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C A P. LXXIX.

An Act to confirm certain Provisional Orders under "The General Police and Improvement (*Scotland*) Act, 1862," relating to the Burgh of *Dundee*. [12th *August* 1867.]

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, (25 & 26 *Vict.* c. 101.) duly made certain Provisional Orders, which are contained in the Schedule to this Act annexed; and it is provided by the recited Act that no such Orders shall be of any Validity whatever until they have been confirmed by Parliament; and it is expedient that the said Orders shall be so confirmed:

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:

Confirmation of Orders in Schedule.

1. The Provisional Orders contained in the Schedule hereunto 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 especially enacted in this Act.

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2. This

Short Title.

2. This Act may be cited for all Purposes as "The General Police and Improvement (*Scotland*) Supplemental Act, 1867."

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SCHEDULE referred to in this Act.

I.

DUNDEE.

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, enacted, 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 this Act in any burgh or "populous place, that provision should be made in order the better to apply "and execute therein the provisions of this Act in whole or in part, or for "the future application and execution of any Acts in force therein having "relation to the purposes of this Act, or to the roads or streets within such "burgh or populous place, or to any other matter or thing connected with the "management and administration of the municipal or police affairs of any such "burgh or populous place, and that any such Acts, or any exemptions from "rating therefrom derived, or that any Provisional Order or Orders in Council "applying this Act hereby authorized to be made, should be wholly or "partially repealed or altered, the magistrates and council or the commissioners of any burgh, or the magistrates and councils or commissioners of "contiguous burghs, as the case may be, 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 it shall "be lawful for any of Her Majesty's Principal Secretaries of State to issue a "Provisional Order under his hand and seal of office in relation to the several "things mentioned in the said Petition, either in accordance with the prayer "thereof, or with such modifications or alterations as may appear to him to be "requisite:"

And whereas in said burgh of Dundee the magistrates and town council of said burgh are the commissioners of police appointed and acting under and in virtue of the Act 13 & 14 Vict. cap. 33., intituled "An Act to make more "effectual provision for regulating the police of towns and populous places in "Scotland, and for paving, draining, cleansing, lighting, and improving the "same:"

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

Principal Secretaries of State by the said magistrates and council of Dundee as commissioners foresaid, setting forth that for the better executing the said Act 13 & 14 Vict. cap. 33. within the said burgh of Dundee it is desirable that the said magistrates and council should be enabled to acquire under the provisions of the "Lands Clauses Consolidation (Scotland) Act, 1845," for the purchase of lands otherwise than by agreement, certain lands situated in Seagate, Tally Street, and Cherryfield Lane, of Dundee, in order that the said magistrates and council may render more safe for public traffic certain of the streets within Dundee, and praying that a Provisional Order may be issued enabling the said magistrates and council to put in force the said provisions of the last-mentioned Act with respect to the said lands, and that the said Order may be thereafter confirmed by Act of Parliament:

And whereas due inquiry having been directed and held in respect of the matters mentioned in the said Petition, I have resolved to grant the prayer thereof in respect to the lands situated in Seagate and Tally Street foresaid; and plans of the said lands in Seagate and Tally Street aforesaid, and a book of reference thereto containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of the lands and houses that are proposed to be taken, have been signed by me with reference to this Order, and have been deposited with the sheriff clerk of the county of Forfar at his office in Dundee:

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 and seal of office, direct that from and after the passing of any Act of Parliament confirming the same,—

1. It shall be lawful for the magistrates and town council of Dundee as commissioners of police of the said burgh of Dundee to put in force the provisions of the "Lands Clauses Consolidation (Scotland) Act, 1845," in regard to the purchase and taking of lands otherwise than by agreement with reference to the lands delineated on the said plans and described in the said book of reference:

Provided always, that it shall not be lawful for the said magistrates and council, or for any person having right through or from them, to build upon any portion of the lands to be acquired under this Order from the trustees of the congregation of St. Paul's Episcopal Church in Dundee.

2. The words "promoters of the undertaking" in the said "Lands Clauses Consolidation (Scotland) Act, 1845," shall be held to mean and include the magistrates and council of Dundee acting as commissioners foresaid for executing the said Act 13 & 14 Vict. cap. 33.; and the word "lands" in this Provisional Order shall have the meaning assigned to it in the said "Lands Clauses Consolidation (Scotland) Act, 1845."

Given under my hand and seal at Whitehall this Thirtieth day of March 1867.

S. H. WALPOLE.

II.

DUNDEE.

General Police and Improvement (Scotland) Act, 1862, (25 & 26 *Vict. c.* 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 or commissioners of police of any royal or parliamentary burgh, or to the commissioners for executing this Act in any burgh or "populous place, that provision should be made in order the better to apply and "execute therein the provisions of this Act in whole or in part, or for the "future application and execution of any Acts in force therein having relation "to the purposes of this Act, or to the roads or streets within such burgh or "populous place, or to any other matter or thing connected with the management and administration of the municipal or police affairs of any such burgh "or populous place, or that any such Acts or any exemptions from rating "therefrom derived, or that any Provisional Order or Order in Council applying this Act hereby authorized to be made, should be wholly or partially "repealed or altered," "the magistrates and council or the commissioners of "any burgh, or the magistrates and council or commissioners of contiguous "burghs, as the case may be, 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 "it shall be lawful for "any of Her Majesty's Principal Secretaries of State to issue a Provisional "Order under his hand and seal of office in relation to the several things mentioned in the said Petition, either in accordance with the prayer thereof, or "with such modifications or alterations as may appear to him to be requisite:"

And whereas in the burgh of Dundee the magistrates and town council of said burgh are the commissioners of police therein appointed and acting under and in virtue of the Act 13 & 14 Vict. cap. 33., intituled "An Act to "make more effectual provision for regulating the police of towns and populous "places in Scotland, and for paving, draining, cleansing, lighting, and improving "the same:"

And whereas a Petition under the provisions of the said General Police and Improvement (Scotland) Act, 1862, has been presented to me, as one of Her Majesty's Principal Secretaries of State, by the said magistrates and council of Dundee as commissioners foresaid, setting forth that for the better executing the said Act 13 & 14 Vict. cap. 33. within the said burgh of Dundee it is desirable that the said magistrates and council as commissioners foresaid should be enabled to acquire under the provisions of the Lands Clauses Consolidation (Scotland) Act, 1845, for the purchase of lands otherwise than by agreement, certain lands situated in or in the line of Bank Street of Dundee in order that the said magistrates and council may open up and complete said street, and provide a safe and convenient thoroughfare between Reform Street and Barrack Street in said burgh, and praying that a Provisional Order may be issued enabling the said magistrates and council to put in force the said provisions of the last-mentioned Act with respect to the said lands, and that the said Order may be thereafter confirmed by Act of Parliament:

And whereas due inquiry having been directed and held in respect of the matters mentioned in the said Petition, I have resolved to grant the prayer thereof in respect to such portion of said lands as will be sufficient to enable the said magistrates in council to open up and complete Bank Street aforesaid at an uniform width of thirty-eight feet from North to South; and a plan of the said lands, and a schedule relative thereto, containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of the lands and houses proposed to be taken, have been signed by me with reference to this Order, and have been deposited with the sheriff clerk of the county of Forfar at his office in Dundee:

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 and seal of office, direct that from and after the passing of any Act of Parliament confirming the same,—

1. It shall be lawful for the magistrates and town council of Dundee as commissioners of police of the said burgh of Dundee to put in force the provisions of the "Lands Clauses Consolidation (Scotland) Act, 1845," in regard to the purchase and taking of lands otherwise than by agreement with reference to such portion of the lands delineated on the said plan, and described in the said schedule, as will be sufficient to enable the said magistrates and town council to open up and complete the street called Bank Street in said burgh at an uniform width of thirty-eight feet from North to South: Provided that nothing herein contained shall alter or affect the provisions of the Ninetieth section of the last-mentioned Act.

2. The words "promoters of the undertaking" in the said "Lands Clauses Consolidation (Scotland) Act, 1845," shall be held to mean and include the magistrates and town council of Dundee acting as commissioners foresaid for executing the said Act 13 & 14 Vict. cap. 33.; and the word "lands" in this Provisional Order shall have the meaning assigned to it in the said "Lands Clauses Consolidation (Scotland) Act, 1845."

Given under my hand and seal at Whitehall, this Tenth day of July 1867.

L.S.

GATHORNE HARDY.

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