

[11 & 12 GEO. 5.] *East Lothian County* [Ch. cxxiii.]
Buildings Order Confirmation Act, 1921.



CHAPTER cxxiii.

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to East Lothian County Buildings. [8th November 1921.] A.D. 1921.

WHEREAS His Majesty's Secretary for Scotland has made the Provisional Order set forth in the schedule hereunto annexed under the provisions of the Private Legislation Procedure (Scotland) Act 1899 and it is requisite that the said Order should be confirmed by Parliament: 62 & 63 Vict. c. 47.

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 East Lothian County Buildings Order Confirmation Act 1921. Short title.

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A.D. 1921.

SCHEDULE.

EAST LOTHIAN COUNTY BUILDINGS.

Provisional Order to vest the county buildings of the county of Haddington in the County Council of that county to change the name of the county to that of the county of East Lothian and for other purposes.

WHEREAS by an Act passed in the second year of the reign of His Majesty King William the Fourth Chapter lxxviii. intituled "An Act for erecting and maintaining " within the Burgh of Haddington a new Court House " Record Rooms and other offices for the County of " Haddington " (hereinafter called " the Haddington Court House Act ") certain persons were appointed commissioners for inter alia erecting a court house in the burgh of Haddington containing the necessary rooms and conveniences for the sheriff commissary freeholders and justice of peace courts and the public meetings of the said shire and for the custody and preservation of the public records thereof :

And whereas by the Local Government (Scotland) Act 1889 the whole powers and duties of the Commissioners of Supply of the county of Haddington were (save as in that Act specially mentioned) transferred to and vested in the County Council of the county of Haddington (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 :

And whereas the county buildings were not the property of the said Commissioners of Supply and were not held in trust for them but as directed by the Haddington Court House Act were vested in the Commissioners appointed under that Act and have not been transferred to the County Council under the Local Government (Scotland) Act 1889 :

And whereas it is expedient that the county buildings should be wholly transferred to and vested in the County

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Council and that the Haddington Court House Act should be repealed: A D. 1921.

And whereas the county of Haddington would be more appropriately known as and styled the county of East Lothian and it would be of public and local advantage and in accordance with the sentiments of the inhabitants that the change of the name of the county should be effected:

And whereas the purposes aforesaid cannot be effected without an Order of the Secretary for Scotland 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 the Secretary for Scotland orders as follows:—

1. This Order may be cited as the East Lothian County Buildings Order 1921. Short title.

2. In this Order unless the context otherwise requires:— Interpre-
tation.

“The county” means the county of Haddington;

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

“The Haddington Court House Act” means the Act 2 William IV. Chapter lxxviii.;

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

“The county buildings” means the several buildings rooms offices and lands now vested by or under the Haddington Court House Act in the Special Commissioners appointed by that Act.

3. From and after the commencement of this Order the county buildings shall cease to be vested in the Special Commissioners appointed under the Haddington Court House Act and shall be vested in and maintained by the County Council for the uses and purposes of the Local Government (Scotland) Act 1889 as if the same had been transferred to the County Council by that Act. Vesting of
county
buildings
in County
Council.

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Repeal of
Court House
Act.

4. From and after the commencement of this Order the Haddington Court House Act is hereby repealed.

Court house
to be pro-
vided and
assessments
to be levied.

5. The County Council shall appropriate as a court house such portion of the county buildings as shall be approved by the Secretary for Scotland and the Sheriff Court Houses (Scotland) Acts 1860 to 1884 shall apply to such portion as if the same were a court house erected under the provisions of those Acts and the County Council may levy and impose the court house assessments accordingly.

Change of
name of
county.

6.—(1) From and after the commencement of this Order the name of the county shall for all purposes be the county of East Lothian.

(2) The change of name of the county shall not affect any rights or obligations of the County Council or any other authority or person whose designation may be affected by the said change or render defective any legal proceedings by or against the County Council or such authority or person and any legal proceedings that might have been commenced or continued by or against the County Council authority or person by the former designation may be commenced or continued by or against the council authority or person as the case may be by the new designation.

(3) Notwithstanding the change of the name of the county all deeds instruments purchases sales securities and contracts before the commencement of this Order made or carried into effect shall be as effectual to all intents in favour of against and with respect to the County Council or any such authority or person as aforesaid as if the name of the county had remained unchanged.

(4) Any Act of Parliament or Order made under an Act of Parliament passed or made prior to the commencement of this Order shall apply to in favour of or against the County Council or any such authority or person as aforesaid in as full a manner as it would have applied to the County Council authority or person as the case may be if this Order had not been made.

(5) Nothing in this Order shall affect the name of the Parliamentary County of Berwick and Haddington as

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set forth in the Ninth Schedule of the Representation of the People Act 1918. A.D. 1921.

7. All costs charges and expenses of and incident to the preparing 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. Costs of Order.

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