## CAP. XI.

An Act to confirm certain Provisional Orders under the Local Government Act (1858). [8th *August* 1859.]

'WHEREAS the Secretary of State for the Home Department, being One of Her 'Majesty's Principal Secretaries of State, has, under the Provisions of the Local 'Government Act, 1858, duly made certain Provisional Orders in the Schedule to this Act 'annexed, and it is provided by the aforesaid Local Government Act that no such Orders 'shall be of any Validity whatever until they shall have been confirmed by Parliament, 'and it is expedient that the said Orders should be so confirmed, and further Provision 'made in relation thereto:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Provisional Orders in Schedule confirmed.

I. The Provisional Orders contained in the Schedule hereunto annexed shall, from and after the passing of this Act, be absolute, and be as binding, and of the like Force and Effect, as if the Provisions of the same had been expressly enacted in this Act: Provided always, that nothing in the Provisional Order for the Borough of *Wigan*, numbered 3. in the Schedule to this Act annexed, or in this Act, shall be deemed to give any Powers for the compulsory Purchase of Land beyond the Boundary of the said Borough.

Alteration of Boundary of Leamington District.

II. 'And whereas the Consent of the *Warwick* Local Board of Health has been duly 'given, as required by the Local Government Act, 1858, to the Addition to the District 'of *Leamington* as constituted under the Public Health Act, 1848, of so much of the Piece 'of Land described in the *Leamington* Provisional Order in the Schedule to this Act 'annexed as lies in the District of the said *Warwick* Local Board, and there are no Rate-'payers of the Parish of *Milverton* residing on so much of the said Piece of Land in such 'Order described as lies within the said Parish to give Consent to the aforesaid Order:' Be it therefore enacted, That the Boundaries of the District of the Local Board of Health for *Leamington* aforesaid shall, from and after the passing of this Act, be altered as is in the said Provisional Order described.

Election of Local Board for Leamington.

III. The annual Election of Members of the Local Board for the District of *Leamington* shall take place on the First Day of *November*, and the One Third of the Members of the said Local Board who, under the Provisions of the Public Health Act, 1848, and the Public Health Supplemental Act, 1852, (No. 2.,) would have to retire from the Board on the Eighteenth Day of *August* One thousand eight hundred and fifty-nine, shall hold Office till the First Day of *November* One thousand eight hundred and fifty-nine, as if their original Election had taken place on the First Day of *November* One thousand eight hundred and fifty-six; the One Third who, under the said Provisions, would have to retire from the said Board on the Eighteenth Day of *August* One thousand eight hundred and sixty, shall hold Office till the First Day of *November* One thousand eight hundred and sixty; and the One Third who, under the said Provisions, would have to retire from the said Board on the Eighteenth Day of *August* One thousand eight hundred and sixty-one, shall hold Office till the First Day of *November* One thousand eight hundred and sixty-one.

Act incorporated with 21 & 22 Vict. c. 98.

IV. This Act shall be deemed to be incorporated with the Local Government Act, 1858, and shall be as if this Act and the said Local Government Act were One Act.

Short Title.

V. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatsoever, it shall be sufficient to use the Words and Figures "The Local "Government Supplemental Act, 1859, (No. 2.)"

SCHEDULE referred to in the preceding Act.

1. LEAMINGTON Provisional Order. (Altering the Boundaries of the Leamington District.)
2. TEIGNMOUTH Provisional Order. (Repealing and altering Parts of a Local Act in force within the Teignmouth District.)
3. WIGAN Provisional Order. (Repealing and altering Parts of a Local Act in force within the Wigan District.)
4. WIGAN Provisional Order. (Extending the Borrowing Powers of the Wigan Local Board of Health.)
5. BATTLE Provisional Order. (Extending the Borrowing Powers of the Battle Local Board of Health.)
6. KNIGHTON Provisional Order. (Extending the Borrowing Powers of the Knighton Local Board of Health.)
7. CARDIFF Provisional Order. (Putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Cardiff Local Board of Health, for the Purchase of Lands for Improvements.)
8. DERBY Provisional Order. (Repealing an Exemption from Rating under a Local Act in force within the District of the Derby Local Board of Health.)

## 1. LEAMINGTON.

*Provisional Order for altering the Boundaries of the District of Leamington in the County of Warwick, and the Day of Election of the Local Board of the said District.—Local Government Act*, 1858.

Whereas the Local Board of Health for the District of Leamington in the County of Warwick, to which District the Public Health Act, 1848, was duly applied by Provisional Order bearing date the Fifteenth day of June 1852, confirmed by the Public Health Supplemental Act, 1852, (No. 2.,) have, under the provisions of the 77th Section of the Local Government Act, 1858, presented a Petition to one of Her Majesty's Principal Secretaries of State, bearing date the Seventh of December 1858, and praying for an alteration of the boundaries of their District by adding to such District a piece of land situate partly within the District of the Warwick Local Board of Health and partly within the neighbouring Parish of Milverton, the piece of land aforesaid being shown and bounded by a red line upon the Plan accompanying the said Petition, and also a Petition praying for an alteration in the day of the election of the said Local Board as fixed by the said Public Health Supplemental Act, 1852, (No. 2.)

And whereas, after Inquiry into such Petitions, it appears to me expedient that the prayer of such Petitions should be granted, but the same cannot be done without the authority of Parliament.

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, do hereby, in exercise of the power vested in me by the Local Government Act, 1858, direct under my Hand:—

That, from and after the passing of any Act of Parliament confirming this Order—

1.—The Boundaries of the District of the Leamington Local Board of Health shall be altered, by including therein the piece of land herein-before mentioned, and which is partly situate in the Borough and District of the Warwick Local Board of Health, and partly within the Parish of Milverton, and which piece of land is shown by a red line marking its boundaries on the Plan accompanying the aforesaid Petition of the Leamington Local Board of Health; and that so much of that piece of land as is now included within the boundaries of the Warwick Local Board of Health District shall no longer form part and parcel of such District of Warwick.

2.—The

2.—The present Local Board of Health for the time being for the District of Leamington shall, from and after the passing of the Act of Parliament confirming this Order, be the Local Board of Health for the District constituted by this Order and the Act of Parliament confirming the same.

3.—At every future election of members of the said Local Board, the members to be elected shall be elected for the whole of the District as constituted by this Order, and by the votes of owners of and ratepayers in respect of property situate within the District so constituted; and any person residing therein, or within seven miles thereof, may be elected a member of said Local Board; but the number and qualification of such members shall remain as fixed by the herein-before recited Provisional Order, bearing date the Fifteenth of June 1852.

4.—The annual election of members of the said Local Board shall take place at the time prescribed in the Act confirming this Order.

Given under my Hand this First day of April 1859.

(Signed) T. SOTHERON-ESTCOURT.

---

## 2. TEIGNMOUTH.

*Provisional Order repealing and altering Parts of a Local Act in force within the District of the Teignmouth Local Board, and providing for the future execution thereof.—Local Government Act,* 1858, *Sec.* 77.

Whereas the Commissioners acting in execution of a certain Local Act, passed in the sixth year of the reign of King William the Fourth, intituled "An Act for better paving, lighting, "watching, and improving the Town of Teignmouth, in the County of Devon, and for "supplying the inhabitants thereof with water," have duly adopted the Local Government Act, 1858, in and for the districts comprised within the operation of the said Local Act.

And whereas the said Commissioners, acting as a Local Board under and for the purposes of the said last herein-before mentioned Act, have, in pursuance of the said Act, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of the said Local Act, being an Act in force within the said District having relation to the Purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit.

And whereas, after due inquiry into the said petition, it appears to me expedient to issue a Provisional Order in relation to the said matter, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as Her Majesty's Principal Secretary of State for the Home Department, do, by this Provisional Order under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The parts of the said Local Act specified in the Schedule hereunto annexed shall be repealed.

2.—The satisfaction and compensation directed to be made in the 36th, 41st, and 42nd sections of the said Local Act, may be ascertained as directed in the Lands Clauses Consolidation Act, 1845.

3.—The existing Commissioners acting in execution of the said Local Act shall continue so to act, and shall be the Local Board for the execution of the Local Government Act, 1858, for such period as they would respectively have continued in office as such Commissioners, if the said Local Act had not been hereby repealed or altered.

4.—The day of election of the said Local Board shall continue to be the first Tuesday of the month of September in each year.

5.—The election to vacancies arising in the said Local Board by the retirement in rotation of the said Commissioners, according to the said Local Act or otherwise, as regards both the electors and the candidates for election, shall be regulated in all respects

by the provisions of the said Local Government Act and the Public Health Act, 1848; and the said Local Government Act and Public Health Act shall, from and after the passing of any Act of Parliament confirming this Order, be the sole Acts in force in the said District with regard to the election and qualification of the said Local Board.

6.—The repeal or alteration of the sections of the said Local Act, under this Order, shall not extend to any matters or things not provided for in the Local Government Act, 1858, the Public Health Act, 1848, or any of the other Acts incorporated with the said Local Government Act; nor to invalidate or affect any past acts, contracts, or transactions of the said Commissioners under the said Local Act, or any acts, contracts, or transactions which have been authorized or directed by the said Commissioners; or any rates or rentals already made or allowed by, or now due to the said Commissioners, or which may become due previous to the passing of any Act of Parliament confirming this Order.

Given under my Hand this 19th day of July 1859.

(Signed) G. C. Lewis.

*Schedule to which this Order refers.*

The parts of the Local Act referred to in this Order to be repealed are as follows; that is to say,

The sections numbered respectively in the copies of the said Act printed by the King's Printers, 3 to 17, both inclusive; 20, 21; 23 to 30, both inclusive; 37 to 39, both inclusive; 56; 59 to 62, both inclusive; 77 to 84, both inclusive; 87 to 90, both inclusive; 93 to 95, both inclusive; 103 to 106, both inclusive; 110; 111, except as to beating carpets on the Den; 112, 113; 115 to 122, both inclusive; 129; 131 to 181, both inclusive; 183 to 198, both inclusive; 200, 201, and 202.

---

## 3. WIGAN.

*Provisional Order repealing and altering Parts of a Local Act in force within the District of the Wigan Local Board of Health.—Local Government Act, 1858, Sec. 77.*

Whereas the Local Board of Health for the District of Wigan in the County Palatine of Lancaster have, in pursuance of the 77th section of the Local Government Act, 1858, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of the "Wigan Waterworks Act, 1853," being an Act in force within the said district, having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit.

And whereas since the passing of the "Wigan Waterworks Act, 1853," it has been found necessary and expedient to deviate from the plans and sections referred to in the section numbered 9 in the copies of the said Act printed by Her Majesty's Printers, in executing the works thereby authorized in the manner and to the extent defined upon the plans and sections marked A, and signed by the Right Honourable Sir George Cornewall Lewis, Baronet, as one of Her Majesty's Principal Secretaries of State, and which said plans and sections have been deposited with the Clerk of the Peace for the County Palatine of Lancaster.

And whereas, after due inquiry into the said Petition, it appears to me expedient to issue a Provisional Order in relation to the said matter, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as one of Her Majesty's Principal Secretaries of State, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

1.—The said Local Board shall be allowed to adopt, substitute, and use, in lieu of the plans and sections described in the said 9th section of the said Act, the said plans and

and sections marked A, and so signed by the Right Honourable Sir George Cornewall Lewis, Baronet, as one of Her Majesty's Principal Secretaries of State, and which have been so deposited as aforesaid; and all the powers and provisions of the "Wigan Waterworks Act, 1853," shall be read and construed to apply to such last-mentioned plans and sections so signed as fully and effectually as if the same had been mentioned in the said "Wigan Waterworks Act, 1853," at the time of the passing thereof, except so far as such provisions are inapplicable to such last-mentioned plans and sections.

2.—So much of the section numbered 18 in the copies of the said Act printed by Her Majesty's Printers, as provides,—That when, and as soon as, and from time to time, and as often as the said Earl, his heirs and assigns (meaning the Earl of Crawford and Balcarres), or other the owner or owners for the time being of the said mines (meaning the mines referred to in the 16th section of the said Act), or any of them, shall in working or in preparing to work the said mines, or any of them, have made or driven any levels, drifts, or other workings in any stratum at a depth not greater than one hundred yards below the surface of the site of the said reservoir (meaning the reservoir referred to in the 17th section of the said Act), or in any stratum at any depth whatever below the surface of the site of the said tunnel (meaning the tunnel referred to in the said 17th section of the said Act) to or within a distance of thirty yards of a perpendicular line downwards from any side or part of the said sites respectively, the said Local Board of Health shall from time to time, within twenty-one days after being required so to do by the said Earl, his heirs or assigns, or other the said owner or owners for the time being of the said mines, by notice in writing under his or their hands respectively, such notice being served on the clerk of the said Local Board, or left at the office of the said Local Board, make compensation and pay to the said Earl, his heirs or assigns, or other the said owner or owners, for so much of the said coal, cannel, and other minerals of the said mines, lying not deeper than one hundred yards from the surface under the site of the said reservoir, and under all lands within an area of thirty yards all round the same site, and make compensation and pay to the said Earl, his heirs or assigns, or other the said owner or owners for the time being, for all the coal, cannel, and other minerals, at whatever depth under the site of the said tunnel, and under all lands within an area of thirty yards all round the same site; and that such payments and compensations respectively shall, as to each successive stratum of coal and cannel, and other minerals, be ascertained and recovered when and so soon as each of such strata shall be so, as aforesaid, driven into or worked within the said distance of thirty yards of a perpendicular line downwards from any side or part of the sites of the said tunnel and reservoir respectively; and such payments and compensations respectively shall from time to time be so ascertained and recovered in manner provided by "The Lands Clauses Consolidation Act, 1845," with respect to compensation for lands taken, or injuriously affected, shall be repealed in so far as relates to the purchase of the said mines lying to the north of the embankment of the reservoir about to be constructed by the said Local Board, according to the plans and sections referred to in the last preceding section of this Order; and the said Earl, his heirs and assigns, and the said Local Board, may enter into such contracts and agreements as shall be necessary for the protection of the estates and mines of the said Earl, his heirs and assigns, and for carrying into effect the several works of the said Local Board.

3.—So much of the section numbered 26 in the copies of the said Act so printed as aforesaid as provides that the Local Board shall make and construct, and for ever afterwards maintain in good order, repair, and condition, a good and substantial bridge, with suitable approaches, for the purpose of forming a communication between the lands of Richard Clayton Browne Clayton, in the said Act referred to, which will be severed by the reservoir and other works by this Act authorized, across the reservoir proposed to be made within the lands of the said Richard Clayton Browne Clayton, at some convenient point near where the road, number

30,

30, in the township of Worthington, crosses the Seven Stars Brook, to be selected by the said Richard Clayton Browne Clayton, his heirs or assigns, or other the person or persons for the time being entitled in possession to Adlington Park, and that such bridge shall be of handsome and ornamental design and construction, and such as to be suitable for a carriage approach to Adlington Hall, shall be repealed.

4.—The time given to the said Local Board by the said Act for the completion of the works authorized and required under the said Act, shall be extended to the expiration of five years from the date of the passing of the Act of Parliament confirming this Order.

Given under my Hand this 19th day of July 1859.

(Signed) G. C. Lewis.

---

4. WIGAN. (Borrowing Powers.)

*Provisional Order for extending the Borrowing Powers of the Wigan Local Board of Health. —Local Government Act,* 1858.

Whereas by a Provisional Order of the General Board of Health, bearing date the Tenth day of June 1850, confirmed by the Public Health Supplemental Act, 1850, (No. 2,) the Public Health Act, 1848, was duly applied to the Borough of Wigan, in the County of Lancaster, and the said Borough was thereby constituted a District under that Act.

And whereas the Local Board of the said District have borrowed under the said Public Health Act, and under a Local Act passed in the Seventeenth Year of the Reign of Her present Majesty, and intituled "An Act for supplying the Borough of Wigan in the County "Palatine of Lancaster with Water, for the better Regulation of the Police therein, and "for other Purposes," and with the authority of the General Board of Health, sums amounting in the whole to One hundred and sixteen thousand six hundred and twelve Pounds Five Shillings and Threepence, to defray the expense of a portion of the works for sewering, and supplying water to, the said District, which said sums are not sufficient to defray the cost of completing the works for the purposes aforesaid.

And whereas the said Local Board have, under the authority of the 78th section of the Local Government Act, 1858, petitioned the Right Honourable Spencer Horatio Walpole, at the date of the said petitioning one of Her Majesty's Principal Secretaries of State, for power to re-borrow the said amount, and also to borrow the further sum of Twenty-five thousand five hundred and twenty-four Pounds Fourteen Shillings and Ninepence, or so much thereof as may be required to complete the said works, such further sum, together with the amount to be so re-borrowed, not exceeding in the whole two years' assessable value of the premises assessable to the said Acts within the said district, and to be repaid within a period of fifty years from the date of the borrowing thereof.

And whereas, after due inquiry into the allegations of the said petitioners, and report thereon by Henry Austin, Esquire, the Inspector appointed for the purpose of such inquiry and report, it appears expedient that the prayer of the said Petitioners should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power now vested in me, as one of Her Majesty's Principal Secretaries of State by the said Local Government Act, I do hereby, by this Provisional Order under my Hand, direct as follows:—

That from and after the passing of any Act of Parliament confirming this present Order—

The Local Board of Health for the District of Wigan, in the County of Lancaster, shall have power and authority for the purposes aforesaid, and on mortgage of the rates leviable by them under the Local Government Act, 1858, to borrow, and from time to time during the said term of fifty years to re-borrow, the said sum of One hundred and sixteen thousand six hundred and twelve Pounds Five Shillings and Threepence, and to borrow, and from time to time during the said term of fifty years to re-borrow, the further sum of Twenty-five thousand five hundred and twenty-four Pounds Fourteen Shillings

Shillings and Ninepence, which sums together make up the amount of two years' assessable value of premises assessable under the said Act in the said district; but no part of the said last-mentioned sum of Twenty-five thousand five hundred and twenty-four Pounds Fourteen Shillings and Ninepence shall be borrowed without the sanction of one of Her Majesty's Principal Secretaries of State. And the whole of the said sum shall be repaid, with interest thereon, within a period of fifty years from the date of the re-borrowing or borrowing thereof respectively.

Given under my Hand this 19th day of July 1859.

(Signed) G. C. Lewis.

---

5. BATTLE.

*Provisional Order for extending the Borrowing Powers of the Battle Local Board of Health.—Local Government Act*, 1858.

Whereas, by an Order of Her most Gracious Majesty in Council, bearing date the Fifth day of May 1851, the Public Health Act, 1848, was duly applied to the Parish of Battle, in the County of Sussex, and the said Parish was thereby constituted a District under that Act.

And whereas the Local Board of the said District have borrowed under that Act, and with the authority of the General Board of Health, sums amounting in the whole to Two thousand four hundred Pounds, to defray the expense of a portion of the works for sewering, and supplying water to, the said District, which said sums at the time the borrowing of them was sanctioned equalled the assessable value for one year of the premises assessable under that Act within the part of the District which the said works were intended to benefit, but were not sufficient to defray the cost of completing the works for the purposes aforesaid.

And whereas the said Local Board have, under the authority of the 78th section of the Local Government Act, 1858, petitioned the Right Honourable Spencer Horatio Walpole, at the date of the said petition one of Her Majesty's Principal Secretaries of State, for power to borrow a further sum or sums, not exceeding in the whole Three thousand seven hundred Pounds, in order to enable such Local Board to pay off their existing debt of Two thousand four hundred Pounds and outstanding claims, and also to defray the cost of completing the works for sewering, and supplying water to, their District; and whereas such further sum or sums will not exceed two years' assessable value of the premises assessable within such District; and whereas the said further sum or sums are proposed to be repaid within a period of fifty years from the date of the borrowing thereof.

And whereas, after due inquiry and report by Henry Austin, Esquire, the Inspector appointed for the purpose, and after the assent by the ratepayers of the aforesaid District in public meeting assembled, it appears expedient that the prayer of such petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power vested in me, as one of Her Majesty's Principal Secretaries of State, by the said Local Government Act, I do hereby, by this Provisional Order under my Hand, direct as follows:—

That from and after the passing of any Act of Parliament confirming this present Order—

The Local Board of Health for the District of Battle, in the County of Sussex, shall have power and authority to borrow, for the purposes aforesaid, on mortgage of the rates leviable by them under the Local Government Act, 1858, an amount not exceeding in the whole Three thousand seven hundred Pounds, to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my Hand this 19th day of July 1859.

(Signed) G. C. Lewis.

---

6. KNIGHTON.

## 6. KNIGHTON.

*Provisional Order for extending the Borrowing Powers of the Knighton Local Board of Health.—Local Government Act,* 1858.

Whereas, by an Order of Her most Gracious Majesty in Council, bearing date the Thirtieth day of January 1850, the Public Health Act, 1848, was duly applied to the Borough of Knighton, in the County of Radnor, and the said Borough was thereby constituted a District under that Act.

And whereas the Local Board of the said District have borrowed under that Act, and with the authority of the General Board of Health, sums amounting in the whole to Two thousand seven hundred and eighty Pounds, to defray the expense of a portion of the works for sewering, and supplying water to, the said District, which said sums at the time the borrowing of them was sanctioned equalled the assessable value for one year of the premises assessable under that Act within such District, but were not sufficient to defray the cost of completing the works for the purposes aforesaid.

And whereas the said Local Board have, under the authority of the 78th section of the Local Government Act, 1858, petitioned the Right Honourable Spencer Horatio Walpole, at the date of the said petition one of Her Majesty's Principal Secretaries of State, for power to borrow a further sum or sums, not exceeding in the whole Three thousand nine hundred and forty-nine Pounds Four Shillings and Fivepence, in order to enable such Local Board to pay off their existing debt, and also to defray the cost of completing the works for sewering, and supplying water to, their District; and whereas such further sum or sums will not exceed two years' assessable value of the premises assessable within such District; and whereas the said further sum or sums are proposed to be repaid within a period of fifty years from the date of the borrowing thereof.

And whereas, after due inquiry and report by William Ranger, Esquire, the Inspector appointed for the purpose, and after the assent by the ratepayers of the aforesaid District in public meeting assembled, it appears expedient that the prayer of such Petition should be granted; but the same cannot be done without the consent of Parliament.

Now, therefore, in pursuance of the power now vested in me, as one of Her Majesty's Principal Secretaries of State, I do hereby, by this Provisional Order under my Hand, direct as follows:—

That from and after the passing of any Act of Parliament confirming this present Order—

The Local Board of Health for the District of Knighton, in the County of Radnor, shall have power and authority to borrow, for the execution and completion of works of sewerage and water supply within such District, on mortgage of the rates leviable by them under the Local Government Act, 1858, an amount not exceeding in the whole Four thousand Pounds, to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my Hand this 19th day of July 1859.

(Signed) G. C. Lewis.

---

## 7. CARDIFF.

*Provisional Order putting in force the Lands Clauses Consolidation Act,* 1845, *within the District of the Cardiff Local Board of Health, in the County of Glamorgan, for the Purchase of Lands by the said Board for Improvements.—Local Government Act,* 1858.

Whereas the Local Board of Health in and for the District of Cardiff in the County of Glamorgan, to which the Public Health Act, 1848, was duly applied by a Provisional Order of the General Board of Health, confirmed by the Public Health Supplemental Act, 1850 (No. 3), have, in pursuance of the Provisions of the 75th section of the Local Government Act, 1858, and after complying with the requirements of that section by duly giving and serving all notices thereby directed, presented a Petition, under the Seal of the said Local Board, to one of Her Majesty's Principal Secretaries of State, for authority to put

in

in force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to purchase certain pieces of land and certain buildings for the improvement of High Street, Smith Street, Queen Street, and Frederick Street, all situate within the District of the said Local Board.

And whereas the said Petition duly set forth in the Schedules annexed thereto the several pieces of land and the several buildings intended to be taken by such Board for such purposes, and the names of the owners, lessees, and occupiers of the aforesaid pieces of land who have assented, dissented, and are neuter in respect of the taking of such pieces of land and buildings, or who have returned no answer to the notice issued by such Board; and such Petition prayed that the said Board might, with reference to such land and buildings, be allowed to put in force the powers of the Lands Clauses Consolidation Act aforesaid, with respect to the purchase and taking of land otherwise than by agreement; and on the receipt of such Petition, Her Majesty's Principal Secretary of State for the Home Department directed William Ranger, Esq., the Inspector appointed for the purpose, to visit the said district of Cardiff, and the said Inspector has now inquired in the district aforesaid into the subject matter of such Petition, and has duly reported thereon.

Now, therefore, I, as Her Majesty's Principal Secretary of State for the Home Department, do hereby, in pursuance of the powers vested in me by the Local Government Act, 1858, make Order and direct—

That, from and after the passing of any Act of Parliament confirming this Order, the Local Board of Health for the District of Cardiff, in the County of Glamorgan, shall be empowered to put in force, with reference to the land referred to and described in the Schedule to this Order annexed, the powers of the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of land otherwise than by agreement.

Given under my Hand this 19th day of July 1859.

(Signed) G. C. Lewis.

*Schedule referred to in the preceding Order.*

The Pieces of Land and the Buildings proposed to be taken, as described in the foregoing Order, are the following; the figures referring to the figures on the Plan mentioned in the Petition of the Local Board of Health herein-before mentioned:—

| No. on Plan. | Lands proposed to be taken. | Owner, Lessee, and Occupier. |
|---|---|---|
| 1 & 1*a* | Land and Buildings thereon in High Street, Cardiff. | William Tell Wheeler<br>Elizabeth Evans<br>William Aubrey<br>Eliza Richards<br>Ann Kelly<br>Jane Richards<br>William Richards<br>} Joint Owners. |
| 1 | - - - - - | Wm. Tell Wheeler (Occupier). |
| 1*a* | - - - - - | Mary Ann Thomas (Occupier). |
| 2 | The same - - - | Lord Dynevor (Owner).<br>Wm. Henry Morgan (Lessee).<br>Philip Jones (Occupier). |
| 3 | The same - - - | John Homfray<br>John Richards Homfray<br>} Joint Owners.<br>Hannah Ward (Lessee).<br>John Willett (Occupier). |
| 4 & 5 | Land and Buildings thereon in Queen Street and Smith Street, Cardiff. | Samuel Rees Lloyd (Owner).<br>Baptiste Pedrazzini (Occupier). |
| 6 | The same - - - | Samuel Rees Lloyd (Owner).<br>Henry Thomas (Occupier). |

| No. on Plan. | Lands proposed to be taken. | Owner, Lessee, and Occupier. |
|---|---|---|
| 7, 8, & 9 | The same - - - | John Stuart Corbett, James Evans, Richard Evans } Joint Owners. |
| 7 | - - - - - | Mary Grey (Occupier). |
| 8 | - - - - - | Thomas Fry (Do.) |
| 9 | - - - - - | William Lewis (Do.) |
| 10 & 11 | The same - - - | John Homfray, John Richards Homfray } Joint Owners. |
| 10 | - - - - - | Joseph Fisher (Occupier). |
| 11 | - - - - - | John Stainton (Do.) |
| 12, 13, & 14 | Land and Buildings thereon situate on the west side of Frederick Street, and fronting Bridge Street, Cardiff. | William Vachell (Owner). |
| 12 | - - - - - | David James and Charles Ridd } Lessees. |
| 13 & 14 | - - - - - | Charles Ridd (Lessee). |
| 12 & 13 | - - - - - | David James (Occupier). |
| 14 | - - - - - | Samuel Williams (Occupier). |

## 8. DERBY.

*Provisional Order repealing an Exemption from Rating under a Local Act in force within the District of the Derby Local Board of Health.—Local Government Act,* 1858, *Sec.* 77.

Whereas the Local Board of Health in and for the District of Derby, in the County of Derby, to which the Public Health Act, 1848, was duly applied by Provisional Order bearing date the Twenty-third day of May 1850, and confirmed by the Public Health Supplemental Act, 1850, have, in pursuance of the Local Government Act, 1858, presented a Petition to me, as one of Her Majesty's Principal Secretaries of State, praying for the repeal of an Exemption from Rating made by a certain Local Act of Parliament in force within the said District having relation to the purposes of the said Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit, that is to say, an Act passed in the Sixth year of the reign of King George the Fourth, intituled "An Act for better paving and otherwise "improving the Borough of Derby."

And whereas, in pursuance of the said Local Government Act, inquiry has been directed and made in the said District in respect of the matters mentioned in the said Petition.

And whereas it appears to me expedient to issue a Provisional Order in relation to the said matters, but no such Order can be valid without confirmation by Parliament.

Now, therefore, in pursuance of the powers vested in me by the said Local Government Act, I, as Her Majesty's Principal Secretary of State for the Home Department, do, by this Provisional Order, under my hand, direct that from and after the passing of any Act of Parliament confirming this Order—

So much of the section numbered 103 in the copies of the said Local Act, printed by the King's printer, as exempts from any of the rates or assessments made by virtue of the said Local Act, all lands or grounds used solely for husbandry and agricultural purposes, and houses of which the annual value, to be ascertained as in the said Act directed, shall not exceed five pounds, shall be repealed; but such repeal shall not extend and apply to houses and buildings occupied exclusively for the purposes of public charity.

Given under my Hand this 19th day of July 1859.

(Signed) G. C. Lewis.