



CHAPTER xiii.

An Act to amend the Govan Burgh Act, 1878, and to enable the Commissioners of Police of the burgh of Govan, in the county of Lanark, to apply certain funds arising under that Act to the maintenance of a public Park now vested in them, and to the erection and maintenance of public Halls and other buildings for the said burgh; and for other purposes. A.D. 1888.

[16th May 1888.]

WHEREAS by the Govan Burgh Act, 1878 (herein-after called "the recited Act"), the Commissioners of Police of the burgh of Govan, in the county of Lanark (herein-after called "the Commissioners"), were, inter alia, authorised to receive the price of certain of the common lands, in and adjoining the said burgh of Govan (herein-after called "the burgh"), which had been taken by the Trustees of the Clyde Navigation (herein-after called "the Clyde Trustees") under the agreement therein recited, together with the interest accrued thereon, and to sell to the Clyde Trustees certain other of the said common lands, at the price specified in the agreement confirmed by the recited Act, and to sell, exchange, feu out, or let on lease certain other of the said common lands, and were required, subject to the provisions of the recited Act, to apply the prices, feu duties, and rents received for the same, and the prices and interest to be received for the common lands taken by and sold to the Clyde Trustees as aforesaid, in the purchase of such other lands as the Commissioners might think suitable, to be set apart and used, along with any lands which they might obtain in exchange for any portion of the said common lands, as a public park or recreation ground, for the use and benefit of the inhabitants of the burgh, and of the heritors and inhabitants of the parish of Govan, and were authorised to lay out, maintain, manage, and regulate the said park or recreation ground:

[Price 3d.]

A.D. 1888.

And whereas, by a deed of gift, dated the twenty-fifth day of June, one thousand eight hundred and eighty-five, and recorded in the Division of the General Register of Sasines applicable to the county of the barony and regality of Glasgow, the first day of July in the same year, Mrs. Isabella Ure or Elder, widow of John Elder, engineer and ship-builder in Glasgow, conveyed to and in favour of the then Commissioners of the burgh, and their successors in office, subject to the tack duty and other obligations therein referred to, certain lands in the said parish of Govan, held by her partly in absolute property and partly under leases for the period of nine hundred and ninety-nine years, which she had inclosed, planted, and otherwise prepared for use as a park, and which, by the said deed of gift, she appointed to bear in all time coming the name of the Elder Park, and to be occupied and possessed as a public park, principally for the use and enjoyment of the inhabitants of the burgh, with power to the Commissioners to erect thereon a public reading room or museum, and hall, for the use of the inhabitants, and to be at all times kept and maintained by the Commissioners in good order and condition; and it was thereby declared incumbent on them to provide a good band of music in the said park, twice a week from the thirtieth day of April to the thirtieth day of September in each year; and at such times during the remainder of the year as they might find suitable:

And whereas the Commissioners have received the prices of the common lands taken by and sold to the Clyde Trustees as aforesaid, together with the interest accrued thereon, and have invested part thereof in loans repayable on demand, and deposited the remainder thereof in bank, and have given certain portions of the common lands out in feu, receiving therefor an annual feu duty, and are still in possession of certain of the said common lands:

And whereas the gift to the Commissioners of the Elder Park as aforesaid renders it unnecessary to purchase or lay out other lands as a public park or recreation ground, as provided by the recited Act, and it is expedient that they should be authorised to apply the funds and subjects in their hands as aforesaid, and the interest and other income accruing therefrom, towards the maintenance of the said Elder Park and its appurtenances in terms of the said deed of gift, and towards the erection and maintenance of one or more public halls, reading rooms, and museums, for the use of the inhabitants of the burgh, instead of to the purposes prescribed by the recited Act; but these objects 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:—

1. This Act may be cited for all purposes as the Govan Burgh Amendment Act, 1888. Short title.

2. It shall be lawful for the Commissioners, instead of applying to the purchase and acquisition of lands to be set apart as a public park and recreation ground, and the laying out and maintenance thereof, the funds, subjects, interest, and income which they were by the recited Act required to apply to those purposes, to apply the said interest and income or any part thereof towards the cost of maintaining the said Elder Park and its appurtenances in the manner provided by the said deed of gift, and the other annual expenses connected therewith, and, if and when the Commissioners think fit, to apply the said funds and subjects towards the cost of erecting one or more public halls, reading rooms, and museums for the use of the inhabitants of the burgh, and, if the whole of the said funds and subjects be not required for the erection thereof to apply the interest and income of the remainder towards the cost of maintaining the same: Provided always that no such public hall, reading room, or museum shall be erected unless a resolution to erect the same shall have been agreed to by two thirds in number of the Commissioners present at a special meeting, and shall have been confirmed by two thirds in number of the Commissioners present at another meeting held not sooner than four weeks thereafter, of which subsequent meeting notice shall have been given by advertisement, inserted at least once in each of the weeks intervening between the two meetings, in some newspaper circulating in the burgh, and by notice in writing delivered or posted to each of the Commissioners, personally or at his place of abode, not less than one clear day before the meeting. Alteration of application of funds.

3. The Commissioners shall not expend more than eight thousand pounds out of the funds and subjects aforesaid towards the cost of erecting public halls, reading rooms, or museums; and if they resolve to erect and do erect any such buildings, they shall annually thereafter set apart as a sinking fund, out of the interest of any funds in their hands or any assessments raised by them, such equal sums as shall by accumulation, with compound interest thereon at the rate of three and a half per centum per annum, be sufficient to replace the Sinking fund.

A.D. 1888. — sum so expended by them within sixty years from the date of such erection.

Costs of Act. 4. All the costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Commissioners out of the moneys in their hands under the provisions of the recited Act, or out of the police assessment leviable by them.

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