# CHAPTER 22.

An Act to amend the General Police and Improvement (Scotland) Act, 1862.

[12th July 1877.]

25 & 26 Vict. c. 101.

WHEREAS it is expedient to amend in certain respects the General Police and Improvement (Scotland) Act, 1862:

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:

Title and extent of Act.

**1.** This Act may be cited for all purposes as "The General Police and Improvement (Scotland) Act, 1862, Amendment Act, 1877," and shall apply to Scotland only.

Construction of Act.

**2.** The recited Act and "The General Police and Improvement (Scotland) Act, 1862, Amendment Act," and this Act, shall be read and construed together.

Interpretation clause.

**3.** "Court of Session" and "Court" shall mean either Division of the Inner House of the Court of Session or the Lord Ordinary officiating on the bills in the time of vacation.

Court of Session may make orders to facilitate adoption or execution of recited Act.

**4.** Wherever in any burgh, the boundaries of which have been determined in terms of the recited Act, it has, either before or after the passing of this Act, from a failure to observe any of the provisions of the recited Act, or from any other cause, become impossible to proceed with the adoption or with the carrying out or execution, as the case may be, of the said Act within such burgh, the following provisions shall have effect:

1. It shall be lawful for any seven householders within the burgh to present a petition to the Court of Session, setting forth the failure which has taken place to observe the provisions of the recited Act, or other cause which has made it impossible to proceed with its adoption or carrying out or execution, and praying the Court to pronounce an order in terms of this Act as herein-after mentioned.

2. The petition shall be intimated in the Edinburgh Gazette, and in such other manner as the Court shall appoint.

3. Upon resuming consideration of the petition, with or without answers, and after receiving such evidence as they shall require, the Court may pronounce any order which in their judgment will enable the proceedings for the adoption or carrying out or execution of the recited Act within such burgh to be continued as nearly as possible as if the said failure to observe the provisions of the said Act, or other cause, had not taken place; and such order shall be final, and shall be recorded in the Sheriff Court books of the county within which such burgh is situate.

4. As soon as any directions contained in the said order of the Court shall have been complied with, the proceedings for the adoption or carrying out or execution of the recited Act within such burgh may proceed as nearly as possible in the same manner and with the same incidents as if the said failure to observe the provisions of the said Act, or other cause, had not taken place.

5. The Court may pronounce any order as to expenses of the petition and the proceedings following thereon, and as to the persons or assessments against which they shall be chargeable; and such order shall be final.

Amendment of sect. 14 of recited Act.

**5.** The fourteenth section of the recited Act shall be read and construed as if for the words "two years" therein the words "one year" were substituted.