CHAPTER cviii.

An Act to confirm certain Provisional Orders of the Local Government Board relating to Aberavon Ashton-under-Lyne Derby Hexham and Stalybridge and to the Braintree and Keighley-and-Bingley Joint Hospital Districts. A.D. 1896.

[20th July 1896.]

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

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

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

1. The Orders 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 1896. Short title.

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SCHEDULE.

Aberavon Order.

BOROUGH OF ABERAVON.

Provisional Order for altering certain Local Acts and Confirming Acts.

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

And to all others whom it may concern.

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

11 & 12 Vict. c. cxxxviii. 29 & 30 Vict. c. ccxl.

And whereas the unrepealed provisions of the Aberavon Market Act 1848 and the Aberavon Local Board Act 1866 (which Acts are herein-after together 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) as altered by the Provisional Orders of the Local Government Board the dates whereof are set out in column 1 of Schedule B hereto and which were confirmed by the Acts set out in column 2 of that Schedule (each of which Orders is herein-after referred to as the Order of the year in which it was made) are in force in the Borough;

And whereas by virtue of the Act of 1866 the gas undertaking and gasworks of the Aberavon Gas and Coke Consumers' Company Limited (herein-after referred to as "the Company") became vested in the Corporation;

And whereas by Section 19 of the Act of 1866 the Corporation were empowered for the purposes of that Act to purchase and hold (by agreement but not otherwise) any lands and hereditaments beyond those then held by the Company not exceeding three acres which the Corporation might from time to time require for the purposes of the Act of 1866 but the Corporation were prevented from maintaining or erecting works for the manufacture of gas excepting on the lands on which the gasworks of the Company had been erected or upon lands immediately adjoining thereto and excepting upon the said respective lands from constructing any works for the storage of gas within three hundred yards of any dwelling-house;

And whereas by the Orders of 1884 and 1886 borrowing powers for market purposes were conferred upon the Corporation and by Section 35 of the Act of 1866 and the Orders of 1876 and 1880 the Corporation were empowered to borrow for the purposes of their gas undertaking sums amounting in the whole to the sum of fifteen thousand pounds;

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And whereas the Corporation have in pursuance of Section 19 of the Act of 1866 purchased land containing one rood or thereabouts adjoining the land acquired by them from the Company as aforesaid and all such lands with the gasworks and other buildings thereon are herein-after referred to as "the existing gasworks";

And whereas the Corporation have under Section 19 of the Act of 1866 agreed to acquire for gas purposes the lands described in Schedule A hereto and it is expedient that they should be empowered to construct thereon works for the manufacture and storage of gas and to sell or otherwise dispose of the existing gasworks and to borrow money for gas purposes as herein-after mentioned:

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Local Acts and the Confirming Acts above-mentioned so far as they respectively relate to the Orders above mentioned shall be altered so as to provide as follows viz.:— 38 & 39 Vict. c. 55.

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

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

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

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

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

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

(*b*) by payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds per

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centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed A sinking fund so formed is herein-after called an accumulating sinking fund.

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

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

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

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

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

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

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

sufficient for that purpose Provided that if it appears to the Local Government Board that any such increase is necessary the Corporation shall increase the payments to such extent as the Board may direct.

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

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

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

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

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

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

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

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

Art. VIII.—(1.) The mortgagees of the Corporation by virtue of this Order may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver The amount of arrears to

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authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

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

Art. IX.—(1.) So much of the Confirming Act of 1880 as relates to Article IV. of the Order of 1880 and so much of the Confirming Act of 1884 as relates to Article VI. of the Order of 1884 shall be repealed except so far as the same may have been acted upon.

(2.) The treasurer of the Borough shall within twenty-one days after the Thirty-first day of March in each year if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of the Local Acts as altered by the Orders of 1876 1880 1884 and 1886 or of this Order or in respect of any money raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may from time to time be prescribed by that Board and if required by that Board verified by statutory declaration of such treasurer showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of his failing to make such return the said treasurer shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

(3.) If it appears to the Local Government Board by that return or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by the Local Acts as altered by the Orders of 1876 1880 1884 and 1886 or by this Order or by the Local Government Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the Local Government Board may by Order direct that the sum in such Order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such Order mentioned and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

Art. X. Notwithstanding anything in the Act of 1866 to the contrary the Corporation may erect continue maintain improve and enlarge or remove retorts gasholders apparatus and works for the making and storing of gas and of coke and other residual products and matters producible therefrom and may make and store gas coke and such other products and matters on the lands described in Schedule A hereto.

Art. XI.—(1.) When in the opinion of the Local Government Board sufficient gasworks have been erected on the lands described in Schedule A. hereto the Local Government Board may by Order empower the Corporation to sell the existing gasworks.

(2.) The proceeds of any such sale shall be applied by the Corporation in such manner as the Local Government Board may by Order approve.

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

Art. XIII. Each of the Provisional Orders relating to Aberavon the dates whereof are mentioned in column 1 of Schedule B hereto may be cited by the short title mentioned in column 3 of that Schedule this Order may be cited as the Aberavon Order 1896 and all of the said Orders may be cited together as the Aberavon Orders 1876 to 1896.

The SCHEDULES above referred to.

SCHEDULE A.

All those lands containing by estimation two acres or thereabouts belonging or reputed to belong to Arthur Pendarves Vivian Esquire situate on Aberayon Sands and bounded on the north-east by the Rhondda and Swansea Bay Railway on the north-west by Jubilee Road and on the south-east and south-west by other land belonging or reputed to belong to the said Arthur Pendarves Vivian.

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SCHEDULE B.

1. Date of Order.	2. Short Title of Confirming Act.	3. Short Title of Order.
22nd May 1876 -	The Local Government Board's Provisional Orders Confirmation (Aberavon &c.) Act 1876 39 & 40 Vict. c. lxxxvii.	The Aberavon Order 1876.
17th April 1880 -	The Local Government Board's Provisional Orders Confirmation (Aberavon &c.) Act 1880 43 & 44 Vict. c. lxxxvi.	The Aberavon Order 1880.
6th June 1884 -	The Local Government Board's Provisional Orders Confirmation (No. 8) Act 1884 47 & 48 Vict. c. ccxv.	The Aberavon Order 1884.
10th April 1886 -	The Local Government Board's Provisional Orders Confirmation Act 1886 49 Vict. c. xvii.	The Aberavon Order 1886.

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

L.S.)

Henry Chaplin President.
Hugh Owen Secretary.

Ashton-under-Lyne and Stalybridge Order.

BOROUGHS OF ASHTON-UNDER-LYNE AND STALYBRIDGE.

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

To the Mayor Aldermen and Burgesses of the Borough of Ashton-under-Lyne ; —

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

And to all others whom it may concern:

WHEREAS the Borough of Ashton-under-Lyne (herein-after referred to as "the Borough") is an Urban District of which the Mayor Aldermen and Burgesses acting by the Council (herein-after referred to as "the Corporation") are the District Council and as such Council are a local authority within the meaning of the Public Health Act 1875 and the unrepealed provisions of the

Ashton-under-Lyne Improvement Act 1877 the Ashton-under-Lyne Improvement Act 1886 the Ashton-under-Lyne Corporation Act 1893 (each of which Acts is herein-after referred to as the Act of the year in which it was passed and which Acts are herein-after together referred to as "the Local Acts") as altered by certain Local Acts and by the Provisional Order herein-after mentioned and by certain other Provisional Orders confirmed by Parliament but which do not affect the subject-matter of this Order are in force in the Borough ;

40 & 41 Vict. c. clxxi. 49 & 50 Vict. c. lxxviii. 56 & 57 Vict. c. cxcv.

And whereas by Section 28 of the Act of 1877 as altered by a Provisional Order of the Local Government Board dated the Seventeenth day of April One thousand eight hundred and seventy-nine and confirmed by the Local Government Board's Provisional Orders Confirmation (Ashton-under-Lyne &c.) Act 1879 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act") the Corporation were empowered to borrow for the extension and improvement of the town hall munieipal offices police courts and cells and other buildings sums amounting to the sum of sixteen thousand pounds ;

42 Vict. c. xliii.

And whereas by Sections 17 to 20 of the Act of 1886 provision was made for the appointment by the Corporation and the Corporation of Stalybridge of a Joint Committee (herein-after referred to as "the Joint Committee") for the management and regulation of Stamford Park which in pursuance of that Act became vested in the two Corporations ;

And whereas by Section 22 of the Act of 1886 the Joint Committee are empowered to make byelaws with respect to the maintenance regulation and management of Stamford Park the preservation of order therein and otherwise in relation thereto ;

And whereas by Section 156 of the Act of 1886 the Corporation were empowered to borrow (inter alia) on the security of the improvement rate for providing a refuse destructor with the necessary appliances four thousand pounds ;

And whereas by Part V. of the Act of 1893 the Joint Committee are empowered to set apart portions of the Stamford Park for games and for the drill of volunteers yeomanry or cadets or any military or police force and to make byelaws for regulating the use of the portions of the park so set apart :

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 Local Acts and the Confirming Act so far as it relates to the Order shall be altered so that the following provisions shall take effect viz.,—

38 & 39 Vict. c. 55.

Art. I.—(1.) Section 28 of the Act of 1877 as altered by the Order of 1879 shall be further altered so as to enable the Corporation with the sanction of the Local Government Board to borrow thereunder upon the security therein mentioned such sum or sums not exceeding in the whole the sum of nine thousand pounds as may be required for the extension and improvement of the town hall municipal offices police courts and cells and other buildings :

Provided that Sections 29 30 34 35 and 36 of the Act of 1877 shall not apply to moneys borrowed by virtue of this subdivision.

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Ashton-under-Lyne and Stalybridge Order.

(2.) Section 156 of the Act of 1886 shall be altered by the omission of the words "on the security of the improvement rate for providing a refuse "destructor with the necessary appliances four thousand pounds" and by the insertion in lieu thereof of the following words "on the security of the improve- "ment rate of the Borough and with the sanction of the Local Government Board "such sum or sums not exceeding in the whole the sum of five thousand pounds "as may be required for providing a refuse destructor with the necessary "appliances":

Provided that Sections 157 158 159 160 and 162 of the Act of 1886 shall not apply to moneys borrowed by virtue of this subdivision.

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

Art. III. All moneys borrowed by virtue of this Order shall be repaid within such period not exceeding thirty 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 are herein-after severally referred to as "the prescribed period" and shall be the prescribed period for the purpose of the Local Loans Act 1875.

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

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

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

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

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

Local Loans Act 1875 other than the Corporation the Corporation being at liberty from time to time to vary and transpose such investments.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Art. IX.—(1.) The mortgagees of the Corporation by virtue of this Order may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver The amount of arrears to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

(2.) The application for the appointment of a receiver shall be made to the High Court and the Court if it thinks fit may appoint a receiver on

such terms as it thinks fit and may at any time discharge the receiver and otherwise exercise full jurisdiction over him.

Art. X. The Joint Committee may make byelaws under Section 22 of the Act of 1886 for regulating the fishing in and skating upon any lake or land covered with water in Stamford Park and for fixing the charges to be paid by persons fishing therein and skating thereon.

Art. XI. This Order may be cited as the Ashton-under-Lyne and Stalybridge Order 1896.

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

(L.S.)

Henry Chaplin President.
Hugh Owen Secretary.

BOROUGH OF DERBY.

Derby Order.

Provisional Order for altering the Derby Corporation Act 1877.

To the Mayor Aldermen and Burgesses of the Borough of Derby ; —
And to all others whom it may concern.

WHEREAS the Borough of Derby (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 Derby Corporation Act 1877 (herein-after referred to as "the Local Act") is in force in the Borough ;

40 & 41 Vict. c. cxviii.

And whereas by Section 65 of the Local Act the Corporation were empowered with the sanction of the Local Government Board to borrow any sum not exceeding twenty thousand pounds and by Section 66 of the Local Act it was enacted that the money so borrowed should be applied (inter alia) in the enlargement and improvement from time to time of the markets market hall and slaughter-houses and purposes connected therewith ;

And whereas by Section 68 of the Local Act the Corporation were required to pay off all moneys borrowed by them under the powers of that Act within sixty years after the same were borrowed ;

And whereas the Corporation have at various dates between the years One thousand eight hundred and eighty-eight and One thousand eight hundred and ninety-three borrowed with the sanction of the Local Government Board and under the Local Act for the purposes of the enlargement and improvement of the markets market hall and slaughter-houses and purposes connected therewith the sums of one thousand four hundred and ten pounds five hundred and thirty pounds five thousand nine hundred and twenty-three pounds eight hundred and twenty pounds three hundred pounds and one hundred pounds all which sums (with the exception of the said sum of eight hundred and twenty pounds) are with the sanction of the Local Government Board being repaid by the Corporation within thirty years and the said sum of eight hundred

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and twenty pounds is being repaid with the like sanction within twenty years from the respective dates of borrowing;

And whereas it is expedient that further borrowing powers for the purposes of markets market hall and slaughter-houses should be conferred on the Corporation and that the other provisions herein-after contained should be made:

38 & 39 Vict. c. 55.

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

Art. I. Notwithstanding anything in Section 68 of the Local Act contained the Corporation shall repay the said sums of one thousand four hundred and ten pounds five hundred and thirty pounds five thousand nine hundred and twenty-three pounds three hundred pounds and one hundred pounds within thirty years and the said sum of eight hundred and twenty pounds within twenty years from the respective dates of borrowing and any sums to be hereafter borrowed under Section 65 of the Local Act shall be repaid within such period not exceeding sixty years as the Corporation with the sanction of the Local Government Board shall determine.

Art. II. The Corporation may with the sanction of the Local Government Board and subject to the provisions of this Order borrow on the security of the borough fund and borough rate of the Borough such further sums not exceeding in the whole the sum of ten thousand pounds as may be necessary for the enlargement and improvement from time to time of the markets market hall and slaughter-houses and purposes connected therewith.

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

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

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

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

(*a*) by payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of

which the sinking fund is formed A sinking fund so formed is herein-after called a non-accumulating sinking fund or

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

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

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

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

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

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

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

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

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such increase is necessary the Corporation shall increase the payments to such extent as the Board may direct.

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

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

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

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

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

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

Art. VIII. Section 69 of the Local Act shall be repealed and in lieu thereof it shall be provided as follows:—

(1.) The treasurer of the Borough shall within twenty-one days after the Thirty-first day of March in each year if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of the Local Act or this Order or in respect of any money raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may from time to time

be prescribed by that Board and if required by that Board verified by statutory declaration of such treasurer showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of his failing to make such return such treasurer shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

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

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

Art. X.—(1.) The mortgagees of the Corporation by virtue of this Order may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver The amount of arrears to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

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

Art. XI. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of the Local Act or of this Order the costs incurred by that Board in relation to such inquiry (including such

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reasonable sum not exceeding three guineas a day as that Board may determine for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Corporation and the Local Government Board may certify the amount of the costs so incurred and any sum so certified and directed by that Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

Art. XII. This Order may be cited as the Derby Order 1896.

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

(L.S.) Henry Chaplin President.
Hugh Owen Secretary.

Hexham Order.

URBAN DISTRICT OF HEXHAM.

Provisional Order for altering the Hexham Local Board (Water) Act 1888.

To the Urban District Council of Hexham;—
And to all others whom it may concern.

WHEREAS the Urban District Council of Hexham (herein-after referred to as "the District Council") are the local authority within the meaning of the Public Health Act 1875 for the Urban District of Hexham (herein-after referred to as "the district") and the Hexham Local Board (Water) Act 1888 (herein-after referred to as "the Local Act") is in force in the district;

51 & 52 Vict. c. cliv.

And whereas by Section 30 of the Local Act the Local Board were empowered to borrow on the securities therein named such sums as they might from time to time think requisite for any of the purposes of that Act not exceeding ten 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 Act shall be altered so as to provide as follows viz.,—

38 & 39 Vict. c. 55.

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

Art. II. For the purpose of raising money by virtue of this Order the provisions of the Local Loans Act 1875 shall be available to the District Council and Sections 236 to 238 both inclusive of the Public Health Act 1875

shall apply to all moneys raised and borrowed on mortgage by virtue of this Order.

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

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

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

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

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

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

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

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

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fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

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

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

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

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

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

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

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

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

Art. VI. The District Council shall except as herein-after provided have power to re-borrow for the purpose of paying off moneys borrowed or re-borrowed

by virtue of this Order which have not been repaid and are intended to be forthwith repaid or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the District Council within twelve months before the re-borrowing and which at the time of the repayment it was intended to re-borrow :

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

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

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

Art. VIII.—(1.) The mortgagees of the District Council by virtue of this Order may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver The amount of arrears to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

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

Art. IX.—(1.) Section 37 of the Local Act shall be repealed except so far as the same may have been acted upon.

(2.) The clerk to the District Council shall within twenty-one days after the Thirty-first day of March in each year if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of the Local Act or of this Order or in respect of any money raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may from time to time be prescribed by that Board and if required by that Board verified by statutory declaration of such clerk showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total

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amount (if any) remaining invested at the end of the year and in the event of his failing to make such return such clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

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

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

Art. XI. This Order may be cited as the Hexham Order 1896.

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

(L.S.) Henry Chaplin President.
Hugh Owen Secretary.

Braintree Order.

BRAINTREE JOINT HOSPITAL DISTRICT.

Provisional Order for forming a United District under Section 279 *of the Public Health Act* 1875.

To the Urban District Council of Braintree;—

To the Rural District Council of Braintree;—

And to all others whom it may concern.

WHEREAS the several District Councils named in column 2 of Schedules A and B to this Order (herein-after respectively referred to as "Schedule A" and "Schedule B" and jointly as "the Schedules") are the local authorities

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within the meaning of the Public Health Act 1875 (herein-after referred to as "the Act") for the Urban District and the Rural District named in column 1 of the Schedules:

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 279 of the Act and by any other Statutes in that behalf do hereby Order as follows viz.,— 38 & 39 Vict. c. 55.

Art. I. This Order shall come into operation from and after the date of the Act of Parliament confirming the same (herein-after referred to as "the appointed day").

Art. II. The Urban District named in column 1 of Schedule A and the Rural District named in column 1 of Schedule B (which districts are herein-after referred to as "the Constituent Districts") shall be formed into a United District to be called the Braintree Joint Hospital District for the purposes of the provision maintenance and management for the use of the inhabitants of the Constituent Districts of a hospital or hospitals for the reception of cases of infectious diseases.

Art. III. The Joint Board which shall be the governing body of the said United District shall consist of two ex-officio and eight elective members and shall be called the Braintree Joint Hospital Board (herein-after referred to as "the Joint Board").

Art. IV. The ex-officio members shall be the persons described in column 3 of the Schedules and the elective members shall be elected by the District Councils mentioned in column 2 of the Schedules (herein-after referred to as "the Constituent Authorities").

Art. V. The number of members of the Joint Board to be elected by each of the Constituent Authorities shall be that set opposite to the name of each of such authorities in column 4 of the Schedules and the said members shall be chosen by each of the Constituent Authorities from among its own members.

Art. VI. Such of the provisions of Section 46 of the Local Government Act 1894 as relate to members of councils of districts other than boroughs shall mutatis mutandis apply to members of the Joint Board. 56 & 57 Vict. c. 73.

Art. VII. The first election of members of the Joint Board shall take place at a meeting of each of the Constituent Authorities to be held within six weeks from the appointed day or within such further time as the Local Government Board may allow and fourteen days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authorities by the clerk to such authority.

Art. VIII. The clerk to each of the Constituent Authorities shall notify in writing to the Local Government Board within seven days after such first election shall have taken place the names address and occupation of each of the persons elected by such authority as a member of the Joint Board.

Art. IX. An elective member of the Joint Board shall continue in office until the expiration of the period for which he was elected a member of the Joint Board or until he dies or resigns or ceases to be a member of the Constituent Authority as a member of which he was qualified to be elected or otherwise

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becomes disqualified or until he becomes an ex-officio member of the Joint Board whichever shall first happen :

Provided always that an elective member shall not continue in office for a longer period than three years without re-election and a member who ceases to hold office by reason of the expiration of his period of office or by reason of his resignation or disqualification or ceasing to be a member of such Constituent Authority shall subject to the provisions of Article VI. of this Order be re-eligible as a member of the Joint Board if at the time of re-election he is qualified to be so re-elected.

Art. X. Any vacancy occurring in the Joint Board by death resignation disqualification or otherwise shall be filled up by the Constituent Authority in whose representation the vacancy happens at a meeting to be held within six weeks of such vacancy occurring or within such further period as the Local Government Board may determine and fourteen days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the clerk to such authority and such clerk shall forthwith notify in writing to the clerk to the Joint Board the names address and occupation of the person elected to fill such vacancy.

Art. XI.—(1.) The time and place of holding the first meeting of the Joint Board shall be fixed by the Local Government Board and the subsequent ordinary meetings of the Joint Board shall be held at such times and places as the Joint Board may appoint and at all meetings of the Joint Board four members shall constitute a quorum.

(2.) An extraordinary meeting shall be summoned by the clerk to the Joint Board when a requisition for that purpose is addressed to him by the chairman or any three members of the Joint Board.

(3.) Such requisition shall be in writing and no business other than that specified in the requisition shall be transacted at such extraordinary meeting.

(4.) Notices of all meetings of the Joint Board shall be delivered or sent by post so as to reach the last known place of abode or business in England of each member of the Joint Board three clear days before the day of meeting or at such earlier time as the Joint Board may from time to time direct.

(5.) The Joint Board may from time to time appoint committees consisting of members of the Joint Board for the exercise of any powers which in the opinion of the Joint Board can be properly exercised by committees but the acts of every such committee shall unless otherwise directed by the Joint Board be submitted to the Joint Board for approval Provided that a committee so appointed shall in no case be authorised to borrow money or to issue any precept for contributions or to enter into any contract and it shall be subject to the provisions of Part IV. of the First Schedule to the Local Government Act 1894 so far as they are applicable.

56 & 57 Vict. c. 73.

Art. XII. The Joint Board shall at their first meeting or at an adjournment thereof and from time to time thereafter as occasion shall require appoint a chairman (who shall subject to the provisions of Articles VI. and IX. of this Order continue chairman for such period not exceeding three years as may be determined by the Joint Board at the time of his appointment) a treasurer

and a clerk and they may from time to time appoint one or more medical officers who shall be registered medical practitioners and such other officers and servants as they think requisite They may pay their treasurer clerk medical officers and other officers and servants such reasonable remuneration as they shall deem expedient and every such treasurer clerk medical officer and other officer and servant shall be removable by the Joint Board at their pleasure.

Art. XIII. The purposes for which the United District is formed are the provision maintenance and management of a hospital or hospitals for the reception of cases of infectious diseases for the use of the inhabitants of the Constituent Districts.

Art. XIV.—(1.) Persons shall be admitted into a hospital provided by the Joint Board in any of the following modes and not otherwise except with the consent of the Constituent Authorities viz.,—

a. By an order of the Joint Board or of either of the Constituent Authorities.

b. By an order of a Medical Officer of Health of either of the Constituent Authorities.

c. By an order of a Medical Officer appointed by the Joint Board.

d. By an order of a Justice made under the provisions of Section 124 of the Act with the consent required by that section.

(2.) If the Guardians of the Poor of the Braintree Union and the Joint Board agree for the reception into the hospital of persons in the receipt of relief from the said Guardians any such person may be admitted into the hospital in such manner as such agreement shall prescribe.

Art. XV. For the purposes of this Order the following sections of the Act the Public Health (Officers) Act 1884 and the Public Health (Members and Officers) Act 1885 shall apply and the Joint Board shall have exercise perform and be subject to all the powers rights duties capacities liabilities and obligations of an Urban District Council under the same sections so far as the same are applicable viz.,—

Of the Act:—

Sections 122 123 131 and 132 relating to infectious diseases and hospitals.

Sections 173 and 174 (except sub-section 3) relating to contracts.

Sections 175 176 and 177 relating to purchase of lands.

Sections 179 to 181 both inclusive relating to arbitration.

Sections 192 to 197 both inclusive and Sections 205 and 206 (except so much of Section 206 as requires the publication in a local newspaper of the annual report) relating to officers and conduct of business of local authorities.

Sections 245 247 (as amended by the District Auditors Act 1879) 249 and 250 relating to audit.

Sections 251 253 and 254 and Sections 258 to 263 and 265 to 267 all inclusive and Section 269 as amended by the Summary Jurisdiction Act 1884 relating to legal proceedings.

Section 298 as to costs of Provisional Orders.

Sections 306 to 309 both inclusive relating to miscellaneous provisions.

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47 & 48 Vict. c. 74.

48 & 49 Vict. c. 53.

Of the Public Health (Officers) Act 1884 :—
Section 2.
Of the Public Health (Members and Officers) Act 1885 :—
Section 2.

Art. XVI. The Joint Board shall for the purpose of the sections of the Act with regard to the "Prevention of epidemic diseases" be a local authority so as to enable the Local Government Board by any regulations under those sections to confer powers and to impose duties on the Joint Board and so far as regards any powers so conferred and any duties so imposed but nothing in this Order contained shall prevent the Local Government Board from imposing any duties by any regulations under the said sections on the Constituent Authorities or either of them or affect the powers of such authorities so far as the same may be required to be exercised in pursuance of such regulations.

Art. XVII. Until a hospital provided by the Joint Board is ready for the reception of patients nothing in this Order shall take away abridge or prejudicially affect any power vested in either of the Constituent Authorities with regard to the provision of a hospital or hospitals for the use of the inhabitants of their district.

Art. XVIII. A copy of Section 132 of the Act shall be hung up in a conspicuous place at the principal entrance of the hospital or hospitals.

Art. XIX.—(1.) All the expenses incurred by the Joint Board shall be defrayed out of a common fund to which shall be paid the sums received from the Constituent Authorities in respect of the cost of maintenance of patients as herein-after provided and the sums recovered by the Joint Board from or repaid to the Joint Board by or for patients.

(2.) The common fund so far as the same shall not be provided by such payments thereto as aforesaid shall be contributed by the Constituent Districts respectively in the following proportions viz.,—

By the Urban District of Braintree - -	Two-fifths.
By the Rural District of Braintree - - -	Three-fifths.

Art. XX.—(1.) The cost of maintenance of patients shall be ascertained and paid as follows viz.,—

(*a.*) Within fourteen days after the Thirty-first day of March and the Thirtieth day of September in each year the Joint Board shall ascertain the average weekly cost per patient of the maintenance of patients who have been in the hospital during the previous half-year.

(*b.*) The cost of maintenance of patients shall include all the expenses incurred in and about the maintenance and care of the patients in the hospital and in and about their medical treatment (except so far as the same shall be included in the salaries of the medical officer or medical officers and permanent nurse or nurses) and in and about the clothing conveyance to and from the hospital burials and funerals of patients and shall also include during any week in which a patient or patients may have been in the hospital the remuneration and rations of temporary nurses but shall not include the cost of the repairs to the hospital or to the fittings and furniture thereof or the salaries remuneration or rations of the officers or servants other than temporary nurses.

(2.) The clerk to the Joint Board shall within twenty-one days after the Thirty-first day of March and the Thirtieth day of September in each year transmit to the clerk of each Constituent Authority an account showing in respect of the patients received into the hospital from the district of such authority after deducting any sums recovered by the Joint Board from or repaid to the Joint Board by or for such patients—

(*a*) the name of each patient ;

(*b*) the number of weeks (and for the purposes of this Order any period less than seven days shall be calculated as one week) during such half-year each patient has remained in the hospital and

(*c*) the amount (calculated according to the weekly average ascertained as aforesaid) due from such authority.

(3.) The amount shown by such account to be due shall be paid by the Constituent Authority from whose district such patients have been received into the hospital and shall be included in the precepts which the Joint Board issue to the Constituent Authorities respectively under Section 284 of the Act stating the sums to be contributed by the Constituent Authorities towards the common fund of the district and in case of default shall be recovered in like manner as the sums to be contributed towards such common fund.

Art. XXI. The accounts of the Joint Board shall at all reasonable times be open to inspection and transcription by any member of either of the Constituent Authorities or by any officer of either of the Constituent Authorities authorised by them for that purpose without payment.

Art. XXII. A copy of the auditor's report and of the abstract of the accounts of the Joint Board when duly audited shall be sent by the Joint Board to each of the Constituent Authorities.

Art. XXIII. If at any time any new district is formed including the whole or any part of either of the Constituent Districts or the boundaries of either of the Constituent Districts are otherwise altered or the whole of either of the Constituent Districts is created or included in a municipal borough or any repeal or alteration is made in the law affecting the United District or the Joint Board or either of the Constituent Districts or Authorities in matters touching their relation to the United District or the Joint Board then and in every such case the Local Government Board may by Order to be published as they shall direct make such provision as to them seems fit for adapting the provisions of this Order to the alteration so made and to the incidents and consequences thereof and every such Order shall have effect as if the terms thereof were inserted in this Order.

Art. XXIV. If at any time any difference arises between the Joint Board on the one hand and any Constituent Authority or Authorities on the other hand or between the Constituent Authorities respecting any matter arising out of the provisions of this Order the same shall be referred to and be settled by arbitration in the manner provided by the Act except in any case otherwise herein provided for.

A.D. 1896.

Braintree Order.

Art. XXV. This Order may be cited as the Braintree Joint Hospital Order 1896.

The SCHEDULES above referred to.

SCHEDULE A.

1.	2	3.		4.
Name of District.	Name of District Council.	Ex-officio Member.		Elective Members.
		Number.	Description.	Number.
The Urban District of Braintree.	The Urban District Council of Braintree.	1	The Chairman of the Urban District Council or in the event of his being unwilling to act or being the ex-officio member mentioned in Schedule B then the Vice-Chairman of the Urban District Council.	3

SCHEDULE B.

1.	2.	3.		4.
Name of District.	Name of District Council.	Ex-officio Member.		Elective Members.
		Number.	Description.	Number.
The Rural District of Braintree.	The Rural District Council of Braintree.	1	The Chairman of the Rural District Council or in the event of his being unwilling to act or being the ex-officio member mentioned in Schedule A then the Vice-Chairman of the Rural District Council.	5

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

(L.S.)

HENRY CHAPLIN President.
HUGH OWEN Secretary.

KEIGHLEY AND BINGLEY JOINT HOSPITAL DISTRICT.

A.D. 1896.

Keighley and Bingley Order.

Provisional Order for altering a Confirming Act.

To the Keighley and Bingley Joint Hospital Board ;—
To the Mayor Aldermen and Burgesses of the Borough of Keighley ;—
To the Urban District Council of Bingley ;—
To the Urban District Council of Bingley Outer ;—
To the Urban District Council of Haworth ;—
To the Urban District Council of Oakworth ;—
To the Urban District Council of Oxenhope ;—
To the Rural District Council of Keighley ;—
And to all others whom it may concern.

WHEREAS by virtue of a Provisional Order of the Local Government Board dated the Sixteenth day of May One thousand eight hundred and ninety-three and confirmed by the Local Government Board's Provisional Orders Confirmation (No. 14) Act 1893 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act") and of the West Riding of Yorkshire (Bingley Outer and Haworth) Confirmation Order 1896 (herein-after referred to as "the Order of 1896") the several Urban Districts of Keighley Bingley Bingley Outer and Haworth and the Rural District of Keighley (such Urban and Rural Districts being herein-after referred to as "the Constituent Districts") constitute a United District called the Keighley and Bingley Joint Hospital District (herein-after referred to as "the United District") of which the governing body is the Keighley and Bingley Joint Hospital Board (herein-after referred to as "the Joint Board") ;

56 & 57 Vict. c. cxxxi.

And whereas by virtue of the Order and the Order of 1896 the Joint Board now consists of four ex-officio members and of fifteen elective members elected by the several District Councils ;

And whereas it is expedient that the Urban Districts of Oakworth and Oxenhope be included in the United District and that the alterations in the Order herein-after provided for should be made :

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 297 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 Confirming Act so far as it relates to the Order shall be altered as follows :—

38 & 39 Vict. c. 55.

Art. I. The United District shall be extended so as to include the Urban Districts of Oakworth an Oxenhope and throughout the Order as altered by the Order of 1896 reference to the Constituent Districts shall be deemed to include the Urban Districts of Oakworth and Oxenhope and reference to the Constituent Authorities shall be deemed to include the Urban District Councils of Oakworth and Oxenhope.

Art. II. Article II. of the Order shall be altered so that the Joint Board shall in future consist of four ex-officio and seventeen elective members and the ex-officio members shall be the persons mentioned in column 3 of Schedule A

A.D. 1896.

Keighley and Bingley Order.

hereto and the number of elective members to be elected by each Constituent Authority shall be that set opposite to the name of the authority in the last column of Schedules A and B hereto.

Art. III. Each of the Urban District Councils of Oakworth and Oxenhope shall elect from among their own members the number of members of the Joint Board specified in column 4 of Schedule A hereto and the provisions of Article IX. of the Order as hereby altered shall apply as if such elections related to the filling of casual vacancies occurring on the day of the date of the Act of Parliament confirming this Order.

Art. IV. The following provision shall be substituted for Article V. of the Order viz.,—

56 & 57 Vict. c. 73.

"Art. V. Such of the provisions of Section 46 of the Local Government "Act 1894 as relate to members of councils of districts other than "boroughs shall mutatis mutandis apply to members of the Joint Board."

Art. V. Article IX. of the Order shall be altered—

(*a*) by the insertion in lieu of the words "six weeks" of the words "eight weeks";

(*b*) by the omission of the words "by Order";

(*c*) by the insertion in lieu of the words "fourteen days" of the words "seven days."

Art. VI. Article X. of the Order shall be altered by the addition thereto of the following provision:—

"The Joint Board may from time to time appoint committees consisting of "members of the Joint Board for the exercise of any powers which in the "opinion of the Joint Board can be properly exercised by committees but "the acts of every such committee shall unless otherwise directed by the "Joint Board be submitted to the Joint Board for approval Provided "that a committee so appointed shall in no case be authorised to borrow "money or to issue any precept for contributions or to enter into any "contract and it shall be subject to the provisions of Part IV. of the "First Schedule to the Local Government Act 1894 so far as they are "applicable."

56 & 57 Vict. c. 73.

Art. VII. Article XIV. of the Order shall be altered—

(*a*) by the insertion in lieu of the words and figures "Section 200 and Sections 203 to 206 all inclusive" of the words and figures "both inclusive "and Sections 205 and 206 (except so much of Section 206 as requires the "publication in a local newspaper of the annual report)";

(*b*) by the insertion in lieu of the words and figures "Sections 258 to 267 both inclusive" of the words and figures "Sections 258 to 263 and 265 to 267 all inclusive" and

(*c*) by the insertion before the words and figures "Sections 306 to 309" of the words and figures "Section 298 as to costs of Provisional Orders."

Art. VIII. Article XIX. of the Order shall be altered—

(*a.*) by the insertion in lieu of the words "fourteen days" in paragraph (*a*) of subdivision (1) of the words "twenty-one days";

(*b.*) by the insertion in lieu of the words "twenty-one days" in subdivision (2) of the words "six weeks."

Art. IX. Article XXII. of the Order shall be repealed except so far as it may have been acted upon.

Art. X. If at any time any new district is formed including the whole or any part of any of the Constituent Districts or the boundaries of any of the Constituent Districts are otherwise altered or the whole of any of the Constituent Districts is created or included in a municipal borough or any repeal or alteration is made in the law affecting the United District or the Joint Board or any of the Constituent Districts or Authorities in matters touching their relation to the United District or the Joint Board then and in every such case the Local Government Board may by Order to be published as they shall direct make such provision as to them seems fit for adapting the provisions of the Order as altered by the Order of 1896 or of this Order to the alteration so made and to the incidents and consequences thereof and every such Order shall have effect as if the terms thereof were inserted in this Order.

Art. XI. The Schedules A and B to this Order shall be substituted for Schedules A and B to the Order.

Art. XII. The Order may be cited as the Keighley and Bingley Joint Hospital Order 1893 this Order may be cited as the Keighley and Bingley Joint Hospital Order 1896 and the Order and this Order may be cited together as the Keighley and Bingley Joint Hospital Orders 1893 and 1896.

The SCHEDULES above referred to.

SCHEDULE A.

1.	2.	3.		4.
Name of District.	Name of District Council.	Ex-officio Members.		Elective Members.
		Number.	Description.	Number.
The Borough of Keighley.	The Mayor Aldermen and Burgesses of the Borough of Keighley acting by the Council.	1	The Mayor - -	8
The Urban District of Bingley.	The Urban District Council of Bingley.	1	The Chairman of the District Council.	2
The Urban District of Bingley Outer.	The Urban District Council of Bingley Outer.	1	Ditto - -	1
The Urban District of Haworth.	The Urban District Council of Haworth.	1	Ditto - -	1
The Urban District of Oakworth.	The Urban District Council of Oakworth.	—	- - -	2
The Urban District of Oxenhope.	The Urban District Council of Oxenhope.	—	- -	1
				31

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SCHEDULE B.

1. Name of District.	2. Name of District Council.	3. Elective Members. Number.
The Rural District of Keighley - -	The Rural District Council of Keighley -	2

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

(L.S.)

Henry Chaplin President.
Hugh Owen Secretary.

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