

the Commission granted your *locus standi*. It is not a general *locus standi* to go into the question whether the scheme is a good one or a feasible one, or suited to the requirements of the neighbourhood, and such points; it is a narrow point whether a railway under those circumstances has a *locus standi* at all, and we decided on the question of your being injured by the competition of this tramway that you have a *locus standi* to that extent. If it had not been for the fact that you are likely to be influenced adversely by the competition we should have decided that you had no *locus standi*, in which case we should have to be content with our knowledge of whether it is a good scheme for the neighbourhood, and for general purposes or not, and therefore we consider that under those circumstances you have not a *locus standi* as to whether it is a workable scheme or not. Your contention is that it is a scheme which will injuriously affect you, and therefore questions as to whether it is likely to be a good scheme or not ought not to be allowed."

The Commissioners ultimately held the preamble of the Order proved.

Counsel for the Promoters — Dundas, K.C.—Dove Wilson. Agents — Morice & Wilson, Advocates, Aberdeen.

Counsel for the Objectors, Campbell, K.C. — Ferguson. Agent — James Ross, Aberdeen.

Tuesday, April 29, 1902.

#### ABERDEEN SUBURBAN TRAMWAYS PROVISIONAL ORDER.

*Private Legislation Procedure — Locus of Sitting of Commission — Questions and Replies in House of Commons.*

In the House of Commons on Tuesday, April 28, 1902, Mr PIRIE (Aberdeen N.) asked the Lord Advocate, as representing the Secretary for Scotland, whether he was aware that the Chairman of Commissioners recently appointed under the Private Legislative Procedure (Scotland) Act 1899, to hold the inquiry in the case of the Aberdeen Tramways Provisional Order, had stated that the decision to hold the inquiry in Edinburgh was come to by the Scottish Office and not by the Commissioners, and that in his opinion the inquiry should have been held in the locality concerned, and whether before the place of inquiry was decided upon any opportunity had been afforded to the promoters and opponents of the Provisional Order of being heard on the convenience of the place for holding the inquiry.

The LORD ADVOCATE replied—The promoters and opponents were not formally heard as to the place of inquiry. No such hearing was asked for, but due consideration was given to communications made to the Scottish Office and its representatives in the matter.

Mr BRYCE (Aberdeen S.) asked whether it was not a fact that by the Act the decision as to where the inquiry was to be held was left with the Commissioners?

The LORD ADVOCATE—Yes, sir. I have already stated that the Act simply says that the Commissioners shall hold the inquiry where they please.

Mr PIRIE also asked the Lord Advocate, as representing the Secretary for Scotland, whether, in the cases of the Aberdeen Tramways Provisional Order Bill and the Buckie Harbour Provisional Order Bill the Commissioners appointed to hear the same under the Private Legislation Procedure (Scotland) Act 1899, had, of their own motion, with due regard to the subject-matter of the proposed Orders, and to the locality to which their provisions relate, and without any reference to or instructions or suggestions from the Secretary for Scotland, determined to hold the inquiry in Edinburgh instead of at Aberdeen; if so, whether, in so deciding, the Commissioners had before them and under their consideration the nature of the inquiry and the extra expenses which would be entailed upon those promoting and upon those opposing the said Orders owing to the inquiry being held in Edinburgh instead of in Aberdeen.

The LORD ADVOCATE—It is very desirable not to delay the announcement of the place and date of an inquiry under the Private Legislation Procedure Act to allow of the necessary arrangements being made by parties. It has therefore been the practice for the Secretary for Scotland as soon as possible to consult with the Chairman of Commissioners, and on obtaining his concurrence to announce the place and date immediately after the Commissioners have been appointed. Under these circumstances no preliminary meeting of the Commissioners has been usual for the purpose of determining the place and date of inquiry, and so far as the Secretary for Scotland is aware no such meeting was held in the cases referred to.

Tuesday, April 29, and Wednesday,  
 April 30, 1902.

#### ABERDEEN SUBURBAN TRAMWAYS PROVISIONAL ORDER.

*Private Legislation Procedure — Locus of Meeting of Commission—Fixing Locus—Discussion in House of Commons on Motion for Adjournment—Statement by the Chairman of the Commissioners.*

#### DISCUSSION IN HOUSE OF COMMONS ON MOTION FOR ADJOURNMENT.

Mr PIRIE (Aberdeen N.) asked leave to move the adjournment of the House in order to call attention to a definite matter of urgent public importance—namely, the act of the Secretary for Scotland in interfering with the action of the Commissioners to hold an inquiry under the Private Bill