

15/62

In the DEAN of GUILD COURT of the BURGH of **Dornoch.**

K00272

Donald Mackenzie. High Street Dornoch

Insert here full name, description, and address of Petitioner.

Petitioner,

AGAINST

**Leonard G. Will. the Electric Shop Dornoch
Mrs Currie Bampfied Notes Dornoch**

Insert here full names and addresses of Respondents.

Respondents.

The Petitioner submit to the Court the Condescence and Note of Plea-in-Law hereto annexed, and pray the Court:—

To grant to the Petitioner (1) warrant to **alter a** certain building on the **Alter or Erect** piece of ground situated in **High Street** in the Burgh of **Dornoch** and particularly described in the Condescence, to be used as **a** **TEA-ROOM**

all in conformity with the plans, sections, and elevations herewith produced; and (2) permission to occupy for a reasonable time such portion of the road or street adjoining, for laying down necessary materials for said building as the Court may determine, and to erect a suitable hoarding during the construction of such building and in the event of any unnecessary opposition on the part of any of the Respondents or others, parties to this action, to find them or any of them so opposing liable in the expenses thereby occasioned, and to decern therefor, and for the dues of extract.

ACCORDING TO JUSTICE,

29th September 1962

D Mackenzie.

To be signed by Petitioner or his Solicitor.

CONDESCENCE.

1. The Petitioner is the proprietor* of a piece of ground situated in **High Street** in the Burgh of **Dornoch** with the buildings existing thereon. The said piece of ground is bounded on the **† South by High Street**
East by Gilchrist Square
North by a lane separating the Petitioner's property from property belonging to Mrs Currie Bampfied
West by subjects belonging to L.G. Will the Electric Shop Dornoch

*If the Petitioner is not the proprietor, his title to or interest in the piece of ground should be specified and the condescence should be amended to narrate that the Petitioner is acting with the consent and concurrence of the proprietor thereof. A docquet to this effect, subscribed by the proprietor should also be endorsed on the Petition.

†Insert here the boundaries and adjoining properties and the full names and addresses of the proprietors.

2. The estimated cost of the proposed work is £ and the proposed date of the commencement thereof is

3. The Petitioner intends in conformity with the plans, sections, and elevations mentioned in the Petition, to alter a certain building on said piece of ground to be used as a Tea-Room and it is necessary to obtain the warrant of the Court for the alteration of said building and also for the deposit of materials and the erection of a hoarding during the said and to call the proprietor s of these properties, the Master of Works, and the superior of the subjects for their respective interests.

Alter or erect.

Alteration or erection.

Alteration or erection.

PLEA-IN-LAW.

The Petitioner being the proprietor* of the piece of ground described in the Condescence, and being about to alter a certain building thereon is entitled to obtain the warrant craved.

*See note overleaf.

Alter or erect.

IN RESPECT WHEREOF,

To be signed by
Petitioner or his
Solicitor.

ORDER FOR SERVICE.

24 November, 1962.—The Court having considered the foregoing Petition, Condescence, and Plea-in-Law, appoints a copy thereof and of this Deliverance to be served on each of the Respondents therein named and designated, and grants warrant for citing them to appear and answer in Court, if so advised, within the Council Chamber Delivered on the Sixth day of November 1962. at 7.15 o'clock of the noon; in the meantime allows the Master of Works to see the plans produced, and to report thereon to the Court.

W. W. W. W.

Clerk of Court.

ACCEPTANCE OF SERVICE.

We, severally and respectively, accept service of the foregoing Petition, and dispense with formal citation.

DATES.

SIGNATURES.

<u>16th November</u>	19 <u>62</u>	<u>W. W. W. W.</u>	<u>Master of Works.</u>
<u>5 November</u>	19 <u>62</u>	<u>W. W. W. W.</u>	
	19		
	19		
	19		
	19		

EXECUTION OF SERVICE.

Upon the Third day of November, One thousand Nine hundred and Sixty two years, by virtue of the foregoing warrant, I, W. W. W. W. Solicitor & Town Clerk Delivered passed and lawfully cited William Cullen Burgfield House Water Delivered

to appear in said Court, within the *Cornie Charles Doherty in London*
the *Swiss* day of *November* One thousand Nine hundred and *sixty two*

P 2297 G
M 596333

**CERTIFICATE OF POSTING
FOR RECORDED DELIVERY**

Name *Wm Cornie Esq.*
and *Burghfield House Hotel*
Add *Delford*
of *Switzerland.*
Addressee

Date Stamp
DORNOCH
3 NO
62
SCOTLAND

Accepting
Officer's
Initials *EM*

For Instructions see over 51-4379 B.B.LTD. 11/60

noon, when he
going Petition.
Petitioner must comply order of
ed by recorded post
a between 10 am & 12 noon.
and as follows: "In Cornie
Switzerland: the certificate

Wm Cornie Esq.
Switzerland.

To be signed by
Petitioner's
Solicitor or Officer
of Court.

SRKS.

and beg to report *6/11/* 19*62*. —I have examined the plans, sections and elevations,
these plans are satisfactory.

W. J. Brannen
Master of Works.

INTERLOCUTOR GRANTING WARRANT.

6th November 19*62*. —The Court having resumed consideration of the
foregoing Petition, with the Report by the Master of Works, and *relative plans ad m*
condition that opening windows are inserted in outer
walls at toilets where indicated on plan
grants to the Petitioner warrant and authority to *erect ed etc* the buildings specified *Alter or erect,*
in the Petition, all in conformity with the plans, sections, and elevations produced, and subject to
the conditions contained in the Burgh Police (Scotland) Acts, 1892 to 1903, and particularly the
Bye-laws for regulating building, &c., made in terms of Section 93 of the Burgh Police (Scotland)
Act, 1903, and relative statutes; ~~and to use a portion of the carriageway and footpavement of~~

opposite the Petitioner property, extending to a line running parallel to and not exceeding feet
from the building line of the Petitioner property, for a period not exceeding months
from the date hereof, for the purposes of the Petitioner building operations and the hoarding and
platform after mentioned; to erect and maintain a hoarding enclosing the portion of the
used for building operations during said operations, with necessary watching and lighting, with a
convenient platform and handrail to serve as a footway outside of such hoarding, all at the sight and to
~~the satisfaction of the Burgh Surveyor, and appoints him from time to time to inspect the said building~~
the Burgh Surveyor
during *erect ed etc*, and if need be to report to the Court thereon, and further,
appoints the Petitioner within one month after said *work* is completed, to lodge *Alteration or*
with the Clerk notice when the said building *is* ready for inspection before being occupied, and
directs the Clerk to transmit the same, when received, to the Master of Works, who is required to
proceed in the manner directed by the Local Government (Scotland) Act, 1947, in that behalf, reserving
to pronounce such further order or orders as to the Court may seem meet.

Henry Colvill
Dean of Guild.

to appear in said Court, within the twelve day of November One thousand Nine hundred and sixty two at 7.15 o'clock after noon, when he will be heard for his interest in the foregoing Petition.

This I did by posting a copy of this Petition with a copy order of service by registered citation endorsed by recorded post delivery at Dalvech Post Office between 12 noon and 1 pm in an envelope addressed as follows: "Mr. C. E. Binghamfield Home Hotel, Dalvech, Scotland: the certificate of post is attached hereto"

To be signed by
Petitioner's
Solicitor or Officer
of Court.

REPORT BY THE MASTER OF WORKS.

6/11/ 1962.—I have examined the plans, sections and elevations, and beg to report these plans are satisfactory.

W. J. Bingham
Master of Works.

INTERLOCUTOR GRANTING WARRANT.

6th November 1962.—The Court having resumed consideration of the foregoing Petition, with the Report by the Master of Works, and relative plans and on condition that opening windows are inserted in outer walls at toilets where indicated on plan

grants to the Petitioner warrant and authority to erect and alter the buildings specified Alter or erect, in the Petition, all in conformity with the plans, sections, and elevations produced, and subject to the conditions contained in the Burgh Police (Scotland) Acts, 1892 to 1903, and particularly the Bye-laws for regulating building, &c., made in terms of Section 93 of the Burgh Police (Scotland) Act, 1903, and relative statutes; and to use a portion of the carriageway and footpavement of

opposite the Petitioner property, extending to a line running parallel to and not exceeding feet from the building line of the Petitioner property, for a period not exceeding months from the date hereof, for the purposes of the Petitioner building operations and the hoarding and platform after mentioned; to erect and maintain a hoarding enclosing the portion of the used for building operations during said operations, with necessary watching and lighting, with a convenient platform and handrail to serve as a footway outside of such hoarding, all at the sight and to the satisfaction of the Burgh Surveyor, and appoints Mr. Bingham from time to time to inspect the said building during erecting and altering, and if need be to report to the Court thereon, and further, appoints the Petitioner within one month after said work is completed, to lodge with the Clerk notice when the said building is ready for inspection before being occupied, and directs the Clerk to transmit the same, when received, to the Master of Works, who is required to proceed in the manner directed by the Local Government (Scotland) Act, 1947, in that behalf, reserving to pronounce such further order or orders as to the Court may seem meet.

Alteration or
erection.

Henry Christie
Dean of Guild.

received from Petitioner and transmitted to the Master of Works.
.....Clerk.

CERTIFICATE OF MASTER OF WORKS.

....., 19 ..—The Master of Works, in terms of the Local Government (Scotland) Act, 1947, hereby certifies that he has surveyed the building described in the Petition, and he is satisfied that the same fit for occupation, and in accordance with the provisions of the Burgh Police (Scotland) Acts, 1892 to 1903, and relative Bye-laws in operation as at this date.
.....Master of Works.

19 ..—Certificate entered in Register.
.....Clerk.

No. 15162

BURGH OF Dornoch

DEAN OF GUILD COURT

PETITION

BY Dornoch Burgh Council

Dated, 19

For Warrant to Alex A Building

in Dornoch Street

Probable Cost of Building - £ : :

Fees - - - - £ 1 : : :

Wm. Hodge & Co., Ltd., Law Printers, 34-36 N. Frederick St., Glasgow D.G.-1.