CHAPTER xxv.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Harrow, Ramsgate, Stafford, and Teignmouth. A.D. 1891.

[11th May 1891.]

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 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. 3) Act, 1891. Short title.

A.D. 1891.

SCHEDULE.

Harrow Order.

LOCAL GOVERNMENT DISTRICT OF HARROW.

Provisional Order for partially repealing and altering a Confirming Act.

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

And to all others whom it may concern.

WHEREAS by a Provisional Order of the General Board of Health dated the Fourth day of May, One thousand eight hundred and fifty, and duly confirmed by the Public Health Supplemental Act, 1850 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), it was ordered that, from and after the passing of the Confirming Act, the Public Health Act, 1848, except Section 50, should apply to and be in force within the area therein referred to, comprising part of the Parish of Harrow on the Hill, and that such area should be and constitute a District (herein-after referred to as "the District") for the purposes of the said Public Health Act;

13 & 14 Vict. c. xxxii.

And whereas by paragraph 4 of the Order the qualifications required for members of the Harrow Local Board of Health to be elected for the District (herein-after referred to as "the Local Board") were prescribed:

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 following provisions shall take effect; viz.,—

38 & 39 Vict. c. 55.

Art. I. So much of the Confirming Act as relates to paragraph 4 of the Order shall be repealed, except so far as the same may have been acted upon.

Art. II. The Confirming Act, so far as it relates to the Order, shall be altered so as to provide that any person shall be qualified to be a member of the Local Board if he has the qualifications prescribed by Rule 3 of Part I. of Schedule II. to the Public Health Act, 1875.

Given under the Seal of Office of the Local Government Board, this Twentieth day of March, One thousand eight hundred and ninety-one.

(L.S.)

Chas. T. Ritchie, President.
S. B. Provis, Assistant Secretary.

BOROUGH OF RAMSGATE.

A.D. 1891.

Ramsgate Order.

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

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

And to all others whom it may concern.

WHEREAS the Borough of Ramsgate (herein-after referred to as "the Borough") is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as "the Corporation"), are the Urban Sanitary Authority;

And whereas the provisions of the Ramsgate Local Board Act, 1877 (herein-after referred to as "the Local Act"), as altered, and so far as the same have not been repealed by the following Provisional Orders made by the Local Government Board, viz.,— 40 & 41 Vict. c. cxix.

(1.) A Provisional Order dated the Twenty-fourth day of May, One thousand eight hundred and eighty, and confirmed by the Local Government Board's Provisional Orders Confirmation (Eastbourne, &c.) Act, 1880; 43 & 44 Vict. c. cxxxi.

(2.) A Provisional Order dated the Twenty-seventh day of May, One thousand eight hundred and eighty, and confirmed by the Local Government Board's Provisional Orders Confirmation (Kingston-upon-Hull, &c.) Act, 1880; 43 & 44 Vict. c. lxxxiv.

(3.) A Provisional Order dated the Twentieth day of April, One thousand eight hundred and eighty-seven, and confirmed by the Local Government Board's Provisional Orders Confirmation (No. 2) Act, 1887; and 50 & 51 Vict. c. lxxxiv.

(4.) A Provisional Order dated the First day of June, One thousand eight hundred and eighty-nine, and confirmed by the Local Government Board's Provisional Orders Confirmation (No. 12) Act, 1889; 52 & 53 Vict. c. cxiv.

(which Provisional Orders and Confirming Acts are herein-after together referred to as "the Orders" and "the Confirming Acts") are in force in the Borough;

And whereas by the Local Act as altered by the Orders the Corporation are empowered to borrow—

(*a*) in respect of their water undertaking, sums not exceeding in the whole the sum of one hundred and seven thousand seven hundred and fifty pounds, and

(*b*) in respect of their gas undertaking, sums not exceeding in the whole the sum of one hundred and ten thousand pounds,

and it is expedient that the Corporation should be empowered to borrow the further sums 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 Act, and the Confirming Acts so far as they relate to the Orders, shall be altered so that the following provisions shall take effect; 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, in addition to the sums

A.D. 1891.

Ramsgate Order.

authorised to be borrowed by the Local Act as altered by the Orders, the following sums, namely,—

(*a.*) For the purposes of their water undertaking, and on the security of the revenue arising from that undertaking and of the district fund and general district rate of the Borough, or upon either of such securities, any sum or sums not exceeding in the whole the sum of twenty-two thousand two hundred and fifty pounds.

(*b.*) For the purposes of their gas undertaking, and on the security of the revenue arising from that undertaking and of the district fund and general district rate of the Borough, or upon either of such securities, any sum or sums not exceeding in the whole the sum of thirty thousand pounds.

Art. II. For the purpose of raising money under this Order, the provisions of the Local Loans Act, 1875 (including the power of creating debenture stock), shall be available to the Corporation, and Sections 236 to 239, both inclusive, of the Public Health Act, 1875, shall apply to all money raised and borrowed under this Order, other than money borrowed under the provisions of the Local Loans Act, 1875.

38 & 39 Vict. c. 83.

Art. III. The moneys borrowed under the powers conferred by 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, may in each case determine; and the period so determined and sanctioned shall be deemed to be "the prescribed period" within the meaning of the Local Loans Act, 1875, and is herein-after referred to as "the prescribed period."

Art. IV. The Corporation shall repay the moneys borrowed under the powers conferred by this Order, other than money borrowed under the provisions of the Local Loans Act, 1875, either by equal annual instalments of principal, or of principal and interest, or by setting apart in every year as a sinking fund such sum or sums as will, according to a reasonable calculation for the time being, with accumulations in the way of compound interest, be sufficient, after payment of all expenses, to pay off the money so borrowed within the prescribed period, and shall invest such sinking fund and the interest on and the sums paid into the fund in the purchase of Exchequer bills or other Government securities, or in securities in which trustees are by law for the time being authorised to invest, or in mortgages, debentures, debenture stock, or other securities issued by any Local Authority, as defined by Section 34 of the Local Loans Act, 1875, other than the Corporation, the Corporation being at liberty from time to time to vary and transpose such investments.

Art. V. The Corporation shall commence the provision for repayment of any moneys borrowed under the powers conferred by this Order within one year from the date of the borrowing thereof.

Art. VI. The Corporation may at any time apply the whole or any part of such sinking fund in or towards the discharge of the money for the repayment of which the fund is established: Provided that the Corporation pay into the fund each year, and accumulate, until the whole of the moneys borrowed under the powers conferred by this Order is discharged, a sum equivalent to the interest which would have been produced by the sinking fund or the part of

the sinking fund so applied at the rate per cent. on which the annual payments to the sinking fund are based.

Ramsgate Order.

Art. VII. The Corporation may re-borrow for the purpose of paying off moneys borrowed under this Order, and not paid off by means of any sinking fund set apart for their repayment, or by instalments, or out of the proceeds of the sale or disposition of land, or out of other moneys received on capital account (not being borrowed moneys): Provided that all moneys so re-borrowed shall be repaid within the prescribed period; and any moneys from time to time re-borrowed shall be deemed to form the same loan as the money in lieu of which such re-borrowing has been made, and the obligations of the Corporation with respect to the repayment of such moneys shall not be in any way affected by such re-borrowing.

Art. VIII. The town clerk shall, within twenty-one days after the Twenty-fifth day of March in each year in which any sum is required to be paid as an instalment or to be set apart for a sinking fund in pursuance of the provisions of this Order, transmit to the Local Government Board a return, in such form as may be prescribed by that Board, and verified by statutory declaration, if so required by them, showing for the year next preceding the making of such return, the amounts which have been paid as instalments, and the amounts which have been invested or applied for the purpose of such sinking fund, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of interest has been applied during the same period, and the total amount (if any) remaining invested at the end of the year; and in the event of any wilful default in making such return, such town clerk shall be liable to a penalty not exceeding twenty pounds, which shall be paid to the Local Government Board, and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act, 1875, in a summary manner, may be recovered by parties aggrieved within the meaning of that Act.

Art. IX. If it appear to the Local Government Board by that return, or otherwise, that the Corporation have failed to pay any instalment required to be paid, or to set apart any sum required for any sinking fund, or have applied any portion of the moneys set apart for any sinking fund, or of the sums accumulated by way of interest, to any purpose other than those authorised, the Local Government Board may, by Order, direct that the sum in such Order mentioned, not exceeding double the amount in respect of which default has been made, shall be paid by way of instalment or be set apart and invested or applied as part of the sinking fund, and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

Given under the Seal of Office of the Local Government Board, this Eleventh day of March, One thousand eight hundred and ninety-one.

(L.S.)

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

A.D. 1891.

Stafford Order.

BOROUGH OF STAFFORD.

Provisional Order for partially repealing and altering the Stafford Corporation Act, 1876.

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

And to all others whom it may concern.

WHEREAS the Borough of Stafford (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 Stafford Corporation Act, 1876 (herein-after referred to as "the Local Act"), so far as it has not been repealed or altered, is now in force in the Borough;

39 & 40 Vict. c. cxcvi.

10 Vict. c. 17.

And whereas by Section 2 of the Local Act the Waterworks Clauses Act, 1847, so far as it is not varied by or is not inconsistent with the Local Act, and except as therein mentioned, is incorporated with the Local Act;

And whereas by virtue of Section 29 of the Local Act the water rents authorised by Section 27 of that Act (herein-after referred to as "water rents") become due and are payable to the Corporation half-yearly in advance on the last day of February and the last day of August in each year, and it is expedient that those water rents should become due and payable quarterly in advance as herein-after provided:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby order that, from and after the date of the Act of Parliament confirming this Order (herein-after referred to as "the commencement of this Order"), the following provisions shall take effect; viz.,—

38 & 39 Vict. c. 55.

Art. I. Section 29 of the Local Act shall be repealed, except so far as it may have been acted upon, and except so far as it may be necessary to continue the same for the purpose of recovering water rents due and payable before the commencement of this Order.

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

(1.) The water rents due for the period between the Thirty-first day of August and the Twenty-fifth day of December, One thousand eight hundred and ninety-one, both days inclusive, shall be payable in advance on the Thirty-first day of August, One thousand eight hundred and ninety-one.

(2.) The water rents which shall become due after the Twenty-fifth day of December, One thousand eight hundred and ninety-one, shall, notwithstanding Section 70 of the Waterworks Clauses Act, 1847, be payable in advance by equal quarterly payments on the Twenty-sixth day of December, the Twenty-sixth day of March, the Twenty-fifth day of June, and the Thirtieth day of September in each year.

Given under the Seal of Office of the Local Government Board, this Ninth day of February, One thousand eight hundred and ninety-one.

(L.S.)

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

LOCAL GOVERNMENT DISTRICT OF TEIGNMOUTH.

A.D. 1891.

Teignmouth Order.

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

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

And to all others whom it may concern.

WHEREAS the Local Government District of Teignmouth, in the County of Devon (herein-after referred to as "the District"), is an Urban Sanitary District, of which the Teignmouth Local Board (herein-after referred to as "the Local Board") are the Urban Sanitary Authority, and the provisions of a Local Act passed in the sixth year of the reign of His late Majesty King William the Fourth, intituled "An Act for better paving, lighting, watching, and improving "the Town of Teignmouth, in the County of Devon, and for supplying the "inhabitants thereof with water" (herein-after referred to as "the Local Act"), as altered, and so far as the same have not been repealed by a Provisional Order of one of Her Majesty's Principal Secretaries of State dated the Nineteenth day of July, One thousand eight hundred and fifty-nine, and duly confirmed by the Local Government Supplemental Act, 1859 (No. 2), (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), and by an Order of the Local Government Board dated the Eleventh day of May, One thousand eight hundred and eighty-one, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (Horfield, &c.) Act, 1881, are in force in the District ;

6 Will. 4. c. lix.

22 & 23 Vict. c. xi.

44 & 45 Vict. c. xcix.

And whereas the sum of twelve thousand and five hundred pounds (being the balance outstanding in respect of the several sums of eleven thousand one hundred and fifty pounds and three thousand pounds borrowed under and for the purposes of the Local Act) is now owing by the Local Board, and it is expedient that provision be made for the re-borrowing and repayment thereof ;

And whereas the sum of fifty-nine pounds or thereabouts is now standing to the credit of a sinking fund (herein-after referred to as "the existing sinking fund") for the repayment of the moneys so borrowed :

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 Act 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. The Local Board may, subject to the provisions of this Order, borrow on the security of the revenue arising from their gas and water undertakings and of the district fund and general district rate of the District, or upon any of such securities, either together or separately, such sum or sums as may be necessary for the purpose of discharging the whole or any part of the said sum of twelve thousand five hundred pounds.

Art. II. For the purpose of raising money under this Order, the provisions of the Local Loans Act, 1875 (including the power of creating debenture stock),

A.D. 1891.

Teignmouth Order.

38 & 39 Vict. c. 83.

shall be available to the Local Board, and Sections 236 to 239, both inclusive, of the Public Health Act, 1875, shall apply to all money raised and borrowed under this Order, other than money borrowed under the provisions of the Local Loans Act, 1875.

Art. III. The said sum of twelve thousand five hundred pounds, or any moneys borrowed under the powers conferred by this Order, shall be repaid within a period not exceeding forty-three years from the Twenty-fifth day of March, One thousand eight hundred and ninety-one; and such period shall be deemed to be "the prescribed period" within the meaning of the Local Loans Act, 1875, and is herein-after referred to as "the prescribed period."

Art. IV. The Local Board shall repay the said sum of twelve thousand five hundred pounds, or any moneys borrowed under the powers conferred by this Order, other than money borrowed under the provisions of the Local Loans Act, 1875, either by equal annual instalments of principal, or of principal and interest, or by setting apart in every year as a sinking fund (herein-after referred to as "the sinking fund") such sum or sums as will, according to a reasonable calculation for the time being (together with the sum standing to the credit of the existing sinking fund, and the annual sums payable in respect of interest on any part of that fund applied in or towards the discharge of borrowed moneys), with accumulations in the way of compound interest, be sufficient, after payment of all expenses, to pay off the said sum or the money so borrowed, as the case may be, within the prescribed period, and shall invest the sinking fund and the interest on and the sums paid into the fund in the purchase of Exchequer bills or other Government securities, or in securities in which trustees are by law for the time being authorised to invest, or in mortgages, debentures, debenture stock, or other securities issued by any Local Authority, as defined by Section 34 of the Local Loans Act, 1875, other than the Local Board, the Local Board being at liberty from time to time to vary and transpose such investments.

Art. V. Any sum standing to the credit of the existing sinking fund shall be forthwith carried to the credit of the sinking fund.

Art. VI. The Local Board may at any time apply the whole or any part of the sinking fund in or towards the discharge of the money for the repayment of which the fund is established: Provided that the Local Board pay into the fund each year, and accumulate until the whole of the said sum of twelve thousand five hundred pounds, and of any moneys borrowed under the powers conferred by this Order, is discharged, a sum equivalent to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied at the rate per cent. on which the annual payments to the sinking fund are based.

Art. VII. The Local Board may re-borrow for the purpose of paying off moneys borrowed under this Order, and not paid off by means of any sinking fund set apart for their repayment, or by instalments, or out of the proceeds of the sale or disposition of land, or out of other moneys received on capital account (not being borrowed moneys): Provided that all moneys so re-borrowed shall be repaid within the prescribed period; and any moneys from time to time re-borrowed shall be deemed to form the same loan as the money in lieu of which such re-borrowing has been made, and the obligations of the Local Board with

respect to the repayment of such moneys shall not be in any way affected by such re-borrowing.

Art. VIII. The clerk to the Local Board shall, within twenty-one days after the Twenty-fifth day of March in each year in which any sum is required to be paid as an instalment or to be set apart for the sinking fund in pursuance of the provisions of this Order, transmit to the Local Government Board a return, in such form as may be prescribed by that Board, and verified by statutory declaration, if so required by them, showing, for the year next preceding the making of such return, the amounts which have been paid as instalments and the amounts which have been invested or applied for the purpose of 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 interest has been applied during the same period, and the total amount (if any) remaining invested at the end of the year; and in the event of any wilful default in making such return, such clerk shall be liable to a penalty not exceeding twenty pounds, which shall be paid to the Local Government Board, and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act, 1875, in a summary manner, may be recovered by parties aggrieved within the meaning of that Act.

Art. IX. If it appear to the Local Government Board by that return, or otherwise, that the Local Board have failed to pay any instalment required to be paid, or to set apart any sum required for the sinking fund, or have applied any portion of the moneys set apart for the sinking fund, or of the sums accumulated by way of interest, to any purpose other than those authorised, the Local Government Board may, by Order, direct that the sum in such Order mentioned, not exceeding double the amount in respect of which default has been made, shall be paid by way of instalment or be set apart and invested or applied as part of the sinking fund, and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

Given under the Seal of Office of the Local Government Board, this Eleventh day of March, One thousand eight hundred and ninety-one.

(L.S.)

Chas. T. Ritchie, 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
88 and 90, West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.