CHAPTER cxii.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Boroughs of Blandford Forum, Lyme Regis, Lymington, and Morpeth. A.D. 1889.

[26th July 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, and the Local Government Act, 1888: 38 & 39 Vict. c. 55. 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 Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Orders set out in the Schedule hereto shall be and the same are hereby confirmed, and all the provisions thereof shall have full validity and force. Orders in Schedule confirmed.

2. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 9) Act, 1889. Short title.

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SCHEDULE.

BOROUGH OF BLANDFORD FORUM.

Provisional Order made in pursuance of Section 52 *of the Local Government Act*, 1888.

To the County Council for the Administrative County of Dorset; —

To the Mayor, Aldermen, and Burgesses of the Borough of Blandford Forum, in the same County; —

To the Blandford Forum Local Board, being the Sanitary Authority for the Urban Sanitary District of Blandford Forum, in the same County; —

To the Guardians of the Poor of the Blandford 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.

51 & 52 Vict. c. 41.

WHEREAS by Section 52 of the Local Government Act, 1888 (which Act is herein-after referred to as "the Act"), it is enacted that the Local Government Board shall make Provisional Orders for dealing with every case where the Council of a Borough is not the Urban Sanitary Authority for the whole of the area of such Borough, and the area of the Borough is either co-extensive with or is wholly or partly comprised in any Urban Sanitary District, and that such Order shall determine whether the area of the Borough or of the Sanitary District, or an area comprising both the Borough and the Urban Sanitary District, or a portion of such united area, shall, whether with or without any adjoining area, be the area of the County District for the purposes of the Act, so, however, that in either case the Order shall provide for the Council of the Borough becoming the District Council, and that the Order may for that purpose alter the boundaries of the Borough;

And whereas the Borough of Blandford Forum, in the administrative County of Dorset, is a Borough within the meaning of the Act, and the inhabitants of the Borough are a body corporate by the name of the Mayor, Aldermen, and Burgesses of the Borough of Blandford Forum, and act by the Council of the Borough, which now consists of the Mayor (who is also a Councillor), four Aldermen, and eleven other Councillors;

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And whereas the Local Government District of Blandford Forum, in the same County, is an Urban Sanitary District (herein-after referred to as "the Sanitary District"), of which the Blandford Forum Local Board (herein-after referred to as "the Local Board") are the Urban Sanitary Authority;

And whereas the Council of the Borough is not the Urban Sanitary Authority for the area of the existing Borough, and the existing Borough is partly comprised in the Sanitary District:

51 & 52 Vict. c. 41.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 52 and 59 of the Act, 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:—

Commencement of Order.

Art. I. This Order shall come into operation on the Ninth day of November, One thousand eight hundred and eighty-nine, except so far as is otherwise herein expressly provided.

Definitions.

Art. II. The several terms in this Order shall have the same meanings respectively as are assigned to them by Section 100 of the Act.

Extension of Borough.

Art. III. The area bounded as herein-after mentioned (being as nearly as can be ascertained the area comprising both the Borough and the Sanitary District) shall be the area of the County District for the purposes of the Act, and the boundary of the Borough shall be altered to correspond to the boundary of that County District, so that the whole of the said area shall, for the purposes of the Municipal Corporations Act, 1882, and for all other purposes, be within the Borough; and the Mayor, Aldermen, and Burgesses of the Borough, acting by the Council, shall become the District Council for such County District.

45 & 46 Vict. c. 50.

Map of extended Borough.

Art. IV.—(1.) The boundary of the County District and Borough shall be that shown by a red line on the maps, each marked "Map of the Borough of Blandford Forum, as extended, 1889," and sealed with the official seal of the Local Government Board, one of which shall be deposited in the office of the said Board, and the other shall be deposited by the town clerk of the Borough at his office within seven days after the date of this Order. Copies of the said map deposited with the town clerk, certified by him, shall be sent within one month after the date of the Act of Parliament confirming this Order to the clerk of the County Council for the administrative County of Dorset, to the clerk to the Rural Authority of the Blandford Union, and to the Director-General of Her Majesty's Ordnance Survey at Southampton.

Copies of map to be evidence.

(2.) Copies of or extracts from the said 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 such map so far as relates to the boundaries of the Borough; and such 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 such map, certified by the town clerk, on payment of a reasonable fee for every such copy or extract. All sums received under this Article shall be carried to the credit of the Borough Fund.

Date of operation of Order for parish burgess lists, &c.

Art. V. For the purposes of the parish burgess lists and burgess roll, and other lists to be made under the Municipal Corporations Act, 1882, and the Acts amending the same, and of the lists of county electors and the county

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register to be made in pursuance of the County Electors Act, 1888, this Order shall operate from the date of the Act of Parliament confirming the same.

51 Vict. c. 10.

For the purposes of the parish burgess lists and burgess roll, and other lists to be made under the Municipal Corporations Act, 1882, and the Acts amending the same, and all matters in relation thereto, the town clerk of the existing Borough shall be the town clerk of the Borough, and anything required to be done in connexion with the purposes aforesaid before the last-mentioned date may, in so far as the same relates to any area included in the Borough but which does not form part of the existing Borough, be done as soon as practicable after such date, and if so done shall have full force and effect, and if any difficulty arise in making out such lists and roll, or the lists of county electors and the county register, the Local Government Board may make such order as shall appear to them to be necessary to give effect to the provisions of this Order, and may vary, so far as shall be necessary, the provisions in force with regard to the making of such lists, roll, and register.

Special provisions for first election in 1889, and for retirement of Councillors and Aldermen. 45 & 46 Vict. c. 50.

Art. VI.—(1.) For the purposes of the election of a Town Council for the Borough in pursuance of the Municipal Corporations Act, 1882, in the month of November, One thousand eight hundred and eighty-nine, the following provisions shall take effect from the date of the Act of Parliament confirming this Order; viz.,—

(*a.*) The town clerk and the Mayor of the existing Borough (or such other persons as the Local Government Board shall appoint) shall perform the duties devolving upon the town clerk and Mayor respectively under the Municipal Corporations Act, 1882.

(*b.*) Twelve Councillors of the Borough shall be elected on the First day of November, One thousand eight hundred and eighty-nine; and four Aldermen of the Borough shall be elected on the Ninth day of November, One thousand eight hundred and eighty-nine.

(*c.*) The dates specified in the Schedule to this Order shall be the dates for the retirement of the Aldermen and Councillors of the Borough elected in the year One thousand eight hundred and eighty-nine in pursuance of this Order.

(*d.*) Notwithstanding anything in the Municipal Corporations Act, 1882, to the contrary, all the Councillors of the existing Borough who shall be in office up to the First day of November, One thousand eight hundred and eighty-nine, shall go out of office on that date; and all the Aldermen of the existing Borough who shall be in office up to the Eighth day of November, One thousand eight hundred and eighty-nine, shall go out of office on that date; and all such Councillors and Aldermen shall be eligible for election as Councillors on the First day of November.

Borough Auditors.

(2.) The Auditors who shall be in office on the Ninth day of November, One thousand eight hundred and eighty-nine, shall continue in office, and shall be the Auditors of the Borough, until the ordinary day of election of Borough Auditors.

Byelaws to continue in force.

Art. VII. All byelaws and regulations made by the Local Board as a Sanitary Authority which, on the Ninth day of November, One thousand eight hundred and eighty-nine, are in force within the Sanitary District, and all byelaws and regulations made by the Corporation as a municipal body which, on the Ninth

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day of November, One thousand eight hundred and eighty-nine, are in force within the existing Borough shall be in force within and apply to the Borough, for the period of twelve months from that date, except in so far as the same may before the expiration of that period be altered or repealed; and save that the Corporation shall be substituted for the Local Board throughout the byelaws and regulations; and any byelaws made under the Acts relating to public elementary education in force in the existing Borough on the Ninth day of November, One thousand eight hundred and eighty-nine, shall thenceforth apply to the Borough until revoked or altered in accordance with the provisions of the Elementary Education Acts, 1870 to 1880.

Town clerk and other officers continued.

Art. VIII. The town clerk and all other officers and servants of the Corporation of the existing Borough who hold office on the Ninth day of November, One thousand eight hundred and eighty-nine, 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.

Compensation to existing officers. 51 & 52 Vict. c. 41.

Art. IX. The provisions of sub-section (13) of Section 118 and of Sections 119 and 120 of the Act shall apply to the persons who on the Ninth day of November, One thousand eight hundred and eighty-nine, hold office as officers or servants of the Local Board, with the substitution of "district fund and "general district rate" in sub-section (8) of Section 120 for "county fund as a "payment for general county purposes"; and with such other modifications as are necessary to make those provisions applicable to the said officers and servants and to the Corporation.

Current debts to be discharged.

Art. X. The Corporation and the Local Board shall liquidate, so far as practicable, before the Ninth day of November, One thousand eight hundred and eighty-nine, all current debts and liabilities incurred by them respectively.

Actions, &c. not to abate.

Art. XI.—(1.) If on the Ninth day of November, One thousand eight hundred and eighty-nine, any action or proceeding, or any cause of action or proceeding, is pending or existing by or against the Local Board in relation to the Sanitary District, or by or against the Rural Authority of the said Union in relation exclusively to the part of their District included in the Borough, the same 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.) All contracts, deeds, bonds, agreements, and other instruments entered into or made by the Local Board, or by the said Rural Authority in relation exclusively to the part of their District included in the Borough, and subsisting on the Ninth day of November, One thousand eight hundred and eighty-nine, shall be of as full force and effect against or in favour of the Corporation of the Borough, and may be enforced as fully and effectually as if, instead of the Local Board or the Rural Authority, as the case may be, the Corporation had been a party thereto.

Corporation property.

Art. XII.—(1.) All the property vested in the Corporation on the Ninth day of November, One thousand eight hundred and eighty-nine, for the benefit of the existing Borough shall be held (subject to the liabilities affecting the same) 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

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the date aforesaid are exerciseable by or vested in the Corporation for the benefit of the existing Borough.

Any sum owing on mortgage of any of the said property, and which cannot, in the opinion of the Local Government Board, without public inconvenience be discharged otherwise than as herein-after mentioned, may be re-borrowed under the powers of borrowing, and subject to the provisions contained in Part V. of the Municipal Corporations Act, 1882, as amended by the Act: Provided that any sum so re-borrowed shall be repaid within not more than five years from the re-borrowing thereof.

Property, &c. of Local Board.

(2.) All property, powers, duties, and liabilities which immediately before the Ninth day of November, One thousand eight hundred and eighty-nine, are vested in or attached to the Local Board shall be transferred to, vested in, and attach to the Corporation as Urban Sanitary Authority, and all arrears of rates which at the date aforesaid are due or owing to the Local Board may be collected and recovered by the Corporation, and the Local Board shall on that date be abolished and cease to exist.

Audit of accounts of Local Board.

Art. XIII. The accounts of the Local Board and their officers up to the Ninth day of November, One thousand eight hundred and eighty-nine, shall be audited by the proper officer of the Local Government Board in like manner and subject to the like right of appeal as if this Order had not been made.

Short title.

Art. XIV. This Order may be cited as the Borough of Blandford Forum Order, 1889.

The SCHEDULE above referred to.

Art. VI.

Persons to retire.	Dates of Retirement.
The four councillors who are elected by the smallest number of votes - - -	1st November 1890.
The four councillors who are elected by the largest number of votes - - -	1st November 1892.
The other four councillors - -	1st November 1891.
The two aldermen who are elected by the smallest number of votes - -	9th November 1892.
The other two aldermen - - -	9th November 1895.

If, for any reason, it is doubtful which councillors or aldermen, as the case may be, ought to retire on the dates above specified, the council of the borough shall, on

the Ninth day of November, One thousand eight hundred and eighty-nine, or at the next following quarterly meeting, and not later, by a majority of votes, or in case of an equality of votes by the casting vote of the chairman, determine which of the councillors or aldermen, as the case may be, in respect of whose retirement such doubt arises, shall go out of office at the dates above specified respectively. A.D. 1889. *Blandford Forum Order.*

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

CHAS. T. RITCHIE, President.
L.S.) HUGH OWEN, Secretary.

BOROUGH OF LYME REGIS.

Lyme Regis Order.

Provisional Order made in pursuance of Section 52 *of the Local Government Act*, 1888, *and under Section* 303 *of the Public Health Act*, 1875.

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

To the County Council for the Administrative County of Dorset; —

To the Mayor, Aldermen, and Burgesses of the Borough of Lyme Regis, in the same Administrative County; —

To the Justices of the Peace for the Borough of Lyme Regis; —

To the Lyme Regis Improvement Commissioners, being the Sanitary Authority for the Urban Sanitary District of Lyme Regis, in the same Administrative County; —

To the Burial Board for the Parish of Lyme Regis, in the Administrative County of Dorset; —

And to all others whom it may concern.

WHEREAS by Section 52 of the Local Government Act, 1888 (which Act is herein-after referred to as "the Act"), it is enacted that the Local Government Board shall make Provisional Orders for dealing with every case where the Council of a Borough is not the Urban Sanitary Authority for the whole of the area of such Borough, and the area of the Borough is either co-extensive with or is wholly or partly comprised in any Urban Sanitary District, and that such Order shall determine whether the area of the Borough or of the Sanitary District, or an area comprising both the Borough and the Urban Sanitary District, or a portion of such united area, shall, whether with or without any adjoining area, be the area of the County District for the purposes of the Act, so, however, that in either case the Order shall provide for the Council of the Borough becoming the District Council, and that the Order may for that purpose alter the boundaries of the Borough; 51 & 52 Vict. c. 41.

And whereas the Borough of Lyme Regis, in the administrative County of Dorset, is a Borough within the meaning of the Act, and the inhabitants of the Borough are a body corporate by the name of the Mayor, Aldermen, and Burgesses of the Borough of Lyme Regis, and act by the Council of the Borough,

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which now consists of the Mayor (who is also a Councillor), four Aldermen, and eleven other Councillors;

1 & 2 Geo. IV. c. cxix.

And whereas by a Local Act of Parliament passed in the first and second years of the reign of His late Majesty King George the Fourth, intituled "An Act for improving and maintaining the harbour, pier or cobb, at the Port "and Borough of Lyme Regis, in the County of Dorset" (herein-after referred to as "the Cobb Act"), provision was made with respect to the repair and maintenance by the Corporation of the existing Borough of the cobb or pier, sea walls, sea works, and other things appurtenant thereto at the Port of Lyme Regis;

8 & 9 Vict. c. cxxxvi.

And whereas under the provisions of the Lyme Regis Improvement Act, 1845 (herein-after referred to as "the Improvement Act"), certain Commissioners (who and their successors are herein-after referred to as "the Commissioners") were appointed, by the name of the Lyme Regis Improvement Commissioners, to carry the Improvement Act into execution within the Parish of Lyme Regis, which includes the Borough of Lyme Regis;

And whereas in pursuance of Section 43 of the Improvement Act the Commissioners have borrowed upon the security of the improvement rates authorised by that Act the sum of three thousand pounds, of which the sum of two thousand six hundred pounds now remains outstanding;

15 & 16 Vict. c. 85. 34 & 35 Vict. c. 83.

And whereas the Burial Board for the Parish of Lyme Regis, in the administrative County of Dorset (herein-after referred to as "the Burial Board"), have, in pursuance of the Burial Acts, 1852 to 1871, provided a burial ground for that Parish;

And whereas the District within the limits of the Improvement Act is an Urban Sanitary District (herein-after referred to as "the Sanitary District"), of which the Commissioners are the Urban Sanitary Authority;

And whereas the Local Government Board, by an Order dated the Fourteenth day of August, One thousand eight hundred and eighty-eight, and made in pursuance of the Act, determined that one County Councillor for the administrative County of Dorset should be apportioned to the existing Borough of Lyme Regis;

And whereas the Council is not the Urban Sanitary Authority for the area of the existing Borough:

51 & 52 Vict. c 41. 38 & 39 Vict. c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 52 and 59 of the Act, by Section 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:—

Commencement of Order.

Art. I. This Order shall come into operation on the Ninth day of November, One thousand eight hundred and eighty-nine, except so far as is otherwise herein expressly provided.

Definitions.

Art. II. The several terms in this Order shall have the same meanings respectively as are assigned to them by Section 100 of the Act.

Extension of Borough.

Art. III. The area bounded as herein-after mentioned (being as nearly as can be ascertained the area of the Sanitary District) shall be the area of the County District for the purposes of the Act, and the boundary of the existing

Borough shall be altered to correspond to the boundary of that County District, so that the whole of the said area shall for the purposes of the Municipal Corporations Act, 1882, and for all other purposes, be within the Borough; and the Mayor, Aldermen, and Burgesses of the Borough, acting by the Council, shall become the District Council for such County District.

Maps of extended Borough.

Art. IV.—(1.) The boundary of the County District and Borough shall be that shown by a red line on the maps, each marked "Map of the Borough of "Lyme Regis, as extended, 1889," and sealed with the official seal of the Local Government Board, one of which shall be deposited in the office of the said Board, and the other shall be deposited by the town clerk of the Borough at his office within seven days after the date of this Order. Copies of the said map deposited with the town clerk, certified by him, shall be sent within one month after the date of the Act of Parliament confirming this Order to the clerk of the County Council for the administrative County of Dorset, and to the Director-General of Her Majesty's Ordnance Survey at Southampton.

Copies of map to be deposited and to be evidence.

(2.) Copies of or extracts from the said 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 such map so far as relates to the boundaries of the Borough; and such 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 such map, certified by the town clerk, on payment of a reasonable fee for every such copy or extract. All sums received under this Article shall be carried to the credit of the Borough Fund.

Extension of jurisdiction of Borough Justices.

Art. V. The powers and duties of the justices of the peace appointed for the existing Borough shall extend and apply throughout the Borough.

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

Art. VI. For the purposes of the parish burgess lists and burgess roll, and other lists to be made under the Municipal Corporations Act, 1882, and the Acts amending the same, and of the lists of county electors and the county register to be made in pursuance of the County Electors Act, 1888, this Order shall operate from the date of the Act of Parliament confirming the same.

For the purposes of the parish burgess lists and burgess roll, and other lists to be made under the Municipal Corporations Act, 1882, and the Acts amending the same, and all matters in relation thereto, the town clerk of the existing Borough shall be the town clerk of the Borough, and anything required to be done in connexion with the purposes aforesaid before the last-mentioned date may, in so far as the same relates to any area included in the Borough, but which does not form part of the existing Borough, be done as soon as practicable after such date, and if so done shall have full force and effect; and if any difficulty arise in making out such lists and roll, or the lists of county electors and the county register, the Local Government Board may make such order as shall appear to them to be necessary to give effect to the provisions of this Order, and may vary, so far as shall be necessary, the provisions in force with regard to the making of such lists, roll, and register.

Special provisions for first election

Art. VII.—(1.) For the purposes of the election of a Town Council for the Borough in pursuance of the Municipal Corporations Act, 1882, in the month of

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in 1889, and for retirement of Councillors and Aldermen. 45 & 46 Vict. c. 50.

November, One thousand eight hundred and eighty-nine, the following provisions shall take effect as from the date of the Act of Parliament confirming this Order; viz.,—

(*a.*) The town clerk and the Mayor of the existing Borough (or such other persons as the Local Government Board shall appoint) shall perform the duties devolving upon the town clerk and Mayor respectively under the Municipal Corporations Act, 1882.

(*b.*) Twelve Councillors of the Borough shall be elected on the First day of November, One thousand eight hundred and eighty-nine; and four Aldermen of the Borough shall be elected on the Ninth day of November, One thousand eight hundred and eighty-nine.

(*c.*) The dates specified in the Schedule to this Order shall be the dates for the retirement of the Aldermen and Councillors of the Borough elected in the year One thousand eight hundred and eighty-nine in pursuance of this Order.

(*d.*) Notwithstanding anything in the Municipal Corporations Act, 1882, to the contrary, all the Councillors of the existing Borough who shall be in office up to the First day of November, One thousand eight hundred and eighty-nine, shall go out of office on that date; and all the Aldermen of the existing Borough who shall be in office up to the Eighth day of November, One thousand eight hundred and eighty-nine, shall go out of office on that date; and all such Councillors and Aldermen shall be eligible for election as Councillors on the First day of November.

Borough Auditors.

(2.) The Auditors who shall be in office on the Ninth day of November, One thousand eight hundred and eighty-nine, shall continue in office, and shall be the Auditors of the Borough, until the ordinary day of election of Borough Auditors.

Byelaws to continue in force.

Art. VIII. All byelaws and regulations made by the Corporation as a municipal body which, on the Ninth day of November, One thousand eight hundred and eighty-nine, are in force within the existing Borough shall be in force within and apply to the Borough, for the period of twelve months from that date, except in so far as the same may before the expiration of that period be altered or repealed; and any byelaws made under the Acts relating to public elementary education in force in the existing Borough on the Ninth day of November, One thousand eight hundred and eighty-nine, shall thenceforth apply to the Borough until revoked or altered in accordance with the provisions of the Elementary Education Acts, 1870 to 1880.

Town clerk and other officers continued.

Art. IX. The town clerk and all other officers and servants of the Corporation of the existing Borough who hold office on the Ninth day of November, One thousand eight hundred and eighty-nine, 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.

Compensation to existing officers. 51 & 52 Vict. c. 41.

Art. X. The provisions of sub-section (13) of Section 118 and of Sections 119 and 120 of the Act shall apply to the persons who on the Ninth day of November, One thousand eight hundred and eighty-nine, hold office as officers or servants of the Commissioners or of the Burial Board, with the substitution of "district "fund and general district rate" in sub-section (8) of Section 120 for "county "fund as a payment for general county purposes," and with such other modifi-

cations as are necessary to make those provisions applicable to the said officers and servants and to the Corporation.

Current debts to be discharged.

Art. XI. The Corporation and the Commissioners shall liquidate, so far as practicable, before the Ninth day of November, One thousand eight hundred and eighty-nine, all current debts and liabilities incurred by them respectively.

Actions, &c. not to abate.

Art. XII.—(1.) If on the Ninth day of November, One thousand eight hundred and eighty-nine, any action or proceeding, or any cause of action or proceeding, is pending or existing by or against the Commissioners in relation to the Sanitary District, or by or against the Burial Board in relation to their District, the same 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.) All contracts, deeds, bonds, agreements, and other instruments entered into or made by the Commissioners or the Burial Board, and subsisting on the Ninth day of November, One thousand eight hundred and eighty-nine, shall be of as full force and effect against or in favour of the Corporation of the Borough, and may be enforced as fully and effectually as if, instead of the Commissioners or the Burial Board, as the case may be, the Corporation had been a party thereto.

Corporation property.

Art. XIII.—(1.) All the property vested in the Corporation on the Ninth day of November, One thousand eight hundred and eighty-nine, for the benefit of the existing Borough shall 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.

Property, &c. of Commissioners.

(2.) All property, powers, duties, and liabilities which immediately before the Ninth day of November, One thousand eight hundred and eighty-nine, are vested in or attached to the Commissioners shall be transferred to, vested in, and attach to the Corporation as Urban Sanitary Authority, and all arrears of rates which at the date aforesaid are due or owing to the Commissioners may be collected and recovered by the Corporation.

Corporation to be Burial Board.

(3.) All the property and liabilities which immediately before the Ninth day of November, One thousand eight hundred and eighty-nine, are vested in or attached to the Burial Board shall be transferred to, vested in, and attach to the Corporation, and the Corporation shall, within the Borough, hold, exercise, enjoy, and be subject to the powers, rights, duties, and liabilities of a Burial Board as if they had become a Burial Board in pursuance of Section 2 of the Burial Act, 1854.

17 & 18 Vict. c. 87.

Commissioners and Burial Board abolished.

(4.) The Commissioners and the Burial Board shall, on the Ninth day of November, One thousand eight hundred and eighty-nine, be abolished and cease to exist.

Audit of accounts of Commissioners.

Art. XIV. The accounts of the Commissioners and their officers up to the Ninth day of November, One thousand eight hundred and eighty-nine, shall be audited by the proper officer of the Local Government Board in like manner and subject to the like right of appeal as if this Order had not been made.

Alteration of the Cobb Act.

Art. XV. The Cobb Act shall be altered so that all the property, powers, duties, and liabilities which immediately before the Ninth day of November,

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One thousand eight hundred and eighty-nine, are vested in or attached to the Corporation of the existing Borough under that Act shall be held by, used, and attached to the Corporation of the Borough.

Alteration of Improvement Act.

Art. XVI.—(1.) Sections 1 to 42 (both inclusive) and 59, 60, 61, and 63 of the Improvement Act shall be repealed, except so far as the same may have been acted upon, and the unrepealed provisions of the Improvement Act shall be altered so as to be applicable to the Corporation in lieu of the Commissioners.

Repayment of debt under Improvement Act.

(2.) The Improvement Act shall be further altered so as to provide as follows:—

(*a.*) The Corporation shall repay out of the improvement rates, and within the period of ten years commencing from the Ninth day of November, One thousand eight hundred and eighty-nine, the said sum of two thousand and six hundred pounds, or so much thereof as shall be outstanding on the Ninth day of November, One thousand eight hundred and eighty-nine, either by ten equal annual instalments of principal, or of principal and interest, or by setting apart in every year as a sinking fund such a sum or sums as will, according to a reasonable calculation for the time being, with accumulations in the way of compound interest, be sufficient, after payment of all expenses, to pay off the said sum within the said period of ten years, and shall invest such sinking fund and the income thereof in the purchase of Exchequer bills or other Government securities, or in securities in which trustees are by law for the time being authorised to invest, or in mortgages, debentures, debenture stock, or other securities issued by any Local Authority as defined by Section 34 of the Local Loans Act, 1875, other than the Corporation, the Corporation being at liberty from time to time to vary and transpose such investments.

(*b.*) The Corporation may at any time apply the whole or any part of such sinking fund in or towards the discharge of the money for the repayment of which the fund is established: Provided that the Corporation pay into the fund each year, and accumulate until the whole of the said sum is discharged, a sum equivalent to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied.

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

Government Board, and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act, 1875, in a summary manner, may be recovered by parties aggrieved within the meaning of that Act.

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

Borough to be Electoral Division.

Art. XVII. Subject to the provisions of Section 54 of the Act, the above-recited Order of the Local Government Board dated the Fourteenth day of August, One thousand eight hundred and eighty-eight, shall, from and after the Ninth day of November, One thousand eight hundred and eighty-nine, operate as if the Borough of Lyme Regis mentioned therein were the Borough and not the existing Borough.

Saving rights under the Crown Lands Act, 1866. 29 & 30 Vict. c. 62.

Art. XVIII. Nothing in this Order contained shall be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by the Crown Lands Act, 1866, nor shall any works be commenced within limits affected by any such rights, interests, powers, authorities, or privileges without the assent of the Board of Trade having been first obtained.

Short title.

Art. XIX. This Order may be cited as the Borough of Lyme Regis Order, 1889.

The SCHEDULE above referred to.

Art. VII.

Persons to retire.	Dates of Retirement.
The four councillors who are elected by the smallest number of votes - -	1st November 1890.
The four councillors who are elected by the largest number of votes - -	1st November 1892.
The other four councillors - - -	1st November 1891.
The two aldermen who are elected by the smallest number of votes - -	9th November 1892.
The other two aldermen - - -	9th November 1895.

If, for any reason, it is doubtful which councillors or aldermen, as the case may be, ought to retire on the dates above specified, the council of the borough shall on the

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Lyme Regis Order.

Ninth day of November, One thousand eight hundred and eighty-nine, or at the next quarterly meeting, and not later, by a majority of votes, or in case of an equality of votes by the casting vote of the chairman, determine which of the councillors or aldermen, as the case may be, in respect of whose retirement such doubt arises, shall go out of office on the dates above specified respectively.

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

(L.S.)

CHAS. T. RITCHIE, President.
HUGH OWEN, Secretary.

Lymington Order.

BOROUGH OF LYMINGTON.

Provisional Order made in pursuance of Section 52 *of the Local Government Act*, 1888.

To the County Council for the Administrative County of Southampton ;—

To the Mayor, Aldermen, and Burgesses of the Borough of Lymington, in the same County ; —

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

To the Guardians of the Poor of the Lymington 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.

51 & 52 Vict. c. 41.

WHEREAS by Section 52 of the Local Government Act, 1888 (which Act is herein-after referred to as "the Act"), it is enacted that the Local Government Board shall make Provisional Orders for dealing with every case where the Council of a Borough is not the Urban Sanitary Authority for the whole of the area of such Borough, and the area of the Borough is either co-extensive with or is wholly or partly comprised in any Urban Sanitary District, and that such Order shall determine whether the area of the Borough or of the Sanitary District, or an area comprising both the Borough and the Urban Sanitary District, or a portion of such united area, shall, whether with or without any adjoining area, be the area of the County District for the purposes of the Act, so, however, that in either case the Order shall provide for the Council of the Borough becoming the District Council, and that the Order may for that purpose alter the boundaries of the Borough ;

And whereas the Borough of Lymington, in the administrative County of Southampton, is a Borough within the meaning of the Act, and the inhabitants of the Borough are a body corporate by the name of the Mayor, Aldermen, and Burgesses of the Borough of Lymington, and act by the Council of the Borough, which now consists of the Mayor (who is also an Alderman), three other Aldermen, and twelve Councillors ;

And whereas the Corporation are the owners of the town quay, and collect certain tolls and dues in respect of the user of such quay, and are the owners of the tolls arising from the holding of the fairs and markets, and the Corporation

further claim to exercise certain powers and duties as the Harbour Authority over the port, haven, or creek of Lymington and over a portion of the Lymington River, and to collect certain tolls and dues on anchorage, keelage, and wharfage from vessels coming within that portion of the river;

And whereas the Local Government District of Lymington, in the same County, is an Urban Sanitary District (herein-after referred to as "the Sanitary District"), of which the Lymington Local Board (herein-after referred to as "the Local Board") are the Urban Sanitary Authority;

And whereas the Local Board are the Burial Board under the Burial Acts, 1852 to 1871, for the Sanitary District; 15 & 16 Vict. c. 85. 34 & 35 Vict. c. 33.

And whereas the Council of the Borough is not the Urban Sanitary Authority for the area of the existing Borough, and the existing Borough is comprised in the Sanitary District:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 52 and 59 of the Act, 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:— 51 & 52 Vict. c. 41.

Art. I. This Order shall come into operation on the Ninth day of November, One thousand eight hundred and eighty-nine, except so far as is otherwise herein expressly provided. Commencement of Order.

Art. II. The several terms in this Order shall have the same meanings respectively as are assigned to them by Section 100 of the Act. Definitions.

Art. III. The area bounded as herein-after-mentioned (being an area comprising both the Borough and the Sanitary District, with an adjoining portion of the District of the Rural Authority of the Lymington Union) shall be the area of the County District for the purposes of the Act, and the boundary of the Borough shall be altered to correspond to the boundary of that County District, so that the whole of the said area shall, for the purposes of the Municipal Corporations Act, 1882, and for all other purposes, be within the Borough; and the Mayor, Aldermen, and Burgesses of the Borough, acting by the Council, shall become the District Council for such County District. Extension of Borough. 45 & 46 Vict. c. 50.

Art. IV.—(1.) The boundary of the County District and Borough shall be that shown by a red line on the maps, each marked "Map of the Borough of Lymington, as extended, 1889," and sealed with the official seal of the Local Government Board, one of which shall be deposited in the office of the said Board, and the other shall be deposited by the town clerk of the Borough at his office within seven days after the date of this Order. Copies of the said map deposited with the town clerk, certified by him, shall be sent within one month after the date of the Act of Parliament confirming this Order to the clerk of the County Council for the administrative County of Southampton, to the clerk to the Rural Authority of the Lymington Union, and to the Director-General of Her Majesty's Ordnance Survey at Southampton. Map of extended Borough.

(2.) Copies of or extracts from the said 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 such map so far as relates to the boundaries of the Borough; and such map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the Copies of map to be evidence.

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Lymington Order.

Borough, and any such person shall be entitled to a copy of or extract from such map, certified by the town clerk, on payment of a reasonable fee for every such copy or extract. All sums received under this Article shall be carried to the credit of the Borough Fund.

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

Art. V. For the purposes of the parish burgess lists and burgess roll, and other lists to be made under the Municipal Corporations Act, 1882, and the Acts amending the same, and of the lists of county electors and the county register to be made in pursuance of the County Electors Act, 1888, this Order shall operate from the date of the Act of Parliament confirming the same.

For the purposes of the parish burgess lists and burgess roll, and other lists to be made under the Municipal Corporations Act, 1882, and the Acts amending the same, and all matters in relation thereto, the town clerk of the existing Borough shall be the town clerk of the Borough, and anything required to be done in connexion with the purposes aforesaid before the last-mentioned date may, in so far as the same relates to any area included in the Borough, but which does not form part of the existing Borough, be done as soon as practicable after such date, and if so done shall have full force and effect; and if any difficulty arises in making out such lists and roll, or the lists of any county electors and the county register, the Local Government Board may make such Order as shall appear to them to be necessary to give effect to the provisions of this Order, and may vary, so far as shall be necessary, the provisions in force with regard to the making of such lists, roll, and register.

Special provisions for first election in 1889, and for retirement of Councillors and Aldermen. 45 & 46 Vict. c. 50.

Art. VI.—(1.) For the purposes of the election of a Town Council for the Borough in pursuance of the Municipal Corporations Act, 1882, in the month of November, One thousand eight hundred and eighty-nine, the following provisions shall take effect from the date of the Act of Parliament confirming this Order; viz.,—

(*a.*) The town clerk and the Mayor of the existing Borough (or such other persons as the Local Government Board shall appoint) shall perform the duties devolving upon the town clerk and Mayor respectively under the Municipal Corporations Act, 1882.

(*b.*) Twelve Councillors of the Borough shall be elected on the First day of November, One thousand eight hundred and eighty-nine; and four Aldermen of the Borough shall be elected on the Ninth day of November, One thousand eight hundred and eighty-nine.

(*c.*) The dates specified in the Schedule to this Order shall be the dates for the retirement of the Aldermen and Councillors of the Borough elected in the year One thousand eight hundred and eighty-nine in pursuance of this Order.

(*d.*) Notwithstanding anything in the Municipal Corporations Act, 1882, to the contrary, all the Councillors of the existing Borough who shall be in office up to the First day of November, One thousand eight hundred and eighty-nine, shall go out of office on that date; and all the Aldermen of the existing Borough who shall be in office up to the Eighth day of November, One thousand eight hundred and eighty-nine, shall go out of office on that date; and all such Councillors and Aldermen shall be eligible for election as Councillors on the First day of November.

(2.) The Auditors who shall be in office on the Ninth day of November, One thousand eight hundred and eighty-nine, shall continue in office, and shall be the Auditors of the Borough, until the ordinary day of election of Borough Auditors. **Borough Auditors.**

Art. VII. All byelaws and regulations made by the Local Board as a Sanitary Authority which, on the Ninth day of November, One thousand eight hundred and eighty-nine, are in force within the Sanitary District, except so far as any of such regulations relate to the meetings and the transaction and management of the business of the Local Board, and all byelaws and regulations made by the Corporation as a municipal body which, on the Ninth day of November, One thousand eight hundred and eighty-nine, are in force within the existing Borough shall be in force within and apply to the Borough, except in so far as the same may hereafter be altered or repealed; and save that the Corporation shall be substituted for the Local Board throughout the byelaws and regulations of the Local Board; and any byelaws made under the Acts relating to public elementary education in force in the existing Borough on the Ninth day of November, One thousand eight hundred and eighty-nine, shall thenceforth apply to the Borough until revoked or altered in accordance with the provisions of the Elementary Education Acts, 1870 to 1880. **Byelaws to continue in force.**

Art. VIII. The town clerk and all other officers and servants of the Corporation of the existing Borough who hold office on the Ninth day of November, One thousand eight hundred and eighty-nine, 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. **Town clerk and other officers continued.**

Art. IX. The provisions of sub-section (13) of Section 118 and of Sections 119 and 120 of the Act shall apply to the persons who on the Ninth day of November, One thousand eight hundred and eighty-nine, hold office as officers or servants of the Local Board, both as a Sanitary Authority and Burial Board, with the substitution of "district fund and general district rate" in sub-section (8) of Section 120 for "county fund as a payment for general county purposes," and with such other modifications as are necessary to make such provisions applicable to the said officers and servants, and to the Corporation. **Compensation to existing officers. 51 & 52 Vict. c. 41.**

Art. X. The Corporation and the Local Board shall liquidate, so far as practicable, before the Ninth day of November, One thousand eight hundred and eighty-nine, all current debts and liabilities incurred by them respectively. **Current debts to be discharged.**

Art. XI.—(1.) If on the Ninth day of November, One thousand eight hundred and eighty-nine, any action or proceeding, or any cause of action or proceeding, is pending or existing by or against the Local Board, whether as a Sanitary Authority or as a Burial Board, in relation to their District, or by or against the Rural Authority of the said Lymington Union in relation exclusively to the part of their District which is hereby included in the Borough, the same 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. **Actions, &c. not to abate.**

(2.) All contracts, deeds, bonds, agreements, and other instruments entered into or made by the Local Board, whether as a Sanitary Authority or as a Burial Board, or by the said Rural Authority in relation exclusively to the part of their **Saving for contracts, &c.**

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Lymington Order.

District which is hereby included in the Borough, and subsisting on the Ninth day of November, One thousand eight hundred and eighty-nine, shall be of as full force and effect against or in favour of the Corporation of the Borough, and may be enforced as fully and effectually as if, instead of the Local Board or the Rural Authority, as the case may be, the Corporation had been a party thereto.

Corporation property.

Art. XII.—All the property vested in the Corporation on the Ninth day of November, One thousand eight hundred and eighty-nine, for the benefit of the existing Borough shall, except as herein-after provided, be held by the Corporation for the benefit of the Borough, and the Corporation shall, except as herein-after provided, 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:

Provided that separate accounts shall be kept by the Corporation of the revenue derived from the quay and river tolls and dues, which revenue shall be held by the Corporation in trust and be applied solely for the purpose of maintaining the town quay and the river navigation, and all establishment charges in connexion therewith, and for the general improvement of the harbour.

Property, &c. of Local Board and Rural Authority.

Art. XIII.—(1.) All property, powers, duties, and liabilities which immediately before the Ninth day of November, One thousand eight hundred and eighty-nine, were vested in or attached to the Local Board as an Urban Sanitary Authority shall be transferred to, vested in, and attached to the Corporation as Urban Sanitary Authority, and all arrears of rates which at the date aforesaid are due or owing to the Local Board may be collected and recovered by the Corporation.

(2.) All the property and liabilities which immediately before the Ninth day of November, One thousand eight hundred and eighty-nine, were vested in or attached to the Local Board as a Burial Board shall be transferred to, vested in, and attached to the Corporation, and the Corporation shall, within the Borough, hold, exercise, enjoy, and be subject to the powers, rights, duties, and liabilities of a Burial Board as if they had become a Burial Board in pursuance of Section 2 of the Burial Act, 1854.

17 & 18 Vict. c. 87.

(3.) The Local Board shall on the Ninth day of November, One thousand eight hundred and eighty-nine, be abolished and cease to exist.

(4.) The Rural Authority of the Lymington Union shall cease to exercise any powers or jurisdiction within the part of their District which is hereby included in the Borough:

Provided that any arrears of rates made by the Overseers before the Ninth day of November, One thousand eight hundred and eighty-nine, in respect of contributions for general or special expenses under the Public Health Act, 1875, and which remain due in respect of hereditaments in the said part of the said Rural District may be recovered by the Overseers after that date.

Audit of accounts.

Art. XIV. The accounts of the Local Board and their officers up to the Ninth day of November, One thousand eight hundred and eighty-nine, shall be audited by the proper officer of the Local Government Board in like manner and subject to the like right of appeal as if this Order had not been made.

Saving rights under the Crown Lands

Art. XV. Nothing in this Order contained shall be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to

the management of the Board of Trade by the Crown Lands Act, 1866, nor shall any works be commenced within limits affected by any such rights, interests, powers, authorities, or privileges, without the assent of the Board of Trade having been first obtained.

Act, 1866. 29 & 30 Vict. c. 62.

Art. XVI. This Order may be cited as the Borough of Lymington Order, 1889.

Short title.

The SCHEDULE above referred to.

Art. VI.

Persons to retire.	Dates of Retirement.
The four councillors who are elected by the smallest number of votes - -	1st November 1890.
The four councillors who are elected by the largest number of votes - -	1st November 1892.
The other four councillors - - -	1st November 1891.
The two aldermen who are elected by the smallest number of votes - - -	9th November 1892.
The other two aldermen - - -	9th November 1895.

If, for any reason, it is doubtful which councillors or aldermen, as the case may be, ought to retire on the dates above specified, the council of the borough shall on the Ninth day of November, One thousand eight hundred and eighty-nine, or at the next following quarterly meeting, and not later, by a majority of votes, or in case of an equality of votes by the casting vote of the chairman, determine which of the councillors or aldermen, as the case may be, in respect of whose retirement such doubt arises, shall go out of office on the dates above specified respectively.

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

(L.S.)

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

A.D. 1889.

Morpeth Order.

BOROUGH OF MORPETH.

Provisional Order made in pursuance of Section 52 of the Local Government Act, 1888, *and under Section 297 of the Public Health Act*, 1875.

To the County Council for the Administrative County of Northumberland; —

To the Mayor, Aldermen, and Burgesses of the Borough of Morpeth, in the same County; —

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

To the Guardians of the Poor of the Morpeth 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.

51 & 52 Vict. c. 41.

WHEREAS by Section 52 of the Local Government Act, 1888 (which Act is herein-after referred to as "the Act"), it is enacted that the Local Government Board shall make Provisional Orders for dealing with every case where the Council of a Borough is not the Urban Sanitary Authority for the whole of the area of such Borough, and the area of the Borough is either co-extensive with or is wholly or partly comprised in any Urban Sanitary District, and that such Order shall determine whether the area of the Borough or of the Sanitary District, or an area comprising both the Borough and the Urban Sanitary District, or a portion of such united area, shall, whether with or without any adjoining area, be the area of the County District for the purposes of the Act, so, however, that in either case the Order shall provide for the Council of the Borough becoming the District Council, and that the Order may for that purpose alter the boundaries of the Borough;

And whereas the Municipal Borough of Morpeth, in the administrative County of Northumberland, is a Borough within the meaning of the Act, and is herein-after referred to as "the existing Borough," and the inhabitants of the existing Borough are a body corporate by the name of the Mayor, Aldermen, and Burgesses of the Borough of Morpeth, and act by the Council of the Borough, which now consists of the Mayor (who is also a Councillor), four Aldermen, and eleven other Councillors;

10 Geo. IV. cap. c.

And whereas by virtue of Section 108 of a Local Act of Parliament passed in the tenth year of the reign of His late Majesty King George the Fourth, intituled "An Act for building a bridge over the River Wansbeck, at the town of Morpeth, in the County of Northumberland" (herein-after referred to as "the Local Act"), the bridge constructed under that Act and the approaches thereto are vested in and maintained in repair by and at the expense of the Corporation of the existing Borough;

And whereas certain free burgesses and freemen of the existing Borough, and the members of certain trade companies called free brothers, and other persons within the existing Borough, claim certain rights and privileges in the existing Borough and in respect of the property thereof;

Morpeth Order.

And whereas by a Provisional Order of the General Board of Health dated the Twenty-sixth day of May, One thousand eight hundred and fifty-one, and duly confirmed by the Public Health Supplemental Act, 1851, No. 2 (which Order and Act are herein-after respectively referred to as "the Order of 1851" and "the Confirming Act of 1851"), the Public Health Act, 1848 (except Section 50 thereof), was made applicable to and put in force in the area of the Parliamentary Borough of Morpeth (which area comprised (inter alia) the existing Borough), and that area became a District for the purposes of the Public Health Act, 1848 ; 14 & 15 Vict. c. xcviii.

And whereas by a Provisional Order of one of Her Majesty's Principal Secretaries of State dated the Third day of May, One thousand eight hundred and sixty-one, and duly confirmed by the Local Government Supplemental Act, 1861 (which Order and Act are herein-after respectively referred to as "the Order of 1861" and "the Confirming Act of 1861"), the area of the District constituted by the Order of 1851 was altered ; 24 & 25 Vict. c. xxxix.

And whereas the said District as so altered is an Urban Sanitary District (herein-after referred to as "the Sanitary District"), of which the Morpeth Local Board of Health (herein-after referred to as "the Local Board") are the Urban Sanitary Authority ;

And whereas the Local Government Board, by an Order dated the Fourteenth day of August, One thousand eight hundred and eighty-eight, and made in pursuance of the Act, determined that one County Councillor for the administrative County of Northumberland should be apportioned to the existing Borough ;

And whereas the Council is not the Urban Sanitary Authority for the area of the existing Borough which is comprised in the Sanitary District :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 52 and 59 of the Act, by Section 297 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 :— 51 & 52 Vict. c. 41. 38 & 39 Vict. c. 55.

Commencement of Order.

Art. I. This Order shall come into operation on the Ninth day of November, One thousand eight hundred and eighty-nine, except so far as is otherwise herein expressly provided.

Definitions.

Art. II. The several terms in this Order shall have the same meanings respectively as are assigned to them by Section 100 of the Act.

Extension of Borough.

Art. III. The area bounded as herein-after mentioned (being an area comprising the whole of the existing Borough and a portion of the Sanitary District outside the existing Borough) shall be the area of the County District for the purposes of the Act, and the boundary of the existing Borough shall be altered to correspond to the boundary of that County District, so that the whole of the said area shall for the purposes of the Municipal Corporations Act, 1882, and for all other purposes, be within the Borough ; and the Mayor, Aldermen, and Burgesses of the Borough, acting by the Council, shall become the District Council for such County District, and the portion of the Sanitary District which will not by virtue of this Order be within the Borough shall be merged in the Rural Sanitary District of the Morpeth Union.

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Morpeth Order.

Map of extended Borough.

Art. IV.—(1.) The boundary of the County District and Borough shall be that shown by a red line on the maps, each marked "Map of the Borough of Morpeth, as extended, 1889," and sealed with the official seal of the Local Government Board, one of which shall be deposited in the office of the said Board, and the other of which shall be deposited by the town clerk of the Borough at his office within seven days after the date of this Order. Copies of the said map deposited with the town clerk, certified by him, shall be sent within one month after the date of the Act of Parliament confirming this Order to the clerk of the County Council for the administrative County of Northumberland, to the clerk to the Rural Authority of the Morpeth Union, and to the Director-General of Her Majesty's Ordnance Survey at Southampton.

Copies of map to be evidence.

(2.) Copies of or extracts from the said 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 such map so far as relates to the boundaries of the Borough; and such 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 such map, certified by the town clerk, on payment of a reasonable fee for every such copy or extract. All sums received under this Article shall be carried to the credit of the Borough Fund.

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

Art. V. For the purposes of the parish burgess lists and burgess roll, and other lists to be made under the Municipal Corporations Act, 1882, and the Acts amending the same, and of the lists of county electors and the county register to be made in pursuance of the County Electors Act, 1888, this Order shall operate from the date of the Act of Parliament confirming the same.

For the purposes of the parish burgess lists and burgess roll, and other lists to be made under the Municipal Corporations Act, 1882, and the Acts amending the same, and all matters in relation thereto, the town clerk of the existing Borough shall be the town clerk of the Borough, and anything required to be done in connexion with the purposes aforesaid before the last-mentioned date may, in so far as the same relates to any area included in the Borough, but which does not form part of the existing Borough, be done as soon as practicable after such date, and if so done shall have full force and effect; and if any difficulty arise in making out such lists and roll, or the lists of county electors and the county register, the Local Government Board may make such order as shall appear to them to be necessary to give effect to the provisions of this Order, and may vary, so far as shall be necessary, the provisions in force with regard to the making of such lists, roll, and register.

Special provisions for first election in 1889, and for retirement of Councillors and Aldermen. 45 & 46 Vict. c. 50.

Art. VI.—(1.) For the purposes of the election of a Town Council for the Borough in pursuance of the Municipal Corporations Act, 1882, in the month of November, One thousand eight hundred and eighty-nine, the following provisions shall take effect as from the date of the Act of Parliament confirming this Order; viz.,—

(*a.*) The town clerk and the Mayor of the existing Borough (or such other persons as the Local Government Board shall appoint) shall perform the duties devolving upon the town clerk and Mayor respectively under the Municipal Corporations Act, 1882.

(*b.*) Twelve Councillors of the Borough shall be elected on the First day of November, One thousand eight hundred and eighty-nine; and four Aldermen of the Borough shall be elected on the Ninth day of November, One thousand eight hundred and eighty-nine.

(*c.*) The dates specified in the Schedule to this Order shall be the dates for the retirement of the Aldermen and Councillors of the Borough elected in the year One thousand eight hundred and eighty-nine in pursuance of this Order.

(*d.*) Notwithstanding anything in the Municipal Corporations Act, 1882, to the contrary, all the Councillors of the Borough who shall be in office up to the First day of November, One thousand eight hundred and eighty-nine, shall go out of office on that date; and all the Aldermen of the Borough who shall be in office up to the Eighth day of November, One thousand eight hundred and eighty-nine, shall go out of office on that date; and all such Aldermen and Councillors shall be eligible for election as Councillors on the First day of November.

Borough Auditors.

(2.) The Auditors who shall be in office on the Ninth day of November, One thousand eight hundred and eighty-nine, shall continue in office, and shall be the Auditors of the Borough, until the ordinary day of election of Borough Auditors.

Byelaws to continue in force.

Art. VII. All byelaws and regulations made by the Local Board as a Sanitary Authority which, on the Ninth day of November, One thousand eight hundred and eighty-nine, are in force within the Sanitary District, except so far as any of such regulations may relate to the meetings and the transaction and management of the business of the Local Board, and all byelaws and regulations made by the Corporation as a municipal body which, on the Ninth day of November, One thousand eight hundred and eighty-nine, are in force within the existing Borough shall be in force within and apply to the Borough, for the period of twelve months from that date, except in so far as the same may before the expiration of that period be altered or repealed, and save that the Corporation shall be substituted for the Local Board throughout the byelaws and regulations of the Local Board; and any byelaws made under the Acts relating to public elementary education in force in the existing Borough on the Ninth day of November, One thousand eight hundred and eighty-nine, shall thenceforth apply to the Borough until revoked or altered in accordance with the provisions of the Elementary Education Acts, 1870 to 1880.

Town clerk and other officers continued.

Art. VIII. The town clerk and all other officers and servants of the Corporation of the existing Borough who hold office on the Ninth day of November, One thousand eight hundred and eighty-nine, 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.

Compensation to existing officers. 51 & 52 Vict. c. 41.

Art. IX. The provisions of subsection (13) of Section 118 and of Sections 119 and 120 of the Act shall apply to the persons who on the Ninth day of November, One thousand eight hundred and eighty-nine, hold office as officers or servants of the Local Board, with the substitution of "district fund and general "district rate" in sub-section (8) of Section 120 for "county fund as a payment "for general county purposes," and with such other modifications as are necessary

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to make such provisions applicable to the said officers and servants, and to the Corporation.

Current debts to be discharged.

Art. X. The Corporation and the Local Board shall liquidate, so far as practicable, before the Ninth day of November, One thousand eight hundred and eighty-nine, all current debts and liabilities incurred by them respectively.

Actions, &c. not to abate.

Art. XI.—(1.) If on the Ninth day of November, One thousand eight hundred and eighty-nine, any action or proceeding, or any cause of action or proceeding, is pending or existing by or against the Local Board in relation exclusively to the part of the Sanitary District which is included in the Borough, the same 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.

(2.) If on the Ninth day of November, One thousand eight hundred and eighty-nine, any action or proceeding, or any cause of action or proceeding, is pending or existing by or against the Local Board in relation exclusively to the part of the Sanitary District which is not included in the Borough, the same 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 Rural Authority of the said Morpeth Union.

Saving for contracts, &c.

Art. XII.—(1.) All contracts, deeds, bonds, agreements, and other instruments entered into or made by the Local Board in relation exclusively to the part of the Sanitary District which is included in the Borough, and subsisting on the Ninth day of November, One thousand eight hundred and eighty-nine, shall be of as full force and effect against or in favour of the Corporation of the Borough, and may be enforced as fully and effectually as if, instead of the Local Board, the Corporation had been a party thereto.

(2.) All contracts, deeds, bonds, agreements, and other instruments entered into or made by the Local Board in relation exclusively to the part of the Sanitary District which is not included in the Borough, and subsisting on the Ninth day of November, One thousand eight hundred and eighty-nine, shall, be of as full force and effect against or in favour of the said Rural Authority, and may be enforced as fully and effectually as if, instead of the Local Board, the Rural Authority had been a party thereto.

Corporation property.

Art. XIII.—(1.) All the property vested in the Corporation on the Ninth day of November, One thousand eight hundred and eighty-nine, for the benefit of the existing Borough shall 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.

Property, &c. of Local Board.

(2.) All powers and duties which immediately before the Ninth day of November, One thousand eight hundred and eighty-nine, were vested in or attached to the Local Board in respect of the area included in the Borough shall be transferred to, vested in, and attach to the Corporation as Urban Sanitary Authority, and all arrears of rates which at the date aforesaid are due or owing to the Local Board in respect of hereditaments situate in the Borough may be collected and recovered by the Corporation, and all arrears of rates which at the

date aforesaid are due or owing to the Local Board in respect of hereditaments situate in the part of the Sanitary District which will not be included in the Borough may be collected and recovered by the Highway Authority of the place where such hereditaments are situate, and the Local Board shall on that date be abolished and cease to exist.

Audit of accounts of Local Board.

Art. XIV. The accounts of the Local Board and their officers up to the Ninth day of November, One thousand eight hundred and eighty-nine, shall be audited by the proper officer of the Local Government Board in like manner and subject to the like right of appeal as if this Order had not been made.

Alteration of Local Act.

Art. XV. The Local Act shall be altered so as to provide that the bridge over the River Wansbeck and the approaches thereto which are therein mentioned shall vest in and be maintained in repair by the Corporation of the Borough, and so that the provisions of Section 119 of the Municipal Corporations Act, 1882, as altered by any subsequent enactment, shall apply to such bridge and approaches.

Borough to be Electoral Division.

Art. XVI. Subject to the provisions of Section 54 of the Act, the above-recited Order of the Local Government Board dated the Fourteenth day of August, One thousand eight hundred and eighty-eight, shall, from and after the Ninth day of November, One thousand eight hundred and eighty-nine, operate as if the Borough of Morpeth mentioned therein were the Borough and not the existing Borough.

Saving for freemen, &c.

Art. XVII. Nothing in this Order contained shall extend, alter, or affect the rights and privileges of the free burgesses, freemen, or the members of certain trade companies called free brothers, or other persons as aforesaid, or the conditions upon which persons in the existing Borough may acquire those rights.

Repeal of Confirmation Acts.

Art. XVIII. Sections 3 and 4 of the Confirming Act of 1851, and so much of that Act as relates to the Order of 1851, and Sections 2 and 3 of the Confirming Act of 1861, and so much of that Act as relates to the Order of 1861, shall be wholly repealed, except so far as the same may have been acted upon.

Short title.

Art. XIX. This Order may be cited as the Borough of Morpeth Order, 1889.

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Art. VI.

The SCHEDULE above referred to.

Persons to retire.	Dates of Retirement.
The four councillors who are elected by the smallest number of votes - -	1st November 1890.
The four councillors who are elected by the largest number of votes - -	1st November 1892.
The other four councillors - -	1st November 1891.
The two aldermen who are elected by the smallest number of votes - -	9th November 1892.
The other two aldermen - - -	9th November 1895.

If, for any reason, it is doubtful which councillors or aldermen, as the case may be, ought to retire on the dates above specified, the council of the borough shall on the Ninth day of November, One thousand eight hundred and eighty-nine, or at the next following quarterly meeting, and not later, by a majority of votes, or in case of an equality of votes by the casting vote of the chairman, determine which of the councillors or aldermen, as the case may be, in respect of whose retirement such doubt arises, shall go out of office on the dates above specified respectively.

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

(L.S.)

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

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