

CHAPTER lviii.

An Act to confirm a Provisional Order under the Burgh Police (Scotland) Act 1892 relating to Paisley Waterworks. A.D. 1897.
—
[3rd June 1897.]

WHEREAS Her Majesty's Secretary for Scotland has made the Provisional Order set forth in the Schedule hereunto annexed under the provisions of the Burgh Police (Scotland) Act 1892 and it is necessary that the said Order should be confirmed by Parliament: 55 & 56 Vict. c. 55.

Be it therefore 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 hereunto annexed shall be and the same is hereby confirmed. Confirmation of Order in schedule.

2. This Act may be cited as the Paisley Waterworks Provisional Order Confirmation Act 1897. Short title.

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SCHEDULE.

PROVISIONAL ORDER.

Whereas by the Burgh Police (Scotland) Act 1892 it is (inter alia) provided (section 45) that whenever it shall appear to the commissioners of any burgh to which that Act applies that they require additional powers for the better carrying out of the purposes of that Act and specially powers relating to the supply of gas or water or to the roads and streets or to drainage or sewers or the utilisation of sewage in addition to the powers conferred by the Public Health Acts or for the repeal or amendment of any local Acts of Parliament relating to such subjects or their adaptation and adjustment to the provisions of the Act now in recital or for the other purposes therein mentioned they may apply to the Secretary for Scotland for a Provisional Order and (section 46) that after such inquiry as the Secretary for Scotland may direct, it shall be lawful for him to issue a Provisional Order either in accordance with the prayer of the application or with such modifications or alterations as may appear to him requisite but no Provisional Order shall be of any validity unless the same has been confirmed by Act of Parliament And whereas the said Burgh Police (Scotland) Act 1892 is in force within the burgh of Paisley in the county of Renfrew and the magistrates and town council are the Commissioners under the said Act within the said burgh And whereas the magistrates and town council of the said burgh (herein-after called "the Commissioners") have presented a petition to me as Secretary for Scotland setting forth that by the Paisley Waterworks Act 1854 (herein-after called "the Act of 1854") the Commissioners were appointed Commissioners for executing that Act and were empowered to purchase and acquire the undertaking of the Paisley Water Company and to supply the said burgh suburbs and places adjacent with water and to construct additional waterworks for the purpose of increasing such supply and to borrow the sum of 70,000*l.* to defray the expense of such additional works in addition to such sums as might be required in relation to the acquisition of the said undertaking that the Commissioners duly acquired the said undertaking and by the Paisley Waterworks Act 1866 (herein-after called "the Act of 1866") the Commissioners were empowered to provide an increased supply of water to the said burgh the suburbs thereof and other places adjacent thereto and to make and maintain additional waterworks and to borrow on mortgage or by the creation of funded debt such sum as should be required in relation to the acquisition of the said undertaking and also any sums not exceeding 80,000*l.* on security of the rates

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and charges leviable under the provisions of the Act of 1866 and the Act of 1854 so far as regards inter alia the power to borrow money (which power had not been exercised) was repealed that by the Paisley Waterworks Act 1876 (herein-after called "the Act of 1876") the Commissioners were authorised to construct new waterworks and to borrow the further sum of 50,000*l.* on security of the rates and charges leviable under the Act of 1866 that by the Paisley Waterworks Act 1881 (herein-after called "the Act of 1881") the Commissioners were authorised to construct additional works and to borrow a further sum of 165,000*l.* on the security of the rates and charges leviable under the Act of 1866 and the Act of 1881 that the Commissioners have borrowed and applied for the purposes of the Acts of 1854 1866 1876 and 1881 the whole amount they were by the Acts of 1866 1876 and 1881 authorised to borrow that the demand for water in the said burgh of Paisley and the suburbs and places adjacent thereto has increased and is increasing necessitating the construction of additional waterworks and the extension of the water mains and pipes of the Commissioners and that it has become necessary that power should be conferred on the Commissioners to borrow additional money to defray the cost of such works and extensions :

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And whereas it has been represented to me in the said petition that it is expedient that the Commissioners should be authorised to borrow for the purposes aforesaid the additional sum of fifty thousand pounds upon the security of the rates and charges leviable by them under the Act of 1866 and the Act of 1881 :

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 hereinafter expressed :

Now therefore in pursuance of the powers vested in me by the Burgh Police (Scotland) Act 1892 I as Secretary for Scotland do by this Provisional Order direct as follows :—

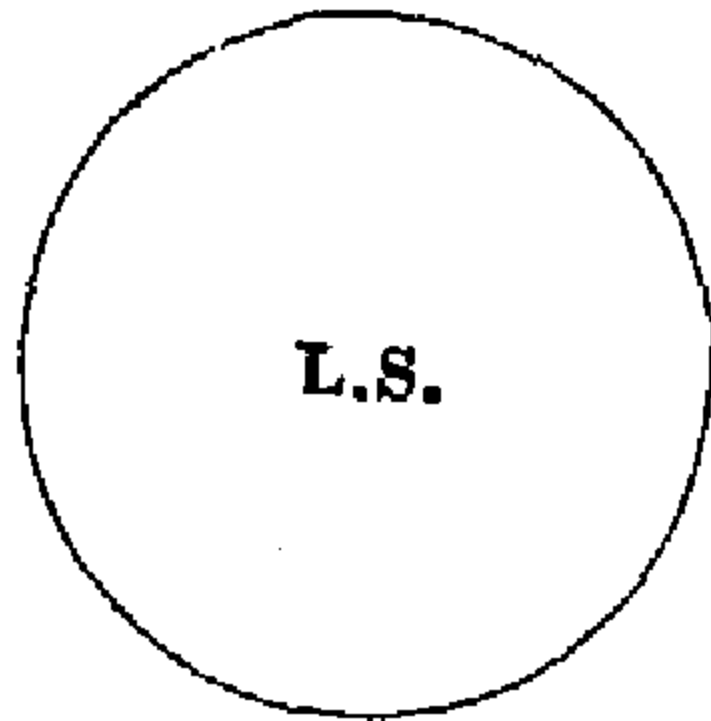
1. From and after the passing of the Act confirming this Order section 24 of the Act of 1881 shall be read as if the words two hundred and fifteen thousand pounds had been inserted therein instead of the words one hundred and sixty-five thousand pounds Provided that from and after the passing of the Act confirming this Order section 30 of the Act of 1881 shall as regards money borrowed and funded debt created under the authority of that Act and this Order be read as if the rate of interest at which the accumulation of the sinking fund thereby directed to be set apart is to be calculated were three per centum per annum instead of four per centum per annum Provided also that in construing the 29th section of the Act of 1881 all moneys expended in payment of the costs charges and expenses of and incident to the preparing for obtaining and confirming this Order shall be held to be moneys applied for the purposes of the Acts of 1854 1866 1876 and 1881.

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2. All mortgages granted and all funded debt created under the authority of the Acts of 1866 1876 and 1881 and subsisting at the passing of the Act confirming this Order shall while subsisting and without prejudice to their priorities inter se have priority over any mortgage granted and any funded debt created by the Commissioners under the authority of this Order.

Given under my hand and seal at Whitehall this twenty-third day of March one thousand eight hundred and ninety-seven.



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