



CHAPTER cxxxvii.

An Act to confirm certain Provisional Orders of the Local Government Board relating to Dover and Yeovil. A.D. 1903.
[11th August 1903.]

WHEREAS the Local Government Board have made the Provisional Orders set forth in the schedule hereto under the provisions of the Local Government Act 1888 :

51 & 52 Vict.
c. 41.

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

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

1. The Orders as altered and 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. 13) Act 1903. Short title.

A.D. 1903.

SCHEDULE.

BOROUGH OF DOVER.

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

- To the Mayor Aldermen and Burgesses of the Borough of Dover;—
 - To the Justices of the Peace for the said Borough;—
 - To the Court of Quarter Sessions for the said Borough;—
 - To the Justices of the Peace for the County of Kent in Quarter Sessions assembled;—
 - To the County Council of Kent;—
 - To the Rural District Council of Dover;—
 - To the Guardians of the Poor of the Dover Union;—
 - To the School Board for the Parish of River or the Local Education Authority as the case may be;—
 - To the Parish Council of River;—
 - To the Chairman of the Parish Meeting of the Parish of Poulton;—
 - To the Joint Committee appointed by the Council of the Borough of Dover and the Parish Council of River and exercising the powers and duties of the authority under the Burial Acts 1852 to 1900;—
 - To the Overseers of the Poor of each of the Parishes of Dover Poulton and River;—
- And to all others whom it may concern.

51 & 52 Vict.
c. 41.

WHEREAS by Section 54 of the Local Government Act 1888 the Local Government Board are empowered to make a Provisional Order for altering the boundary of any Borough and by such Order to divide or alter any electoral division;

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

And whereas the said Borough is for the purposes of the election of Councillors divided into three wards named respectively the Castle Ward the Pier Ward and the Town Ward;

[3 EDW. 7.] *Local Government Board's* [Ch. cxxxvii.]
Provisional Orders Confirmation (No. 13) Act, 1903.

And whereas the said Borough is an Urban District of which the Mayor Aldermen and Burgesses acting by the Council are the Urban District Council ; A.D. 1903.
Dover Order.

And whereas the said Borough has a separate court of quarter sessions commission of the peace police force and coroner ;

And whereas the unrepealed provisions of the Local Acts and of the Confirmation Acts mentioned in the schedule to this Order so far as the last-mentioned Acts respectively relate to the Provisional Orders mentioned in that schedule are in force in the said Borough ;

And whereas the Urban District Council have adopted the provisions of—

(a) The Infectious Disease (Prevention) Act 1890 ;

53 & 54 Vict.
c. 34.

(b) The Public Health Acts Amendment Act 1890 ;

53 & 54 Vict.
c. 59.

(c) The Museums and Gymnasiums Act 1891 ; and

54 & 55 Vict.
c. 22.

(d) The Private Street Works Act 1892 ;

55 & 56 Vict.
c. 57.

and those provisions are accordingly in force in the said Borough ;

And whereas the Baths and Washhouses Acts 1846 to 1899 and the Public Libraries Acts 1892 to 1901 are in force in the said Borough ;

9 & 10 Vict. c. 74.
10 & 11 Vict. c. 61.
41 & 42 Vict. c. 14.
45 & 46 Vict. c. 30.
59 & 60 Vict. c. 59.
62 & 63 Vict. c. 29.
55 & 56 Vict. c. 53.
56 Vict. c. 11.
1 Edw. 7. c. 19.

And whereas the Parishes of Poulton and River are contributory places in the Rural District of Dover and are subject to the jurisdiction of the Rural District Council of Dover ;

And whereas the said Rural District Council of Dover have adopted the provisions of—

(a) The Infectious Disease (Prevention) Act 1890 ; and

53 & 54 Vict.
c. 34.

(b) Part III. of the Public Health Acts Amendment Act 1890 which are applicable to Rural Districts ;

53 & 54 Vict.
c. 59.

and those provisions are accordingly in force in the said Rural District ;

And whereas the said Borough comprises the Parishes of Dover and Dover Castle and those parishes and the said Parishes of Poulton and River are included in the Dover Union and the said Parish of Dover is for the purpose of the election of Guardians divided into six wards and one Rural District Councillor is elected for each of the said Parishes of Poulton and River ;

And whereas each of the said Parishes of Poulton and River is a Rural Parish within the meaning of the Local Government Act 1894 and a Parish Council has been established for the Parish of River ;

And whereas for the purposes of elementary education on and after the appointed day within the meaning of the Education Act 1902 provision is made by that Act for the constitution of the Local Education Authority ;

And whereas the Local Government Board by an Order dated the Fourteenth day of August One thousand eight hundred and eighty-eight determined that three County Councillors of the County of Kent should be apportioned to the said Borough and the said Borough is accordingly divided into three Electoral Divisions known as the Castle Ward Electoral Division

[Ch. cxxxvii.] *Local Government Board's* [3 EDW. 7.]
Provisional Orders Confirmation (No. 13) Act, 1903.

A.D. 1903. the Pier Ward Electoral Division and the Town Ward Electoral Division
Dover Order. such divisions being co-extensive with the Municipal Wards;

And whereas the said Parish of River is included in the Dover (County) Electoral Division of the Administrative County of Kent:

51 & 52 Vict.
c. 41.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 54 and 59 of the Local Government Act 1888 and by any other enactments in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the following provisions shall take effect:—

Definitions.

Art. I. In this Order—

- (1) The expression “the commencement of this Order” means the Ninth day of November One thousand nine hundred and three;
- (2) The expression “the existing Borough” means the Borough of Dover as it existed immediately prior to the commencement of this Order;
- (3) The expression “the Borough” means the existing Borough as extended by this Order;
- (4) The expression “the Corporation” means the Mayor Aldermen and Burgesses of the existing Borough or of the Borough (as the context may require) acting by the Council;
- (5) The expressions “the Rural District” and “the Rural Council” mean respectively the Rural District of Dover and the Rural District Council of that district;
- (6) The expressions “the County” and “the County Council” mean respectively the Administrative County of Kent and the County Council of that County;
- (7) The expression “the Borough maps” means the two maps each marked “Map of the Borough of Dover as extended 1903” and sealed with the official seal of the Local Government Board;
- (8) The expression “the added area” means the part of the Rural District of Dover added to the existing Borough by this Order;
- (9) The expression “the Poulton transferred area” means the part of the Parish of River which is coloured yellow on the Borough maps;
- (10) The expressions “the Act of 1888” and “the Act of 1894” mean respectively the Local Government Act 1888 and the Local Government Act 1894; and
- (11) The expression “the Municipal Corporations Acts” means the Municipal Corporations Act 1882 and the Acts amending and extending the same.

Commence-
ment of Order.

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

Date of opera-
tion of Order
for

Provided that for the purposes of the parish burgess lists and burgess roll and other lists to be made for the Borough under the Municipal Corporations

[3 EDW. 7.] *Local Government Board's* [Ch. cxxxvii.]
Provisional Orders Confirmation (No. 13) Act, 1903.

Acts of the lists of county electors and the county registers to be made for the County in pursuance of the County Electors Act 1888 or any Act amending that Act of the lists and registers of parochial electors and any other lists or registers to be made in pursuance of the Act of 1894 and of all proceedings preliminary or relating to any municipal election to be held on the ordinary day of election in the year one thousand nine hundred and three this Order shall operate from the date of the Act of Parliament confirming this Order.

A.D. 1903.
Dorset Order.
 parish bur-
 gess lists &c.
 51 Vict. c. 10.

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

Extension of
 Borough.

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

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

Deposit of
 maps.

(2) Copies of or extracts from the Borough 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 boundary of the Borough and to the boundary of the Poulton transferred area and such map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the Borough or within the Parish of Poulton or the Parish of River and any such person shall be entitled to a copy of or extract from such map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation. All fees so received shall be carried to the credit of the borough fund.

Copies of map
 to be evidence.

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

Jurisdiction of
 justices &c.
 extended.

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

Provided also that every proceeding which prior to the commencement of this Order has been begun by or before any justice or justices in relation

[Ch. cxxxvii.] *Local Government Board's* [3 EDW. 7.]
Provisional Orders Confirmation (No. 13) Act, 1903.

A.D. 1903. to any matter arising in or concerning any part of the added area may be
Dover Order. carried on continued or completed in like manner and with the like incidents
and consequences as nearly as may be as if this Order had not been made.

Parish burgess
lists &c.

Art. VI.—(1) For the purposes of the parish burgess lists and burgess roll
and other lists to be made under the Municipal Corporations Acts and all
matters in relation thereto the added area shall be deemed to have always
been part of the Borough and the town clerk of the existing Borough shall be
the town clerk of the Borough.

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

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

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

Division into
wards.

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

- (1) For the purposes of the election of Councillors the Borough shall
continue to be divided into three wards:
- (2) The added area shall be included in the Castle Ward:
- (3) The Councillors representing the said Castle Ward who will not
go out of office on the Second day of November One thousand nine
hundred and three shall be deemed from and after the commencement
of this Order to represent that ward as altered.

Local Acts
and Orders.

Art. VIII. The unrepealed provisions of the Local Acts and of the
Confirmation Acts mentioned in the schedule to this Order so far as the last-
mentioned Acts respectively relate to the Provisional Orders mentioned in
that schedule and of any other Local Act or Provisional Order affecting the
existing Borough or the Corporation as the same respectively are in force

[3 EDW. 7.] *Local Government Board's* [Ch. cxxxvii.]
Provisional Orders Confirmation (No. 13) Act, 1903.

within the existing Borough at the commencement of this Order shall extend and apply to the Borough and any reference therein to the existing Borough and the Corporation shall be deemed to refer to the Borough and the Corporation thereof. A.D. 1903.
Dover Order.

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

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

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

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

Art. XI.—(1) Every officer and servant who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary and for whose compensation no other provision is made by any enactment for the time being in force and applicable to his case shall be Compensation
to existing
officers.

[Ch. cxxxvii.] *Local Government Board's* [3 EDW. 7.]
Provisional Orders Confirmation (No. 13) Act, 1903.

A.D. 1903. entitled to have compensation paid to him by the Corporation for such
Dover Order. pecuniary loss and in determining such compensation regard shall be had to the conditions and other circumstances required by sub-section (1) of Section 120 of the Act of 1888 to be had in regard in cases of compensation under that section and the compensation shall not exceed the limit therein mentioned and shall be paid in the case of any such officer or servant whose office or employment relates wholly or partly to sanitary purposes as defined by the Public Health Act 1875 out of the district fund and general district rate of the Borough and in the case of any other such officer or servant out of the borough fund and borough rate of the Borough and the provisions of sub-sections (2) to (7) of the said Section 120 shall apply with such modifications (if any) as may be required Provided that the non-acceptance of any office shall not be a bar to the right of any officer to compensation.

(2) For the purposes of subdivision (1) of this Article any such officer or servant whose services are dispensed with by the Corporation because his services are not required and not on account of misconduct or whose salary shall be reduced on the ground that his duties have been diminished in consequence hereof in either case within five years from the commencement of this Order shall be deemed to have suffered a direct pecuniary loss in consequence of this Order.

Actions &c.
not to abate.

Art. XII.—(1) If at the commencement of this Order any action or proceeding or any cause of action or proceeding is pending or existing by or against the Rural Council in relation exclusively to any part of the added area 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) Anything duly done or suffered and all contracts deeds bonds agreements and other instruments (subsisting at the commencement of this Order) entered into or made by the Rural Council or their predecessors in relation exclusively to any part of the added area shall be of as full force and effect against or in favour of the Corporation of the Borough and may be continued and enforced as fully and effectually as if instead of the Rural Council or their predecessors the Corporation had done or suffered the same or been a party thereto.

Corporation
property &c.

Art. XIII. All property vested in the Corporation at the commencement of this Order 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 exercisable by or vested in the Corporation for the benefit of the existing Borough and all liabilities which on the date aforesaid attached to the Corporation in respect of the existing Borough shall from and after that date attach to them in respect of the Borough.

[3 EDW. 7.] *Local Government Board's* [Ch. cxxxvii.]
Provisional Orders Confirmation (No. 13) Act, 1903.

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

A.D. 1903.

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

Dover Order.
Property &c. of
Rural Council.

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

Cesser of
jurisdiction of
Rural Council.

(3) All arrears of rates made by any Overseers of the Poor for the purposes of the Public Health Acts or for highway expenses which at the commencement of this Order are due or owing in respect of hereditaments in the added area may be collected and recovered as if this Order had not been made and when collected and recovered shall be applied towards the discharge of any precept of the Rural Council which at that date shall be in force and not satisfied and the balances if any shall also be paid to the Corporation.

Arrears of
rates &c.

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

Mortgage debts
of Corporation.

Art. XVI. For the purposes and subject to the provisions of the Education Acts 1870 to 1902—

Education
byelaws.

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

(2) Any byelaws in force at the commencement of this Order in the existing Parish of Poulton shall thenceforth apply to the Poulton transferred area and any byelaws previously in force shall cease to be in force in that area.

Art. XVII. Subject to the provisions of Section 54 of the Act of 1888 the following provisions shall take effect:—

Electoral
Divisions and
County Councilors.

(1) The above-recited Order of the Local Government Board dated the Fourteenth day of August One thousand eight hundred and eighty-eight

[Ch. cxxxvii.] *Local Government Board's* [3 EDW. 7.]
Provisional Orders Confirmation (No. 13) Act, 1903.

A.D. 1903. shall have effect as if the Borough of Dover mentioned therein was the
Dover Order. Borough and not the existing Borough :

(2) The added area shall cease to form part of the Dover (County) Electoral Division and shall be added to and form part of the Castle Ward Electoral Division :

(3) The persons who immediately prior to the commencement of this Order are the County Councillors representing the Castle Ward Electoral Division and the Dover (County) Electoral Division shall from and after that date represent such divisions as hereby altered as if they had been originally elected to represent the divisions as so altered.

Adoptive Acts. Art. XVIII. The provisions of the Infectious Disease (Prevention) Act 1890 the Public Health Acts Amendment Act 1890 the Museums and Gymnasiums Act 1891 the Private Street Works Act 1892 the Baths and Washhouses Acts 1846 to 1899 and the Public Libraries Acts 1892 to 1901 shall be in force within and apply to the Borough as if the same had been adopted therein.

Burial Committee. Art. XIX. Subject to the provisions of the Local Government (Joint Committees) Act 1897 nothing in or consequent upon the operation of this Order with respect to any part of the area within which in pursuance of sub-section (2) of Section 53 of the Local Government Act 1894 the powers and duties of the authority under the Burial Acts 1852 to 1900 are exercised by a Joint Committee of the Corporation and the Parish Council of River shall affect the constitution of such committee.

Powers of Town Council under Section 33 of Act of 1894. Art. XX. Subject to the provisions of any order which the Local Government Board may hereafter make the provisions of any order heretofore made by the Local Government Board and conferring upon the Council of the existing Borough any of the matters mentioned in Section 33 of the Act of 1894 and in such order shall be deemed to have effect as if any reference in the said provisions to the existing Parish of Dover or to a parish wholly comprised within the existing Borough extended and applied to the Parish of Dover as altered by this Order.

Alteration of parishes. Art. XXI.—(1) The added area shall be separated from the Parish of River and shall be amalgamated with the Parish of Dover and the Poulton transferred area shall be separated from the Parish of River and shall be amalgamated with the Parish of Poulton.

Transfer of powers duties liabilities &c. of Parish Council. (2) Any powers and duties transferred by the Act of 1894 to the Parish Council or Parish Meeting of the Parish of River shall so far as regards the added area be vested in exercisable by and imposed on the persons and authorities in whom they would be vested or by whom they would be exercisable or on whom they would be imposed if the added part had been included in an Urban District on the appointed day within the meaning of the Act of 1894 and all property or liabilities held or incurred so far as regards the added area for the purpose or by virtue of such powers and

[3 EDW. 7.] *Local Government Board's* [Ch. cxxxvii.]
Provisional Orders Confirmation (No. 13) Act, 1903.

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

A.D. 1903.

—
Dover Order.

(3)—(a) The Parish Council of River shall cease to exercise any powers or duties within any part of the added area or the Poulton transferred area:

(b) A new Parish Council shall as soon as may be practicable after the commencement of this Order be elected for the Parish of River as diminished by this Order and the number of members of such council shall be such as may be determined by the County Council The new Parish Council shall be elected in accordance with the rules contained in the Parish Councillors (Small Parishes) First Election Order 1898 as if the Parish of River as diminished by this Order was a parish having a population of less than three hundred according to the census of one thousand eight hundred and ninety-one subject to the following provisions and to any directions which may hereafter be given by the Local Government Board namely,—

Parish Council
to be elected for
altered Parish
of River.

(i) Rule 1 shall be altered so as to provide that the Parish Meeting for the election shall be held on such day as may be fixed by the chairman of the Parish Council of the existing Parish of River ;

(ii) For the purposes of Rules 2 and 3 the chairman of the Parish Council of the existing Parish of River shall be deemed to be the chairman of the Parish Meeting of the Parish of River as diminished by this Order :

(c) The Parish Councillors first elected in pursuance of paragraph (b) of this subdivision shall come into office on such day (not being more than ten days after the completion of the election) as the Returning Officer may by written notice to each of the Parish Councillors so elected appoint and on that day the Parish Councillors of the existing Parish of River shall go out of office but until such day the last-mentioned Parish Councillors shall be deemed to have been elected for and shall act as the Parish Council of the Parish of River as diminished by this Order.

Art. XXII. Subject to the provisions of Section 60 of the Act of 1894—

Rural District
Councillors and
Guardians.

(1) The Parish of Dover as altered by this Order shall for the purpose of the election of Guardians be divided into seven wards :

(2) The six wards into which the existing Parish of Dover is divided and the number of Guardians assigned to those wards shall remain unaltered and the added area shall constitute a new ward to be termed the River Ward and one Guardian shall be assigned to and elected for that ward and the Guardian first elected shall continue in office till the Fifteenth day of April One thousand nine hundred and six :

(3) The persons who at the commencement of this Order are holding the offices of Rural District Councillor and Guardian of the Poor

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A.D. 1903.
—
Dover Order.

for the Parishes of Poulton and River respectively shall be deemed to have been elected and shall represent those parishes as altered by this Order as if they had been originally elected to represent those altered parishes respectively.

Ecclesiastical
divisions and
charities.

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

Valuation lists.

Art. XXIV. Until new valuation lists are in force the valuation list of the existing Parish of Dover together with the portions of the valuation list of the existing Parish of River which relate to hereditaments in the added area shall be deemed to be the valuation list of the Parish of Dover as altered by this Order and the portions of the valuation list of the existing Parish of River which relate to hereditaments in the Poulton transferred area shall be deemed to form part of the valuation list of the Parish of Poulton.

County rate
basis.

Art. XXV. Subject to any future revision the basis or standard of county rate for the County shall be deemed to be altered as follows:—

(1)—(a) By the deduction from the amount appearing in such basis or standard as the total annual value of the property in the existing Parish of River of such a sum as will represent the annual value of the property in the added area and by the addition of such sum to the amount appearing in such basis or standard as the total annual value of property in the Parish of Dover:

(b) By the deduction from the amount appearing in such basis or standard as the total annual value of the property in the existing Parish of River of such a sum as will represent the annual value of the property in the Poulton transferred area and by the addition of such sum to the amount appearing in such basis or standard as the total annual value of the property in the Parish of Poulton:

(2) For the purposes of this Article the sum which will represent the annual value of the property in the added area or in the Poulton transferred area shall in each case be the amount which in relation to the amount appearing in the basis or standard of county rate as the total annual value of the existing Parish of River is in the same proportion as the assessable value of the property in the added area or the Poulton transferred area as the case may require bears to the total assessable value of property in the existing Parish of River:

(3) For the purposes of this Article assessable value means one-half of the rateable value according to the valuation lists for the time being in force of the agricultural land together with the rateable value according to such lists of the buildings and other hereditaments not being agricultural land in the existing Parish of River or in the added area or the Poulton transferred area as the case may require.

[3 EDW. 7.] *Local Government Board's* [Ch. cxxxvii.]
Provisional Orders Confirmation (No. 13) Act, 1903.

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

A.D. 1903.
Dover Order.
 Saving for existing lists of parliamentary voters &c.

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

Art. XXVII.—(1) Every person who has acquired or who on or before the commencement of this Order shall acquire a settlement in any existing parish affected by this Order shall be deemed to have acquired a settlement in the parish comprising the area in which the acts or circumstances conferring such settlement shall have been done or occurred or if such acts or circumstances shall have been done or occurred in more than one parish such settlement shall be in the parish comprising the place of residence of such person at the time of acquiring such settlement.

Settlement of paupers.

(2) Any person who shall have acquired a status of irremovability from any existing parish affected by this Order shall be deemed to have acquired a status of irremovability from the parish comprising the area in which he shall reside at the commencement of this Order or (if he shall then be in receipt of relief) from the parish comprising the area in which he was residing at the time of becoming chargeable.

Irremovability of paupers.

(3) For all purposes of settlement and removal residence prior to the commencement of this Order in any part of the existing Parish of River shall be deemed to have been residence in the parish in which the part is included by this Order.

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

Saving or contribution orders and precepts.

Art. XXIX. All arrears of rates made by the Overseers of the Poor and due or owing at the commencement of this Order in respect of hereditaments in any area affected by this Order shall be collected and recovered as if this Order had not been made by the Overseers of the Poor of the parish which will in pursuance of this Order comprise the area.

Arrears of rates.

Art. XXX. This Order may be cited as the Dover (Extension) Order 1903.

Short title

[Ch. cxxxvii.] *Local Government Board's* **[3 EDW. 7.]**
Provisional Orders Confirmation (No. 13) Act, 1903.

A.D. 1903.
Dover Order.

The SCHEDULE above referred to.

PART I.—LOCAL ACTS.

Session and Chapter.	Title or Short Title.
18 Geo. III. c. lxxvi.	- An Act for better paving cleansing lighting and watching the streets and lanes in the Town of Dover in the County of Kent and in the several Parishes of Saint Mary the Virgin and Saint James the Apostle in the same Town and County and for removing and preventing nuisances and annoyances therein.
50 Geo. III. c. xxvi.	- An Act to amend an Act made in the eighteenth year of His present Majesty for paving cleansing lighting and watching the Town of Dover and for removing and preventing nuisances and annoyances therein.
7 Geo. IV. c. v.	- An Act for enlarging the present market and establishing fish markets in the Town and Port of Dover in the County of Kent and for removing the elections of Members and of Mayors in the said Town from the Church of Saint Mary the Virgin in Dover.
11 Geo. IV. c. exvii.	- An Act to amend two Acts of His late Majesty for paving cleansing lighting and watching the Town of Dover and for removing and preventing nuisances and annoyances therein.
5 & 6 Will. IV. c. xlvii.	- An Act to alter and amend three several Acts for paving cleansing and improving the Town of Dover and for making further improvements in the said Town.
40 & 41 Vict. c. exliii.	- The Dover Corporation (Sea Defences) Act 1877.
1 Edw. VII. c. cexliii.	- The Dover Corporation Act 1901.

PART II.—CONFIRMATION ACTS.

Session and Chapter.	Short Title.	Order thereby confirmed.
13 & 14 Vict. c. xxxii.	- The Public Health Supplemental Act 1850.	The Order dated 23rd May 1850.
52 & 53 Vict. c. cxv.	- The Local Government Board's Provisional Orders Confirmation (No. 13) Act 1889.	The Order dated 31st May 1889.
53 & 54 Vict. c. clxxxvi.	- The Electric Lighting Orders Confirmation Act 1890.	Dover Electric Lighting Order 1890.
55 & 56 Vict. c. lxxii.	- The Local Government Board's Provisional Orders Confirmation (No. 5) Act 1892.	Dover Order dated 26th April 1892.
57 Vict. c. xxi.	- The Local Government Board's Provisional Orders Confirmation (No. 3) Act 1894.	Dover Order dated 21st March 1894.
59 Vict. c. ix.	- The Local Government Board's Provisional Orders Confirmation (No. 15) Act 1895 Session 2.	Dover Order 1895.
59 Vict. c. x.	- The Local Government Board's Provisional Orders Confirmation (No. 16) Act 1895 Session 2.	Borough of Dover (Extension) Order 1895.
59 & 60 Vict. c. cxx.	- The Tramways Orders Confirmation (No. 1) Act 1896.	Dover Corporation Tramways Order 1896.
60 & 61 Vict. c. cxli.	- The Local Government Board's Provisional Orders Confirmation (No. 14) Act 1897.	Dover Order 1897.
1 Edw. 7. c. cl.	- The Local Government Board's Provisional Orders Confirmation (No. 9) Act 1901.	Dover Order 1901.
2 Edw. 7. c. lxix.	- The Electric Lighting Orders Confirmation (No. 4) Act 1902.	Dover Electric Lighting Order 1902.

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

(L.S.)

WALTER H. LONG President,
S. B. PROVIS Secretary.

[3 EDW. 7.] *Local Government Board's* [Ch. cxxxvii.]
Provisional Orders Confirmation (No. 13) Act, 1903.

BOROUGH OF YEOVIL.

A.D. 1903.

*Provisional Order made in pursuance of Sections 51 and 59 of the
Local Government Act 1888.*

Yeovil Order.

- To the Mayor Aldermen and Burgesses of the Borough of Yeovil ; —
To the Justices of the Peace for the said Borough ; —
To the School Board for the said Borough or the Local Education
Authority as the case may be ; —
To the Justices of the Peace for the County of Somerset in Quarter
Sessions assembled ; —
To the County Council of Somerset ; —
To the Rural District Council of Yeovil ; —
To the Guardians of the Poor of the Yeovil Union ; —
To the Parish Council of Yeovil Without ; —
To the Chairman of the Parish Meeting of the Parish of Preston ; —
To the Overseers of the Poor of each of the Parishes of Preston Yeovil
and Yeovil Without ; —
To the Joint Committee appointed by the Council of the Borough of
Yeovil and the Parish Council of Yeovil Without and exercising the
powers and duties of the authority under the Burial Acts 1852 to
1900 ; —
And to all others whom it may concern.

WHEREAS by Section 54 of the Local Government Act 1888 the Local
Government Board are empowered to make a Provisional Order for altering
the boundary of any Borough and by such Order to divide or alter any
electoral division ;

51 & 52 Vict.
c. 41.

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

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

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

And whereas the unrepealed provisions of the Local Acts mentioned in
Part I. of the schedule to this Order and of the Confirmation Acts mentioned
in Part II. of the said schedule so far as the said Confirmation Acts relate
to the Provisional Orders mentioned in that schedule are in force in the said
Borough ;

And whereas by Section 65 of the Borough of Yeovil Extension and
Improvement Act 1854 the Corporation of the said Borough are empowered
to levy a rate called the borough rate and by Section 66 of that Act the

17 & 18 Vict.
c. cxxv.

[Ch. cxxxvii.] *Local Government Board's* [3 EDW. 7.]
Provisional Orders Confirmation (No. 13) Act, 1903.

A.D. 1903. Corporation are empowered to levy a rate called the highway rate for the
Yeovil Order. purpose of repairing and cleansing any highway;

And whereas all the expenses incurred or payable by the said Corporation whether as an Urban District Council or a Municipal Authority or in the execution of the said Local Acts and Provisional Orders except so far as such expenses are payable out of the highway rate or out of the income of property are defrayed out of the borough rate levied in pursuance of Section 65 of the said Act of 1854;

53 & 54 Viet.
c. 34. And whereas the Urban District Council have adopted the provisions of the Infectious Disease (Prevention) Act 1890 and those provisions are accordingly in force in the said Borough;

And whereas the Parishes of Preston and Yeovil Without are contributory places in the Rural District of Yeovil and are subject to the jurisdiction of the Rural District Council of Yeovil:

53 & 54 Viet.
c. 34.
53 & 54 Viet.
c. 59. And whereas the said Rural District Council have adopted certain of the provisions of the Infectious Disease (Prevention) Act 1890 and the provisions of Part III. of the Public Health Acts Amendment Act 1890 which are applicable to Rural Districts and those provisions are accordingly in force in the said Rural District;

55 & 56 Viet.
c. 57. And whereas certain provisions of the Private Street Works Act 1892 are in force as regards certain streets in part of the Parish of Yeovil Without;

3 & 4 Will. IV.
c. 90. And whereas the Lighting and Watching Act 1833 has been adopted in parts of the said Parish of Yeovil Without;

And whereas the said Borough is co-extensive with the Parish of Yeovil and that parish and the said Parishes of Preston and Yeovil Without are included in the Yeovil Union and eight Guardians are elected for the said Parish of Yeovil one Rural District Councillor is elected for the said Parish of Preston and two Rural District Councillors are elected for the said Parish of Yeovil Without;

And whereas the said Parish of Yeovil Without is a Rural Parish within the meaning of the Local Government Act 1894 for which a Parish Council has been established;

And whereas for the purposes of elementary education on and after the appointed day within the meaning of the Education Act 1902 provision is made by that Act for the constitution of the Local Education Authority;

And whereas by virtue of sub-section (2) of Section 53 of the Local Government Act 1894 the powers and duties of the authority under the Burial Acts 1852 to 1900 for the area now comprised in the said Parishes of Yeovil and Yeovil Without were transferred to the Council of the said Borough and the Parish Council of Yeovil Without and such powers and duties are exercised by a Joint Committee appointed in pursuance of the said sub-section;

And whereas the Local Government Board by an Order dated the Fourteenth day of August One thousand eight hundred and eighty-eight

[3 EDW. 7.] *Local Government Board's* [Ch. cxxxvii.]
Provisional Orders Confirmation (No. 13) Act, 1903.

determined that one County Councillor for the County of Somerset should be apportioned to the said Borough and the said Borough accordingly became an electoral division of that County and the said Parish of Preston is included in the Stoke Electoral Division of that County and the said Parish of Yeovil Without is included in the Ilchester Electoral Division of that County:

A.D. 1903.
Yeovil Order.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 54 and 59 of the Local Government Act 1888 and by any other enactments in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the following provisions shall take effect:—

51 & 52 Vict.
c. 41.

Art. I. In this Order—

Definitions.

- (1) The expression "the commencement of this Order" means the Ninth day of November One thousand nine hundred and three;
- (2) The expression "the existing Borough" means the Borough of Yeovil as it existed immediately prior to the commencement of this Order;
- (3) The expression "the Borough" means the existing Borough as extended by this Order;
- (4) The expression "the Corporation" means the Mayor Aldermen and Burgesses of the existing Borough or of the Borough (as the context may require) acting by the council;
- (5) The expressions "the Rural District" and "the Rural Council" mean respectively the Rural District of Yeovil and the Rural District Council of that district;
- (6) The expressions "the County" and "the County Council" mean respectively the Administrative County of Somerset and the County Council of that County;
- (7) The expression "the Burial Committee" means the Joint Committee appointed as aforesaid for the purposes of the Burial Acts 1852 to 1900 by the Council of the existing Borough and the Parish Council of Yeovil Without;
- (8) The expression "the Borough maps" means the two maps each marked "Map of the Borough of Yeovil as extended 1903" and sealed with the official seal of the Local Government Board;
- (9) The expression "the added areas" means the parts of the Rural District added to the existing Borough by this Order;
- (10) The expressions "the added part of Preston" and "the added parts of Yeovil Without" mean respectively the parts of the Parishes of Preston and Yeovil Without which are respectively coloured brown and green on the Borough maps;
- (11) The expressions "the Act of 1888" and "the Act of 1894" mean respectively the Local Government Act 1888 and the Local Government Act 1894;

[Ch. cxxxvii.] *Local Government Board's* [3 EDW. 7.]
Provisional Orders Confirmation (No. 13) Act, 1903.

A.D. 1903.
Yeovil Order.

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

(13) The expression "the Local Acts" means the Local Acts mentioned in Part I. of the schedule to this Order and the expressions "the Local Act of 1854" and "the Local Act of 1870" mean respectively the Borough of Yeovil Extension and Improvement Act 1854 and the Yeovil Improvement Act 1870; and

(14) The expressions "the Confirmation Acts" and "the Provisional Orders" mean respectively the Confirmation Acts and the Provisional Orders mentioned in Part II. of the schedule to this Order.

Commence-
ment of Order.

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

Date of opera-
tion of Order
for parish
burgess lists
&c.
51 Vict. c. 10.

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

Provided also that for the purposes and provisions of Part III. of the Education Act 1902 this Order shall come into operation on such day as the Board of Education may appoint such day being not more than eighteen months later than the date of the Act of Parliament confirming this Order.

Extension of
Borough.

Art. III.—(1) The boundary of the existing Borough the area whereof is coloured pink on the Borough maps shall be altered so as to include in addition to that area the parts of the Rural District which comprise the added part of Preston and the added parts of Yeovil Without.

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

Deposit of
maps.

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

[3 EDW. 7.] *Local Government Board's* [Ch. cxxxvii.]
Provisional Orders Confirmation (No. 13) Act, 1903.

date of the Act of Parliament confirming this Order to the clerk of the County Council to the clerk to the Rural Council to the Board of Inland Revenue and to the Board of Agriculture. A.D. 1903.
Yeovil Order.

(2) Copies of or extracts from the Borough 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 boundary 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 to be true on payment of a reasonable fee to be determined by the Corporation. All fees so received shall be carried to the credit of the borough fund. Copies of map
to be evidence.

Art. V. The powers and duties of the justices of the peace appointed for the existing Borough and of the clerk to such justices shall extend to and apply throughout the Borough: Powers and
duties of
justices &c.
extended.

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

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

Art. VI.—(1) For the purposes of the parish burgess lists and burgess roll and other lists to be made under the Municipal Corporations Acts and all matters in relation thereto the added areas shall be deemed to have always been part of the Borough and the town clerk of the existing Borough shall be the town clerk of the Borough. Parish burgess
lists &c.

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

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

[Ch. cxxxvii.] *Local Government Board's* [3 EDW. 7.]
Provisional Orders Confirmation (No. 13) Act, 1903.

A.D. 1903.
Yeovil Order.

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

Local and
Confirmation
Acts.

Art. VII.—(1) The following provisions of the Local Acts viz,—

Of the Local Act of 1854—

Sections 28 to 31 33 to 35 40 45 to 50 54 57 58 63 to 68 70 71
and 80 to 82;

Of the Local Act of 1870—

Sections 29 32 to 48 51 52 54 55 62 65 and 70;

shall be repealed except so far as the same may have been acted upon and except so far as it may be necessary to continue the same for the purpose of enabling the Corporation to recover all rates penalties and other moneys due thereunder at the commencement of this Order.

(2) Subject to the provisions of this Order the unrepealed provisions of the Local Acts and of the Confirmation Acts so far as the last-mentioned Acts respectively relate to the Provisional Orders and of any other Local Act or Provisional Order duly confirmed or to be confirmed by Parliament affecting the existing Borough or the Corporation as the same respectively are in force within the existing Borough at the commencement of this Order shall extend and apply to the Borough and any reference therein to the existing Borough and the Corporation shall be deemed to refer to the Borough and the Corporation thereof.

Mode of
defraying
expenses of
Corporation.

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

(1) All expenses incurred or payable or to be incurred or become payable by the Corporation in the execution of the Public Health Acts or of the unrepealed provisions of the Local Acts as altered by the Provisional Orders or of any Public General Act under which the expenses of the Council of a Borough are to be defrayed as expenses of the execution of the Public Health Acts or are to be charged on and defrayed out of the district fund and general district rate for the purposes of the Public Health Act 1875 shall notwithstanding anything in Section 207 of the Public Health Act 1875 be charged on and defrayed out of a district fund to be established and a general district rate to be levied by the Corporation under the Public Health Act 1875 and all the provisions of that Act with respect to the district fund and general district rate for the purposes of the Public Health Acts shall apply and have effect accordingly:

(2) All expenses incurred or payable or to be incurred or become payable by the Corporation in the execution of the Municipal Corporations Acts or of any Public General Act under which the expenses of a Council of a Borough are to be charged on and

defrayed out of the borough fund or borough rate shall be charged on and defrayed out of the borough fund and borough rate and subject to the provisions of any such Public General Act as aforesaid all the provisions of the Municipal Corporations Acts with respect to the borough fund and borough rate for the purposes of those Acts shall apply and have effect accordingly :

A.D. 1903.

Yeovil Order.

(3) The district fund established and the general district rate leviable in pursuance of subdivision (1) of this Article shall be substituted for the borough fund and borough rate as the security or as part of the security upon which money may be borrowed by the Corporation under the unrepealed provisions of the Local Acts as altered by the Provisional Orders :

Security for
future loans
under Local
Acts and Pro-
visional Orders.

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

Security for
existing loans.

(5) Nothing in this Order contained shall prejudice or affect any mortgage or other security which may have been given by the Corporation in respect of any moneys borrowed on the security of the borough fund or borough rate of the existing Borough or the rights and powers of the persons entitled under such mortgage or other security to enforce the same as if this Order had not been made.

Saving for ex-
isting securi-
ties and rights.

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

Byelaws &c.

(2) All byelaws and regulations made by the Rural Council or their predecessors and in force immediately before the commencement of this Order in any part of the added areas shall on that date cease to be in force except as regards any work commenced before that date or any work for which plans shall either have been approved by the Rural Council before that date or shall have been sent to the surveyor or clerk to the Rural Council one month at least before that date and shall not have been disapproved by that council. As regards any such work as aforesaid the byelaws in force immediately before the commencement of this Order shall continue to apply until the completion of such work in like manner and with the like effect as if such byelaws had been made by the Corporation and as if the Corporation and the Borough were

[Ch. cxxxvii.] *Local Government Board's* [3 EDW. 7.]
Provisional Orders Confirmation (No. 13) Act, 1903.

A.D. 1903. referred to therein instead of the Rural Council and the Rural District
 Yeovil Order. respectively Provided that any proceedings which might have been taken
 by the Rural Council against any person for any offence committed before the
 commencement of this Order against any byelaws and regulations made by
 the Rural Council or their predecessors and in force on that date in any part
 of the added areas may be taken by the Corporation as if those byelaws and
 regulations had remained in force and the Corporation had been substituted
 therein for the Rural Council.

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

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

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

(2) For the purposes of subdivision (1) of this Article any such officer or servant whose services are dispensed with by the Corporation because his services are not required and not on account of misconduct or whose salary is reduced on the ground that his duties have been diminished in consequence hereof in either case within five years from the commencement of this Order shall be deemed to have suffered a direct pecuniary loss in consequence of this Order.

Actions &c. not to abate. Art. XII.—(1) If at the commencement of this Order any action or proceeding or any cause of action or proceeding is pending or existing by or

[3 EDW. 7.] *Local Government Board's* [Ch. cxxxvii.]
Provisional Orders Confirmation (No. 13) Act, 1903.

against the Rural Council in relation exclusively to any part of the added areas 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.

A.D. 1903.
Yeovil Order.

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

Saving for
contracts &c.

Art. XIII. Subject to the provisions of this Order all property vested in the Corporation at the commencement of this Order for the benefit of the existing Borough shall 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 exercisable by or vested in the Corporation for the benefit of the existing Borough and all liabilities which on the date aforesaid attached to the Corporation in respect of the existing Borough shall from and after that date attach to them in respect of the Borough.

Corporation
property &c.

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

Property &c. of
Rural Council.

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

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

Cesser of juris-
diction of Rural
Council.

(3) All arrears of rates made by any Overseers of the Poor for the purposes of the Public Health Acts or for highway expenses or for the purposes of the Lighting and Watching Act 1833 which at the commencement of this Order are due or owing in respect of hereditaments in the added areas may be collected and recovered as if this Order had not been made and when collected and recovered shall be applied in the case of rates made for the purposes of the Public Health Acts or for highway expenses towards the discharge of any precept of the Rural Council which at that date shall be in force and not satisfied or in the case of rates made in the Parish of Yeovil Without for the purposes of the Lighting and Watching Act 1833 towards defraying any expenses incurred by the Parish:

Arrears of
rates &c.

[Ch. cxxxvii.] *Local Government Board's* [3 EDW. 7.]
Provisional Orders Confirmation (No. 13) Act, 1903.

A.D. 1903.

Yeovil Order.
Adjustment of
balances.

Adaptation of
provisions as to
adjustment.

Council of Yeovil Without under the last-mentioned Act and the balances if any shall be paid to the Corporation :

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

Education
byelaws.

Art. XV. For the purposes and provisions of the Education Acts 1870 to 1902 any byelaws in force in the existing Borough on the day appointed by the Board of Education for the purposes and provisions of the Education Act 1902 shall thenceforth apply to the Borough until revoked or altered and from and after that date such byelaws in force in the added areas as are different from those in force in the existing Borough shall cease to be so in force.

Extension of
area within
jurisdiction of
Burial Com-
mittee.

Art. XVI. Subject to the provisions of the Act of 1894 and of the Local Government (Joint Committees) Act 1897—

- (1) The added part of Preston shall be included in and shall form part of the area which immediately before the commencement of this Order comprised the existing Borough and the existing Parish of Yeovil Without and over which the powers and duties of the authority under the Burial Acts 1852 to 1900 have been exercisable by the Burial Committee :
- (2) The Burial Committee shall be deemed to be appointed for and shall exercise the powers and duties of the authority under the Burial Acts 1852 to 1900 over the area comprising the Borough and the Parish of Yeovil Without as altered by this Order and except as aforesaid nothing in or consequent upon the operation of this Order shall affect the constitution of the Burial Committee.

Electoral
Divisions
and County
Councillors.

Art. XVII. Subject to the provisions of Section 54 of the Act of 1888—

- (1) 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 commencement of this Order have

[3 EDW. 7.] *Local Government Board's* [Ch. cxxxvii.]
Provisional Orders Confirmation (No. 13) Act, 1903.

effect as if the Borough of Yeovil mentioned therein was the Borough and not the existing Borough and the Ilchester and Stoke Electoral Divisions of the County shall be diminished accordingly : A.D. 1903.
Yeovil Order.

- (2) The persons who immediately prior to the commencement of this Order are the County Councillors respectively representing the existing Borough and the Ilchester and Stoke Electoral Divisions shall from and after that date respectively represent the Borough and the Ilchester and Stoke Electoral Divisions as hereby altered as if they had been originally elected to represent the Borough and those divisions as hereby altered.

Art. XVIII.—(1) The provisions of the Infectious Disease (Prevention) Act 1890 shall be in force within and apply to the Borough as if the same had been adopted therein. Adoptive Acts.

(2) The provisions of Part III. of the Public Health Acts Amendment Act 1890 which are applicable to rural districts and such of the provisions of the Private Street Works Act 1892 as are in force in any part of the added areas shall cease to be in force in any part of the added areas Provided that nothing in this subdivision contained shall—

- (a) affect the operation prior to the commencement of this Order of any such provisions of the said Acts or anything duly done or suffered under any such provisions; or
- (b) affect any right privilege obligation or liability acquired accrued or incurred under any such provisions of the said Acts; or
- (c) affect any penalty forfeiture or punishment incurred in respect of any offence committed against any such provisions of the said Acts; or
- (d) affect any investigation legal proceeding or remedy in respect of any such right privilege obligation liability penalty forfeiture or punishment as aforesaid.

Art. XIX. Subject to the provisions of any order which the Local Government Board may hereafter make the provisions of any order heretofore made by the Local Government Board and conferring upon the Council of the existing Borough any of the matters mentioned in Section 33 of the Act of 1894 and in such order shall be deemed to have effect as if any reference in the said provisions to a parish wholly comprised within the existing Borough extended and applied to any parish wholly comprised within the Borough. Powers of
Town Council
under Section
33 of Act of
1894.

Art. XX.—(1) The added areas shall be separated from the parishes to which they now respectively belong and shall be amalgamated with the Parish of Yeovil. Alteration of
parishes.

(2)—(a) Any powers and duties transferred by the Act of 1894 to the Parish Council or Parish Meeting of the Parish of Yeovil Without shall so far as regards the added parts of Yeovil Without be vested in exercisable by and imposed on the persons and authorities in whom they would be vested or by whom they would be exercisable or on whom they would be imposed if the Transfer of
powers duties
liabilities &c. of
Parish Council
and Parish
Meeting.

[Ch. cxxxvii.] *Local Government Board's* [3 EDW. 7.]
Provisional Orders Confirmation (No. 13) Act, 1903.

A.D. 1903. added parts had been included in an Urban District on the appointed day
Yeovil Order. within the meaning of the Act of 1894 and all property or liabilities held or
incurred as far as regards the added parts of Yeovil Without for the purpose
or by virtue of such powers and duties shall pass to and vest in or attach to
the persons and authorities aforesaid. Any property or liabilities of the said
Parish Council held or incurred so far as regards the added parts of Yeovil
Without otherwise than by virtue or for the purposes of such powers or duties
shall be transferred to and vest in or attach to the Corporation :

(b) Any powers duties and liabilities transferred by the Act of 1894 to the
Parish Meeting of the Parish of Preston shall so far as regards the added part
of Preston be vested in exercisable by and imposed on and shall attach to
the persons and authorities in whom they would be vested or by whom they
would be exercisable or on whom they would be imposed or to whom they
would attach if the added part of Preston had been included in an Urban
District on the appointed day within the meaning of the Act of 1894 and all
property which in pursuance of and subject to the provisions of the Act of
1894 is held by or of which the legal interest is vested in the chairman and
overseers of the parish shall so far as regards the added part of Preston pass
to and vest in or attach to the persons and authorities aforesaid.

(3) The Parish Council of Yeovil Without shall be deemed to have been
elected and shall be the Parish Council for that parish as altered by this
Order and shall cease to exercise any powers or duties within the added parts
of Yeovil Without.

Guardians and
Rural District
Councillors.

Art. XXI.—(1) Subject to the provisions of Section 60 of the Act of
1894 ten Guardians shall be assigned to the Parish of Yeovil as altered by
this Order.

(2) The persons who at the commencement of this Order represent
the Parish of Yeovil on the Board of Guardians of the Yeovil Union shall
together with the person referred to in subdivision (3) of this Article and the
Guardian elected to make up the number specified in subdivision (1) of this
Article represent that parish as altered by this Order.

(3) Such one of the two persons who at the commencement of this Order
are the Rural District Councillors representing the Parish of Yeovil Without
as is chosen by the Rural Council by ballot at their meeting held next before
the commencement of this Order shall cease to act as a Rural District
Councillor but shall continue to act as a member of the Board of Guardians
of the Yeovil Union and shall be deemed to be one of the Guardians elected
for the Parish of Yeovil as altered by this Order and shall continue to hold
office in that capacity until the date on which he would have retired if this
Order had not been made.

(4) The other person who at the commencement of this Order is a
Rural District Councillor representing the Parish of Yeovil Without and the
person who at that date is the Rural District Councillor representing the
Parish of Preston on the Rural Council shall continue to represent respectively

those parishes as altered by this Order as if they had been originally elected to represent those altered parishes respectively. A.D. 1903.

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

Art. XXIII. Until new valuation lists are in force the portions of the valuation list of the existing Parishes of Preston and Yeovil Without which relate to hereditaments in the added areas shall be deemed to form part of the valuation list of the Parish of Yeovil and the remaining portions of the valuation lists of the said existing parishes shall respectively be deemed to be the valuation lists of those parishes as altered by this Order. Valuation lists.

Art. XXIV. Subject to any future revision the basis or standard of county rate for the County shall be deemed to be altered as follows:— County rate basis.

(1) By the deduction from the amount appearing in such basis or standard as the total annual value of the property in each of the existing Parishes of Preston and Yeovil Without of such a sum as will in each case represent the annual value of the property in the added part of Preston or the added parts of Yeovil Without as the case may be and by the addition of such sum to the amount appearing in such basis or standard as the total annual value of the property in the Parish of Yeovil:

(2) For the purposes of this Article the sum which will represent the annual value of the property in the added part of Preston or the added parts of Yeovil Without shall in each case be the amount which in relation to the amount appearing in the basis or standard of county rate as the total annual value of the existing parish is in the same proportion as the assessable value of the property in the added part or added parts bears to the total assessable value of property in the existing parish:

(3) For the purposes of this Article assessable value means one-half of the rateable value according to the valuation list for the time being in force of the agricultural land together with the rateable value according to such list of the buildings and other hereditaments not being agricultural land in the existing parish or in the added part or added parts as the case may require.

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

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

[Ch. cxxxvii.] *Local Government Board's* [3 EDW. 7.]
Provisional Orders Confirmation (No. 13) Act, 1903.

- A.D. 1903. Art. XXVI.—(1) Every person who has acquired or who on or before the commencement of this Order shall acquire a settlement in any existing parish affected by this Order shall be deemed to have acquired a settlement in the parish comprising the area in which the acts or circumstances conferring such settlement shall have been done or occurred or if such acts or circumstances shall have been done or occurred in more than one parish such settlement shall be in the parish comprising the place of residence of such person at the time of acquiring such settlement.
- Yeovil Order.*
Settlement of paupers.
- Irremovability of paupers. (2) Any person who shall have acquired a status of irremovability from any existing parish affected by this Order shall be deemed to have acquired a status of irremovability from the parish comprising the area in which he shall reside at the commencement of this Order or (if he shall then be in receipt of relief) from the parish comprising the area in which he was residing at the time of becoming chargeable.
- Residence of paupers. (3) For all purposes of settlement and removal residence prior to the commencement of this Order in any part of the added areas shall be deemed to have been residence in the Parish of Yeovil.
- Saving for contribution orders and precepts. Art. XXVII. Notwithstanding the alteration in the areas of parishes effected by this Order all contribution orders made by the Guardians of the Poor of the Yeovil Union and all precepts made by the Rural Council before the commencement of this Order shall be as valid in law as if this Order had not been made.
- Arrears of rates. Art. XXVIII. All arrears of rates made by the Overseers of the Poor and due or owing at the commencement of this Order in respect of hereditaments in any of the added areas shall be collected and recovered by the Overseers of the Poor of the existing parish comprising that area as if this Order had not been made.
- Short title. Art. XXIX. This Order may be cited as the Yeovil (Extension) Order 1903.

The SCHEDULE above referred to.

PART I.—LOCAL ACTS.

Session and Chapter.	Short Title.
17 & 18 Vict. c. cxxv. - -	The Borough of Yeovil Extension and Improvement Act 1854.
33 & 34 Vict. c. lxxxviii.	The Yeovil Improvement Act 1870.
59 & 60 Vict. c. elii. - -	The Yeovil Corporation (Waterworks) Act 1896.
61 & 62 Vict. c. cxvii. - -	The Yeovil Corporation Act 1898.

