CHAPTER clxxix.

An Act to confer further borrowing powers on the Provost Magistrates and Town Council of the Burgh of Kilmarnock in respect of their Water Undertaking. A.D. 1896.

[7th August 1896.]

WHEREAS by the Kilmarnock Corporation Water Act 1892 (in this Act called "the Act of 1892") the undertaking of the Kilmarnock Water Company was transferred to and vested in the provost magistrates and town council of the Burgh of Kilmarnock (in this Act called "the Corporation") and the Corporation were empowered to construct additional waterworks and to supply water within the Burgh of Kilmarnock the suburbs thereof and places adjacent comprehended within the parishes of Kilmarnock Riccarton Kilmaurs and Fenwick in the County of Ayr:

And whereas the Corporation were by the Act of 1892 authorised to borrow for the additional waterworks by that Act authorised the general purposes of their water undertaking and for the costs of that Act thirty thousand pounds:

And whereas unforeseen difficulties have arisen in connection with the construction of the reservoir by the Act of 1892 authorised which necessitate a larger expenditure thereon than was anticipated when that Act was passed and the moneys authorised to be raised by that Act for that purpose and still unexpended are insufficient for the completion of the said reservoir and it is expedient that the Corporation should be authorised to raise further moneys for the completion of the said reservoir and the general purposes of their water undertaking:

And whereas the object aforesaid cannot be effected without the authority of Parliament:

A.D. 1896.

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 (that is to say):—

Short title.

1. This Act may be cited as the Kilmarnock Corporation Water Act 1896 and this Act and the Act of 1892 may be cited as the Kilmarnock Corporation Water Acts 1892 and 1896.

Increase of amount authorised to be borrowed by Act of 1892.

2. Sub-section (1) (D) of section 84 (Power to borrow) of the Act of 1892 shall be read and have effect as if the sum thereby authorised to be borrowed had been sixty thousand pounds instead of thirty thousand pounds as therein mentioned.

Saving existing annuities and mortgages.

3. Nothing in this Act contained shall prejudice or affect any annuities mortgages or assignations or other writs granted in security for money borrowed (whether repayable by instalments or otherwise) by the Corporation under the Act of 1892 and subsisting at the passing of this Act and the same shall during the continuance thereof be as valid and effectual and have the same priorities as if this Act had not been passed. Provided that all securities granted by the Corporation for money borrowed or raised after the passing of this Act under the Act of 1892 as amended by this Act shall rank together pari passu without preference or priority the one over the other.

Expenses of Act.

4. All the costs charges and expenses of and incident to the preparing for applying for obtaining and passing this Act or otherwise in relation thereto shall be paid by the Corporation out of the rates and charges leviable under the Act of 1892 or other revenue of the Corporation or out of the moneys to be borrowed under the Act of 1892 as amended by this Act.

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