



CHAPTER XX.

An Act to vest the county buildings of the county of Mid-Lothian in the County Council of that county to enable the County Council to borrow money for the purpose of erecting and enlarging county buildings and for other purposes.

A.D. 1893.

[12th May 1893.]

WHEREAS by an Act passed in the fifty-third year of the reign of His Majesty King George the Third intituled "An Act for erecting and maintaining a new gaol and other buildings for the county and city of Edinburgh" (herein-after called "the firstly-recited Act") certain persons were appointed commissioners for inter alia making and erecting buildings for the courts and public meetings of the county of Edinburgh:

53 Geo. III.
c. lxxvii.

And whereas by another Act passed in the fifty-fourth year of the reign of His Majesty King George the Third intituled "An Act to amend an Act passed in the last session of Parliament for erecting and maintaining a new gaol and other buildings for the county and city of Edinburgh for opening communications to the new gaol building a bridge over the Low Calton and for other purposes relating thereto" (hereinafter called "the secondly-recited Act") further powers were conferred upon the said commissioners:

54 Geo. III.
c. clxx.

And whereas by another Act passed in the fifty-sixth year of the reign of His Majesty King George the Third intituled "An Act to alter and amend two Acts of the fifty-third and fifty-fourth years of His present Majesty for erecting and maintaining a new gaol and other buildings for the county and city of Edinburgh and to alter and amend two Acts of the forty-third and forty-ninth years of His present Majesty in regard to the statute labour of the middle district of the said county" (herein-after called "the thirdly-recited Act") an additional commissioner was appointed to act along with the commissioners appointed by the firstly-recited Act and further powers were conferred upon the said commissioners.

56 Geo. III.
c. xlii.

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And whereas by the secondly-recited Act the said commissioners were authorised and required to direct the rights and conveyances of the county buildings with the site thereof and the avenues and areas thereto pertaining to be made to the convener of the commissioners of supply for the county of Edinburgh and to the sheriff depute of the said county both for the time being and their successors in these respective offices for the use and behoof of those interested therein under the secondly-recited Act including the said commissioners of supply :

And whereas the said county buildings were duly finished and were in terms of the secondly-recited Act conveyed to the said convener and sheriff depute for the time being and their successors in these respective offices for the use and behoof of those interested therein under the recited Acts conform to disposition and assignation dated the twenty-sixth and recorded in the sheriff court books of Edinburghshire the twenty-eighth days of June one thousand eight hundred and thirty-two and instrument of sasine following thereon recorded at Edinburgh in the register of sasines et cetera kept for the city of Edinburgh on the twenty-ninth day of December one thousand eight hundred and fifty-two :

And whereas by a disposition dated the tenth day of March and recorded in the sheriff court books of Edinburghshire the third day of April one thousand eight hundred and thirty and instrument of sasine following thereon recorded at Edinburgh in the register of sasines et cetera kept for the city of Edinburgh the twenty-sixth day of November one thousand eight hundred and fifty an additional piece of ground consisting of the solum of Libberton's Wynd lying between the county buildings and George the Fourth's Bridge with the wall along the line of that bridge was conveyed to the said convener and sheriff depute for the time being and their successors in these respective offices for the use and behoof of those interested therein but under and subject to the whole conditions agreements provisions obligations and stipulations contained and referred to in the said title deeds and have since been held by the said convener and sheriff depute as part of or in connexion with the county buildings :

And whereas by the Local Government (Scotland) Act 1889 (herein-after called "the Act of 1889") the whole powers and duties of the said commissioners of supply were (save as in that Act specially mentioned) transferred to and vested in the County Council of the county of Mid-Lothian (herein-after called "the County Council") and all the 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 :

And whereas inasmuch as the county buildings and lands were not held in trust by the said convener and sheriff depute exclusively for behoof of the commissioners of supply it is believed the same have not been wholly transferred to the County Council under the provisions of the Act of 1889 : A.D. 1893.

And whereas the persons now entitled to use the county buildings consist of the County Council and the said commissioners of supply and the justices of the peace the lieutenancy the heritors and the freeholders all of the county of Edinburgh for all of whom the County Council are by the recited Acts and the Act of 1889 required to find accommodation :

And whereas it is expedient that the county buildings and lands should be wholly transferred to and vested in the County Council and that the trusts created by the recited Acts and by the said disposition and assignation and the said disposition should be determined :

And whereas the county buildings are inadequate for the purposes of the County Council and the other bodies and persons for whom the County Council are bound to provide accommodation and it is expedient that the county buildings should be altered and enlarged and if necessary reconstructed in whole or in part :

And whereas by the Act of 1889 the County Council are authorised to manage alter and enlarge lands and heritages transferred to them by that Act but are not authorised to borrow money for such purpose and it is expedient that the County Council should be authorised to borrow money for the purpose of such alteration and enlargement or reconstruction :

And whereas the purposes aforesaid 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 *Mid-Lothian County Buildings Act 1893.* Short title.

2. In this Act—

The expression " the recited Acts " means the firstly secondly and thirdly recited Acts ;

The expression " the county buildings " means the several county offices buildings and lands now vested by the said disposition and assignation and by the said disposition and infestments

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tion.

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following thereon in the convener of the commissioners of supply of the county of Edinburgh and the sheriff depute of the said county for the use and behoof of those interested therein under the recited Acts;

The expression "the County Council" means the County Council of the county of Mid-Lothian; and

The expression "the Act of 1889" means the Local Government (Scotland) Act 1889.

County buildings to be vested in County Council.

3. From and after the passing of this Act the county buildings shall be vested in and maintained by the County Council for the uses and purposes of the Act of 1889 as if the same had been transferred by that Act and thereupon the whole right and interest of the convener of the commissioners of supply of the county of Edinburgh and of the sheriff depute of the said county under the provisions of the recited Acts shall cease and the trusts created by the recited Acts and by the said disposition and assignation and by the said disposition shall be determined. But reserving always to the faculty of advocates any rights of servitude or property which they may have in over and affecting the footway and stairway upon the west of the Library of the Society of the Writers to the Signet and to the Society of the Writers to the Signet all their rights of servitude in over and affecting any parts of the subjects by this Act vested in the County Council.

County Council to provide accommodation for commissioners of supply justices of the peace &c.

4. The County Council shall from time to time provide sufficient and proper accommodation in the county buildings for the meetings of the commissioners of supply of the county of Edinburgh the justices of the peace of the said county and any other bodies or persons entitled to be accommodated within the county buildings under the provisions of the recited Acts the Act of 1889 or otherwise and may from time to time enter into agreements and arrangements with those bodies and persons with respect to such accommodation.

County Council may borrow for purpose of erecting or enlarging county buildings.

5. The County Council with the consent of the standing joint committee of the county of Mid-Lothian may raise any sum of money not exceeding the sum of fifty thousand pounds for the purpose of erecting additional county buildings and of altering and enlarging or reconstructing the county buildings by borrowing upon the security of the general purposes rate leviable by them under and by virtue of the Act of 1889 as if the money so borrowed were money authorised to be borrowed under the authority of that Act.

Saving conditions in title deeds of county buildings.

6. Nothing in this Act contained shall prejudice or affect the conditions agreements provisions obligations and stipulations contained and referred to in the title deeds of the county buildings

and the same shall be enforceable against the County Council as if the County Council were therein mentioned instead of the body or person liable to implement such conditions agreements provisions obligations and stipulations. A.D. 1893.

7. All 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 County Council out of the rates and assessments leviable by them under the authority of the Act of 1889 or out of the moneys to be borrowed under the authority of this Act. Costs of Act.

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