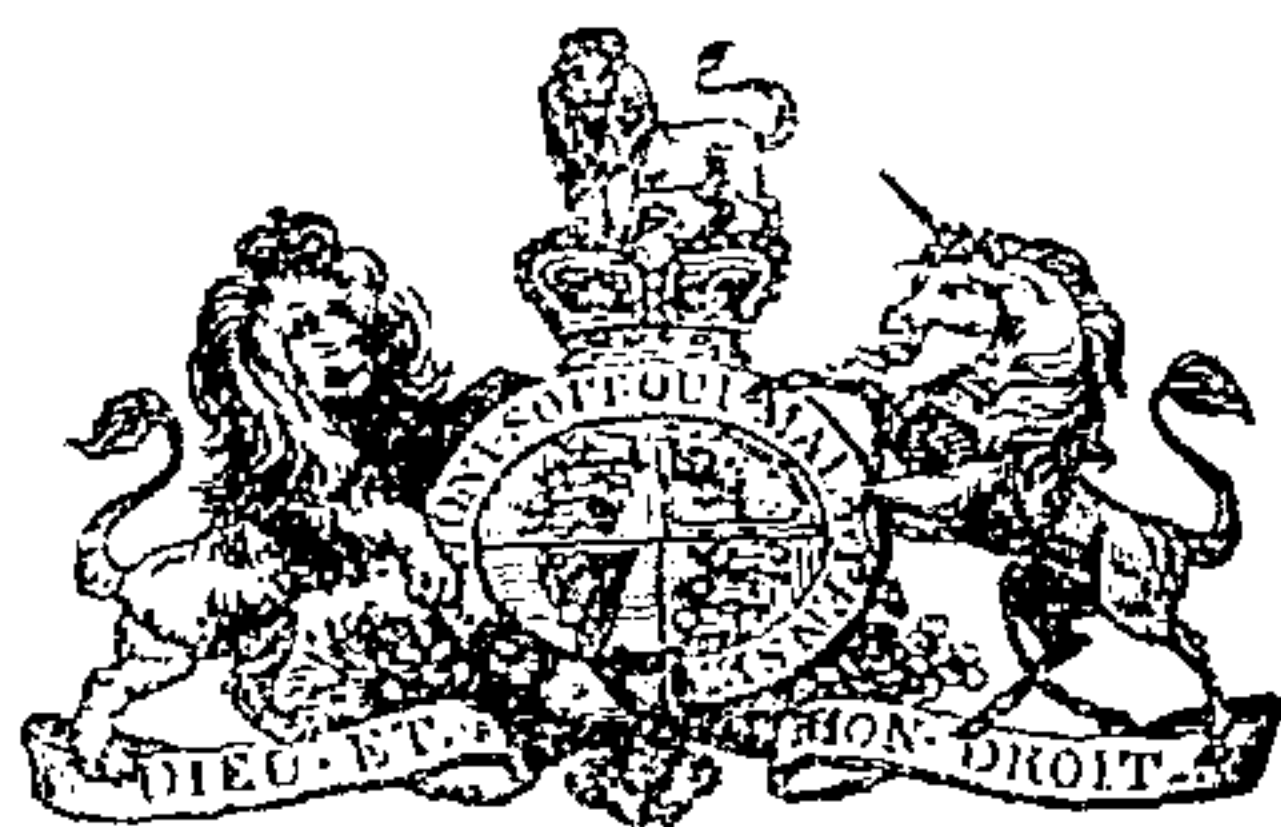


[43 & 44 VICT.] *General Police and Improvement* [Ch. xxxix.]
(Scotland) Act, 1862, Order Confirmation (*Broughty Ferry*)
Act, 1880.



CHAPTER xxxix.

An Act to confirm a Provisional Order under the General Police and Improvement (Scotland) Act, 1862, relating to the Burgh of Broughty Ferry. [9th July 1880.] A.D. 1880.

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:

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. Confirmation of Provisional Order in schedule.

2. This Act may be cited as the General Police and Improvement (Scotland) Act, 1862, Order Confirmation (*Broughty Ferry*) Act, 1880. Short title.

[Ch. xxxix.] *General Police and Improvement* [43 & 44 VICT.]
(*Scotland*) *Act*, 1862, *Order Confirmation (Broughty Ferry)*
Act, 1880.

A.D. 1880.

S C H E D U L E.

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 (section 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 Act 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 that Act, been adopted in whole within the burgh of Broughty Ferry:

And whereas by the *Broughty Ferry Commissioners Gas Act*, 1870, the supply of gas to the burgh of Broughty Ferry and the suburbs thereof was vested in the commissioners of police of the burgh, and the property, powers, rights, and privileges of the Broughty Ferry Gaslight Company were transferred to and vested in the said commissioners, who were authorised to maintain, improve, or alter the gasworks thereby transferred to and vested in them, and to erect new works, and to manufacture gas, and to supply gas for the purpose of lighting the streets and public places within the burgh of Broughty Ferry, and to supply gas to the inhabitants houses, buildings, works, and premises within the limits of the Act, and to do all such acts as the commissioners should consider necessary for these purposes, and to purchase land, and to exercise all other powers necessary for carrying out the purposes of that Act; and the said commissioners were by the same Act empowered to borrow, for the purpose of carrying the purposes thereof into execution, any money not exceeding the sum of eight thousand pounds, on the security of the undertaking thereby vested in them and of the works and property to be constructed and

[43 & 44 VICT.] *General Police and Improvement* [Ch. xxxix.]
(*Scotland*) Act, 1862, Order Confirmation (*Broughty Ferry*)
Act, 1880.

acquired, and also of the several rates and charges leviable by them under the provisions of the said Act, in security of the payment of the money so borrowed and interest thereon, and the said Act directed that the said commissioners should “after the expiration of one year from the passing of the said Act, set
“ apart as a sinking fund a sum of not less than one hundred pounds per
“ annum, and such sinking fund should from time to time be applicable to the
“ redemption of mortgages and annuities, and to no other purpose, and should
“ be lodged in any of the banks of Scotland incorporated by Act of Parliament
“ or Royal Charter, or invested in Government securities, or lent out at
“ interest in the name of the Broughty Ferry Gas Commissioners, and at the
“ discretion of the commissioners, until the same should be applied to the
“ purposes before specified”:

A.D. 1880.

And whereas the commissioners of the said burgh have presented a petition to me, as one of Her Majesty's Principal Secretaries of State, setting forth the said Acts, and that since the passing of the Broughty Ferry Commissioners Gas Act, 1870, they have maintained and managed the gasworks, and from time to time improved and extended the same, and have supplied the town and suburbs of Broughty Ferry with gas: That the demand for gas in the said burgh and suburbs has increased, and is steadily increasing, and that the said commissioners are now under the necessity, in order to meet the demand for gas and to continue the effective lighting of the burgh, to expend a further sum of about six thousand pounds in extending and enlarging their gasworks, but that their borrowing powers under the said Gas Act are exhausted, and they have no money wherewith to defray the cost thereof:

And whereas it has been represented to me in the said petition that it is expedient the said commissioners should be authorised to borrow such additional sum of money upon the security of the undertaking, and works and property, and rates and charges, and revenues herein-before mentioned, and that with these objects the said Broughty Ferry Commissioners Gas Act, 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:—

First. From and after the passing of the Act confirming this Order, the fifty-first section of the Broughty Commissioners Gas Act, 1870, shall be read as if the words “fourteen thousand pounds” had been inserted therein instead of the words “eight thousand pounds”; and the sixty-second section of that Act shall be read as if the words “one hundred and seventy-five pounds” had been inserted therein instead of the words “one hundred pounds”; and the sixty-fifth section of that Act shall be construed as if the costs, charges, and expenses of and incidental to the preparing for, obtaining, and confirming this Order, or otherwise in relation thereto, were part of the costs for the payment of which provision is made by that section.

[Ch. xxxix.] *General Police and Improvement* [43 & 44 VICT.]
(*Scotland*) *Act*, 1862, *Order Confirmation (Broughty Ferry)*
Act, 1880.

A.D. 1880. — Second. The annuities held by annuitants by virtue of the said last-mentioned Act, and all mortgages granted by the commissioners for securing money borrowed under the provisions of that Act, and subsisting at the passing of the Act confirming this Order, shall, during the non-redemption of such annuities and the continuance of such mortgages, have priority over all mortgages to be granted by the commissioners under the provisions of the said Act 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 twenty-third day of
January one thousand eight hundred and eighty.

RICHD. ASSHETON CROSS.

L.S.

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Printers to the Queen's most Excellent Majesty. 1880.