CHAPTER lxxxiv.

An Act to confirm certain Provisional Orders of the Local Government Board relating to Dewsbury Haworth Leeds and Stourbridge. [25th July 1898.]

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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 and that the provision herein contained should be enacted with reference to one of such Orders:

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:—

Orders in schedule confirmed.

1. The Orders as altered and set out in the schedule hereto shall be and the same are hereby confirmed and all the provisions thereof shall have full validity and force.

Special provision relating to the Stourbridge Order as to houses of labouring class.

2. The Urban District Council of Stourbridge shall not under the powers of the Stourbridge Order 1898 hereby confirmed purchase or acquire either compulsorily or by agreement 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

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working at some trade or handicraft without employing others except members of their own family and persons other than 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 Local Government Board's Provisional Orders Confirmation (No. 12) Act 1898.

SCHEDULE.

BOROUGH OF DEWSBURY.

Dewsbury Order.

Provisional Order for partially repealing and altering certain Local Acts.

To the Mayor Aldermen and Burgesses of the Borough of Dewsbury ;—

And to all others whom it may concern.

WHEREAS the Borough of Dewsbury (herein-after referred to as "the Borough") is an Urban District of which the Mayor Aldermen and Burgesses acting by the council (herein-after referred to as "the Corporation") are the Urban District Council and as such council are the local authority for the Borough within the meaning of the Public Health Act 1875 ;

And whereas the unrepealed provisions of the Dewsbury Batley and Heckmondwike Waterworks Act 1856 the Dewsbury Batley and Heckmondwike Waterworks (Amendment) Act 1861 the Dewsbury Batley and Heckmondwike Waterworks Amendment Act 1867 the Batley Corporation Waterworks Act 1871 the Dewsbury and Batley Corporations (Gas) Act 1873 the Dewsbury and Heckmondwike Waterworks Act 1876 the Dewsbury Improvement Act 1884 Section 17 of the Lancashire and Yorkshire Railway Act 1888 the Dewsbury and Heckmondwike Water Act 1890 the Dewsbury Improvement Act 1891 and the Dewsbury and Heckmondwike Water Act 1896 (each of which Acts is herein-after referred to as the Act of the year in which it was passed and all which Acts are herein-after together referred to as "the Local Acts") as altered by certain Provisional Orders duly confirmed by Parliament which do not affect the subject-matter of this Order are in force in the Borough ;

19 & 20 Vict. c. xxxvi.
24 & 25 Vict. c. xxxiii.
30 & 31 Vict c. lxii.
34 & 35 Vict. c. xl.
36 & 37 Vict. c. clix.
39 & 40 Vict. c. clxxxv.
47 & 48 Vict. c. clxxx.
51 & 52 Vict. c. cxl.
53 & 54 Vict. c. c .
54 & 55 Vict. c. clxxix.
59 Vict. c. xx.

And whereas by Section 220 of the Act of 1884 as altered by Section 35 of the Act of 1891 the Corporation are empowered to exercise any statutory borrowing power as defined by that Act by the creation and issue of redeemable stock (herein-after referred to as "Corporation Stock") ;

And whereas by Section 223 of the Act of 1884 the Corporation are required to establish the Dewsbury Corporation Loans Fund (herein-after referred to as "the loans fund") for payment of dividends on and for redemption and extinction or purchase and extinction of all Corporation Stock ;

And whereas by sub-section (3) of Section 225 of the Act of 1884 provision is made as to the amounts of the several contributions to be paid each year into the loans fund for the redemption and extinction or purchase and extinction of Corporation Stock and by sub-section (5) of the same section provision is made for payment of the sums therein mentioned into the loans fund if the extinction

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of any portion of Corporation Stock or any part thereof is accelerated by the application to such extinction of any part of the loans fund;

And whereas on the Thirty-first day of March One thousand eight hundred and ninety-eight (herein-after referred to as "the date of account") the sums specified in column 12 of the schedule hereto (herein-after referred to as "the schedule") were outstanding in respect of the sums mentioned in column 5 of the schedule which had been borrowed on mortgage or by the issue of debenture stock by the Corporation under the authority of the Acts mentioned in column 2 of the schedule and the sums specified in columns 13 and 14 of the schedule are the amounts of Corporation Stock at the said date outstanding in respect of the sums mentioned in columns 6 and 8 respectively of the schedule which had been borrowed under the authority of the Acts mentioned in column 2 of the schedule and raised by or converted into Corporation Stock;

And whereas the Local Acts provide for the repayment within different periods of the sums mentioned in column 12 of the schedule and the contributions to the loans fund for the redemption and extinction or purchase and extinction of the amounts of stock mentioned in columns 13 and 14 of the schedule are in accordance with the said Acts calculated upon the basis of different periods and it is expedient that the same period should be made applicable to all the sums mentioned in the said columns 12 13 and 14:

38 & 39 Vict. c. 55.

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 Acts shall be partially repealed and altered as follows:—

Art. I.—(1.) The following provisions of the Local Acts viz.,—

Of the Act of 1884:—

Sections 212 213 214 218 and 229.

Of the Act of 1890:—

Section 13 so far as the same relates to the mode and period of repayment of moneys borrowed by the Corporation.

Of the Act of 1891:—

Sections 27 29 and 30;

Section 32 so far as the same applied Sections 214 and 218 of the Act of 1884 to borrowing under the Act of 1891;

Section 33; and

Section 34 so far as regards sub-sections (1) and (2).

Of the Act of 1896:—

Section 19 so far as the same relates to the Corporation;

Section 20 so far as the same applied Section 218 of the Act of 1884 and Section 30 of the Act of 1891 to moneys borrowed by the Corporation under the Act of 1896;

Sections 22 and 24 so far as the same relate to the Corporation; and

Section 25 so far as the same applied provisions hereby repealed;

shall be wholly repealed except so far as such provisions prescribe or enable the Local Government Board to prescribe the periods for the repayment of moneys

to be hereafter borrowed under the powers of borrowing conferred by the Local Acts and except so far as such provisions may have been acted upon.

Art. II.—(1.) The sums mentioned in column 12 of the schedule shall be repaid and provision shall be made for the purchase or redemption of the amounts of stock mentioned in columns 13 and 14 of the schedule within a period of thirty-eight years from the date of account and such period shall be deemed to be the period within which under the statutory borrowing power the money represented by stock is to be repaid and shall for the purposes of Section 235 of the Act of 1884 be the term limited for the continuance of any loan or for the continuance of payment of or in respect of any mortgage bond debenture debenture stock annuity rentcharge rent or other security granted or created by the Corporation under the statutory power in exercise whereof the portion of Corporation Stock is issued.

(2.) The period mentioned in subdivision (1) of this Article and as regards moneys borrowed after the date of account under the powers of borrowing conferred by the Local Acts the period fixed or to be determined under any such Act are herein-after respectively referred to as "the prescribed period."

Art. III.—(1.) In order to provide for the repayment of the sums mentioned in column 12 of the schedule the Corporation shall annually pay into a sinking fund (in this Article referred to as "the sinking fund") such equal annual sums as with accumulations at a rate not exceeding three per centum per annum will with the sums carried to the sinking fund in pursuance of subdivision (7) of this Article and the accumulations thereon be sufficient to provide for the repayment of the whole of the first-mentioned sums within the prescribed period.

(2.) The first annual payment into the sinking fund shall be made on or before the Thirty-first day of March One thousand eight hundred and ninety-nine and the subsequent annual payments on or before the Thirty-first day of March in each succeeding year.

(3.) Every sum paid to the sinking fund and the interest on the investments of the sinking fund shall unless applied in repayment of the sums specified in column 12 of the schedule be immediately invested in statutory securities as defined by Section 5 of the Act of 1884 other than securities of the Corporation the Corporation being at liberty from time to time to vary and transpose such investments.

(4.) The Corporation may at any time apply the whole or any part of the sinking fund in or towards the discharge of the sums specified in column 12 of the schedule Provided that the Corporation shall pay into the sinking fund each year a sum equal to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied if invested at the rate per centum on which the annual payments to the sinking fund are based.

(5.) If and so often as the income of the sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the sinking fund are based any deficiency shall be made good by the Corporation.

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(6.) If and so often as the income of the sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any such excess may be applied towards such equal annual payments.

(7.) The Corporation shall as soon as practicable after the commencement of this Order transfer or pay to the sinking fund any sum or sums which is or are or should be standing to the credit of any existing sinking fund established for the repayment of the sums mentioned in column 12 of the schedule.

Art. IV. For the purpose of raising money by virtue of the unexhausted borrowing powers conferred by the Local Acts the provisions of the Local Loans Act 1875 shall be available to the Corporation.

Art. V.—(1.) The Corporation shall repay any moneys borrowed after the date of account by virtue of the powers of borrowing conferred by the Local Acts other than moneys borrowed under the provisions of the Local Loans Act 1875 by equal annual instalments of principal or by equal annual instalments of principal and interest combined or by means of a sinking fund or partly by one of these methods and partly by another or the others of them.

(2.) Subject to the provisions of Article VI. of this Order if the Corporation determine to repay by means of a sinking fund any moneys borrowed after the date of account by virtue of the Local Acts such sinking fund shall be formed and maintained either—

(*a*) by payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed A sinking fund so formed is herein-after called a non-accumulating sinking fund ; or

(*b*) by payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed A sinking fund so formed is herein-after called an accumulating sinking fund.

(3.) Every sum paid to a sinking fund under this Article and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in statutory securities as described in Article III. the Corporation being at liberty from time to time to vary and transpose such investments.

(4.) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Corporation towards the equal annual payments to the fund.

(5.) The Corporation may at any time apply the whole or any part of any sinking fund established under this Article in or towards the discharge of the money for the repayment of which the fund is formed Provided that in the case of an accumulating sinking fund the Corporation shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal

to the interest which would have been produced by such sinking fund or part of a sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(6.)—(*a.*) If and so often as the income of an accumulating sinking fund under this Article is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any deficiency shall be made good by the Corporation.

(*b.*) If and so often as the income of an accumulating sinking fund under this Article is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any such excess may be applied towards such equal annual payments.

Art. VI.—(1.) If it appears to the Corporation at any time that the amount in any sinking fund established under this Order with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose Provided that if it appears to the Local Government Board that any such increase is necessary the Corporation shall increase the payments to such extent as the Board may direct.

(2.) If the Corporation desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(3.) If the amount in any sinking fund established under this Order with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Corporation may reduce the payments to be made to the sinking fund either temporarily or permanently to such an extent as that Board shall approve.

(4.) If the amount in any sinking fund established under this Order at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be sufficient to repay the loan in respect of which it is formed within the prescribed period the Corporation may with the consent of that Board discontinue the equal annual payments to such sinking fund until the Local Government Board shall otherwise direct.

(5.) Any surplus of any sinking fund established under this Order remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Corporation with the consent of the Local Government Board may determine.

(6.) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Order

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shall be paid by the Corporation in addition to the payments provided for by this Order.

Art. VII. The Corporation shall except as herein-after provided have power to re-borrow for the purpose of paying off any of the moneys mentioned in column 5 of the schedule or any of the moneys borrowed after the date of account under the Local Acts which have not been repaid and are intended to be forthwith repaid or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the Corporation within twelve months before the re-borrowing and which at the time of the repayment it was intended to re-borrow:

Provided that the Corporation shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments or by means of a sinking fund or out of moneys derived from the sale of land or out of any capital moneys properly applicable to the purpose of such repayment other than moneys borrowed for that purpose Provided also that any moneys re-borrowed shall not be borrowed upon the security of any of the estates and property of the Corporation but shall otherwise be secured on the same funds or rates and be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made and shall be repaid within the prescribed period.

Art. VIII.—(1.) The town clerk of the Borough shall within twenty-one days after the Thirty-first day of March in each year if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of this Order or in respect of any money raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may from time to time be prescribed by that Board and if required by that Board verified by statutory declaration of such town clerk showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund 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 compound interest 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 his failing to make such return such town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

(2.) If it appears to the Local Government Board by that return or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to

set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Order or by the Local Government Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the Local Government Board may by Order direct that the sum in such Order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such Order mentioned and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

Art. IX. Sub-section (3) of Section 225 of the Act of 1884 shall be repealed except so far as it may have been acted upon and in lieu thereof the following provision shall be inserted :—

" (3.) The amounts of those several contributions (subject to any payment in
" reduction thereof authorised by this Act and subject to the provisions
" in force governing the payments to be made to the loans fund in respect
" of moneys raised by stock for the purpose of loans to any other local
" authority) shall be such amounts as will with accumulations at com-
" pound interest at a rate not exceeding three pounds per centum per
" annum be sufficient after payment of all expenses to purchase the
" amount of stock at par within the time within which under the statu-
" tory borrowing power the money represented by the stock is to be
" repaid."

Art. X. Sub-section (5) of Section 225 of the Act of 1884 shall be repealed except so far as the same may have been acted upon and in lieu thereof the following provisions shall be inserted viz.,—

" (5.) If before the expiration of the period prescribed by sub-section (3)
" of this section as the basis for the calculation of the payments to the
" loans fund in respect of any portion of stock the Corporation apply in
" the redemption or purchase and extinction of stock to that or any less
" amount any part of the loans fund then subject to the provisions
" in force governing the payments to be made to the loans fund
" in respect of moneys raised by stock for the purpose of loans
" to any other local authority a sum equal to the interest which
" the part of the loans fund so applied would have produced at the
" rate per centum on which the payments to the loans fund are calculated
" shall in each year until the expiration of the period prescribed as afore-
" said be paid into the loans fund out of the revenues of the Corporation
" chargeable with payment of the contributions to the loans fund in
" respect of the amount of stock so redeemed or purchased and
" extinguished.

" (6.)—(*a.*) If it appears to the Corporation at any time that the contributions
" which are being made to the loans fund will not be sufficient to redeem
" the amount of stock in respect of which such contributions are made
" within the time prescribed by sub-section (3) of this section as the basis
" for the calculation of the payments to the loans fund in respect of such
" stock the amount of such contributions shall be increased to such extent

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" as will be sufficient for that purpose and the amount of any such increased " contributions shall be paid out of the revenues of the Corporation " chargeable with the payment of the contributions Provided that if it " appears to the Local Government Board that any such increase is " necessary the Corporation shall increase the contributions to such " extent as the Board may direct.

" (*b.*) The Corporation with the consent of the Local Government Board " shall at any time have power to reduce the contributions to be made to " the loans fund as aforesaid either temporarily or permanently in any " case in which it appears to that Board that such contributions would " if maintained be more than sufficient to redeem the amount of stock " in respect of which such contributions are made within the period " prescribed as aforesaid.

" (*c.*) If the amount in the loans fund at any time is in the opinion of the " Local Government Board sufficient with accumulations to redeem any " amount of stock within the period or periods prescribed as aforesaid the " Corporation with the consent of that Board may discontinue the " payment of contributions to the loans fund in respect of such stock."

Art. XI. Sub-section (1) of Section 227 of the Act of 1884 shall be altered by the substitution of the words "be received by them" in place of the words "arise from any sale lease or other disposition of land or other property of the " Corporation on the revenues whereof any Corporation Stock is charged" and by the addition thereto of the following:—

"Any sums paid into the loans fund in pursuance of this sub-section or in " pursuance of sub-section (4) of Section 234 of this Act shall (unless the " same be forthwith applied in the redemption or purchase and extinction " of stock) be invested in statutory securities other than securities of the " Corporation and accumulated as the sums paid into the loans fund in " respect of contributions under Section 225 are required to be invested " and accumulated."

Art. XII. Section 232 of the Act of 1884 shall be repealed except so far as the same may have been acted upon and in lieu thereof the following provisions shall be inserted viz.,—

" 232.—(1.) Where any money is standing on a separate account in the loans " fund being money paid into the loans fund as rents and profits of land " and other property of the Corporation or being money paid into the " loans fund as interest on cash balances received by the Corporation " or being other money paid into the loans fund but not being capital " or in the nature of capital the Corporation may deal with the same as " in this section provided.

" (2.) Where any money standing on a separate account in the loans " fund and required by this Act to be invested and accumulated produces " in any year a sum in excess of that which it would have produced " at the rate of interest on which the payments to the loans fund are " calculated the Corporation may if they think fit deal with the excess

" so produced in accordance with the provisions of sub-section (3) of " this section.

" (3.) The Corporation may if they think fit from time to time apply " the money described in sub-section (1) of this section and the excess " referred to in sub-section (2) of this section to either of the purposes " following or partly to one and partly to the other in such proportions " as the Corporation from time to time may consider equitable and " expedient (that is to say) :—

" (*a.*) In reduction of such contributions out of the Corporation " revenues as are payable into the loans fund in respect of " dividends on the portion of Corporation Stock in relation to " which the separate account on which the money or interest " and annual proceeds is or are standing is kept.

" (*b.*) In reduction of the contributions out of the Corporation " revenues payable into the loans fund for redemption and " extinction or purchase and extinction of such portion of " stock."

Art. XIII. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of the Local Acts or of this Order the costs incurred by that Board in relation to such inquiry (including such reasonable sum not exceeding three guineas a day as that Board may determine for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Corporation and the Local Government Board may certify the amount of the costs so incurred and any sum so certified and directed by that Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

Art. XIV. This Order may be cited as the Dewsbury Order 1898.

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The SCHEDULE

Fund.	Authority for Borrowing.	Purpose.	Borrowing Power sanctioned.	Amount Borrowed up to 31st March 1898.			
				Borrowed on Mortgage or Debenture Stock and not converted into Corporation Stock.	Raised by or converted into Corporation 3 per cent. Stock at £96. 7*s.* 3*d.* per centum.	Amount of 3 per cent. Stock issued.	Raised by or converted into Corporation 3½ per cent. Stock at par.
1.	2.	3.	4.	5.	6.	7.	8.
Gas -			£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
	Act of 1873 and Sections 212 and 213 of Act of 1884.	Gasworks Purchase and Purposes of Undertaking.	201006 7 11 (Balance of £220896. 8*s.* 5*d.* borrowed up to 25th March 1884 and then owing.)	46253 14 3	46892 5 7	48662 9 3	107860 8 1
			9103 11 7 (Unexercised borrowing power at 25th March 1884.)	9103 11 7	—	—	—
Waterworks	Act of 1856 Act of 1861, Act of 1867 Act of 1871, Act of 1876 and Section 212 of Act of 1884.	Waterworks Undertaking,	183642 4 9 (Balance of £237696. 9*s.* 11*d.* borrowed up to 25th March 1884 and then owing.)	91584 2 3	21217 10 5	22018 9 9	70840 12 1
	Act of 1876 Section 213 of Act of 1884 and Act of 1890.	Waterworks Undertaking and Costs of Act of 1890.	71553 10 1 (Unexercised borrowing power at 25th March 1884.)	59553 10 1	12000 0 0	12453 0 0	—
	Section 18 of Act of 1896.	Waterworks -	49540 0 0	38158 15 4	—	—	—
	Section 25 of Act of 1896.	Costs of Act of 1896.	Sum required -	5477 18 4	—	—	—
Borough -	Municipal Corporations Act, Section 212 of Act of 1884 and Section 36 of Act of 1891.	Town Hall Site	3880 16 10 (Balance of £6699. owing at 25th March 1884.)	—	1880 16 10	1951 16 10	2000 0 0
	Section 210 of Act of 1884.	Costs of Act of 1884.	Sum required -	150 0 0	—	—	2300 0 0
	Section 28 of Act of 1891.	Town Hall -	16000 0 0	16000 0 0	—	—	—
	Sanction of the Local Government Board under the Municipal Corporations Act 1882 and Section 27 of Act of 1891.	ditto - -	30000 0 0	30000 0 0	—	—	—
	Section 28 of Act of 1891.	Library Purposes	6500 0 0	6500 0 0	—	—	—
District -	Public Health Acts and Section 212 of Act of 1884.	Street Improvements.	2850 0 0 (Balance of £4000. owing at 25th March 1884.)	600 0 0	2000 0 0	2075 10 0	250 0 0
	Ditto - -	Sewerage -	83088 0 0 (Balance of £89050. owing to Public Works Loan Commissioners at 25th March 1884.)	25901 7 5	6200 0 0	6483 12 0	50986 12 7
	Section 210 of Act of 1884 and Section 36 of Act of 1891.	ditto -	31912 0 0	22378 12 7	2104 19 1	2184 17 4	1433 13 3
	Ditto - -	Street Works -	21000 0 0	3313 0 0	6729 8 1	6983 8 9	8958 15 4
	Section 210 of Act of 1884.	Depôt Destructor &c.	10000 0 0	4150 0 0	—	—	5019 18 8
	Section 28 of Act of 1891.	Market Site Buildings &c.	20000 0 0	20000 0 0	—	—	—
	Sanction of the Local Government Board dated 6th August 1896 under the Act of 1891.	Acquiring Franchise of Weights and Measures.	450 0 0	450 0 0	—	—	—
	Section 28 of Act of 1891.	Cleansing Watercourses.	10000 0 0	930 0 0	—	—	—
	Section 17 of Act of 1888 and Section 36 of Act of 1891.	Clegford Bridge Improvement.	800 0 0	—	600 0 0	622 13 0	—

above referred to.

Debt extinguished up to 31st March 1898.			Debt outstanding at 31st March 1898.			Amounts in Loans Fund at 31st March 1898.		Amounts in Sinking Funds at 31st March 1898.
Mortgage Debt and Debenture Stock.	Corporation Stock.		On Mortgage and Debenture Stock.	Corporation Stock.		In respect of 3 per cent. Stock.	In respect of 3½ per cent. Stock.	
	3 per Cent.	3½ per Cent.		3 per Cent.	3½ per Cent.			
9.	10.	11.	12.	13.	14.	15.	16.	17.
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
6350 0 0	312 10 0	3660 0 0	39908 14 3	48349 19 3	104200 8 1	7209 16 0	12769 13 4	695 10 6
250 0 0	—	—	6853 11 7	—	—	—	—	311 6 3
8491 12 4	212 10 0	—	83092 9 11	21805 19 9	70840 12 1	3197 19 3	10790 13 8	5458 15 10
1121 7 4	—	—	58432 2 9	12453 0 0	—	162 2 4	—	507 4 4
130 6 6	—	—	38028 8 10	—	—	—	—	246 13 10
261 13 10	—	—	5216 4 6	—	—	—	—	485 13 10
—	15 16 11	—	—	1935 19	2000 0 0	285 7 4	304 12 11	—
—	—	—	150 0 0	—	2300 0 0	—	350 6 11	22 17 0
1400 0 0	—	—	14600 0 0	—	—	—	—	357 8 7
4255 0 0	—	—	25745 0 0	—	—	—	—	1005 5 11
400 0 0	—	—	6100 0 0	—	—	—	—	266 6 4
—	—	—	600 0 0	2073 10 0	250 0 0	320 6 1	38 1 7	91 7 11
700 0 0	262 10 0	400 0 0	25201 7 5	6171 2 0	50586 12 7	742 18 0	7366 9 2	3245 7 0
1410 0 0	—	—	20968 12 7	2184 17 4	1433 13 3	222 15 9	161 11 3	936 5 4
133 0 0	212 10 0	—	3180 0 0	6770 18 9	8958 15 4	699 7 9	1261 8 0	234 12 6
—	—	—	4150 0 0	—	5019 18 8	—	674 19 5	135 8 0
900 0 0	—	—	19100 0 0	—	—	—	—	295 17 8
—	—	—	450 0 0	—	—	—	—	6 19 10
—	—	—	930 0 0	—	—	—	—	70 4 5
—	—	—	—	622 18 0	—	49 12 8	—	—

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Dewsbury Order.

Given under the Seal of Office of the Local Government Board this Eighteenth day of May One thousand eight hundred and ninety-eight.

(L.S.)

Henry Chaplin President.
Hugh Owen Secretary.

Haworth Order.

URBAN DISTRICT OF HAWORTH.

Provisional Order for partially repealing and altering a Local Act and a Confirming Act.

To the Urban District Council of Haworth ;—

And to all others whom it may concern.

WHEREAS the Urban District Council of Haworth (herein-after referred to as "the District Council") are the local authority within the meaning of the Public Health Act 1875 for the Urban District of Haworth (herein-after referred to as "the district") ;

35 & 36 Vict. c. cvii.

43 & 44 Vict. c. clxxviii.

And whereas the unrepealed provisions of the Haworth Local Board of Health Act 1872 (herein-after referred to as "the Local Act") as altered by a Provisional Order dated the Twentieth day of May One thousand eight hundred and eighty and duly confirmed by the Local Government Board's Provisional Orders Confirmation (Bethesda &c.) Act 1880 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act") are in force in the district ;

And whereas by virtue of Section 6 of the Local Act the District Council are empowered to purchase by agreement and hold such lands as they may think requisite for purposes of the Local Act not exceeding in the whole at one time six acres and by Section 7 of the Local Act the District Council are empowered to construct and maintain on the lands described in the First and Third Schedules to the Local Act works for the manufacture and storage of gas and coke and other residual products obtained in the manufacture of gas and matters producible therefrom but by Section 8 of the Local Act the District Council are prohibited from erecting works for the manufacture of gas and from manufacturing gas or the residual products obtained in such manufacture and matters producible therefrom except on the lands described in those schedules ;

And whereas by Article IX. of the Order provision was made for the application of all moneys received by the said Local Board in respect of their gas undertaking except borrowed money ;

And whereas the District Council have borrowed the whole of the moneys amounting to the sum of twenty thousand pounds authorised to be borrowed by the Local Act and the Order for the purposes of their gas undertaking ;

And whereas the District Council have under the provisions of the Local Act purchased the land described in the schedule hereto for the purposes of their

gas undertaking and it is expedient that they should be empowered to use that land and to borrow further moneys for the purposes herein-after mentioned:

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 297 and 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 Local Act and the Confirming Act so far as it relates to the Order shall be altered so that the following provisions shall have effect viz.,—

Art. I. Notwithstanding anything in the Local Act to the contrary the District Council may erect construct enlarge and maintain on the land described in the schedule to this Order works for the manufacture and storage of gas and the residual products of such manufacture and may use that land for any of the purposes mentioned in Section 7 of the Local Act and any other purposes of their gas undertaking.

Art. II. The District Council may with the sanction of the Local Government Board and subject to the provisions of this Order borrow on the security of the revenue of their gas undertaking and of the district fund and general district rate of the district or upon either of such securities such sums not exceeding in the whole the sum of ten thousand pounds as may from time to time be necessary for the purposes of their gas undertaking in addition to the said sum of twenty thousand pounds.

Art. III. For the purpose of raising money by virtue of this Order the provisions of the Local Loans Act 1875 shall be available to the District Council and Sections 236 to 238 both inclusive of the Public Health Act 1875 shall apply to all moneys raised and borrowed on mortgage by virtue of this Order.

Art. IV. The moneys borrowed by virtue of this Order shall be repaid within such period not exceeding thirty years from the date of borrowing as the District Council with the sanction of the Local Government Board shall in each case determine and the period so determined and sanctioned is herein-after referred to as "the prescribed period" and shall be the prescribed period for the purpose of the Local Loans Act 1875.

Art. V.—(1.) The District Council shall repay the moneys borrowed by virtue of this Order other than moneys borrowed under the provisions of the Local Loans Act 1875 by equal annual instalments of principal or by equal annual instalments of principal and interest combined or by means of a sinking fund or partly by one of these methods and partly by another or the others of them.

(2.) Subject to the provisions of Article VI. of this Order if the District Council determine to repay by means of a sinking fund any moneys borrowed by virtue of this Order such sinking fund shall be formed and maintained either—

(*a*) by payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed A sinking fund so formed is herein-after called a non-accumulating sinking fund; or

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(*b*) by payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed A sinking fund so formed is herein-after called an accumulating sinking fund.

(3.) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in securities in which trustees are by law for the time being authorised to invest or in mortgages bonds debentures debenture stock stock or other securities (not being annuity certificates or securities payable to bearer) duly issued by any local authority as defined by Section 34 of the Local Loans Act 1875 other than the District Council the District Council being at liberty from time to time to vary and transpose such investments.

(4.) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the District Council towards the equal annual payments to the fund.

(5.) The District Council may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed Provided that in the case of an accumulating sinking fund the District Council shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund or part of a sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(6.)—(*a*.) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any deficiency shall be made good by the District Council.

(*b*.) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any such excess may be applied towards such equal annual payments.

(7.) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Order shall be paid by the District Council in addition to the payments provided for by this Order.

Art. VI.—(1.) If it appears to the District Council at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinkirg fund is formed it shall be the duty of the District Council to make

such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose Provided that if it appears to the Local Government Board that any such increase is necessary the District Council shall increase the payments to such extent as the Board may direct.

(2.) If the District Council desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(3.) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the District Council may reduce the payments to be made to the sinking fund either temporarily or permanently to such an extent as that Board shall approve.

(4.) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be sufficient to repay the loan in respect of which it is formed within the prescribed period the District Council may with the consent of that Board discontinue the equal annual payments to such sinking fund until the Local Government Board shall otherwise direct.

(5.) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the District Council with the consent of the Local Government Board may determine.

Art. VII. The District Council shall except as herein-after provided have power to re-borrow for the purpose of paying off moneys borrowed or re-borrowed by virtue of this Order which have not been repaid and are intended to be forthwith repaid or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the District Council within twelve months before the re-borrowing and which at the time of the repayment it was intended to re-borrow :

Provided that the District Council shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments or by means of a sinking fund or out of moneys derived from the sale of land or out of any capital moneys properly applicable to the purpose of such repayment other than moneys borrowed for that purpose:

Provided also that any moneys re-borrowed shall be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made and shall be repaid within the prescribed period.

Art. VIII. All moneys from time to time borrowed by virtue of this Order shall be applied by the District Council only for the purposes for which the same are respectively authorised to be borrowed excepting that moneys which may have been borrowed in excess of the amount required shall be applied in such manner as the District Council with the approval of the Local Government Board determine.

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Art. IX.—(1.) Any mortgagee of the District Council by virtue of this Order may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver The amount of arrears due to such mortgagee or in the case of a joint application by two or more mortgagees to such mortgagees collectively to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

(2.) The application for the appointment of a receiver shall be made to the High Court and the Court if it thinks fit may appoint a receiver on such terms as it thinks fit and may at any time discharge the receiver and otherwise exercise full jurisdiction over him.

Art. X.—(1.) The Confirming Act so far as it relates to Article XI. of the Order shall be repealed except so far as it may have been acted upon.

(2.) The clerk of the District Council shall within twenty-one days after the Thirty-first day of March in each year if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in respect of any money raised under the Local Act the Order or this Order and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may from time to time be prescribed by that Board and if required by that Board verified by statutory declaration of such clerk showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund 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 compound interest 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 his failing to make such return the said clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

(3.) If it appears to the Local Government Board by that return or otherwise that the District Council have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by the Order or this Order or by the Local Government Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the Local Government Board may by Order direct that the sum in such Order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such Order mentioned and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

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Haworth Order.

Art. XI. The Confirming Act shall be further altered—

(*a*) by the omission from subdivision (2) of Article IX. of the Order of the words "under the Local Act or this Order"; and

(*b*) by the insertion in lieu of the words "under this Order" in subdivision (4) of that Article of the words "in respect of moneys borrowed for gas purposes."

Art. XII. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of the Local Act the Order or this Order the costs incurred by that Board in relation to such inquiry (including such reasonable sum not exceeding three guineas a day as that Board may determine for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the District Council and the Local Government Board may certify the amount of the costs so incurred and any sum so certified and directed by that Board to be paid by the District Council shall be a debt due to the Crown from the District Council.

Art. XIII. This Order may be cited as the Haworth Order 1898 the Order may be cited as the Haworth Order 1880 and the said Orders may be cited together as the Haworth Orders 1880 and 1898.

The SCHEDULE above referred to.

All that piece of land situate near to Gas Street in the Parish of Haworth in the West Riding of the County of York containing a superficial area of 270 square yards or thereabouts bounded on the north-east south-east and south-west by the existing gasworks of the District Council and on the north-west by property now or lately belonging or reputed to belong to Faith Booth.

Given under the Seal of Office of the Local Government Board this Fourteenth day of May One thousand eight hundred and ninety-eight.

(L.S.)

Henry Chaplin President.
Hugh Owen Secretary.

CITY OF LEEDS.

Leeds Order. (2.)

Provisional Order for altering Local Acts and Confirming Acts.

To the Lord Mayor Aldermen and Citizens of the City of Leeds;—

And to all others whom it may concern.

WHEREAS the City of Leeds (herein-after referred to as "the City") is an Urban Sanitary District of which the Lord Mayor Aldermen and Citizens

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Leeds Order. (2.)

acting by the council (herein-after referred to as "the Corporation") are the Urban Sanitary Authority;

40 & 41 Vict. c. clxxviii. 56 & 57 Vict. c. ccx.

And whereas the unrepealed provisions of the Leeds Improvement Act 1877 and the Leeds Improvement Act 1893 (which Acts are herein-after together referred to as "the Local Acts" and each separately as the Act of the year in which it was passed) as altered by a Provisional Order of the Local Government Board dated the Tenth day of May One thousand eight hundred and eighty-one and confirmed by the Local Government Board's Provisional Orders Confirmation (Halifax &c.) Act 1881 by another Provisional Order of the Local Government Board dated the Twenty-third day of May One thousand eight hundred and eighty-three and confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act 1883 and by the Leeds Order 1895 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 15) Act 1895 Session 2 (which Orders are herein-after together referred to as "the Orders") and by certain other Local Acts and Provisional Orders confirmed by Parliament but which do not affect the subject-matter of this Order are in force in the City;

44 & 45 Vict. c. lxvi.

46 & 47 Vict. c. xcix.

59 Vict. c. ix.

And whereas the Act of 1877 and the Act of 1893 as altered by the Orders empowered the Corporation to create and issue stock and made provision with regard to stock so created and issued but by Article II. of the Leeds Order 1895 so much of the Act of 1877 as conferred upon the Corporation the power to create and issue irredeemable stock was repealed;

54 & 55 Vict. c. cvi.

And whereas by Article 59 of the Leeds Electric Supply Order 1891 (herein-after referred to as "the Electric Lighting Order") which was confirmed by the Electric Lighting Orders Confirmation (No. 12) Act 1891 the Corporation are empowered at any time before the expiration of forty-two years after the Third day of July One thousand eight hundred and ninety-one to give notice in writing to the Yorkshire House-to-House Electricity Company (Limited) (herein-after referred to as "the company") requiring them to sell their undertaking for the construction and maintenance of electric lines and works and for the supply of electricity within the City (herein-after referred to as "the undertaking") to the Corporation upon the terms of issuing or transferring to the company such an amount of Leeds Corporation Stock as will produce by the interest or dividends thereon an annuity of five per cent. per annum upon the sum properly expended by the company upon the undertaking and chargeable to capital account but it is provided that if the Corporation exercise such power as aforesaid before the expiration of ten years from the Third day of July One thousand eight hundred and ninety-one the Corporation shall in addition to the said stock pay to the company a sum equal to the aggregate amount of a dividend of five per cent. per annum on the said capital expenditure less the aggregate amount of the dividends declared by the company from the date or dates of such expenditure to the date of the purchase;

And whereas the Corporation propose to exercise the power conferred upon them by Section 59 of the Order of 1891 of acquiring the undertaking:

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 297 and 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

38 & 39 Vict c. 55.

the Act of Parliament confirming this Order the Local Acts and the Orders shall be altered so as to provide as follows :—

Leeds Order.

Art. I.—(1.) (*a.*) The Corporation may in order to carry out and perform all or any of the purposes of Article 59 of the Electric Lighting Order create and issue in accordance with the provisions of the Act of 1877 as altered by the Act of 1893 and the Orders such amounts as may be necessary of Redeemable Leeds Corporation Stock ;

(*b.*) For the purposes of issuing or transferring to the Company such an amount of stock as will be sufficient to produce by the interest or dividends thereon the annuity referred to in Article 59 of the Electric Lighting Order (but not any greater amount) the Corporation may notwithstanding anything contained in the Leeds Order 1895 issue Leeds Corporation Stock which shall be redeemable only by agreement between the Corporation and the holders of the stock for the time being (in this Order referred to as " Irredeemable Stock ") ;

(*c.*) Provided that notwithstanding anything in the said Acts or Orders contained any stock created and issued under these powers whether redeemable or irredeemable may bear such dividend or dividends not exceeding five per centum per annum as may be necessary.

(2.) If the company shall by arrangement with the Corporation agree to accept as the consideration or part consideration for the transfer of the undertaking redeemable stock or a payment in money in lieu of irredeemable stock the Corporation may create and issue under the provisions of the Act of 1877 as altered as aforesaid such amount of redeemable stock as shall be agreed to be issued to the company or as shall be necessary to raise the amount of such payment in money.

(2.)

Art. II. The Corporation may borrow on mortgage of the revenues of the undertaking and of the consolidated rate of the City—

(*a*) any moneys to be paid by the Corporation under Article 59 of the Electric Lighting Order ;

(*b*) any moneys which may be agreed to be paid to the company in lieu of the issue of stock to the company ; and

(*c*) such sum or sums as the Corporation may require for the purchase of any irredeemable stock created and issued by them under the provisions of this Order which they may agree with any stockholder to purchase or redeem.

Art. III. For the purpose of raising money by virtue of this Order the provisions of the Local Loans Act 1875 shall be available to the Corporation and Sections 236 to 238 both inclusive of the Public Health Act 1875 shall apply to all moneys borrowed or re-borrowed on mortgage by virtue of this Order.

Art. IV. Any moneys borrowed under the provisions of this Order shall be repaid and provision shall be made for the redemption of all stock created and issued under the provisions of this Order within the period of forty years from the Twenty-fifth day of March One thousand eight hundred and ninety-nine and the said period is herein-after referred to as "the prescribed period" and shall be the prescribed period for the purposes of the Local Loans Act 1875.

Art. V.—(1.) In order to provide for the repayment of any sums borrowed or for the purchase and redemption of stock created and issued in pursuance of

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Leeds Order.

(2.) the provisions of this Order the Corporation shall annually pay into a sinking fund (in this Order referred to as "the sinking fund") such sums as with accumulations at a rate not exceeding three per centum per annum will be sufficient to provide for the repayment of the whole of those sums or for the purchase and redemption at its full market value of such stock as the case may be within the prescribed period.

(2.) The first annual payment into the sinking fund shall be made on or before the Twenty-fifth day of March One thousand nine hundred and the subsequent annual payments on or before the Twenty-fifth day of March in each succeeding year.

(3.) Every sum paid to the sinking fund and the interest on the investments of the sinking fund shall unless applied in repayment of the loans or the purchase and redemption of the stock in respect of which the sinking fund is formed be immediately invested in securities in which trustees are by law for the time being authorised to invest or in mortgages bonds debentures debenture stock stock or other securities (not being annuity certificates or securities payable to bearer) duly issued by any local authority as defined by Section 34 of the Local Loans Act 1875 other than securities of the Corporation the Corporation being at liberty from time to time to vary and transpose such investments.

(4.) If at any time after a sum shall have been invested sufficient to repay the sums borrowed or to purchase and redeem the stock created and issued in pursuance of the provisions of this Order at its then market value it shall appear to the Local Government Board that the amount invested will probably not be sufficient if realised to repay the said sums and redeem the said stock (either by reason of the appreciation of the market value of such stock or by reason of the depreciation of all or any of the securities representing the amount invested) the Local Government Board may require the Corporation to pay into the sinking fund such further sums as will cause the amount aforesaid to be sufficient for the purpose of the repayment of those sums and for the redemption of such stock and the Corporation shall apply or invest the same in like manner as the annual payments to the sinking fund are authorised to be applied or invested.

(5.) The Corporation may at any time apply the whole or any part of the sinking fund in or towards the discharge of the money or in or towards the purchase or redemption of the stock in respect of which the fund is formed Provided that the Corporation shall pay into the fund each year a sum equal to the interest which would have been produced by the sinking fund so applied if invested at the rate per centum on which the annual payments to the sinking fund are based :

Provided also that if any stock is purchased or redeemed by application of the sinking fund at a price higher than that adopted in calculating the annual payment to the sinking fund as the price for redemption of the same the Corporation shall forthwith pay into the fund the amount of the deficiency thereby caused in the fund.

(6.) If and so often as the income of the sinking fund is not equal to the income which would be derived from the amount invested if the same were

invested at the above rate any deficiency shall be made good by the Corporation.

(7.) If and so often as the income of the sinking fund is in excess of the income which would be derived from the amounts invested if the same were invested at the above rate any such excess may be applied towards the annual payments provided for by subdivision (1) of this Article.

Art. VI.—(1.) If it appears to the Corporation at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon will probably not be sufficient to provide within the prescribed period for the repayment of any sums borrowed and the purchase and redemption of stock created and issued in pursuance of this Order it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose Provided that if it appears to the Local Government Board that any such increase is necessary the Corporation shall increase the payments to such extent as the Board may direct.

(2.) If the Corporation desire to accelerate the repayment of any sums borrowed or the purchase and redemption of stock created and issued in pursuance of this Order they may increase the amounts payable to the sinking fund.

(3.) If the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon will in the opinion of the Local Government Board be more than sufficient to provide within the prescribed period for the repayment of any sums borrowed and the purchase and redemption of stock created and issued in pursuance of this Order the Corporation may reduce the payments to be made to the sinking fund either temporarily or permanently to such an extent as that Board shall approve.

(4.) If the amount in the sinking fund at any time together with the probable accumulations thereon will in the opinion of the Local Government Board be sufficient to provide for the repayment of any sums borrowed and the purchase and redemption of stock created and issued in pursuance of this Order within the prescribed period the Corporation may with the consent of that Board discontinue the equal annual payments to such sinking fund until the Local Government Board shall otherwise direct.

(5.) Any surplus of the sinking fund remaining after the discharge of the whole of the moneys borrowed and the purchase and redemption of the stock created and issued in pursuance of this Order shall be applied to such purpose or purposes as the Corporation with the consent of the Local Government Board may determine.

(6.) Any expenses connected with the formation maintenance investment application management or otherwise of the sinking fund shall be paid by the Corporation in addition to the payments provided for by this Order.

Art. VII. The Corporation shall except as herein-after provided have power to re-borrow for the purpose of paying off any of the moneys borrowed or re-borrowed by virtue of this Order which have not been repaid and are intended to be forthwith repaid or in respect of any moneys which have been repaid by

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the temporary application of funds at the disposal of the Corporation within twelve months before the re-borrowing and which at the time of the repayment it was intended to re-borrow :

Provided that the Corporation shall not have power to re-borrow for the purpose of paying off any moneys repaid by means of the sinking fund or out of moneys derived from the sale of land or out of any capital moneys properly applicable to the purpose of such repayment other than moneys borrowed for that purpose Provided also that any moneys re-borrowed shall be secured on the same funds or rates and be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made and shall be repaid within the prescribed period.

Art. VIII.—(1.) The town clerk of the City shall within twenty-one days after the Twenty-fifth day of March in each year if during the twelve months next preceding the said Twenty-fifth day of March any sum is required to be appropriated or to be paid to a sinking fund in pursuance of the provisions of this Order or in respect of any money raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may from time to time be prescribed by that Board and if required by that Board verified by statutory declaration of such town clerk showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund 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 compound interest 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 his failing to make such return such town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

(2.) If it appears to the Local Government Board by that return or otherwise that the Corporation have failed to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such annual payment or sum is required by the provisions of this Order or by the Local Government Board in virtue thereof to be appropriated or set apart) or have applied any portion of the sinking fund to any purpose other than those authorised the Local Government Board may by Order direct that the sum in such Order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such Order mentioned and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

Art. IX.—(1.) Any mortgagee of the Corporation in respect of moneys borrowed by virtue of this Order may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver The amount of arrears due to such mortgagee or in the case of a joint application

by two or more mortgagees to such mortgagees collectively to authorise the appointment of a receiver shall not be less than one thousand pounds in the whole. A.D. 1898. *Leeds Order.* (2.)

(2.) The application for the appointment of a receiver shall be made to the High Court and the Court if it thinks fit may appoint a receiver on such terms as it thinks fit and may at any time discharge the receiver and otherwise exercise full jurisdiction over him.

Art. X. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of this Order the costs incurred by that Board in relation to such inquiry (including such reasonable sum not exceeding three guineas a day as that Board may determine for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Corporation and the Local Government Board may certify the amount of the costs so incurred and any sum so certified and directed by that Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

Art. XI. This Order may be cited as the Leeds Order (No. 2) 1898.

Given under the Seal of Office of the Local Government Board this Fourteenth day of May One thousand eight hundred and ninety-eight.

(L.S.)

Henry Chaplin President.
Hugh Owen Secretary.

URBAN DISTRICT OF STOURBRIDGE.

Stourbridge Order.

Provisional Order to enable the Urban District Council of Stourbridge to put in force the Compulsory Clauses of the Lands Clauses Acts.

To the Urban District Council of Stourbridge ;—

And to all others whom it may concern.

WHEREAS the Urban District Council of Stourbridge (herein-after referred to as "the Urban District Council") require to purchase and take the lands described in the schedule hereto for the erection thereon of a refuse destructor for their district :

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 176 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 have effect viz.,— 38 & 39 Vict. c. 55.

Art. I. The Urban District Council shall be empowered to put in force with reference to the lands described in the schedule hereto and for the purpose aforesaid the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement or any of them.

Art. II. This Order may be cited as the Stourbridge Order 1898.

A.D. 1898.

Stourbridge Order.

The SCHEDULE above referred to.

Township of Stourbridge in the County of Worcester.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupier.
4	Pasture field - -	Mary Cathcart Frederick William Lewis and William James Rodwell reputed sequestrators acting under certain writs of sequestration.	Edwin Elcock.
5	ditto - - -	ditto - - -	ditto.

Given under the Seal of Office of the Local Government Board this Seventeenth day of May One thousand eight hundred and ninety-eight.

(L.S.)

Henry Chaplin President.
Hugh Owen Secretary.

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