CHAPTER ci.

An Act to confirm a Provisional Order under "The General Police and Improvement (Scotland) Act, 1862," relating to the Burgh of Dumbarton. [12th July 1877.]

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WHEREAS the Secretary of State for the Home Department, being one of Her Majesty's Principal Secretaries of State, has under the provisions of "The General Police and Improvement (Scotland) Act, 1862," duly made the Provisional Order which is contained in the schedule to this Act annexed, and it is provided by the said Act that no such Order shall be of any validity unless the same has been confirmed by Act of Parliament, and it is expedient that the said Order should be so confirmed:

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:

Confirmation of Provisional Order.

1. The Provisional Order contained in the schedule to this Act annexed shall be and is hereby confirmed, and all the provisions thereof shall, from and after the passing of this Act, be as valid and have the like force and effect as if the same were specially enacted in this Act.

Short title.

2. This Act may be cited as "The General Police and Improvement (Scotland) Act, 1862, Order Confirmation (Dumbarton) Act, 1877."

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SCHEDULE.

DUMBARTON BURGH.

General Police and Improvement (Scotland) Act, 1862.

(25 & 26 Vict. cap. 101.)

WHEREAS by the General Police and Improvement (Scotland) Act, 1862, it is, inter alia, provided (Clause 79) that whenever it appears desirable to the magistrates and council or commissioners of police of any royal or parliamentary burgh, or to the commissioners for executing that Act in any burgh, that provision should be made in order the better to apply and execute therein the provisions of the said Act in whole or in part, or for the future application and execution of any Acts in force therein having relation to the purposes of that Act, or to any other matter or thing connected with the management and administration of the municipal or police affairs of such burgh, or that any such Acts or any exemptions from rating therefrom derived should be wholly or partially repealed or altered, the magistrates and council, or the commissioners of such burgh, may present a petition to one of Her Majesty's Principal Secretaries of State, praying for such provision, repeal, and alteration as aforesaid, or for any of such things; and that, after such inquiry as the said Secretary of State may direct, it shall be lawful for him to issue a Provisional Order, under his hand and seal of office, in relation to the several things mentioned in such petition, either in accordance with the prayer thereof, or with such modifications or alterations as may appear to him to be requisite, and obtain confirmation of such Provisional Order by Act of Parliament.

And whereas the General Police and Improvement (Scotland) Act, 1862, has, in pursuance of the provisions of that Act, been adopted in the royal burgh of Dumbarton.

And whereas the provost, magistrates, and town council of the said burgh have presented a petition to me as one of Her Majesty's Principal Secretaries of State, setting forth that by the Dumbarton Corporation Gas Works, Pier, &c., Act, 1873 (herein-after called the Act of 1873), the said provost, magistrates, and town council were authorised (inter alia) to make and maintain on the foreshore of the River Clyde on the south side of Dumbarton Castle a pier and road of approach thereto, and all rails, cranes, weighing machines, storehouses, and other works and conveniences connected therewith, and to dredge, scour, and deepen the bed and foreshore of the River Clyde adjoining and approaching the said pier, and were authorised to levy rates on, from, and in respect of persons or carriages, goods and articles, landed or embarked,

shipped or unshipped, received or delivered at the said pier or road of approach, and for the use of warehouses and transit sheds, cranes, and weighing machines; and were authorised to borrow for the purposes of the said pier and road of approach any money not exceeding six thousand pounds on the security of the rates herein-before mentioned; and were required from time to time, in the event of there being a deficiency of funds in their hands for payment (inter alia) of the interest on any money borrowed under the powers of the said Act, or of the sinking funds by the said Act prescribed, to levy a rate, to be called the Dumbarton Corporation guarantee rate, of such amount as should be necessary to make good such deficiency; that the said provost, magistrates, and town council have constructed the said pier and road of approach to the great convenience of the inhabitants of the burgh of Dumbarton, but the cost of the construction thereof and of rendering the same available for steam and other vessels has in consequence of the greatly increased price of materials and labour, and the large amount of dredging which has proved requisite, considerably exceeded the amount at which it was estimated at the time of the application for the Act of 1873, and the moneys which the said provost, magistrates, and town council were authorised by that Act to borrow for the purposes of the said pier and road of approach are insufficient to defray the cost thereof, and the said provost, magistrates, and town council are indebted in various sums on account of such cost.

And whereas it has been represented to me in the said petition that it is expedient that the said provost, magistrates, and town council should be authorised to borrow, for the purposes of the said pier and road of approach, an additional sum of money upon security of the said pier rates and Dumbarton Corporation guarantee rate, and that with that object the Act of 1873 should be altered.

And whereas due inquiry having been directed and held in respect of the matters mentioned in the said petition, I have resolved to issue a Provisional Order in the terms herein-after expressed.

Now, therefore, in pursuance of the powers vested in me by the General Police and Improvement (Scotland) Act, 1862, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, direct as follows:

1. From and after the time of the passing of the Act confirming this Order, the forty-fifth section of the Act of 1873 shall be read as if the words twelve thousand pounds had been inserted therein instead of the words six thousand pounds; and the forty-seventh section of that Act shall be construed as if the costs, charges, and expenses of and incident to the preparing for, obtaining, and confirming this Order were part of the cost of constructing the pier and road of approach.

2. All mortgages granted by the provost, magistrates, and town council of the burgh of Dumbarton for securing money borrowed under the provisions of the forty-fifth and forty-sixth sections of the Act of 1873, and subsisting at the time of the passing of the Act confirming this Order, shall have priority over

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all mortgages granted by the said provost, magistrates, and town council, under the provisions of the said sections for securing money borrowed after the passing of the Act confirming this Order.

Given under my hand and seal at Whitehall this fourth day of May one thousand eight hundred and seventy-seven.

(L.S.) RICH. ASSHETON CROSS.

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