CHAPTER cx.

An Act to confirm certain Provisional Orders made by the Education Department under the Elementary Education Act, 1870, to enable the School Boards for Birmingham, Lewannick (Cornwall), and Mold (Flint) to put in force the Lands Clauses Consolidation Act, 1845, and the Acts amending the same. [4th July 1878.] A.D. 1878.

WHEREAS the Lords of the Committee of the Privy Council on Education have made a Provisional Order under the authority of the Elementary Education Act, 1870, on behalf of the School Boards for Birmingham, Lewannick (Cornwall), and Mold (Flint), 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 Orders.

1. The following Orders shall be and are hereby confirmed, and from and after the passing of this Act shall have full validity and force.

Short title.

2. This Act may be cited as the Education Department Provisional Orders Confirmation (Birmingham, &c.) Act, 1878.

A.D. 1878.

THE SCHOOL BOARD FOR BIRMINGHAM, COUNTY OF WARWICK.

Provisional Order for putting in force the Lands Clauses Consolidation Act, 1845.

At the Council Chamber, the 2nd day of April 1878.

WHEREAS the School Board for Birmingham, in the county of Warwick, require to purchase certain 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 Consolidation Act, 1845, and the Acts amending the same, 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.

Signed this second day of April one thousand eight hundred and seventy-eight.

(Signed) PATRICK CUMIN,
One of the Assistant Secretaries
of the Education Department.

SCHEDULE to the foregoing Order.

FIRST PART.

A piece of land situated in the parish and borough of Birmingham, containing by admeasurement 2,234 square yards or thereabouts, and bounded on the

north-east by Brasshouse Passage, on the south-east partly by hereditaments of Edwin Barnett, partly by hereditaments of the trustees of William Henry Parker, partly by hereditaments of Joseph Seers, and partly by hereditaments of Charles Rainsford and Stephen Jarratt; on the south-west by Oozells Street, and on the north-west partly by hereditaments of Edwin William Ball, and partly by hereditaments of Samuel Toy; together with all and singular the messuages, tenements, and buildings now standing and being thereon, with their appurtenances.

The names of the owners, lessees, and occupiers are as follows:—

Charles Augustus North, Copleston Lopes Radcliffe, Henry Charles Benyon Barton, William Barwick Cregoe Colmore, Birmingham School Board.

Second Part.

A piece of land situated in the parish and borough of Birmingham, containing by admeasurement 4,278 square yards or thereabouts, and bounded on the north by Hope Street; on the east partly by hereditaments of William Price, and partly by hereditaments of Henry Hollis; on the south partly by hereditaments of John Goodrick, partly by hereditaments of Benjamin Palmer, partly by hereditaments of Henry Hollis, partly by St. Luke's Road, and partly by hereditaments of Rebecca Jones; and on the west partly by hereditaments of Miss Greaves, partly by hereditaments of Luke Turner, and partly by hereditaments of Rebecca Jones; together with all and singular the messuages, tenements, and buildings now standing and being thereon, with their appurtenances.

The names of the owners, lessees, and occupiers are as follows:—

The Right Honourable John Edward Cornwallis, Earl of Stradbroke, Rev. Philip Sherlock Gooch, Sir Francis Robert Sherlock Lambert Gooch, the Rev. William Wilkinson, D.D., Rector of St. Martins, Birmingham, the Rev. James Eagles, Vicar of Saint Bartholomew's, Birmingham, Walter Brooks, William Andrews, Edward Hewitt, Mary Ann Woodman Smith, Edwin Fearn Grimley, Horatio Nelson Grimley, John Grimley, William Clarke Floyd, Luke Turner, executor of John Skeen by J. E. Cockett, Wanstead E., the Right Honourable Fredk. Henry William Lord Calthorpe, Baron Calthorpe, of Calthorpe, in the county of Norfolk, John Parkes, George Stokes, William Bennett, Francis Downes, Joseph Jackson, John Price, Charles Russell, Charles Hookway, John Parrott, Thomas Titnius, William Taylor, James Miller, Henry Ballard, Emily Lowe, William Jones, H. Walton, William Stokes, John Rowley, Henry Allard, Frank Cowdrell, Cornelius Badham, Joseph Glover, Ann Legg, George Seabridge, Henry Rostill, James Ball, David Harker, Charles Day, Thomas Ash, Charles Genge, Elizabeth Mellor, Charles Harper, Susannah Lovatt, Ann Marsden, Charles Scandrett, Christopher John Philip Harris, James Ward, Wright Wilson, Widow Cartwright, Emma Morton, Robert Cooper, William Moor, Edward Johnson, William Clegg, John Naden, William Short, Mary Thompson, George Jones, William Tomlin, Charles Muller, William Upton, Sarah Lucas, Frederick Meddings,

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Thomas Edward Loach, William Jones, John Tucker, Thomas Whulor, William Lloyd, Thomas Bourne, William Fennell, John Henry Corbett, George Edwards, Jane Villiers, James Benson, Thomas Sammos, Thomas Busby, John Lee, Caroline Bird, Henry Gorman, William Woodfield, senr., Elkin Simons.

THIRD PART.

A piece of land situated in the parish and borough of Birmingham, containing by admeasurement 2,149 square yards or thereabouts, and bounded on the north partly by hereditaments of the Birmingham School Board, and partly by hereditaments of Walter Henry Elkin; on the east by Summer Lane; on the south partly by hereditaments of Edward Henry Kempson, partly by hereditaments of Mary Ann and Dina Hebbert, partly by hereditaments of William Johnson, and partly by hereditaments of Kemp Johnson; and on the west by hereditaments of the Birmingham School Board; together with all and singular the messuages, tenements, and buildings now standing and being thereon, with their appurtenances.

The names of the owners, lessees, and occupiers are as follows:—

The Birmingham School Board, Matilda Smith, Benjamin Dixon, Henry Lurhoff Muller, Henry Wright, Ann Walker, Joseph Allkins, Samuel Yardley, Samuel Edward Parkes, William Scott, Henry Palmer, James Edwards, Charles Morris, Joseph Taylor, James Bradbury, Samuel Douglas.

FOURTH PART.

A piece of vacant land situated in the parish of Aston-juxta-Birmingham and in the borough of Birmingham, containing by admeasurement 6,000 square yards or thereabouts, and bounded on the north-east by hereditaments of the Midland Land and Investment Corporation, Limited, on the east by Dixon Road, on the south by Cooksey Road, on the west by hereditaments of John McClelland, and on the north-west by hereditaments of James Frederick Heape.

The names of the owners, lessees, and occupiers are as follows:—

John Aston, Henry Wiggin, Thomas Avery, George Lloyd, John Dent Goodman, Henry Richards, William Henrick, the Midland Land and Investment Corporation, Limited.

FIFTH PART.

A piece of vacant land situated in the parish of Aston-juxta-Birmingham and in the borough of Birmingham, containing by admeasurement 5,000 square yards or thereabouts, and bounded on the north by hereditaments of John Walford Simcox, Esq., on the east by Grafton Road, on the south by Kyotts Lake Road, and on the west by Port Hope Road.

The names of the owners, lessees, and occupiers are as follows:—

John Walford Simcox, William Henry Simcox, George Holmes, Georgiana Beatrice Holmes, John Bruorton.

A.D. 1878.

THE SCHOOL BOARD FOR LEWANNICK, COUNTY OF CORNWALL.

Provisional Order for putting in force the Lands Clauses Consolidation Act, 1845.

At the Council Chamber, the 9th day of March 1878.

WHEREAS the School Board for the parish of Lewannick, in the county of Cornwall, require to purchase a piece 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 Consolidation Act, 1845, and the Acts amending the same, which apply to the purchase and taking of lands otherwise than by agreement:

And whereas the land so required to be purchased is 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 land is 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 piece 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 an agreement, or any of them.

Signed this ninth day of March one thousand eight hundred and seventy-eight.

(Signed) PATRICK CUMIN,
One of the Assistant Secretaries
of the Education Department.

SCHEDULE to the foregoing Order.

A piece of land situate in the parish of Lewannick, in the county of Cornwall, being on the right-hand side of the road leading from Lewannick village to Trevadlock, in the said parish of Lewannick, being part of a field commonly called or known by the name of "Higher Garden Field," and numbered on the

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tithe commutation map for the said parish of Lewannick 652, and containing one acre, two roods, and sixteen perches or thereabouts, now in the occupation of Mr. Samuel Jenkin as lessee or reputed lessee, such piece of land proposed to be taken being about one half of the said field, and that part of the said field which lies nearest to Trevadlock aforesaid.

THE SCHOOL BOARD FOR MOLD, COUNTY OF FLINT.

Provisional Order for putting in force the Lands Clauses Consolidation Act, 1845.

At the Council Chamber, the 4th day of April 1878.

WHEREAS the School Board for the parish of Mold, in the county of Flint, require to purchase a piece 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 Consolidation Act, 1845, and the Acts amending the same, which apply to the purchase and taking of lands otherwise than by agreement:

And whereas the land so required to be purchased is 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 land is 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 piece 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.

Signed this fourth day of April, one thousand eight hundred and seventy-eight.

(Signed) PATRICK CUMIN,
One of the Assistant Secretaries
of the Education Department.

SCHEDULE to the foregoing Order.

A piece of land facing a piece of waste land formerly part of the premises occupied by the Leeswood Ironworks, and abutting on the township road leading from Leeswood through Stryt-cae-rhedyn to Mold, and bounded on the south side by a road leading from Leeswood to Gwerndy-falog, and containing 3,184 square yards or thereabouts; together with all and singular the messuages, tenements, and buildings (if any) now standing and being thereon, with their appurtenances.

The names of the owners, lessees, and occupiers of the said piece or parcel of land and hereditaments are as follows:—

Walter Thomas Courtenay Giffard, James Wyley, William Fenton Fletcher Boughly, Edmund Mallet Vaughan, Margaret Ingman, the New Leeswood Main Colliery Company, Limited.

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