

- III. Ayrshire Educational Endowments.
- IV. Bridge of Allan Water, &c.
- V. Church of Scotland (General Trustees).
- VI. Dundee Gas.
- VII. Glasgow Corporation.
- VIII. Glasgow Deaf and Dumb Institution.
- IX. Grampian Electricity Supply.
- X. John Newland Endowment.
- XI. Lochaber Water Power.
- XII. North British Railway.
- XIII. Peterhead Harbours.
- XIV. Stirlingshire and Falkirk Water.

Of these the ninth and eleventh were directed to be proceeded with by way of Private Bill; the third was withdrawn; the first, second, fifth, sixth, eighth, tenth, twelfth, and thirteenth were either unopposed or had the opposition withdrawn; inquiry was held into the fourth and fourteenth (*v. infra*).

In April 1921 twelve applications for Provisional Orders were made, viz.—

- I. Dorward's House of Refuge (Mon-trose).
- II. Dumbarton Burgh (Water, &c.).
- III. Dundee Corporation.
- IV. Edinburgh Corporation.
- V. Grangemouth and Stirling Water.
- VI. Greenock Corporation.
- VII. Haddington County Buildings.
- VIII. Lanarkshire County Council.
- IX. North British Railway (Burntisland Harbour Transfer), &c.
- X. Oban Burgh.
- XI. Perth Corporation.
- XII. University of Glasgow (Dundonald Bursaries).

Of these the first, second, fourth, fifth, seventh, eighth, ninth, eleventh, and twelfth were unopposed or had the opposition withdrawn; inquiry was held into the third, sixth, and tenth (*v. infra*).

7th April 1921.

BRIDGE OF ALLAN WATER, &c.

(Before Lord Lamington (*Chairman*), Lord Elphinstone, Mr P. J. Ford, M.P., and Dr. W. Murray, M.P.)

The Burgh of Bridge of Allan promoted this Order for power (1) to extend and improve the water-works of the burgh, (2) to do away with certain preferential rights to a supply of water which had been conceded in 1866, and (3) to acquire certain mineral wells in the burgh, and to carry on or lease the undertaking already existing in connection therewith. Petitions against the Order were lodged, but ultimately

agreement was reached with all the petitioners other than W. & A. W. Henderson, Limited.

Provisional Order — Procedure — Locus — Objection by Lessees — Notice by Lessor Terminating Lease — Provision in Order that Lessees' Rights should be Unaltered during Currency of Lease.

W. & A. W. Henderson, Limited, were tenants of Airthrey Paper Mills, which drew their supply of water, *inter alia*, from a three-inch pipe from the burgh water supply — one of the preferential rights which it was proposed to end. Agreement had been reached with the proprietrix as to the terms on which the right was to be terminated, and the proprietrix had given notice to the tenants that their lease of the mills would determine at a break on 28th May 1924. One of the conditions of the agreement with the proprietrix was that this preferential right should be continued unaltered until that date.

W. & A. W. Henderson, Limited, claimed compensation from the promoters on the ground that they had expended large sums of money in developing their plant and equipment with the intention of transferring the business, if necessary, at the end of their lease as a going concern. The ending of the preferential right to draw water would make it impossible to sell as a going concern, and in the circumstances gave them at the end of the lease merely scrap value for all the machinery. They claimed as compensation the estimated difference between the value as a going concern and the scrap value.

The Commission were of opinion that these petitioners had no *locus*, the question raised being one between them and the lessor alone.

Clauses were adjusted.

Counsel for the Burgh of Bridge of Allan (*Promoting*) — Mackay, K.C. — Gilchrist. Agents — Wardlaw & Morrison, Solicitors, Bridge of Allan.

Counsel for W. & A. W. Henderson, Limited (*Objecting*) — Cooper. Agents — M'Grigor, Donald, & Company, Solicitors, Glasgow — Macpherson & Mackay, W.S., Edinburgh.

Counsel for Mrs Gertrude Laurence Clara Graham of Airthrey (*Objecting*) — D. P. Fleming. Agents — Moncrieff, Warren, Paterson, & Company, Solicitors, Glasgow — Webster, Will, & Company, Edinburgh.

6th and 7th April 1921.

STIRLINGSHIRE AND FALKIRK WATER.

(Before Lord Lamington (*Chairman*), Lord Elphinstone, Mr P. J. Ford, M.P., and Dr W. Murray, M.P.—at Edinburgh.)

This Order was promoted by the County Council of Stirling on behalf of themselves and of their Eastern and Central Districts Committees, and by the Falkirk and Larbert Water Trustees, its object being to consti-

tute and incorporate a Joint Water Board to supply the Eastern District and parts of the Central District of the county of Stirling, the burgh of Falkirk, and the burgh of Denny and Dunipace. Existing water undertakings under the East Stirlingshire Water Act of 1900 and the Falkirk and District Water Acts 1888 to 1900 were proposed to be taken over, and the additional waterworks were to be undertaken in particular by impounding and appropriating water from Loch Coulter. These new works were the subject of inquiry in the Denny and Dunipace Water Order, 4th to 7th May 1920, 57 S.L.R. 781, and the present Order followed on an arrangement then made.

Agreement was reached on all points other than the rates at which water was to be supplied to the railway companies. The preamble was proved, and after argument as to the rates, clauses were adjusted.

Counsel for the County Council of Stirling and the Falkirk and Larbert Water Trustees (*Promoting*)—Macmillan, K.C.—Watson, K.C.—D. M. Wilson. Agents—James Learmonth, County Clerk, Stirling, and A. Balfour Gray, Town-Clerk, Falkirk.

Counsel for the Carron Company—(*Objecting*)—Dean of Faculty (Constable, K.C.)—Garson. Agents—John C. Brodie & Sons, W.S., Edinburgh.

Counsel for the Vale Paper Company and Others (*Objecting*)—Dean of Faculty. Agent—Alexander Hendry, Solicitor, Denny.

Counsel for Dame Mary Ramsay-Steel-Maitland of Barnton and Others (*Objecting*)—Mackay, K.C.—W. H. Stevenson. Agents—John C. Brodie & Sons, W.S., Edinburgh.

Counsel for the Caledonian Railway Company (*Objecting*)—T. G. Robertson. Agent—D. L. Forgan, Solicitor, Glasgow.

Counsel for the North British Railway Company (*Objecting*)—Gentles. Agent—James Watson, S.S.C., Edinburgh.

Counsel for Major A. B. Murray and Messrs Robert Walls & Sons (*Objecting*)—Burnet. Agents—Russell & Dunlop, W.S., Edinburgh.

27th, 28th, and 29th July 1921.

DUNDEE CORPORATION.

(Before Lord Donington, Lord Tweeddale, Mr F. C. Thomson, M.P. (*Chairman*), and Major A. C. Farquharson, M.P.—at Edinburgh.)

This Order was promoted by the Corporation of Dundee for power to construct a road on the foreshore between Dundee and Broughty-Ferry in fulfilment of an obligation imposed on them by the Dundee Boundaries Act 1913, by which Act the two burghs were amalgamated, for power to run motor buses over routes partly within and partly without the burgh boundaries, and for other purposes. The proprietors of the foreshore proposed to be taken for the new road opposed this part of the Order, but unsuccessfully. The clauses relating to the power to run motor buses were opposed by the

Railway Companies and by commercial companies already providing such services in the district sought to be worked. On this point the preamble was held not proved.

Clauses were adjusted other than those relating to the motor bus services.

Counsel for the Corporation of Dundee (*Promoting*)—Macmillan, K.C.—C. Mackintosh. Agents—W. H. Blyth Martin, Town-Clerk, Dundee—William Robertson & Company, Parliamentary Agents, Westminster—Morton, Smart, Macdonald, & Prosser, W.S., Edinburgh.

Counsel for the Trustees of the late David Charles Guthrie of Craigie (*Objecting*)—Watson, K.C.—Maitland. Agents—Shiell & Small, Solicitors, Dundee—Grahames & Company, Parliamentary Agents, Westminster.

Counsel for the Scottish Motor Traction Company, Limited (*Objecting*)—Dean of Faculty (Constable, K.C.)—Burn Murdoch. Agents—Hagart & Burn Murdoch, W.S., Edinburgh—Trinder, Capron, Kekewich, & Company, Parliamentary Agents, Westminster.

Counsel for the Eastern Scottish Division of the Motor Trade Association, the Tay Motor Lorry Company, Limited, and the Commercial Motor Users' Association (Incorporated) (*Objecting*)—Burn Murdoch. Agents—Chamberlain, Hacking, & Company, Parliamentary Agents, Westminster.

Counsel for the Dundee, Broughty-Ferry, and District Tramways Company (*Objecting*)—Watson, K.C.—T. G. Robertson. Agents—Guild & Shepherd, W.S., Edinburgh—John Kennedy & Company, Parliamentary Agents, Westminster.

Counsel for the North British Railway Company (*Objecting*)—Gentles. Agents—James Watson, S.S.C., Edinburgh—Sherwood & Company, Parliamentary Agents, Westminster.

Counsel for the North British Railway Company and the Caledonian Railway Company as Owners of the Dundee-Arbroath Joint Line (*Objecting*)—Gentles. Agents—James Watson, S.S.C., Edinburgh—James S. Steven, Solicitor, Glasgow—Sherwood & Company, Parliamentary Agents, Westminster.

1st, 2nd, and 3rd August 1921.

GREENOCK CORPORATION.

(Before Lord Donington, Lord Tweeddale, Mr F. C. Thomson, M.P. (*Chairman*), and Major A. C. Farquharson, M.P.—at Glasgow.)

This Order was promoted to confer further powers on the Corporation in relation to their water undertaking, to increase the burgh general assessment and the public health general assessment, and for other purposes.

The clauses relating to the water undertaking were opposed, but ultimately agreement was reached.

Clauses were adjusted.