CHAPTER lxii.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Special Drainage District of Brackley, the District of Bromsgrove, the Boroughs of Darlington and Stafford, the Local Government Districts of Ulverston, Warminster, and West Ham, and the Borough of Wigan. [16th July 1885.]

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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; and that the provisions herein contained should be enacted with reference thereto:

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:

The Orders in schedule confirmed.

1. The Orders set out in the schedule hereto shall be and the same are hereby confirmed, and all the provisions thereof shall, from and after the dates therein respectively mentioned, have full validity and force.

Special provision as to houses of labouring classes.

2. The sanitary authorities mentioned in the said Orders shall not, under the powers of this Act or of those Orders, without the consent of the Local Government Board, purchase or acquire in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district, ten or more houses which, after the passing of this Act, have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

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For the purposes of this section, the expression "labouring class" includes mechanics, artizans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages, but working at some trade or handicraft without employing others except members of their own family, and persons, other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them.

Short title.

3. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 5) Act, 1885.

SCHEDULE.

A.D. 1885.

SPECIAL DRAINAGE DISTRICT OF BRACKLEY.

Brackley Order.

Provisional Order for dissolving the Special Drainage District of Brackley; and for other purposes.

To the Guardians of the Poor of the Brackley Union, in the Counties of Northampton, Buckingham, and Oxford, being the Sanitary Authority for the Rural Sanitary District of that Union; —

To the Inhabitants of the Parish of Brackley Saint Peter, in the said Rural Sanitary District; —

To the Inhabitants of the Special Drainage District of Brackley, in the said Rural Sanitary District; —

And to all others whom it may concern.

WHEREAS by a resolution passed at a meeting of the Guardians of the Poor of the Brackley Union, in the Counties of Northampton, Buckingham, and Oxford, as the Sanitary Authority for the Rural Sanitary District of that Union (which Authority and District are herein-after respectively referred to as "the Rural Sanitary Authority" and "the Rural Sanitary District,") held on the Third day of November, One thousand eight hundred and seventy-five, which resolution was approved by the Local Government Board on the Thirteenth day of December, One thousand eight hundred and seventy-five, the two Parishes of Brackley Saint Peter and Brackley Saint James were constituted a Special Drainage District, to be called the Brackley Special Drainage District (herein-after referred to as "the Special Drainage District");

And whereas loans, amounting in the whole to the sum of twenty thousand and six hundred pounds, have been raised for the execution of works in the Special Drainage District, of which the sum of seventeen thousand two hundred and forty-three pounds six shillings and eightpence now remains unpaid;

And whereas by the operation of an Order of the Local Government Board, dated the Fifth day of December, One thousand eight hundred and eighty-three, and made under the provisions of the Divided Parishes and Poor Law Amendment Act, 1876, as amended and extended by the Poor Law Act, 1879, and the Divided Parishes and Poor Law Amendment Act, 1882, the whole

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Brackley Order.

of the said Parish of Brackley Saint James became, from and after the Twenty-fifth day of March, One thousand eight hundred and eighty-four, amalgamated with the said Parish of Brackley Saint Peter;

And whereas by the operation of two other Orders of the Local Government Board, dated the Fifth day of December, One thousand eight hundred and eighty-three, and made under the provisions of the last-mentioned Acts, two isolated and detached parts of the said Parish of Brackley Saint Peter, known as "Whistley Wood" and "Brackley Hatch," became, from and after the said Twenty-fifth day of March, amalgamated with the Parish of Syresham, also situate in the Rural Sanitary District:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 270 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order as follows:—

Art. I. The Special Drainage District shall be dissolved, and so much thereof as is situate in the said Parish of Brackley Saint Peter shall be merged in that Parish, and so much thereof as is situate in the said Parish of Syresham shall be merged in that Parish.

Art. II. This Order shall come into operation on the Twenty-ninth day of September, One thousand eight hundred and eighty-five (herein-after referred to as "the commencement of this Order").

Art. III. The payments to be made from time to time by the Rural Sanitary Authority in respect of the interest on, and in repayment of, the said sum of seventeen thousand two hundred and forty-three pounds six shillings and eightpence, or so much thereof as may be owing at the commencement of this Order, shall be deemed to be special expenses as defined by Section 229 of the Public Health Act, 1875, and shall be charged upon the Parish of Brackley Saint Peter.

Art. IV. All the property now held by the Rural Sanitary Authority on behalf of or in trust for the Special Drainage District, shall, from and after the commencement of this Order, be held by that Authority on behalf of or in trust for the said Parish of Brackley Saint Peter.

Given under the Seal of Office of the Local Government Board, this Nineteenth day of May, One thousand eight hundred and eighty-five.

(L.S.)

Charles W. Dilke, President.
Hugh Owen, Secretary.

DISTRICT OF BROMSGROVE.

A.D. 1885.

Bromsgrove Order.

Provisional Order for partially repealing, altering, and amending a Local Act and certain Confirming Acts.

To the Commissioners acting under the Local Act of Parliament passed in the ninth and tenth years of the reign of Her present Majesty, intituled "An Act for paving, cleansing, draining, and improving the "Town of Bromsgrove, for opening a new street therein and in the "Parish of Stoke Prior, both in the County of Worcester, and for "the better assessing and collecting the poor, church, and highway "rates within the Parish of Bromsgrove";—

And to all others whom it may concern.

WHEREAS under the provisions of a Local Act of Parliament passed in the ninth and tenth years of the reign of Her present Majesty, intituled "An Act "for paving, cleansing, draining, and improving the Town of Bromsgrove, for "opening a new street therein and in the Parish of Stoke Prior, both in the "County of Worcester, and for the better assessing and collecting the poor, "church, and highway rates within the Parish of Bromsgrove" (herein-after referred to as "the Local Act"), certain Commissioners and their successors (herein-after referred to as "the Commissioners"), were appointed to carry the Local Act into execution;

And whereas on the Fourteenth day of October, One thousand eight hundred and fifty-nine, the Local Government Act, 1858, was duly adopted by the Commissioners within the said Parish of Bromsgrove, and the Commissioners became, as from the Fourteenth day of December, One thousand eight hundred and fifty-nine, a Local Board for carrying the said Local Government Act, 1858, into execution within the said Parish;

And whereas under and by virtue of the Local Act and the following Provisional Orders, namely,—

A Provisional Order under the hand of one of Her Majesty's Principal Secretaries of State dated the Twenty-fourth day of April, One thousand eight hundred and sixty-one (herein-after referred to as "the Order of 1861"), which was duly confirmed by the Local Government Supplemental Act, 1861;

A Provisional Order under the hand of one of Her Majesty's Principal Secretaries of State dated the Twenty-first day of March, One thousand eight hundred and sixty-three (herein-after referred to as "the Order of 1863"), which was duly confirmed by the Local Government Supplemental Act, 1863;

A Provisional Order under the hand of one of Her Majesty's Principal Secretaries of State, dated the Eighth day of March, One thousand eight hundred and sixty-five (herein-after referred to as "the Order of 1865"), which was duly confirmed by the Local Government Supplemental Act, 1865 (No. 2.); and

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Bromsgrove Order.

A Provisional Order of the Local Government Board dated the Nineteenth day of May, One thousand eight hundred and eighty (herein-after referred to as "the Order of 1880"), which was duly confirmed by the Local Government Board's Provisional Orders Confirmation (Abergavenny, &c.) Act, 1880;

the District of the Commissioners acting in execution of the Local Act and acting as a Local Board (herein-after referred to as "the Town District"), now consists of—

(*a.*) The Town of Bromsgrove as defined by Section 64 of the Local Act;

(*b.*) The part of the Parish of Stoke Prior referred to in the Order of 1865 and the Order of 1880; and

(*c.*) The part of the Parish of Bromsgrove which formed the portion of the Urban Sanitary District of Bromsgrove (Country District) referred to in the Order of 1880:

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 (herein-after referred to as "the commencement of this Order"), the following provisions shall take effect; viz.:—

Art. I. Sections 1 to 63, and 65 to 152 (all inclusive) of the Local Act, and all the provisions of the Provisional Orders above-mentioned, which relate to any of those sections, shall be wholly repealed, except so far as they may have been acted upon.

Art. II. The Local Act shall be further altered as follows:—

(1.) The Urban Sanitary Authority for the Town District shall be a Local Board within the meaning of the Public Health Act, 1875, and shall, subject to the provisions of Rule 2 of Schedule II. of that Act, consist of fifteen members; and the said Local Board shall, subject to the provisions of Section 311 of that Act, be termed "the Bromsgrove Town Local Board" (herein-after referred to as "the Local Board"), and wherever mention is made of the Commissioners, or of the Commissioners acting as a Local Board as aforesaid, in Section 64 of the Local Act, or in any rates, securities, deeds, documents, or other instruments, the same shall be read as if the Local Board had been mentioned.

(2.) All byelaws and regulations made by the Commissioners, acting as a Local Board, which shall be in force at the commencement of this Order, shall continue in force until altered or repealed by any subsequent byelaw or regulation made pursuant to the provisions of the Public Health Act, 1875.

(3.) All the property, rights, powers, debts, and liabilities of the Commissioners, or of the Commissioners acting as a Local Board as aforesaid (including such or so much of the several sums, amounting to nine thousand eight hundred and forty-six pounds eight shillings and fourpence, now owing on the security of the general district rate as shall be owing at the commencement of this Order), shall pass to and vest in and be exerciseable by the Local Board; and all actions and proceedings commenced by or against

the Commissioners may be continued by or against the Local Board, and all notices given by or to the Commissioners shall enure in behalf of the Local Board, as if such actions had been commenced by or against, or such notices had been given by or to, the Local Board.

(4.) The persons who, immediately before the commencement of this Order, shall be acting or entitled to act as Commissioners under the Local Act, shall then become members of the Bromsgrove Town Local Board for all the purposes of the Public Health Act, 1875, as if they had been elected members of the Local Board in accordance with that Act; and the Local Board shall have power to fill up any vacancies existing in the Local Board at the commencement of this Order as if they were casual vacancies within the meaning of Rule 65 of Schedule II. to the Public Health Act, 1875.

Provided that the persons who as Commissioners would, but for this Order, have retired in the month of August, One thousand eight hundred and eighty-five, shall not go out of office until the Fifteenth day of April, One thousand eight hundred and eighty-six; the persons who as Commissioners would, but for this Order, have retired in the month of August, One thousand eight hundred and eighty-six, shall not go out of office until the Fifteenth day of April, One thousand eight hundred and eighty-seven; and the persons who as Commissioners would, but for this Order, have retired in the month of August, One thousand eight hundred and eighty-seven, shall not go out of office until the Fifteenth day of April, One thousand eight hundred and eighty-eight; and before each of the dates on which the said persons shall go out of office a number of persons equal to the number of persons retiring shall be elected in their place as members of the Local Board, in the manner provided by the Public Health Act, 1875.

Provided also, that the election to be held before the Fifteenth day of April, One thousand eight hundred and eighty-six, shall not, for the purpose of the provisions contained in Rules 31, 32, and 34 of Schedule II. to the Public Health Act, 1875, be deemed to be the first election of the Local Board.

Given under the Seal of Office of the Local Government Board, this Thirteenth day of May, One thousand eight hundred and eighty-five.

(L.S.)

Charles W. Dilke, President.
Hugh Owen, Secretary.

A.D. 1885.

Darlington Order.

BOROUGH OF DARLINGTON.

Provisional Order for altering the Darlington Extension and Improvement Act, 1872.

To the Mayor, Aldermen, and Burgesses of the Borough of Darlington, in the County of Durham, being the Urban Sanitary Authority for that Borough;—

And to all others whom it may concern.

WHEREAS the Borough of Darlington, in the County of Durham (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 Darlington Extension and Improvement Act, 1872 (herein-after referred to as "the Local Act"), is in force in the Borough;

And whereas by Section 23 of the Local Act the Corporation were empowered to maintain, enlarge, extend, and improve their then existing gasworks, mains, pipes, and gas undertaking, to construct and maintain such gasworks and apparatus, and such buildings and approaches thereto, upon any lands for the time being belonging to or vested in them, and to do all such other acts as they should think necessary for supplying gas within the gas limits as defined by the Local Act; but it was provided that the Corporation should not manufacture gas or any residual products on any land other than the lands described in the first and second parts of the Third Schedule to that Act:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the Local Act shall be altered so as to provide that it shall be lawful for the Corporation, on the lands described in the first and second parts of the Third Schedule to the Local Act, to convert or manufacture coke, coal-tar, pitch, asphaltum, ammoniacal liquor, sulphate of ammonia, oil, and all other refuse or residual products arising, remaining, produced by, or obtained from, the manufacture of gas, or the materials used therein, and to sell and dispose of the same; and for any of the purposes aforesaid to erect, construct, and maintain buildings, works, and apparatus on any of the said lands.

Given under the Seal of Office of the Local Government Board, this Twentieth day of May, One thousand eight hundred and eighty-five.

CHARLES W. DILKE, President.

(L.S.) HUGH OWEN, Secretary.

BOROUGH OF STAFFORD.

A.D. 1885.

Stafford Order.

Provisional Order for partially repealing and altering certain Local Acts.

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

And to all others whom it may concern.

WHEREAS the Borough of Stafford, in the Count, 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 unrepealed portions of the Stafford Corporation Act, 1876 (as amended by a Provisional Order of the Local Government Board, dated the 3rd day of May, 1882, and duly confirmed by Parliament, but which does not affect the subject-matter of this Order), and the Stafford Corporation Act, 1880, are in force in the Borough (which Acts are herein-after respectively referred to as "the Act of 1876" and "the Act of 1880") ;

And whereas by Section 54 of the Act of 1880, the Corporation were empowered to make and maintain certain works for the supply of water to the Borough :

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

Art. I. Section 95 of the Act of 1876, so far as it relates to the powers of borrowing conferred upon the Corporation for the purposes of their water undertaking, and Section 59 of the Act of 1880, shall be wholly repealed, except so far as the same may have been acted upon.

Art. II. The Act of 1880 shall be altered so as to enable the Corporation to abandon the construction of the works authorised by and described in Section 54 of that Act, and so that Sections 52 and 53 of that Act shall apply to the abandonment of the said works ;

Art. III. The Act of 1880 shall be further altered so as to provide as follows ; viz. :—

(1.) The Corporation may, for the purposes of their water undertaking, or for the purposes mentioned in Sub-division (2) of this Article, make and maintain such works as may from time to time be approved by the Local Government Board, and may purchase by agreement, but not otherwise, any lands which may be required for such works.

(2.) The Corporation may, with the approval of the Local Government Board, purchase water in bulk from any person, company, or corporation, and may for that purpose enter into such contracts as they may think necessary.

(3.) The period prescribed by Section 56 of the Act of 1880 shall not apply to the works referred to in Sub-division (1) of this Article.

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Stafford Order.

(4.) The Corporation shall have such powers as are conferred upon a Local Authority by Section 54 of the Public Health Act, 1875, in respect to the laying of any water-mains, whether within or without the Borough, which may be required for carrying out the provisions of Sub-divisions (1) and (2) of this Article.

Art. IV. The Act of 1880 shall be altered so as to provide as follows:—

(1.) The Corporation may, with the sanction of the Local Government Board, and subject to the provisions of this Order, from time to time borrow, upon the security of the borough fund, the district fund, and all or any rates or rate leviable by them within the borough, or upon any of such securities, such sum or sums, not exceeding in the whole the sum of twenty thousand pounds, as may be required for carrying out the provisions of Sub-division (1) of Article III. of this Order.

(2.) 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.

(3.) 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 thereof, as the Local Government Board may, by their sanction, in each case determine; and the period so 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."

(4.) 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 a 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 income thereof 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.

(5.) 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 money borrowed 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.

(6.) The discharge of any moneys borrowed under the powers conferred by this Order, and the provisions of the Local Loans Act, 1875, may be secured

by the establishment of a sinking fund, and the application thereof in manner in that Act mentioned.

(7.) The Corporation may re-borrow moneys, borrowed under the powers conferred by this Order and paid off otherwise than by instalments or a sinking fund, upon any of the securities mentioned in Sub-division (1) of this Article, for the purpose of discharging any loans contracted under that Sub-division, other than loans contracted under the Local Loans Act, 1875: Provided, that the money borrowed for such purpose shall be repaid in the manner provided by Sub-divisions (3) and (4) of this Article, and the time for repayment of the money so borrowed shall not extend beyond the unexpired portion of the prescribed period.

(8.) The Treasurer of the Corporation shall within twenty-one days after the expiration of each year ending on the Twenty-fifth day of March, in which any sum is required to be paid as an instalment or to be set apart for a sinking fund, in respect of moneys borrowed under 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 the amounts which have been paid as instalments and the amounts which have been invested or applied for the purpose of such sinking fund during the year next preceding the making of such return, 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 Treasurer 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.

(9.) 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 a sum, 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 Her Majesty's High Court of Justice.

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

Charles W. Dilke, President.

(L.S.) Hugh Owen, Secretary.

A.D. 1885.

Ulverston Order.

LOCAL GOVERNMENT DISTRICT OF ULVERSTON.

Provisional Order for altering a Local Act.

To the Ulverston Local Board, being the Sanitary Authority for the Urban Sanitary District of Ulverston, in the County Palatine of Lancaster; —

And to all others whom it may concern.

WHEREAS the Local Government District of Ulverston, in the County Palatine of Lancaster, is an Urban Sanitary District, of which the Ulverston Local Board (herein-after referred to as "the Local Board") are the Urban Sanitary Authority, and the Ulverston Local Board Act, 1874 (herein-after referred to as "the Local Act"), is in force in the said District;

And whereas by Section 110 of the Local Act the Local Board were authorised to borrow, with respect to gas, ten thousand pounds, with respect to water, twenty thousand pounds, and with respect to markets, nine thousand pounds;

And whereas by Section 119 of the Local Act it is provided that all moneys raised under the provisions of that Act shall be applied only to the purposes for which they are by that Act authorised to be borrowed;

And whereas by Section 149 of the Local Act the Local Board are authorised to provide and maintain on any lands acquired by or belonging to them public offices and buildings for the transaction of their business, and from time to time to enlarge and improve the same, and to furnish and fit up the same with all proper furniture and conveniences, and from time to time to purchase, by agreement, any lands for the purposes of such public buildings and offices:

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; namely,—

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

(1.) In addition to the moneys thereby authorised to be borrowed, the Local Board may, with the sanction of the Local Government Board, borrow, on the security of the revenue of their gas undertaking, and of their water undertaking, and of their markets, and on the security of the District Fund, or on any or either of such securities, such sums as they may from time to time think requisite, not exceeding—

	£
For the purposes of their gas undertaking, including the provision of working capital - - - -	6,000
For the purposes of their water undertaking - - -	5,000
For the purposes of their markets - - -	5,000

(2.) 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 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.

(3.) 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 Local Board, with the consent of the Local Government Board, shall in each case determine; 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."

(4.) The Local Board 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 a 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 income thereof in the purchase of Exchequer bills or other Government securities, or in any 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.

(5.) The Local Board 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 Local Board pay into the fund each year, and accumulate until the whole of the money borrowed 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.

(6.) The discharge of any moneys borrowed under the powers conferred by this Order and the provisions of the Local Loans Act, 1875, may be secured by the establishment of a sinking fund, and the application thereof in manner in that Act mentioned.

(7.) The Local Board may from time to time re-borrow any money borrowed by them under this Order, and paid off otherwise than by instalments or appropriations, or by means of a sinking fund, or out of the proceeds of the sale or disposition of land, or out of other moneys received on capital account: Provided always, that all moneys so re-borrowed shall be repaid within the period prescribed for the repayment of the moneys in lieu of which such re-borrowing is made, and any amounts 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.

(8.) The Clerk to the Local Board shall, within twenty-one days after the expiration of each year ending on the Twenty-fifth day of March in which any sum is required to be paid as an instalment or to be set apart for a sinking fund, in respect of moneys borrowed under the provisions of this Order, transmit to the Local Government Board a

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Ulverston Order.

return in such form as may be prescribed by that Board, and verified by statutory declaration, if so required by them, showing the amounts which have been paid as instalments and the amounts which have been invested or applied for the purpose of such sinking fund, during the year next preceding the making of such return, 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.

(9.) 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 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 a sum, 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 Her Majesty's High Court of Justice.

Art. II. Section 119 of the Local Act shall be altered so as to provide that moneys raised under the provisions of this Order shall be applied to purposes for which capital is properly applicable, and which shall have received the approval of the Local Government Board.

Art. III. Section 149 of the Local Act shall be altered so as to provide that the Local Board, with the sanction of the Local Government Board, may use, for the purposes of that section, any lands at the commencement of this Order or thereafter in their possession, and whether acquired for the purposes of that section or not; and for the purposes of that section the Local Board may exercise all the powers of borrowing which they possess under the Public Health Act, 1875, as if the purposes of that section were purposes of the Public Health Act, 1875.

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

Charles W. Dilke, President.

(L.S.) Hugh Owen, Secretary.

LOCAL GOVERNMENT DISTRICT OF WARMINSTER.

A.D. 1885.

Warminster Order.

Provisional Order for altering the area of the Local Government District of Warminster.

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

To the Guardians of the Poor of the Warminster Union, in the same County, being the Sanitary Authority for the Rural Sanitary District of that Union; —

And to all others whom it may concern.

WHEREAS the Local Government District of Warminster, in the County of Wilts (herein-after called "the Urban District"), is an Urban Sanitary District, of which the Warminster Local Board are the Urban Sanitary Authority;

And whereas the portions of the Rural Sanitary District of the Warminster Union, in the same County (herein-after referred to as "the Rural District"), which are herein-after described immediately adjoin the Urban District;

And whereas the portions of the Urban District which are herein-after described immediately adjoin the Rural District:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 270 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Declare that, from and after the date when this Order shall come into operation,—

(*a.*) All those parts of the Parish of Warminster which are at present included in the Rural District shall be included in, and form part of, the Urban District; and

(*b.*) All those parts of the Urban District which do not form part of the Parish of Warminster shall be included in, and form part of, the Rural District.

And We hereby Order as follows; viz.:—

Art. I. This Order shall come into operation on the Twenty-ninth day of September, One thousand eight hundred and eighty-five.

Art. II. The number of members to be elected for the Urban District, as hereby altered, shall, subject to the provisions of Rule 2 of Schedule II. to the Public Health Act, 1875, be the same as before the date of this Order.

Given under the Seal of Office of the Local Government Board, this Thirteenth day of May, One thousand eight hundred and eighty-five.

(L.S.)

Charles W. Dilke, President.
Hugh Owen, Secretary.

A.D. 1885.

West Ham Order.

LOCAL GOVERNMENT DISTRICT OF WEST HAM.

Provisional Order for altering a Confirming Act.

To the West Ham Local Board, being the Sanitary Authority for the Urban Sanitary District of West Ham, in the County of Essex; —

And to all others whom it may concern.

WHEREAS the Local Government District of West Ham, in the County of Essex, is an Urban Sanitary District, of which the West Ham Local Board (herein-after referred to as "the Local Board") are the Urban Sanitary Authority, and the West Ham Local Board Extension of Powers Act, 1881 (herein-after referred to as "the Local Act"), is in force in the said District;

And whereas by Section 23 of the Local Act it was (inter alia) enacted that the sum or sums of money to be borrowed by the Local Board in pursuance of that Act, should not, with respect to the town hall, exceed twelve thousand pounds;

And whereas by a Provisional Order of the Local Government Board dated the Tenth day of May, One thousand eight hundred and eighty-three, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 5) Act, 1883, (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act,") Section 23 of the Local Act was altered and amended so as to enable the Local Board, subject to the sanction of the Local Government Board, to borrow, under the provisions thereof and with respect to the town hall, the sum of five thousand pounds, in addition to the sum of twelve thousand pounds therein mentioned, and it was ordered that all the provisions of the Local Act should take effect in the same manner as if the amount authorised to be borrowed with respect to the town hall had been seventeen thousand and not twelve thousand pounds;

And whereas the Local Board were, by virtue of Section 4 of the Stipendiary Magistrates Act, 1883, authorised and required to provide and furnish a fit and suitable office for the purpose of transacting the business of the Justices of the said Local Government District, and to pay from time to time out of the rates therein mentioned such sums as might be necessary for providing, upholding, furnishing, and for the necessary expenses of, such police office;

And whereas the Local Board were by Section 2 of the Confirming Act empowered, with the sanction of the Local Government Board, to borrow, under the provisions of Section 22 of the Local Act, any sum or sums, not exceeding in the whole the sum of four thousand pounds, for the purpose of providing a fit and suitable police office for their district, and it was enacted that all the provisions of the Local Act with respect to moneys borrowed thereunder should apply to moneys borrowed under the section now in recital as if the power thereby conferred had been contained in the Local Act:

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

West Ham Order.

of the Act of Parliament confirming this Order, the following provisions shall take effect; viz.:—

Art. I. The Confirming Act, so far as it relates to the Order, shall be altered by the insertion in the Order of the words "thirteen thousand pounds" in lieu of the words "five thousand pounds," and of the words "twenty-five thousand pounds" in lieu of the words "seventeen thousand pounds."

Art. II. Section 2 of the Confirming Act shall be altered by the insertion therein of the words "seven thousand five hundred pounds" in lieu of the words "four thousand pounds."

Art. III. The Confirming Act shall be further altered so as to provide that, notwithstanding anything therein, or in the Order, or the Local Act contained, the periods for repayment of moneys borrowed in pursuance of this Order shall be such as the Local Board, with the sanction of the Local Government Board, shall in each case determine.

Given under the Seal of Office of the Local Government Board, this Ninth day of May, One thousand eight hundred and eighty-five.

Charles W. Dilke, President.

(L.S.) Hugh Owen, Secretary.

BOROUGH OF WIGAN.

Wigan Order.

Provisional Order for altering certain Local Acts.

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

And to all others whom it may concern.

WHEREAS the Borough of Wigan, in the County of Lancaster (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 Local Acts herein-after mentioned are in force in the Borough;

And whereas by virtue of the Wigan Improvement Act, 1874 (herein-after referred to as "the Act of 1874"), as altered by a Provisional Order of the Local Government Board dated the Twenty-seventh day of April, One thousand eight hundred and eighty-two, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 3) Act, 1882 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), the Corporation are empowered to make gas on the lands described in the Fifth Schedule to the Act of 1874, and on the land described in the Schedule to the Order, but not elsewhere;

And whereas by virtue of Section 79 of the Act of 1874, the Gasworks Clauses Act, 1871, is applicable to the gas undertaking of the Corporation;

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And whereas by the Act of 1874, and by the Wigan Improvement Act, 1880 (herein-after referred to as "the Act of 1880"), the Corporation were authorised to borrow for the purposes of their gas undertaking sums amounting in the whole to two hundred and twenty thousand pounds;

And whereas by Section 95 of the Act of 1874, it is enacted that all receipts of the Corporation from the sale of gas, and all other their receipts under that Act, shall be carried to and form part of their district fund account:

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

Art. I. The Act of 1874, as altered by the Confirming Act, shall be further altered so as to provide that it shall be lawful for the Corporation, on the land described in the Schedule hereto, to erect, construct, and from time to time maintain, alter, remove, or enlarge retorts, gasholders, receivers, meters, apparatus, and works for the purposes of their gas undertaking, and all proper roads and approaches and conveniences connected therewith, and to make, manufacture, and store in and on the same land gas, coke, coal-tar, pitch, asphaltum, ammoniacal liquor, sulphate of ammonia, oil, and all other refuse or residual products arising, remaining, produced by, or obtained from the manufacture of gas, or the materials used therein, anything in the Act of 1874, as altered by the Confirming Act, to the contrary notwithstanding.

Art. II. The Act of 1880 shall be altered so as to provide as follows:—

(1.) The Corporation may, with the sanction of the Local Government Board, and subject to the provisions of this Order, borrow for the purposes of their gas undertaking, and upon security of the district fund and general district rate of the borough, the sum of thirty thousand pounds, in addition to the sums which they are by the Act of 1874 and the Act of 1880 authorised to borrow for such purposes.

(2.) 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.

(3.) 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 thereof, as the Local Government Board may, by their sanction, in each case, determine; and the period so 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."

(4.) 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 a 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 income thereof 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.

(5.) 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 money borrowed 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.

(6.) The discharge of any moneys borrowed under the powers conferred by this Order and the provisions of the Local Loans Act, 1875, may be secured by the establishment of a sinking fund, and the application thereof in manner in that Act mentioned.

(7.) The Corporation may re-borrow moneys, borrowed under the powers conferred by this Order and paid off otherwise than by instalments or a sinking fund, upon either or both of the securities mentioned in Sub-division (1) of this Article, for the purpose of discharging any loans contracted under that Sub-division, other than loans contracted under the Local Loans Act, 1875: Provided, that the money borrowed for such purpose shall be repaid in the manner provided by Sub-divisions (3) and (4) of this Article, and the time for repayment of the money so borrowed shall not extend beyond the unexpired portion of the prescribed period.

(8.) The Treasurer of the Corporation shall within twenty-one days after the expiration of each year ending on the Twenty-fifth day of March, in which any sum is required to be paid as an instalment or to be set apart for a sinking fund, in respect of moneys borrowed under 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 the amounts which have been paid as instalments and the amounts which have been invested or applied for the purpose of such sinking fund during the year next preceding the making of such return, 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 Treasurer 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.

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Wigan Order.

(9.) 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 a sum 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 Her Majesty's High Court of Justice.

Art. III. Section 79 of the Act of 1874 shall be altered so that the provisions of Section 35 of the Gasworks Clauses Act, 1871, shall no longer apply to the gas undertaking of the Corporation, and so that it shall be provided that the accounts of the Corporation in respect of their gas undertaking shall be made up to the twenty-fifth day of March in each year: Provided that the accounts to be so made up to the twenty-fifth day of March, one thousand eight hundred and eighty-six, shall be made up for the period from the first day of January, one thousand eight hundred and eighty-five, to the twenty-fifth day of March, one thousand eight hundred and eighty-six.

Art. IV. Section 95 of the Act of 1874 shall be altered so as to enable the Corporation, if they think fit, and before their receipts from the sale of gas are carried to and become part of their district fund account, to set apart out of those receipts a yearly sum, not exceeding in any one year the sum of four thousand pounds, for the purpose of forming a reserve fund to provide for the expenses attendant upon or occasioned by any sudden accident to the gas undertaking of the Corporation and any works connected therewith, the renewal of fixed plant, or any other extraordinary expenditure authorised by the Act of 1874: Provided that such reserve fund shall be accumulated by way of compound interest by investment in the manner specified in Sub-division (4) of Article II. of this Order as to the sinking fund, until it amounts, according to the market price of such investments, to the sum of twenty thousand pounds, and that whenever the reserve fund amounts, according to the market price of such investments, to the sum of twenty thousand pounds, the income therefrom shall be carried to and form part of the district fund account.

The SCHEDULE above referred to.

All that piece of land, containing 10,750 square yards or thereabouts, and situate in the Borough of Wigan, bounded on the north-easterly side thereof by the London and North-western Railway, on the south-easterly side thereof by the Leeds and Liverpool Canal, on the south-westerly side thereof in part by land belonging or reputed to belong to the Leeds and Liverpool Canal Company, and in other part by land belonging or reputed to belong to the Trustees of the late William Johnson, and occupied by James Halsall, and on the north-westerly side thereof in part by the canal feeder leading from the River Douglas to the said canal, and belonging or reputed to belong to the said Canal Company, and in other part by land belonging or reputed to belong to the London and North-western Railway Company.

Given under the Seal of Office of the Local Government Board, this Twentieth day of May, One thousand eight hundred and eighty-five.

CHARLES W. DILKE, President.

(L.S.) HUGH OWEN, Secretary.

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