CHAPTER cxli.

An Act to confirm certain Provisional Orders of the Local Government Board relating to Ilkeston Scunthorpe and Wantage (Rural). [15th August 1913.]

A.D. 1913.

WHEREAS the Local Government Board have made the Provisional Orders set forth in the schedule hereto under the provisions of the Public Health 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 King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

Orders in schedule confirmed.

1. The Orders as amended 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.

Audit of accounts of corporation of Ilkeston.

2. From and after the thirty-first day of March one thousand nine hundred and fourteen and so long as the provisions of Article III. of the Order relating to Ilkeston shall remain in operation sections twenty-five twenty-six and twenty-seven of the Municipal Corporations Act 1882 and section two hundred and forty-six of the Public Health Act 1875 shall cease to apply to any accounts of the mayor aldermen and burgesses of the borough of Ilkeston acting by the council (in this section referred to as "the corporation") or of the treasurer of that borough or of the officers of the corporation:

A.D. 1913.

Provided that the accounts of the corporation for the financial year ending the thirty-first day of March one thousand nine hundred and fourteen shall be audited as if this Act had not passed.

Short title.

3. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 17) Act 1913.

SCHEDULE.

BOROUGH OF ILKESTON.

Provisional Order for altering the Ilkeston Corporation Act 1898.

Ilkeston Order.

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

And to all others whom it may concern.

WHEREAS the Borough of Ilkeston (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 the local authority within the meaning of the Public Health Act 1875 and the unrepealed provisions of the Ilkeston Corporation Act 1898 (herein-after referred to as "the Local Act") are in force in the Borough;

61 & 62 Vict. c. lxx.

And whereas the Corporation are the owners of the gasworks which supply the Borough with gas and by Section 24 of the Local Act the Corporation were empowered to purchase provide and supply gas apparatus and appliances for lighting motive power warming the cooking of food and all other purposes for which gas can or may be used;

And whereas by the Ilkeston Gas Orders 1878 to 1909 which were duly confirmed by Parliament the Corporation or their predecessors were empowered to use certain lands therein specified for all or any of the purposes of their gas undertaking including the manufacture and storage of gas and residual products but were prohibited from manufacturing gas or any residual products on any lands other than those specified as aforesaid and from storing gas or any residual products on any lands other than those specified as aforesaid which should be situated within three hundred yards of any dwelling-house without the previous consent in writing of the owner lessee and occupier of the dwelling-house;

A.D. 1913.

Ilkeston Order.

And whereas the Corporation require to extend their gasworks and for that purpose to be authorised and empowered to use the lands specified in Schedule A. to this Order which have been or are proposed to be acquired by them;

And whereas the Corporation have acquired the lease of the lands described in Schedule B. to this Order and have erected buildings on those lands and doubts have arisen as to the sufficiency of the powers of the Corporation in the matter of the purchase of and holding and otherwise dealing with such lands and premises and it is expedient that provision should be made in the matter as herein-after mentioned;

And whereas provision was made by the Local Act for the borrowing of money by the Corporation for the purposes therein specified and the repayment of such moneys and with respect to other financial matters including the keeping of the accounts of the receipts and expenditure of certain undertakings of the Corporation and it is proposed that further provision should be made as herein-after mentioned respecting the auditing of the accounts of the Corporation and with regard to moneys borrowed or to be borrowed by them;

And whereas the Corporation have made application to the Local Government Board for the issue of a Provisional Order to alter or amend the Local Act in the manner herein-after set forth:

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 that is to say:—

Additional lands for purposes of gas undertaking.

Art. I. Notwithstanding anything in the Ilkeston Gas Orders 1878 to 1909—

(1) The Corporation may for the purposes of their gas undertaking purchase by agreement but not otherwise the lands described in paragraphs 2 and 3 of Schedule A. to this Order:

(2) The Corporation may hold and use the land described in paragraph 1 of the said Schedule A. and also during the continuance of their lease or on the acquisition by them of the freehold of the land described in paragraph 4 of that Schedule for all or any of the purposes of their gas undertaking including the manufacture and storage of gas and residual products as if those lands had been included in the lands described in the schedule to the Ilkeston Gas Order 1878 and from and after the purchase of the land described in paragraph 2 of the said Schedule A. or of the

land described in paragraph 3 of that schedule the Corporation may hold and use that land for the like purposes and subject to the like conditions and provisions.

Confirmation of purchase of land described in Schedule B.

Art. II. The Corporation shall be deemed to have been empowered to purchase the land described in Schedule B to this Order to erect buildings thereon and to let such land and buildings on lease under and for the purposes of the Municipal Corporations Act 1882 and the Corporation shall be empowered to hold the said land and premises and to purchase by agreement but not otherwise the reversion of the lease thereof for the purposes of the Municipal Corporations Act 1882.

Audit of Borough accounts.

Art. III.—(1) All accounts of the Corporation and of the treasurer of the Borough and of the officers of the Corporation under any public or private Act of Parliament or otherwise relating to matters dealt with by the Corporation in any capacity and including the accounts of any joint committee and of the officers of any joint committee appointed by the Corporation with the council of another borough or with a County Council or with a District Council or a Parish Council shall be audited by a district auditor appointed by the Local Government Board in like manner as accounts of an urban authority and their officers are audited under sections 247 and 250 of the Public Health Act 1875 and those sections and all enactments amending them or applying to audit by district auditors including the enactments imposing penalties and providing for the recovery of sums as well as all enactments relating to matters incidental to or consequential upon any such accounts or audit shall apply in like manner as if so far as they relate to an audit of the accounts of an urban authority and the officers of that authority they were herein re-enacted with the necessary modifications and accordingly all burgesses of the Borough and all ratepayers and owners of property in the Borough shall have the like rights and there shall be the same appeal as in the case of that audit:

Provided that for the purposes of this Article the First Schedule to the District Auditors Act 1879 shall be modified in the manner described in the Second Schedule to the Local Government Act 1888.

(2) Nothing in subdivision (1) of this Article shall apply to the audit of the accounts of the Corporation for the financial year ending the Thirty-first day of March One thousand nine hundred and fourteen.

(3) The Corporation may out of the borough fund—

(*a*) Pay reasonable subscriptions whether annually or otherwise to the funds of any association of municipal corporations or other local authorities or their officers formed for the purpose of consultation as to their common interests and the discussion of matters relating to local government and any reasonable expenses of the attendance of

A.D. 1913.

Ilkeston Order.

any members or officers of the Corporation not exceeding in any case four at conferences or meetings of the said associations or any of them and of purchasing reports of the proceedings of any such conferences or meetings:

(*b*) Pay the reasonable expenses of the Corporation in providing public entertainments on the occasion of public ceremony or rejoicing and in the reception and entertainment of distinguished persons residing in or visiting the Borough.

Provision for enabling Corporation to borrow for purpose of providing temporarily for current expenses.

Art. IV.—(1) For the purpose of providing temporarily during any financial year for their current expenses as a municipal or sanitary authority (whether under the provisions of public general or local Acts) or for the current expenses of their water tramways gas or electricity undertakings and after the commencement of such year it shall be lawful for the Corporation to borrow by way of temporary loan or overdraft from any bank such sums as they may from time to time resolve not exceeding in each case an amount equal to one-fourth of the amount of the before-mentioned expenses for the immediately preceding financial year for any such purpose as aforesaid and any amount so borrowed together with interest shall form a charge upon the rates or revenue of the undertaking in respect of which it is borrowed as the same may be specified in the resolution of the Corporation authorising such borrowing and it shall further be lawful for the Corporation to utilise for providing temporarily for any such expenses any sinking funds which they may have on hand crediting the said sinking funds with such fair rate of interest not being less than three per centum per annum as they may resolve Provided that—

(*a*) Any sum so borrowed or utilised in respect of the current expenses of any financial year together with the interest thereon shall be repaid out of the revenue received by the Corporation in respect of such financial year:

(*b*) The town clerk shall within two months after the end of each financial year furnish to the Local Government Board a special report showing precisely the operation of the powers of this Article during such year and such report shall be in such form and shall contain such information as that Board shall approve or require:

(*c*) The Local Government Board may make such investigation as may be necessary to satisfy themselves that the requirements of this Article as to repayment have been complied with and if it appear to the Local Government Board by the said report or by such investigation that the Corporation have failed to comply with the requirements of this Article as to repayment that Board may by Order suspend the operations of the powers of this Article for such period as they may think fit.

(2) The provisions of this Article shall cease to be in force at the expiration of five years from the Thirty-first day of March One thousand nine hundred and fourteen unless they shall have been continued by Act of Parliament or Provisional Order made by the Local Government Board and confirmed by Parliament.

Borrowing powers for purposes of Section 24 of Local Act and Article I. (1) of this Order.

Art. V. The purposes of Section 24 of the Local Act and of subdivision (1) of Article I. of this Order shall respectively be deemed to be purposes of the Ilkeston Gas Order 1900 for which the Corporation may with the sanction of the Local Government Board borrow money under Article II. of that Order.

Borrowing powers for purposes of Article II. of this Order.

Art. VI. 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 borough fund and borough rate of the Borough such sums as may be necessary for the purposes of Article II. of this Order.

Local Loans Act and certain provisions of Public Health Act made applicable.

Art. VII. For the purpose of raising money in the exercise of the powers of borrowing conferred by this Order the provisions of the Local Loans Act 1875 shall be available to the Corporation and Sections 236 to 238 of the Public Health Act 1875 shall apply to all moneys borrowed on mortgage under this Order.

Period for repayment of borrowed moneys.

Art. VIII. The moneys borrowed under Article VI. of this Order shall be repaid within such period not exceeding sixty years from the date of borrowing as the Corporation with the sanction of the Local Government Board in each case determine and the period so determined and sanctioned is herein-after referred to as "the prescribed period" and shall with reference to the repayment of those moneys be the prescribed period for the purposes of this Order and of the Local Loans Act 1875.

Mode of repayment.

Art. IX.—(1) The Corporation shall repay the moneys borrowed under Article VI. 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 those methods and partly by another or the others of them.

Formation maintenance and application of sinking fund.

(2) Subject to the provisions of Article X. of this Order if the Corporation determine to repay by means of a sinking fund any moneys borrowed under this Order the 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

A.D. 1913.

Ilkeston Order.

(*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 the 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 but exclusive in every case of the securities of the Corporation and the Corporation shall be at liberty from time to time to vary and transpose the 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 the 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 those equal annual payments.

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

Art. X.—(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.

Increase reduction or discontinuance of payments to sinking fund.

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

(3) If in the opinion of the Local Government Board 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 probably 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 the Board approve.

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

Surplus of sinking fund.

Art. XI.—(1) The Corporation shall have power—

Power to re-borrow.

(*a*) to borrow for the purpose of paying off any moneys previously borrowed under this Order which are intended to be forthwith repaid; or

(*b*) to borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Corporation in repaying moneys previously borrowed under this Order and which at the time of such repayment it was intended to replace by borrowed moneys.

A.D. 1913.

Ilkeston Order.

(2) Any moneys borrowed under this Article shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the prescribed period which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this Article.

(3) The Corporation shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

(4) The Corporation shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

(*a*) by instalments or annual payments; or

(*b*) by means of a sinking fund; or

(*c*) out of moneys derived from the sale of land; or

(*d*) out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

Application of borrowed moneys.

Art. XII. All moneys from time to time borrowed under 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.

Receiver.

Art. XIII.—(1) Subject to the provisions of this Article any mortgagee of the Corporation in respect of a mortgage under the powers of borrowing conferred by Articles VI. and XI. 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.

(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:

Provided that no such application shall be entertained unless the amount of arrears due to the applicant or in the case of a joint application by two or more mortgagees to the applicants collectively be not less than five hundred pounds in the whole.

Return as to provision for repayment of debt.

Art. XIV. — (1) The town clerk shall within twenty-one days after the Thirty-first day of March in each year if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the

provisions of this Order or in respect of any money raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Board a return in such form as may from time to time be prescribed by the Board and if required by the Board verified by statutory declaration of the town clerk showing for the year next preceding the making of the 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 the return the town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of that penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the 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 the instalment or annual payment or sum is required by this Order or by the 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 an authorised purpose the Board may by order direct that the sum in their order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as is mentioned in the said order and any such order shall be enforceable by writ of mandamus to be obtained by the Board out of the High Court.

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

Inquiries and expenses.

A.D. 1913.

Ilkeston Order.

Power to use one form of mortgage for all purposes.

Art. XVI.—(1) Where the Corporation have for the time being any statutory borrowing power they may for the purpose of exercising such power grant mortgages in pursuance of the provisions of this Article.

(2) Every mortgage granted under this Article shall be by deed truly stating the consideration and the time or the mode of ascertaining the time and the place of payment and shall be sealed with the common seal of the Corporation and may be made in the form contained in Schedule C to this Order or to the like effect.

(3) All mortgages granted under this Article shall rank equally without any priority or preference by reason of any precedence in the date of any statutory borrowing power or in the date of the mortgages or on any other ground whatsoever.

(4) The repayment of all principal sums and the payment of interest thereon secured by mortgages granted under this Article shall be and the same are by virtue of this Order charged indifferently upon all the revenues of the Corporation.

(5) Nothing in this Article contained shall alter or affect the obligations of the Corporation to provide for the repayment of the sums secured by mortgages granted under this Article and all such sums shall be repaid within the periods by the means and out of the funds rates or revenues within by and out of which they would have been repayable respectively if this Order had not been made.

(6) Nothing in this Article contained shall alter or affect the obligations of the Corporation to provide for the payment of interest upon the sums secured by mortgages granted under this Article and interest upon such sums shall be paid out of the funds rates or revenues out of which such interest would have been payable respectively if this Order had not been made.

(7) There shall be kept at the offices of the Corporation a register of the mortgages granted under this Article and within fourteen days after the date of any such mortgage an entry shall be made in the register of the number and date thereof and of the names and descriptions of the parties thereto as stated in the deed Every such register shall be open to public inspection during office hours at the said offices without fee or reward and the town clerk or other person having the custody of the same refusing to allow such inspection shall be liable to a penalty not exceeding five pounds.

(8) Any mortgagee or other person entitled to any mortgage granted under this Article may transfer his estate and interest therein to any other person by deed duly stamped truly stating the consideration and such transfer may be according to the form contained in Schedule C to this Order or to the like effect.

A.D. 1913.

Ilkeston Order.

(9) There shall be kept at the offices of the Corporation a register of the transfers of mortgages granted under this Article and within thirty days after the date of every deed of transfer if executed within the United Kingdom or within thirty days after its arrival in the United Kingdom if executed elsewhere the same shall be produced to the town clerk who shall on payment of a sum not exceeding five shillings cause an entry to be made in such register of its date and of the names and descriptions of the parties thereto as stated in the deed of transfer and until such entry is made the Corporation shall not be in any manner responsible to the transferee.

(10) On the registration of any transfer the transferee his executors or administrators shall be entitled to the full benefit of the original mortgage and the principal and interest secured thereby and any transferee may in like manner transfer his estate and interest in any such mortgage and no person except the last transferee his executors or administrators shall be entitled to release or discharge any such mortgage or any money secured thereby.

(11) If the town clerk wilfully neglects or refuses to make in the register any entry by this Article required to be made he shall be liable to a penalty not exceeding twenty pounds.

(12) In this Article—

(*a*) the expression "statutory borrowing power" means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government Department made or given or to be made or given by authority of any Act of Parliament passed or to be passed; and

(*b*) the expression "revenues of the Corporation" includes revenues of the Corporation from time to time arising from any land undertakings or other property for the time being of the Corporation and rates or contributions leviable by or on the order or precept of the Corporation.

Art. XVII. This Order may be cited as the Ilkeston Order 1913. Short title.

A.D. 1913.

Ilkeston Order.

The SCHEDULES above referred to.

SCHEDULE A.

1. All that piece of land belonging to the Corporation with five houses thereon numbered 31 33 35 36 and 39 Belfield Street containing in area 623 square yards or thereabouts and bounded on the west by Belfield Street on the east by the piece of land secondly hereinafter described on the north by a private road and on the south by the gasworks of the Corporation.

2. All that piece of land belonging or reputed to belong to John Henry Clay containing 1 acre 3 roods 37 poles and 18 square yards or thereabouts and bounded on the west partly by the piece of land firstly herein-before described and partly by land belonging or reputed to belong to Annie Belfield Potter on the east by lands belonging or reputed to belong to John Henry Clay and the Duke of Rutland respectively on the north by lands belonging or reputed to belong to Mary Wilkinson Annie Belfield Potter and Louisa Clay respectively and on the south by the gasworks of the Corporation and the piece of land thirdly herein-after described.

3. All that piece of land containing 2 roods 6 poles and 20 square yards or thereabouts belonging or reputed to belong to John Arthur Woolley and bounded on the west by the gasworks of the Corporation on the east by lands belonging or reputed to belong to John Henry Clay and the Midland Railway Company respectively on the north by the piece of land secondly herein-before described and on the south by the Midland Railway.

4. All that piece of land belonging or reputed to belong to the Duke of Rutland and leased to the Corporation containing in area one acre or thereabouts and bounded on the west by land and premises belonging or reputed to belong to William Boswell on the east by other land and premises belonging or reputed to belong to the Duke of Rutland and leased to Joseph Blank on the north by Little Hallam Lane and on the south by the footpath leading from Corporation Road to Little Hallam Lane.

SCHEDULE B.

All that piece of land belonging or reputed to belong to the Duke of Rutland and leased to the Corporation together with the two

houses and shops thereon erected being situate and numbered 151 and 153 Bath Street in the Borough of Ilkeston and containing in area 444 square yards or thereabouts bounded on the east by Bath Street on the west by Pelham Avenue and on the north and south respectively by other land belonging or reputed to belong to the Duke of Rutland.

A.D. 1913.

Ilkeston Order.

SCHEDULE C.

Form of Mortgage.

By virtue of the Ilkeston Order 1913 as confirmed by Parliament and of other their powers in that behalf them enabling the Mayor Aldermen and Burgesses of the Borough of Ilkeston acting by the Council (herein-after referred to as "the Corporation") in consideration of the sum of pounds paid to the treasurer of the Borough by (herein-after referred to as "the mortgagee") do hereby grant and assign unto the mortgagee [his] executors administrators and assigns such proportion of the revenues of the Corporation in the Ilkeston Order 1913 defined as the said sum so paid doth or shall bear to the whole sum which is or shall be charged on the said revenues To hold unto the mortgagee [his] executors administrators and assigns from the day of the date of these presents until the said sum of pounds shall be fully paid and satisfied with interest for the same (subject as herein-after provided) at the rate of per centum per annum from the day of one thousand nine hundred and until payment of the said principal sum such interest to be paid half-yearly on the day of and the day of in each year And it is hereby agreed that the said principal sum of pounds shall be repaid at the offices of the Corporation in the said Borough [(subject as herein-after provided) on the day of one thousand nine hundred and] [by]:

Provided always and it is hereby agreed and declared that the before-mentioned time for repayment may be extended to such subsequent day or days and upon any such extension the before-mentioned rate of interest may be altered to such other rate or rates of interest as shall from time to time be agreed upon and mentioned in an endorsement to be made hereon under the hand of the mayor and town clerk of the Borough for the time being respectively and that upon any such endorsement being made whether relating to extension

A.D. 1913.

Ilkeston Order.

of time only or to extension of time with alteration of rate of interest the provisions thereof shall be incorporated herewith and shall operate and take effect as though they had been originally inserted herein.

In witness whereof the Corporation have caused their common seal to be hereunto affixed this day of one thousand nine hundred and .

THE ENDORSEMENT WITHIN REFERRED TO.

The within-named
consenting the within-mentioned time for repayment of the within-mentioned principal sum of
is hereby extended to the
day of one thousand nine hundred and [and
the interest to be paid thereon on and from the day of
one thousand nine hundred and
is hereby declared to be at the rate of per centum per annum].

Dated this day of one thousand nine hundred and .

FORM OF TRANSFER OF MORTGAGE.

I [the within named] [of
] in consideration of the sum of
pounds paid to me by of
(herein-after referred to as "the transferee") do hereby transfer to the transferee [his] executors administrators and assigns [the within-written security] [the mortgage number of the revenues of the Mayor Aldermen and Burgesses of the Borough of Ilkeston acting by the Council bearing date the day of .]
and all my right and interest under the same subject to the several conditions on which I hold the same at the time of the execution hereof and I the transferee for myself my executors administrators and assigns do hereby agree to take the said mortgage security subject to the same conditions.

Dated this day of one thousand nine hundred and .

Given under the Seal of Office of the Local Government Board this Fifth day of June One thousand nine hundred and thirteen.

(L.S.)

JOHN BURNS President.
H. C. MONRO Secretary.

URBAN DISTRICT OF SCUNTHORPE.

A.D. 1913.

Scunthorpe Order.

Provisional Order for altering the Scunthorpe Urban District Gas and Water Act 1899 *and the Local Government Board's Provisional Orders Confirmation (No. 5) Act* 1910.

To the Urban District Council of Scunthorpe;—

To the Urban District Council of Brumby and Frodingham;—

To the Rural District Council of Glanford Brigg;—

And to all others whom it may concern.

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

And whereas the unrepealed provisions of the Scunthorpe Urban District Gas and Water Act 1899 (herein-after referred to as "the Local Act") as altered by the Scunthorpe Order 1910 (herein-after referred to as "the Order of 1910") which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 5) Act 1910 (herein-after referred to as "the Confirming Act of 1910") and by other Local Acts and by another Provisional Order confirmed by Parliament which do not affect the subject-matter of this Order are in force in the District; 62 & 63 Vict. c. xcvii. 10 Edw. 7. & 1 Geo. 5. c. lxxxii.

And whereas by Section 6 of the Local Act as altered by the Order of 1910 the limits (herein-after referred to as "the gas limits of the Council") within which the Council may supply gas are defined and it is proposed that the gas limits of the Council should be extended so as to include the Township of Ashby in the Rural District of Glanford Brigg;

And whereas by Section 9 of the Local Act it is enacted that the price to be charged by the Council for gas supplied by them to persons who shall burn the same by meter shall not at any time exceed four shillings per one thousand cubic feet;

And whereas the Council have made application to the Local Government Board for the issue of a Provisional Order to alter or amend the Local Act and the Confirming Act of 1910 so far as it relates to the Order of 1910 in the manner herein-after set forth:

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 38 & 39 Vict. c. 55.

A.D. 1913.

Scunthorpe Order.

Order the Local Act and the Confirming Act of 1910 so far as it relates to the Order of 1910 shall be altered so that the following provisions shall take effect that is to say:—

Extension of gas limits.

Art I.—(1) The gas limits of the Council shall be extended so as to include the said Township of Ashby (herein-after referred to as "the added area").

(2) Subject to the provisions of this Order the provisions of the Local Act as altered by the Order of 1910 with respect to the supply of gas and otherwise with respect to gas purposes which now apply and have effect within the existing gas limits of the Council shall with the necessary modifications apply and have effect within the gas limits of the Council as extended by this Order.

(3) Subject to the provisions of Section 9 of the Local Act the price to be charged by the Council for gas supplied in the added area to consumers who burn the same by meter may exceed that charged to the like consumers within the District—

(*a*) until the expiration of the quarter when the volume of gas supplied by meter in the added area during that quarter when added to the volume of gas so supplied during the three preceding quarters shall be ascertained to amount to not less than two million cubic feet by such a sum as when added to the price charged to the like consumers within the District will make up a total of four shillings per one thousand cubic feet and after that limit has once been reached;

(*b*) by eightpence per one thousand cubic feet until the expiration of the quarter when the volume of gas supplied by meter in the added area during that quarter when added to the volume of gas so supplied during the three preceding quarters shall be ascertained to amount to not less than four million cubic feet and after that limit has once been reached;

(*c*) by fourpence per one thousand cubic feet.

Power to lay mains outside gas limits.

Art. II. For the purpose of the supply of gas within the added area the Council shall in relation to so much of the highways known as Oswald Road and Ashby Road as is situate outside the gas limits of the Council as extended by this Order have all the like powers and privileges and be subject to all the like duties and penalties in relation to the breaking up and reinstatement of streets and the laying down extension maintenance alteration enlargement renewal and discontinuance of any mains valves syphons and other works which may be necessary or convenient for enabling them to supply gas within the added area which they would have had or to which they would have

been subject if so much as aforesaid of the said highways had been included by this Order within the gas limits of the Council. *Scunthorpe Order.*

Art. III. This Order may be cited as the Scunthorpe Order 1913. Short title.

Given under the Seal of Office of the Local Government Board this Fifth day of June One thousand nine hundred and thirteen.

(L.S.) John Burns President.
H. C. Monro Secretary.

RURAL DISTRICT OF WANTAGE.

Provisional Order to enable the Rural District Council of Wantage to put in force the Compulsory Clauses of the Lands Clauses Acts. *Wantage Rural Order.*

To the Rural District Council of Wantage;—

And to all others whom it may concern.

WHEREAS the Rural District Council of Wantage (herein-after referred to as "the Council") require to purchase and take the lands described in the schedule hereto for the construction of works for the disposal of the sewage of the contributory place of Charlton in their District and for providing access to the said lands:

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 176 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the following provisions shall have effect that is to say:— 38 & 39 Vict. c. 55.

Art. I. The Council shall be empowered to put in force with reference to the lands described in the schedule hereto subject to the continuance of existing public rights of highway (if any) and for the purposes aforesaid the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement or any of them. Compulsory powers of purchase.

Art. II. This Order may be cited as the Wantage Rural Order 1913. Short title.

A.D. 1913.

Wantage Rural Order.

The SCHEDULE above referred to.

Parish of CHARLTON in the County of BERKS.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.
1	A piece or parcel of meadow or pasture land containing 2 roods or thereabouts.	The Reverend William Smith Tomkins.	Ernest H. J. Wilkins.
2	An easement and right of way eight feet in width over a piece of meadow land.	Ditto - -	Ditto.
3	An easement and right of way over an occupation road.	John Pinnell Arthur Colbert The Reverend William Smith Tomkins.	John Pinnell Arthur Colbert Ernest H. J. Wilkins.

Given under the Seal of Office of the Local Government Board this Third day of June One thousand nine hundred and thirteen.

(L.S.)

JOHN BURNS President.
H. C. MONRO Secretary.

Printed by EYRE and SPOTTISWOODE, Ltd.,
FOR
FREDERICK ATTERBURY, Esq., C.B., the King's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
WYMAN AND SONS, LTD., FETTER LANE, E.C., and 54, ST. MARY STREET, CARDIFF ; or
H.M. STATIONERY OFFICE (SCOTTISH BRANCH), 23, FORTH STREET, EDINBURGH ; or
E. PONSONBY, LTD., 116, GRAFTON STREET, DUBLIN ;
or from the Agencies in the British Colonies and Dependencies,
the United States of America, the Continent of Europe and Abroad of
T. FISHER UNWIN, LONDON, W.C.