



**CHAPTER cxx.**

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Perth County Buildings. A.D. 1927.  
[22nd December 1927.]

**W**HEREAS the Provisional Order set forth in the schedule hereunto annexed has been made by one of His Majesty's Principal Secretaries of State under the provisions of the Private Legislation Procedure (Scotland) Act 1899 as read with the Secretaries of State Act 1926 and it is requisite that the said Order should be confirmed by Parliament:

62 & 63 Vict.  
c. 47.  
16 & 17  
Geo. 5. c. 18.

Be it therefore enacted by the King'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 Perth County Buildings Order Confirmation Act 1927. Short title.

A.D. 1927.

SCHEDULE.

PERTH COUNTY BUILDINGS.

*Provisional Order to vest the county buildings of the county of Perth at Perth in the County Council of that County and for other purposes.*

WHEREAS by an Act passed in the forty-seventh year of the reign of His Majesty King George the Third session II. chapter IV. entitled "An Act for erecting a Justiciary and County Hall and other Offices for the County of Perth" (hereinafter called "the Act of 1807") the justices of the peace and commissioners of supply of the county of Perth being in the actual possession of the property or dominium utile of lands valued in the cess books of the said county at one hundred pounds Scots of valued rent the sheriff depute of the county of Perth and his substitutes and the chief magistrates of the city and royal burgh of Perth and of the royal burgh of Culross all for the time being (all hereinafter referred to as "the commissioners under the Act of 1807") were appointed commissioners for building altering enlarging improving furnishing repairing and keeping in repair a proper justiciary and county hall and an office or place for the deposit and safe custody of the public records of the county of Perth :

And whereas by the Act of 1807 power was given to the commissioners under the Act of 1807 to assess for the purposes of the said Act upon all lands and fishings valued in the cess books of the county as therein mentioned but it was provided that if the incorporation of the city and royal burgh of Perth should make a free grant to the commissioners under the Act of 1807 of a space of ground for the site or area of the aforesaid hall offices and places and avenues to the same no part or portion of such assessment should be levied on the lands or fishings belonging to the incorporation of the said city and royal burgh of Perth nor upon any of the lands or fishings within the said city and royal burgh or bounds thereof :

And whereas by the Act of 1807 power was given to the commissioners under the Act of 1807 to borrow such sums of money not exceeding in the aggregate ten thousand pounds as they should judge requisite for defraying the expense of erecting the said hall offices and places and procuring plans and estimates for the same together with every other expense attending the applying for and passing of the said Act and carrying the same into execution : A.D. 1927.

And whereas the town council of the said city and royal burgh of Perth by minute of fifth September eighteen hundred and eight remitted to a committee with power to grant ground in Gowrie Barracks sufficient for the proposed buildings on condition that the county built furnished and maintained at their own expense and without any claim on the town the justiciary hall or court room and that the county should so construct their building as to have voids and vents in the gavels of which the town or any in their right shall have the use and benefit free of expense the ground to be given not to exceed one hundred and fifty feet of the east front of the centre lot of Gowrie Grounds :

And whereas the town council of the said city and royal burgh of Perth at a meeting on third April eighteen hundred and fifteen agreed to offer to the commissioners under the Act of 1807 that part of Gowrie Grounds reserved by the town for building a court room and other accommodation for the town upon condition that the town was relieved of all obligation of erecting any building in conjunction with the county or in conformity to the county plans and that the county paid to the town five hundred pounds sterling as the price of the ground which the town were thus to give up :

And whereas the said price of five hundred pounds was paid to the town council by the commissioners under the Act of 1807 in May eighteen hundred and seventeen but no conveyances of the said pieces of ground were ever granted by the town council of the said city and royal burgh of Perth to the commissioners under the Act of 1807 :

And whereas the assessment authorised by the Act of 1807 was found to be inadequate for the purpose of meeting the cost of the said buildings and an Act was

[Ch. cxx.] *Perth County Buildings* [17 & 18 GEO. 5.]  
*Order Confirmation Act, 1927.*

A.D. 1927. — passed in the fifty-fifth year of the reign of His Majesty King George the Third chapter XXXI. entitled “An Act to alter and amend an Act of the Forty-seventh year of the reign of His present Majesty for erecting a County Hall and other Offices for the County of Perth” (hereinafter called “the Act of 1815”) authorising an additional assessment for the purposes of the Act of 1807 and the borrowing of further moneys not exceeding the sum of ten thousand pounds :

And whereas the buildings (hereinafter called “the county buildings”) were duly erected under the powers of the Act of 1807 :

And whereas the Sheriff Court Houses Act 1860 authorised the provision of additional accommodation for the sheriff courts in Scotland and provided that court houses erected under the provisions thereof and the lands property and effects acquired for the purposes thereof should vest in the commissioners of supply of the county in which such court houses were erected and that all dispositions and conveyances of lands purchased and acquired under the authority and for the purposes of the said Act should be granted and taken to the commissioners of supply of such county and that the court houses property and effects so vested and acquired should be held by and for the use of the commissioners of supply of such county for the time being without the necessity of any continuing title or renewal of the investiture other than the said dispositions and conveyances and the Act of 1860 and that such court houses should be managed and kept in a proper state of repair by the commissioners of supply of such county who should have the control and superintendence thereof :

And whereas in the said Sheriff Court Houses Act 1860 it was provided that the expression “erection of a court house” should include the addition to and the alteration or rebuilding of any court house already existing and all necessary works connected with such erection addition alteration or rebuilding and should also include the purchase of any existing building for the purpose of a court house :

And whereas the county buildings were so far as they were used as a court house altered and enlarged under the provisions of the said Sheriff Court Houses Act 1860 :

[17 & 18 GEO. 5.] *Perth County Buildings* [Ch. cxx.]  
*Order Confirmation Act, 1927.*

And whereas a map or plan showing the portion of the county buildings erected and improved under the provisions of the Sheriff Court Houses Act 1860 was duly signed and authenticated by the signature thereto of the convener of the county of Perth and the surveyor of His Majesty's Office of Works but no conveyance of the portion of the county buildings appropriated as a court house was granted to the commissioners of supply :

A.D. 1927.  
—

And whereas by the Local Government (Scotland) Act 1889 the whole powers and duties of the commissioners of supply of the county of Perth were (save as in that Act specially mentioned) transferred to and vested in the county council of the county of Perth (hereinafter called "the County Council") and all property belonging to or held in trust for the said commissioners of supply was thereby declared to be vested in or held in trust for the County Council subject to all debts and liabilities affecting the same :

And whereas the county buildings not being the property of the said commissioners of supply nor held in trust for them were not transferred to the County Council under the Local Government (Scotland) Act 1889 but are still vested in the commissioners under the Act of 1807 :

And whereas it is expedient that the county buildings should now be transferred to and vested in the County Council and that the Acts of 1807 and 1815 should be repealed with the exception hereinafter mentioned :

And whereas the purposes aforesaid cannot be effected without an Order confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1899 :

Now therefore in pursuance of the powers contained in the last-mentioned Act as read with the Secretaries of State Act 1926 the Secretary of State orders as follows :—

1. This Order may be cited for all purposes as the Perth County Buildings Order 1927. Short title.

2. In this Order the following words and expressions have the meanings hereby assigned to them respectively Interpretation.

[Ch. cxx.] *Perth County Buildings* [17 & 18 GEO. 5.]  
*Order Confirmation Act, 1927.*

A.D. 1927. unless there be something in the subject or context repugnant to such construction:—

“The county” means the county of Perth;

“The County Council” means the county council of that county;

“The town council” means the lord provost magistrates and councillors of the city and royal burgh of Perth;

“The Act of 1807” means the Act 47 George III. session 2 chapter IV.;

“The Act of 1815” means the Act 55 George III. chapter XXXI.;

“The special commissioners” means the commissioners under the Act of 1807;

“The court house assessments” means the assessments authorised to be imposed by the Sheriff Court House (Scotland) Acts 1860 to 1884 as read with the Local Government (Scotland) Acts 1889 and 1908;

“The county buildings” means the several buildings rooms offices and others in Perth now vested in or belonging to the special commissioners and the site on which those buildings are erected all as described in the schedule to this Order;

“The commencement of this Order” means the date of the passing of the Act confirming this Order.

Vesting of  
county  
buildings  
in County  
Council.

3.—(1) The county buildings shall cease to be the property of and shall cease to be vested in the special commissioners and the said buildings shall by virtue of this Order be vested in and maintained by the County Council for the uses and purposes of the Local Government (Scotland) Act 1889 and Acts amending the same as if the same had been transferred by the Act of 1889 and any right and interest of the special commissioners under the Acts of 1807 and 1815 shall cease and in implement of the obligation contained in the minutes of their predecessors the town council shall on being so requested by the County Council execute and deliver a disposition conveying to the County Council the ground agreed to be given by their predecessors as a site for the county buildings as the said ground is described in the schedule hereto The Sheriff Court Houses Acts 1860

to 1884 shall apply to such portion of the county buildings as has been or may hereafter be appropriated as a court house under the provisions of those Acts and the County Council may levy and impose the court house assessments accordingly. A.D. 1927.

(2) All the other property funds stock and effects belonging or appertaining to or held in trust for the special commissioners shall be transferred to and become the property of the County Council subject to all debts and liabilities of or affecting the said property funds stock and effects and all necessary transfers and conveyances thereof shall be executed by the persons in whom the same may for the time being be vested. Any deeds or documents required to be executed by the commissioners of supply shall be sufficiently executed if signed by two of the commissioners of supply and by the clerk of supply.

(3) Without prejudice to anything hereinbefore in this Order contained it is hereby provided that for the purpose of enabling the County Council to complete a title if thought fit to the lands buildings and other heritable property transferred to and vested in them by virtue of this Order it shall be lawful for the County Council to expedite an instrument under the hands of a notary public containing a description of the lands buildings and other heritable property transferred to and vested in them in terms of this Order and such instrument on being recorded in the register of sasines for the burgh of Perth shall have the same effect as a disposition in ordinary form executed by the town council and duly recorded in the register of sasines for the burgh of Perth.

(4) The County Council may sell or realise any of the property funds stock and effects transferred to them under subsection (2) of this section and the proceeds thereof may be applied in meeting any debts and liabilities of or affecting the said property funds stock and effects and in the improvement of the said county buildings or in the construction of new or additional buildings for the transaction of the business of the County Council and the income derived by the County Council from any of the property funds stock and effects so transferred or from any re-investment of the same or from the proceeds of the sale or realisation

[Ch. cxx.] *Perth County Buildings* [17 & 18 GEO. 5.]  
*Order Confirmation Act, 1927.*

A.D. 1927. of the same may be applied to the maintenance and repair of the said county buildings or new or additional buildings.

Commuta-  
tion of  
stamp  
duty.

4. In lieu of the stamp duties which would have been payable upon the deeds or instruments which would otherwise have been required to pass the lands buildings and other heritable property referred to in this Order and to vest the same in the County Council and payable in respect of the vesting of such property by virtue of this Order there shall be paid a stamp duty of five pounds which duty shall be impressed upon a copy of the Act confirming this Order the County Council being bound to produce such stamped copy to the Commissioners of Inland Revenue within three months after the date of the passing of the Act confirming this Order.

Repeal of  
Acts.

5. The Acts of 1807 and 1815 are hereby repealed with the exception of section 8 (If city of Perth makes a free grant of ground no assessment to be made on it) of the Act of 1807.

For protec-  
tion of  
Perth Town  
Council.

6. Nothing in this Order contained shall prejudice or affect such rights privileges or exemptions as the town council may be entitled to under section 8 of the Act of 1807 or under section 6 of the Sheriff Court Houses (Scotland) Act 1884.

Costs of  
Order.

7. All costs charges and expenses of and incident to the preparing and applying for and obtaining and passing of this Order and the confirmation thereof by Parliament and otherwise in relation thereto shall be paid by the County Council out of the county general purposes assessment.

---

SCHEDULE.

---

DESCRIPTION OF COUNTY BUILDINGS PERTH.

All and whole that area of ground fronting Tay Street Perth part of Gowrie House grounds in the parish and royal burgh of Perth and bounded as follows viz. On the east by Tay Street along which it extends 255 feet or thereby on the south by Canal Street along which it extends 90 feet or thereby on the west by the buildings of old gaol or prison now belonging to the County Council along which it extends commencing from the southern



[17 & 18 GEO. 5.] *Perth County Buildings* [Ch. cxx.]  
*Order Confirmation Act, 1927.*

boundary of the buildings at Canal Street first in a northerly direction 74 feet or thereby then in a north-westerly direction 47 feet or thereby then in a northerly direction 31 feet 6 inches or thereby then in a north-easterly direction 47 feet or thereby and then in a northerly direction 74 feet or thereby and on the north by South Street along which it extends 90 feet or thereby together with the buildings and others erected thereon known as the county buildings Perth and consisting of court rooms offices county hall committee room and other rooms which buildings and others were originally erected under the powers contained in Act 47 George III. session II. chapter IV. and Act 55 George III. chapter XXXI.

A.D. 1927.  
—

---

Printed by EYRE and SPOTTISWOODE, LTD.,

FOR

WILLIAM RICHARD CODLING, Esq., C.B., O.V.O., C.B.E., the King's Printer of  
Acts of Parliament.

---

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses :  
Adastral House, Kingsway, London, W.C.2; 120, George Street, Edinburgh;  
York Street, Manchester; 1, St. Andrew's Crescent, Cardiff;  
15, Donegall Square West, Belfast;  
or through any Bookseller.

