CHAPTER XV.

An Act to enable the Magistrates and Council of the City and Royal Burgh of Glasgow, acting as the Police Commissioners, to borrow further Money; and for other purposes. [21st May 1885.]

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WHEREAS the magistrates and council of the city and royal burgh of Glasgow, acting under the Glasgow Police Acts, 1866, 1872, 1873, 1875, 1877, 1878, 1879, and the Glasgow Corporation and Police Act, 1882, the Glasgow Corporation Act, 1884, and the Roads and Bridges (Scotland) Act, 1878 (in this Act called "the Police Commissioners"), have the care and management of the streets and roads in Glasgow:

And whereas under the Roads and Bridges (Scotland) Act, 1878, the obligation to maintain and repair a large extent of roads and streets which were formerly turnpike has been transferred to the Police Commissioners:

And whereas those roads and streets, and other roads and streets in Glasgow, are in bad repair, and from the great traffic thereon it is expedient that they should without delay be paved in a substantial and durable manner:

And whereas the streets and roads under the jurisdiction of the Police Commissioners are now maintained and repaired under the provisions of the Roads and Bridges (Scotland) Act, 1878, and by that Act the Police Commissioners are empowered to borrow money for the construction of new roads and bridges and the payment of debts:

And whereas it is expedient that the Police Commissioners should be authorised to borrow further sums of money for the purposes aforesaid, and for carrying into effect the purposes of the before-mentioned Acts:

And whereas the objects of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted, and be it enacted by the Queen's most Excellent Majesty, by and with

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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 :—

Short title.

1. This Act may be cited for all purposes as the Glasgow Police Act, 1885, and the Glasgow Police Acts, 1866, 1872, 1873, 1875, 1877, 1878, 1879, 1882, the Glasgow Corporation Act, 1884 (so far as it relates to the Police Commissioners), and this Act may be cited together as the Glasgow Police Acts, 1866 to 1885.

Interpretation.

2. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction :—

"The Act of 1866" means the Glasgow Police Act, 1866;

"The Act of 1873" means the Glasgow Police Act, 1873;

"The Act of 1877" means the Glasgow Police Act, 1877;

"The Act of 1878" means the Glasgow Municipal Act, 1878;

"The Act of 1882" means the Glasgow Corporation and Police Act, 1882;

"The Roads and Bridges Act, 1878," means the Roads and Bridges (Scotland) Act, 1878;

"The Police Acts" means the Glasgow Police Acts, 1866, 1872, 1873, 1875, 1877, 1878, 1879, 1882, the Glasgow Corporation Act, 1884, and the Roads and Bridges (Scotland) Act, 1878;

"The Corporation" means the lord provost, magistrates, and council of the city and royal burgh of Glasgow;

"The Police Commissioners" means the magistrates and council of the city and royal burgh of Glasgow acting in execution of the Police Acts;

"Police purposes" means the purposes other than the payment of interest to which the police assessment is to be appropriated under section 59 of the Act of 1866;

"Statute labour purposes" means the purposes to which the statute labour assessment is to be appropriated under section 58 of the Act of 1866;

"Sewers purposes" means the carrying into execution the provisions of sections 328 to 343, both sections inclusive, of the Act of 1866 relating to "sewers—their construction and repair" to which the statute labour assessment is to be appropriated under section 58 of the Act of 1866;

The words "the city" shall mean and include the city and royal burgh of Glasgow as described and defined in the Act of 1878;

Other words and expressions have the same meanings as in the Police Acts.

Incorporation of provisions of Commissioners Clauses Act.

3. The provisions of the Commissioners Clauses Act, 1847, with respect to the mortgages executed or to be executed by the Commissioners, are incorporated with and form part of this Act: Provided that the expression "the Commissioners" shall mean the Police Commissioners, and the register of such mortgages and the transfer thereof shall be kept by the clerk or by the registrar appointed under the Act of 1866.

Construction of Act.

4. The Police Acts as each is respectively amended by any subsequent Act and by this Act, shall be read as one Act with this Act.

Special assessment to supply deficiency in police assessment, &c.

5. The Police Commissioners may, and they are hereby authorised and required, in the event of there being any deficiency of "the police assessment" authorised to be imposed and levied under the Act of 1866 or the Act of 1877 or the Act of 1882, or of "the statute labour assessment" authorised by the Act of 1866, or of the rents and profits of the other property belonging to the Police Commissioners which may be mortgaged for that purpose to meet the interest of moneys borrowed under the Police Acts or this Act, and as security for the moneys authorised to be borrowed under the Police Acts and of this Act, and paying off the moneys borrowed under said Acts, to assess and levy a special assessment not exceeding one halfpenny in the pound for police purposes, and a special assessment not exceeding one halfpenny in the pound for statute labour purposes, and such assessments shall be deemed to be special assessments under section 41 of the Act of 1866, and shall be imposed and recovered as if the interest on moneys borrowed under the Act of 1873 and the Act of 1877 and the Act of 1882 and this Act for police purposes and sewers purposes had been one of the objects for which special assessments are authorised to be imposed and recovered under that section.

Power to Police Commissioners to borrow.

6. In addition to the sums which the Police Commissioners are authorised to borrow by the Police Acts, the Police Commissioners may, from time to time, borrow any sums they may from time to time require, not exceeding the sums hereinafter mentioned, namely:—

On the security of the statute labour assessment leviable in virtue of the Police Acts, and on the security of the said special assessment for statute labour purposes, fifty thousand pounds;

On the security of the police assessment leviable in virtue of the Police Acts, and on the security of the said special assessment for police purposes, fifty thousand pounds;

And on security of the assessment leviable in virtue of sections 54 and 55 of the Roads and Bridges (Scotland) Act, 1878, one

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hundred and fifty thousand pounds, in this Act referred to as "the Roads and Bridges Act assessment";

and sections 62 and 63 of the Act of 1866 shall apply to money so to be borrowed as if it had been authorised to be raised under the Act of 1866.

Application of moneys.

7. The sums borrowed by the Police Commissioners under the authority of this Act shall be applied as follows:—

First. As regards the first-mentioned sum of fifty thousand pounds:—

(A) In paying a proportionate part of the costs, charges, and expenses of and incident to the preparing, applying for, and obtaining and passing this Act or otherwise in relation thereto (herein-after called "the expenses of this Act");

(B) In carrying into execution the sewers purposes;

Second. As regards the secondly-mentioned sum of fifty thousand pounds:—

(A) In paying a proportionate part of the expenses of this Act;

(B) In carrying into execution the police purposes;

Thirdly. As regards the thirdly-mentioned sum of one hundred and fifty thousand pounds:—

(A) In paying a proportionate part of the expenses of this Act;

(B) In carrying into execution the provisions of the Roads and Bridges Act, 1878, with reference to the maintenance and repair of the streets and roads within the city, and for paving the said streets in a substantial and durable manner.

Saving existing annuities and securities.

8. Nothing in this Act contained shall prejudice any bonds, annuities, debentures, mortgages, or assignations in security granted by the Police Commissioners under the authority of the Police Acts, or any of them, and subsisting at the date of the passing of this Act, and such bonds, annuities, debentures, mortgages, and assignations shall be and remain in full force and as valid and effectual in all respects as if this Act had not been passed.

Sinking fund for paying off money borrowed.

9. The Police Commissioners shall, after the expiration of three years from the passing of this Act, annually set apart—

(1) Out of the police assessment a sum or sums equal to not less than two pounds ten shillings per centum on the amount borrowed under the authority of this Act for the police purposes of the Act of 1866; and

(2) Out of the statute labour assessment a sum or sums equal to not less than two pounds ten shillings per centum on the

amount borrowed under the authority of this Act for the sewers purposes of the Act of 1866; and

(3) Out of the Roads and Bridges Act assessment a sum or sums equal to not less than five pounds per centum per annum on the amount borrowed under the authority of this Act on the security of the said assessment;

the Police Commissioners shall, from time to time, apply the sum or sums so set apart as a sinking fund in paying off the principal sums so borrowed, and to the extent of the sums so paid off the borrowing powers of the Police Commissioners shall be extinguished.

Provisions as to future borrowing.

10. If the Police Commissioners, after the date of the passing of this Act, pay off, otherwise than by means of the sinking funds by this Act provided, any of the moneys borrowed by them under this Act, it shall be lawful for them again to borrow the amount so paid off from time to time, and they may make and grant mortgages and assignations therefor, and so from time to time as they shall think proper.

Provision applicable to sinking funds.

11. The following provision shall apply to the several sinking funds by this Act directed to be established (that is to say), whenever the Police Commissioners shall before the prescribed period have paid off out of any such sinking fund any of the moneys to which the same is applicable, they shall thenceforward in each year, until the whole of such moneys shall have been paid off, pay into the same sinking fund, in addition to the sum required to be set apart as aforesaid, a sum equal to the annual interest of the moneys so paid off, and whenever and so long as the yearly income arising from the same sinking fund shall be equal to the annual interest of the principal moneys then remaining due by the Police Commissioners, the Police Commissioners may, instead of setting apart the said yearly income, apply the same in payment of the interest upon the principal moneys so remaining due, and may during such period discontinue the payment to such sinking fund of the yearly sum herein-before required to be set apart.

Power to Corporation to borrow money.

12. For the purposes of the Glasgow Corporation Loans Act, 1883 (herein-after called "the Loans Act"), the power by this Act granted to the Commissioners to borrow the said several sums of fifty thousand pounds, fifty thousand pounds, and one hundred and fifty thousand pounds, and the power to borrow on the security of the assessments authorised to be levied under the Roads and Bridges (Scotland) Act, 1878, for the construction of new roads and bridges, and for the payment of debts, shall be deemed a borrowing power of the Commissioners within the meaning of section 7 of the Loans Act, and to have been transferred to and vested in and to apply to

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and be exerciseable by the Corporation as if that borrowing power had been a borrowing power of the Commissioners at the commencement of the Loans Act, and sections 7 to 25, both sections inclusive, of the Loans Act shall be applicable, and shall apply to the borrowing powers by this Act granted to the Commissioners.

Expenses of Act.

13. The costs, charges, and expenses, preliminary to, and of and incidental to the preparing, applying for, obtaining and passing of this Act shall be paid by the Police Commissioners as by this Act provided.

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