CHAPTER cxxxiii.

An Act to confirm certain Provisional Orders of the Local Government Board relating to Halifax and Queenborough. A.D. 1912.

[7th August 1912.]

WHEREAS the Local Government Board have made the Provisional Orders set forth in the First Schedule hereto under the provisions of the Local Government Act 1888: 51 & 52 Vict. c. 41.

And whereas it is requisite that the said Orders should be confirmed by Parliament:

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

Orders in First Schedule confirmed.

1. The Orders as altered and set out in the First Schedule hereto (herein-after referred to as "the Orders") shall be and the same are hereby confirmed and all the provisions thereof shall have full validity and force.

Provisions as to adjustments made otherwise than by agreement

2. On any adjustment made otherwise than by agreement for the purposes of either of the Orders or of this Act under section 32 or section 62 of the Local Government Act 1888 or under either of those sections as modified or adapted by such Order—

(*a*) Provision shall be made for the payment to any council or other authority affected by the Order of such sum as seems equitable in accordance with the rules contained in Part I. of the Second Schedule hereto in respect of any increase of burden which will properly be thrown on the ratepayers of the area of

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that council or other authority in meeting the cost incurred by that council or other authority in the execution of any of their powers and duties as a consequence of any alteration of boundaries effected by the Order or other change in relation to which the adjustment takes place :

(*b*) Any adjustment of the local taxation licences the estate duty grant and the residue under section 1 of the Local Taxation (Customs and Excise) Act 1890 in pursuance of the Order relating to Halifax shall be carried out in accordance with the rules contained in Part II. of the Second Schedule hereto.

In this section and in Part I. of the said Second Schedule the expression "council or other authority affected by the Order" includes any council authority or persons entitled to make an adjustment under section 62 of the Local Government Act 1888 or that section as modified or adapted by the Order in question.

Short title.

3. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 7) Act 1912.

SCHEDULES.

FIRST SCHEDULE.

BOROUGH OF HALIFAX.

Provisional Order made in pursuance of Sections 54 and 59 of the Local Government Act 1888. *Halifax Order.*

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

To the Justices of the Peace for the said Borough;—

To the Justices of the Peace for the County of the West Riding of Yorkshire in Quarter Sessions assembled;—

To the County Council of the West Riding of Yorkshire;—

To the Urban District Council of Southowram;—

To the Guardians of the Poor of the Halifax Union;—

To the Overseers of the Poor of the Parishes of Halifax and Southowram;—

And to all others whom it may concern.

WHEREAS by Section 54 of the Local Government Act 1888 the Local Government Board are empowered to make a Provisional Order for altering the boundary of any Borough; 51 & 52 Vict. c. 41.

And whereas the Borough of Halifax is a County Borough within the meaning of the Local Government Act 1888 and is for the purposes of that Act situate in the County of the West Riding of Yorkshire and the inhabitants are a body corporate by the name of the Mayor Aldermen and Burgesses of the Borough of Halifax and act by the Council of the said Borough which now consists of the Mayor (who is also an Alderman) fourteen other Aldermen and forty-five Councillors and the said Borough is for the purposes of the election of Councillors divided into fifteen wards one of which is termed the Southowram Ward;

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And whereas the said Borough is co-extensive with the Parish of Halifax and is an Urban Sanitary District of which the Mayor Aldermen and Burgesses acting by the Council are the Urban Sanitary Authority;

And whereas the said Borough has a separate commission of the peace and police force;

2 Edw. 7. c. 42.

And whereas in pursuance of the Education Act 1902 the Council of the said Borough are the local education authority;

And whereas the unrepealed provisions of the Local Acts and of the Public Health Supplemental Act 1856 specified in Part I. of the schedule to this Order and of the Confirmation Acts specified in Part II. of the said schedule so far as the last-mentioned Acts relate to the Orders specified in that schedule are in force in the said Borough;

And whereas the provisions of—

53 & 54 Vict. c. 34.
53 & 54 Vict. c. 59.
7 Edw. 7. c. 40.
55 & 56 Vict. c. 53.
56 Vict. c. 11.
1 Edw. 7. c. 19.

(*a*) The Infectious Disease (Prevention) Act 1890;
(*b*) The Public Health Acts Amendment Act 1890;
(*c*) The Notification of Births Act 1907; and
(*d*) The Public Libraries Acts 1892 to 1901

are in force in the said Borough;

15 & 16 Vict. c. 85.
6 Edw. 7. c. 44.

And whereas the Council of the said Borough are the authority for the execution of the Burial Acts 1852 to 1906 within the said Borough;

And whereas the Urban District of Southowram in the Administrative County of the West Riding of Yorkshire immediately adjoins the said Borough and is co-extensive with the Parish of Southowram and is subject to the jurisdiction of the Urban District Council of Southowram;

And whereas the Parishes of Halifax and Southowram are included in the Halifax Union and the Parish of Halifax is for the purpose of the election of guardians divided into seven wards one of which is termed the South-East Ward for which ward four guardians are elected and one guardian is elected for the Parish of Southowram;

And whereas in pursuance of the Education Act 1902 the Parish of Southowram forms part of the area of the County Council of the West Riding of Yorkshire as the local education authority;

And whereas the Parish of Southowram is included in the Hipperholme Electoral Division of the County of the West Riding of Yorkshire:

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 54 and 59 of the Local Government Act 1888 and by any other enactments in that behalf do hereby

51 & 52 Vict. c. 41.

order that from and after the date of the Act of Parliament confirming this Order the following provisions shall take effect:— A.D. 1912.

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Art. I. In this Order— Definitions.

(1) The expression "the commencement of this Order" means the Ninth day of November One thousand nine hundred and twelve;

(2) The expression "the existing Borough" means the Borough of Halifax as it existed immediately prior to the commencement of this Order;

(3) The expression "the Borough" means the existing Borough as extended by this Order;

(4) The expression "the Corporation" means as the context requires the Mayor Aldermen and Burgesses of the existing Borough or of the Borough acting by the Council;

(5) The expressions "the County" and "the County Council" mean respectively the County of the West Riding of Yorkshire and the County Council of that County;

(6) The expressions "the Urban District" and "the Urban Council" mean respectively the Urban District of Southowram and the Urban District Council of that District;

(7) The expression "the maps" means the two maps each marked "Map showing the area included in the Borough of Halifax by the Halifax (Extension) Order 1912" and sealed with the official seal of the Local Government Board;

(8) The expression "the added area" means that part of the Urban District which is added to the existing Borough by this Order and which comprises the premises known as the Southowram St. Joseph's Roman Catholic School and parts of certain roads and is coloured pink on the maps;

(9) The expressions "the existing Parish of Halifax" and "the existing Parish of Southowram" mean in each case the parish as it existed immediately prior to the commencement of this Order and the expressions "the Parish of Halifax" and "the Parish of Southowram" mean in each case the parish as altered by this Order;

(10) The expressions "the Act of 1888" and "the Act of 1894" mean respectively the Local Government Act 1888 and the Local Government Act 1894;

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(11) The expression "the Municipal Corporations Acts" means the Municipal Corporations Act 1882 and the Acts amending and extending the same and the expression "the Public Health Acts" means the Public Health Act 1875 and the Acts amending and extending the same.

Commencement of Order.

Art. II. This Order shall except so far as is otherwise herein expressly provided and so far as there may be anything in the subject-matter or context inconsistent therewith come into operation on the Ninth day of November One thousand nine hundred and twelve:

Date of operation of Order for parish burgess lists &c. 51 Vict. c. 10.

Provided that for the purposes of the parish burgess lists and burgess roll and other lists to be made for the Borough under the Municipal Corporations Acts of the lists of county electors and the county register to be made for the County in pursuance of the County Electors Act 1888 or any Act amending that Act of the lists and registers of parochial electors and any other lists or registers to be made in pursuance of the Act of 1894 and of all proceedings preliminary or relating to any municipal election to be held on the ordinary day of election in the year one thousand nine hundred and twelve this Order shall operate from the date of the Act of Parliament confirming this Order:

Date of operation for purposes of certain grants and Local Taxation Licences. 53 & 54 Vict. c. 60. 7 Edw. 7. c. 13. 8 Edw. 7. c. 16. 10 Edw. 7. c. 8. 1 Geo. 5. c. 2.

Provided also that for the purposes of Sections 20 22 23 24 and 26 of the Act of 1888 and for the purposes of the Local Taxation (Customs and Excise) Act 1890 as amended by Section 17 of the Finance Act 1907 Section 6 of the Finance Act 1908 and Section 88 of the Finance (1909–10) Act 1910 the Revenue Act 1911 and any subsequent Act and as affected by any Order in Council made under Section 6 of the Finance Act 1908 the Borough shall be deemed not to have been altered and the added area shall be deemed to continue part of the County until after the Thirty-first day of March One thousand nine hundred and thirteen.

Extension of Borough.

Art. III.—(1) The boundary of the existing Borough shall be altered so as to include in addition to the area of the existing Borough so much of the Urban District as comprises the added area.

(2) The added area shall for the purposes of the Municipal Corporations Acts and for all other purposes be included in the Borough and shall for the purposes of the Act of 1888 be included in the County Borough.

Deposit of maps.

Art. IV.—(1) One of the maps shall be deposited in the office of the Local Government Board and the other shall be deposited by the town clerk of the existing Borough at his office within fourteen days after the date of this Order Copies of the map deposited with the town clerk certified by him to be true shall be sent within one

month after the date of the Act of Parliament confirming this Order to the clerk of the County Council to the clerk to the Urban Council to the Board of Inland Revenue to the Commissioners of Customs and Excise to the Registrar-General to the Postmaster-General to the Board of Trade and to the Board of Agriculture and Fisheries.

Copies of map to be evidence.

(2) Copies of or extracts from the map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as primâ facie evidence of the contents of the map so far as it relates to the boundaries of the added area and the map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the Borough and any such person shall be entitled to a copy of or extract from the map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation All fees so received shall be carried to the credit of the Borough fund.

Powers and duties of justices &c. extended.

Art. V. The powers and duties of the justices of the peace appointed for the existing Borough of the clerk to those justices and of the police constables and other peace officers of the existing Borough shall extend to and apply throughout the Borough:

Provided that every person committing an offence in any part of the added area prior to the commencement of this Order shall be tried adjudicated on and dealt with as if this Order had not been made:

Provided also that every proceeding which prior to the commencement of this Order has been begun by or before any justice or justices in relation to any matter arising in or concerning any part of the added area may be carried on continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this Order had not been made.

Parish burgess lists &c.

Art. VI.—(1) For the purposes of the parish burgess lists and burgess roll and the other lists to be made under the Municipal Corporations Acts and of all matters connected with incidental to or consequent upon those purposes the added area shall be deemed to have always been part of the Borough.

(2) In making out revising or otherwise dealing with the said lists and roll or the lists of county electors and the county register to be made for the County in pursuance of the County Electors Act 1888 or any Act amending that Act or the lists and registers of parochial electors effect shall be given so far as the circumstances require or allow to the provisions of this Order.

(3) Where any difficulty arising in the year one thousand nine hundred and twelve in giving effect to the provisions of this Order can be obviated or removed by any alteration in or re-arrangement of or any other action affecting the said lists roll and registers

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that alteration re-arrangement or action so far as the same may be necessary for giving effect to the said provisions shall be made or taken by the town clerk of the existing Borough or the clerk of the County Council as the case may require and the Overseers of the Poor shall render such assistance as may be requisite for the purpose of the said alteration re-arrangement or action by the town clerk or clerk of the County Council as the case may require and that alteration re-arrangement or action shall be deemed to be authorised by the provisions in force with respect to the said lists roll and registers.

(4) Where in the opinion of the Local Government Board the circumstances so require the Local Government Board may make such order as appears to them to be necessary to give effect to the provisions of this Order and may vary so far as is requisite the provisions in force with regard to the said lists roll and registers.

Division into wards.

Art. VII. Subject to the provisions of the Municipal Corporations Acts with respect to the alteration of wards the following provisions shall have effect:—

(1) For the purposes of the election of Councillors the Borough shall continue to be divided into fifteen wards:

(2) The added area shall be included in the Southowram Ward of the Borough:

(3) The Councillors representing the Southowram Ward who will not go out of office on the First day of November One thousand nine hundred and twelve shall be deemed from and after the commencement of this Order to represent that ward as altered by this Article.

Local Acts and Orders.

Art. VIII. The unrepealed provisions of the Local Acts of the Public Health Supplemental Act 1856 and of the Confirmation Acts specified in the Schedule to this Order so far as the last-mentioned Acts respectively relate to the Provisional Orders specified in that Schedule and of any other Local Act (including any Local Act passed or to be passed during the present Session of Parliament) or of any other Provisional Order duly confirmed by Parliament and affecting the existing Borough or the Corporation as the same respectively are in force within the existing Borough at the commencement of this Order shall extend and apply to the Borough and any reference therein to the existing Borough and the Corporation shall be deemed to refer to the Borough and the Corporation thereof.

Byelaws &c.

Art. IX.—Subject to the provisions of this Order—

(1) All byelaws and regulations and every list of tolls and table of fees and payments and scale of charges made by the Corporation which at the commencement of this Order are in force in the existing Borough shall thenceforth

apply to the Borough until or except in so far as any such byelaws regulations list of tolls table of fees and payments or scale of charges may be altered or repealed:

(2) All byelaws and regulations made by the County Council or the Urban Council or their predecessors and in force immediately before the commencement of this Order in any part of the added area shall on that date cease to be in force in the added area.

Town clerk and other officers continued.

Art. X.—(1) The town clerk and all other officers and servants of the Corporation of the existing Borough who hold office at the commencement of this Order shall continue to be the town clerk and officers and servants of the Corporation of the Borough and shall hold their offices by the same tenure as at that date.

Borough auditors.

(2) The auditors of the existing Borough who are in office at the commencement of this Order shall continue in office and shall for the purposes of the Municipal Corporations Acts be the borough auditors until the next ordinary day of election of borough auditors.

Actions &c. not to abate.

Art. XI.—(1) Any action or proceeding or any cause of action or proceeding which at the commencement of this Order is pending or existing by or against the Urban Council in relation exclusively to any part of the added area shall not be in anywise prejudicially affected by reason of the making of this Order but may be continued prosecuted and enforced by or against the Corporation of the Borough.

Saving for contracts &c.

(2) Anything duly done or suffered and all contracts deeds bonds agreements and other instruments (subsisting at the commencement of this Order) entered into or made by the Urban Council or their predecessors in relation exclusively to any part of the added area shall be of as full force and effect against or in favour of the Corporation of the Borough and may be continued and enforced as fully and effectually as if instead of the Urban Council or their predecessors the Corporation had done or suffered the same or been a party thereto.

Corporation property &c.

Art. XII. Subject to the provisions of this Order all property vested in the Corporation at the commencement of this Order for the benefit of the existing Borough shall by virtue of this Order be held by the Corporation for the benefit of the Borough and the Corporation shall hold enjoy and exercise for the benefit of the Borough all the powers which at the date aforesaid are exerciseable by or vested in the Corporation for the benefit of the existing Borough and all liabilities which on the date aforesaid attach to the Corporation in respect of the existing Borough shall from and after that date attach to them in respect of the Borough.

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Property &c. of Urban Council.

Art. XIII. Subject to the provisions of this Order—

(1) All property and liabilities which immediately before the commencement of this Order are vested in or attach to the Urban Council in relation exclusively to any part of the added area shall by virtue of this Order be transferred to and vest in and attach to the Corporation as Urban Sanitary Authority:

(2) The Urban Council shall cease to exercise any powers or have any duties within the added area.

Mortgage debts of Corporation.

Art. XIV. So much of any sums borrowed by the Corporation as will at the commencement of this Order be owing and charged upon the district fund and general district rate of the existing Borough shall by virtue of this Order be charged upon the district fund and general district rate of the Borough and so much of any sums borrowed by the Corporation as will at the commencement of this Order be owing and charged upon the borough fund and borough rate of the existing Borough shall by virtue of this Order be charged upon the borough fund and borough rate of the Borough and all those sums shall together with the interest to accrue due thereon be repaid by the Corporation within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

Adoptive Acts.

Art. XV. The provisions of the Public Health Acts Amendment Act 1890 the Infectious Disease (Prevention) Act 1890 the Public Libraries Acts 1892 to 1901 and the Notification of Births Act 1907 shall be in force in and apply to the Borough as if the same had been adopted therein.

Powers under Section 33 of Act of 1894.

Art. XVI. Subject to the provisions of any Order which the Local Government Board may hereafter make the provisions of any Order heretofore made by them and conferring upon the Council of the existing Borough any of the matters mentioned in Section 33 of the Act of 1894 and in that Order shall be deemed to have effect as if any reference in those provisions to the existing Parish of Halifax extended and applied to the Parish of Halifax.

Transfer of liabilities attaching to County Council in respect of public elementary school to Corporation.

Art. XVII. For the purposes and subject to the provisions of the Education Acts 1870 to 1910 and the Education (Administrative Provisions) Act 1911—

(1) All contracts made by the County Council and all debts and liabilities which at the commencement of this Order are existing or are owing by or attach to the County Council in respect exclusively of the public elementary school situate

within the added area or with respect to the officers teachers and servants of the school shall by virtue of this Order enure to and be carried into effect by and be discharged and satisfied by the Corporation as the local education authority:

Provided that Section 68 of the Act of 1894 shall apply with respect to any adjustment required for the purposes of this subdivision:

Education byelaws.

(2) Any byelaws in force in the existing Borough immediately before the commencement of this Order shall from and after that date apply to the Borough until revoked or altered and from and after that date any byelaws then in force in the added area shall cease to be in force:

School Managers.

(3) Any managers of the public elementary school in the added area who were appointed by the Urban Council or the County Council shall vacate office at the commencement of this Order.

Corporation to be Burial Board for Borough.

Art. XVIII. The Corporation shall be the Burial Board for the Borough and shall have within the Borough to the exclusion of any other burial authority all the powers duties and liabilities of a burial board under the Burial Acts 1852 to 1906:

Provided that on the application of the said Acts to the Borough no approval sanction or authorisation of the Vestry of the Parish of Halifax shall be deemed to be or to have been necessary in relation to anything done or to be done under those Acts.

Adjustment of financial relations between County and County Boroughs.

Art. XIX.—(1) In any case where the extension of the existing Borough by this Order affects the distribution of the proceeds of the local taxation licences or of the estate duty grant or of the Local Taxation (Customs and Excise) duties between the County and the Borough or between the County and the Borough on the one hand and any other County Borough on the other hand or any financial relations or questions between those areas or any adjustment which has been made in regard to the said distribution or financial relations or questions equitable adjustments may be made between the areas interested.

The reference in this Article to the proceeds of licences or duties shall include a reference to the sums which in pursuance of sub-section (4) of Section 17 of the Finance Act 1907 as amended by Section 6 of the Finance Act 1908 and Section 88 of the Finance (1909–10) Act 1910 and of the Revenue Act 1911 or of any subsequent Act have been paid or will be payable in lieu of those proceeds.

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(2) Any such adjustment as is authorised by subdivision (1) of this Article may be made by agreement between the Councils of the Borough the County and the County Boroughs affected and if such adjustment shall not have been made before the Thirtieth day of September One thousand nine hundred and thirteen then on the application of any of the Councils interested the Local Government Board may if they think fit either make the adjustment themselves or appoint an arbitrator to make it.

(3) In any case in which an agreement for equitable adjustments as aforesaid has not been made the provisions of the Act of 1888 relating to adjustments between Administrative Counties and County Boroughs shall apply with the necessary modifications and the Local Government Board or an arbitrator appointed by them as the case may be shall be substituted in those provisions for the Commissioners appointed under the Act of 1888 and notwithstanding anything in the provisions of this Order or of the Act of 1888 any such adjustment and the determination of any matter incidental or in relation thereto or consequent thereon shall when made by the Local Government Board be deemed to be made by them otherwise than as arbitrators and any arbitrator appointed by them shall be deemed to be an arbitrator within the meaning of Section 62 of the Act of 1888 and the provisions of the Act of 1888 shall apply accordingly:

Provided –

(*a*) that in lieu of subsection (6) of Section 61 of the Act of 1888 subsections (1) and (5) of Section 87 of the Act of 1888 shall apply to any inquiries which may be directed by the Local Government Board under this Article and to the costs of those inquiries; and

(*b*) that subsection (6) of Section 32 of the Act of 1888 shall apply to any agreement or award made under this Article.

Electoral Division and County Councillor.

Art. XX. Subject to the provisions of Section 54 of the Act of 1888 the Hipperholme Electoral Division as diminished by the inclusion of the added area in the Borough shall continue to be an Electoral Division of the County and the person who immediately before the commencement of this Order is the County Councillor representing that division shall be deemed from and after that date to represent the division as so diminished.

Alteration of parishes.

Art. XXI. The added area shall be separated from the existing Parish of Southowram and shall be amalgamated with the existing Parish of Halifax.

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Art. XXII. Subject to the provisions of Section 60 of the Act of 1894 the following provision shall have effect:—

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Guardians.

(1) For the purposes of the election of Guardians the Parish of Halifax shall continue to be divided into seven wards:

(2) The added area shall be included in the South-East Ward of the Parish of Halifax and the persons who at the commencement of this Order are the Guardians elected for the existing South-East Ward shall be deemed to have been elected for that ward as altered by this Order and shall represent the altered ward until the date on which they would have retired if this Order had not been made:

(3) The person who at the commencement of this Order is the Guardian elected for the existing Parish of Southowram shall be deemed to have been elected for and shall represent the Parish of Southowram as if he had been originally elected to represent that Parish.

Ecclesiastical divisions and charities.

Art. XXIII. Nothing in this Order shall affect the ecclesiastical divisions of any parish or shall prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment which now is applicable for the benefit of any existing parish affected by this Order.

Saving for existing lists of parliamentary voters &c.

Art. XXIV. For the purposes of any election under the Act of 1894 to be held for any area affected by this Order the town clerk or the clerk of the County Council as the case may require shall if and when necessary cause the register of parochial electors to be altered in such manner as may be requisite to give effect to the provisions of this Order.

Settlement and removal of the poor.

Art. XXV. For any purposes connected with the settlement and removal of the poor in relation to cases affected by this Order the following provisions shall have effect that is to say:—

(1) Every person who at the commencement of this Order has acquired or is in the course of acquiring a settlement in either of the existing Parishes of Halifax or Southowram by reason of any residence completed or in the course of completion or of any act or thing done or in the course of being done or of any status condition right or privilege acquired or created or in the course of acquisition or creation—

(i) in the existing Parish of Halifax; or

(ii) in the added area; or

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(iii) in that part of the existing Parish of Southowram which by virtue of this Order will form the Parish of Southowram

shall be deemed to have acquired or to be in the course of acquiring in the first and second cases a settlement in the Parish of Halifax and in the third case a settlement in the Parish of Southowram and in each case as if the existing parish or the added area or the specified part of the existing parish were and had always been the parish or a part of the parish in which by virtue of this Article the person shall be deemed to have acquired or to be in the course of acquiring a settlement:

(2) Every person who at the commencement of this Order has acquired or is in the course of acquiring a status of irremovability from the Halifax Union by reason of residence—

(i) in the existing Parish of Halifax; or

(ii) in the added area; or

(iii) in that part of the existing Parish of Southowram which by virtue of this Order will form the Parish of Southowram

shall be deemed to have acquired or to be in the course of acquiring the like status by reason of residence in the first and second cases in the Parish of Halifax and in the third case in the Parish of Southowram.

Saving for contribution orders.

Art. XXVI. Notwithstanding the alteration in the areas of parishes effected by this Order all contribution orders made by the Guardians of the Poor of the Halifax Union before the commencement of this Order shall be as valid in law as if this Order had not been made.

Short title.

Art. XXVII. This Order may be cited as the Halifax (Extension) Order 1912.

The SCHEDULE above referred to.

PART I.—LOCAL ACTS.

Session and Chapter.	Title or Short Title.
3 Geo. IV. c. xxx. - -	At Act for lighting with Gas the Town and Township of Halifax and the neighbourhood thereof within the Parish of Halifax in the West Riding of the County of York.
4 Geo. IV. c. xc. -	An Act for paving lighting cleansing watching and improving the Township of Halifax and for supplying the same with water.
13 & 14 Vict. c. xlii. - -	An Act to confirm the incorporation of certain Boroughs and to provide for the payment of the expenses of the incorporation of new Boroughs.
16 & 17 Vict. c. clxvii. -	The Halifax Improvement Act 1853.
18 & 19 Vict. c. cxliv. -	The Halifax Gas Act 1855.
19 & 20 Vict. c. xxvi. (Section 2).	The Public Health Supplemental Act 1856 (Section 2).
21 & 22 Vict. c. xci. - -	The Halifax Park and Improvement Act 1858.
25 Vict. c. xli. - - -	The Halifax Improvement Act 1862.
28 & 29 Vict. c. cxl. - -	The Halifax Extension and Improvement Act 1865.
31 & 32 Vict. c. cxxvii. -	The Halifax Corporation Waterworks and Improvement Act 1868.
33 & 34 Vict. c. xcv. - -	The Halifax Water and Gas Extension Act 1870.
39 & 40 Vict. c. ccxxxiv. -	The Halifax Water and Gas Extension Act 1876.
45 & 46 Vict. c. ccxxxiv. -	The Halifax Corporation Act 1882.
51 & 52 Vict. c. xliv. - -	The Halifax Corporation Waterworks Act 1888.
60 & 61 Vict. c. xciv. -	The Halifax Corporation Tramways Act 1897.
61 & 62 Vict. c. cxlvi. -	The Halifax Corporation Act 1898.
63 & 64 Vict. c. ccxxxiv. -	The Halifax Corporation Act 1900.
2 Edw. 7. c. cxxiv. - -	The Halifax Corporation Act 1902.
5 Edw. 7. c. ccv. - -	The Halifax Corporation Act 1905.
1 & 2 Geo. V. c. cxiii. -	The Halifax Corporation Act 1911.

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PART II.—CONFIRMATION ACTS.

Halifax Order.	Session and Chapter.	Short Title.	Order thereby confirmed.
	14 & 15 Vict. c. ciii.	The Public Health Supplemental Act 1851 (No. 3).	The Halifax Order 1851.
	44 & 45 Vict. c. lxvi.	The Local Government Board's Provisional Orders Confirmation (Halifax &c.) Act 1881.	The Halifax Order 1881.
	49 & 50 Vict. c. lxi.	The Local Government Board's Provisional Orders Confirmation (No. 4) Act 1886.	The Halifax Order 1886.
	50 & 51 Vict. c. cxxii.	The Local Government Board's Provisional Orders Confirmation (No. 4) Act 1887.	The Halifax Order 1887.
	52 & 53 Vict. c. cxiii.	The Local Government Board's Provisional Orders Confirmation (No. 11) Act 1889.	The Halifax Order 1889.
	53 & 54 Vict. c. lxxxii.	The Local Government Board's Provisional Orders Confirmation (No. 3) Act 1890.	The Halifax Order 1890.
	55 & 56 Vict. c. lxxi.	The Local Government Board's Provisional Orders Confirmation (No. 4) Act 1892.	The Halifax (No. 2) Order 1892.
	55 & 56 Vict. c. cc.	The Local Government Board's Provisional Orders Confirmation (No. 9) Act 1892.	The Halifax (No. 3) Order 1892.
	55 & 56 Vict. c. ccxxii.	The Local Government Board's Provisional Orders Confirmation (No. 10) Act 1892.	The Borough of Halifax Order 1892.
	55 & 56 Vict. c. xxxvii.	The Electric Lighting Orders Confirmation (No. 2) Act 1892.	The Halifax Corporation Electric Lighting Order 1892.
	59 Vict. c. xxix.	The Local Government Board's Provisional Orders Confirmation (No. 4) Act 1896.	The Halifax Order 1896.
	62 & 63 Vict. c. cxi.	The Local Government Board's Provisional Orders Confirmation (No. 7) Act 1899.	The Borough of Halifax Order 1899.
	62 & 63 Vict. c. cli.	The Tramways Orders Confirmation (No. 1) Act 1899.	The Halifax Corporation Tramways Order 1899.
	1 Edw. 7. c. cxlvii.	The Local Government Board's Provisional Orders Confirmation (No. 5) Act 1901.	The Halifax and Sowerby Bridge Order 1901.

Given under the Seal of Office of the Local Government Board this Fifteenth day of May One thousand nine hundred and twelve.

(L.S.) JOHN BURNS President.
H. C. MONRO Secretary.

BOROUGH OF QUEENBOROUGH.

A.D. 1912.

Queenborough Order.

Provisional Order made in pursuance of Sections 54 *and* 59 *of the Local Government Act* 1888.

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

To the Justices of the Peace for the County of Kent in Quarter Sessions assembled;—

To the County Council of Kent;—

To the Rural District Council of Sheppey;—

To the Guardians of the Poor of the Sheppey Union;—

To the Parish Council of Minster in Sheppey;—

To the Overseers of the Poor of each of the Parishes of Queenborough and Minster in Sheppey;—

And to all others whom it may concern.

WHEREAS by Section 54 of the Local Government Act 1888 the Local Government Board are empowered to make a Provisional Order for altering the boundary of any Borough; 51 & 52 Vict. c. 41.

And whereas the Borough of Queenborough in the County of Kent is a Borough within the meaning of the Local Government Act 1888 and the inhabitants are a body corporate by the name of the Mayor Aldermen and Burgesses of the Borough of Queenborough and act by the Council of the said Borough which now consists of the Mayor (who is also a Councillor) four Aldermen and eleven other Councillors;

And whereas the said Borough comprises the Parish of Queenborough and is an Urban District of which the Mayor Aldermen and Burgesses acting by the Council are the Urban District Council;

And whereas the provisions of the Public Health Acts Amendment Act 1890 and the Public Libraries Acts 1892 to 1901 are in force in the said Borough; 53 & 54 Vict. c. 59. 55 & 56 Vict. c. 53. 56 Vict. c. 11. 1 Edw. 7. c. 19.

And whereas the Parish of Minster in Sheppey in the County of Kent immediately adjoins the said Borough and is a contributory place in the Rural District of Sheppey and is subject to the jurisdiction of the Rural District Council of Sheppey and two Rural District Councillors are elected for the said Parish;

And whereas the provisions of the Infectious Disease (Prevention) Act 1890 and the provisions of Part III. of the Public Health Acts 53 & 54 Vict. c. 34.

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Amendment Act 1890 which are applicable to Rural Districts are in force in the said Rural District;

3 & 4 Will. 4. c. 90.

And whereas the Lighting and Watching Act 1833 is in force in the Parish of Minster in Sheppey;

And whereas the Parishes of Queenborough and Minster in Sheppey are included in the Sheppey Union and two Guardians are elected for the Parish of Queenborough and the two Rural District Councillors elected for the Parish of Minster in Sheppey are the representatives of that Parish on the Board of Guardians of the said Union;

56 & 57 Vict. c. 73.

And whereas the Parish of Minster in Sheppey is a Rural Parish within the meaning of the Local Government Act 1894 for which a Parish Council has been established:

51 & 52 Vict. c. 41.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 54 and 59 of the Local Government Act 1888 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:—

Definitions.

Art. I. In this Order—

(1) The expression "the commencement of this Order" means the Ninth day of November One thousand nine hundred and twelve;

(2) The expression "the existing Borough" means the Borough of Queenborough as it existed immediately prior to the commencement of this Order;

(3) The expression "the Borough" means the existing Borough as extended by this Order;

(4) The expression "the Corporation" means as the context requires the Mayor Aldermen and Burgesses of the existing Borough or of the Borough acting by the Council;

(5) The expressions "the County" and "the County Council" mean respectively the Administrative County of Kent and the County Council of that County;

(6) The expressions "the Rural District" and "the Rural Council" mean respectively the Rural District of Sheppey and the Rural District Council of that district;

(7) The expression "the maps" means the two maps each marked "Map of the Borough of Queenborough as extended 1912" and sealed with the official seal of the Local Government Board;

(8) The expression "the added area" means that part of the Rural District which is added to the existing Borough by this Order and is coloured blue on the maps;

(9) The expressions "the existing Parish of Queenborough" and "the existing Parish of Minster in Sheppey" mean in each case the parish as it existed immediately prior to the commencement of this Order and the expressions "the Parish of Queenborough" and "the Parish of Minster in Sheppey" mean in each case the parish as altered by this Order;

(10) The expressions "the Act of 1888" and "the Act of 1894" mean respectively the Local Government Act 1888 and the Local Government Act 1894;

(11) The expression "the Municipal Corporations Acts" means the Municipal Corporations Act 1882 and the Acts amending and extending the same and the expression "the Public Health Acts" means the Public Health Act 1875 and the Acts amending and extending the same.

Commencement of Order.

Art. II. This Order shall except so far as is otherwise herein expressly provided and so far as there may be anything in the subject-matter or context inconsistent therewith come into operation on the Ninth day of November One thousand nine hundred and twelve:

Date of operation of Order for parish burgess lists &c. 51 Vict. c. 10.

Provided that for the purposes of the parish burgess lists and burgess roll and other lists to be made for the Borough under the Municipal Corporations Acts of the lists of county electors and the county register to be made for the County in pursuance of the County Electors Act 1888 or any Act amending that Act of the lists and registers of parochial electors and any other lists or registers to be made in pursuance of the Act of 1894 of all proceedings preliminary or relating to any municipal election to be held on the ordinary day of election in the year One thousand nine hundred and twelve and of the revision of the basis or standard of the county rate this Order shall operate from the date of the Act of Parliament confirming this Order.

Extension of Borough.

Art. III.—(1) The boundary of the existing Borough the area whereof is coloured pink on the maps shall be altered so as to include in addition to that area so much of the Rural District as comprises the added area.

(2) The boundary of the Borough shall be that shown by the red line on the maps and the whole of the area within that boundary shall for the purposes of the Municipal Corporations Acts and for all other purposes be the Borough.

Deposit of maps.

Art. IV.—(1) One of the maps shall be deposited in the office of the Local Government Board and the other shall be deposited by the town clerk of the existing Borough at his office within fourteen days

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after the date of this Order Copies of the map deposited with the town clerk certified by him to be true shall be sent within one month after the date of the Act of Parliament confirming this Order to the clerk of the County Council to the clerk to the Rural Council to the Registrar-General to the Board of Inland Revenue to the Commissioners of Customs and Excise and to the Board of Agriculture and Fisheries.

Copies of map to be evidence.

(2) Copies of or extracts from the map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as primâ facie evidence of the contents of the map so far as it relates to the boundaries of the Borough and the map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the Borough and any such person shall be entitled to a copy of or extract from the map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation All fees so received shall be carried to the credit of the borough fund.

Parish burgess lists &c.

Art. V.—(1) For the purposes of the parish burgess lists and burgess roll and the other lists to be made under the Municipal Corporations Acts and of all matters connected with incidental to or consequent upon those purposes the added area shall be deemed to have always been part of the Borough.

(2) In making out revising or otherwise dealing with the said lists and roll or the lists of county electors and the county register to be made for the County in pursuance of the County Electors Act 1888 or any Act amending that Act or the lists and registers of parochial electors effect shall be given so far as the circumstances require or allow to the provisions of this Order.

(3) Where any difficulty arising in the year One thousand nine hundred and twelve in giving effect to the provisions of this Order can be obviated or removed by any alteration in or re-arrangement of or any other action affecting the said lists roll and registers that alteration re-arrangement or action so far as the same may be necessary for giving effect to the said provisions shall be made or taken by the town clerk of the existing Borough or the clerk of the County Council as the case may require and the Overseers of the Poor shall render such assistance as may be requisite for the purpose of the said alteration re-arrangement or action by the town clerk or clerk of the County Council as the case may be and that alteration re-arrangement or action shall be deemed to be authorised by the provisions in force with respect to the said lists roll and registers.

(4) Where in the opinion of the Local Government Board the circumstances so require the Local Government Board may make such

order as appears to them to be necessary to give effect to the provisions of this Order and may vary so far as is requisite the provisions in force with regard to the said lists roll and registers. A.D. 1912. *Queenborough Order.*

Art. VI.—(1) Subject to the provisions of this Order all byelaws and regulations and every list of tolls and table of fees and payments and scale of charges made by the Corporation which at the commencement of this Order are in force in the existing Borough shall thenceforth apply to the Borough until or except in so far as any such byelaws or regulations or list of tolls or table of fees and payments or scale of charges may be altered or repealed. Byelaws &c.

(2) All byelaws and regulations made by the Rural Council or their predecessors and in force immediately before the commencement of this Order in any part of the added area shall on that date cease to be in force except as regards any work which has been begun before that date or as regards any work which has not been so begun but for which plans have been approved before that date by the Rural Council or have been sent to the surveyor or clerk to the Rural Council one month at least before that date and shall not have been disapproved by that Council As regards any such work as aforesaid the byelaws in force immediately before the commencement of this Order shall continue to apply until the completion of the work in like manner and with the like effect as if those byelaws had been made by the Corporation and as if the Corporation and the Borough were referred to therein instead of the Rural Council and the Rural District respectively Provided that any proceedings which if this Order had not been made might have been taken by the Rural Council for any offence committed before the commencement of this Order against any byelaws and regulations made by the Rural Council or their predecessors and in force immediately before the commencement of this Order in any part of the added area may be taken by the Corporation as if those byelaws and regulations had remained in force and the Corporation had been substituted therein for the Rural Council.

(3) For the purposes and subject to the provisions of the Education Acts 1870 to 1910 and the Education (Administrative Provisions) Act 1911 any byelaws in force in the existing Borough immediately before the commencement of this Order shall from and after that date apply to the Borough until revoked or altered and from and after that date any byelaws then in force in any part of the added area shall cease to be in force. Education byelaws.

Art. VII.—(1) The town clerk and all other officers and servants of the Corporation of the existing Borough who hold office at the commencement of this Order shall continue to be the town clerk and Town clerk and other officers continued.

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officers and servants of the Corporation of the Borough and shall hold their offices by the same tenure as at that date.

Borough auditors.

(2) The auditors of the existing Borough who are in office at the commencement of this Order shall continue in office and shall for the purposes of the Municipal Corporations Acts be the borough auditors until the next ordinary day of election of borough auditors.

Compensation to existing officers.

Art. VIII.—(1) Every officer or servant of or paid by the County Council or of or paid by the Standing Joint Committee of the County and every other officer or servant who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary and for whose compensation no other provision is made by any enactment for the time being in force and applicable to his case shall be entitled to have compensation paid to him by the Corporation for that pecuniary loss and in determining the said compensation regard shall be had to the conditions and other circumstances required by subsection (1) of Section 120 of the Act of 1888 to be had in regard in cases of compensation under that section and the compensation shall not exceed the limit therein mentioned and shall be paid in the case of any such officer or servant whose office or employment relates wholly or partly to sanitary purposes as defined by the Public Health Act 1875 out of the district fund and general district rate of the Borough and in every other case out of the borough fund and borough rate of the Borough and the provisions of subsections (2) to (7) of Section 120 of the Act of 1888 shall apply with the necessary modifications Provided that the non-acceptance of any office shall not be a bar to the right of any officer to compensation.

(2) For the purposes of subdivision (1) of this Article any officer or servant to whom that subdivision applies and whose services are dispensed with or whose salary is reduced by the County Council or the Standing Joint Committee or any other authority including the Corporation within five years from the commencement of this Order because his services are not required or his duties are diminished in consequence of this Order and not on the ground of misconduct shall be deemed to have suffered a direct pecuniary loss in consequence of this Order.

(3) No person shall be entitled to claim or receive both compensation for any direct pecuniary loss by abolition of office or diminution or loss of fees or salary and a superannuation or retiring allowance in respect of the same period of service and the same pecuniary loss.

Actions &c. not to abate.

Art. IX.—(1) Any action or proceeding or any cause of action or proceeding which at the commencement of this Order is pending or existing by or against the Rural Council in relation exclusively to

any part of the added area shall not be in anywise prejudicially affected by reason of the making of this Order but may be continued prosecuted and enforced by or against the Corporation of the Borough.

Saving for contracts &c.

(2) Anything duly done or suffered and all contracts deeds bonds agreements and other instruments (subsisting at the commencement of this Order) entered into or made by the Rural Council or their predecessors in relation exclusively to any part of the added area shall be of as full force and effect against or in favour of the Corporation of the Borough and may be continued and enforced as fully and effectually as if instead of the Rural Council or their predecessors the Corporation had done or suffered the same or been a party thereto.

Corporation property &c.

Art. X. Subject to the provisions of this Order all property vested in the Corporation at the commencement of this Order for the benefit of the existing Borough shall by virtue of this Order be held by the Corporation for the benefit of the Borough and the Corporation shall hold enjoy and exercise for the benefit of the Borough all the powers which at the date aforesaid are exerciseable by or vested in the Corporation for the benefit of the existing Borough and all liabilities which on the date aforesaid attach to the Corporation in respect of the existing Borough shall from and after that date attach to them in respect of the Borough.

Art. XI. Subject to the provisions of this Order—

Property &c. of Rural Council.

(1) All property and liabilities which immediately before the commencement of this Order are vested in or attach to the Rural Council in relation exclusively to any part of the added area shall by virtue of this Order be transferred to and vest in and attach to the Corporation as Urban District Council and any property and liabilities vested in or attached to the Rural Council in relation to any part of the added area conjointly with any other area shall be a matter for adjustment under Section 62 of the Act of 1888:

Cesser of jurisdiction of Rural Council.

(2) The Rural Council shall cease to exercise any powers or have any duties within any part of the added area:

Arrears of rates.

(3) All arrears of rates made by any Overseers of the Poor for the purposes of the Public Health Acts or for highway expenses or for the purposes of the Lighting and Watching Act 1833 which at the commencement of this Order are due or owing in respect of hereditaments in the added area may be collected and recovered as if this Order had not been made and when collected and recovered

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shall be applied towards the discharge of any precept of the Rural Council which at that date shall be in force and not satisfied or in the case of rates made for the purposes of the Lighting and Watching Act 1833 towards defraying any expenses incurred by the Parish Council of the Parish of Minster in Sheppey under the last-mentioned Act and the balance if any shall be paid to the Corporation:

Adjustment of balances.

(4) Any balance in the hands of the Overseers of the Parish of Minster in Sheppey at the commencement of this Order and any sum collected by them after the commencement of this Order in respect of any rate made before that date and levied upon any rateable hereditament in the added area shall be a matter for adjustment under Section 62 of the Act of 1888:

Adaptation of provisions as to adjustment.

(5) For the purposes of the application of Section 62 of the Act of 1888 to any adjustment which may become necessary in consequence of this Order that section shall have effect as if in subsections (5) (6) and (7) thereof the expression "Council" included any authority affected by this Order or by anything done in pursuance of this Order and as if in the case of any such authority not otherwise empowered to borrow under any Act or on any security or in any manner mentioned in the said subsection (6) that subsection empowered the authority to borrow under any Act relating to and conferring on the authority a power to borrow on the security of all or any of the funds rates and revenues of the authority and in the manner provided by the said Act but without the consent of any other authority and subject to the requirement that all money so borrowed shall be repaid within such period as the Local Government Board may sanction:

(6) For the purposes of the application of Section 62 of the Act of 1888 to any adjustment which may become necessary in consequence of this Order so far as it relates to the amalgamation of the added area with the existing parish of Queenborough that section shall have effect—

(*a*) As if the Overseers of the Parishes of Queenborough and Minster in Sheppey were within the meaning of the said section as applied by this Article authorities affected by this Order;

(*b*) As if the poor rate or any other rate leviable in pursuance of the said section as applied by this Article were substituted for any fund mentioned in the section; and

(*c*) As if for subsections (6) and (7) of the said section there were substituted the subsections hereunto appended that is to say:—

"(6) If it is necessary for the purpose of giving "effect to any agreement or award for an adjust- "ment that a separate rate shall be levied in part "of a parish only the agreement or award may "authorise the making of such a separate rate as "if it were a poor rate and as if the part of the "parish on which it is to be levied were a whole "parish."

"(7) Any sum paid for the purposes of any adjust- "ment or in pursuance of any order or award of "an arbitrator shall be applied by such person in "such manner and for such purpose as the Local "Government Board may authorise or direct."

Mortgage debts of Corporation.

Art. XII. So much of any sums borrowed by the Corporation as will at the commencement of this Order be owing and charged upon the district fund and general district rate of the existing Borough shall by virtue of this Order be charged upon the district fund and general district rate of the Borough and so much of any sums borrowed by the Corporation as will at the commencement of this Order be owing and charged upon the borough fund and borough rate of the existing Borough shall by virtue of this Order be charged upon the borough fund and borough rate of the Borough and all those sums shall together with the interest to accrue due thereon be repaid by the Corporation within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

Adoptive Acts.

Art. XIII.—(1) The provisions of the Public Health Acts Amendment Act 1890 and the Public Libraries Acts 1892 to 1901 shall be in force in and apply to the Borough as if the same had been adopted therein.

(2) The provisions of the Infectious Disease (Prevention) Act 1890 shall cease to be in force in and apply to the added area:

Provided that nothing in this subdivision shall—

(*a*) affect the operation prior to the commencement of this Order of any such provisions or anything duly done or suffered thereunder; or

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(*b*) affect any right privilege or obligation or liability acquired accrued or incurred under any such provisions; or

(*c*) affect any penalty forfeiture or punishment incurred in respect of any offence committed against any such provisions; or

(*d*) affect any investigation legal proceeding or remedy in respect of any such right privilege obligation liability penalty forfeiture or punishment as aforesaid.

Powers under Section 33 of Act of 1894.

Art. XIV. Subject to the provisions of any Order which the Local Government Board or a Secretary of State may hereafter make—

(1) The provisions of any Order heretofore made by the Local Government Board and conferring upon the Council of the existing Borough any of the matters mentioned in Section 33 of the Act of 1894 and in that Order shall be deemed to have effect as if any reference in those provisions to the existing Parish of Queenborough extended and applied to the Parish of Queenborough:

Powers under Public Health Acts Amendment Act 1907. 7 Edw. 7. c. 53.

(2) The provisions of any Order made by the Secretary of State and declaring to be in force in the existing Parish of Minster in Sheppey any Parts or Sections of the Public Health Acts Amendment Act 1907 shall cease to be in force in and apply to the added area.

Alteration of parishes.

Art. XV. The added area shall be separated from the existing Parish of Minster in Sheppey and shall be amalgamated with the existing Parish of Queenborough.

Guardians and Rural District Councillors.

Art. XVI. Subject to the provisions of Section 60 of the Act of 1894 the persons who at the commencement of this Order are holding the office of Guardian of the Poor for the existing Parish of Queenborough and the persons who at the said date are holding the offices of Rural District Councillor and Guardian of the Poor for the existing Parish of Minster in Sheppey shall be deemed to have been elected for and shall represent the Parish of Queenborough and the Parish of Minster in Sheppey respectively until the date upon which they would have retired if this Order had not been made.

Parish Councils.

Art. XVII.—(1) Subject to the provisions of this Order any powers and duties transferred by the Act of 1894 to the Parish Council of the existing Parish of Minster in Sheppey shall so far as regards the added area be vested in exerciseable by and imposed on the persons and authorities in whom they would be vested or by whom they would be exerciseable or on whom they would be imposed if the added area had been included in a parish in the existing Borough on the appointed day within the meaning of the Act of 1894 and all property

and liabilities held or incurred so far as regards the added area for the purpose or by virtue of the said powers and duties shall by virtue of this Order be transferred to and vest in and attach to the persons and authorities aforesaid Any property or liabilities of the said Parish Council held or incurred otherwise than by virtue or for the purposes of the powers or duties aforesaid shall so far as regards the added area by virtue of this Order be transferred to and vest in and attach to the Corporation.

(2) The Parish Council of the existing Parish of Minster in Sheppey shall be deemed to have been elected and shall be the Parish Council for the Parish of Minster in Sheppey.

Ecclesiastical divisions and charities.

Art. XVIII. Nothing in this Order shall affect the ecclesiastical divisions of any parish or shall prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment which now is applicable for the benefit of any existing parish affected by this Order.

Valuation lists.

Art. XIX. Until new valuation lists are in force the portion of the valuation list of the existing Parish of Minster in Sheppey which relates to hereditaments in the added area shall be deemed to form part of the valuation list of the Parish of Queenborough and the remaining portions of the valuation list of the existing Parish of Minster in Sheppey shall be deemed to be the valuation list of the Parish of Minster in Sheppey.

County rate basis.

Art. XX.—(1) Subject to any future revision the basis or standard of the county rate for the County shall be deemed to be altered by the deduction from the amount appearing therein as the total annual value of the property in the existing Parish of Minster in Sheppey of such a sum as will represent the annual value of the property in the part of the parish which is included by this Order in the Parish of Queenborough and by the addition of that sum to the amount appearing therein as the total annual value of the property in the existing Parish of Queenborough.

(2) For the purposes of this Article the sum which will represent the annual value of the property in the part of the parish which is included by this Order in the Parish of Queenborough shall be the amount which bears the same relation to the total annual value of the existing parish as the assessable value of the property in the included part of the existing parish bears to the total assessable value of property in the existing parish and the total annual value of the existing parish shall be the amount appearing as such in the basis or standard of the county rate.

(3) For the purposes of this Article assessable value means one-half of the rateable value according to the valuation list for the time

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being in force of the agricultural land together with the rateable value according to that list of the buildings and other hereditaments not being agricultural land in the existing parish or in the part included in the Parish of Queenborough as the case may require.

Saving for existing lists of parliamentary voters &c.

Art. XXI. For the purposes of the registers of persons entitled to vote at an election of Members of Parliament of the registers of parochial electors and of jury lists the parishes affected by this Order shall be deemed to continue unaltered until the new registers and lists come into operation:

Provided that for the purposes of any election under the Act of 1894 to be held for any area affected by this Order and of the holding of any Parish Meeting in the Parish of Minster in Sheppey the town clerk or the clerk of the County Council as the case may require shall if and when necessary cause the register of parochial electors to be altered in such manner as may be requisite to give effect to the provisions of this Order.

Settlement and removal of the poor.

Art. XXII. For any purposes connected with the settlement and removal of the poor in relation to cases affected by this Order the following provisions shall have effect that is to say:—

(1) Every person who at the commencement of this Order has acquired or is in the course of acquiring a settlement in either of the existing Parishes of Queenborough or Minster in Sheppey by reason of any residence completed or in the course of completion or of any act or thing done or in the course of being done or of any status condition right or privilege acquired or created or in the course of acquisition or creation—

(i) in the existing Parish of Queenborough; or

(ii) in the part of the existing Parish of Minster in Sheppey included by this Order in the Parish of Queenborough; or

(iii) in that part of the existing Parish of Minster in Sheppey which by virtue of this Order will form the Parish of Minster in Sheppey

shall be deemed to have acquired or to be in the course of acquiring in the first and second cases a settlement in the Parish of Queenborough and in the third case a settlement in the Parish of Minster in Sheppey and in each case as if the existing parish or the specified part of the existing parish were and had always been the parish or a part of the parish in which by virtue of this Article the person shall be deemed to have acquired or to be in the course of acquiring a settlement:

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(2) Every person who at the commencement of this Order has acquired or is in the course of acquiring a status of irremovability from the Sheppey Union by reason of residence—

(i) in the existing Parish of Queenborough; or

(ii) in the part of the existing Parish of Minster in Sheppey included by this Order in the Parish of Queenborough; or

(iii) in that part of the existing Parish of Minster in Sheppey which by virtue of this Order will form the Parish of Minster in Sheppey

shall be deemed to have acquired or to be in the course of acquiring the like status by reason of residence in the first and second cases in the Parish of Queenborough and in the third case in the Parish of Minster in Sheppey.

Saving for contribution orders and precepts.

Art. XXIII. Notwithstanding the alteration in the areas of parishes effected by this Order all contribution orders made by the Guardians of the Poor of the Sheppey Union and all precepts made by the Rural Council before the commencement of this Order shall be as valid in law as if this Order had not been made.

Arrears of rates.

Art. XXIV. All sums in respect of rates made by the Overseers of the Poor of the existing Parish of Minster in Sheppey and due or owing at the commencement of this Order in respect of hereditaments in the added area shall be collected and recovered by the Overseers of the Poor of the Parish of Minster in Sheppey as if this Order had not been made.

Short title.

Art. XXV. This Order may be cited as the Queenborough (Extension) Order 1912.

Given under the Seal of Office of the Local Government Board this Fifteenth day of May One thousand nine hundred and twelve.

(L.S.)

JOHN BURNS President.
H. C. MONRO Secretary.

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SECOND SCHEDULE.

PART I.—RULES FOR DETERMINING THE SUM TO BE PAID IN RESPECT OF INCREASE OF BURDEN ON RATEPAYERS.

(1) Regard shall be had to—

(*a*) The difference between the burden on the ratepayers which will properly be incurred by the Council or other authority affected by the Order in meeting the cost of executing any of their powers and duties and the burden on the ratepayers which would properly have been incurred by that Council or other authority in meeting such cost had no alteration of boundaries or other change taken place:

(*b*) The length of time during which the increase of burden may be expected to continue.

(2) The sum payable by or to any council or other authority affected by the Order in respect of the increase of burden shall not exceed or if payable by instalments or by way of annuity the capitalised value of the instalments or annuity shall not exceed the average annual increase of burden multiplied by fifteen.

(3) Any sum payable in respect of the cost of maintenance of main roads shall be payable by way of annuity.

PART II.—RULES FOR DETERMINING ADJUSTMENTS OF THE LOCAL TAXATION LICENCES THE ESTATE DUTY GRANT AND THE RESIDUE UNDER SECTION 1. OF THE LOCAL TAXATION (CUSTOMS AND EXCISE) ACT 1890.

The portion of the local taxation licences and estate duty grant payable or estimated to be payable in respect of the area of the County as it existed immediately before the Ninth day of November One thousand nine hundred and twelve shall after the appointed day be divided between the County Council and the Corporation and the amount payable to each shall be apportioned on the following basis:—

(*a*) There shall be apportioned to the County Council an amount equal to the average annual amounts of the compulsory payments and transfers made by or on behalf of that Council in accordance with Sections 24 and 26 of the Local Government Act 1888 for and in respect of the five years ending the Thirty-first day of March One thousand nine hundred and thirteen less the portion of such average annual amount paid and transferred in respect of the added area and such last-mentioned amount shall be apportioned to the Corporation Provided that if any

difficulty arises in ascertaining the sum to be apportioned in respect of any item the sum shall be divided according to the respective rateable values on the appointed day of the County and of the added area:

(*b*) Out of the balance of the said portion of the local taxation licences and estate duty grant there shall next be apportioned to the County Council a sum equal to one-half of the average annual cost during the five years preceding the First day of April One thousand nine hundred and twelve of the maintenance of the main roads within the County (including any payments made in respect of the interest on or of the repayment of the capital of loans raised on account of such main roads) after deducting the amount of one-half of such cost incurred in respect of the main roads within the added area and such last-mentioned amount shall be apportioned to the Corporation Provided that—

(i) if such balance is insufficient to meet the whole of one-half of the cost of such roads the amounts apportioned to the County Council and the Corporation respectively shall be reduced proportionately; and

(ii) if it appear that the County Council have failed to declare any roads in the County to be main roads which ought to have been so declared or have declared any roads to be main roads which ought not to have been so declared proper adjustments shall be made in the calculation of the cost of maintenance of main roads in the County under this rule by the inclusion of the cost of such roads as ought to have been declared to be main roads or the exclusion of the cost of such roads as ought not to have been declared to be main roads as the case may require:

(*c*) If any balance of the local taxation licences and estate duty grant remains after apportioning between the County Council and the Corporation the sums ascertained in accordance with the foregoing rules such balances shall be divided between the County Council and the Corporation in proportion to the rateable values on the appointed day of the County and of the added area respectively.

The residue under Section 1 of the Local Taxation (Customs and Excise) Act 1890 payable or estimated to be payable in respect of the area of the County as it existed immediately before the Ninth day of November One thousand nine hundred and twelve shall after the

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appointed day be divided between the County Council and the Corporation in proportion to the rateable values on the appointed day of the County and of the added area respectively.

In this Part of this Schedule—

(1) The expression "the appointed day" means the First day of April One thousand nine hundred and thirteen;

(2) The expressions "the County" and "the County Council" mean respectively the Administrative County of the West Riding of Yorkshire and the County Council of that County;

(3) The expression "the Corporation" means the Mayor Aldermen and Burgesses of the Borough of Halifax acting by the Council;

(4) The expression "the added area" means the part of the Urban District of Southowram added to the Borough of Halifax by the Order relating to Halifax;

(5) The expression "rateable value" means the rateable value stated in the last poor rate.

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