CHAPTER xxii.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Baildon, Burnley, Burton-upon-Trent, Leicester, Margate, Norwich, and Wigan, and the Port of Cardiff. [18th June 1894.]

A.D. 1894.

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. 4) Act, 1894. Short title.

A.D. 1894.

SCHEDULE.

Baildon Order.

LOCAL GOVERNMENT DISTRICT OF BAILDON.

Provisional Order for altering the Baildon Local Board Water Act, 1890.

To the Baildon Local Board, being the Sanitary Authority for the Urban Sanitary District of Baildon, in the County of the West Riding of Yorkshire ;—

And to all others whom it may concern.

WHEREAS the Local Government District of Baildon, in the County of the West Riding of Yorkshire (herein-after referred to as "the District"), is an Urban Sanitary District, of which the Baildon Local Board (herein-after referred to as "the Local Board") are the Urban Sanitary Authority, and the

53 Vict. c. xvii. Baildon Local Board Water Act, 1890 (herein-after referred to as "the Local Act"), is in force in the District ;

And whereas by Section 22 of the Local Act the Local Board were empowered, independently of any other borrowing power, to borrow (inter alia) for the construction of the waterworks by that Act authorised, and the purchase of land therefor, and other the purposes of their water undertaking incidental thereto, such sums as they should think fit, not exceeding in the whole the sum of sixteen thousand pounds, and (with the consent of the Local Government Board, and subject to such terms and conditions, as to repayment or otherwise, as the Local Government Board may prescribe) any further sum or sums not exceeding in the whole five thousand pounds ;

And whereas it is expedient that the borrowing powers of the Local Board under the Local Act for waterworks purposes be increased :

Now therefore, We, the Local Government Board, in pursuance of the powers

38 & 39 Vict. c. 55. 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. Section 22 of the Local Act shall be altered by the insertion therein of the words "seventeen thousand pounds" in lieu of the words "five thousand pounds."

Art. II. This Order may be cited as the Baildon Order, 1894.

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

(L.S.)

G. Shaw-Lefevre, President.
Hugh Owen, Secretary.

A.D. 1894.

Burnley Order.

BOROUGH OF BURNLEY.

Provisional Order for altering the Burnley Borough Improvement Act, 1883.

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

And to all others whom it may concern.

WHEREAS the Borough of Burnley (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 unrepealed provisions of the Burnley Borough Improvement Act, 1883 (herein-after referred to as "the Act of 1883"), as altered by the Burnley Corporation Act, 1889 (herein-after referred to as "the Act of 1889"), and by certain Provisional Orders duly confirmed by Parliament, which do not affect the subject-matter of this Order, are in force in the Borough;

46 & 47 Vict. c. lxxvii.

52 & 53 Vict. c. lv.

And whereas by Section 75 of the Act of 1883 the Corporation were empowered to borrow the sums, and for the purposes, therein mentioned;

And whereas by sub-section (3) of Section 87 of the Act of 1883 the term statutory security includes (inter alia) any mortgage, bond, debenture, debenture stock, corporation stock, annuity, rentcharge, rent, or other security authorised by or under any Act of Parliament passed or to be passed of any municipal corporation in Great Britain, including the Corporation;

And whereas by Section 88 of the Act of 1883 the Corporation were empowered from time to time, by resolution of the Council, to exercise any statutory borrowing power by creation of stock, either redeemable or irredeemable, to be from time to time issued in accordance with the provisions of that Act;

And whereas by sub-section (4) of Section 93 of the Act of 1883 the Corporation were required from time to time by investment on statutory securities of the sums paid into the loans fund in respect of the several contributions by that section provided for or of proper parts thereof, and by like investment of the interest and annual proceeds arising from those securities, to make and maintain such accumulations as are in the said section referred to;

And whereas by Section 50 of the Act of 1889 it was enacted that, notwithstanding anything in their former Acts (including the Act of 1883) or that Act contained, the Corporation should not, from and after the passing of the Act of 1889, create or issue any irredeemable stock, or invest any sinking fund created under the former Acts or any of them, or that Act, in any statutory security of the Corporation:

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 Act of 1883 shall be altered so as to provide as follows, (that is to say):—

38 & 39 Vict. c. 55.

Art. I. The Corporation may from time to time, if they think fit, by resolution determine that any sum or sums which the Guardians of the Poor of the Burnley

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Union or the Burnley School Board (each of which Authorities is herein-after referred to as "the borrowing authority") may be by law authorised to borrow or re-borrow upon the security of any rates or funds, and which the borrowing authority may be desirous of borrowing from the Corporation, shall be lent by the Corporation accordingly.

Art. II. Any sum or sums which the Corporation shall resolve to lend as aforesaid may be raised either by the issue of Burnley Corporation Redeemable Stock according to the provisions of the Act of 1883, as altered by the Act of 1889 and this Order, or by borrowing or re-borrowing the same on mortgage of the borough fund and borough rate; and the provisions of Sections 477, 478, 480, and 481 of the Burnley Borough Improvement Act, 1871, shall apply to all money raised by borrowing on mortgage under this Article:

34 & 35 Vict. c. cliv.

Provided that the amount of debt which shall enable a mortgagee to require the appointment of a receiver under Section 480 of the said Act of 1871 shall be one thousand pounds, and not one-tenth of the amount for the time being due on mortgage under this Order.

Art. III. The following provisions shall apply to moneys borrowed or raised for the purpose of loans to a borrowing authority:—

(1.) The sum shall be lent by the Corporation to a borrowing authority for a period not exceeding that for which the borrowing authority is authorised to borrow or re-borrow the same, and with a provision for repayment by equal annual instalments of principal or of principal and interest combined.

(2.) If any sum payable to the Corporation for principal in respect of any sum lent to a borrowing authority shall not be received within six months of the time appointed for the payment thereof, a like sum shall be set apart out of the borough fund; and if after the application or investment of the sum so set apart, or the payment thereof into the loans fund, as herein-after provided by this Article, the whole or any part thereof shall be received by the Corporation, the sum so received shall be carried to the credit of the borough fund.

(3.) The following provisions shall apply to moneys borrowed and not raised by the issue of stock:—

(*a.*) Every sum so borrowed shall be repaid by the Corporation within a period to expire not more than one year after that for which the same was lent by them to the borrowing authority.

(*b.*) All sums received from any borrowing authority for interest shall be applied towards the payment of interest payable in respect of moneys so borrowed, the balance (if any) being carried to the credit of the borough fund.

(*c.*) All sums received from any borrowing authority for principal, and all sums set apart out of the borough fund under subdivision (2) of this Article, shall be applied towards the repayment of the principal payable in respect of moneys so borrowed, and until so applied shall be invested in statutory securities, the Corporation being at liberty from time to time to vary and transpose such investments. The interest derived from such investments shall be applied in making good any loss or deficiency

of or in the principal moneys so invested that may arise by depreciation of the investments or otherwise, and if not required for that purpose shall be applied as if the same had been received for interest from a borrowing authority.

(4.) The following provisions shall apply to moneys raised by the issue of stock:—

(*a.*) All sums received from any borrowing authority for interest shall be paid into the loans fund, and shall be applied in paying the dividends on the stock so issued.

(*b.*) All sums received from any borrowing authority for principal, and all sums set apart out of the borough fund in pursuance of subdivision (2) of this Article, shall be paid into the loans fund, and shall be applied in the redemption or purchase and extinction of stock, and until so applied shall be invested in statutory securities, the Corporation being at liberty from time to time to vary and transpose such investments. The interest derived from such investments shall be applied in making good any loss or deficiency of or in the principal moneys so invested that may arise by depreciation of the investments or otherwise.

(*c.*) If the sum received as interest from any borrowing authority, or derived from such investments as aforesaid, is more than is required for the purpose to which the same is to be applied as above mentioned, the surplus may be applied in reduction of any contributions payable out of the Corporation revenues in respect of dividends on stock.

(5.) If any doubt shall arise as to how much of any sum received by the Corporation from any borrowing authority is to be regarded as principal or interest, the question shall be determined by the Local Government Board.

(6.) The treasurer of the Borough shall, within twenty-one days after the Twenty-fifth day of March in each year, if during the twelve months next preceding the said Twenty-fifth day of March any sum is payable to the Corporation in respect of moneys lent by them to the borrowing authority, and raised otherwise than by the issue of stock, 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 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 received from the borrowing authority for principal, the amounts which have been applied directly towards the repayment of the principal payable in respect of moneys raised under Article II. of this Order, and the amounts which have been invested, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the investment 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

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shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.

(7.) If it appears to the Local Government Board by that return, or otherwise, that the Corporation have failed to apply or invest, as required by paragraph (*c*) of subdivision (3) of this Article, any sum by that paragraph required to be applied or invested, or have misapplied any of the investments or the produce of the sale thereof, the Local Government Board may, by Order, direct that the sum in such Order mentioned, not exceeding double the amount in respect of which such default or misapplication has occurred, shall be applied directly towards repayment of principal, or be invested, 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. IV. Sub-section (3) of Section 87 of the Act of 1883 shall be altered by the insertion of the words "other than the Corporation" in lieu of the words "including the Corporation."

Art. V. 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. VI. This Order may be cited as the Burnley Order, 1894.

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

(L.S.)

G. Shaw-Lefevre, President.
S. B. Provis, Assistant Secretary.

Burton-upon-Trent Order.

BOROUGH OF BURTON-UPON-TRENT.

Provisional Order for altering the Town of Burton-upon-Trent Act, 1853, *and certain Confirming Acts.*

To the Mayor, Aldermen, and Burgesses of the Borough of Burton-upon-Trent, being the Urban Sanitary Authority for that Borough;—

And to all others whom it may concern.

WHEREAS the Borough of Burton-upon-Trent 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 Town of Burton-upon-Trent Act, 1853 (herein-after referred to as "the Local Act"), as partially repealed and altered by a Provisional Order dated the Twenty-eighth day of February, One thousand eight hundred and sixty-six, and by the Provisional Orders herein-after mentioned, is in force in the Borough;

16 & 17 Vict. c. cxviii.

And whereas by Section 21 of the Local Act the Towns Improvement Clauses Act, 1847, was incorporated with the Local Act; 10 & 11 Vict. c. 34.

And whereas by a Provisional Order of one of Her Majesty's Principal Secretaries of State dated the Sixth day of April, One thousand eight hundred and sixty-seven, and duly confirmed by the Local Government Supplemental Act, 1867 (No. 2) (which Order and Act are herein-after respectively referred to as "the Order of 1867" and "the Confirming Act of 1867"), section 21 of the Local Act was repealed so far as thereby were incorporated any sections of the Towns Improvement Clauses Act, 1847, except certain sections mentioned in the Schedule to the Order of 1867, including Sections 116, 117, and 118, relating to lodging-houses; 30 & 31 Vict. c. lxv.

And whereas by Article 5 of another Provisional Order of one of Her Majesty's Principal Secretaries of State dated the Thirteenth day of June, One thousand eight hundred and sixty-eight, and duly confirmed by the Local Government Act, 1868 (No. 6) (which Order and Act are herein-after respectively referred to as "the Order of 1868" and "the Confirming Act of 1868"), it was ordered that, notwithstanding the prohibition contained in Section 116 of the Towns Improvement Clauses Act, 1847, all houses within the District to which the Local Act applied when actually used as public lodging-houses, should be subject to the provisions of Sections 117 and 118 of the Towns Improvement Clauses Act, 1847, as to the registration, inspection, regulation, and cleansing thereof: 31 & 32 Vict. c. cliii.

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 following provisions shall take effect:— 38 & 39 Vict. c. 55

Art. I. The Local Act and the Confirming Act of 1867, so far as it relates to the Order of 1867, shall be altered so that Sections 116, 117, and 118 of the Towns Improvement Clauses Act, 1847, shall cease to be incorporated with the Local Act.

Art. II. So much of the Confirming Act of 1868 as relates to Article 5 of the Order of 1868 shall be wholly repealed, so that the said Article shall cease to be in force, except so far as the same may have been acted upon.

Art. III. This Order may be cited as the Burton-upon-Trent Order, 1894.

Given under the Seal of Office of the Local Government Board, this Eighth day of January, One thousand eight hundred and ninety-four.

(L.S.)

Henry H. Fowler, President.
Hugh Owen, Secretary.

A.D. 1894.

Cardiff (Port) Order.

PORT OF CARDIFF.

Provisional Order for partially repealing a Confirming Act.

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

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

To the Guardians of the Poor of the Cardiff Union, in the Counties of Glamorgan and Monmouth, being the Sanitary Authority for the Rural Sanitary District of that Union;—

And to all others whom it may concern.

WHEREAS the Port of Cardiff is a port established for the purposes of the laws relating to the Customs of the United Kingdom;

45 Vict. c. xxxiii.

And whereas by a Provisional Order of the Local Government Board dated the Eighth day of April, One thousand eight hundred and eighty-two, and duly confirmed by the Local Government Board's Provisional Orders Confirmation Act, 1882 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), the Mayor, Aldermen, and Burgesses of the Borough of Cardiff, acting by the Council, were, from and after the Twenty-ninth day of September, One thousand eight hundred and eighty-two, permanently constituted the Port Sanitary Authority for so much of the Port of Cardiff as was therein described;

38 & 39 Vict. c. 55. 48 & 49 Vict. c. 35.

And whereas the Local Government Board propose, by order under the Public Health Act, 1875, and the Public Health (Ships, &c.) Act, 1885, to make other provision for permanently constituting a Port Sanitary Authority for part of the said Port of Cardiff, and it is expedient that the Confirming Act, so far as it relates to the Order, should be repealed as herein-after mentioned:

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 as follows:—

Art. I. From and after the day on which the first meeting shall be held of the Port Sanitary Authority for the said part of the Port of Cardiff permanently constituted under any Order to be made by the Local Government Board pursuant to the provisions of the Public Health Act, 1875, and the Public Health (Ships, &c.) Act, 1885, so much of the Confirming Act as relates to the Order shall be wholly repealed, except so far as the same may have been acted upon.

Art. II. This Order may be cited as the Port of Cardiff Order, 1894.

Given under the Seal of Office of the Local Government Board, this Sixth day of April, One thousand eight hundred and ninety-four.

(L.S.)

G. Shaw-Lefevre, President.
Hugh Owen, Secretary.

BOROUGH OF LEICESTER.

A.D. 1894.

Leicester Order.

Provisional Order for altering the Leicester Corporation Waterworks Act, 1890.

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

And to all others whom it may concern.

WHEREAS the Borough of Leicester (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 Leicester Corporation Waterworks Act, 1890 (herein-after referred to as "the Local Act"), is in force in the Borough and within the limits within which the Corporation may supply water; 53 Vict. c. xxxvi.

And whereas by Section 7 of the Local Act the Corporation were empowered to make and maintain (inter alia) the following works; viz.,—

A reservoir, called the Swithland Reservoir, in the Parishes of Quorndon, Woodhouse, Swithland, Rothley, and Thurcaston;

A line or lines of pipes from the Swithland Reservoir to the existing line of water main belonging to the Corporation at or near the junction of the Glenfield Road with the Anstey Lane, being the work numbered 5 in the said section;

A service reservoir, in a field at New Parks, abutting on its western side on the existing New Parks service reservoir of the Corporation, being the work numbered 6 in the said section;

A line or lines of pipes from the intended New Parks service reservoir to the existing water main of the Corporation at the junction of Southgate Street with Castle Street, being the work numbered 7 in the said section;

And whereas by Section 18 of the Local Act the Corporation were empowered from time to time, for the purposes of that Act, to take by agreement and hold, in addition to the lands which they were authorised to take by compulsion, any lands within the limits of the Local Act not exceeding in the whole at one time twenty acres;

And whereas by Section 23 of the Local Act the Corporation were empowered to borrow (inter alia) for the purchase of land for, and the execution of, the works by that Act authorised, any sum or sums not exceeding in the whole two hundred and seventy thousand pounds;

And whereas it is expedient that the Corporation should be empowered to abandon the construction of the works numbered 6 and 7 in Section 7 of the Local Act, and to construct other works in lieu thereof, 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 38 & 39 Vict. c. 55.

A.D. 1894.

Leicester Order.

of Parliament confirming this Order, the Local Act shall be altered so that the following provisions shall have effect :—

Art. I. The power to construct the works numbered 6 and 7 in Section 7 of the Local Act shall be repealed.

Art. II. The Corporation may construct and maintain in accordance with the plans and sections sealed by the Local Government Board, duplicates whereof are deposited in the Town Hall, Leicester, the following works; viz.,—

(1.) A service reservoir, to be called the Hall Gates Reservoir, and to be situate upon the lands described in the Schedule hereto, if and when the same shall have been acquired by the Corporation.

(2.) A line or lines of pipes to commence at or in the Hall Gates Reservoir, and to terminate in the Parish of Thurcaston by a junction with the line or lines of pipes numbered 5 in Section 7 at or near the Bradgate pumping station of the Corporation.

(3.) A line or lines of pipes to commence in the Parish of Thurcaston by a junction with the line or lines of pipes numbered 5 in Section 7 at the junction of the Glenfield Road with Anstey Lane, and from thence to be continued along Anstey Lane, and along a public footpath passing through lands belonging or reputed to belong to the trustees of the late Earl of Dysart, and to connect in the Parish of the Leicester Abbey Lands and Lordship with the intended duplicate line or lines of pipes next herein-after described at the junction of the Fosse Road with the Ashby de la Zouch main road.

(4.) A duplicate line or lines of pipes commencing in the Parish of the Leicester Abbey Lands and Lordship at the termination of the intended line or lines of pipes last herein-before described, and terminating in the existing high service reservoir of the Corporation at Oadby ;

and the works authorised by this Article shall be deemed to be in substitution for the works mentioned in Article I. of this Order, and the provisions of the Local Act and the Acts incorporated therewith, and in particular the provisions of Sections 8, 14, and 15 of the Local Act shall, mutatis mutandis, apply to the works authorised by this Article as if they had been originally authorised by the Local Act.

Art. III. The construction of the works authorised by this Order shall be deemed to be purposes for which the Corporation may—

(1) purchase additional lands, by agreement (but not otherwise), under Section 18 of the Local Act ; and

(2) apply the sum of two hundred and seventy thousand pounds authorised to be borrowed by Section 23 of the Local Act.

Art. IV. The Corporation may, in addition to the sums authorised to be borrowed by the Local Act, and with the sanction of the Local Government Board, borrow, under and subject to the provisions of the Local Act, upon the security of the water revenue and district fund and general district rate of the Borough, or upon any of such securities, either together or separately, such sum or sums, not exceeding in the whole the sum of twenty-four thousand pounds, as may be necessary for the construction of the works by this Order authorised :

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Leicester Order.

Provided that the moneys so borrowed shall be repaid within such period, not exceeding fifty years, as the Corporation, with the sanction of the Local Government Board, may in each case determine.

Art. V. 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 out of such fund or rate as the Local Government Board may direct, 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. VI. This Order may be cited as the Leicester Order, 1894.

The SCHEDULE above referred to.

All that piece of land situate in the Parish of Newtown Linford, in the County of Leicester, containing by estimation five acres or thereabouts, partly abutting on the public highway leading from Cropston to Shepshed, and otherwise surrounded by land belonging or reputed to belong to the trustees of the will of the late Earl of Stamford and Warrington.

Given under the Seal of Office of the Local Government Board, this Sixth day of April, One thousand eight hundred and ninety-four.

(L.S.)

G. Shaw-Lefevre, President.
Hugh Owen, Secretary.

BOROUGH OF MARGATE.

Margate Order.

Provisional Order for altering a Local Act.

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

And to all others whom it may concern.

WHEREAS the Borough of Margate (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 unrepealed provisions of a Local Act passed in the fifty-third year of the reign of His late Majesty King George the Third, and intituled "An Act for more effectually paving, lighting, watching, "and improving the Town of Margate, in the County of Kent" (herein-after referred to as "the Local Act"), are in force in the Borough;

53 Geo. III. c. 82.

A.D. 1894.

Margate Order.

And whereas by Sections 26 to 28 of the Local Act provision was made for more effectually maintaining the fence separating the Hawley Square Pleasure Ground (herein-after referred to as "the pleasure ground"), in the Borough, from the highways surrounding the same, or for erecting a new fence in its stead, and for defraying the expenses thereof;

And whereas by a Provisional Order of the General Board of Health dated the Fourth day of July, One thousand eight hundred and fifty-one, and duly confirmed by the Public Health Supplemental Act, 1851 (No. 2), the Local Act, except (inter alia) Sections 26 to 30, was repealed:

14 & 15 Vict. c. 98.

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, Sections 26 to 28, both inclusive, of the Local Act shall be repealed, and in lieu thereof the following provisions shall take effect:—

38 & 39 Vict. c. 55.

Art. I.—(1.) The Corporation may, upon application made to them by the owners for the time being of the several houses and buildings in Hawley Square, specified in the Schedule hereto (which houses and buildings are herein-after referred to as "the scheduled houses"), at any time or times lay out, plant, ornament, and improve the pleasure ground in such manner as may be specified in the said application; and may paint and repair or replace and renew the railing or fence enclosing the pleasure ground in such manner as may be specified in such application; and may do such other acts and things and execute such other works for improving and maintaining the pleasure ground as the majority of the said owners may from time to time specify in any such application as aforesaid.

(2.) Every application under this Article shall be made in writing by a majority of the owners for the time being of the scheduled houses (all the owners of any one scheduled house, if more than one, to be considered as one only) present at a meeting of such owners held after printed notices signed by five at least of the owners for the time being of the scheduled houses, specifying the time, place, and object of the said meeting, shall have been left or affixed at or upon the scheduled houses at least seven days before such meeting:

Provided always, that upon receipt of such application the Corporation may, by resolution under their common seal, authorise the said owners, or any committee appointed at a meeting of owners convened as aforesaid, to carry out, manage, and control the improvements and repairs and other works specified or referred to in such application.

Provided also, that if within twenty-eight days of the receipt by the Corporation of any application as aforesaid, purporting to be made by, or in pursuance of a resolution of, a majority of the said owners, no objection shall have been received by the Corporation to the application on the ground that a majority of the said owners did not join therein, or that the formalities required by this Article have not been complied with, the application shall be deemed to have been properly made, and no objection shall thereafter be taken to the application.

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 rates herein-after provided for, such sum or sums, not exceeding in the whole the sum of one thousand pounds, as may from time to time be required—

(1.) For the purpose of defraying the costs of the Corporation in respect of the preparation, making, and confirmation of this Order, and of the inquiry preliminary thereto, as taxed by the taxing officer of the House of Lords or of the House of Commons;

(2.) For the purpose of defraying the cost of any works, matters, or things specified in any such application as aforesaid, and to which in the opinion of the Local Government Board capital is properly applicable.

Art. III. The Corporation shall repay moneys borrowed under this Order within such period, not exceeding twenty years from the date of borrowing, as the Corporation, with the sanction of the Local Government Board, shall determine, in accordance with the provisions of sub-sections (4) and (5) of Section 234 of the Public Health Act, 1875, and Sections 236 to 238, both inclusive, of that Act shall apply to all moneys so borrowed.

Art. IV.—(1.) The Corporation shall, in order to provide for the repayment of moneys borrowed under this Order, with the interest thereon, and to provide the moneys required to defray the costs mentioned in subdivision (1) of Article II. of this Order, and to provide the necessary revenue for maintaining the pleasure ground and the fences thereof in good order and condition, make and levy on the occupiers of the scheduled houses such a rate or rates, to be called the Hawley Square Improvement Rate, as may from time to time be necessary, every such rate to be assessed on such occupiers in accordance with the net annual value of the scheduled houses appearing in the last preceding general district rate of the Borough:

Provided that whenever any of the scheduled houses are unoccupied at the date of making any such rate, or become unoccupied before any such rate has been paid, such rate may be recovered from the owner for the time being of such scheduled house.

(2.) Every such rate shall be levied and recovered in the same manner as a private improvement rate made under the authority of the Public Health Act, 1875, and the provisions of Sections 214 and 256 of that Act shall apply accordingly.

Art. V.—(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 to be paid to a sinking fund, in pursuance of the provisions of this Order, 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 the town 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, 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 invest-

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ment 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 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 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 required to be paid, or to set apart any sum required for any sinking fund, 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. VI. 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 out of such fund or rate as the Local Government Board may direct, 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. VII. This Order may be cited as the Margate Order, 1894.

The SCHEDULE above referred to.

Houses and Buildings.	Owner.	Occupier.
Hawley Square, No. 1	Henry F. Hermitage - -	The Corporation.
„ 2	ditto - - - -	Florence Sprules.
„ 3	ditto - - - -	Elizabeth Carpenter.
„ 4	Fanny Beverly - - -	Fanny Beverly.
„ 5	Evan Jones - - - -	Edward Johnson Bellerby.
„ 6	ditto - - - -	Stanley Hawkins.
Wesleyan Chapel -	The Trustees of the Wesleyan Chapel, viz., E. D. Harlow, T. Allen, W. F. Pygott, R. Austin, W. P. Beal, F. Brown, J. Coleman, E. Coleman, G. W. Chapman, J. C. Doughty, J. A. Fasham, G. Hewett, C. Hobday, J. Mettam, G. D. Friend, J. Price, H. J. Rigden, J. Stokes, J. Wales, and W. Tomlin.	—

Houses and Buildings.	Owner.	Occupier.
Hawley Square, No. 12	Charles Tolhurst - - -	Thomas H. Smith.
„ 13	F. W. Hincklin - - -	Sarah Thorne.
„ 14	F. Westerton - - -	Unoccupied.
„ 15	The Trustees of the Wesleyan Chapel, viz., E. D. Harlow, T. Allen, W. F. Pygott, R. Austin, W. P. Beal, F. Brown, J. Coleman, E. Coleman, G. W. Chapman, J. C. Doughty, J. A. Fasham, G. Hewett, C. Hobday, J. Mettam, G. D. Friend, J. Price, H. J. Rigden, J. Stokes, J. Wales, and W. Tomlin.	James Bransom.
„ 16	A. Drewe-Mercer - - -	W. B. Sealy.
„ 19	William Leach Lewis - - -	William Leach Lewis.
„ 20	Thomas Bird - - -	Thomas Bird.
„ 21	James V. Mussared - -	Louisa A. Stocker.
„ 22	Mary A. M. Whittingham - -	Mary A. M. Whittingham.
„ 23	John Cadby - - -	John Cadby.
„ 24	Sophia Lawrence - - -	Sophia Lawrence.
„ 25	Alfred Grainger - - -	Susannah Ullyatt.
„ 26	ditto - - - -	Sarah Searle.
„ 27	ditto - - - -	John Scargill Lhor.
„ 30	Annie Maria E. Crookshank - -	Annie Maria E. Crookshank.
„ 31	William Leach Lewis - - -	William Leach Lewis.
„ 32	George Meadway - - -	Unoccupied.
„ 33	A. Drewe-Mercer - - -	Benjamin Pritchard.
„ 34	M. Hurst - - - -	Alfred Bristow.
„ 35	John Duckett - - -	Jabez Henry Scholes.
„ 36	— Goodwin - - -	Unoccupied.
„ 37	Frances Carroway - - -	Frances Carroway.
„ 38 (and vaults under).	F. W. Hitchin-Kemp - -	Unoccupied.
„ 42	Sarah Osborne - - -	Benjamin Brigg.
„ 43	Sarah Laslett - - -	Sarah Laslett.
„ 44	Cecilia Rayner - - -	Emma La Trobe.
„ 45	Elizabeth Beal - - -	William Bentley.
„ 46	Theodore Golder - - -	Theodore Golder.
„ 47, 48	Andrew Campbell - - -	Unoccupied.
„ 49, 50	H. W. Banks - - -	Eliza Allen.

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Houses and Buildings.	Owner.	Occupier.
Hawley Square, No. 51	Emma J. Pittock - - -	Thomas Goodyear.
„ 52	Henry F. Hermitage - - -	Henry F. Hermitage.
„ 53	The Trustees of the Church Institute, viz., Anthony Blackburne Cobb, William Leetham, and Thomas Smith Rowe.	The Trustees of the Church Institute, viz., Anthony Blackburne Cobb, William Leetham, and Thomas Smith Rowe.

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

(L.S.)

G. Shaw-Lefevre, President.
Hugh Owen, Secretary.

Norwich Order.

CITY OF NORWICH.

Provisional Order for altering the Norwich Corporation Act, 1889.

To the Mayor, Aldermen, and Citizens of the City of Norwich, being the Urban Sanitary Authority for that City ; —

And to all others whom it may concern.

WHEREAS the City of Norwich 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 Norwich Corporation Act, 1889 (herein-after referred to as "the Local Act"), is in force in the said City;

52 & 53 Vict. c. clxxxvii.

And whereas by Section 6 of the Local Act the Corporation were empowered to make and maintain the sewers and other works therein-after described ;

And whereas by Section 10 of the Local Act it is enacted that if the works by that Act authorised are not completed within five years from the passing of that Act, then on the expiration of that period the powers by that Act granted for the making thereof, or otherwise in relation thereto, shall cease to be exercised, except as to such of them or so much thereof respectively as is then completed ;

And whereas it is expedient that the time for the completion of the said works should be extended :

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

38 & 39 Vict. c. 55.

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.,— A.D. 1894. *Norwich Order.*

Art. I. Section 10 of the Local Act shall be altered by the insertion therein of the words "nine years" in lieu of the words "five years."

Art. II. This Order may be cited as the Norwich Order, 1894.

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

(L.S.)

HENRY H. FOWLER, President.
HUGH OWEN, Secretary.

BOROUGH OF WIGAN. *Wigan Order.*

Provisional Order for altering a Confirming Act.

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

And to all others whom it may concern.

WHEREAS the Borough of Wigan 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 unrepealed provisions of the Wigan Waterworks Act, 1853, the Wigan Waterworks Act, 1860, and the Wigan Improvement Act, 1880 (which Acts are herein-after collectively referred to as "the Local Acts"), and of a Provisional Order (extending the borrowing powers of the Wigan Local Board of Health) 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), as altered by certain Provisional Orders duly confirmed by Parliament, but which do not affect the subject-matter of this Order, are in force in the said Borough; 16 & 17 Vict. c. clxvii. 23 & 24 Vict. c. clxxxvi. 43 & 44 Vict. c. cxxvii. 22 & 23 Vict. c. 11.

And whereas by the Local Acts and the above-mentioned Provisional Orders the Corporation or their predecessors were empowered to borrow the sum of one hundred and sixty-seven thousand seven hundred and thirty pounds for water-works purposes;

And whereas by Article I. of a Provisional Order of the Local Government Board dated the Twenty-seventh day of April, One thousand eight hundred and ninety-two, and confirmed by the Local Government Board's Provisional Orders 55 & 56 Vict. c lxxi.

A.D. 1894.

Wigan Order.

Confirmation (No. 4) Act, 1892 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), the Local Acts and the Confirming Acts, so far as they respectively related to the above-mentioned Provisional Orders, were altered so as to provide that the Corporation might, with the sanction of the Local Government Board, borrow, on the security of the revenue arising from their water undertaking and of the district fund and general district rate of the Borough, or upon either of such securities, such sums as may from time to time be necessary for the purposes of their water undertaking, not exceeding in the whole the sum of twelve thousand pounds, in addition to the said sum of one hundred and sixty-seven thousand seven hundred and thirty pounds;

And whereas it is expedient that the Corporation should be empowered to borrow further moneys for the purposes of their water undertaking:

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. The Confirming Act shall be altered by the insertion in Article I. of the Order of the words "twenty-four thousand pounds" in lieu of the words "twelve thousand pounds."

Art. II. This Order may be cited as the Wigan Order, 1894.

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

(L.S.)

G. Shaw-Lefevre, President.
Hugh Owen, Secretary.

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