CHAPTER cix.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the County of Hertford and the City of Liverpool (two). [20th July 1896.]

A.D. 1896.

WHEREAS the Local Government Board have made the Provisional Order set forth in Schedule A. hereto under the provisions of the Public Health Act 1875 and the Provisional Orders set forth in Schedule B. hereto under the provisions of 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 Schedules A. and B. hereto shall be and the same are hereby confirmed and all the provisions thereof shall have full validity and force.

Orders in schedules confirmed.

2. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 17) Act 1896.

Short title.

A.D. 1896.

SCHEDULE A.

Liverpool Order. (1.)

CITY OF LIVERPOOL.

Provisional Order for altering certain Local Acts.

To the Mayor Aldermen and Citizens of the City of Liverpool ; —

And to all others whom it may concern.

WHEREAS the City of Liverpool (herein-after referred to as "the City") is an Urban Sanitary District of which the Mayor Aldermen and Citizens acting by the Council (herein-after referred to as "the Corporation") are the Urban Sanitary Authority and the unrepealed provisions of the Liverpool Sanitary Amendment Act 1854 the Chorley Waterworks Transfer Act 1856 the Liverpool Improvement Act 1858 the Liverpool Corporation Waterworks Act 1862 the Liverpool Improvement Act 1867 the Liverpool Improvement and Waterworks Act 1871 and the Liverpool Corporation Act 1893 (each of which Acts is herein-after referred to as the Act of the year in which it was passed and all which Acts are herein-after together referred to as "the Local Acts") as altered by certain other Local Acts and by certain Provisional Orders duly confirmed by Parliament but which do not affect the subject-matter of this Order are in force in the City ;

17 Vict. c. xv.
19 Vict. c. v.
21 & 22 Vict. c. lxxx.
25 & 26 Vict. c. cvii.
30 & 31 Vict. c. clxviii.
34 & 35 Vict. c. clxxxiv.
56 & 57 Vict. c. clxxxi.

And whereas by Section 31 of the Act of 1858 provision was made for the apportionment between successive occupiers of rates made for a particular period ;

And whereas by Section 41 of the Act of 1862 provision was made for the apportionment between successive owners or occupiers of water rates made for a particular period ;

And whereas by Section 47 of the Act of 1871 the provisions as to composition for water rates were assimilated to the provisions as to composition for other rates ;

And whereas by Section 37 of the Act of 1893 it was (inter alia) enacted that Section 31 of the Act of 1858 should extend and apply (mutatis mutandis) to the general rate by the Act of 1893 authorised to be levied and that Section was accordingly incorporated with the Act of 1893 :

38 & 39 Vict. c. 55.

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

Art. I.—(1.) The expression "owner" in the Act of 1862 in Sections 68 69 and 70 of the Act of 1867 in the Act of 1871 and in the Act of 1893 shall have the same meaning as in Section 4 of the Public Health Act 1875.

(2.) The expression "net annual value" in the Act of 1862 and in the Act of 1893 and the expression "net yearly rateable value" in Section 47 of the Act of 1871 and Section 68 of the Act of 1867 shall mean the rateable value as stated in the valuation list in force at the date when the rate is made or (if there is no such list) in the last poor rate. A.D. 1896. *Liverpool Order.* (1.)

Art. II. The following Acts (so far as they are applicable for the purposes and are not inconsistent with the provisions of the Act of 1856 or any Act amending that Act) shall be and the same are hereby incorporated with the last-mentioned Act viz.,—

The Waterworks Clauses Act 1847 (except the provisions thereof with respect to the amount of profit to be received by the Undertakers when the waterworks are carried on for their benefit and except Section 83 relating to accounts), but that Act shall be read and have effect as if the words "with "the consent in writing of the owner or reputed owner of any such house "or of the agent of such owner" were omitted from Section 44; and

The Waterworks Clauses Act 1863.

Art. III. Section 41 of the Act of 1862 shall be altered so that the provisions thereof shall not apply to premises the net annual value whereof does not exceed thirteen pounds.

Art. IV. Section 37 of the Act of 1893 shall be altered so that the provisions of Section 31 of the Act of 1858 as incorporated therewith shall not apply to premises the net annual value whereof does not exceed thirteen pounds.

Art. V. Sections 7 8 9 and 10 of the Act of 1854 shall be and the same are hereby repealed except so far as the same may have been acted upon.

Art. VI. This Order may be cited as the City of Liverpool Order (No. 1) 1896.

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

(L.S.)

Henry Chaplin President.
Hugh Owen Secretary.

SCHEDULE B.

COUNTY OF HERTFORD.

Hertford Order.

Provisional Order made in pursuance of sub-section (2) *of Section* 69 *of the Local Government Act* 1888.

To the County Council of Hertford;—

And to all others whom it may concern.

WHEREAS by sub-section (1) of Section 69 of the Local Government Act 1888 (herein-after referred to as "the Act") the County Council of any 51 & 52 Vict. c. 41.

A.D. 1896.

Hertford Order.

Administrative County are empowered to borrow on the security and for the purposes in that sub-section mentioned and by sub-section (2) of that section it is provided that where the total debt of the County Council after deducting the amount of any sinking fund exceeds or if the proposed loan is borrowed will exceed the amount of one-tenth of the annual rateable value of the rateable property in the County ascertained according to the standard or basis for the county rate the amount shall not be borrowed except in pursuance of a Provisional Order made by the Local Government Board and confirmed by Parliament;

And whereas the County Council of Hertford (which Council and County are herein-after respectively referred to as "the County Council" and "the County") propose under the provisions of the Act to borrow with the consent of the Local Government Board the sum of one hundred and fifty thousand seven hundred and fifty pounds for the purposes of providing a lunatic asylum;

And whereas the total debt of the County after deducting the amount of any sinking fund will if the proposed amount is borrowed exceed the amount of one-tenth of the annual rateable value of the rateable property in the County ascertained according to the standard or basis for the county rate and consequently such amount cannot be borrowed except in pursuance of a Provisional Order made by the Local Government Board and confirmed by Parliament and it is expedient that such a Provisional Order should be made:

51 & 52 Vict. c. 41.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 69 of the Act and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the following provisions shall have effect viz.,—

Art. I. Subject to and in accordance with the provisions of the Act the County Council may from time to time borrow such sums as will not together exceed by more than one hundred thousand pounds the sum which they may be authorised to borrow under the Act without a Provisional Order.

Art. II. This Order may be cited as the County of Hertford (Additional Borrowing Powers) Order 1896.

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

(L.S.)

Henry Chaplin President.
Hugh Owen Secretary.

CITY OF LIVERPOOL.

A.D. 1896.

Liverpool Order. (2.)

Provisional Order made in pursuance of Sections 59 *and* 87 *of the Local Government Act* 1888 *for altering the City of Liverpool Order* 1895.

To the Mayor Aldermen and Citizens of the City of Liverpool ;—

To the School Board for the said City ; —

To the Overseers of the Poor of the Townships of Toxteth Park Walton on the Hill Wavertree and West Derby ; —

And to all others whom it may concern.

WHEREAS by the City of Liverpool Order 1895 (herein-after referred to as "the Order") being a Provisional Order made by the Local Government Board in pursuance of Sections 54 and 59 of the Local Government Act 1888 (which Act is herein-after referred to as "the Act") and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 10) Act 1895 Session 2 (herein-after referred to as "the confirming Act") the then existing City of Liverpool was as from the Ninth day of November One thousand eight hundred and ninety-five (herein-after referred to as "the commencement of the Order") extended so as to include the Urban Districts of Toxteth Park Walton on the Hill and Wavertree and part of the Urban District of West Derby (the areas so included being herein-after referred to as "the added areas" and the City of Liverpool as so extended being herein-after referred to as "the City") ;

51 & 52 Vict. c. 41.

59 Vict. c. vii.

And whereas by Article XX. of the Order and Section 17 of the Confirming Act provision was made with respect to the compensation payable by the School Board for the City (herein-after referred to as "the School Board") to the officers or servants of the School Boards or School Attendance Committees who previously had jurisdiction in the added areas ;

And whereas by subdivision (3) of Article XXII. of the Order all the county police stations in any part of the added areas were transferred to and vested in the Corporation as from the commencement of the Order but it was provided that such transfer should be deemed to be made in consideration of the payment by the Mayor Aldermen and Citizens of the City acting by the Council (herein-after referred to as "the Corporation") to the County Council of the County Palatine of Lancaster (herein-after referred to as "the County Council") out of the city fund of such sums as should be agreed upon or as in default of agreement should be settled by arbitration in manner provided by the Act ;

And whereas by Articles XXIV. to XXVIII. of the Order special provisions were made as to rates in the added areas and by subdivision (2) of Article XXVIII. it was provided that the Corporation should not levy any rate in any of the added areas in or in respect to the period between the commencement of the Order and the Thirty-first day of March One thousand eight hundred and ninety-six ;

A.D. 1896.

Liverpool Order. (2.)

And whereas by Article XXX. of the Order the Corporation were empowered to borrow money for the purpose of defraying any expenses under that Order which in the opinion of the Local Government Board were properly chargeable to capital:

51 & 52 Vict. c. 41.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 59 and 87 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 Confirming Act shall be amended so that the Order shall be altered as follows:—

Art. I. Subdivision (3) of Article XXII. of the Order shall be altered by the insertion after the words "city fund" of the words "or out of moneys borrowed under Article XXX. of this Order."

Art. II. Notwithstanding anything in the Order contained the Corporation shall be deemed to have been authorised to make and levy the same water rates water rents and water charges for the period between the commencement of the Order and the Thirty-first day of March One thousand eight hundred and ninety-six as they would have done if the Order had not been made.

Art III. The Overseers of the Poor of the several Townships wholly or partly included in the added areas shall pay to the Corporation the proceeds of any rate levied by them in the added areas in respect of the year ended the Thirty-first day of March One thousand eight hundred and ninety-six which have not been paid to the County Council and which the Overseers would have paid to the County Council if the Order had not been made.

Art. IV. Any lump sum payable by the School Board as compensation to any officer or servant under the provisions of Article XX. of the Order or Section 17 of the Confirming Act shall be deemed to be a purpose for which the School Board is authorised to borrow money under and in accordance with the provisions of the Elementary Education Acts 1870 to 1893.

Art. V. This Order may be cited as the City of Liverpool Order (No. 2) 1896.

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

(L.S.)

Henry Chaplin President.
Hugh Owen Secretary.

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

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, East Harding Street, Fleet Street, E.C.; or
JOHN MENZIES & Co., 12, Hanover Street, Edinburgh, and
90, West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., Limited, 104, Grafton-Street, Dublin.