CAP. CVII.

An Act to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the Districts of *Ramsgate*, *Leominster*, *Stalybridge*, *Lincoln*, *Maidstone*, *Banbury*, *Tunbridge Wells*, *Bedford*, and *Southampton*; and for other Purposes relative to Districts under the said Act.

[10th *August* 1866.]

'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 which are contained 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 other Provisions made with respect to certain Districts already under the Local Government Act aforesaid:'

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.

1. 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.

Limitation as to Amount of General District Rate in District of Ramsgate.

2. The General District Rate leviable within the District of *Ramsgate* in the County of *Kent*, under the Local Government Act, 1858, shall not exceed in any One Year the Sum of One Shilling in the Pound Sterling upon the net annual Value of Property assessable thereto within such District; provided that if it shall at any Time appear that the said Sum of One Shilling in the Pound is not sufficient, it shall be lawful for the Commissioners for the Parish of *Ramsgate*, acting as the Local Board for such District, with the Consent of the Ratepayers of the said Parish of *Ramsgate*, in Vestry assembled (of which Vestry Meeting Notice shall be given in the Manner prescribed by Section Five of the Local Act referred to in the Provisional Order bearing Date the Second Day of *June* One thousand eight hundred and sixty-five, relating to the aforesaid District of *Ramsgate*, and contained in the Schedule to the Local Government Supplemental Act (1865) No. 5.), to increase the Rate from One Shilling to One Shilling and Sixpence in the Pound Sterling upon the aforesaid net annual Value.

Compensation to Officers under Lincoln Local Act who may be removed.

3. Every Treasurer, Clerk, Surveyor, and other Officer acting under the Local Act recited in the Provisional Order for the City and Borough of *Lincoln* in the Schedule of this Act contained, Part of which Local Act is repealed by the said Order, whose Office shall, by reason of the Transfer of the Powers of the Commissioners to the Local Board, be wholly or in part superseded and rendered unnecessary, or who shall at any Time within the Space of Three Years next after the passing of this Act, except for Misconduct, be removed wholly or in part from such Office, and not be employed and retained in an Office of equal Value, by the Local Board for the said City and Borough of *Lincoln*, shall be entitled to have an adequate Compensation for the Profits, Salary, and Emoluments of the Office which he shall cease to hold; the said Compensation to be by way of Annuity or otherwise, and to be assessed by the Commissioners of Her Majesty's Treasury upon the Report of the said Local Board, to be made within Three Months after any such Person shall have been superseded in his Office, founded upon a Declaration made by such Person setting forth the Salary, Profits, and Emoluments derived by him and his Predecessors for every Year during a Period of Five Years next before the Day when he shall have ceased to hold such Office, and such other Evidence as the said Local Board may require as to the Amount, Nature, and Particulars of such Profits; and in assessing the same regard shall be had to the Manner of his Appointment to such Office, and his Term therein; and the said Local Board shall from Time to Time pay to the Person entitled to Compensation, out of any General District Rates, the Money which

which shall upon such Report, and any Appeal or Reclamation against the same, be finally awarded by the Commissioners of Her Majesty's Treasury as the same shall become due and be payable.

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

4. 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.

5. In citing this Act in any other Act of Parliament, or in any Proceeding, Instrument, or Document whatever, it shall be sufficient to use the Words and Figures "The Local Government Supplemental Act, 1866" (No. 4).

SCHEDULE of Provisional Orders referred to in the preceding Act.

1. RAMSGATE.—Alteration of the Ramsgate Improvement Act, 1838, in force within the District of Ramsgate.
2. LEOMINSTER.—Repealing and altering Parts of Local Acts in force within the District of Leominster.
3. STALYBRIDGE.—Repealing and altering Parts of a Local Act in force within the District of the Local Board of Stalybridge.
4. LINCOLN.—Alteration of the Local Act in force within the Local Board's District.
5. MAIDSTONE.—Alteration and Repeal of Parts of Local Acts in force within the Maidstone Local Board District.
6. BANBURY.—For partial Repeal and Alteration of a Provisional Order, applying the Public Health Act, 1848, to the District of Banbury, and of the First Public Health Supplemental Act, 1852.
7. TUNBRIDGE WELLS.—For partial Repeal and Alteration of a Provisional Order confirmed by the Local Government Supplemental Act, 1864, (No. 2.)
8. BEDFORD.—Putting in force the Lands Clauses Consolidation Act, 1845, for the Purchase and taking of Lands by the Local Board otherwise than by Agreement, for Purposes of Drainage and Water Supply.
9. SOUTHAMPTON.—For Extension of the borrowing Powers of the Local Board of Health.

RAMSGATE.

Provisional Order for the Alteration and Amendment of the Ramsgate Improvement Act, 1838, *in force within the District of the Ramsgate Local Board.*

WHEREAS the Commissioners acting in execution of a certain Local Act of Parliament passed in the first and second years of the reign of Her present Majesty (cap. 70.), intituled "An Act for better paving, lighting, watching, and improving the Parish of Ramsgate in "the County of Kent, and for regulating the Police thereof," have duly adopted the Local Government Act, 1858, in and for the said Parish of Ramsgate:

And whereas the said Commissioners acting as a Local Board under and for the purposes of the Local Government Act, 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, amendment, and partial repeal of the said Local Act, being an Act in force within the said District having relation to the purposes of the Local Government Act, and not conferring powers or privileges upon any corporation, company, undertakers, or individuals, for their own pecuniary benefit, and for other purposes in such Petition set forth; and such alteration, amendment, and partial repeal of the said Local Act were effected by a Provisional Order, under my hand, confirmed by the Local Government Supplemental Act, 1865 (No. 5.):

And whereas the said Commissioners acting as such Local Board have now presented a further Petition to me, praying for a further partial repeal of the said Local Act, and for other

other purposes in such Petition set forth; and it appears expedient to issue a Provisional Order in relation to the said Petition, but no such Order can be valid without the confirmation of Parliament:

Now, therefore, I, as one of Her Majesty's Principal Secretaries of State, and in pursuance of the powers vested in me by the Local Government Act, 1858, 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 Local Act aforesaid of 1 & 2 Vict. cap. 70. shall be further altered and amended as follows, and shall be read and have effect accordingly:—

The 61st section of the said Local Act (partially altered by the Provisional Order dated the second day of June One thousand eight hundred and sixty-five) shall be further altered as follows; that is to say, instead of the words "*loitering* or *remaining*," now forming part of such section, the words "loiter or remain" shall be substituted, and also by inserting therein after the words "upon any footway or causeway," now forming part of that section, the words "road, lane, square, or passage, whether a thoroughfare or not," and by inserting therein before the words "to the common danger of passengers," now also forming part of the same section, the word "or," and by inserting therein before the words "or make or assist in making any bonfire," now also forming part of that section, the words "or who (not being the Common Crier, and lawfully engaged) shall ring or sound or use, or cause to be rung or sounded, any bell or other noisy instrument for the purpose of calling persons together, or for announcing any show or entertainment, or of hawking, selling, distributing, or collecting any article whatever."

2.—So much of section 83 of the said Local Act as relates to bathing machines, or the persons attending the same, shall continue in full force and unrepealed, notwithstanding and after the making of byelaws under the 68th section of the Town Police Clauses Act, 1847, and after such byelaws shall have come into operation.

3.—All the provisions of the said Local Act remaining unrepealed by the said Provisional Order first herein-before mentioned, and by the present or by any Provisional Order to be hereafter issued, shall be incorporated with the Local Government Act, 1858, and the Local Board shall be the Commissioners for executing such unrepealed portions of the said Local Act, and shall use, exercise, and enjoy, and be subject to all the rights, powers, duties, liabilities, and obligations which at the time of the election next herein-after mentioned belong or attach to the Commissioners and the Local Board aforesaid respectively.

4.—Notwithstanding any provision to the contrary in the said Local Act contained, the number of the Commissioners for putting in execution the said Local Act shall, from and after the election next herein-after mentioned, be twenty-four in number, one third of whom shall form a quorum, and one fourth shall in each year go out of office and cease to be Commissioners, the vacancies caused thereby being filled up as in the Local Act, mutatis mutandis, is provided; the Rotation List to be formed within four months from the passing of any Act of Parliament confirming this present Provisional Order, but in other respects in the manner mentioned in the 6th section of the said Local Act.

5.—On the third Monday next after the passing of any Act of Parliament confirming this present Order there shall be an election by the ratepayers of the Parish of Ramsgate, assembled in vestry, of the whole number of the twenty-four Commissioners: Provided always, that until such election shall have taken place the Commissioners who shall be in office at the time of the confirmation of such last-mentioned Provisional Order shall be and remain the Commissioners for putting the Local Act into execution, and for exercising the powers and duties of the Local Board, and that any one or more of the said Commissioners shall be eligible to be elected on the said Board of twenty-four Commissioners: Provided also, that if from any cause in any subsequent year the election of Commissioners shall not take place, the Commissioners then in office shall continue in office until such election shall have been made.

6.—When

6.—When and so soon as the election of the said twenty-four Commissioners shall have taken place, all the lands, hereditaments, estates, property, and effects of and belonging to the Commissioners under the Local Act, or which belonged to the said Commissioners immediately before the adoption of the Local Government Act, 1858, as herein-before mentioned, and which have not since become vested in the said Local Board, shall, in default of and subject to any and all intermediate dispositions thereof, pass to and be vested in the Local Board for the said District of Ramsgate.

7.—Any monies which may at the close of any financial year be in the hands of the Treasurer, and which may not be required for any of the purposes of the Local Act aforesaid, shall from time to time be transferred by such Treasurer to the credit of the General District Rate levied by the Local Board under and by virtue of the Provisions of the Local Government Act, 1858; and such monies shall in such case be applicable to the purposes of the said General District Rate, and shall be applied thereto.

Given under my hand this Twenty-first day of June One thousand eight hundred and sixty-six.

(Signed) G. GREY.

LEOMINSTER.

Provisional Order for the partial Repeal and Alteration of the Leominster Local Acts in force within the District of the Leominster Local Board.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Leominster in the County of Hereford, by the Council of the said Borough, have duly adopted the Local Government Act, 1858, in and for the said Borough; and the said Council acting as a Local Board, under and for the purposes of such 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, amendment, and partial repeal of the herein-after recited Local Acts 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 for other purposes in such Petition set forth; that is to say,

An Act passed in the forty-eighth year of the reign of King George the Third (48 Geo. 3. cap. 148.), intituled "An Act for inclosing Lands in the Borough of Leominster in the "County of Hereford, and in the Township of Luston, in the Parish of Eye, in the said "County, and for paving and otherwise improving the streets and other public places "within the Town of Leominster in the said County;"

Also, an Act passed in the first year of the reign of Queen Victoria (1 Vict. cap. 14.), intituled "An Act to amend an Act of the forty-eighth year of the reign of His Majesty "King George the Third, relating to the improvement of the Town of Leominster in the "County of Hereford:"

And whereas, in pursuance of the said Local Government Act, inquiry has been directed and made in the said District in respect of the several matters mentioned in the said Petition, and report duly made to me thereon by Arnold Taylor, Esquire, the inspector appointed for the purpose:

And whereas it appears 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 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 Local Act (48 Geo. 3. cap. 148.) shall be repealed, saving and excepting the sections thereof described and referred to in the Schedule hereunto annexed.

2.—The

2.—The Local Act (1 Vict. cap. 14.) shall be repealed, saving and excepting the sections thereof described and referred to in the Schedule hereunto annexed.

3.—The powers, authorities, and duties of the Trustees for the time being acting in the execution of the Local Acts herein-before recited shall cease and determine; and such powers, authorities, and duties shall be transferred to and become vested in the Local Board aforesaid.

4.—All the property and estate of the Trustees acting in execution of the said Local Acts shall be transferred to and become vested in the said Local Board, and the latter shall have full power and authority absolutely to sell and dispose of the same, or any part or parts thereof, for all or any of the purposes of the Local Government Act, 1858.

5.—All debts and liabilities under the said Local Acts shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made; and if such property and estate shall be insufficient for that purpose, then such debts and liabilities may be satisfied as debts and liabilities under the Local Government Act, 1858; and it shall be lawful for the said Local Board, with such sanction as is required by the said Act for the borrowing of other sums by the said Local Board, to borrow such sums as shall be required to discharge the said debts and liabilities, as if such debts and liabilities had been incurred under the said Local Government Act.

6.—All arrears of rates or monies that may be due and owing to the Trustees acting under the herein-before recited Local Acts at the date of the passing of this Act shall be transferred and paid over to the aforesaid Local Board on or before the first day of January One thousand eight hundred and sixty-seven.

7.—All expenses under the unrepealed portions of the said Acts shall be borne by the rates leviable in the said District under the said Local Government Act, as if the purposes for which such expenses were incurred were purposes of the said Local Government Act.

8.—The provisions of the said herein-before recited Local Acts not hereby repealed shall be incorporated with the said Local Government Act, and the said Local Board shall execute the said unrepealed portions of such Acts.

Given under my hand this Twentieth day of June in the year One thousand eight hundred and sixty-six.

(Signed) G. GREY.

SCHEDULE to which this Order refers.

The sections to be retained in the herein-before recited Local Acts are,—

1.—In the said firstly herein-before recited Local Act (48 Geo. 3. cap. 148.), the sections numbered respectively 62, 63, 64, 75, 81 (except the paragraph imposing a penalty for leaving cellar windows open), and 82.

2.—In the said secondly herein-before recited Local Act (1 Vict. cap. 14.), the sections numbered respectively 6, 13, 14, 15, and 25 to 31, both inclusive.

STALYBRIDGE.

Provisional Order repealing and altering Parts of a Local Act in force within the District of the Stalybridge Local Board.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Stalybridge in the Counties of Lancaster and Chester, acting as the Local Board in and for the Borough aforesaid, in which parts of the Local Government Act, 1858, and of the Acts incorporated therewith, are in force, have, in pursuance of such first herein-before mentioned Act, presented a Petition to one of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of 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

ferring powers or privileges upon any corporation, company, undertakers, or individuals for their own pecuniary benefit; that is to say,

An Act passed in the ninth year of the reign of King George the Fourth (9 Geo. 4. c. 26.), and intituled "An Act for lighting, watching, and otherwise improving the Town of "Stalybridge in the Counties Palatine of Lancaster and Chester, and for regulating "the Police thereof, and for establishing and regulating a Market and erecting a "Market Place within the said Town:"

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the several matters mentioned in the said Petition by Robert Morgan, Esquire, the Inspector appointed by me for the purpose:

And whereas it appears 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 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 following part of the 160th section of the said herein-before recited Local Act passed in the ninth year of the reign of King George the Fourth shall be repealed, so far as the provisions thereof apply to and are in force within the limits of the aforesaid District of the Borough of Stalybridge; that is to say, the words (occurring in the twenty-seventh, twenty-eighth, twenty-ninth, and thirtieth lines of sec. 160 of such Act, printed by the King's Printers at the time of such Act being passed), "but so nevertheless that there shall not be owing upon the security "last aforesaid at any one time more than the aggregate sum of six thousand "pounds;" and, notwithstanding the said limitation of their borrowing powers, the said Local Board may, under and according to the provisions of the said Local Act, the parts of the Local Government Act, 1858, and of the Acts incorporated therewith, and duly adopted in the Stalybridge District, exercise borrowing powers, not to exceed at any one time the sum of twenty thousand pounds, on security of the Police and Improvement Rate or Assessment to be levied by them in their District.

Given under my hand this Eighteenth day of June One thousand eight hundred and sixty-six.

(Signed) G. GREY.

LINCOLN.

Provisional Order for the partial Repeal and Alteration of the Lincoln Local Act in force within the District of the Lincoln Local Board.

WHEREAS the Mayor, Aldermen, and Citizens of the City and Borough of Lincoln, by the Council of the said City and Borough, have duly adopted the Local Government Act, 1858, in and for their District; and the said Council acting as a Local Board, under and for the Purposes of such 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, amendment, and partial repeal of the herein-after recited Local 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 for other purposes in such Petition set forth; that is to say,

An Act passed in the ninth year of the reign of King George the Fourth (9 Geo. 4. cap. 27.), intituled "An Act for paving, lighting, watching, and improving the City "of Lincoln, and the Bail and Close of Lincoln, in the County of Lincoln, and for "regulating the police therein:"

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

Petition, and report duly made to me thereon by Arnold Taylor, Esquire, the Inspector appointed for the purpose:

And whereas it appears 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 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 Local Act (9 Geo. 4. cap. 27.) shall be repealed, so far as relates to the sections set forth and referred to in the Schedule hereunto annexed; and all exemptions from rating conferred by such Act shall cease and determine.

2.—The powers, authorities, and duties of the Commissioners for the time being acting in the execution of the Local Act herein-before recited shall cease and determine; and such powers, authorities, and duties shall be transferred to and become vested in the Local Board aforesaid.

3.—All the property and estate of the Commissioners acting in execution of the said Local Act shall be transferred to and become vested in the said Local Board, and the latter shall have full power and authority absolutely to sell and dispose of the same, or any part or parts thereof, for all or any of the purposes of the Local Government Act, 1858.

4.—All debts and liabilities under the said Local Act shall be satisfied by the said Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if this Order had not been made; and if such property and estate shall be insufficient for that purpose, then such debts and liabilities may be satisfied as debts and liabilities under the Local Government Act, 1858; and it shall be lawful for the said Local Board, with such sanction as is required by the said Act for the borrowing of other sums by the said Local Board, to borrow such sums as shall be required to discharge the said debts and liabilities.

5.—All arrears of rates or monies that may be due and owing to the Commissioners acting under the herein-before recited Local Act at the date of the passing of this Act shall be transferred and paid over to the aforesaid Local Board on or before the first day of January One thousand eight hundred and sixty-seven; and the said Local Board shall have all the powers and remedies for recovering and enforcing payment of any arrears of the said rates remaining unpaid after the passing of the said Act confirming this Order as were vested in the said Commissioners under the said Local Act.

6.—All expenses under the unrepealed portions of the said Local Act shall be borne by the rates leviable in the said District under the said Local Government Act, as if the purposes for which such expenses were incurred were purposes of the said Local Government Act.

7.—The provisions of the said herein-before recited Local Act not hereby repealed shall be incorporated with the said Local Government Act, and the said Local Board shall execute the unrepealed portions of such Act.

8.—The provisions of clauses 74, 75, 76, and 93 of the said Local Act (9 Geo. 4.) shall be considered as having relation to the ninth day of May one thousand eight hundred and twenty-eight, the day on which the said Act received the Royal assent.

9.—The powers vested by section 92 of the said Local Act in Justices of the Peace shall be in future vested in the said Local Board as well as in the said Justices.

10.—The powers given by section 28 of the Towns Police Clauses Act, 1847, to any constable or other officer appointed by that or the special Act shall be vested in the police constables of the city of Lincoln.

11.—The Local Board aforesaid shall have no power, without the previous consent in writing of the Dean and Chapter of the Cathedral Church of Lincoln, under the

hand of their Chapter Clerk, to affix, set up, or place any such lamps, lamp-posts, irons, and works as are referred to in the 46th section of the Local Act aforesaid (9 Geo. 4. cap. 27.) upon or against the walls or buildings of the Cathedral Church of Lincoln, or upon or against the palisades or railings surrounding the same.

12.—Any duties imposed by the provisions of the said Local Act (9 Geo. 4.) not hereby repealed on the Clerk to the said Commissioners shall be discharged by the Clerk to the said Local Board, and all notices required to be given by such provisions, or by the said Local Government Act, 1858, either to Members of the Local Board of the Meetings of the Board, or otherwise, or to any other person or persons, may be signed by the Clerk for the time being to the said Local Board.

Given under my hand this Twenty-second day of June in the year One thousand eight hundred and sixty-six.

(Signed) G. GREY.

SCHEDULE to which this Order refers.

The sections to be repealed in the herein-before recited Local Act (9 Geo. 4. cap. 27.) are the following:—

1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 49, 57, 58, 59, 60, 61, 63, 64, 65, 66, 67, 68, 69, 71, 72, 73, 78, 79, 80, 81, 82, 83, 84, 85, 87, 88, 89, 90, 91, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, and 169.

MAIDSTONE.

Provisional Order repealing and altering Parts of Local Acts in force within the District of the Maidstone Local Board.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Maidstone in the County of Kent, acting as the Local Board in and for the Borough aforesaid, in which the Local Government Act, 1858, is in force, have, in pursuance of such Act, presented a Petition to one of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of certain Local Acts of Parliament in force within the Borough and Parish of Maidstone, 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,

The Acts 31 Geo. 3. c. 62.; 36 Geo. 3. c. 66.; 42 Geo. 3. c. 90.; 59 Geo. 3. c. 16.; 5 Geo. 4. c. 109.:

And whereas, in pursuance of the said Local Government Act, inquiry has been made in the said District in respect of the several matters mentioned in the said Petition by Arnold Taylor, Esquire, the Inspector appointed by me for the purpose:

And whereas it appears 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 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 Acts shall be repealed and altered as specified in the Schedule hereunto annexed.

2.—All the powers, rights, duties, and authorities of the Commissioners acting in execution of the said Local Acts under the unrepealed portions of the said Acts shall pass to the said Local Board.

3.—All

3.—All property and estate of the Commissioners acting in the execution of the said Local Acts shall be transferred to the said Local Board, and all arrears of rates or monies that may be due and owing to the said Commissioners at the time of the passing of this Act shall be payable to the said Local Board as they would have been payable to the said Commissioners if this Act had not been passed.

4.—All debts contracted, and all monies, and securities for money payable, by such Commissioners shall be paid and satisfied by the said Local Board out of money to be borrowed on the security of the rates under the Local Government Act, 1858, in the same manner as if such debts had been incurred, and such securities given, under the said Local Government Act.

Given under my hand this Seventeenth day of July One thousand eight hundred and sixty-six.

(Signed) S. H. WALPOLE.

SCHEDULE to which this Order refers.

The following are the Local Acts to be wholly and entirely repealed; viz.:—

31 Geo. 3. c. 62.
36 Geo. 3. c. 66.
42 Geo. 3. c. 90.

The Local Act 59 Geo. 3. c. 16. shall be repealed, except Sections 16, 17, 18, 19, 20, 21, 22, 23, and 26; and the aforesaid 16th and 17th Sections of such Act shall hereafter be read and be of effect as if the power thereby conferred to make wharves on certain land therein described, and to take tolls thereat, likewise authorized and extended to the forming, constructing, and maintaining of wharves at or on any part of the land belonging or which may hereafter belong to the Local Board which may abut upon or have a frontage to the River Medway, and taking tolls thereat.

The aforesaid 18th Section, moreover, shall be read and taken to empower the Local Board acting under and in execution of it to recover by action at law, and also in the same way as penalties, all tolls imposed by the said Act as altered by this Order; and the tolls imposed by the aforesaid 20th Section shall be recoverable in the same manner as tolls under Section 18. as altered by this Order.

The Local Act 5 Geo. 4. c. 109. shall be wholly and entirely retained, excepting the penalty of 40*s.* now imposed by the 20th Section of the said Act on persons selling or hawking goods outside the markets, and except the proviso at the end of the 24th Section of the said Local Act, limiting the rents for stalls or shops rented by the year, half year, or by the quarter.

BANBURY.

Provisional Order for the partial Repeal and Alteration of a Provisional Order applying the Public Health Act, 1848, *to the District of Banbury, and of the First Public Health Supplemental Act*, 1852.

WHEREAS the Public Health Act, 1848, was duly applied to the District of Banbury, comprising the corporate borough of Banbury and the non-corporate townships, hamlets, or places of Neithrop, Hardwick, Calthorpe, Wickham, and Easington, in the County of Oxford, and Grimsbury and Nethercote in the County of Northampton (the same being an area co-extensive with the ecclesiastical Parish of Banbury), by a Provisional Order of the General Board of Health, bearing date the 28th day of July 1851, confirmed by the First Public Health Supplemental Act, 1852; and whereas by the 4th section of the last herein-before mentioned Act it is provided, "That the rates leviable within the District of Banbury, as constituted by the Order in the Schedule to this Act, under the Public Health Act, 1848, or so much of any Local Act as remains unrepealed by the Provisional Order applying the said Public Health Act within the said District, or any Act incorporated with the said Public Health Act, as applied to the said District by the said Order and

and this Act, shall not, inclusive of all highway rates, in any one year exceed in the whole the sum of three shillings and sixpence in the pound upon the net annual value of property assessable thereto within the corporate part of any such District, or the sum of two shillings in the pound upon the net annual value of property assessable to such rates, or any of them, within the non-corporate part of the said District, except property within the non-corporate part of the said District consisting of land used as arable, meadow, or pasture ground only, or as woodlands, market gardens, or nursery grounds, land covered with water, or used only as a canal or towing path for the same, or as a railway constructed under the powers of any Act of Parliament for public conveyance; and as to such excepted property, the rates so leviable, inclusive of all highway rates, shall not in any one year exceed in the whole the sum of sixpence in the pound upon the net annual value of such excepted property."

And whereas the provisions contained in the said Section of such Act, so far as the same are applicable to that portion of the non-corporate part of the aforesaid District of Banbury therein mentioned which is situated in the County of Northampton have been found to operate unfairly and oppressively as between the ratepayers of and in such portion who are now by law assessed at the full net annual value of their property, and the ratepayers of and in such portion who are now by law assessed at one fourth of the full net annual value of their property within the District aforesaid; and whereas the said Local Board of Health have, in pursuance of the provisions 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 that the provisions contained in the Provisional Order applying the Public Health Act, 1848, to the aforesaid District of Banbury, and in the First Public Health Supplemental Act, 1852, may be partially repealed or altered, and such new provision made as would empower the said Local Board of Health for the time being to levy, throughout the non-corporate parts of such District situate in the County of Northampton, highway rates not exceeding in any one year the sum of one shilling in the pound, and enact that the land and other property in the last herein-before mentioned parts of such District, which by the provisions of the Public Health Act, 1848, are assessable on one fourth only of the annual value thereof, should not, in any year in which the same should be assessed to any Highway Rate or Rates, be assessed to or liable to the paying of any other rates whatever to be made by the said Local Board.

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

And whereas it appears 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 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,—

The Local Board of Health for the said District shall and they are hereby required, when and so often as occasion shall require, to make and levy, in accordance with the general powers of rating now vested in the said Board, and in conformity with the provisions contained in the 5th and 6th parts of the 37th Section of the Local Government Act, 1858, and in addition to the several rates and amounts respectively which they are now authorized and empowered to make and levy under and by virtue of the herein-before recited First Public Health Supplemental Act, 1852, a highway rate or rates not exceeding in any one year the sum of one shilling in the pound upon the full net annual value of all assessable property which is situate within that portion of the non-corporate part of the said District which lies in the County of Northampton, for the purpose of defraying the costs, charges, and expenses of and incidental to the maintenance and repair of highways in the said portion of the said District; and such rate or rates so to be made and levied under and in pursuance of the powers and authorities herein-before contained shall be exclusively used and applied for the purposes aforesaid: Provided always, that when and so long as any highway rate is made and shall be leviable under and in pursuance of the

the powers and authorities herein-before contained, the said Local Board shall not be empowered during the continuance of the said rate to assess or levy, under and by virtue of the powers contained in the said First Public Health Supplemental Act, 1852, upon the following species of property within the said portion of the said District, (that is to say,) upon land used as arable, meadow, or pasture ground only, or as woodlands, market gardens, or nursery grounds, land covered with water, or used only as a canal or towing path for the same, or as a railway constructed under the powers of an Act of Parliament for public conveyance, any rate or rates which the said Local Board is now empowered to assess and levy upon the said several species of property under and by virtue of the said powers contained in the First Public Health Supplemental Act, 1852, aforesaid.

Given under my hand this Eighteenth day of June One thousand eight hundred and sixty-six.

(Signed) G. GREY.

TUNBRIDGE WELLS.

Provisional Order repealing and altering Parts of the Tunbridge Wells Provisional Order, and of the Local Government Supplemental Act, 1864 (*No.* 2), *confirming the same.*

WHEREAS the Board of Tunbridge Wells Improvement Commissioners, in pursuance of the Local Government Act, 1858, presented a Petition to One of Her Majesty's Principal Secretaries of State, praying for the alteration and partial repeal of certain Acts of Parliament in force within their 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 ninth and tenth years of the reign of Queen Victoria, intituled The Tunbridge Wells Improvement Act, 1846; and

A certain other Act passed in the twenty-third and twenty-fourth year of the reign of Queen Victoria, intituled The Local Government Supplemental Act, 1860 (No. 2.), so far as the said Act relates to the aforesaid Tunbridge Wells District:

And whereas a Provisional Order to such effect, bearing date the 11th June 1864, was confirmed by the Local Government Supplemental Act, 1864 (No. 2.):

And whereas the said Tunbridge Wells Improvement Commissioners, being the Local Board for the District of Tunbridge Wells, have now presented a further Petition to one of Her Majesty's Principal Secretaries of State, under the 77th Section of the Local Government Act, 1858, for a Provisional Order for partially repealing and altering the said Provisional Order, and the Local Government Supplemental Act, 1864 (No. 2.), confirming that Order:

And whereas it appears 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 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. Section 2 of the Provisional Order of the 7th day of July 1860 relating to Tunbridge Wells, which was confirmed by the Local Government Supplemental Act, 1860 (No. 2.), shall, as from and after the passing of the Local Government Supplemental Act, 1864 (No. 2.), be deemed not to have been repealed by that Act of 1864, and with respect to all Matters happening after the passing of that Act of 1860 shall be read and have effect as if it had not been so repealed.

2. The Provisional Order of the 11th day of June 1864 relating to Tunbridge Wells, and repealing and altering parts of Acts, and which was confirmed by the Local Government Supplemental Act, 1864 (No. 2.), shall with respect to all matters happening after the passing of that Act be read and have effect as if there had been contained therein, and

and had been confirmed by that Act, in addition to the section 1 contained in that Provisional Order, the sections following; that is to say,—

2.—Notwithstanding the repeal provided for by this Provisional Order of parts of the recited Acts, the Tunbridge Wells Improvement Commissioners shall continue to exist, and shall be seised and possessed of and entitled to all lands, estates, rights, interests, property, moneys, effects, and choses in action of and to which they or any persons on their behalf are, immediately before the passing of an Act confirming this Provisional Order, seised, possessed, and entitled at law or in equity or otherwise howsoever, but subject to all debts, liabilities, and engagements to which the same, or the Commissioners or any persons in their behalf, are in respect of the same then subject.

3.—Notwithstanding the repeal, all moneys which in respect of rates or on any account whatsoever are immediately before the passing of an Act confirming this Provisional Order due or accruing due to or by the Tunbridge Wells Commissioners, with the interest if any thereon, shall, when and as the same are payable, be paid to or by the Commissioners, and may be recovered by or from them either as if the repeal had not happened or, at the option of the party entitled to recover the same, under the provisions applicable in that behalf of the Public Health and Local Government Acts in force within and for the District.

4.—Notwithstanding the repeal, all mortgages of rates granted by the Tunbridge Wells Improvement Commissioners before the passing of an Act confirming this Provisional Order, and immediately before the passing thereof in force, shall continue in force, but shall be deemed to be and shall have effect as mortgages of the General District Rate of the Commissioners, and the amounts thereby secured or any parts thereof may be reborrowed, and whether reborrowed or not shall, with the interest thereon, be paid off or discharged accordingly.

5.—The purposes of the several sections which are specified in the schedule to this Provisional Order shall, from and after the passing of any Act confirming this Provisional Order, be deemed to be purposes of the Local Government Act, 1858, and the expenses of carrying those sections into execution shall be paid by the Tunbridge Wells Improvement Commissioners accordingly.

6.—After the passing of the Act confirming this Provisional Order, the Tunbridge Wells Improvement Commissioners from time to time shall raise by their General District Rate the moneys requisite for paying or discharging the debts, liabilities, engagements, moneys, interest, and expenses which under this Provisional Order when so confirmed are to be borne and paid or discharged by them, with the expenses of raising the same, and shall apply the moneys so raised accordingly.

Given under my hand this Twenty-first day of June One thousand eight hundred and sixty-six.

(Signed) G. Grey.

BEDFORD.

Provisional Order putting in force the Lands Clauses Consolidation Act, 1845, within the District of the Bedford Local Board, for the Purchase of Lands by the said Board for purposes of Drainage and Water Supply.

Whereas the Mayor, Aldermen, and Burgesses of the Borough of Bedford, being, by the Council of the said Borough, the Local Board in and for the District of the said Borough, 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 force the Lands Clauses Consolidation Act, 1845, to enable the aforesaid Local Board of Health to execute certain works of Sewerage and Water Supply for the said Borough:

And

And whereas the said Petition duly set forth in the Schedule annexed thereto the several pieces of land intended to be taken by such Board for such purpose, as shown in the Plans accompanying such Petition, and the names of the owners, lessees, and occupiers of the aforesaid land who have assented, dissented, and are neuter in respect of the taking thereof, 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 lands 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 Arnold Taylor, Esquire, the Inspector appointed for the purpose, to visit the said District, 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 One of Her Majesty's Principal Secretaries of State, 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,—

1.—The Mayor, Aldermen, and Burgesses of the Borough of Bedford, being, by the Council of the said Borough, the Local Board for the District of that Borough, 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 that by agreement.

Given under my hand, this Eighteenth day of June One thousand eight hundred and sixty-six.

(Signed) G. GREY.

SCHEDULE referred to in the preceding Order.

The Pieces of Land proposed to be taken as described in the foregoing Order are the following, the same being coloured Red on the Plans accompanying the Report of the Inspector with respect to the herein-before described Petition of the Local Board.

Purposes for which Lands are required.	Parish.	Description.	Quantity. A. R. P.	Owners.	Lessees.
Lands required for Waterworks.					
Pumping Works -	St. Paul, Bedford.	Osier Bed - -	0 1 17	Thomas Gwyn Empy Elger.	Joseph Davis.
		Land - - -	0 2 13		
		Buildings and Yards -	0 0 10	William Henry Elger.	
Reservoir - -	St. Paul, Bedford.	Land - - - - -	1 0 0	Cecil Long - -	James Howard.
				Thomas Chandless the younger.	Frederick Howard.
Lands required for Sewerage Works.					
Outfall - -	Goldington	Land adjoining Stream	0 0 2	London and North-western Railway Company.	—

SOUTHAMPTON.

Provisional Order for extending the Borrowing Powers of the Southampton Local Board of Health.

WHEREAS the Local Board of Health for the District of Southampton have, under the authority of the 78th section of the Local Government Act, 1858, petitioned me as one of Her Majesty's Principal Secretaries of State, for powers to borrow, (for the purpose of carrying

carrying out works of a permanent nature,) on mortgage of rates leviable by the aforesaid Board, a sum or sums not exceeding Twenty-two thousand seven hundred and fifty-six Pounds Fourteen Shillings, which (together with the amount already borrowed) will not exceed in the whole two years assessable value of the premises assessable within the District in respect of which such sum or sums may be borrowed:

And whereas, after due inquiry, I am of opinion 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 as aforesaid, 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,—

1.—The Local Board of Health in and for the District of Southampton shall have power and authority to borrow or re-borrow, for the execution and completion of works of a permanent nature, and on mortgage of the rates leviable by them as such, an amount not exceeding Twenty-two thousand seven hundred and fifty-six Pounds Fourteen Shillings, which will not, with the sums already borrowed, exceed in the whole two years assessable value of the premises assessable under the Local Government Act, 1858, within the aforesaid District; the aforesaid amount of Twenty-two thousand seven hundred and fifty-six Pounds Fourteen Shillings to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof.

Given under my hand this Eighteenth day of July One thousand eight hundred and sixty-six.

(Signed) S. H. WALPOLE.

CAP. CVIII.

An Act to amend the Law relating to Securities issued by Railway Companies. [10th *August* 1866.]

BE it 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:

Short Title.

1. This Act may be cited as The Railway Companies Securities Act, 1866.

Interpretation of Terms.

2. In this Act—

The Term "Railway" includes a Tramway authorized by Act of Parliament incorporating The Companies Clauses Consolidation Act, 1845, but not any other Tramway:

The Term "Railway Company" includes every Company authorized by Act of Parliament to raise any Loan Capital for the Construction or Working of a Railway, or for any Purposes connected with the Conveyance by such Company of Traffic on a Railway, either alone or in conjunction with other Purposes:

The Term "Debenture Stock" includes Mortgage Preference Stock and Funded Debt, and any Stock or Shares representing Loan Capital of a Railway Company, by whatever Name called:

The Term "Act of Parliament" includes a Certificate of the Board of Trade made under The Railways Construction Facilities Act, 1864, or The Railway Companies Powers Act, 1864, or any other Act of Parliament.

27 & 28 Vict. cc. 120, 121.

Company to have Registered Officer.

3. Every Railway Company shall, on or before the Fifteenth Day of *January* One thousand eight hundred and sixty-seven, register, and shall always thereafter keep registered, at