CHAPTER cvii.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Boroughs of Aberavon and Kingston-upon-Hull, the Local Government Districts of Bingley and Cuckfield, and the Faversham Joint Hospital District. [26th July 1889.]

A.D. 1889.

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 provision herein contained should be enacted with reference to three of such Orders:

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:

Orders in Schedule confirmed.

1. The Orders as 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.

Restriction of power to take houses of labouring class.

2. The sanitary authorities for the Borough of Aberavon and the Local Government Districts of Bingley and Cuckfield shall not under the powers of this Act or the Orders relating to those authorities respectively, 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. 7) Act, 1889.

SCHEDULE.

BOROUGH OF ABERAVON.

Aberavon Order.

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

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

And to all others whom it may concern.

WHEREAS the Borough of Aberavon, in the County of Glamorgan (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 Aberavon Market Act, 1848 (herein-after referred to as "the Local Act"), as partially repealed, altered, and amended by the Provisional Orders of the Local Government Board herein-after recited, is in force in the Borough;

And whereas by Section 8 of the Local Act the Portreeve, Aldermen, and Burgesses of the Borough of Avon, otherwise Aberavon (herein-after referred to as "the Undertakers"), were empowered to borrow on mortgage of the works, stallages, rents, and tolls by that Act authorised, and of any lands and hereditaments then belonging to them, or on any of the aforesaid securities, or on bond, any sum or sums of money not exceeding in the whole the sum of three thousand pounds;

And whereas by Section 9 of the Local Act the Undertakers were empowered, upon the lands described in Schedule A. to the Local Act annexed, to construct a market place and place for a fair, with all necessary buildings and works, for the sale of the commodities mentioned in Schedule B. to the Local Act, and also a market place for the sale of cattle, and to enter upon, take, and use such of the said lands as should be necessary for such purpose;

And whereas by Section 10 of the Local Act the Undertakers were empowered to provide slaughter-houses for the slaughtering of cattle;

And whereas by Section 11 of the Local Act the lands to be taken or appropriated by the Undertakers for extraordinary purposes were limited to three acres;

And whereas by a Provisional Order of the Local Government Board dated the Sixth day of June, One thousand eight hundred and eighty-four, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act, 1884 (which Order and Act are herein-after respectively referred to as "the Order of 1884" and "the Confirming Act of 1884"), Section 8 of the Local Act was repealed, and the Local Act was altered and amended so as to provide that the Corporation (who are the successors of the Undertakers) should pay off all moneys then owing under Section 8 of the Local Act, and

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Aberavon Order.

should, on the security of the stallages, rents, and tolls authorised by the Local Act, and on the General District Rate of the Borough, borrow all such sums as might be necessary for that purpose;

And whereas by another Provisional Order of the Local Government Board dated the Tenth day of April, One thousand eight hundred and eighty-six, and duly confirmed by the Local Government Board's Provisional Orders Confirmation Act, 1886 (which Order and Act are herein-after respectively referred to as "the Order of 1886" and "the Confirming Act of 1886"), the Confirming Act of 1884, so far as it related to the Order of 1884, was altered so as to enable the Corporation, with the sanction of the Local Government Board, and in addition to the sums already borrowed under the Order of 1884, to borrow on the security of the stallages, rents, and tolls authorised by the Local Act, and of the General District Rate of the Borough, or upon any of such securities, such sum or sums, not exceeding in the whole the sum of seven hundred and fifty pounds, as might be required for extending, altering, and improving the market places and slaughter-houses authorised by the Local Act:

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 enactments 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:—

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

(1.) The Corporation may purchase by agreement, but not otherwise, three acres of land in addition to the lands authorised by the Local Act for the purpose of extending, enlarging, and improving the market places and slaughter-houses provided under the Local Act.

(2.) Any lands purchased by the Corporation under subdivision (1) of this Article shall be deemed to be included in the lands described in Schedule A. to the Local Act.

Provided that nothing in the Local Act as hereby altered contained shall exempt the Corporation from any indictment, action, or other proceeding for nuisance in the event of any nuisance being caused by them upon lands taken under the powers of the Local Act as altered by this article.

Art. II. The Confirming Act of 1886 shall be altered by the insertion in subdivision (1) of Article I. of the Order of 1886 of the words "three thousand "seven hundred and fifty pounds" in lieu of the words "seven hundred and "fifty pounds."

Art. III. The Local Act shall be further altered so as to provide that the period for completion of works prescribed by Section 12 of the Local Act shall be deemed not to have applied and shall not apply to any works connected with the extension and enlargement of the market places and slaughter-houses provided under that Act.

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

(L.S.)

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

LOCAL GOVERNMENT DISTRICT OF BINGLEY.

A.D. 1889.

Bingley Order.

Provisional Order to enable the Sanitary Authority for the Urban Sanitary District of Bingley to put in force the Compulsory Clauses of the Lands Clauses Consolidation Acts.

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

And to all others whom it may concern.

WHEREAS the Bingley Local Board, as the Sanitary Authority for the Urban Sanitary District of Bingley, in the West Riding of the County of York, require to purchase and take the lands described in the Schedule hereto for the following purposes; viz.,—

1. The lands mentioned in Part I. of the said Schedule for cemetery purposes;
2. The lands mentioned in Part II. of the said Schedule for the disposal of the sewage of their District:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 176 of the Public Health Act, 1875, and by Section 1 of the Public Health (Interments) Act, 1879, and by any other Statutes in that behalf, do hereby empower the Bingley Local Board, from and after the date of the Act of Parliament confirming this Order, to put in force, with reference to the lands described in the Schedule hereto, subject to the continuance of any existing public rights of highway, and for the purposes aforesaid, the powers of the Lands Clauses Consolidation Acts with respect to the purchase and taking of lands otherwise than by agreement, or any of them.

A.D. 1889.

Bingley Order.

The SCHEDULE above referred to.

West Riding of the County of York.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.
Part I.			
Township of Bingley.			
1	Dwelling - house, garden, curtilage, and outbuildings, called Holling Field House.	Thomas Bentley - -	Thomas Bentley.
Part II.			
Township of Bingley.			
1	An easement or right of way over the road and land leading to Low Pearce Close.	The Great Northern Railway Company, John Haggas, James William Mills, and John William Smith.	The representative of the late Parkinson Fort, viz., William Fort.
2	An easement or right of way over the road and part of pasture field called Intake Ing.	John Haggas, James William Mills, and John William Smith.	ditto.
3	Part of meadow field called Croft.	ditto - - -	ditto.
4	Part of pasture field called Ing.	ditto - - -	Joseph Toothill.
5	Part of pasture field called Cow Close.	ditto - - -	ditto.
6	Part of meadow field called Woodclose.	ditto - - -	ditto.
7	Part of meadow field called The Holme.	ditto - - -	ditto.
8	Part of pasture field called Shrogg.	ditto - - -	The representative of the late Parkinson Fort, viz., William Fort.
9	Part of meadow field called Upper and Lower Ashes.	ditto - - -	ditto.
10	Part of meadow field called Cote Holme.	ditto - - -	ditto.
11	Part of meadow field called Saffron Hill.	ditto - - -	ditto.
12	Part of pasture field called Low Pasture.	Elizabeth Ruddock, Robert Orton, and Mary Ann Metcalfe.	Cowling Lightfoot, Edwin Lightfoot.
13	Part of meadow field called Eller Field.	Joseph Smith - -	John Bracewell.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.
14	An easement or right of way over the road leading to the Dam Ems Mill.	Joseph Smith and the Great Northern Railway Company.	James Wright, John Wright, the Great Northern Railway Company, and John Bracewell.
15	An easement or right of way over the road and public bridleway leading to the Dam Ems Mill.	Joseph Smith, the Great Northern Railway Company, and John Haggas.	ditto.

Township of Keighley.

1	Pasture field called The Holme.	The Duke of Devonshire and the Oakworth Local Board.	Martha Sugden.
2	Part of the bed of the River Worth.	The Duke of Devonshire.	—
3	Wood - - -	ditto.	—
4	Part of the bed of the River Worth.	ditto.	—
5	ditto - -	The Duke of Devonshire and Joseph Smith.	—
6	Residue of the meadow field called Cote Holme.	John Haggas, James William Mills, and John William Smith.	The representative of the late Parkinson Fort, viz., William Fort.

Given under the Seal of Office of the Local Government Board, this Sixteenth day of April, One thousand eight hundred and eighty-nine.

(L.S.)

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

A.D. 1889.

Cuckfield Order.

LOCAL GOVERNMENT DISTRICT OF CUCKFIELD.

Provisional Order to enable the Sanitary Authority for the Urban Sanitary District of Cuckfield to put in force the Compulsory Clauses of the Lands Clauses Consolidation Acts.

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

And to all others whom it may concern.

WHEREAS the Cuckfield Local Board, as the Sanitary Authority for the Urban Sanitary District of Cuckfield, in the County of Sussex, require to purchase and take the land described in the Schedule hereto for the disposal of the sewage of their District, and for providing access to such land:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 176 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby empower the Cuckfield Local Board, from and after the date of the Act of Parliament confirming this Order, to put in force, with reference to the land described in the Schedule hereto, and for the purposes aforesaid, the powers of the Lands Clauses Consolidation Acts with respect to the purchase and taking of lands otherwise than by agreement, or any of them.

The SCHEDULE above referred to.

Parish of Cuckfield, in the County of Sussex.

No. and Colour on deposited Plans.	Description of Land.	Owners or reputed Owners.	Lessee or reputed Lessee and Occupier.
Pink. 1756 (part of). Dotted red line.	Part of arable field called Stone Rock Field, and a right of roadway fourteen feet wide from the Cuckfield High Road.	The Trustees of the Will of Warden Sergison, deceased, viz., Charles Sergison, Charles Lennox Peel, C.B., and Richard Alexander Bevan.	Thomas Irish Symons.

Given under the Seal of Office of the Local Government Board, this Twelfth day of April, One thousand eight hundred and eighty-nine.

(L.S.)

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

FAVERSHAM JOINT HOSPITAL DISTRICT.

A.D. 1889.

Faversham Order.

Provisional Order for altering a Confirming Act.

To the Faversham Joint Hospital Board; —

To the Commissioners appointed for putting into execution a Local Act of Parliament passed in the twenty-ninth year of the reign of His late Majesty King George the Third, intituled "An Act for the better "paving, repairing, cleansing, lighting, and watching the highways, "streets, lanes, and other publick passages and places within the "Town and Liberty of Faversham, in the County of Kent, and also "certain places near or adjoining thereto; and for removing and "preventing incroachments, obstructions, nuisances, and annoyances "therein," being the Sanitary Authority for the Urban Sanitary District of Faversham, in the County of Kent; —

To the Guardians of the Poor of the Faversham 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 under the provisions of an Act passed in the twenty-ninth year of the reign of His late Majesty King George the Third, intituled "An Act for "the better paving, repairing, cleansing, lighting, and watching the highways, "streets, lanes, and other publick passages and places within the Town and "Liberty of Faversham, in the County of Kent, and also certain places near "or adjoining thereto; and for removing and preventing incroachments, "obstructions, nuisances, and annoyances therein," certain persons therein named were appointed Commissioners for putting the same into execution;

And whereas the District within the limits of the said Local Act is an Urban Sanitary District, of which the persons acting as Commissioners under the Local Act (herein-after referred to as "the Commissioners") are the Urban Sanitary Authority, and the Guardians of the Poor of the Faversham Union, in the same County, are the Sanitary Authority for the Rural Sanitary District of that Union;

And whereas by a Provisional Order of the Local Government Board dated the Twenty-first day of April, One thousand eight hundred and eighty-three, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 3) Act, 1883 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), the said Urban Sanitary District and Rural Sanitary District were, on the Twenty-ninth day of September, One thousand eight hundred and eighty-three, formed into a United District, to be called the Faversham Joint Hospital District, for the purposes of the provision, maintenance, and management of a hospital or hospitals for the use of the inhabitants of such Districts for the reception of cases of infectious diseases;

A.D. 1889.

Faversham Order.

And whereas by the Order it was ordered that the Joint Board, which should be the governing body of the said United District, should consist of two ex-officio members and of four 'elective members elected by the said Urban Sanitary Authority, and of seven elective members elected by the said Rural Sanitary Authority, and that such Joint Board should be called the Faversham Joint Hospital Board (herein-after referred to as "the Joint Board");

And whereas in the year one thousand eight hundred and eighty-three, the Joint Board was duly constituted in accordance with the provisions of the Order and the Confirming Act, but after the expiration of the period for which the first elective members of the Joint Board were elected, the vacancies occurring in the Joint Board in consequence of the retirement of the elected members, were not filled up by the said Urban and Rural Sanitary Authorities, and the Joint Board now consists of the two ex-officio members only:

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 Confirming Act, so far as it relates to the Order, shall be altered so as to provide as follows:—

Art. I. The ex-officio members of the Joint Board shall, before the Twenty-ninth day of September, One thousand eight hundred and eighty-nine, apply the balance standing to the credit of the Joint Board in or towards the discharge of any liabilities owing by the Joint Board.

Art. II. On and after the said Twenty-ninth day of September, the said Faversham Joint Hospital District shall be dissolved and the Joint Board shall be abolished.

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

(L.S.)

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

A.D. 1889.

Kingston-upon-Hull Order.

BOROUGH OF KINGSTON-UPON-HULL.

Provisional Order for altering the Kingston-upon-Hull Improvement Act, 1854.

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

And to all others whom it may concern.

WHEREAS the Borough of Kingston-upon-Hull (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 a Local Act of Parliament passed in the twenty-seventh and twenty-eighth years of the reign of Her present Majesty Queen Victoria, and intituled "An Act for the further improvement of Kingston-upon-Hull, and for other purposes," (herein-after referred to as "the Local Act,") so far as the same has been altered and has not been repealed, is in force in the Borough ;

And whereas by virtue of Section 115 of the Local Act the Corporation are empowered to make, alter, and repeal such byelaws, rules, and orders as they think fit for regulating carriages to be let or ply for hire within the Borough, and for ascertaining and fixing, altering and removing, from time to time the stands for such carriages :

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 Local Act shall be altered so as to provide that it may be cited for any purpose as "The Kingston-upon-Hull Improvement Act, 1854."

Art. II. The Local Act shall be further altered so that the provisions of the Town Police Clauses Act, 1847, with respect to hackney carriages, shall be incorporated therewith.

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

(1.) The terms "hackney coaches," "hackney carriages," "hackney carriage," "carriages," or "carriage," whenever used in such of the provisions of the Town Police Clauses Act, 1847, by this Order incorporated with the Local Act, as are referred to in subdivision (2) of this Article, shall, anything in Section 38 of the Town Police Clauses Act, 1847, notwithstanding, be deemed to include every omnibus ; and such provisions shall apply to the owners and drivers of every omnibus, and the provisions of Section 39 of the last-mentioned Act shall apply to omnibus licenses.

A.D. 1889.

Kingston-upon-Hull Order.

(2.) The following are the provisions of the Town Police Clauses Act, 1847, to which reference is made in subdivision (1) of this Article, viz., Sections 37, 40 to 52, both inclusive, 54, 58, and 60 to 67, both inclusive, and so much of Section 68 as enables the Corporation from time to time to make byelaws for all or any of the following purposes; that is to say,—

For regulating the conduct of the proprietors and drivers of hackney carriages plying within the prescribed distance in their several employments, and determining whether such drivers shall wear any and what badges;

For regulating the manner in which the number of each carriage, corresponding with the number of its license, shall be displayed;

For regulating the number of persons to be carried by such hackney carriages, and in what manner such number is to be shown on such carriage;

For fixing the stands for such hackney carriages;

For securing the safe custody and re-delivery of any property accidentally left in hackney carriages, and fixing the charges to be made in respect thereof.

Provided that the expression "within the prescribed distance" in Sections 37, 45, 46, 51, and 68 of the Town Police Clauses Act, 1847, shall, for the purposes of the Local Act, as hereby altered, mean within the Borough, and whenever the word "driver" or "drivers" occurs in any of the sections of the Town Police Clauses Act, 1847, mentioned in this Article, it shall be deemed to include every conductor of any omnibus.

Provided further, that, for the purposes of Sections 54, 58, and 66 of the Town Police Clauses Act, 1847, the fare, according to the statement of fares exhibited on any omnibus, shall be deemed to be the fare allowed by the special Act, or the fare authorised by a byelaw under the special Act.

Provided also, that nothing in this Order contained shall empower the Corporation to fix the site of the stand of any omnibus in any railway station or in any yard adjoining or connected therewith, except with the consent of the railway company owning such site.

(3.) A license granted to a driver or conductor under the Local Act, as hereby altered, shall only authorise the holder thereof to act as driver or conductor of the class or description of carriage specified in such license, and shall be in force for one year only from the date thereof, or until the next general licensing meeting, in case any annual licensing day be appointed, and shall be subject to the power of suspension or revocation provided for by Section 50 of the Town Police Clauses Act, 1847.

Art. IV. The Local Act shall be further altered so as to provide that the Corporation may make byelaws for all or any of the following purposes; viz.,—

(1.) To provide for the exhibition on some conspicuous part of any omnibus of a statement, in legible letters and figures, of fares to be demanded and received from the persons using, or carried for hire in, such omnibus;

(2.) To prevent within the Borough—

(*a.*) The owner, driver, or conductor of any omnibus, or any other person on their behalf, by touting, calling out, or otherwise, from importuning

any person to use, or to be carried in, such omnibus, to the annoyance of such person, or of any other person ;

(*b.*) The blowing of, or playing upon, horns or other musical instruments, or the ringing of bells, by the driver or conductor of any omnibus, or by any person travelling by or using any such omnibus ;

(3.) To fix the points within the Borough at which any omnibus shall or may take up and set down passengers.

Art. V. The Local Act shall be further altered so as to provide that,

(1.) For the purposes of that Act, as altered by this Order, the term "omnibus" shall mean every omnibus, char-à-banc, waggonette, stage-coach, and other carriage, plying, or standing for hire by, or used to carry passengers at separate fares to or from any part of the Borough (except tramway cars and carriages licensed by the Corporation under the provisions of the Tramways Act, 1870, or of any Provisional Order made thereunder and confirmed by Parliament), but nothing in this Order contained shall affect any omnibus bringing into the Borough passengers carried at separate fares, but not plying or standing for hire in the Borough, or the owner, driver, and conductor of any such last-mentioned omnibus.

(2.) The provisions contained in the Public Health Act, 1875, with respect to byelaws, and the penalties which may be imposed thereby, and the recovery and application of penalties, shall apply to all byelaws made, altered, or repealed by the Corporation under the provisions of the Local Act as hereby altered, or of this Order, and to all penalties imposed thereby, and to all penalties imposed by any of the sections of the Town Police Clauses Act, 1847, mentioned in this Order, so far as they are by this Order rendered applicable to omnibuses, and their owners, drivers, and conductors.

Given under the Seal of Office of the Local Government Board, this Twenty-first day of January, One thousand eight hundred and eighty-nine.

(L.S.)

Henry Matthews, One of the Ex-officio Members of the Local Government Board.

Hugh Owen, Secretary.

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