charged at the Scottish Office in respect of petitions so transmitted, which become liable to the fees of the House in which the bill originates. Agents are therefore at liberty to postpone the remittance of fees on any petition in favour of or against a draft order until the decision of the chairman under section 2 of the Procedure Act has been announced.”

Applications for Fresh Borrowing Powers.

“Parties applying for Provisional Orders and their respective agents are requested to note that where new borrowing powers are applied for by Town Councils, or other bodies possessing power to levy rates which will form the security for the repayment of the loans, it will save time and correspondence if the application to the Secretary for Scotland, or the estimate required under General Order 36, is accompanied by full statements showing the existing borrowing powers and conditions of repayment, the amounts which have been annually repaid or paid into sinking fund since the loans under existing borrowing powers were incurred, and the outstanding debt. Such statements should be supported by copies of annual accounts for three years preceding date of application.”

Thursday, January 23, 1902.

REPORT BY CHAIRMEN ON DRAFT PROVISIONAL ORDERS DEALT WITH AS PRIVATE BILLS.

Private Legislation Procedure—Report by the Chairmen under sec. 2 of the Private Legislation Procedure (Scotland) Act 1899—Draft Provisional Orders Dealt with by Private Bills, and not by Provisional Orders—Procedure following thereon—Private Legislation Procedure Act 1899 (62 and 63 Vict. c. 47), sec. 2.

On Thursday, January 23, 1902, the Chairman of Committees of the House of Lords and the Chairman of Ways and Means in

the House of Commons, reported as follows under sec. 2 of the Private Legislation Procedure (Scotland) Act 1899:—“We have taken into consideration the several Draft Provisional Orders for which petitions, in accordance with the provisions of the said Act and the General Orders thereunder, were presented to the Secretary for Scotland on or before the 17th December 1901, and we hereby report as follows:—‘We are of opinion that the provisions of The Caledonian Railway Order; The Nobel Explosives Company, Limited (Ardeer Works Water Supply) Order; The North British Railway (General Powers) Order; The North British Railway (Steam Vessels) Order; The Renfrew Harbour Order; and The Scottish Equitable Life Assurance Society Order, are of such a character that they ought to be dealt with by Private Bills, and not by Provisional Orders.’”

On January 30 it was intimated that the original petitions making application for the above-mentioned draft Provisional Orders, which would proceed as Private Bills, had been transmitted from the office of the Secretary for Scotland to the Private Bill Office.

On February 5, 1902, it was intimated that bills had been deposited and would originate in the House of Commons or House of Lords in substitution for the draft Provisional Orders above mentioned and that in pursuance of the new Standing Orders (reported *infra* p. 869), the original petitions deposited in terms of General Orders 77 and 79 had been transmitted from the office of the Secretary for Scotland to the Private Bill Office of the House of Commons in the case of the Bills to be originated in the House of Commons and to the office of the Clerk of the Parliaments in the case of the Bills to be originated in the House of Lords.

Tuesday, January 28, 1902.

STANDING ORDER (NEW).

Private Legislation Procedure—Standing Orders (New)—Deposit of Petitions for or against Draft Provisional Orders Dealt with by Bills.

The following is extracted from the Private Business Notices of the House of Commons:—

“Notice of motion at the time of Private Business for Tuesday January 28th 1892.

“The Chairman of Ways and Means—Private Legislation Procedure (Scotland) Act 1899—All petitions deposited at the office of the Secretary for Scotland pursuant to General Orders in favour or against a Draft Provisional Order shall, on transmission from the office of the Secretary for Scotland, be received as if duly deposited in favour of or against the substituted Bill. That this be a Standing Order of the House.”

It was ordered that an Order in the terms

of this motion be a Standing Order of the House.

An Order in identical terms, to be a new Standing Order (No. 189A), was made by the House of Lords on February 3rd 1902.

Tuesday, February 4, Saturday, February 22, and Friday, March 21, 1902.

ROTHESAY TRAMWAYS (EXTENSION) DRAFT PROVISIONAL ORDER.

Private Legislation Procedure—Failure to Comply with Preliminary General Orders—Consents of Local Road Authorities not Obtained—Application by Memorial to the Chairmen to Dispense with the General Order not Complied with—Report by the Chairmen.

Mr Campion, one of the Examiners under the Standing Orders, reported to the Secretary for Scotland, of date February 4th 1902, that in the case of the Rothesay Tramways (Extension) Draft Provisional Order, the preliminary General Orders had not been complied with, inasmuch as the promoters had not obtained the consent of the Rothesay Corporation, who were the local and road authorities of the district through which it was proposed to construct Tramways Nos. 1 and 2, nor of the County Council of Bute, who were the road authority of the district through which it was proposed to construct so much of Tramway No. 3 as would, for a distance of 1 furlong 0·95 chains or thereabouts from its commencement, be laid along a public road.

On February 22nd 1902 it was intimated that the petitioners for the Rothesay Tramways (Extension) Draft Provisional Order had in terms of General Order 74 applied by memorial to the Chairmen to dispense with the General Order, which was reported not to have been complied with.

On March 21st 1902 the Chairman of Committee of the House of Lords, and the Deputy Chairman of Ways and Means in the House of Commons reported that the General Orders not complied with in respect of the Rothesay Tramways (Extension) Provisional Order ought to be dispensed with and the Order allowed to proceed, provided that the powers to construct Tramways Nos. 1 and 2 be struck out of the Order, and the consent of the County Council of Bute to so much of Tramway No. 3 as affected the interest of the County Council acting as road authority be proved before the Examiner.

Of date April 11th 1902 it was intimated that Mr Campion, one of the Examiners appointed under Standing Orders, had reported to the Secretary for Scotland that in the case of the Rothesay Tramways (Extension) Draft Provisional Order, General Order 63 had been complied with, and that pursuant to the report of the Chairmen of Committees of the House of Lords, and the Deputy-Chairman of Ways and