CHAPTER iii.

An Act to confirm a Provisional Order under the General Police and Improvement (Scotland) Act, 1862, relating to the Burgh of Paisley. [23d May 1879.]

A.D. 1879.

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: 25 & 26 Vict. c. 101.

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 (Paisley) Act, 1879.

A.D. 1879.

SCHEDULE.

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 that Act in whole or part, or for the future application and execution of any Acts in force therein, having relation to the purposes of that Act, or to the roads or streets within that burgh, 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of such burgh, or that any such Acts or any exemptions from rating therefrom derived should be wholly or partially repealed or altered, the magistrates and council or the commissioners of such burgh may present a petition to one of Her Majesty's Principal Secretaries of State,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 to 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 whole within the said burgh of Paisley:

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 virtue of an Act passed in the 8th and 9th years of the reign of Her present Majesty, cap. 18, intituled "An Act for the "better lighting the town and suburbs of Paisley with gas" (herein-after called the Act of 1845), the supply of gas to the town of Paisley and the suburbs thereof was vested in a board of commissioners, and that by the Paisley Corporation Gas Act, 1870, (herein-after called the Act of 1870,) the property, powers, rights, and privileges of the said commissioners were transferred to and vested in the magistrates and town council of the said burgh of

Paisley; that the said magistrates and town council were by the Act of 1870 (inter alia) authorised to maintain, improve, extend, and renew the gasworks thereby transferred to and vested in them, and to manufacture gas, and to supply gas to the town of Paisley and the suburbs thereof and the places adjacent, to purchase land, and to exercise all other powers necessary for carrying out the purposes of that Act; and that the said magistrates and town council were also by that Act empowered to borrow, for the purpose of carrying into execution that Act and the Act of 1845 as amended thereby, any money, not exceeding the sum of 15,000*l*., on the security of the rents, charges, and revenues (except as therein mentioned) accruing to them from the lands, property and works transferred to and vested in them by the Act of 1870, and thereafter to be acquired or constructed by them for the purposes of that Act, and from the sale of gas and of residual products; that the said provost, magistrates, and town council have, since the passing of the Act of 1870, maintained and managed the said gasworks, and from time to time improved and extended the same, and have supplied the town and suburbs of Paisley with gas; that the demand for gas in the said town and suburbs has increased and is increasing; and that in order to meet such demand the said provost, magistrates, and town council have proceeded to further enlarge and improve their works, but that their borrowing powers under the Act of 1870 have been exhausted, and they have no moneys wherewith to defray the cost thereof:

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 aforesaid an additional sum of money upon the security of the rents, charges, and revenues herein-before mentioned, and that with that object the Act of 1870 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 passing of the Act confirming this Order the 64th section of the Act of 1870 shall be read as if the words forty-five thousand pounds had been inserted therein instead of the words fifteen thousand pounds, and in construing the 71st section of that Act all moneys expended in payment of the costs, charges, and expenses of and incident to the preparing for, obtaining, and confirming this Order shall be held to be moneys applied in carrying the Act of 1845, as amended by the Act of 1870, and the Act of 1870 into execution.

2. The mortgages and assignations deemed to be held by annuitants by virtue of the Act of 1870, and all mortgages and assignations granted by the magistrates and town council of the burgh of Paisley for securing money borrowed under the provisions of that Act and subsisting at the passing of the Act confirming this Order, shall, during the continuance of such mortgages and assignations, have priority over all mortgages and assignations granted by the

A.D. 1879.

magistrates and town council under the provisions of the said Act of 1870, as amended by this Order, for securing money borrowed after the passing of the Act confirming this Order.

Given under my hand and seal at Whitehall this seventh day of November one thousand eight hundred and seventy-eight.

RICHD. ASSHETON CROSS. L.S.

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