CHAPTER cliv.

An Act for extending the boundaries of the burgh of Greenock; to increase the number of the Town Council; to alter the constitution of the Board of Police of Greenock, and to confer further powers on that Board with respect to their gas undertaking; to make further provisions with respect to the Harbour Trust of Greenock, and the Water Trust of Greenock, and the Municipal Government of the burgh; and for other purposes. [24th July 1882.] A.D. 1882.

WHEREAS the burgh of Greenock, in the county of Renfrew (herein-after called "the existing burgh"), is a burgh which returns a member to Parliament, and the boundaries of the existing burgh were fixed and defined by the Act 2 & 3 William IV., chapter 65:

And whereas the Municipal Corporation of the existing burgh consists of sixteen councillors, whereof one is provost and six are bailies, and one treasurer, who are elected and chosen by the persons within the limits of the existing burgh, as defined by the said Act, having the qualification specified and described in the fifth section of the Municipal Elections Amendment (Scotland) Act, 1868:

And whereas by the Greenock Police Act, 1877 (herein-after called "the Act of 1877"), a body corporate under the name and style of the Board of Police of Greenock (herein-after called "the Board of Police"), consisting of the Corporation ex-officio, and of nine occupiers of lands and heritages, possessing the qualification and elected as therein provided, and resident within the limits of the Act of 1877 (herein-after called the police limits), was constituted the police and sanitary authority not only within the boundaries of the existing burgh but also within districts beyond

31 & 32 Vict. c. 108.

40 & 41 Vict. c. cxciii.

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the boundaries and limits thereof, and which boundaries and limits are set forth and defined in the said Act:

And whereas the population of the existing burgh, since the boundaries were fixed and defined, as aforesaid, has greatly increased, and has spread beyond these boundaries and limits, up to and including the landward police limits:

And whereas it is expedient that the boundaries of the burgh for municipal purposes, should be extended as herein-after mentioned, and that the municipal franchises and immunities of the existing burgh, and the powers and jurisdictions now vested in the provost and magistrates, and in the magistrates and council, should be extended over the area comprised within such extended boundaries:

And whereas it is expedient that the number of councillors should be increased, and the provisions of the Act of 1877, with reference to the elective members of the Board of Police, should be repealed, and that the Board of Police should thereafter consist of the Corporation:

29 & 30 Vict. c. clvi. And whereas under section 6 of the Greenock Port and Harbours Act, 1866, the trustees of the port and harbours of Greenock consist of the Corporation, and certain elective members, and it is expedient that in the event of the number of the Corporation being increased, the Corporation should be represented on the harbour board by the same number of the Corporation as are now members thereof:

29 & 30 Vict. c. cccviii. And whereas under the Greenock and Shaws Water Transfer Act, 1866 (herein-after referred to as "the Act of 1866"), the water trust of Greenock consists of the provost of Greenock, and twelve members of the Board of Police, of whom seven are councillors and five are elective members, and it is expedient that the said trust should consist of the said provost and twelve members of the Corporation, to be elected and appointed by the Corporation as herein-after provided, instead of members of the Board of Police, and that the limits of the compulsory supply of water, under the Act of 1866, now confined to the limits of the existing burgh, should be enlarged and made to embrace the limits of the burgh as extended by this Act:

34 & 35 Vict. c. xliv. And whereas by the Greenock Police Improvement and Gas Act, 1871 (herein-after referred to as "the Act of 1871"), the gasworks and undertaking therein described were transferred to and vested in the Board of Police, and the Board were authorised to construct additional gasworks, and to manufacture and supply gas within the limits therein defined, and by the Act of 1877 the whole powers of

the Act of 1871, with reference to the supply of gas were transferred to and vested in the Board of Police, by that Act incorporated:

And whereas it is expedient that the standard of the gas supplied by the Board of Police under the Act of 1871 should be reduced:

And whereas it is expedient that the Board of Police should be authorised to manufacture and supply gas for heating, motive, and other purposes, as by this Act provided, and to use their existing works and apparatus, and lay mains and pipes for that purpose:

And whereas it is expedient that the Board of Police should be authorised to borrow further money:

And whereas it is expedient that the recited Acts, or some of them, should in other respects be varied and altered:

And whereas the purposes aforesaid 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 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:

I.—Preliminary.

Short title.

1. This Act may be cited as the Greenock Burgh Extension Act, 1882.

Commencement of Act.

2. This Act shall commence and come into operation on and after the passing hereof (which date is herein-after referred to as "the commencement of this Act").

Interpretation.

3. In construing this Act the following words and expressions have the meanings hereby assigned to them respectively, unless there be something in the subject or context repugnant to such construction that is to say:—

The expression, "the existing burgh," means the burgh of Greenock as existing previously to the commencement of this Act;

The expression "the burgh" means the burgh of Greenock, as defined by this Act;

The expression "the districts added" means and comprehends so much of the territory of the burgh as is outside the limits of the existing burgh;

The expression "the parliamentary burgh of Greenock" means the burgh of Greenock, within the boundaries thereof, as fixed by the public Act, second and third William the Fourth, chapter sixty-five;

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The expressions "the Corporation," "the magistrates and council," and "the town council," respectively when used with reference to any period prior to the commencement of this Act, mean respectively the provost, magistrates, and town council of the existing burgh; and when used with reference to any period after the commencement of this Act, mean respectively the provost, magistrates, and council, and magistrates and council, and town council of the burgh:

The expression "the sheriff" means the sheriff of the county of Renfrew and Bute, and shall include his substitutes; and the expression "the sheriff clerk" means the sheriff clerk of the county of Renfrew, and includes his deputes;

The expression "the Valuation Acts" means the Public Act seventeenth and eighteenth Victoria, chapter ninety-one, intituled "An Act for the valuation of lands and heritages in Scotland," and Acts amending that Act;

The expression "the valuation roll" means the valuation roll made up under the Valuation Acts;

The expression "Licensing Acts" means the Act ninth George the Fourth, chapter fifty-eight, the Act sixteenth and seventeenth Victoria, chapter sixty-seven, the Public Houses Acts Amendment (Scotland) Act, 1862, the Publicans Certificates (Scotland) Act, 1876, and the Publicans Certificates (Scotland) Act, 1876, Amendment Act, 1877.

25 & 26 Vict. c. 35.
39 & 40 Vict. c. 26.
40 & 41 Vict. c. 3.

II.—Municipal.

Extended burgh.

4. From and after the commencement of this Act, the burgh shall, for all municipal purposes and for the purposes of this Act, be and consist of so much of the district comprised within the limits defined in section 5 of the Act of 1877, as is set forth and described in the First Schedule to this Act; and the provisions of this Act, and of all Acts for the time being in force, relating to burghs in Scotland which return or contribute to return members to Parliament, and are not royal burghs, or to the municipal corporations and magistrates thereof shall, subject to the provisions of this Act, apply to and have effect in the burgh in the same way and to the same effect as if the burgh were a burgh which returned or contributed to return a member to Parliament.

Act not to affect election of members to serve in Parliament.

5. Nothing in this Act contained shall interfere with the county of Renfrew or the parliamentary burgh of Greenock, or alter or affect in any way the limits thereof, or the electors thereof or any of them, so far as regards the election of members to serve in Parliament for the said county and burgh respectively, and the

right of voting at parliamentary elections as existing at the passing of this Act and the said county and burgh respectively shall for parliamentary purposes remain in all respects the same as if this Act had not been passed.

Reserving jurisdiction of Board of Police.

6. Nothing in this Act contained shall repeal, alter, vary, or affect any of the provisions of the Act of 1877, or any of the powers, rights, and jurisdictions conferred on the Board of Police thereunder, but the said Act and the whole provisions thereof shall remain in full force and effect, except in so far as the same are expressly repealed or varied by this Act.

Qualification of electors.

7. The right of electing the town council shall be in and belong to all such persons as have or shall have the qualifications specified and described in the fifth section of the Municipal Elections Amendment (Scotland) Act, 1868, as amended or varied by any subsequent Act, and for the purposes of that section the burgh shall be held to be a parliamentary burgh which returns a member to serve in Parliament, the municipal boundaries of which have been extended under a local Act of Parliament beyond the limits of the parliamentary boundaries thereof.

Valuation roll.

8. The assessor for the parliamentary burgh of Greenock under the Valuation Acts shall, at the same time as he makes up the valuation roll for the same for the year from Whitsunday one thousand eight hundred and eighty-two to Whitsunday one thousand eight hundred and eighty-three, also make up a valuation roll for the districts added, and the assessor for the burgh shall annually thereafter make up a valuation roll for the burgh, distinguishing the lands and heritages within the districts added from the lands and heritages within the existing burgh, and the procedure and right of appeal and forms shall be such and the same as are provided by the said Acts in relation to the existing burgh, and for all municipal and police purposes and for all assessments imposed, or which may be imposed within the burgh by the Corporation or magistrates and town council, the said roll shall be deemed to be the valuation roll under the Valuation Acts, and the expense of making up such roll shall be paid out of the assessments authorised to be levied under the powers of the Valuation Acts and this Act.

As to valuation roll.

24 & 25 Vict. c. 83.

9. Provided always that so long as it shall be necessary to include the lands and heritages within the districts added in the county of Renfrew for the purposes of the County Voters Registration (Scotland) Act, 1861, or of any other Act which may be passed for similar purposes, the valuation roll for the districts added shall be made up in the same form as the valuation roll for

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the county of Renfrew, and in virtue of the provisions of section 7 of the County Voters Registration (Scotland) Act, 1861, such assessor shall be subject to the orders of the assessor or assessors of the county of Renfrew, appointed under and acting in terms of the said County Voters Act, and shall take his instructions from such county assessor or assessors, and shall be bound to act on such instructions so far as consistent with the provisions of the said County Voters Act, and such burgh assessor shall also supply all necessary details and information to such assessor or assessors as will enable him or them to make up his or their lists of county voters for the districts added.

Register of municipal electors to be formed.

10. Immediately upon the completion of the first registration of parliamentary electors for the existing burgh which shall take place subsequently to the commencement of this Act, a register of the electors for the burgh, to be called "the Greenock Municipal Register" (herein-after referred to as "the municipal register"), shall be formed for the purposes of this Act containing—

First. The names of all persons then standing in the parliamentary register for the existing burgh, and

Secondly. The names of all persons, other than the above, whose names would be entitled to appear on the said parliamentary register if the limits of the burgh were wholly within the boundaries of the parliamentary burgh of Greenock;

Thirdly. The names of all females within the burgh on whom the municipal franchise is conferred by the Municipal Elections Amendment (Scotland) Act, 1881;

44 & 45 Vict. c. 13.

And the municipal register to be so prepared may, subject to the addition aforesaid, consist of two divisions, namely, the parliamentary register, comprising the names of the voters included in the class first above-mentioned, and a supplementary register, comprising in two separate lists the names of the voters included in the classes secondly and thirdly above-mentioned, and shall be continued, added to and amended from year to year, under the authority of the sheriff, and in manner directed by this Act, and on the said municipal register being completed for each year the town clerk shall sign the same, and the said register shall form the register of persons entitled to vote in the election of councillors for the burgh until the same shall be revised and a new register be completed.

Register: how to be made up.

11. For the purpose of enabling the municipal register to be made up, the assessor of the existing burgh, acting under the provisions of the Act passed in the nineteenth and twentieth years of the reign of Her present Majesty, chapter fifty-eight, as amended

by any subsequent Act, shall in the year one thousand eight hundred and eighty-two, and the assessor of the burgh shall annually thereafter, along with the lists of voters required by the said last-mentioned Act to be delivered to the town clerk, also make up and deliver to him a list of all persons primâ facie possessed of the qualifications described in the Acts regulating for the time the qualification of persons entitled to vote in the election of members of Parliament for burghs in Scotland in respect of subjects situated within the limits of the burgh, but beyond the boundaries of the existing burgh, and such additional lists shall be dealt with and disposed of in all respects, and claims and objections may be lodged and shall be dealt with and disposed of in the same way and manner, and so far as regards municipal purposes to the same effect as the lists required to be made up and delivered, and the claims and objections allowed by the said Act of the nineteenth and twentieth years of the reign of Her present Majesty, as amended as aforesaid.

Registers to be printed annually.

12. The town clerk shall cause the registers, framed in accordance with the provisions of this Act, to be printed annually, and shall deliver copies of the registers to every registered elector of the burgh who may apply for the same, on payment of the fees contained in Table 2 of the Schedule B. annexed to the said Act of the nineteenth and twentieth years of the reign of Her present Majesty, and the expense of forming the municipal register, and of printing the same annually, after deducting any sums received for copies sold, shall be defrayed in the way and manner provided by the said last-mentioned Act for defraying the expenses of making up and printing the register of parliamentary voters.

Division of extended burgh into wards.

13. The extended burgh shall, for the purposes of the election of town councillors, and for all municipal purposes, be divided into eight wards, the designations and boundaries of which shall, until altered as herein-after provided, be those which are set forth and described in the Second Schedule to this Act.

Future re-adjustment of wards.

14. The Corporation may, after the expiration of ten years from the passing of this Act, resolve by a majority of not less than two thirds of their number, that the burgh shall be divided anew into wards for municipal purposes; and upon any such resolution being adopted, the provost of the burgh, the sheriff of the county (excluding his substitutes), and a person to be appointed by one of Her Majesty's Principal Secretaries of State, or any two of those parties, shall anew divide the burgh into wards, each ward being numbered and having a distinctive name or number, and in deter-

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mining the boundaries thereof, regard shall be had by them to the number of town councillors in the burgh, and to the number of municipal electors, and also to the value of the property as appearing on the valuation roll, and the parties aforesaid shall cause the proposed division into wards to be delineated upon a plan, which shall be open to the inspection of all persons concerned for the space of fourteen days, and notice shall be given previous to the first of the said fourteen days by advertisement in one or more newspapers published or circulating within the burgh of the place where the said plan is to be seen, and upon a day after the expiry of the said fourteen days, to be specified in the said advertisement, the parties aforesaid shall hear all concerned and desiring to be heard for their interests, and thereupon the said proposed division shall be finally adjusted by the parties aforesaid, and they shall fix and determine the wards to which the then existing town councillors shall be apportioned, and the order in which they shall retire by rotation, and the parties aforesaid shall report the same to one of Her Majesty's Principal Secretaries of State, and on their report being approved of by him, the said division into wards shall be published once at least in the "Edinburgh Gazette" and in one of the newspapers published or circulating within the burgh and the said division and boundaries of wards having been approved of and published as aforesaid shall take effect, and shall, on and after the first Tuesday in November of the then current year, be the division and boundaries of the wards in the burgh in lieu of the boundaries by this Act prescribed.

Qualification of councillors.

15. All persons who are qualified as electors and are otherwise eligible, and who have a residence or place of business in the burgh, shall be eligible and qualified as town councillors.

Existing magistrates and councillors to continue till new town council elected.

16. The provost, magistrates, town councillors, and office bearers in office at the time of the commencement of this Act, shall continue in office, and be the provost, magistrates, town councillors, and office bearers of the burgh, until the completion of the first election and induction into office of the town council under this Act, upon which, but not sooner, they shall go out of office, and their whole powers, duties and functions shall cease and determine: Provided always that the provost for the time being, or in his absence the senior magistrate present, or if there be no magistrate present, some person to be chosen chairman by the elected town councillors present, shall preside at the first meeting of the town council to be elected under this Act, until the election and induction into office of the provost then to be chosen, but no longer; and

the provost, senior magistrate, or chairman so presiding, shall have no deliberative vote at such meeting, unless he shall have previously been elected a town councillor under this Act, but whether he shall or shall not have been so elected, he shall, in case of an equality of votes, having a casting vote.

Number of councillors and magistrates.

17. The town council of the burgh shall consist of twenty-five town councillors (to be elected as herein-after mentioned) and the number of such town councillors to be elected magistrates shall be one provost and six bailies, and one of such town councillors shall be elected treasurer and nine of the town council shall constitute a quorum.

Election of councillors.

18. The electors of the burgh shall, on the first Tuesday in November, in the year one thousand eight hundred and eighty-two, being the day appointed for the annual election of town councillors, proceed to elect the whole number of town councillors hereby appointed to be elected, and such election, and all succeeding annual elections, and all elections of provost, magistrates, and office bearers shall, except as otherwise herein provided, be conducted and regulated in all respects in the manner directed by the Acts of Parliament regulating the election of magistrates and town councils in Scotland in burghs which are divided into wards or districts; and the several provisions and enactments of the said Acts, so far as not altered by or inconsistent with the provisions of this Act, shall be as valid and effectual for carrying this Act into execution as if the same were herein specially enacted and made applicable to the extended burgh.

One third of council to retire each year.

19. At the first election to be made under this Act, the electors of each of the wards numbered the first, second, third, fourth, fifth, sixth, and seventh ward, shall respectively choose three town councillors, and the electors of the ward numbered eighth shall choose four town councillors, and at each succeeding annual election the town councillors to retire and to be elected shall be as prescribed by the Act of the third and fourth years of the reign of His late Majesty King William the Fourth, chapter seventy-seven and by the Municipal Elections Amendment (Scotland) Act, 1868, and the Municipal Elections Amendment (Scotland) Act, 1870, which Acts shall, so far as not altered by or inconsistent with the provisions of this Act, be held to apply to the burgh: Provided always that any town councillor so retiring shall be capable of being immediately re-elected, and that at the election of town councillors, to take place on the first Tuesday in November, one thousand eight hundred and eighty-three, in each ward one town

33 & 34 Vict. c. 92.

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councillor shall go out of office, which town councillor shall be that one who at the first election in that ward had the smallest number of votes, and that at the election of town councillors to take place on the first Tuesday in November, one thousand eight hundred and eighty-four, in each ward one town councillor shall go out of office, which town councillor shall be that one who had the next smallest number of votes at the first election in that ward; and that as between any two or more town councillors who may have been elected in any ward by an equal number of votes, or where no contest has taken place, any question as to which of such town councillors shall first retire shall be decided by lot; and that at the election of town councillors, to take place on the first Tuesday in November, one thousand eight hundred and eighty-five, in each ward the remaining town councillor in each of the first seven wards and the remaining two town councillors in the eighth ward shall go out of office.

Constitution and powers of Board of Police.

20. The elective members of the Board of Police in office at the commencement of this Act shall continue in office until the completion of the first election of magistrates under this Act, upon which but not sooner they shall go out of office, and their whole powers, duties, and functions shall cease and determine, and from and after the said first election of magistrates under this Act, the Board of Police shall consist of the provost, bailies, treasurer, and town councillors of the burgh for the time being, instead of the provost, bailies, treasurer, remanent members of the town council, and nine elective members, as provided in section 8 of the Act of 1877, and the said section shall be read and have effect accordingly, and sections 9 to 18 both inclusive of the Act of 1877, are hereby repealed, and the Board of Police as so constituted shall have and exercise all the powers and authorities which are conferred upon the Board of Police by the Act of 1877.

Jurisdiction of Corporation.

21. Subject to the provisions of this Act, the provost, magistrates and town council of the burgh, shall have, possess and exercise over the burgh and the inhabitants thereof, all the jurisdictions, powers, rights and authorities which the provost, magistrates, and town council respectively of the existing burgh now have, possess and exercise over the existing burgh and the inhabitants thereof, whether at common law, or by statute, or otherwise, including all powers of imposing, levying and recovering rates, dues, taxes and assessments, and otherwise; saving and reserving always the existing authorities and jurisdictions within the burgh, or any portion thereof of the justices of the peace of the county of Renfrew, except in so far as the same are by this Act expressly altered or affected.

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Existing trusts vested in magistrates and council.

22. All mortifications, endowments, and trusts, however constituted, charitable bequests, or other grants, held or administered by the provost, magistrates and council, or the magistrates or office bearers of the existing burgh by themselves, or in conjunction with any person or persons, body or bodies (but under the liabilities to which the same are legally subject), shall be vested in, held, and administered by the provost, magistrates and council, or the magistrates or office bearers of the burgh, or so many of their number, to be chosen by them for that purpose, as are appointed by the deeds under which such mortifications, endowments, trusts, bequests, or other grants are constituted, together with the other trustees also therein nominated, for the purposes, and with the rights, powers, and authorities, and subject to all the conditions and provisions under and upon which the same were conveyed, granted, or settled by the granters or makers of such mortifications, endowments, trusts, bequests, or other grants: Provided always that nothing herein contained shall affect the rights or powers conferred on any private individual nominated and appointed by any trust deed, or other conveyance whereby any mortification, endowment, trust, bequest, or other grant is constituted; and that the extension by this Act of the limits of the existing burgh shall not confer on any person within the district added, other than the provost, magistrates and councillors of the burgh, any right to be an ex-officio trustee, guardian, governor, or other manager, of or under any mortification, endowment, trust, bequest, or other grant of which any description of person within the existing burgh were thereby declared to be ex-officio trustees, guardians, governors, or other managers: Saving always and reserving to all and every person or persons, or class or community of persons, all and every right of property or personal privilege or immunity within the existing burgh, excepting as the same may be affected by the provisions of this Act, which they respectively had or enjoyed before the commencement of this Act.

Common good.

23. The common good, including property heritable and moveable, and means, revenues and income of every description, leviable within or belonging to the existing burgh, or to which the existing burgh is entitled, or which are held or administered by any person for or on behalf of the community of the existing burgh, for the public ends and purposes thereof, shall be held by the Corporation for the behoof and benefit of the burgh.

Portions of extended burgh disjoined from

24. From and after the commencement of this Act, the districts added shall be and the same are hereby disjoined from the county of Renfrew, for all the purposes of this Act, and the whole pro-

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county of Renfrew.

visions, powers and authorities of this Act, and the other Acts in force within the existing burgh, and by this Act made applicable to the burgh, whether with regard to the assessment and recovery of rates or otherwise, shall subject to the provisions of this Act apply to and may be exercised by the Corporation in the same manner and as fully in all respects with regard to the districts added, and every part thereof, as to all or any of the remaining portions of the burgh; and it shall not be lawful for the Commissioners of supply of the said county to levy any assessment upon any lands and heritages within the districts added in respect of any period after Whitsunday, one thousand eight hundred and eighty-two.

Parochial arrangements and property not to be affected.

25. The lands within the burgh shall remain parts and portions of the parishes within which they now lie respectively quoad omnia, and shall not, in so far as regards the settlement, relief or management of the poor, the payment of parochial burdens or other parochial arrangements, be affected by any of the provisions of this Act.

Magistrates to grant certificates for licenses.

26. All license certificates before the first election of magistrates under this Act granted by the justices of the peace for the county of Renfrew and then in force within the districts added shall subsist and continue until the licensing term then next ensuing and all applications for certificates under the public general Acts passed in the ninth year of the reign of King George the Fourth, chapter 58, in the 16th and 17th years of the reign of Her present Majesty, chapter 67, in the 25th and 26th years of the reign of Her present Majesty, chapter 35, in the 39th and 40th years of the reign of Her present Majesty, chapter 26, and in the 40th and 41st years of the reign of Her present Majesty, chapter 3 (herein-after called "the Licensing Acts"), in reference to premises within the burgh shall at and from, and after the first licensing term after the said first election be made to and disposed of by the magistrates to be elected under this Act who shall exclusively exercise within the burgh all the powers conferred upon magistrates of burghs by the Licensing Acts or any of them, and all appeals from their judgments shall be made to and disposed of by Her Majesty's justices of the peace for the county of Renfrew in quarter sessions assembled: Provided always that no license certificate for new premises shall be operative until confirmed by the joint licensing committee for the county of Renfrew, and the burgh of Greenock as constituted under the Licensing Acts.

Prosecution for offences against the

27. From and after the commencement of this Act, any person who shall, within the limits of the burgh, commit any offence

against the Licensing Acts or any of them, or any breach of the regulations of the certificates granted by virtue thereof, may be prosecuted before the magistrates of the burgh. A.D. 1882. Licensing Acts.

28. The provisions of the Act forty-one and forty-two Victoria, chapter forty-nine, and any other public general Acts relative to weights and measures, shall within the burgh be enforced exclusively by the magistrates of the burgh and by the inspector or inspectors appointed or to be appointed by them in terms of those Acts. Weights and measures.

29. The Greenock Improvement Provisional Order Confirmation Act, 1877, shall be read and have effect:— Amendment of 40 & 41 Vict. c. cii.

(1.) As if the words "the parliamentary burgh of Greenock," in the second paragraph of the scheme annexed to and confirmed by the said Act, meant "the burgh" of Greenock as defined by this Act; and

(2.) As if the words "(section 2)" were omitted from the tenth paragraph of the said scheme.

30. The local rate under the Artizans and Labourers Dwellings Improvement (Scotland) Act, 1875, and the Greenock Improvement Provisional Order Confirmation Act, 1877, and any assessment which may be levied under section 418 of the Greenock Police Act, 1877, and the clauses of the General Police Act therein mentioned for defraying the expenses of municipal establishments and buildings and the other assessments, rates, dues and taxes mentioned or referred to in this Act, shall not extend to or be imposed upon any lands or heritages forming parts of the estate of Greenock within the districts added, which are not yet feued out by the proprietor of the said estate, nor leased for the purposes of building or for trade, manufacture, or business, and the said lands and heritages shall be exempted from the said local rate assessment for municipal establishments and buildings, and other assessments, rates, dues and taxes, until the same be feued out or leased for the purposes aforesaid: Provided always that so soon as any such lands and heritages, part of the estate before mentioned, shall be feued out or leased for the purposes aforesaid, such part shall become subject to the said local rate assessment, and other assessments, rates, dues and taxes, to the same extent as other lands and heritages similarly situated within the limits of the burgh. Assessment on unfeued lands. 38 & 39 Vict. c. 49.

31. From and after the first election of magistrates under this Act, the trustees of the port and harbours of Greenock (herein-after called the harbour trustees) shall consist of the provost ex-officio, the treasurer ex-officio, and four bailies, and ten town councillors, to be elected by the town council as herein-after provided, in Representation of Corporation on Greenock Harbour Trust.

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addition to the nine other persons to be elected as provided by section 6 of the Greenock Port and Harbours Act, 1866, in this Act called the Harbour Act of 1866.

The said provost and the treasurer shall be ex-officio trustees, and shall continue such so long as they retain their respective offices, and the provost shall be chairman of the trustees.

The town council at their first meeting after the election of magistrates, in the year one thousand eight hundred and eighty-two, shall in addition to the provost and the treasurer elect four of the bailies and other ten of their number to be harbour trustees, and at their first meeting after the election of magistrates in each succeeding year thereafter, elect so many of their number as may be necessary to make up the number of four bailies and ten town councillors, to be harbour trustees, and the harbour trustees so appointed shall continue in office so long as they retain their offices as bailies and town councillors respectively.

On any of the said harbour trustees ceasing to be bailies or town councillors, or in case it shall happen that by reason of death or resignation any of such harbour trustees shall cease to be harbour trustees, the town council at their first meeting after such loss of office, resignation or death, shall elect others, being bailies or town councillors as the case may be, instead of those so ceasing to be harbour trustees, and section 6 of the Harbour Act of 1866 shall be read and have effect accordingly.

Constitution of water trust of Greenock.

32. From and after the first election of magistrates under this Act, the water trust of Greenock shall consist of the provost of Greenock ex-officio and twelve members of the town council to be elected by the town council, instead of the provost, seven members of the town council, and five members of the Board of Police, as provided by sections 7 and 10 of the Greenock and Shaws Water Transfer Act, 1866, and sections 7, 10 and 11 of that Act are hereby repealed, and the said Act shall be read and have effect accordingly.

The town council shall, at their first meeting after the election of magistrates, in the year one thousand eight hundred and eighty-two, and at their first meeting after the election of magistrates in each year thereafter elect for the next ensuing year twelve of their number to be water trustees, and the water trustees so appointed shall go out of office at the end of a year from their being so appointed unless re-appointed.

In case it shall happen that by reason of death, resignation or loss of office as town councillors (which loss of office shall disqualify from holding office as water trustees) any of the water trustees shall cease to be water trustees before having been in

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office for the period above-mentioned, the town council at their first meeting after such resignation, death or loss of office, shall elect others, instead of those so ceasing to be water trustees: Provided always that the persons so to be elected in room of the trustees, so ceasing to be water trustees, shall continue in office for the period during which the trustees ceasing to be water trustees would have continued in office respectively, if they had not so ceased to be water trustees, and no longer unless again elected.

Extending limits of water supply.

33. Section 48 of the Greenock and Shaws Water Transfer Act, 1866, shall be read and have effect, as if the limits of the said Act for the compulsory supply of water, included the limits of the burgh, instead of the limits of Greenock as defined in the Public Act mentioned in that section: Provided always that the exemption contained in section 66 of the said first-mentioned Act shall extend to and have effect as regards such lands and heritages in the districts added forming part of the estate of Greenock as have not been feued out by the proprietor of the said estate nor leased for the purposes of building, or for trade manufacture or business until so feued out or leased for the purposes aforesaid.

General saving of rights.

34. Subject to the provisions of this Act:—

(1.) The Corporation shall be seised and possessed of, and entitled to all rights, interests and property of, or to which, at the commencement of this Act, the magistrates and town council of the existing burgh were seised, possessed, or entitled;

(2.) All acts, matters, and things, before the commencement of this Act done under the powers and authorities of any Acts, and which are, at the commencement of this Act, good, valid, and available, and all conveyances, leases, mortgages, onds, covenants, deeds, instruments, contracts, agreements, obligations, rights and remedies at the commencement of this Act existing under the same, shall be and continue as good, valid and available for all purposes, and for and against all parties, as if this Act had not been passed;

(3.) All actions, suits, prosecutions, or other proceedings by or against the magistrates and town council of the existing burgh, by reason of any matter or thing done before the commencement of this Act, may be continued, commenced or prosecuted by or against the magistrates and town council of the burgh;

(4.) All rates and rents at the commencement of this Act imposed or due, or accruing due to the magistrates and town

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council of the existing burgh, may from and after the commencement of this Act be collected and recovered by the magistrates and town council of the burgh;

(5.) All books and documents relating to the existing burgh, or to the magistrates and town council of the existing burgh, shall be receivable in evidence as if this Act had not been passed.

Nothing to abridge rights and remedies of Corporation.

35. Nothing in this Act shall take away or abridge any right, power, or authority which the magistrates and town council of the existing burgh had or might have enjoyed independently of this Act, but every such right, power and authority shall, subject to the provisions of this Act, belong to and be enjoyed by the magistrates and town council of the burgh.

III.—Gas.

Amendment of section 44 of Act of 1871.

36. Section 44 of the Greenock Police Improvement and Gas Act, 1871, shall be read and have effect as if the words twenty sperm candles were therein inserted instead of the words "twenty-five sperm candles," and that section shall apply only to the gas supplied by the Board of Police for illuminating purposes.

Power to supply gas for heating, &c.

37. The Board of Police may manufacture and supply gas for all purposes other than illuminating purposes (in this Act called non-illuminating gas) and the provisions of section 44 of the Act of 1871 as amended by this Act, shall not apply to non-illuminating gas.

Power to use gasworks, &c. and lay pipes.

38. For the purposes of the manufacture and supply of non-illuminating gas, the Board of Police may use their existing gasworks, apparatus, plant, and appliances, and may exercise all the powers they now possess of laying down mains and pipes within the limits of supply.

Power to supply gas fittings and other apparatus.

39. The Board of Police may buy or hire, and may supply, sell or let to consumers of gas within the limits of supply, for use upon premises belonging to or occupied by such consumers, meters, burners, tubes, stoves, ranges, fittings, engines, machines and other things for heating or cooking by means of gas, and any other materials or fittings for the use of gas for domestic or other purposes, and also engines and machines for domestic, agricultural, manufacturing, industrial or any other purposes whatsoever, to be worked by means of gas for the production of motive power, and any materials or fittings to be used in connexion therewith.

Charge for fittings, &c.

40. The Board of Police may charge for non-illuminating gas supplied, and for any meters, burners, tubes, stoves, ranges, fittings,

engines, machines, or other things supplied, sold, or let under the powers of this Act, such price, rent, or sum as may be agreed upon between the Board of Police and the other party to any such agreement.

Power to borrow on mortgage.

41. The Board of Police may, in addition to the moneys they are authorised to borrow, borrow on mortgage for the purposes of this Act and of their gas undertaking, any sum not exceeding twenty thousand pounds, and sections 60 to 85, both inclusive, of the Act of 1871, shall apply to the money authorised to be borrowed by this Act as if the said money had been authorised to be borrowed under the Act of 1871.

Provision applicable to sinking fund.

42. The following provision shall apply to the sinking fund for paying off the moneys borrowed under this Act, that is to say: Whenever the Board of Police shall have paid off out of such sinking fund any of the moneys so borrowed, they shall thenceforward in each year until the whole of such moneys shall have been paid off, pay into the sinking fund, in addition to the sum required to be set apart under the last preceding section, a sum equal to the annual interest of the moneys so paid off; and whenever and so long as the yearly income arising from any such sinking fund shall be equal to the annual interest of the principal moneys borrowed under this Act then remaining due by the Board of Police, the Board of Police 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 the sinking fund of the yearly sum herein-before required to be set apart.

Copies of Act as printed by Queen's printers to be kept for inspection.

43. The Corporation shall cause copies of this Act, as printed by the Queen's printers, to be at all times, after the expiration of six months from the commencement of this Act, kept in the office of the town clerk, and open to the inspection of any person on payment of a fee not exceeding one shilling, and if at any time the Corporation fail to comply with the requisitions of this section, they shall be liable to a penalty not exceeding twenty pounds, and to a further penalty not exceeding one pound for every day during which such failure continues.

Expenses of Act.

44. All costs, charges, and expenses preliminary to, and of and incidental to preparing, applying for, obtaining and passing of this Act, shall be paid by the Board of Police out of any funds, rates or revenues belonging to them or under their control, or out of the moneys borrowed under the Act of 1871 or this Act.

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The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

Description of the Limits and Boundaries of the Burgh of Greenock as extended by the foregoing Act.

The limits are as follows, namely, beginning at the point on the west of the town of Greenock at which the shore of the Firth of Clyde is met by the march between the parishes of Greenock and Inverkip, up the said march to the north side of the aqueduct formerly belonging to the Shaws Water Joint Stock Company now to "the Water Trust of Greenock," to the point where the aqueduct intersects the parish boundary, thence along the said north side of the said aqueduct till it reaches the west end of the reservoir at Everton belonging to the said "Water Trust of Greenock" thence skirting the north side of the said reservoir to the east end thereof, thence in a straight line one hundred and thirty-three lineal yards eastwards to a march stone fixed or to be fixed at a point one hundred and thirty-four lineal yards distant in a northerly direction from the north end of the farmhouse of High Murdieston, thence in a straight line north-eastwards till it reaches a march stone fixed or to be fixed at a point two hundred and forty-three lineal yards from the north-west point of the north boundary dyke at Whinhill, thence along said dyke to a march stone fixed, or to be fixed, at the north-east corner thereof, thence in a straight line eastwards to the southmost corner of Maukinhill farm-steading, thence in a straight line in the direction of the waterfall of the Devol's Glen Burn, on the existing parliamentary boundary of the burgh of Port Glasgow, to a march stone fixed or to be fixed at the point where the said straight line is intersected by a line the prolongation of which in a north-easterly direction runs along the centre of the street now called Boundary Street, which bounds the feu sometime belonging to Mr. Lawrence Hill, occupied as a shipbuilding yard, on the east, which prolonged line, where it is nearest to Bogston farmhouse, shall not be more than four hundred and forty-one lineal yards to the eastward of the eastmost corner of the said farmhouse, and turning at said point and running down the centre of the said Boundary Street in a north-easterly direction to the line of low water mark of the River Clyde, thence westward along the line of low water mark till it reaches the existing or authorised works of the Trustees of the Port and Harbours of Greenock, thence northward and westward along the line of those works till it meets the existing boundary of the burgh near Garvel Point, thence along that boundary till it reaches the point at or near Ironotter Point, where the boundary commences, all in the county of Renfrew.

THE SECOND SCHEDULE.

BOUNDARIES OF WARDS INTO WHICH THE BURGH OF GREENOCK AS ALTERED AND EXTENDED BY THE FOREGOING ACT SHALL BE DIVIDED.

First Ward.

That part of the burgh of Greenock comprehended within a boundary line commencing at a point at the east of the town, where the limits of the burgh described in the First Schedule of this Act meet the north-east corner of the authorised works of the Trustees of the Port and Harbours of Greenock (herein-after called the harbour works), thence along the line of those works to a point on those works herein-after called point A on a line in continuation of the line of the centre of Ratho Street, thence from said point to East Hamilton Street at its junction with Ratho Street, thence along the centre of Ratho Street to Belville Street, thence westward and south-westward along the centre of Belville Street to Crescent Street, at the point where the Glasgow and South-western line of railway crosses over the same, thence along the north side of said line of railway to the centre of the Cartsburn Stream, thence up the centre of said stream to the boundary of the police limits (in this Schedule called the police boundary), thence eastward and northward along said boundary and along the centre of Boundary Street, and along the said limits of the burgh to the point first described.

Second Ward.

That part of the burgh of Greenock comprehended within a boundary line commencing at a point, herein-after called point B, where the Cartsburn Stream joins the River Clyde, thence up the centre of the said stream to the point where it is crossed by the Glasgow and South-western line of railway, thence eastward along the north side of said line to Crescent Street at its junction with Belville Street, thence north-westward and eastward along the centre of Belville Street to Ratho Street, thence north-eastward along the centre of Ratho Street, and in a straight line in continuation thereof to the harbour works, thence westward along those works and the said limits of the burgh to the point first described.

Third Ward.

That part of the burgh of Greenock comprehended within a boundary line, commencing at a point where the Cartsburn Stream joins the River Clyde, and running westward along the margin of said river to a point herein-after called point C, in the north-east quay wall of the East India Harbour, in a line in continuation of the west side of Bogle Street, and thence in a straight line south-westward to Rue End Street, at its junction with Bogle Street, thence along the centre of Bogle Street to Regent Street, thence westward along the centre of Regent Street to Lynedoch Street, thence southward along the centre of Lynedoch Street, and a straight line in continuation thereof to the police

A.D. 1882. boundary, thence eastward along the said boundary to the Cartsburn Stream, thence down the centre of said stream to the point in the River Clyde first described.

FOURTH WARD.

That part of the burgh of Greenock comprehended within a boundary line commencing at the east side of the entrance to the West Harbour, herein-after called point D, and from thence to the northern extremity of the mid quay, and running along the centre of said quay to William Street, thence along the centre of William Street to the centre of Cathcart Square, thence in a straight line southwards to the north-east end of Bank Street, thence along the centre of Bank Street to Shaw Place, thence along the centre of Shaw Place to Mearns Street, thence along the centre of Mearns Street, and a straight line in continuation thereof, southward to the police boundary, thence eastward along said boundary to a point in said boundary in continuation of the centre line of Lynedoch Street, thence in a straight line northward to Drumfrochar Road at its junction with Lynedoch Street, thence along the centre of Lynedoch Street to Regent Street, thence eastward along the centre of Regent Street to the centre of Bogle Street, thence north-eastward along the centre of Bogle Street, and straight line in continuation thereof, to the River Clyde, thence westward along the margin of the said river to the point first described.

FIFTH WARD.

That part of the burgh of Greenock comprehended within a boundary line commencing at a point herein-after called point E in the north-west quay of the west harbour, in a line with the centre of the Vennel, thence along a straight line drawn northward in continuation of the Vennel to the north end of the Vennel, thence up the centre of the Vennel to Buccleuch Street, thence up the centre of Buccleuch Street to Ann Street, thence up the centre of Ann Street to Drumfrochar Road, thence in a straight line to a point at the north-west angle in the police boundary, at or near Messieurs Leitch and Company's ropeworks, thence eastward along the police boundary to a point in continuation of the centre line of Mearns Street, thence northward in a straight line to Drumfrochar Road, at its junction with Mearns Street, thence along the centre of Mearns Street to Shaw Place, thence along Shaw Place to Bank Street; thence along the centre of Bank Street to the centre of Cathcart Square, thence across Cathcart Square to the centre of William Street, thence along the centre of William Street and mid quay to the northern extremity thereof, thence in a straight line to the east side of the entrance to the West Harbour, at its junction with the River Clyde, thence westward along the margin of the said river to the point first described.

SIXTH WARD.

That part of the burgh of Greenock comprehended within a boundary line commencing at a point herein-after called point F, in the River Clyde at its junction with a line in continuation of the centre of the west quay, thence southward along the centre of the west quay and West Quay Lane to Dalrymple Street; thence westward along the centre of Dalrymple Street to

Charles Street, thence southward along the centre of Charles Street to the Vennel, thence westward along the centre of the Vennel to Inverkip Street, thence south-westward along the centre of Inverkip Street to Mount Pleasant Street, thence southward along the centre of Mount Pleasant Street and a straight line in continuation thereof, to the north side of the line of the Greenock and Wemyss Bay Railway, thence westward along the north side of said railway to the point where that railway crosses the police boundary, thence southward, eastward, and northward along said boundary till it reaches the angle in the police boundary at or near Messieurs Leitch and Company's rope-works before mentioned, thence in a straight line northward to Drumfrochar Road at its junction with Ann Street, thence along the centre of Ann Street to Buccleuch Street, thence along Buccleuch Street to Cowgate, thence along the centre of Cowgate to the Vennel, thence along the centre of the Vennel and line in continuation thereof to the River Clyde, thence westward along the margin of the said river to the point first described.

Seventh Ward.

That part of the burgh of Greenock comprehended within a boundary line commencing at a point herein-after called point G on the margin of the River Clyde at the north-east corner of the east quay of Albert Harbour, thence southward along the east side of the said quay to Laird Street, thence along the centre of Laird Street to West Blackhall Street, thence along the centre of West Blackhall Street to Argyle Street, thence along the centre of Argyle Street to George Square, thence along George Square to Nelson Street West, thence along the centre of Nelson Street West to the point where the West Burn crosses under that street, thence along the centre of the West Burn to the point where it crosses the police boundary, thence along the said boundary to the north side of the line of the Greenock and Wemyss Bay Railway, thence eastward along the north side of said railway to a point in continuation of the centre of Mount Pleasant Street, thence northward in a straight line to Prospect Hill Street, at its junction with Mount Pleasant Street, thence along the centre of Mount Pleasant Street to Inverkip Street, thence along the centre of Inverkip Street to the Vennel, thence along the centre of the Vennel to Charles Street, thence along the centre of Charles Street to Dalrymple Street, thence along the centre of Dalrymple Street to West Quay Lane, thence along the centre of West Quay Lane and West Quay to the River Clyde, thence north-westward along the margin of the said river to the point first described.

Eighth Ward.

That part of the burgh of Greenock comprehended within a boundary line, commencing at a point on the margin of the River Clyde at the north-east corner of the east quay of Albert Harbour, thence southward along the east side of the said quay to Laird Street, thence along the centre of Laird Street to West Blackhall Street, thence along the centre of West Blackhall Street to Argyle Street, thence along the centre of Argyle Street to George Square, thence along George Square to Nelson Street West, thence along the centre

A.D. 1882. of Nelson Street West to the point where the West Burn crosses under that street, thence along the centre of the West Burn to the point where it crosses the police boundary, thence north-westward along the police boundary to a point in the River Clyde on that boundary opposite Ironotter Point, thence north-eastward to the margin of the River Clyde, thence northward and eastward along the margin of the River Clyde to the point first described.

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