CHAPTER xxii.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Local Government Districts of Horbury, Hyde, Luton, and Skipton. A.D. 1877.

[17th May 1877.]

WHEREAS the Local Government Board have, as regards the districts herein mentioned, made the Provisional Orders set forth in the schedule hereunto annexed, 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, and that the provisions herein contained should be enacted in reference to certain of the said districts :

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 :

The Provisional Orders in schedule confirmed.

1. The Orders set out in the schedule hereunto annexed shall be and the same are hereby confirmed, and all the provisions thereof shall, from and after the passing of this Act, have full validity and force.

Special provision for the Luton District.

2. When the Order hereby confirmed whereby the Local Government District of Luton is dissolved comes into operation, so much only of the powers, rights, duties, capacities, liabilities, obligations, and property exerciseable by or attaching to or vested in the Luton Local Board as are exerciseable by or attach to or are vested in a rural sanitary authority under the Public Health Act, 1875, shall be transferred to the Guardians of the Poor of the Luton Union, as the Sanitary Authority for the Rural Sanitary District of that Union.

Special provision for the property and

3. All the property, effects, liabilities, and obligations belonging to, or vested in, or attaching to the Luton Local Board, and not

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debts of the Luton Local Board.

transferred to the said Guardians as aforesaid, shall, when the Provisional Order relating to the Local Government District of Luton hereby confirmed comes into operation be transferred to and vested in the Mayor, Aldermen, and Burgesses of the borough of Luton, acting by the Council, as the Urban Sanitary Authority for that borough, and all such liabilities and obligations shall be chargeable upon the district fund and general district rates of the said borough.

Special provision as to highways in dissolved Luton Local Government District.

4. The part of the said Luton Local Government District by the said Order merged in the said Rural Sanitary District of the Luton Union shall, when the said Order comes into operation, be annexed to and united with the Hamlet of West Hyde, now included in the Highway District of Luton, for all the purposes of the laws relating to the highways as fully thenceforth as if it had always formed part of the hamlet for such purposes.

Short title.

5. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (Horbury, &c.) Act, 1877.

SCHEDULE.

LOCAL GOVERNMENT DISTRICT OF HORBURY.

Provisional Order for altering and amending the Horbury Local Board Act, 1874.

To the Horbury Local Board, being the Sanitary Authority for the Urban Sanitary District of Horbury, in the West Riding of the County of York;—

And to all others whom it may concern.

WHEREAS the Local Government District of Horbury, in the West Riding of the County of York, is an Urban Sanitary District, of which the Horbury Local Board are the Urban Sanitary Authority, and the Horbury Local Board Act, 1874, is in force in the said District;

And whereas by Section 37 of the said Act it is enacted that the said Local Board may by virtue of that Act, and with the approval of the Local Government Board, and independently of any borrowing powers under any other Act, borrow at interest, on the security of the District Fund Account and General District Rate, such money as they think requisite for the execution of that Act, not exceeding the sum of thirty-four thousand pounds, and may mortgage the District Fund Account and General District Rate to secure the repayment of the money borrowed, with interest, accordingly;

And whereas by Section 45 of the same Act it is further enacted that all money borrowed by the said Local Board under that Act shall be applied for purposes of that Act for which capital is properly applicable, and not otherwise;

And whereas by Section 63 of the same Act it is also enacted that the costs, charges, and expenses preliminary to and of and incidental to the preparing of and applying for and the obtaining and passing of that Act shall be charged on the General District Rate, and paid by the said Local Board;

And whereas by Section 303 of the Public Health Act, 1875, the Local Government Board are empowered, on the application of the Sanitary Authority of any Sanitary District, by Provisional Order, wholly or partially to repeal, alter, or amend any Local Act, other than an Act for the conservancy of rivers, which is in force in any area comprising the whole or part of any such District, and not conferring powers or privileges on any persons or person for their or his own pecuniary benefit, which relates to the same subject-matters as the Public Health Act, 1875;

And whereas the first-mentioned Act is a Local Act within the meaning of, and relates to the same subject-matters as, the Public Health Act, 1875, and the said Urban Sanitary Authority have applied to the Local Government Board to alter and amend the same as herein-after mentioned;

And whereas the Local Government Board, on receipt of such application, directed a Local Inquiry to be held on the subject, and the same was held, after due public notice, and report has been made to them thereon:

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Now therefore, We, the Local Government Board, in pursuance of the powers given by the Statutes in that behalf, do hereby Order that, from and after the Twenty-ninth day of September, One thousand eight hundred and seventy-seven, the following provisions shall take effect; viz.:—

I. Section 37 of the said Horbury Local Board Act, 1874, shall be altered and amended in manner following, that is to say;—

The Horbury Local Board may borrow, in accordance with and under and subject to the provisions of the said Act, and in addition to the sum of thirty-four thousand pounds therein mentioned, such further sum of money as may be necessary to defray so much of the costs, charges, and expenses mentioned in Section 63 of the same Act as have, in the opinion of the Local Government Board, been properly incurred.

II. The provisions of Section 45 of the said Local Act shall not apply to any moneys borrowed by the said Local Board under the said Local Act, in pursuance of this Order.

III. Section 63 of the said Local Act shall be altered in manner following; that is to say,—

So much of the costs, charges, and expenses therein mentioned as have, in the opinion of the Local Government Board, been properly incurred, may be paid by the said Local Board out of moneys to be borrowed by them under Section 37, in pursuance of this Order.

Given under the Seal of Office of the Local Government Board, this Twenty-ninth day of March, in the year One thousand eight hundred and seventy-seven.

G. Sclater-Booth, President.

(L.S.) Thos. Salt, Secretary.

LOCAL GOVERNMENT DISTRICT OF HYDE.

Provisional Order for partially repealing and altering the Hyde Local Board (Waterworks) Act, 1870.

To the Hyde Local Board, being the Sanitary Authority for the Urban Sanitary District of Hyde, in the County of Chester;—

And to all others whom it may concern.

WHEREAS by Section 303 of the Public Health Act, 1875, the Local Government Board are empowered, on the application of the Sanitary Authority of any Sanitary District, by Provisional Order, wholly or partially to repeal, alter, or amend any Local Act, other than an Act for the conservancy of rivers, which is in force in any area comprising the whole or part of any such District, and not conferring powers or privileges on any persons or person for their or his own pecuniary benefit, which relates to the same subject-matters as the Public Health Act, 1875;

And whereas the Local Government District of Hyde is an Urban Sanitary District, of which the Hyde Local Board are the Urban Sanitary

Authority, and the Hyde Local Board (Waterworks) Act, 1870, is in force in the said District;

And whereas the last-mentioned Act is a Local Act within the meaning of, and relates to the same subject-matters as, the Public Health Act, 1875, and the said Urban Sanitary Authority have applied to the Local Government Board to partially repeal, alter, and amend the same as herein-after mentioned;

And whereas the Local Government Board, on receipt of such application, directed a Local Inquiry to be held on the subject, and the same was held, after due public notice, and report has been made to them thereon:

Now therefore, We, the Local Government Board, in pursuance of the powers given by the Statutes in that behalf, do hereby Order that, from and after the Twenty-ninth day of September, One thousand eight hundred and seventy-seven, Section 39 of the said Local Act, which incorporates the provisions of the Commissioners Clauses Act, 1847, with respect to mortgages to be executed by the Hyde Local Board, shall be wholly repealed, except so far as the same shall have been acted upon, and in lieu thereof it shall be provided that Sections 234, 236, 237, and 238 of the Public Health Act, 1875, shall apply to the balances, outstanding on the said Twenty-ninth day of September, of the loans, and to all loans thereafter to be raised under the said Local Act, and that such balances and loans shall, as regards their repayment and re-borrowing, be subject to, and be deemed to have been borrowed under, the provisions of the said Public Health Act, 1875.

Provided, that all matters and things commenced under the authority of the section hereby repealed, and not concluded before the said Twenty-ninth day of September, may be continued under the same authority until concluded.

Given under the Seal of Office of the Local Government Board, this Fifth day of April, in the year One thousand eight hundred and seventy-seven.

G. Sclater-Booth, President.

(L.S.) John Lambert, Secretary.

LOCAL GOVERNMENT DISTRICT OF LUTON.

Provisional Order for dissolving the Local Government District of Luton.

To the Luton Local Board, being the Sanitary Authority for the Urban Sanitary District of Luton, in the County of Bedford;—

To the Guardians of the Poor of the Luton Union, in the Counties of Bedford and Hertford, being the Sanitary Authority for the Rural Sanitary District of that Union;—

And to all others whom it may concern.

WHEREAS on or about the Nineteenth day of June, One thousand eight hundred and fifty, the Public Health Act, 1848, came into force in the Township of Luton, in the County of Bedford, and the said Township is therefore a Local Government District within the meaning of the Public Health Act, 1875;

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And whereas by Section 6 of the last-mentioned Act, it is enacted that where any part of a Local Government District is situated within a Borough, the remaining part of such Local Government District shall, for the purposes of that Act, continue subject to the like jurisdiction as it would have been subject to if that Act had not been passed, unless and until the Local Government Board, by Provisional Order, otherwise direct;

And whereas by Section 270 of the same Act, it is further enacted that the Local Government Board may, by Provisional Order, dissolve any Local Government District, and may merge any such District in some other Urban or Rural Sanitary District or Districts;

And whereas by Section 275 of the same Act, it is also enacted that every Order made by the Local Government Board under Part VIII. of that Act, which includes Section 270 above mentioned, shall specify the day on which such Order shall come into operation (in that Act referred to as the commencement of the Order), and that from and after the commencement of the Order all the powers, rights, duties, capacities, liabilities, obligations, and property which under that Act are exerciseable by or attaching to or vested in the Sanitary Authority having under that Act jurisdiction in any District or part of a District which is by such Order included in some other District, shall (so far as the same relate to the District or part of a District so included) pass to and vest in the Sanitary Authority of such other District; and that any Order made in pursuance of that part of the Act may, if necessary, provide for the settlement of any differences, or the adjustment of any accounts or apportionment of any liabilities arising between districts, parishes, or other places in consequence of the exercise of any powers conferred by that part of the Act, and may direct the persons by whom and to whom any moneys found to be due are to be paid, and the mode of raising such moneys;

And whereas the Local Government District of Luton is an Urban Sanitary District, of which the Luton Local Board is the Urban Sanitary Authority;

And whereas by a Charter of Incorporation dated the Twenty-fifth day of February, One thousand eight hundred and seventy-six, part of the said Local Government District was, together with other lands and premises, comprised within the Borough of Luton thereby constituted;

And whereas from and after the constitution of the said Borough of Luton the remaining part of the said Local Government District continued, for the purposes of the Public Health Act, 1875, subject to the jurisdiction of the said Local Board;

And whereas it appeared to the Local Government Board to be expedient that such remaining part of the said Local Government District should be dissolved and be merged in the Rural Sanitary District of the Luton Union, and the said Board therefore directed a Local Inquiry to be held on the subject of such dissolution, and the same was held, after due public notice, and report has been made to them thereon:

Now therefore, We, the Local Government Board, in pursuance of the powers given by the Statutes in that behalf, do hereby Order that the following provisions shall take effect; viz.:—

I. So much of the Local Government District of Luton as is still subject to the jurisdiction of the Luton Local Board shall be dissolved, and shall be merged in the Rural Sanitary District of the Luton Union, in the Counties of Bedford and Hertford, and shall be subject to the jurisdiction of the Guardians of the Poor of that Union, as the Sanitary Authority for such Rural Sanitary District.

II. This Order shall come into operation on the Twenty-ninth day of September, One thousand eight hundred and seventy-seven.

Given under the Seal of Office of the Local Government Board, this Twenty-second day of March, in the year One thousand eight hundred and seventy-seven.

G. Sclater-Booth, President.

(L.S.) John Lambert, Secretary.

LOCAL GOVERNMENT DISTRICT OF SKIPTON.

Provisional Order for extending the Skipton Local Government District.

To the Skipton Local Board, being the Sanitary Authority for the Urban Sanitary District of Skipton, in the West Riding of the County of York;—

To the Guardians of the Poor of the Skipton Union, in the same Riding, being the Sanitary Authority for the Rural Sanitary District of that Union;—

To the Inhabitants of that part of the Township of Skipton which is situate in the said Rural Sanitary District;—

And to all others whom it may concern.

WHEREAS by Section 270 of the Public Health Act, 1875, the Local Government Board are empowered, by Provisional Order, to declare the whole or any portion of a Rural Sanitary District immediately adjoining a Local Government District to be included in such last-mentioned District, and it is enacted that thereupon the included area shall, for the purposes of that Act, be deemed to form part of the District in which it is included by such Order;

And whereas by Section 275 of the said Public Health Act, 1875, it is enacted that every Order made by the Local Government Board under Part VIII. of that Act, which includes Section 270 above recited, shall specify the day on which such Order shall come into operation (in that Act referred to as the commencement of the Order); and that where any Local Government District is increased in extent under that part of the Act, the Order shall prescribe the number of members to be elected for the District when altered;

And whereas the Local Government District of Skipton, in the West Riding of the County of York, which comprises part of the Township of Skipton, is an

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Urban Sanitary District, of which the Skipton Local Board are the Urban Sanitary Authority;

And whereas the remainder of the Township of Skipton is situated in that part of the Rural Sanitary District of the Skipton Union, in the same Riding, which immediately adjoins the said Local Government District of Skipton, and it is expedient that the said Local Government District be extended so as to include the remainder of the said Township;

And whereas the Local Government Board directed a Local Inquiry to be held on the subject of the proposed extension of the said Local Government District, and the same was held, after due public notice thereof, and report has been made to them thereon:

Now therefore, We, the Local Government Board, in pursuance of the powers given by the Statutes in that behalf, do hereby Declare that, All that part of the said Township of Skipton which is comprised in the Rural Sanitary District of the Skipton Union shall be included in, and shall, for the purposes of the Public Health Act, 1875, be deemed to form part of the Local Government District of Skipton.

And We do hereby Order as follows; viz.:—

I. This Order shall come into operation on the Twenty-fourth day of June, One thousand eight hundred and seventy-seven.

II. The number of members constituting the Skipton Local Board shall, from and after the said Twenty-fourth day of June, remain and be the same as before the date of this Order.

Given under the Seal of Office of the Local Government Board, this Twenty-second day of March, in the year One thousand eight hundred and seventy-seven.

G. Sclater-Booth, President.
Thos. Salt, Secretary.

(L.S.)

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