ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

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CAP. VII.

An Act to confirm a Provisional Order under "The General Police and Improvement (*Scotland*) Act, 1862," relating to the Burgh of *Perth*.

[7th *April* 1865.]

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 hereto 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 Parliament; and it is expedient that the said Order should be so confirmed: 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: 25 & 26 Vict. c. 101.

1. The Provisional Order contained in the Schedule to this Act annexed shall, from and after the passing of this Act, be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act. Provisional Order in Schedule confirmed.

2. This

Short Title.

2. This Act may be cited for all Purposes as "The General Police and Improvement (*Scotland*) Supplemental Act, 1865."

SCHEDULE referred to in this Act.

PERTH.

GENERAL POLICE and IMPROVEMENT (SCOTLAND) ACT, 1862.—
(25 & 26 Vic. Cap. 101.)

Whereas by the General Police and Improvement (Scotland) Act, 1862, it is inter alia enacted, Section 79, that "whenever it appears desirable to the "Magistrates and Council of any Royal or Parliamentary Burgh, where there "is a Board of Commissioners of Police separate from such Magistrates and "Council, to unite the Municipal and Police Government and Jurisdiction of "any such Royal or Parliamentary Burgh in the Magistrates and Council "thereof, to transfer to them all the Powers and Jurisdictions of Police, "Paving, Lighting, Watching and others, granted to the Commissioners of "Police by any Local Acts, and to extend such Jurisdictions over the whole "Limits of such Burgh," the Magistrates and Council "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 such Petition shall be supported by such Evidence as the said Secretary "requires:"

And whereas there is in said Burgh of Perth a Board of Commissioners of Police separate from the Magistrates and Town Council of the said Burgh, which Board of Commissioners is appointed under and in virtue of a Local Act now in force (2 Victoria cap. xliii.), intituled "An Act for more effectually "paving the Streets of the City of Perth, for the better Lighting, Watching, "and Cleansing the said City and Suburbs thereof, for maintaining and "regulating the Police of the same, and for other Purposes relating thereto," (14th June 1839):

And whereas a Petition under the Provisions of the said General Police and Improvement (Scotland) Act has been addressed to me, as One of Her Majesty's Principal Secretaries of State, by the Lord Provost, Magistrates, and Council of the Royal Burgh of Perth, under their Corporate Seal, praying that, after the Inquiry directed by the Statute, a Provisional Order may be issued uniting the Municipal and Police Government and Jurisdiction of the said Royal Burgh of Perth in the Magistrates and Council thereof, and transferring to them all the Powers and Jurisdictions of Police, Paving, Watching, Lighting and others, granted to the said Commissioners of Police by the foresaid Local Act, and to extend such Jurisdiction over the whole Limits of the said Burgh, according to the Limits specified in the Third Section of the said Local Act as those over which the said Local Act extends:

And

Perth Provisional Order Confirmation.

And whereas certain Parts of the said Local Police Act ought to be repealed, and it is desirable that such Parts thereof should be specified and set forth, and that Provision should otherwise be made to regulate the future Application and Execution of the said Act:

And whereas due Inquiry has been directed and held in respect of the Matters mentioned in the said Petition:

Now, therefore, in pursuance of the Powers vested in me by the said General Police and Improvement (Scotland) Act, 1862, I, as One of Her Majesty's Principal Secretaries of State, do, by this Provisional Order under my Hand, direct that from and after any Act of Parliament confirming the same—

1.—The Municipal and Police Government and Jurisdiction of the said Royal Burgh of Perth shall be united in the Magistrates and Council thereof.

2.—The Parts of the said Local Police Act, 2 Victoria c. xliii, mentioned in the Schedule hereunto annexed shall be repealed, and as regards the other Parts of the said Local Police Act not hereby repealed, the whole Powers and Jurisdictions of Police, Paving, Lighting, Watching and others, granted to the Commissioners of Police by the said Local Police Act, shall be transferred to the Magistrates and Council of the said Burgh.

3.—The said Powers and Jurisdictions of the said Magistrates and Council shall be extended over the whole Limits of the said Burgh, according to the Limits or Boundaries specified in the Third Section of the said Local Act, as those over which the said Local Act extends.

4.—The Clerk, Inspector of Works, Collector, Surveyor, Superintendent, and all other Officers who have been appointed under and been employed in the Execution of the said Local Police Act, shall respectively continue to exercise their Offices until the First Ordinary Meeting of Council to be held after the passing of the Act confirming the present Provisional Order, or to be held on any other special Day to which such Ordinary Meeting may be adjourned.

5.—On any Application by Petition by the Magistrates and Council of the said Burgh to the Sheriff of the County, under the Provisions of the "General Police and Improvement (Scotland) Act, 1862," praying for the Extension of the Boundaries of the said Burgh, it shall be lawful for them to make Application in the same Petition, or separately, praying the said Sheriff to regulate the Wards of the said Burgh in manner after mentioned; and on such Application being made it shall be lawful to the Sheriff of the County, in the event of his extending the Boundaries of the said Burgh, to annex the Districts within such extended Boundaries to One or more of the existing Wards into which the said Burgh is at present divided, and to fix and re-arrange the Limits of the said Wards, and the Number of Councillors to be elected for each Ward, and to take all Proceedings for these Purposes he may think necessary or expedient.

6.—On such Formation of Wards being made and completed, a Notice, signed by the said Sheriff, specifying the Limits of such re-arranged Wards, and the Number of Councillors to be elected for each Ward, shall be published once in the Edinburgh Gazette, and once in each of Two successive Weeks

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in One or more of the Newspapers then published in the said Burgh; and thereafter the qualified Electors of the said re-arranged Wards whose Names shall be on the List or Roll of Electors of the said Burgh in force for the Time being shall be entitled to vote in the Election of Councillors for the Burgh for as many qualified Persons to be Councillors in and for the said Wards respectively as are specified in such Notice, in the Manner provided by the Act 3 & 4 William the Fourth cap. 76.

7.—All Orders or Deliverances pronounced by the said Sheriff in the Premises shall be final and not subject to Appeal, Review, or Reduction in any Court or by any Process whatever.

Given under my Hand and Seal, this Nineteenth Day of December 1864.

(L.S.) (Signed) G. GREY.

SCHEDULE to which this Order refers.

The Parts of the Local Police Act (2 Vict. cap. xliii.) referred to in this Order to be repealed are as follows; viz.,

So much of the herein-before mentioned Act of the Second Year of the Reign of Her present Majesty (cap. xliii) as is included in the Sections thereof numbered respectively 4 and 5; 8 to 17, both inclusive; 20 to 26, both inclusive; 28 and 29; 33 and 34; and 45 and 46 and 47.

LONDON:

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