CHAPTER i.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Boroughs of Bolton and Honiton, the Improvement Act Districts of Mansfield and Milford, and the Borough of Stockton. [28th April 1885.] A.D. 1885.

WHEREAS the Local Government Board have made the Provisional Orders set forth in the Schedule hereto, under the provisions of the Public Health Act, 1875: 38 & 39 Vict. c. 55.

And whereas it is requisite that the said Orders should be confirmed by Parliament:

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:

1. The Orders set out in the schedule hereto shall be and the same are hereby confirmed, and all the provisions thereof shall, from and after the dates therein respectively mentioned, have full validity and force. The Orders in schedule confirmed.

2. This Act may be cited as the Local Government Board's Provisional Orders Confirmation Act, 1885. Short title.

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SCHEDULE.

Bolton Order.

BOROUGH OF BOLTON.

Provisional Order for altering the Bolton Improvement Act, 1877.

To the Mayor, Aldermen, and Burgesses of the Borough of Bolton, in the County of Lancaster, being the Urban Sanitary Authority for that Borough ; —

And to all others whom it may concern.

WHEREAS the Borough of Bolton, in the County of Lancaster (herein-after referred to as "the Borough"), is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as "the Corporation"), are the Urban Sanitary Authority, and the Bolton Improvement Act, 1877 (herein-after referred to as "the Local Act"), is in force in the Borough ;

And whereas by Section 36 of the Local Act the Corporation were empowered, subject to the provisions of that Act, to make and maintain (inter alia) a bridge across the River Croal (to form an access to the lands proposed to be acquired by the Corporation for sewage purposes), with all necessary approaches, partly in the township of Great Lever, and partly in the township of Darcy Lever;

And whereas by Section 41 of the Local Act it was enacted that if the works shown on the deposited plans and authorised by the Local Act (including the making of the said bridge across the River Croal, with all necessary approaches) were not completed within seven years from the passing of that Act, then, on the expiration of that period, the powers by the Local Act granted to the Corporation for executing the same, or otherwise in relation thereto, should cease to be exercised, except as to so much thereof as was then completed ;

And whereas by Section 46 of the Local Act it was (inter alia) enacted that the Corporation should, within three years after the passing of that Act, make the said bridge across the River Croal :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the Local Act shall be altered

and amended so as to provide that notwithstanding anything in the Local Act contained, the powers (except the power to purchase lands compulsorily) thereby granted to the Corporation for making the said bridge, with all necessary approaches, may be exercised until the expiration of ten years from the passing of the Local Act.

Given under the Seal of Office of the Local Government Board, this Sixth day of March, One thousand eight hundred and eighty-five.

(L.S.)

Charles W. Dilke, President.
Hugh Owen, Secretary.

BOROUGH OF HONITON.

Provisional Order for partially repealing, altering, and amending a Local Act.

To the Mayor, Aldermen, and Burgesses of the Borough of Honiton, in the County of Devon, being the Urban Sanitary Authority for that Borough ; —

And to all others whom it may concern.

WHEREAS by a Local Act of Parliament passed in the thirtieth year of the reign of His late Majesty King George the Third, intituled "An Act for paving "and otherwise improving the Town of Honiton, in the County of Devon" herein-after referred to as "the Local Act"), certain Commissioners and their successors (herein-after referred to as "the Commissioners") were appointed for putting the Local Act into execution ;

And whereas by Section 6 of the Local Act, provision is made for an annual general meeting of the Commissioners, and for the production and verification of their accounts ;

And whereas by Section 21 of the Local Act, it is enacted that in order to enable the Commissioners to carry the several purposes of the Local Act into execution, the Commissioners should have full power and authority, once in every year, to rate or assess such sum and sums of money as they should think necessary, towards the purposes of the Local Act, upon the several occupiers of all houses, buildings, and lands, within the Town and Parish of Honiton, not exceeding in the whole in any one year the sum of sixpence in the pound of the annual value of such houses, buildings, and lands respectively ;

And whereas by Section 22 of the Local Act it is enacted that in order to raise a further sum of money to be applied in aid of the rates to be made as aforesaid, the Commissioners should, and they were thereby authorised and empowered to cause to be erected and set up such number of turnpikes and toll houses upon or across any part of any of the turnpike roads, and entrances or avenues leading into the said town within the limits of the Local Act, as the Commissioners should think fit ; and that the tolls therein set forth should be demanded and taken at every such turnpike or at any turnpike then already erected within the distance of one mile and a half from the site of the Market Cross, before any horses, cattle or carriages should be permitted to pass through any of the said turnpikes ;

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And whereas by Section 26 of the Local Act it is enacted as follows, viz. :—

"It shall be lawful for the said Commissioners, from time to time, with the "consent of such person or persons as shall be entitled to upwards of "one moiety of the money which shall then be due and owing upon the "credit of the said tolls, to lessen or reduce all or any of the said tolls, "for such time or times as the said Commissioners shall think proper";

And whereas by Section 29 of the Local Act it is enacted that it should be lawful for the Commissioners, or any nine or more of them, from time to time to borrow and take up at interest, upon the credit of the rates and tolls by the Local Act authorised to be made and collected, such sum or sums of money as they should think fit; and by writing under their hands and seals to mortgage, demise, grant, or assign the said rates and tolls, or any part or parts thereof (the charges of such mortgages, demises, grants, or assignments to be paid for thereout) to any person or persons, for any term or number of years as a security for the moneys which should be so borrowed and the interest thereof;

And whereas the Commissioners, in the exercise of the powers conferred upon them by Section 29 of the Local Act, borrowed, upon mortgage of the rates and tolls by the Local Act authorised to be made and collected, certain sums amounting in the whole to the sum of six thousand nine hundred and twenty-five pounds;

And whereas, in or about the month of March, 1847, the Commissioners transferred all their powers to the Mayor, Aldermen, and Burgesses of the Borough of Honiton, in accordance with the provisions of an Act of Parliament passed in the fifth and sixth years of the reign of His late Majesty King William the Fourth, intituled "An Act to provide for the regulation of Municipal Corporations in England and Wales," and the said Mayor, Aldermen, and Burgesses have borrowed further small sums on mortgage of the said rates and tolls, and the whole amount so borrowed by the Commissioners, and the said Mayor, Aldermen, and Burgesses, amounting to the sum of seven thousand and twenty-five pounds still remains unpaid;

And whereas the said Borough (herein-after referred to as "the Borough") which includes the area subject to the provisions of the Local Act, is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as "the Corporation"), are the Urban Sanitary Authority;

And whereas in the year 1880 certain of the mortgagees under the provisions of Section 29 of the Local Act, commenced an action, on behalf of themselves and all other such mortgagees, against the Corporation, claiming (inter alia) the application of the rates and tolls mentioned in that Section in payment of the principal money and interest secured by mortgages under the said Section;

And whereas upon the trial of the said action on the twenty-second day of June, one thousand eight hundred and eighty-three, it was directed that judgment should be entered for the plaintiffs, the mortgagees, and it was declared that—

(1.) The said mortgages were a charge upon the said rates and tolls, before any part thereof was applied in payment of the expenses of paving, cleansing,

lighting, and watching the streets, lanes, and other public passages mentioned in the Local Act, and of erecting turnpikes and toll-houses.

(2.) The Corporation should apply any moneys then in their hands in respect of such rates and tolls, and thereafter to be received from such rates and tolls, in or towards the payment of the interest accruing and to accrue due on the said mortgages, before any part thereof should be applied in payment of the expenses aforesaid; and

(3.) That the Corporation should pay the costs of the action;

And whereas in order to prevent further litigation it was, by an Indenture dated the seventh day of August, one thousand eight hundred and eighty-four, agreed between the said mortgagees and the Corporation to compromise and put an end to the said action and to all matters in difference between them upon the terms following; viz.,—

(*a.*) That the Corporation should pay, on the twenty-fifth day of December, One thousand eight hundred and eighty-four, a composition of ten shillings in the pound on the principal sums expressed in the Schedule to the said Indenture to be due on the said mortgages, and, so long after that date as the said composition or any part thereof should remain unpaid, should pay interest on the sum from time to time remaining unpaid at the rate and at the times therein set forth.

(*b.*) That the Corporation should not (except as therein mentioned) appeal against the said judgment, but should pay to the plaintiffs in the said action, on or before the said twenty-fifth day of December, the sum of one hundred and twenty-five pounds, being the difference between the plaintiffs' costs of the said action as taxed between party and party and such costs as between solicitor and client, in the said action, and should also pay to the said plaintiffs their costs of the preparation and execution of the said indenture.

(*c.*) That the said mortgagees and each and every of them should accept the said composition in full discharge of all principal and interest moneys then due upon the said mortgages respectively; and

(*d.*) That in the event of the said Indenture becoming void as therein mentioned, the Corporation should be at liberty to appeal against the said judgment at any time within six calendar months next after the said twenty-fifth day of December, and the said mortgagees would consent in writing to such appeal being lodged, set down, and heard:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, do hereby Order that from and after the date of the Act of Parliament confirming this Order (herein-after referred to as "the commencement of this Order"), the following provisions shall take effect; namely,—

Art. I. Sections 6, 29, and 30 of the Local Act shall be wholly repealed, except so far as the same may have been acted upon, and the words "the Corporation" shall be inserted throughout the unrepealed provisions of the Local Act, in lieu of the words "the Commissioners" and "the said Commissioners."

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Art. II. The Local Act shall be altered and amended so as to provide as follows:—

(1.) For the purpose of paying, in accordance with the terms of the above-recited Indenture of the Seventh day of August, one thousand eight hundred and eighty-four, the composition of ten shillings in the pound in respect of the mortgages therein mentioned, the taxed costs of the plaintiffs in the said action, the said sum of one hundred and twenty-five pounds, and the costs of the said plaintiffs of and incidental to the preparation and execution of the said Indenture, the Corporation may, subject to the provisions of this Order, from time to time borrow, upon security of the rates authorised by the Local Act and of the district fund and general district rate of the borough, or upon either of such securities, any sum or sums not exceeding in the whole the sum of four thousand pounds.

(2.) For the purpose of raising money under this Order, the provisions of the Local Loans Act, 1875, (including the power of creating debenture stock) shall be available to the Corporation, and Sections 236 to 239, both inclusive, of the Public Health Act, 1875, shall apply to all money raised and borrowed under this Order, other than money borrowed under the provisions of the Local Loans Act, 1875.

(3.) The moneys borrowed under the powers conferred by this Order shall be repaid within a period not exceeding thirty years from the commencement of this Order; and such period shall be deemed to be "the prescribed period" within the meaning of the Local Loans Act, 1875, and is hereinafter referred to as "the prescribed period."

(4.) The Corporation shall repay the moneys borrowed under the powers conferred by this Order, other than money borrowed under the provisions of the Local Loans Act, 1875, either by equal annual instalments of principal, or of principal and interest, or by setting apart in every year as a sinking fund such a sum or sums as will, according to a reasonable calculation for the time being, with accumulations in the way of compound interest, be sufficient, after payment of all expenses, to pay off the money so borrowed within the prescribed period, and shall invest such sinking fund and the income thereof in the purchase of exchequer bills or other government securities, or in any securities in which trustees are by law for the time being authorised to invest, or in mortgages, debentures, debenture stock, or other securities issued by any Local Authority, as defined by Section 34 of the Local Loans Act, 1875, other than the Corporation, the Corporation being at liberty from time to time to vary and transpose such investments.

(5.) The Corporation may at any time apply the whole or any part of such sinking fund in or towards the discharge of the money for the repayment of which the fund is established: Provided, that the Corporation pay into the fund each year, and accumulate until the whole of the money borrowed is discharged, a sum equivalent to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied.

(6.) The discharge of any moneys borrowed under the powers conferred by this Order and the provisions of the Local Loans Act, 1875, may be secured by the establishment of a sinking fund, and the application thereof in manner in that Act mentioned.

(7.) The Corporation may reborrow moneys paid off otherwise than by instalments or by means of a sinking fund or out of moneys applied in repayment in accordance with the provisions of Sub-division (2) of Article VI. of this Order, upon either or both of the securities mentioned in Sub-division (1) of this Article, for the purpose of discharging any loans contracted under that Sub-division, other than loans contracted under the Local Loans Act, 1875: Provided, that the money borrowed for such purpose shall be repaid in the manner provided by Sub-divisions (3) and (4) of this Article and Sub-division (2) of Article VI. of this Order, and the time for repayment of the money so borrowed shall not extend beyond the unexpired portion of the prescribed period.

(8.) The Treasurer of the Corporation shall within twenty-one days after the expiration of each year, in which any sum is required to be paid as an instalment or to be set apart for a sinking fund, in respect of moneys borrowed under the provisions of this Order, transmit to the Local Government Board a return in such form as may be prescribed by that Board, and verified by statutory declaration, if so required by them, showing the amounts which have been paid as instalments and the amounts which have been invested or applied for the purpose of such sinking fund and the amounts which have been paid in accordance with Sub-division (2) of Article VI. of this Order, during the year next preceding the making of such return, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of interest or paid under Sub-division (2) of Article VI. of this Order has been applied during the same period, and the total amount (if any) remaining invested at the end of the year, and in the event of any wilful default in making such return, such Treasurer shall be liable to a penalty not exceeding twenty pounds, which shall be paid to the Local Government Board, and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act, 1875, in a summary manner, may be recovered by parties aggrieved within the meaning of that Act.

(9.) If it appear to the Local Government Board, by that return or otherwise, that the Corporation have failed to pay any instalment required to be paid, or to set apart any sum required for any sinking fund, or have applied any portion of the moneys set apart for any sinking fund, or of the sums accumulated by way of interest, to any purpose other than those authorised, the Local Government Board may by Order direct that a sum, not exceeding double the amount in respect of which default has been made, shall be paid by way of instalment or be set apart and invested or applied as part of the sinking fund, and any such order shall be enforceable by writ of mandamus

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to be obtained by the Local Government Board out of Her Majesty's High Court of Justice.

Art. III. Section 21 of the Local Act shall be altered by the insertion therein after the words "once in every year" of the words "or in their discretion once in every half-year or quarter," and by the insertion therein of the words " as the Corporation may direct," in lieu of the words "by equal quarterly " payments."

Art. IV. When the whole of the sum or sums borrowed or reborrowed under the powers conferred by this Order, together with all interest thereon shall have been defrayed, or at such earlier date as may be decided on by the Corporation, with the sanction of the Local Government Board, the powers conferred by Section 22 of the Local Act shall cease and be determined.

Art. V. Section 26 of the Local Act shall be altered and amended by the insertion therein of the words "with the consent of the Local Government Board" in lieu of the words "with the consent of such person or persons as shall be " entitled to upwards of one moiety of the money which shall then be due and " owing upon the credit of the said tolls," and by the insertion after the words " and afterwards, from time to time," of the words " with the like consent."

Art. VI. The Local Act shall be further altered and amended so as to provide as follows ; viz.,—

(1.) The accounts of the receipts and expenditure of the Corporation under the Local Act shall be deemed to be accounts of the receipts and expenditure of the Council of the Borough, acting as the Urban Sanitary Authority under the Public Health Act, 1875, and shall be included with, and be audited, examined, and published as the accounts of the receipts and expenditure of the said Urban Sanitary Authority under the said Act.

(2.) The sums from time to time received from the tolls authorised by the Local Act to be demanded and taken shall be applied in providing for the discharge of the moneys borrowed or reborrowed under the powers conferred by this Order, and in payment of the interest on the moneys so borrowed or reborrowed, and in no other manner whatsoever; so that if in any year the amount received from the said Tolls shall be greater than the amount required for the instalments and payments to the sinking fund and interest on the loans raised under this Order, the amount of such excess shall be applied in repayment of the principal of such loans or be paid to the sinking fund in addition to any sums required by Article II. of this Order to be paid in respect of such loans.

(3.) The sums from time to time received from the rates authorised by the Local Act to be levied and collected shall be applied for the following purposes ; viz. :—

1st. In providing for the discharge of the moneys borrowed or reborrowed under the powers conferred by this Order, and in payment of the interest on the moneys so borrowed or reborrowed.

2ndly. In payment of the expenses incurred by the Corporation in executing the Local Act.

The residue, if any, shall be carried to the credit of the borough fund.

Given under the Seal of Office of the Local Government Board, this Ninth day of March, One thousand eight hundred and eighty-five.

CHARLES W. DILKE, President.
HUGH OWEN, Secretary.

(L.S.)

IMPROVEMENT ACT DISTRICT OF MANSFIELD.

Provisional Order for altering and amending the Mansfield Commissioners Gas Act, 1878.

To the Commissioners for executing the powers and provisions of a Local Act of Parliament passed in the fourth year of the reign of His late Majesty, King George the Fourth, intituled "An Act for improving, "paving, lighting, cleansing, and watching the Town of Mansfield, in "the County of Nottingham," being the Sanitary Authority for the Urban Sanitary District of Mansfield, in the same County ;—

And to all others whom it may concern.

WHEREAS under the provisions of a Local Act of Parliament passed in the fourth year of the reign of His late Majesty, King George the Fourth, intituled "An Act for improving, paving, lighting, cleansing, and watching the Town of "Mansfield, in the County of Nottingham," as partially repealed and altered by a Provisional Order of the Local Government Board dated the Twelfth day of June, One thousand eight hundred and seventy-four, and duly confirmed by the Local Government Board's Provisional Orders Confirmation Act, 1874 (No. 5), certain Commissioners and their successors (herein-after referred to as "the Commissioners"), were appointed for carrying the said Act into execution within the Parish of Mansfield, in the County of Nottingham (herein-after referred to as "the District");

And whereas the provisions of the Mansfield Commissioners Gas Act, 1878 (herein-after referred to as the "Local Act"), are in force within the District ;

And whereas by Section 35 of the Local Act it is enacted that the Commissioners shall, save as thereinafter expressly provided, apply all moneys from time to time received by them in respect of the gas undertaking (except borrowed money and money produced by the sale of superfluous lands) in the manner therein set forth, and that they shall carry to the paving rate any surplus or balance remaining in any year ;

And whereas the Commissioners, instead of carrying to the paving rate the surplus or balance remaining in any year, as required by Section 35 of the Local Act, have from time to time retained and used such surplus or balance as working capital for their gas undertaking :

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Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order (herein-after referred to as "the commencement of this Order"), the following provisions shall take effect; viz.—

Art. I. Section 35 of the Local Act shall be altered so as to provide that the surplus or balance remaining in any year which should, in accordance with the requirements of that section, have been carried to the paving rate but which, prior to the Twenty-fifth day of March next following the commencement of this Order, may have been retained and used as working capital for the gas undertaking, shall be deemed to have been authorised to be so retained and used up to that date; and the Commissioners shall from and after that date apply the said surplus or balance as required by Section 35 of the Local Act as amended by Article II. of this Order.

Art. II. Section 35 of the Local Act shall be further altered by the insertion therein after the words, "in payment of any charges and expenses for the time "being paid out of the paving rate in respect thereof" of the following words; viz.—

"9thly. In setting apart, if the Commissioners think fit, such a sum or sums "as may be necessary to form a working capital for the gas undertaking, "such capital not to exceed at any time the sum of three thousand pounds."

Given under the Seal of Office of the Local Government Board, this Fifth day of March, One thousand eight hundred and eighty-five.

CHARLES W. DILKE, President.
(L.S.) HUGH OWEN, Secretary.

Milford Order.

IMPROVEMENT ACT DISTRICT OF MILFORD.

Provisional Order for altering and amending the Milford Improvement Act, 1857.

To the Milford Improvement Commissioners, being the Sanitary Authority for the Urban Sanitary District of Milford, in the County of Pembroke;—

And to all others whom it may concern.

WHEREAS under the provisions of the Milford Improvement Act, 1857 (herein-after referred to as "the Local Act"), certain Commissioners were incorporated by the name of the Milford Improvement Commissioners (herein-after referred to as "the Commissioners") to carry the Local Act into execution in the places within the limits defined by Section 4 of that Act (the places within such limits being in the Local Act, and herein-after referred to as "the Town");

And whereas by Section 10 of the Local Act the qualifications for a Commissioner are prescribed, one of such qualifications being that he shall be rated

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in the then last rate under the Local Act for any property within the town to the yearly rateable value of Twenty Pounds or upwards; and it is provided that where any Company or other Corporation rated under the Local Act, proposes for election thereunder as a Commissioner, any Director of the Company, or any member of the Corporation, the qualification of the person so proposed shall be sufficient if the Company or Corporation proposing him be rated under the Local Act to the yearly rateable value of Twenty Pounds or upwards, and own property rated under the Local Act to the yearly rateable value of Thirty Pounds or upwards;

And whereas by Section 11 of the Local Act the qualification of male persons entitled to vote at elections of Commissioners is prescribed;

And whereas by Section 33 of the Local Act the Commissioners are empowered to demand and take for a supply of water for domestic purposes, including water-closets, the rates therein set forth, according to the yearly rateable value of every dwelling-house or part of a dwelling-house so supplied;

And whereas by Section 39 of the Local Act the Commissioners are empowered, if at any time it appear to them that any house is without a proper supply of water and that such a supply of water can be furnished thereto at a rate not exceeding two pence a week, to give notice in writing to the occupier, requiring him within a time specified in the notice to obtain such supply, and to do all works necessary for the purpose;

And whereas by Section 79 of the Local Act the Commissioners are empowered once in every year, or oftener if they think fit, to make one or more equal rate or rates, under the name of the Improvement Rate, upon the occupiers of all rateable property within the Town, according to the yearly rateable value thereof, but it is provided that such rates shall not exceed in any one year ending with the thirty-first day of December, Two Shillings and Sixpence in the Pound on such yearly value;

And whereas by Section 81 of the Local Act it is enacted that the total amount of all the rates made in any one year under the Local Act on any rateable property shall not exceed Four Shillings in the Pound on the yearly rateable value thereof;

And whereas by a Provisional Order of the Local Government Board dated the 29th day of May, 1884 (herein-after referred to as "the Order"), and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 7) Act, 1884, the Commissioners were empowered to borrow money for the purpose of discharging the whole or any part of a sum of ten thousand pounds, borrowed by them under the powers conferred by Sections 4 and 5 of the Milford Improvement Act, 1869; and by sub-division (4) of Art. I. of the Order it was ordered that the Commissioners should repay all money borrowed or reborrowed under the Order by equal yearly or half-yearly instalments of principal, or of principal and interest combined within the period of twenty-five years from the commencement of the Order:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that from and after the date of the Act

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of Parliament confirming this Order, (herein-after referred to as "the commence-" ment of this Order,") the following provisions shall take effect; viz.:—

Art. I. Section 10 of the Local Act shall be altered by the insertion in the fifth and sixteenth lines thereof of the words "twelve pounds" in lieu of the words "twenty pounds"

Art. II. Section 11 of the Local Act shall be altered by the omission from the first and second lines thereof of the word "male," and by the insertion of the words "or her" after the word "him" in the sixth line.

Art. III. Section 33 of the Local Act shall be altered by the addition thereto of the following proviso, viz.:—"Provided that if in any case the rate which the "Commissioners are authorised to demand and take as aforesaid shall be less "than twopence a week, then the Commissioners may demand and take a rate "equal to twopence a week instead of such lesser sum."

Art. IV. Section 39 of [the Local Act shall be altered by the omission therefrom of the words "not exceeding twopence a week," and of the words "not exceeding in the whole the rate of twopence a week," and by the insertion in lieu thereof in the third and ninth lines of that section of the words "not "exceeding the rate authorised by Section 33 of this Act."

Art. V. Sections 79 and 81 of the Local Act shall be altered so as to provide that the limits thereby respectively prescribed, as regards the amounts of the rates made under the Local Act, shall not apply in any year in which any payment of either principal or interest, required to be made in accordance with the provisions of sub-division (4) of Article I. of the Order, shall be in arrear.

Given under the Seal of Office of the Local Government Board, this Twenty-first day of February, One thousand eight hundred and eighty-five.

CHARLES W. DILKE, President.
(L.S.) HUGH OWEN, Secretary.

BOROUGH OF STOCKTON.

Stockton Order.

Provisional Order for altering and amending the Stockton Gas Act, 1857, *and the Stockton Gas Act*, 1873.

To the Mayor, Aldermen, and Burgesses of the Borough of Stockton, in the County of Durham, being the Urban Sanitary Authority for that Borough;—

And to all others whom it may concern.

WHEREAS the Borough of Stockton, in the County of Durham (herein-after referred to as "the Borough"), is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as "the Corporation"), are the Urban Sanitary Authority;

And whereas under the provisions of Section 76 of the Stockton Gas Act, 1857 (herein-after referred to as "the Act of 1857"), as altered by the Stockton Gas Act, 1873 (herein-after referred to as "the Act of 1873"), the Corporation are empowered to supply gas within certain limits, comprising the Borough, and

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the several Parishes, Townships, and other Places following, or some of them; that is to say: Stockton-upon-Tees and Norton, in the County of Durham, and South Stockton, Thornaby, and Stainton, in the North Riding of the County of York (which limits are herein-after referred to as "the Gas Limits");

And whereas by Section 2 of the Act of 1873, the Gasworks Clauses Act, 1871, was (except where expressly varied by that Act) incorporated with the Act of 1873, and made applicable to the gas undertaking of the Corporation:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall take effect; viz.:—

Art. I. Section 76 of the Act of 1857 shall be altered and amended in such a manner that it shall be lawful for the Corporation to make, purchase, and sell, or let on hire, within the gas limits, gas cooking ovens and stoves for cooking, and heating purposes.

Art. II. The Act of 1857 and the Act of 1873 shall be altered and amended so as to provide as follows:—

(*a.*) In every case where, in pursuance of Section 11 of the Gas Works Clauses Act, 1871, the Corporation are required to give, and to continue to give, a supply of gas, any officer duly appointed or authorised in that behalf by the Corporation may, at all reasonable times, and for the purpose of testing or otherwise examining any pipe for the supply of gas which may have been furnished and laid by any person other than the Corporation, between the meter and any pipe belonging to the Corporation, enter the building or land where such pipe may be fixed or laid; and if any person hinder any such officer from entering and making such examination at any reasonable time, he shall, for every such offence, forfeit to the Corporation a sum not exceeding five pounds, which sum may be recovered summarily.

(*b.*) If, upon such examination, any such pipe, or any part thereof, is found to be insufficient or defective, the Corporation shall, subject to the provisions of the said section 11 as to cost, furnish and lay any pipe that may be necessary for the purpose of such supply of gas, in addition to, or in substitution for, the pipe so found to be insufficient or defective.

(*c.*) If, upon such examination, any such pipe is found to be in all respects sufficient and without defect, the Corporation shall not, under the provisions, either of this Article or of the said section 11, be required to furnish and lay any pipe in addition thereto or in substitution therefor

Given under the Seal of Office of the Local Government Board, this Fourth day of March, One thousand eight hundred and eighty-five.

(L.S.)

Charles W. Dilke, President.
Hugh Owen, Secretary.

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