CHAPTER clxxii.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Boroughs of Faversham, Dunneheved, otherwise Launceston, and Saint Ives (Hunts). [12th August 1889.]

A.D. 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, and the Local Government Act, 1888: 38 & 39 Vict. c. 55. 51 & 52 Vict. c. 41.

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

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Orders 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. Orders in Schedule confirmed.

2. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 14) Act, 1889. Short title.

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Faversham Order.

SCHEDULE.

BOROUGH OF FAVERSHAM.

Provisional Order made in pursuance of Section 52 *of the Local Government Act*, 1888.

To the Justices of the Peace for the County of Kent, in Quarter Sessions assembled; —

To the County Council for the Administrative County of Kent; —

To the Mayor, Aldermen, and Burgesses of the Borough of Faversham, in the same Administrative County; —

To the Justices of the Peace for the Borough of Faversham; —

29 Geo. III. c. lxix.

To the Commissioners appointed for putting into execution a Local Act of Parliament passed in the twenty-ninth year of the reign of His late Majesty King George the Third, intituled "An Act for the better "paving, repairing, cleansing, lighting, and watching the highways "streets, lanes, and other publick passages and places within the "Town and Liberty of Faversham, in the County of Kent, and also "certain places near or adjoining thereto; and for removing and "preventing incroachments, obstructions, nuisances, and annoyances "therein," being the Sanitary Authority for the Urban Sanitary District of Faversham, in the same Administrative County; —

To the Guardians of the Poor of the Faversham Union, in the same Administrative County, being the Sanitary Authority for the Rural Sanitary District of that Union; —

To the School Board for the United District of Preston next Faversham; —

And to all others whom it may concern.

51 & 52 Vict. c. 41.

WHEREAS by Section 52 of the Local Government Act, 1888 (which Act is herein-after referred to as "the Act"), it is enacted that the Local Government Board shall make Provisional Orders for dealing with every case where the Council of a Borough is not the Urban Sanitary Authority for the whole of the area of such Borough, and the area of the Borough is either co-extensive with or is wholly or partly comprised in any Urban Sanitary District, and that such Order shall determine whether the area of the Borough or of the Sanitary District, or an area comprising both the Borough and the Urban Sanitary District, or a portion of such united area, shall, whether with or without any adjoining area, be the area of the County District for the purposes of the Act, so, however, that in either case the Order shall provide for the Council of the Borough becoming the District Council, and that the Order may for that purpose alter the boundaries of the Borough;

And whereas the Borough of Faversham, in the administrative County of Kent, is a Borough within the meaning of the Act, and the inhabitants of the Borough are a body corporate, by the name of the Mayor, Aldermen, and Burgesses of the Borough of Faversham, and act by the Council of the Borough, which now consists of the Mayor (who is also a Councillor), four Aldermen, and eleven other Councillors ;

And whereas the Borough has a separate commission of the peace and a separate court of quarter sessions ;

And whereas under the provisions of an Act passed in the twenty-ninth year of the reign of His late Majesty King George the Third, intituled "An Act for "the better paving, repairing, cleansing, lighting, and watching the highways, "streets, lanes, and other publick passages and places within the Town and "Liberty of Faversham, in the County of Kent, and also certain places near "or adjoining thereto ; and for removing and preventing incroachments, "obstructions, nuisances, and annoyances therein" (herein-after referred to as "the Act of 1789"), certain persons (who, and their successors, are herein-after referred to as "the Commissioners") were appointed Commissioners for putting the Act of 1789 into execution ; 29 Geo. III. c. lxix.

And whereas by Section 1 of an Act passed in the fifth year of the reign of Her present Majesty Queen Victoria, intituled "An Act for improving the "Navigation of Faversham Creek, in the County of Kent" (herein-after referred to as "the Act of 1842"), it was enacted that certain persons therein mentioned, including (among others) "the Mayor and Aldermen of Faversham for the time "being," should be Commissioners for carrying that Act into execution, by the name of "the Commissioners of the Faversham Navigation" ; 5 Vict., Sess. 2, c. xlii.

And whereas the United School District of Preston next Faversham (which includes the area which will by virtue of this Order be added to the Borough) is a School District, for which a School Board has been formed ;

And whereas the District within the limits of the Act of 1789 is an Urban Sanitary District (herein-after referred to as "the Sanitary District"), of which the Commissioners are the Urban Sanitary Authority ;

And whereas the Local Government Board, by an Order dated the Fourteenth day of August, One thousand eight hundred and eighty-eight, and made in pursuance of the Act, determined that one County Councillor for the administrative County of Kent should be apportioned to the existing Borough ;

And whereas the Council is not the Urban Sanitary Authority for the area of the existing Borough which is comprised in the Sanitary District :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 52 and 59 of the Act, and by any other enactments 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 :— 51 & 52 Vict. c. 41.

Art. I. This Order shall come into operation on the Ninth day of November, One thousand eight hundred and eighty-nine, except so far as is otherwise herein expressly provided. Commencement of Order.

Art. II. The several terms in this Order shall have the same meanings respectively as are assigned to them by Section 100 of the Act. Definitions.

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Extension of Borough.

45 & 46 Vict. c. 50.

Art. III. The area bounded as herein-after mentioned (being the area of the Sanitary District, together with an adjoining part of the Rural Sanitary District of the Faversham Union) shall be the area of the County District for the purposes of the Act, and the boundary of the existing Borough shall be altered to correspond to the boundary of that County District, so that the whole of the said area shall, for the purposes of the Municipal Corporations Act, 1882, and for all other purposes, be within the Borough; and the Mayor, Aldermen, and Burgesses of the Borough, acting by the Council, shall become the District Council for such County District.

Map of extended Borough.

Art. IV.—(1.) The boundary of the County District and Borough shall be that shown by a red line on the maps, each marked "Map of the Borough "of Faversham, as extended, 1889," and sealed with the official seal of the Local Government Board, one of which shall be deposited in the office of the said Board, and the other shall be deposited by the town clerk of the Borough at his office within seven days after the date of this Order. Copies of the said map deposited with the town clerk, certified by him, shall be sent within one month after the date of the Act of Parliament confirming this Order to the clerk of the County Council for the administrative County of Kent, to the clerk to the Rural Authority of the Faversham Union, and to the Director-General of Her Majesty's Ordnance Survey at Southampton.

Copies of map to be evidence.

(2.) Copies of or extracts from the said map deposited with the town clerk, certified by him to be true, shall be received in all courts of justice and elsewhere as primâ facie evidence of the contents of such map so far as relates to the boundaries of the Borough; and such map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the Borough, and any such person shall be entitled to a copy of or extract from such map, certified by the town clerk, on payment of a reasonable fee for every such copy or extract. All sums received under this Article shall be carried to the credit of the Borough Fund.

Jurisdiction of recorder, &c. extended.

Art. V. The powers and duties of the recorder, and clerk of the peace, and of the justices of the peace appointed for the existing Borough, whether acting in general or in quarter sessions, or out of sessions or otherwise, shall extend and apply throughout the Borough.

Date of operation of Order for parish burgess lists, &c.

51 Vict. c. 10.

Art. VI. For the purposes of the parish burgess lists and burgess roll, and other lists to be made under the Municipal Corporations Act, 1882, and the Acts amending the same, and of the lists of county electors and the county register to be made in pursuance of the County Electors Act, 1888, this Order shall operate from the date of the Act of Parliament confirming the same.

For the purposes of the parish burgess lists and burgess roll, and other lists to be made under the Municipal Corporations Act, 1882, and the Acts amending the same, and all matters in relation thereto, the town clerk of the existing Borough shall be the town clerk of the Borough, and anything required to be done in connexion with the purposes aforesaid before the last-mentioned date may, in so far as the same relates to any area included in the Borough, but which does not form part of the existing Borough, be done as soon as practicable after such date, and if so done shall have full force and effect; and if any difficulty arise in making out such lists and roll, or the lists of county electors

and the county register, the Local Government Board may make such order as shall appear to them to be necessary to give effect to the provisions of this Order, and may vary, so far as shall be necessary, the provisions in force with regard to the making of such lists, roll, and register.

Special provisions for first election in 1889, and for retirement of Councillors and Aldermen. 45 & 46 Vict. c. 50.

Art. VII.—(1.) For the purposes of the election of a Town Council for the Borough in pursuance of the Municipal Corporations Act, 1882, in the month of November, One thousand eight hundred and eighty-nine, the following provisions shall take effect as from the date of the Act of Parliament confirming this Order; viz.,—

(*a.*) The town clerk and the Mayor of the existing Borough (or such other persons as the Local Government Board shall appoint) shall perform the duties devolving upon the town clerk and Mayor respectively under the Municipal Corporations Act, 1882.

(*b.*) Twelve Councillors of the Borough shall be elected on the First day of November, One thousand eight hundred and eighty-nine; and four Aldermen of the Borough shall be elected on the Ninth day of November, One thousand eight hundred and eighty-nine.

(*c.*) The dates specified in the Schedule to this Order shall be the dates for the retirement of the Aldermen and Councillors of the Borough elected in the year One thousand eight hundred and eighty-nine in pursuance of this Order.

(*d.*) Notwithstanding anything in the Municipal Corporations Act, 1882, to the contrary, all the Councillors of the existing Borough who shall be in office up to the First day of November, One thousand eight hundred and eighty-nine, shall go out of office on that date; and all the Aldermen of the existing Borough who shall be in office up to the Eighth day of November, One thousand eight hundred and eighty-nine, shall go out of office on that date; and all such Councillors and Aldermen shall be eligible for election as Councillors on the First day of November.

Borough Auditors.

(2.) The Auditors who shall be in office on the Ninth day of November, One thousand eight hundred and eighty-nine, shall continue in office, and shall be the Borough Auditors, until the ordinary day of election of Borough Auditors.

Byelaws to continue in force.

Art. VIII. All byelaws and regulations made by the Commissioners as a Sanitary Authority which, on the Ninth day of November, One thousand eight hundred and eighty-nine, are in force within the Sanitary District, and all byelaws and regulations made by the Corporation as a municipal body which, on the Ninth day of November, One thousand eight hundred and eighty-nine, are in force within the existing Borough shall be in force within and apply to the Borough, except so far as the same may hereafter be altered or repealed, and save that the Corporation shall be substituted for the Commissioners throughout the byelaws and regulations of the Commissioners.

Recorder and other officers continued.

Art. IX. The recorder and clerk of the peace of the existing Borough shall respectively continue to be the recorder and clerk of the peace of the Borough, and the town clerk and all other officers and servants of the Corporation of the existing Borough who hold office on the Ninth day of November, One thousand eight hundred and eighty-nine, shall continue to be the town clerk and officers

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and servants of the Corporation of the Borough, and shall hold their offices by the same tenure as at that date.

Compensation to existing officers. 51 & 52 Vict. c. 41.

Art. X. The provisions of sub-section (13) of Section 118 and of Sections 119 and 120 of the Act shall apply to the persons who, on the Ninth day of November, One thousand eight hundred and eighty-nine, hold office as officers or servants of the Commissioners, with the substitution of "district fund and general district "rate" in sub-section (8) of Section 120 for "county fund as a payment for "general county purposes," and with such other modifications as are necessary to make those provisions applicable to the said officers and servants and to the Corporation; and the provisions of Section 120 of the Act shall apply with the like substitutions and modifications to any officer of the Rural Authority who by virtue of this Order, or of anything done in pursuance or in consequence thereof, shall suffer any such direct pecuniary loss as is in that section mentioned.

Current debts to be discharged.

Art. XI. The Corporation and the Commissioners shall liquidate, so far as practicable, before the Ninth day of November, One thousand eight hundred and eighty-nine, all current debts and liabilities incurred by them respectively.

Actions, &c. not to abate.

Art. XII.—(1.) If on the Ninth day of November, One thousand eight hundred and eighty-nine, any action or proceeding, or any cause of action or proceeding, is pending or existing by or against the Commissioners in relation to the Sanitary District, or by or against the said Rural Authority (whether acting as a Sanitary Authority or as a Highway Authority) in relation exclusively to the part of their District hereby included in the Borough, the same shall not be in anywise prejudicially affected by reason of the making of this Order, but may be continued, prosecuted, and enforced by or against the Corporation of the Borough.

Saving for contracts, &c.

(2.) All contracts, deeds, bonds, agreements, and other instruments entered into or made by the Commissioners or by the Rural Authority (whether acting as a Sanitary Authority or as a Highway Authority) in relation exclusively to the part of their District which is hereby included in the Borough, and subsisting on the Ninth day of November, One thousand eight hundred and eighty-nine, shall be of as full force and effect against or in favour of the Corporation of the Borough, and may be enforced as fully and effectually as if, instead of the Commissioners or the Rural Authority, as the case may be, the Corporation had been a party thereto.

Corporation property.

Art. XIII.—(1.) All the property vested in the Corporation on the Ninth day of November, One thousand eight hundred and eighty-nine, for the benefit of the existing Borough shall be held by the Corporation for the benefit of the Borough, and the Corporation shall hold, enjoy, and exercise, for the benefit of the Borough, all the powers which at the date aforesaid are exerciseable by or vested in the Corporation for the benefit of the existing Borough.

Property &c. of Commissioners.

(2.) All property, powers, duties, and liabilities which immediately before the Ninth day of November, One thousand eight hundred and eighty-nine, are vested in or attached to the Commissioners shall be transferred to, vested in, and attach to the Corporation as Urban Sanitary Authority, and all arrears of rates which at the date aforesaid are due or owing to the Commissioners may be collected and recovered by the Corporation.

(3.) The Commissioners shall, on the Ninth day of November, One thousand eight hundred and eighty-nine, be abolished and cease to exist. Commissioners abolished.

(4.) The Rural Authority (whether acting as a Sanitary Authority or as a Highway Authority) shall cease to exercise any powers or jurisdiction within any area included in the Borough: Cesser of jurisdiction of Rural Authority.

Provided that any arrears of rates made by the Overseers before the Ninth day of November, One thousand eight hundred and eighty-nine, in respect of contributions for general or special expenses under the Public Health Act, 1875 (including expenses incurred by the Sanitary Authority acting as the Highway Authority), and which remain due in respect of hereditaments in any area included in the Borough, may be recovered by the Overseers, as the case may be, after that date.

Art. XIV. The accounts of the Commissioners and their officers up to the Ninth day of November, One thousand eight hundred and eighty-nine, shall be audited by the proper officer of the Local Government Board in like manner and subject to the like right of appeal as if this Order had not been made. Audit of accounts.

Art. XV. The Act of 1789 shall be wholly repealed except so far as it may have been acted upon, and except so far as it may be necessary to continue the same for the purpose of recovering any rate made prior to the Ninth day of November, One thousand eight hundred and eighty-nine. Repeal of a Local Act.

Art. XVI. The reference in Section 1 of the Act of 1842 to the Mayor and Aldermen of Faversham for the time being shall be construed to mean the Mayor and Aldermen of the Borough for the time being.

Art. XVII. Subject to the provisions of Section 54 of the Act, the above-recited Order of the Local Government Board dated the Fourteenth day of August, One thousand eight hundred and eighty-eight, shall, from and after the Ninth day of November, One thousand eight hundred and eighty-nine, operate as if the Borough of Faversham mentioned therein were the Borough and not the existing Borough. Extended Borough to be an Electoral Division.

Art. XVIII.—(1.) From and after the Ninth day of November, One thousand eight hundred and eighty-nine, the School Board for the said United District of Preston next Faversham shall cease to have jurisdiction in the area of so much of their District as will be included in the Borough; and the byelaws made by that School Board shall cease to operate in that area. Alteration of School Districts, &c.

(2.) Any byelaws made under the Acts relating to public elementary education in force in the existing Borough on the Ninth day of November, One thousand eight hundred and eighty-nine, shall thenceforth apply to the Borough until revoked or altered in accordance with the provisions of the Elementary Education Acts, 1870 to 1880.

Art. XIX. Nothing in this Order contained shall be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by the Crown Lands Act, 1866, nor shall any works below high-water mark be commenced within the limits mentioned Saving rights under 29 & 30 Vict. c. 62.

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in Article IV. of this Order, without the assent of the Board of Trade having been first obtained.

Short title.

Art. XX. This Order may be cited as the Borough of Faversham Order, 1889.

The SCHEDULE above referred to.

Art. VII.

Persons to retire.	Dates of Retirement.
The four councillors who are elected by the smallest number of votes - - - -	1st November 1890.
The four councillors who are elected by the largest number of votes - - - -	1st November 1892.
The other four councillors - - -	1st November 1891.
The two aldermen who are elected by the smallest number of votes - - - -	9th November 1892.
The other two aldermen - - - -	9th November 1895.

If, for any reason, it is doubtful which councillors or aldermen, as the case may be, ought to retire on the dates above specified, the council of the borough shall on the Ninth day of November, One thousand eight hundred and eighty-nine, or at the next quarterly meeting, and not later, by a majority of votes, or in case of an equality of votes by the casting vote of the chairman, determine which of the councillors or aldermen, as the case may be, in respect of whose retirement such doubt arises, shall go out of office on the dates above specified respectively.

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

(L.S.)

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

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Launceston Order.

BOROUGH OF DUNNEHEVED, OTHERWISE LAUNCESTON.

***Provisional Order made in pursuance of Section 52 of the Local Government Act*, 1888, *and under Section 297 of the Public Health Act*, 1875.**

To the County Council for the Administrative County of Cornwall ; —

To the Mayor, Aldermen, and Burgesses of the Borough of Dunnehеved otherwise Launceston, in the same County ; —

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

To the School Board for the said Borough ; —

To the School Board for the Parish of Saint Stephen, in the same County ; —

To the Guardians of the Poor of the Launceston Union, in the Counties of Cornwall and Devon, being the Sanitary Authority for the Rural Sanitary District of that Union ; —

And to all others whom it may concern.

WHEREAS by Section 52 of the Local Government Act, 1888 (which Act is herein-after referred to as "the Act"), it is enacted that the Local Government Board shall make Provisional Orders for dealing with every case where the Council of a Borough is not the Urban Sanitary Authority for the whole of the area of such Borough, and the area of the Borough is either co-extensive with or is wholly or partly comprised in any Urban Sanitary District, and that such Order shall determine whether the area of the Borough or of the Sanitary District, or an area comprising both the Borough and the Urban Sanitary District, or a portion of such united area, shall, whether with or without any adjoining area, be the area of the County District for the purposes of the Act, so, however, that in either case the Order shall provide for the Council of the Borough becoming the District Council, and that the Order may for that purpose alter the boundaries of the Borough ; 51 & 52 Vict. c. 41.

And whereas the Borough of Dunnehеved otherwise Launceston, in the administrative County of Cornwall, is a Borough within the meaning of the Act, and the inhabitants of the Borough are a body corporate by the name of the Mayor, Aldermen, and Burgesses of the Borough of Dunnehеved otherwise Launceston, and act by the Council of the Borough, which now consists of the Mayor, four Aldermen, and twelve Councillors ;

And whereas by a Provisional Order of the General Board of Health dated the Thirty-first day of July, One thousand eight hundred and fifty, and duly confirmed by the Public Health Supplemental Act, 1850 (No. 3) (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), the Public Health Act, 1848, except Section 50 thereof, was made applicable to and put in force within the area in the Order defined (which comprised (inter alia) the whole of the said Borough), and thereupon such area became a district for the purposes of the Public Health Act, 1848, and is now an Urban Sanitary District (herein-after referred to as "the Sanitary District") 13 & 14 Vict. cap. cviii. 11 & 12 Vict. c. 63.

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of which the Launceston Local Board of Health (herein-after referred to as "the Local Board") are the Urban Sanitary Authority;

3 Vict. cap. lxxv.

And whereas by a Local Act of Parliament passed in the third year of the reign of Her present Majesty Queen Victoria, intituled "An Act for "regulating the markets, and for erecting a market house in the Town of "Launceston, in the County of Cornwall" (herein-after referred to as "the "Market Act"), the Mayor, Aldermen, and Burgesses of the said Borough and their successors were empowered to carry the Market Act into execution within the parts of the Borough which comprised the Parish of Saint Mary Magdalene and the Hamlet of Saint Thomas Street (such parts being herein-after referred to as the "market limits"), and not elsewhere;

And whereas the repayment of the sum of eight thousand pounds borrowed by the Corporation for the erection of a market house under the Market Act is secured by certain debenture bonds charged upon the market tolls, and, by an arrangement approved by the Treasury, the moneys produced by the enfranchisement of copyholds of the manor of Launceston, and by the sale of certain leaseholds of long terms, are to be applied in the purchase of such debenture bonds with a view to their extinction;

33 & 34 Vict. c. 75. 36 & 37 Vict. c. 86. 39 & 40 Vict. c. 79.

And whereas by virtue of the Elementary Education Acts, 1870 to 1876, the existing Borough and the Parish of Saint Stephen are School Districts for which School Boards have been formed;

And whereas the Local Government Board by an Order dated the Fourteenth day of August, One thousand eight hundred and eighty-eight, and made in pursuance of the Act, determined that one County Councillor for the administrative County of Cornwall should be apportioned to the existing Borough;

And whereas the Council of the Borough is not the Urban Sanitary Authority for the area of the existing Borough, and the existing Borough is comprised in the Sanitary District:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 52 and 59 of the Act, by Section 297 of the Public Health Act, 1875, and by any other enactments 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: —

Commencement of Order.

Art. I. This Order shall come into operation on the Ninth day of November, One thousand eight hundred and eighty-nine, except so far as is otherwise herein expressly provided.

Definitions.

Art. II. The several terms in this Order shall have the same meanings respectively as are assigned to them by Section 100 of the Act.

Alteration of Borough.

45 & 46 Vict. c. 50.

Art. III. The area bounded as herein-after mentioned shall be the area of the County District for the purposes of the Act, and the boundary of the Borough shall be altered to correspond to the boundary of that County District, so that the whole of the said area shall for the purposes of the Municipal Corporations Act, 1882, and for all other purposes, be within the Borough, and the same shall hereafter be known by the name of the Borough of Dunneheved, otherwise Launceston; and the Mayor, Aldermen, and Burgesses of the Borough, acting by the Council, shall become the District Council for such County District, and any area outside the boundary of such County District which was included in the Sanitary District shall be included in the Rural District of the Launceston Union.

Art. IV.—(1.) The boundary of the County District and Borough shall be that shown by a red line on the maps, each marked "Map of the Borough of "Dunneheved, otherwise Launceston, as altered, 1889," and sealed with the official seal of the Local Government Board, one of which shall be deposited in the office of the said Board, and the other shall be deposited by the town clerk of the Borough at his office within seven days after the date of this Order. Copies of the said map deposited with the town clerk, certified by him, shall be sent within one month after the date of the Act of Parliament confirming this Order to the clerk of the County Council for the administrative County of Cornwall, to the clerk to the Rural Authority of the Launceston Union, and to the Director-General of Her Majesty's Ordnance Survey at Southampton.

Map of altered Borough.

(2.) Copies of or extracts from the said map deposited with the town clerk, certified by him to be true, shall be received in all courts of justice and elsewhere as primâ facie evidence of the contents of such map so far as relates to the boundaries of the Borough; and such map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the Borough, and any such person shall be entitled to a copy of or extract from such map, certified by the town clerk, on payment of a reasonable fee for every such copy or extract. All sums received under this Article shall be carried to the credit of the Borough Fund.

Copies of map to be evidence.

Art. V. For the purposes of the parish burgess lists and burgess roll, and other lists to be made under the Municipal Corporations Act, 1882, and of the Acts amending the same, and of the lists of county electors and the county register to be made in pursuance of the County Electors Act, 1888, this Order shall operate from the date of the Act of Parliament confirming the same.

Date of operation of Order for parish burgess lists, &c. 51 Vict. c. 10.

For the purposes of the parish burgess lists and burgess roll, and other lists to be made under the Municipal Corporations Act, 1882, and the Acts amending the same, and all matters in relation thereto, the town clerk of the existing Borough shall be the town clerk of the Borough, and anything required to be done in connexion with the purposes aforesaid before the last-mentioned date may, in so far as the same relates to any area included in the Borough, but which does not form part of the existing Borough, be done as soon as practicable after such date, and if so done shall have full force and effect; and if any difficulty arise in making out such lists and roll, or the lists of county electors and the county register, the Local Government Board may make such order as shall appear to them to be necessary to give effect to the provisions of this Order, and may vary, so far as shall be necessary, the provisions in force with regard to the making of such lists, roll, and register.

Art. VI. (1.)—For the purposes of the election of a Town Council for the Borough in pursuance of the Municipal Corporations Act, 1882, in the month of November, One thousand eight hundred and eighty-nine, the following provisions shall take effect from the date of the Act of Parliament confirming this Order; viz.,—

Special provisions for first election in 1889, and for retirement of Councillors and Aldermen. 45 & 46 Vict. c. 50.

(*a.*) The town clerk and the Mayor of the existing Borough (or such other persons as the Local Government Board shall appoint) shall perform the duties devolving upon the town clerk and Mayor respectively under the Municipal Corporations Act, 1882.

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Launceston Order.

(*b.*) Twelve Councillors of the Borough shall be elected on the First day of November, One thousand eight hundred and eighty-nine; and four Aldermen of the Borough shall be elected on the Ninth day of November, One thousand eight hundred and eighty-nine.

(*c.*) The dates specified in the Schedule to this Order shall be the dates for the retirement of the Aldermen and Councillors of the Borough elected in the year One thousand eight hundred and eighty-nine in pursuance of this Order.

(*d.*) Notwithstanding anything in the Municipal Corporations Act, 1882, to the contrary, all the Councillors of the existing Borough who shall be in office up to the First day of November, One thousand eight hundred and eighty-nine, shall go out of office on that date; and all the Aldermen of the existing Borough who shall be in office up to the Eighth day of November, One thousand eight hundred and eighty-nine, shall go out of office on that date; and all such Councillors and Aldermen shall be eligible for election as Councillors on the First day of November.

Borough Auditors.

(2.) The Auditors who shall be in office on the Ninth day of November, One thousand eight hundred and eighty-nine, shall continue in office, and shall be the Auditors of the Borough, until the ordinary day of election of Borough Auditors.

Byelaws to continue in force.

Art. VII. All byelaws and regulations made by the Local Board as a Sanitary Authority which, on the Ninth day of November, One thousand eight hundred and eighty-nine, are in force within the Sanitary District, except regulations relating to the meetings and the transaction and management of the business of the Local Board, and all byelaws and regulations made by the Corporation as a municipal body which, on the Ninth day of November, One thousand eight hundred and eighty-nine, are in force within the existing Borough shall be in force within and apply to the Borough, for the period of twelve months from that date, except in so far as the same may before the expiration of that period be altered or repealed; and save that the Corporation shall be substituted for the Local Board throughout the byelaws and regulations of the Local Board.

Town clerk and other officers continued.

Art. VIII. The town clerk and all other officers and servants of the Corporation of the existing Borough who hold office on the Ninth day of November, One thousand eight hundred and eighty-nine, shall continue to be the town clerk and officers and servants of the Corporation of the Borough, and shall hold their offices by the same tenure as at that date.

Compensation to existing officers. 51 & 52 Vict. c. 41.

Art. IX. The provisions of sub-section (13) of Section 118 and Sections 119 and 120 of the Act shall apply to the persons who on the Ninth day of November, One thousand eight hundred and eighty-nine, hold office as officers or servants of the Local Board, with the substitution of "district fund and general district "rate" in sub-section (8) of Section 120 for "county fund as a payment for "general county purposes," and with such other modifications as are necessary to make those provisions applicable to the said officers and servants, and to the Corporation.

Current debts to be discharged.

Art. X. The Corporation and the Local Board shall liquidate, so far as practicable, before the Ninth day of November, One thousand eight hundred and eighty-nine, all current debts and liabilities incurred by them respectively.

Art. XI.—(1.) If on the Ninth day of November, One thousand eight hundred and eighty-nine, any action or proceeding, or any cause of action or proceeding, is pending or existing by or against the Local Board in relation to the Sanitary District, the same shall not be in anywise prejudicially affected by reason of the making of this Order, but may be continued, prosecuted, and enforced by or against the Corporation of the Borough.

Actions, &c. not to abate.

(2.) All contracts, deeds, bonds, agreements, and other instruments entered into or made by the Local Board, and subsisting on the Ninth day of November, One thousand eight hundred and eighty-nine, shall be of as full force and effect against or in favour of the Corporation of the Borough, and may be enforced as fully and effectually as if, instead of the Local Board, the Corporation had been a party thereto.

Saving for contracts, &c.

Art. XII.—(1.) All the property vested in the Corporation on the Ninth day of November, One thousand eight hundred and eighty-nine, for the benefit of the existing Borough (except property held under and for the purposes of the Market Act), shall be held by the Corporation for the benefit of the Borough, and the Corporation shall hold, enjoy, and exercise, for the benefit of the Borough, all the powers which at the date aforesaid are exerciseable by or vested in the Corporation for the benefit of the existing Borough (except powers exerciseable by or vested in the Corporation under the Market Act).

Corporation property.

(2.) All the property, powers, and duties vested in or attached to the Corporation under or by virtue of the Market Act shall be vested in, held by, and attach to the Corporation subject to the provisions of the Market Act; and all liabilities incurred or to be incurred by the Corporation under the Market Act shall be defrayed in accordance with those provisions:

Market property.

Provided that nothing herein contained shall prevent the proceeds arising from the enfranchisement of copyholds of the Manor of Launceston, and from the sales of the reversions of long leaseholds held of the Corporation being applied in accordance with the arrangement approved by the Treasury towards the redemption of the debenture bonds secured on the tolls of the market as aforesaid.

(3.) All property, powers, duties, and liabilities which immediately before the Ninth day of November, One thousand eight hundred and eighty-nine, are vested in or attached to the Local Board shall be transferred to, vested in, and attached to the Corporation as Urban Sanitary Authority, and all arrears of rates which at the date aforesaid are due or owing to the Local Board may be collected and recovered by the Corporation, and the Local Board shall on that date be abolished and cease to exist.

Property, &c. of Local Board.

Art. XIII. Nothing in this Order contained shall diminish or injuriously affect any of the rights or privileges of the Lord of the Manor of the Borough of Newport.

Saving for rights of the Lord of the Manor of the Borough of Newport.

Art. XIV. The accounts of the Local Board and their officers up to the Ninth day of November, One thousand eight hundred and eighty-nine, shall be audited by the proper officer of the Local Government Board in like manner and subject to the like right of appeal as if this Order had not been made.

Audit of Local Board accounts

Art. XV.—(1.) For the purposes of the Elementary Education Acts, 1870 to 1880,—

Alteration of School Districts &c.

(*a.*) The Borough shall be a school district, and the members of the School Board for the existing Borough who shall be in office on the Ninth day of

A.D. 1889.

Launceston Order.

November, One thousand eight hundred and eighty-nine, shall be deemed to have been elected, and shall be the School Board for the Borough;

(*b.*) Any byelaws in force in the existing Borough on the Ninth day of November, One thousand eight hundred and eighty-nine, shall thenceforth apply to the Borough until revoked or altered in accordance with the provisions of the above-mentioned Acts;

(*c.*) From and after the Ninth day of November, One thousand eight hundred and eighty-nine, the School Board for the Parish of Saint Stephen shall cease to have jurisdiction in the area of so much of their District as is hereby added to the Borough; and the byelaws made by that School Board shall cease to operate in that area.

(2.) From and after the Ninth day of November, One thousand eight hundred and eighty-nine, all buildings with their fittings belonging to the said School Board for the Parish of Saint Stephen, and situate within the added part of the Borough, shall be transferred to and vest in the School Board for the Borough, for all the estate and interest of the School Board for the Parish of Saint Stephen, and all debts, liabilities, and engagements which at that date are owing by or attach to the last-mentioned School Board in respect of any such buildings or fittings within the added part of the Borough shall be discharged and satisfied by the School Board for the Borough.

Any doubt or difference arising under this subdivision of this Article shall, on the application of either of the School Boards interested, stand referred to, and be determined by, the Education Department.

Altered Borough to be an Electoral Division.

Art. XVI. Subject to the provisions of Section 54 of the Act, the above-recited Order of the Local Government Board dated the Fourteenth day of August, One thousand eight hundred and eighty-eight, shall, from and after the Ninth day of November, One thousand eight hundred and eighty-nine, operate as if the Borough of Launceston mentioned therein were the Borough and not the existing Borough.

Repeal of Confirming Act.

Art. XVII. So much of the Confirming Act as relates to the Order shall be wholly repealed, except so far as it may have been acted upon.

Short title.

Art. XVIII. This Order may be cited as the Borough of Launceston Order, 1889.

The SCHEDULE above referred to.

Art. VI.

Persons to retire.	Dates of Retirement.
The four councillors who are elected by the smallest number of votes - - -	1st November 1890.
The four councillors who are elected by the largest number of votes - - -	1st November 1892.
The other four councillors - - -	1st November 1891.
The two aldermen who are elected by the smallest number of votes - -	9th November 1892.
The other two aldermen - - -	9th November 1895.

If, for any reason, it is doubtful which councillors or aldermen, as the case may be, ought to retire at the dates above specified, the council of the borough shall on the

Ninth day of November, One thousand eight hundred and eighty-nine, or at the next following quarterly meeting, and not later, by a majority of votes, or in case of an equality of votes by the casting vote of the chairman, determine which of the councillors or aldermen, as the case may be, in respect of whose retirement such doubt arises, shall go out of office at the dates above specified respectively. A.D. 1889. *Launceston Order.*

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

(L.S.)

CHAS. T. RITCHIE, President.
HUGH OWEN, Secretary.

BOROUGH OF SAINT IVES (HUNTS).

Saint Ives (Hunts) Order.

Provisional Order made in pursuance of Section 52 of the Local Government Act, 1888.

To the County Council for the Administrative County of Huntingdon; —

To the Mayor, Aldermen, and Burgesses of the Borough of Saint Ives (Hunts), in the same Administrative County; —

To the Saint Ives (Hunts) Improvement Commissioners, or the persons now entitled to exercise the powers of those Commissioners under the Saint Ives Improvement Act, 1847; —

To the School Board for the said Borough of Saint Ives; —

And to all others whom it may concern.

WHEREAS by Section 52 of the Local Government Act, 1888 (which Act is herein-after referred to as "the Act"), it is enacted that the Local Government Board shall make Provisional Orders for dealing with every case where the Council of a Borough is not the Urban Sanitary Authority for the whole of the area of such Borough, and the area of the Borough is either co-extensive with or is wholly or partly comprised in any Urban Sanitary District, and that such Order shall determine whether the area of the Borough or of the Sanitary District, or an area comprising both the Borough and the Urban Sanitary District, or a portion of such united area, shall, whether with or without any adjoining area, be the area of the County District for the purposes of the Act, so, however, that in either case the Order shall provide for the Council of the Borough becoming the District Council, and that the Order may for that purpose alter the boundaries of the Borough; 51 & 52 Vict. c. 41.

And whereas the Borough of Saint Ives (Hunts), in the administrative County of Huntingdon, is a Borough within the meaning of the Act, and the inhabitants of the Borough are a body corporate by the name of the Mayor, Aldermen, and Burgesses of the Borough of Saint Ives (Hunts), and act by the Council of the Borough, which now consists of the Mayor (who is also a Councillor), four Aldermen, and eleven other Councillors;

And whereas by the Saint Ives (Hunts) Improvement Act, 1847 (herein-after referred to as "the Improvement Act"), it was enacted that certain persons should be Commissioners for the purposes of that Act, and should be called 10 & 11 Vict. cap. oclvi.

A.D. 1889.

Saint Ives (Hunts) Order.

the Saint Ives (Hunts) Improvement Commissioners (herein-after referred to as "the Commissioners");

And whereas the District within the limits of the Improvement Act is an Urban Sanitary District (herein-after referred to as "the Sanitary District"), and the area of the existing Borough forms part of the Sanitary District;

And whereas the Local Government Board, by an Order dated the Fourteenth day of August, One thousand eight hundred and eighty-eight, and made in pursuance of the Act, determined that two County Councillors for the administrative County of Huntingdon should be apportioned to the existing Borough;

And whereas the existing Borough is, for the purposes of the election of County Councillors, divided into two electoral divisions, termed "the Eastern Electoral Division" and "the Western Electoral Division";

33 & 34 Vict. c. 75.
36 & 37 Vict. c. 86.
39 & 40 Vict. c. 79.
43 & 44 Vict. c. 23.

And whereas by virtue of the Elementary Education Acts, 1870 to 1880, the existing borough is a School District, for which a School Board has been formed;

And whereas an indenture dated the Fifteenth day of July, One thousand eight hundred and seventy-five, and made between the Commissioners, by two of them named therein, of the one part, and the Mayor, Aldermen, and Burgesses of the Borough, of the other part, purported to transfer all the rights, powers, estates, property, and liabilities of the Commissioners to the said Mayor, Aldermen, and Burgesses and their successors; but the Council did not thereby become the Urban Sanitary Authority for the area of the existing Borough:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 52 and 59 of the Act, and by any other enactments in that behalf, hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall take effect:—

Commencement of Order.

Art. I. This Order shall come into operation on the Ninth day of November, One thousand eight hundred and eighty-nine, except so far as is otherwise herein expressly provided.

Definitions.

Art. II. The several terms in this Order shall have the same meanings respectively as are assigned to them by Section 100 of the Act.

Extension of Borough.
45 & 46 Vict. c. 50.

Art. III. The area bounded as herein-after mentioned (being the area of the Sanitary District) shall be the area of the County District for the purposes of the Act, and the boundary of the existing Borough shall be altered to correspond to the boundary of that County District, so that the whole of the said area shall for the purposes of the Municipal Corporations Act, 1882, and for all other purposes, be within the Borough; and the Mayor, Aldermen, and Burgesses of the Borough, acting by the Council, shall become the District Council for such County District.

Map of extended Borough.

Art. IV.—(1.) The boundary of the County District and Borough shall be that shown by a red line on the maps, each marked "Map of the Borough of "Saint Ives (Hunts), as extended, 1889," and sealed with the official seal of the Local Government Board, one of which shall be deposited in the office of the said Board, and the other of which shall be deposited by the town clerk of the Borough at his office within seven days after the date of this Order. Copies of the said map deposited with the town clerk, certified by him, shall be sent within one month after the date of the Act of Parliament confirming this Order

to the clerk of the County Council for the administrative County of Huntingdon, and to the Director-General of Her Majesty's Ordnance Survey at Southampton.

(2.) Copies of or extracts from the said map deposited with the town clerk, certified by him to be true, shall be received in all courts of justice and elsewhere as primâ facie evidence of the contents of such map, so far as relates to the boundaries of the Borough; and such map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the Borough, and any such person shall be entitled to a copy of or extract from such map, certified by the town clerk, on payment of a reasonable fee for every such copy or extract. All sums received under this Article shall be carried to the credit of the Borough Fund.

Copies of map to be evidence.

Art. V.—(1.) For the purposes of the parish burgess lists and burgess roll, and other lists to be made under the Municipal Corporations Act, 1882, and the Acts amending the same, and of the lists of county electors and the county register to be made in pursuance of the County Electors Act, 1888, this Order shall operate from the date of the Act of Parliament confirming the same.

Date of operation of Order for parish burgess lists, &c. 51 Vict. c. 10.

(2.) For the purposes of the parish burgess lists and burgess roll, and other lists to be made under the Municipal Corporations Act, 1882, and the Acts amending the same, and all matters in relation thereto, the town clerk of the existing Borough shall be the town clerk of the Borough, and anything required to be done in connexion with the purposes aforesaid before the last-mentioned date may, in so far as the same relates to any area included in the Borough, but which does not form part of the existing Borough, be done as soon as practicable after such date, and if so done shall have full force and effect; and if any difficulty arise in making out such lists and roll, or the lists of county electors and the county register, the Local Government Board may make such Order as shall appear to them to be necessary to give effect to the provisions of this Order, and may vary, so far as shall be necessary, the provisions in force with regard to the making of such lists, roll, and register.

Art. VI. All byelaws and regulations made by the Corporation as a municipal Corporation shall be in force within and apply to the Borough, except in so far as the same may hereafter be altered or repealed.

Byelaws to continue in force.

Art. VII.—(1.) The town clerk and all other officers and servants of the Corporation of the existing Borough who hold office on the Ninth day of November, One thousand eight hundred and eighty-nine, shall continue to be the town clerk and officers and servants of the Corporation of the Borough, and shall hold their offices by the same tenure as at that date.

Town clerk and other officers continued.

(2.) The Auditors who shall be in office on the Ninth day of November, One thousand eight hundred and eighty-nine, shall continue in office, and shall be the Auditors of the Borough until the ordinary day of election of Borough Auditors.

Borough Auditors.

Art. VIII.—(1.) All the property vested in the Corporation on the Ninth day of November, One thousand eight hundred and eighty-nine, for the benefit of the existing Borough shall be held by the Corporation for the benefit of the Borough, and the Corporation shall hold, enjoy, and exercise, for the benefit of the Borough, all the powers which at the date aforesaid are exerciseable by or vested in the Corporation for the benefit of the existing Borough.

Corporation property.

Saint Ives (Hunts) Order.

Property, &c. of Commissioners.

(2.) All the property, powers, duties, and liabilities of the Commissioners shall become the property, powers, duties, and liabilities of the Corporation as Urban Sanitary Authority.

Saving for contracts, &c.

(3.) All contracts, deeds, bonds, agreements, and other instruments entered into or made by the Commissioners, and subsisting on the Ninth day of November, One thousand eight hundred and eighty-nine, shall be of as full force and effect against or in favour of the Corporation of the Borough, and may be enforced as fully and effectually as if, instead of the Commissioners, the Corporation had been a party thereto.

(4.) All conveyances, leases, deeds, contracts, agreements, matters, and things made to, or entered into or done by, and all byelaws, regulations, and lists of tolls made by, the Corporation of the existing Borough acting as Urban Sanitary Authority, or for the purposes of the Public Health Act, 1875, or of the Markets and Fairs Clauses Act, 1847, or any other Act relating to markets shall be as good and valid in law as if the Corporation had, when the same were made, entered into, or done, been the Urban Sanitary Authority, and shall enure to or, as the case may be, against, and may be enforced by or against the Corporation of the Borough as Urban Sanitary Authority for the same; and the liability for repayment of so much of the sum of eight thousand pounds borrowed by the Corporation for the purpose of providing a market as shall be outstanding on the Ninth day of November, One thousand eight hundred and eighty-nine, shall attach to the Corporation as Urban Sanitary Authority.

Repeal of Improvement Act.

Art. IX.—(1.) Sections 2, 3, 5 to 17, and 26 to 34 (all inclusive) of the Improvement Act shall be wholly repealed except so far as the same may have been acted upon.

(2.) The unrepealed provisions of the Improvement Act shall be in force within the Borough, and shall be altered so as to apply to the Corporation in lieu of the Commissioners.

Electoral Divisions of Borough.

Art. X. Subject to the provisions of Section 54 of the Act, the following provisions shall take effect :—

(1.) The above-recited Order of the Local Government Board dated the Fourteenth day of August, One thousand eight hundred and eighty-eight, shall, from and after the Ninth day of November, One thousand eight hundred and eighty-nine, operate as if the Borough of Saint Ives mentioned therein were the Borough and not the existing Borough.

(2.) The part of the Parish of Fenstanton hereby included in the Borough shall be included in the said Eastern Electoral Division, and the part of the Parish of Hemingford Grey hereby included in the Borough shall be included in the said Western Electoral Division.

(3.) The persons who immediately prior to the Ninth day of November, One thousand eight hundred and eighty-nine, are the County Councillors representing the Eastern and Western Electoral Divisions of the existing Borough shall continue to represent those Divisions respectively as so altered, as if they had been originally elected to represent the altered Divisions.

Alteration of School District.

Art. XI. For the purposes of the Elementary Education Acts, 1870 to 1880,—

(*a.*) The Borough shall be a School District, and the members of the School Board for the existing Borough who shall be in office on the Ninth day of

November, One thousand eight hundred and eighty-nine, shall be deemed to have been elected, and shall be the School Board for the Borough;

(*b.*) Any byelaws in force in the existing Borough on the Ninth day of November, One thousand eight hundred and eighty-nine, shall thenceforth apply to the Borough until revoked or altered in accordance with the provisions of the above-mentioned Acts.

Short title.

Art. XII. This Order may be cited as the Borough of Saint Ives (Hunts) Order, 1889.

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.

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