CHAPTER cxv.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Boroughs of Blackburn, Dover, and West Ham, and the Local Government Districts of Denton and Haughton, Dukinfield, and Tipton. A.D. 1889

[26th July 1889.]

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 Act of 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 have full validity and force. Orders in Schedule confirmed.

2. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 13) Act, 1889. Short title.

A.D. 1889.

SCHEDULE.

Blackburn Order.

BOROUGH OF BLACKBURN.

Provisional Order for altering certain Local Acts.

To the Mayor, Aldermen, and Burgesses of the Borough of Blackburn, being the Urban Sanitary Authority for that Borough; —

And to all others whom it may concern.

WHEREAS the Borough of Blackburn (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 Blackburn Improvement Act, 1854, the Blackburn Waterworks Act, 1875, the Blackburn Improvement Act, 1879, and the Blackburn Improvement Act, 1882 (which Acts are herein-after collectively referred to as "the Local Acts," and each of which Acts is herein-after separately referred to as the Act of the year in which it was passed), so far as the same have not been repealed, are in force in the Borough;

17 & 18 Vict. cap. clxxxiii.
38 & 39 Vict. cap. cxxxvi.
42 & 43 Vict. cap. cxvi.
45 & 46 Vict. cap. ccxliii.

And whereas under and by virtue of the Act of 1854 the Corporation purchased the water undertaking of the Blackburn Waterworks Company (herein-after referred to as "the Company"), and in pursuance of Section 112 of that Act and of Section 46 of the Act of 1875, and the agreement scheduled to, and confirmed by, that Act, the mortgage debt of the Company became payable by and recoverable from the Corporation;

And whereas the sum of twenty-three thousand and forty-five pounds now remains outstanding in respect of the mortgage debt of the Company;

And whereas by Section 48 of the Act of 1879 the Corporation were empowered to borrow (inter alia),—

(1.) On the security of the district fund and general district rate,—

For main sewers and storm overflow works, the sum of one hundred and eleven thousand eight hundred and four pounds;

For sanitary works, the sum of thirty-six thousand eight hundred pounds;

For paving rivers, the sum of ten thousand pounds.

(2.) On the security of the revenue of the gas undertaking, for gas purposes, the sum of thirty thousand pounds; and

(3.) On the security of the revenue of the waterworks undertaking, for waterworks purposes, the sum of twenty thousand pounds;

And whereas by Section 273 of the Act of 1882 the Corporation were empowered to borrow (inter alia),—

(1.) On the security of the general district fund and general district rate,—

For farm buildings and permanent works at the farms acquired by the Corporation for sewage disposal, the sum of five thousand pounds;

(2.) On the security of the borough fund, borough rate, general district fund, and general district rate,—

For any other purposes of that Act (which purposes included the provision of public parks, walks, or pleasure grounds), the sum of five thousand pounds:

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 altered so as to provide as follows:— 38 & 39 Vict. c. 55.

Art. I. The Corporation may from time to time borrow upon the security of the revenue of their water undertaking, and of the general district fund and general district rate, or upon either of such securities, such sum or sums as may be necessary for the purpose of paying off any part of the then outstanding mortgage debt of the Company.

Art. II. The Corporation, in order to provide for the repayment of the mortgage debt of the Company, and of moneys borrowed in pursuance of Article I. of this Order, shall, out of the revenue arising from their water undertaking, or out of the general district fund and general district rate, annually pay into 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 repay the said mortgage debt and the moneys so borrowed within so much of the period, commencing from the Fourth day of January, One thousand eight hundred and eighty-three, prescribed for the repayment of moneys borrowed for waterworks purposes under the Act of 1879, as now remains unexpired; the first payment to such sinking fund shall be made within one year from the commencement of this Order.

Art. III. The Corporation may from time to time, with the sanction of the Local Government Board, and subject to the provisions of this Order, borrow such moneys (in addition to moneys authorised by the Local Acts to be borrowed) as they may from time to time think requisite, not exceeding the following sums; that is to say,—

(1.) On the security of the general district fund and general district rate,—

(*a.*) For main sewers and storm overflow works, the sum of eighteen thousand one hundred and ninety-six pounds;

(*b.*) For sanitary works, the sum of ten thousand pounds;

(*c.*) For paving rivers, the sum of ten thousand pounds;

(*d.*) For farm buildings and permanent works at the farms acquired by the Corporation for sewage disposal, the sum of one thousand five hundred pounds.

(2.) On the security of the revenue of the gas undertaking and for gas purposes, the sum of ten thousand pounds.

A.D. 1889.

Blackburn Order.

(3.) On the security of the revenue of the water undertaking and for water-works purposes, the sum of ten thousand pounds.

(4.) On the security of the borough fund and borough rate and the general district fund and the general district rate, for the purposes of public parks, walks, and pleasure grounds, the sum of seventeen thousand pounds.

38 & 39 Vict. c. 83.

Art. IV. For the purpose of raising money under the powers of borrowing conferred by Article III. of this Order the provisions of the Local Loans Act, 1875 (including the power of creating debenture stock), shall be available to the Corporation.

Art. V. 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.

Art. VI. The moneys borrowed under the powers of borrowing conferred by Article III. of this Order shall be repaid within such periods, not exceeding sixty years from the date of borrowing, as the Corporation, with the sanction of the Local Government Board, shall determine; and the periods so determined and sanctioned shall be deemed to be the "prescribed periods" within the meaning of the Local Loans Act, 1875, and are herein-after referred to as "the prescribed "periods."

Art. VII. The Corporation shall repay the moneys borrowed under the powers of borrowing conferred by Article III. of 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 moneys so borrowed within the prescribed periods.

Art. VIII. The Corporation shall invest the sinking funds mentioned in Articles II. and VII. of this Order, and the interest on, and the sums paid into, the funds, in the purchase of Exchequer bills or other Government securities, or in 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.

Art. IX. The Corporation may at any time apply the whole or any part of any of the sinking funds mentioned in Articles II. and VII. of this Order in or towards the discharge of the money for the repayment of which such fund is established: Provided that the Corporation pay into such 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 such sinking fund or the part of such sinking fund so applied.

Art. X. The Corporation may from time to time re-borrow any money borrowed by them under the powers of borrowing conferred by Articles I. and III. of this Order, and paid off otherwise than by instalments, or by means of a sinking fund, or out of the proceeds of the sale or disposition of land, or out of other moneys received on capital account: Provided always, that all moneys so

re-borrowed shall be repaid within the period prescribed for the repayment of the moneys in lieu of which such re-borrowing is made, and any moneys from time to time re-borrowed shall be deemed to form the same loan as the money in lieu of which such re-borrowing has been made, and the obligations of the Corporation with respect to the repayment of such moneys shall not be in any way affected by such re-borrowing.

Art. XI.—(1.) The treasurer of the Borough shall, within twenty-one days after the expiration of each year ending on the Twenty-fifth day of March 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 or in respect of the mortgage debt of the Company, 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, for the year next preceding the making of such return, 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 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, 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.

(2.) If it appears 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 purposes 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 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 to be obtained by the Local Government Board out of Her Majesty's High Court of Justice.

Given under the Seal of Office of the Local Government Board, this First day of June, One thousand eight hundred and eighty-nine.

(L.S.)

Chas. T. Ritchie, President.
Hugh Owen, Secretary.

A.D. 1889.

Denton and Haughton Order.

LOCAL GOVERNMENT DISTRICT OF DENTON AND HAUGHTON.

Provisional Order for altering certain Local Acts and Confirming Acts.

To the Denton and Haughton Local Board, being the Sanitary Authority for the Urban Sanitary District of Denton and Haughton, in the County of Lancaster;—

And to all others whom it may concern.

WHEREAS the Local Government District of Denton and Haughton, in the County of Lancaster (herein-after referred to as "the District"), is an Urban Sanitary District, of which the Denton and Haughton Local Board (herein-after referred to as "the Local Board") are the Urban Sanitary Authority;

40 & 41 Vict. cap. cxc. 43 & 44 Vict. cap. xvii.

And whereas the Dukinfield and Denton Local Boards Gas Act, 1877 (herein-after referred to as "the Act of 1877"), and the Denton and Haughton Gas Act, 1880 (herein-after referred to as "the Act of 1880"), as partially repealed and altered by a Provisional Order of the Local Government Board dated the Fifth day of June, One thousand eight hundred and eighty-four, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act, 1884 (which Order and Act are herein-after respectively referred to as "the Order of 1884" and "the Confirming Act of 1884"), and by another Provisional Order of the Local Government Board dated the Twenty-first day of May, One thousand eight hundred and eighty-six, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 6) Act, 1886 (which Order and Act are herein-after respectively referred to as "the Order of 1886" and "the Confirming Act of 1886"), are in force in the District;

47 & 48 Vict. cap. ccxv.

50 Vict. cap. viii.

And whereas by Article XI. of the Order of 1884 Section 63 of the Act of 1877 (by which provision was made for a sinking fund for the redemption of annuities created under the Act of 1877) was repealed so far as it affected the Local Board, and by subdivision (8) of that Article the Local Board were required to set aside such yearly or half-yearly sums for a sinking fund for the redemption of those annuities within the period of sixty years, from the Second day of August, One thousand eight hundred and eighty-two, as should from time to time be approved by the Local Government Board;

And whereas by the Order of 1884 the sections of the Act of 1877 and of the Act of 1880 (except sub-section 3 of Section 73 of the Act of 1877) which conferred powers of borrowing upon the Local Board or their predecessors were repealed so far as they affected the Local Board, except so far as they had been acted upon; and by Article XIV. of that Order the Local Board were empowered, with the sanction of the Local Government Board, to borrow such sum or sums as they might from time to time think requisite for the payment of the expenses of their gas undertaking incurred or to be incurred on capital account, including the redemption of the gas annuities and the repayment of the mortgage debt of the Dukinfield Gas Company chargeable to the Local Board;

And whereas by Article XV. of the Order of 1884 any moneys borrowed under the provisions of Article XIV. of that Order are required to be repaid within such period as the Local Board, with the sanction of the Local Government Board,

Denton and Haughton Order.

shall determine, and by Articles XVI. and XVII. of that Order provision is made as to the mode of repayment of moneys so borrowed;

And whereas by subdivision (1.) of Article II. of the Order of 1886 the Local Board were required to pay the sum of nine hundred and sixty-five pounds to the credit of the sinking fund set apart in pursuance of subdivision (8) of Article XI. of the Order of 1884, and by subdivision (2) of Article II. of the Order of 1886 the Local Board were required, on or before the Twenty-ninth day of September, One thousand eight hundred and eighty-six, to pay the sums mentioned in Column 3 of the Schedule to that Order into the sinking funds set apart under the Act of 1877 and the Act of 1880, in respect of the sums set out in Column 2 of that Schedule (being the whole of the sums borrowed by the Local Board or their predecessors under the Act of 1877 and the Act of 1880);

And whereas by subdivision (3) of Article II. of the Order of 1886 it was ordered that so much of the sums set out in Column 2 of the said Schedule as would not be repaid within sixty years from the Twenty-ninth day of September, One thousand eight hundred and eighty-six, by means of the sinking funds mentioned in subdivision (2) of that Article should be repaid within the said sixty years either by equal annual instalments of principal and interest, or by a sinking fund as therein provided:

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, the following provisions shall take effect; viz.,— 38 & 39 Vict. c. 55.

Art. I. Sections 62 and 67 of the Act of 1877 shall, so far as they affect the Local Board, be wholly repealed, except so far as they may have been acted upon.

Art. II. So much of the Confirming Act of 1884 as relates to subdivisions (8) and (9) of Article XI. and to Articles XV., XVI., and XVII. of the Order of 1884, and so much of the Confirming Act of 1886 as relates to subdivisions (3), (4), (5), and (7) of Article II. of the Order of 1886, shall be wholly repealed, except so far as the same may have been acted upon.

Art. III. The Act of 1877, the Act of 1880, and the Confirming Acts of 1884 and 1886, so far as they relate to the Orders of 1884 and 1886, shall be altered so as to provide as follows:—

(1.) The Local Board shall make provision for the extinction within a period not exceeding sixty years from the Second day of August, One thousand eight hundred and eighty-two, of such of the said annuities as have not been redeemed before the commencement of this Order.

(2.) So much of the several sums mentioned in column 2 of the Schedule to the Order of 1886 as have not been repaid before the commencement of this Order shall be repaid within a period not exceeding sixty years from the Twenty-ninth day of September, One thousand eight hundred and eighty-six.

(3.) All moneys borrowed before or after the commencement of this Order in pursuance of the powers of borrowing conferred by Article XIV. of the

A.D. 1889.

Denton and Haughton Order.

Order of 1884, shall be repaid within the respective periods determined by the sanctions of the Local Government Board.

(4.) The Local Board in order to repay the several sums mentioned in column 2 of the Schedule to the Order of 1886, and moneys borrowed before or to be borrowed after the commencement of this Order, under the powers of borrowing conferred by Article XIV. of the Order of 1884, and to provide for the extinction of the said annuities, shall annually pay into a sinking fund such a sum or sums as will (together with the sum or sums which will at the commencement of this Order be standing to the credit of any sinking fund established under subdivision (8) of Article XI. of the Order of 1884, Article XVI. of the Order of 1884, and subdivisions (2) and (3) of Article II. of the Order of 1886, and the annual sums payable in respect of interest on any part of any such sinking fund applied before the commencement of this Order in extinction of any of the said annuities, or in or towards the discharge of borrowed moneys), with accumulations in the way of compound interest, be sufficient, after payment of all expenses, to extinguish the said annuities, and to pay off the several sums mentioned in column 2 of the said Schedule, and the moneys so borrowed or to be borrowed, within the respective periods prescribed by subdivisions (1), (2), and (3) of this Article.

(5.) Any sum or sums which at the commencement of this Order is, are, or should be standing to the credit of any sinking fund established under subdivision (8) of Article XI. of the Order of 1884, Art. XVI. of the Order of 1884, and subdivisions (2) and (3) of Article II. of the Order of 1886, shall be forthwith carried to the credit of the sinking fund to be established under subdivision (4) of this Article: Provided that any part of any of such sinking funds which may have been applied before the commencement of this Order in extinction of any of the annuities, or in or towards the discharge of borrowed moneys for which any of the sinking funds were established, shall be deemed to have been lawfully applied.

(6.) The Local Board shall invest the sinking fund mentioned in subdivision (4) of this Article 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 Local Board, the Local Board being at liberty from time to time to vary and transpose such investments.

38 & 39 Vict. c. 83.

(7.) The first payment into the sinking fund mentioned in subdivision (4) of this Article shall, as regards payments in respect of moneys borrowed before the commencement of this Order and of the said annuities, be made on or before the Twenty-fifth day of March, One thousand eight hundred and ninety, and as regards payments in respect of moneys borrowed after the commencement of this Order shall be made within one year from the date of borrowing.

(8.) The Local Board may at any time apply the whole or any part of the sinking fund mentioned in subdivision (4) of this Article in extinction of any

of the annuities, or in or towards the discharge of the borrowed money for the repayment of which such fund is established: Provided that the Local Board pay into such fund each year, and accumulate until provision has been made for the extinction of the whole of the annuities, and until the expiration of the full period allowed for repayment of the borrowed money so 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.

(9.) The amounts to be annually paid to the sinking fund provided for in this Article shall be such as the Local Government Board, having regard to the provisions of this Article, shall from time to time approve.

(10.) The clerk to the Local Board shall, within twenty-one days after the expiration of each year in which any sum is, under the provisions of this Order, required to be set apart for a sinking fund in respect of the said annuities and moneys borrowed before or to be borrowed after the commencement 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, for the year next preceding the making of such return, the amounts which have been invested or applied for the purpose of such 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 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 any wilful default in making such return, such clerk 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.

(11.) If it appears to the Local Government Board by that return, or otherwise, that the Local Board have failed 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 purposes 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 set apart and invested or applied as part of the sinking fund; and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of Her Majesty's High Court of Justice.

Given under the Seal of Office of the Local Government Board, this Twenty-eighth day of May, One thousand eight hundred and eighty-nine.

(L.S.)

Chas. T. Ritchie, President.
Hugh Owen, Secretary.

A.D. 1889.

Dover Order.

BOROUGH OF DOVER.

Provisional Order for altering certain Local Acts and a Confirming Act.

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

And to all others whom it may concern.

WHEREAS the Borough of Dover, in the County of Kent (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 and by virtue of the following Local Acts of Parliament (which Acts are herein-after separately referred to as the Act of the year in which it was passed, and are together referred to as "the Improvement Acts"); viz.,—

18 Geo. III. c. lxxvi. An Act passed in the eighteenth year of the reign of King George the Third, intituled "An Act for better paving, cleansing, lighting, and watching the "streets and lanes in the Town of Dover, in the County of Kent, and in "the several Parishes of St. Mary the Virgin and St. James the Apostle, "in the same Town and County; and for removing and preventing nuisances "and annoyances therein";

50 Geo. III. c. 26. An Act passed in the fiftieth year of the reign of King George the Third, intituled "An Act to amend an Act made in the eighteenth year of His "present Majesty for paving, cleansing, lighting, and watching the Town "of Dovor, and for removing and preventing nuisances and annoyances "therein";

11 Geo. IV. c. cxvii. An Act passed in the eleventh year of the reign of King George the Fourth, intituled "An Act to amend two Acts of His late Majesty for paving, "cleansing, lighting, and watching the Town of Dovor, and for removing "and preventing nuisances and annoyances therein"; and

5 & 6 Will. IV. c. xlvii. An Act passed in the fifth and sixth years of the reign of King William the Fourth, intituled "An Act to alter and amend three several Acts "for paving, cleansing, and improving the Town of Dovor, and for "making further improvements in the said Town";

certain Commissioners (who and their successors are herein-after referred to as "the Commissioners") were appointed to execute the Improvement Acts;

And whereas the Commissioners, in pursuance of the powers of borrowing conferred upon them by the Improvement Acts, borrowed certain sums, of which the sum of twenty-three thousand seven hundred and twenty-five pounds remained unpaid at the date of the Provisional Order herein-after mentioned;

7 Geo. IV. c. v. And whereas by virtue of another Local Act passed in the seventh year of the reign of His late Majesty King George the Fourth, intituled "An Act for "enlarging the present Market and establishing fish markets in the Town and "Port of Dovor, in the County of Kent; and for removing the elections of

"Members and of Mayors of the said Town from the Church of Saint Mary the "Virgin in Dovor" (herein-after referred to as "the Market Act"), certain markets are now vested in the Corporation as a municipal authority;

And whereas in pursuance of Section 38 of the Market Act the Corporation borrowed the sum of eight thousand pounds of which the sum of two thousand nine hundred and fifty pounds now remains unpaid;

And whereas by a Provisional Order of the General Board of Health made under the Public Health Act, 1848, and dated the Twenty-third day of May, One thousand eight hundred and fifty, and duly confirmed by the Public Health Supplemental Act, 1850 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), the Corporation were constituted the Local Board of Health for the Borough, the Improvement Acts were partially repealed, and it was ordered that such of the powers, authorities, and duties granted or imposed by the unrepealed provisions of the Improvement Acts should be transferred to, and be had and exercised by, the Corporation as the Local Board; and that all bonds, mortgages, annuities, contracts, debts, moneys, and securities for money, made, given, contracted, or payable by the Commissioners should be paid and satisfied by the Corporation as such Local Board out of such parts of the property and estate thereby transferred from the Commissioners to the Corporation as would or ought to have been charged or chargeable in respect of the same if the Order had not been made;

13 & 14 Vict. cap. xxxii.

And whereas the said debt of twenty-three thousand seven hundred and twenty-five pounds was by virtue of the Order transferred to the Corporation as such Local Board, and no part thereof has been paid off:

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, the following provisions shall take effect; viz.,—

38 & 39 Vict. c. 55.

Art. I. The following sections of the Improvement Acts and the Market Act shall be repealed except so far as the same may have been acted upon, and except that the provisions thereof shall continue in force as regards existing mortgages; viz.,—

Of the Act of 1778: the sections whereof the marginal notes are set out in Part I. of the Schedule to this Order.

Of the Act of 1810: Sections 71, 72, 73, and 75.

Of the Market Act: Sections 38 to 45 (both inclusive).

Of the Act of 1830: Sections 69 to 72 (both inclusive).

Of the Act of 1835: the section whereof the marginal note is set out in Part II. of the said Schedule.

Art. II. The Improvement Acts, the Market Act, and the Confirming Act so far as it relates to the Order shall be altered so as to provide as follows:—

(1.) The Corporation may, subject to the provisions of this Order, borrow money as follows; viz.,—

(*a.*) On the security of the tolls, duties, and revenue under the Improvement Acts and of the district fund and general district rate of the

A.D. 1889.

Dover Order.

Borough, or upon any of such securities, either together or separately, for the purpose of discharging the whole or any part of the said sum of twenty-three thousand seven hundred and twenty-five pounds.

(*b.*) On the security of the revenue from their markets and of the district fund and general district rate, or upon either of such securities, for the purpose of discharging the whole or any part of the said sum of two thousand nine hundred and fifty 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.

38 & 39 Vict. c. 83.

(3.) The said sums of twenty-three thousand seven hundred and twenty-five pounds and two thousand nine hundred and fifty pounds, or any moneys borrowed under the powers conferred by this Order for the purpose of discharging any part of either of those sums, shall be repaid within a period not exceeding sixty years from the Twenty-fifth day of March, One thousand eight hundred and eighty-nine; and such period shall be deemed to be "the prescribed period" within the meaning of the Local Loans Act, 1875, and is herein-after referred to as "the prescribed period."

(4.) The Corporation shall repay the said sums of twenty-three thousand seven hundred and twenty-five pounds and two thousand nine hundred and fifty pounds, or any moneys borrowed under the powers conferred by this Order for the purpose of discharging any part of either of those sums, 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 interest on and the sums paid into the fund 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 Corporation may re-borrow moneys borrowed under the powers of borrowing conferred by subdivision (1) of this Article, and paid off other-

wise than by instalments, or by means of a sinking fund, or out of the proceeds of the sale or disposition of land, or out of other moneys received on capital account: Provided that all moneys so re-borrowed shall be repaid within the prescribed period; and any moneys from time to time re-borrowed shall be deemed to form the same loan as the money in lieu of which such re-borrowing has been made, and the obligations of the Corporation with respect to the repayment of such moneys shall not be in any way affected by such re-borrowing.

(7.) The treasurer of the Borough 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, for the year next preceding the making of such return, 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 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 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.

(8.) 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 the sum in such Order mentioned, 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 to be obtained by the Local Government Board out of Her Majesty's High Court of Justice.

Art. III. The Market Act shall be altered so as to provide as follows:—

(1.) The markets provided under that Act shall vest in the Corporation as Urban Sanitary Authority, and shall be carried on by the Corporation under and subject to the provisions of the Public Health Act, 1875.

(2.) The said sum of two thousand nine hundred and fifty pounds, being so much as still remains due of the amount borrowed in pursuance of Section 38 of the Market Act, shall be a debt due from the Corporation as Sanitary Authority.

A.D. 1889.

Dover Order.

(3.) The moneys from time to time required for the improvement of the markets shall be deemed to be moneys required for the purposes of the Public Health Act, 1875.

(4.) The proceedings taken by the Corporation before the date of this Order in relation to those markets shall be deemed to have been authorised by the Market Act.

The SCHEDULE above referred to.

Part I.

Marginal notes of the sections of the Act of 1778 to be repealed:—

Commissioners may borrow money by mortgaging the tolls, duty, and assessment.
And by annuities on lives.
Not exceeding nine pounds per annum.
If annuitants die any person may purchase annuities for their lives.
Clerk to enter all securities for moneys borrowed or annuities granted.
Annuities not to be liable to taxes.
Securities may be assigned.
The money borrowed on the rates, how to be charged.

Part II.

Marginal note of the section of the Act of 1835 to be repealed:—

Power to Commissioners to borrow more money.

Given under the Seal of Office of the Local Government Board, this Thirty-first day of May, One thousand eight hundred and eighty-nine.

(L.S.)

Chas. T. Ritchie, President.
Hugh Owen, Secretary.

Dukinfield Order.

LOCAL GOVERNMENT DISTRICT OF DUKINFIELD.

Provisional Order for partially repealing and altering a Local Act.

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

And to all others whom it may concern.

WHEREAS the Local Government District of Dukinfield, in the County of Chester (herein-after referred to as "the District"), is an Urban Sanitary District, of which the Dukinfield Local Board of Health (herein-after referred to as "the Local Board") are the Urban Sanitary Authority, and certain of the provisions of the Dukinfield and Denton Local Boards (Gas) Act, 1877 (herein-after referred to as "the Local Act"), as altered by the Denton and Haughton

40 & 41 Vict. c. cxc.

(Gas) Act, 1880, by a Provisional Order of the Local Government Board dated the Fifth day of June, One thousand eight hundred and eighty-four, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act, 1884 (which Order and Confirming Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), and by another Provisional Order of the Local Government Board dated the Tenth day of June, One thousand eight hundred and eighty-six, and duly confirmed by Parliament, are in force in the District; A.D. 1889. *Dukinfield Order.* 43 & 44 Vict. c. xvii. 47 & 48 Vict. c. ccxv.

And whereas by virtue of Section 9 of the Local Act, as altered by the Order, the Local Board became liable for one moiety of the mortgage debt of the Dukinfield Gas Company (herein-after referred to as "the Company");

And whereas by Section 16 of the Local Act the Local Board were required to pay to the shareholders of the Company as part consideration for the purchase of the gas undertaking of the Company the annuities referred to in that section;

And whereas by Section 39 of the Local Act the Local Board were empowered from time to time, by agreement with any annuitant, to redeem or purchase any annuity granted by them; but it was provided that the Local Board should not redeem or purchase any annuity at a higher rate than twenty-five pounds for every one pound of annuity;

And whereas by Section 60 of the Local Act the Local Board were empowered to borrow the sums and for the purposes therein mentioned, including for the redemption of the annuities such sum as the Local Board might think requisite, not exceeding the capitalised value thereof, at such rate (not exceeding twenty-five years purchase) as might be agreed between the several annuitants and the Local Board;

And whereas by Section 61 of the Local Act provision was made with respect to the mode and period of repayment of all money borrowed by the Local Board under the powers of that Act (including the mortgage debt of the Company);

And whereas by Section 63 of the Local Act the Local Board were required to make provision for the extinction of the said annuities by a sinking fund to be created as therein mentioned:

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.,— 38 & 39 Vict. c. 55.

Art. I. The proviso to Section 39 of the Local Act shall be repealed, so far as it affects the Local Board.

Art. II. Sub-section (4) of Section 60 of the Local Act shall, so far as it affects the Local Board, be altered by the omission of the words "not exceeding twenty-five years purchase."

Art. III. The following sections of the Local Act shall, so far as they affect the Local Board, be wholly repealed, except so far as they may have been acted upon; viz.,—

Section 61: except so much thereof as prescribes the periods for repayment of borrowed moneys;

A.D. 1889.

Dukinfield Order.

Section 62 ;

Section 63: except so much thereof as prescribes the period within which provision should be made for the extinction of the said annuities ; and

Sections 64, 66, 67, and 71.

Art. IV. The Local Act shall be further altered so as to provide as follows :—

(1.) The Local Board, in order to provide for the extinction of the gas annuities, and to repay any moneys borrowed or to be borrowed under the powers of borrowing conferred by the Local Act or this Order, including the mortgage debt of the Company chargeable to the Local Board, except moneys borrowed under the provisions of the Local Loans Act, 1875, shall annually pay into a sinking fund such a sum or sums as will (together with the sum or sums which will, at the commencement of this Order, be standing to the credit of any sinking fund established under Sections 61 and 63 of the Local Act, and the annual sums payable in respect of interest on any part of any such sinking fund applied before the commencement of this Order in extinction of any of the said annuities, or in or towards the discharge of moneys borrowed under the Local Act), with accumulations in the way of compound interest be sufficient, after payment of all expenses, to extinguish the gas annuities and to repay the moneys so borrowed within the respective periods prescribed by Sections 61 and 63 of the Local Act.

(2.) Any sum or sums which is, are, or should be standing to the credit of any sinking fund established under Sections 61 and 63 of the Local Act shall be forthwith carried to the credit of the sinking fund to be established under subdivision (1) of this Article: Provided that any part of any such sinking fund which may have been applied before the commencement of this Order in extinction of any of the said annuities, or in or towards the discharge of moneys borrowed under the Local Act, shall be deemed to have been lawfully applied.

(3.) The Local Board shall invest the sinking fund mentioned in subdivision (1) of this Article 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 Local Board, the Local Board being at liberty from time to time to vary and transpose such investments.

38 & 39 Vict. c. 83.

(4.) The first payment into the sinking fund mentioned in subdivision (1) of this Article shall, as regards payments in respect of moneys borrowed before the commencement of this Order, and of the said annuities, be made on or before the Twenty-fifth day of March, One thousand eight hundred and ninety, and as regards payments in respect of moneys borrowed after the commencement of this Order shall be made within one year from the date of borrowing.

(5.) The Local Board may at any time apply the whole or any part of the sinking fund mentioned in subdivision (1) of this Article in extinction of any of the said annuities, or in or towards the discharge of the borrowed

money for the repayment of which such fund is established: Provided that the Local Board pay into such fund each year, and accumulate until provision has been made for the extinction of the whole of the annuities, and until the expiration of the full period allowed for repayment of the borrowed money so 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 amounts to be annually paid to the sinking fund provided for in this Article shall be such as the Local Government Board, having regard to the provisions of this Article, shall from time to time approve.

(7.) The Local Board may from time to time re-borrow any money borrowed by them under the Local Act (except moneys borrowed under the Local Loans Act, 1875), and paid off otherwise than by instalments or by means of a sinking fund, or out of the proceeds of the sale or disposition of land, or out of other moneys received on capital account: Provided always, that all moneys so re-borrowed shall be repaid within the period prescribed for the repayment of the moneys in lieu of which such re-borrowing is made, and any amounts from time to time re-borrowed shall be deemed to form the same loan as the money in lieu of which such re-borrowing has been made, and the obligations of the Local Board with respect to the repayment of such moneys shall not be in any way affected by such re-borrowing.

(8.) The clerk to the Local Board shall, within twenty-one days after the expiration of each year in which any sum is required to be set apart for a sinking fund in respect of the annuities and moneys borrowed or to be borrowed under the provisions of the Local Act, 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, for the year next preceding the making of such return, the amounts which have been invested or applied for the purpose of such 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 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 any wilful default in making such return, such clerk 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 appears to the Local Government Board by that return, or otherwise, that the Local Board have failed 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 purposes 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 set apart and invested or applied as part of the sinking fund; and any such Order shall

A.D. 1889.

Dukinfield Order.

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

Art. V. The Local Act shall be further altered so as to provide that the Local Board shall apply their gas revenue as follows :—

In payment of the gas establishment charges, that is to say, of the expenses properly chargeable to revenue of establishing, conducting, managing, and maintaining the gasworks, and works connected therewith.

In payment of the interest on the moneys borrowed or re-borrowed for the purposes of the gas undertaking, including the redemption of gas annuities and the repayment of the mortgage debt of the Company chargeable to the Local Board, and in payment of the unredeemed annuities payable in respect thereof.

In providing for the discharge, by means of a sinking fund or otherwise, of any moneys borrowed or re-borrowed for the purposes of the gas undertaking, including the redemption of gas annuities and the repayment of the mortgage debt of the Company chargeable to the Local Board.

In setting apart, if the Local Board think fit, a yearly sum not exceeding ten pounds per centum of such revenue, for the purpose of forming a reserve fund to provide for the expenses attendant upon or occasioned by any sudden accident to the said gasworks and works connected therewith, or any other extraordinary expenditure authorised by the Local Act: Provided that such reserve fund shall be accumulated by way of compound interest by investment in the manner specified in subdivision (3) of Article IV. of this Order as to the sinking fund referred to therein, until it amounts, according to the market price of such investments, to the sum of five thousand pounds, and that whenever the reserve fund amounts, according to the market price of such investments, to the sum of five thousand pounds the income therefrom shall be applied in the same manner as money received by the Local Board by way of revenue under the Local Act.

In payment, if the Local Board think fit, of the expenses of executing any permanent works in connexion with the gas undertaking.

The residue, if any, of such revenue shall be carried to the credit of the district fund or general district rate (at the option of the Local Board), but no part of such revenue shall be carried to the credit of the district fund or general district rate when the price of gas to private consumers exceeds four shillings per one thousand cubic feet.

Given under the Seal of Office of the Local Government Board, this Thirty-first day of May, One thousand eight hundred and eighty-nine.

(L.S.)

Chas. T. Ritchie, President.
Hugh Owen, Secretary.

LOCAL GOVERNMENT DISTRICT OF TIPTON.

A.D. 1889.

Tipton Order.

Provisional Order for altering and partially repealing the Tipton Local Board (Gas) Act, 1876.

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

And to all others whom it may concern.

WHEREAS the Local Government District of Tipton, in the County of Stafford (herein-after referred to as "the District"), is an Urban Sanitary District, of which the Tipton Local Board (herein-after referred to as "the Local Board") are the Urban Sanitary Authority, and the Tipton Local Board (Gas) Act, 1876 (herein-after referred to as "the Local Act"), is in force in the District;

39 & 40 Vict. cap. cxlviii.

And whereas by Section 2 of the Local Act the Gasworks Clauses Act, 1847 (except certain provisions thereof), and the provisions of the Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the Commissioners, were incorporated with the Local Act;

10 Vict. c. 15.

And whereas by Section 25 of the Local Act the Local Board were empowered to borrow the sums therein mentioned, and also, with the sanction of the Local Government Board, such further sums, not exceeding twenty-five thousand pounds, as the Local Board might from time to time think requisite to carry out the purposes of that Act;

And whereas by Section 27 of the Local Act the sections of the Commissioners Clauses Act, 1847, with respect to mortgages were made applicable to the mortgages to be created and granted by the Local Board under the Local Act:

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.,—

38 & 39 Vict. c. 55.

Art. I. Section 2 of the Local Act shall be altered so as to provide that, notwithstanding anything in the Gasworks Clauses Act, 1847, the gas accounts of the Local Board shall be made up to, and closed on, the Twenty-fifth day of March in each year, or such other day as the Local Government Board may from time to time prescribe.

Art. II. So much of Section 2 of the Local Act as incorporates with the Local Act the provisions of the Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the Commissioners, and so much of Section 27 of the Local Act as makes those sections of the Commissioners Clauses Act, 1847, applicable to the mortgages created and granted by the Local Board shall be repealed, except so far as regards mortgages created and granted before the commencement of this Order.

Art. III. The Local Act shall be further altered so as to provide that the provisions of Sections 236 to 239 (both inclusive) of the Public Health Act, 1875, shall apply to all money borrowed or re-borrowed after the commencement of this Order under the Local Act, and the Local Act as hereby altered.

A.D. 1889.

Tipton Order.

Art. IV. The proviso to Section 27 and Sections 28 and 38 of the Local Act shall not apply to any moneys borrowed or to be borrowed under the Local Act with the sanction of the Local Government Board, and in lieu thereof the following provisions shall apply to moneys so borrowed or to be borrowed :—

(1.) The moneys shall be repaid within such period, not exceeding sixty years, as the Local Board, with the sanction of the Local Government Board, shall determine, or shall have determined, and the period so determined and sanctioned shall be deemed to be the "prescribed period" within the meaning of the Local Loans Act, 1875, and is herein-after referred to as "the prescribed period."

(2.) The Local Board shall repay the moneys, other than moneys borrowed under the provisions of the Local Loans Act, 1875, either by equal yearly or half-yearly 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, with accumulations in the way of compound interest, be sufficient, according to a reasonable calculation for the time being, after payment of all expenses, to pay off the money so borrowed within the prescribed period, and shall invest the same, and the interest on, and the sums paid into, the fund in the purchase of Exchequer bills or other Government securities, or in 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 Local Board, the Local Board being at liberty from time to time to vary and transpose such investments.

(3.) The Local Board 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 Local Board 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.

(4.) The Local Board may, with the sanction of the Local Government Board, re-borrow moneys paid off otherwise than by instalments or by means of a sinking fund, or out of the proceeds of the sale or disposition of land, or ou of other moneys received on capital account : Provided always, that all moneys so re-borrowed shall be repaid within the period prescribed for the repayment of the moneys in lieu of which such re-borrowing is made, and any moneys so re-borrowed shall be deemed to form the same loan as the money in lieu of which such re-borrowing has been made, and the obligations of the Local Board with respect to the repayment of such moneys shall not be in any way affected by such re-borrowing.

(5.) The clerk to the Local Board shall, within twenty-one days after the expiration of each year ending on the Twenty-fifth day of March in which any sum is required to be paid as an instalment or to be set apart for a sinking fund in respect of the moneys, 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, for the year next preceding the making of such return, 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 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 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 clerk 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.

(6.) If it appears to the Local Government Board by that return, or otherwise, that the Local Board 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 purposes 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 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 to be obtained by the Local Government Board out of Her Majesty's High Court of Justice.

Art. V. Sections 42 to 47 of the Local Act shall be wholly repealed, and the unrepealed provisions of the Local Act shall be altered by the omission of all reference to annuities.

Given under the Seal of Office of the Local Government Board, this Twenty-ninth day of May, One thousand eight hundred and eighty-nine.

(L.S.)

Chas. T. Ritchie, President.
Hugh Owen, Secretary.

BOROUGH OF WEST HAM.

Provisional Order for altering a Local Act.

To the Mayor, Aldermen, and Burgesses of the Borough of West Ham, being the Urban Sanitary Authority for that Borough;—

To the Commissioners of Sewers for the levels of Havering, Dagenham, Ripple, Barking, East Ham, West Ham, Leyton, and Walthamstow:

And to all others whom it may concern.

WHEREAS the Borough of West Ham (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"),

A.D. 1889.

West Ham Order.

are the Urban Sanitary Authority, and the West Ham Corporation (Improvements) Act, 1888 (herein-after referred to as "the Local Act"), is in force in the Borough;

51 & 52 Vict, c. clxxix.

And whereas by Section 7 of the Local Act the Corporation are empowered, subject to the provisions of that Act, to make and maintain (inter alia),—

A widening of High Street, Stratford, on the south side thereof, to commence at the junction of Chant Street with the said High Street, and to extend thence in a south-westerly direction to and to terminate at the east side of Bridge Road at its junction with the said High Street;

And whereas by Section 9 of the Local Act it is enacted that in making any of the works by that Act authorised, the Corporation may deviate laterally from the lines thereof to any extent within the limits of deviation defined on the deposited plans: but it is provided that the Corporation shall not exercise the powers of lateral deviation by that section conferred upon them so as to increase the width of any street or road which they are by that Act authorised to widen beyond the line of widening in each instance shown on the deposited plans;

And whereas by Part III. of the Local Act provision was made for the transfer to the Corporation of the jurisdiction within the Borough of the Commissioners of Sewers for the levels of Havering, Dagenham, Ripple, Barking, East Ham, West Ham, Leyton, and Walthamstow (herein-after referred to as "the Commissioners"), and by Section 39 of the Local Act provision was made with reference to the inspection by and production to the Corporation of decrees, ordinances, awards, and orders of, and of books, papers, registers, and other documents (therein and herein-after referred to as "documents") relating to, the affairs of the Commissioners which relate to or affect the Borough or any works or property therein:

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 following provisions shall take effect; viz.,—

Art. I. Section 9 of the Local Act shall be altered so that nothing therein contained shall prevent the Corporation from making the High Street, Stratford, wider to an extent not exceeding twenty feet beyond the widening authorised by the Local Act and shown on the deposited plans.

Art. II. Section 39 of the Local Act shall be altered so as to provide that the Commissioners may, if so requested by the Corporation in writing under the hand of the town clerk, surrender to the Corporation the documents named in such notice, and relating to the affairs of the Commissioners, and which exclusively relate to or affect the Borough or any works or property therein, or the jurisdiction, powers, and duties transferred to the Corporation by Part III. of the Local Act; and after such surrender the Corporation shall, if so requested by the Commissioners in writing under the hand of their clerk, produce at all reasonable times to the Commissioners, or either or any of their officers duly authorised in

writing, all or any of the documents so surrendered, and permit and give facilities for the same, or any of them, to be examined or copied, or for extracts to be made therefrom.

Given under the Seal of Office of the Local Government Board, this First day of June, One thousand eight hundred and eighty-nine.

(L.S.)

Chas. T. Ritchie, President.
Hugh Owen, Secretary.

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

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, East Harding Street, Fleet Street, E.C.; or
ADAM AND CHARLES BLACK, 6, North Bridge, Edinburgh; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.