CHAPTER lviii.

An Act to confirm a Provisional Order made by the Education Department under the Elementary Education Act 1870 to enable the School Board for Lowestoft to put in force the Lands Clauses Acts. [27th June 1895.]

A.D. 1895.

WHEREAS the Education Department have made a Provisional Order under the authority of the Elementary Education Act 1870 on behalf of the School Board for Lowestoft and it is requisite that the same should be confirmed by Parliament: 33 & 34 Vict. c. 75.

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 Order.

1. The following Order as set out shall be and is hereby confirmed and from and after the passing of this Act shall have full validity and force.

Saving with respect to houses of labouring class.

2. The School Board for Lowestoft shall not under the powers of this Act or of the said Order purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

For the purposes of this section the expression "labouring class" includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than

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domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

Short title.

3. This Act may be cited as the Education Department Provisional Order Confirmation (Lowestoft) Act 1895.

THE SCHOOL BOARD FOR LOWESTOFT COUNTY OF SUFFOLK.

Provisional Order for putting in force the Lands Clauses Acts.

Whereas the School Board for the borough of Lowestoft in the county of Suffolk require to purchase two pieces of land for the purposes of the Elementary Education Act 1870 and not having been able to purchase the same by agreement require to put in force the provisions of the Lands Clauses Acts which apply to the purchase and taking of lands otherwise than by agreement:

And whereas the lands so required to be purchased are set forth in the schedule hereunder written:

And whereas the said Board have made due publication of the notices and have duly served the same according to the requirements of the Elementary Education Act 1870 and have presented a petition to the Education Department praying that an Order may be made authorising the said School Board to put in force the powers of the said Acts with respect to the purchase and taking of lands otherwise than by agreement in which petition were stated all the matters required by the said Elementary Education Act to be stated therein and the same hath been supported by such evidence as the said Education Department required:

And whereas the said Department having considered the said petition and the proofs of the publication and service of the proper notices have thought fit to proceed with the case and have caused inquiry to be made in the district of the said Board wherein the said lands are situate as to the propriety of the proposed Order:

Now therefore the said Department having received a report after such inquiry and having duly considered the same do hereby declare that it is proper and do hereby order accordingly that the said Board be authorised to put in force with reference to the pieces of land set forth in the schedule hereunder written the powers of the said Acts for the purchase and taking of lands otherwise than by agreement or any of them.

SCHEDULE TO THE FOREGOING ORDER.

All that piece of land situate on the east side of Morton Road Kirkley having a frontage thereto of 17 feet or thereabouts and a depth on the south side of 136 feet 6 inches or thereabouts and a depth on the north side of 142 feet or thereabouts and bounded on the south by land belonging or reputed to belong to Mr. Benjamin Mummery contracted by him to be sold to the said School Board and on the north by the piece of land next herein-after described:

And also all that piece of land situate on the east side of Morton Road Kirkley having a frontage thereto of 17 feet or thereabouts and a depth on the south side of 142 feet or thereabouts and on the north side of 146 feet 6 inches or thereabouts and bounded on the south by the piece of land first herein-before described and on the north by land belonging or reputed to belong to Mr. John Wilson contracted by him to be sold to the said School Board.

The said two pieces of land proposed to be taken are now in the occupation of Mrs. Long.

Printed by Eyre and Spottiswoode,
FOR
T. Digby Pigott, Esq., C.B., the Queen's Printer of Acts of Parliament.

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