



CHAPTER xxxix.

An Act to confirm certain Provisional Orders of the Minister of Health relating to Essex Port Talbot Shoreham-by-Sea and Southend-on-Sea. A.D. 1927.
[29th July 1927.]

WHEREAS the Minister of Health has made the Provisional Orders set forth in the schedule hereto under the provisions of the Public Health Act 1875 and the Local Government Act 1888: 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 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 Ministry of Health Provisional Orders Confirmation (No. 11) Act 1927. Short title.

A.D. 1927.

SCHEDULE.

COUNTY OF ESSEX.

*County of
Essex
Order.*

*Provisional Order made in pursuance of Sections 69 (2)
and 87 of the Local Government Act 1888.*

51 & 52 Vict.
c. 41.

WHEREAS by Article 1 of the County of Essex Order 1914 (hereinafter referred to as "the Order of 1914") which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 4) Act 1914 the County Council of the Administrative County of Essex were authorised to borrow such sums as would not together with the sums which they might be authorised to borrow under the Local Government Act 1888 (hereinafter referred to as "the Act") without a Provisional Order and the outstanding balance of debt after deducting the amount of any sinking fund exceed the sum of six hundred and forty-seven thousand four hundred and sixty-one pounds;

And whereas the said County Council have made application to the Minister of Health for the issue of a Provisional Order to amend the Order of 1914 in manner hereinafter appearing:

Now therefore the Minister of Health in pursuance of the powers given to him by the Act and of any other powers in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the Order of 1914 shall be amended in manner following that is to say:—

Additional
borrowing
powers.

1. Article 1 of the Order of 1914 shall have effect as if the sums thereby authorised to be borrowed were such sums as may be required not exceeding in the aggregate the sum of one million pounds in excess of the limit imposed by subsection (2) of Section 69 of the Act.

Short title.

2. This Order may be cited as the County of Essex Order 1927.

Given under the Official Seal of the Minister of Health
this Nineteenth day of May One thousand nine hundred
and twenty-seven.

(L.S.)

E. TUDOR OWEN
Assistant Secretary Ministry of Health.

BOROUGH OF PORT TALBOT.

A.D. 1927.

*Provisional Order for altering and amending the Aberavon
Local Board Act 1866.*

*Port Talbot
Order.*

WHEREAS the Borough of Port Talbot (hereinafter referred to as "the Borough") is an Urban District of which the Mayor Aldermen and Burgesses acting by the Council (hereinafter referred to as "the Corporation") are the Local Authority for the purposes of the Public Health Act 1875 and there are in force in the Borough the unrepealed provisions of the Aberavon Local Board Act 1866 (hereinafter referred to as "the Local Act");

And whereas by Section 35 of the Local Act provision was made for the borrowing of money on mortgage for the purposes of that Act and for the application of the provisions of the Public Health Acts with regard to the form register and transfer of mortgages to be so made under that Act;

And whereas the Corporation have applied to the Minister of Health for the issue of a Provisional Order to alter the Local Act in manner hereinafter appearing :

Now therefore the Minister of Health in pursuance of the powers given to him by Section 303 of the Public Health Act 1875 and of all other powers enabling him in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the Local Act shall be altered so that the following provisions shall take effect that is to say :—

1. Notwithstanding the provisions of any local Act or Order in force in the Borough of Port Talbot :—

Power to use
one form of
mortgage for
all purposes.

(1) Where the Corporation have for the time being any statutory borrowing power they may for the purpose of exercising such power grant mortgages in pursuance of the provisions of this Article :

(2) Every mortgage granted under this Article shall be by deed truly stating the consideration and the time or the mode of ascertaining the time and the place of repayment and shall be sealed with the common seal of the Corporation and may be made in the form contained in the Schedule to this Order or to the like effect :

(3) All mortgages granted under this Article shall rank equally without any priority or preference by reason of any precedence in the date of any statutory borrowing power or in the date of the mortgages or on any other

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Order.

ground whatsoever and shall also rank equally with all other securities granted by the Corporation at any time after the date of the first grant of a mortgage under this Order :

- (4) The repayment of all principal sums and the payment of interest thereon secured by mortgages granted under this Article shall be and the same are by virtue of this Order charged indifferently upon all the revenues of the Corporation :
- (5) Nothing in this Article contained shall alter or affect the obligations of the Corporation to provide for the repayment of the sums secured by mortgages granted under this Article and all such sums shall be repaid within the periods by the means and out of the funds rates or revenues within by and out of which they would have been repayable respectively if this Order had not been made :
- (6) Nothing in this Article contained shall alter or affect the obligations of the Corporation to provide for the payment of interest upon the sums secured by mortgages granted under this Article and interest upon such sums shall be paid out of the funds rates or revenues out of which such interest would have been payable if this Order had not been made :
- (7) There shall be kept at the offices of the Corporation a register of the mortgages granted under this Article and within fourteen days after the date of any such mortgage an entry shall be made in the register of the number and date thereof and of the names and descriptions of the parties thereto as stated in the deed Every such register shall be open to public inspection during office hours at the said offices without fee or reward and the Town Clerk or other person having the custody of the same refusing to allow such inspection shall be liable to a penalty not exceeding five pounds :
- (8) Any mortgagee or other person entitled to any mortgage granted under this Article may transfer his estate and interest therein to any other person by deed duly stamped truly stating the consideration and such transfer may be according to the form contained in the Schedule to this Order or to the like effect :
- (9) There shall be kept at the offices of the Corporation a register of the transfers of mortgages granted under this Article and within thirty days after the date of every deed of transfer if executed within the United

Kingdom or within thirty days after its arrival in the United Kingdom if executed elsewhere the same shall be produced to the Town Clerk who shall on payment of a sum not exceeding five shillings cause an entry to be made in such register of its date and of the names and descriptions of the parties thereto as stated in the deed of transfer and until such entry is made the Corporation shall not be in any manner responsible to the transferee :

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Order.*

(10) On the registration of any transfer the transferee his executors or administrators shall be entitled to the full benefit of the original mortgage and the principal and interest secured thereby and any transferee may in like manner transfer his estate and interest in any such mortgage and no person except the last transferee his executors or administrators shall be entitled to release or discharge any such mortgage or any money secured thereby :

(11) If the Town Clerk wilfully neglects or refuses to make in the register any entry by this Article required to be made he shall be liable to a penalty not exceeding twenty pounds :

(12) In this Article :—

(a) the expression "statutory borrowing power" means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government Department made or given or to be made or given by authority of any Act of Parliament passed or to be passed; and

(b) the expression "revenues of the Corporation" includes revenues of the Corporation from time to time arising from any land undertakings or other property for the time being of the Corporation and rates or contributions leviable by or on the order or precept of the Corporation.

2. This Order may be cited as the Port Talbot Order 1927. Short title.

A.D. 1927.

The SCHEDULE above referred to.

*Port Talbot
Order.*

FORM OF MORTGAGE.

By virtue of the Port Talbot Order 1927 as confirmed by Parliament and of other their powers in that behalf them enabling the Mayor Aldermen and Burgesses of the Borough of Port Talbot acting by the Council (hereinafter referred to as "the Corporation") in consideration of the sum of pounds paid to the treasurer of the Borough by (hereinafter referred to as "the mortgagee") do hereby grant and assign unto the mortgagee [his] executors administrators and assigns such proportion of the revenues of the Corporation in the Port Talbot Order 1927 defined as the said sum so paid doth or shall bear to the whole sum which is or shall be charged on the said revenues To hold unto the mortgagee [his] executors administrators and assigns from the day of the date of these presents until the said sum shall be fully paid and satisfied with interest for the same (subject as hereinafter provided) at the rate of per centum per annum from the day of one thousand nine hundred and until payment of the said principal sum such interest to be paid half-yearly on the day of and the day of in each year.

And it is hereby agreed that the said principal sum shall be repayable at the option of either party at the offices of the Corporation on the day of one thousand nine hundred and but if not required by either party to be repaid on that date shall be repaid on the expiration of six calendar months' notice in writing by the Corporation to the mortgagee or by the mortgagee to the Corporation :

Provided always and it is hereby agreed and declared that the before-mentioned time for repayment may be extended to such subsequent day or days and upon any such extension the before-mentioned rate of interest may be altered to such other rate or rates of interest as shall from time to time be agreed upon and mentioned in an endorsement to be made hereon under the hand of the mayor and town clerk of the Borough for the time being respectively and that upon any such endorsement being made whether relating to extension of time only or to extension of time with alteration of rate of interest

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the provisions thereof shall be incorporated herewith and shall operate and take effect as though they had been originally inserted herein.

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—
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Order.

In witness whereof the Corporation have caused their common seal to be hereunto affixed this
day of _____ one thousand nine hundred
and _____

THE ENDORSEMENT WITHIN REFERRED TO.

The within-named
consenting the within-mentioned time for repayment of the within-mentioned principal sum is hereby extended to the
day of _____ one thousand nine hundred
and _____ [and the interest to be paid thereon on
and from the _____ day of _____ one thousand
nine hundred and _____ is hereby declared to
be at the rate of _____ per centum per annum.]

Dated this _____ day of _____ one
thousand nine hundred and _____

FORM OF TRANSFER OF MORTGAGE.

I [the within named] _____ [of
_____] in consideration of the sum of
pounds paid to me by _____ of
(hereinafter referred to as "the transferee") do hereby transfer to the transferee [his] executors administrators and assigns [the within-written security] [the mortgage number
_____ of the revenues of the Mayor Aldermen
and Burgesses of the Borough of Port Talbot acting by the
Council bearing date the _____ day of _____]
and all my right and interest under the same subject to the several conditions on which I hold the same at the time of the execution hereof and I the transferee for myself my executors administrators and assigns do hereby agree to take the said mortgage security subject to the same conditions.

Dated this _____ day of _____ one
thousand nine hundred and _____

Given under the Official Seal of the Minister of Health
this Eighteenth day of May One thousand nine hundred
and twenty-seven.

(L.S.)

H. W. S. FRANCIS
Assistant Secretary Ministry of Health.

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A.D. 1927. URBAN DISTRICT OF SHOREHAM-BY-SEA.

Shoreham-by-Sea Order. *Provisional Order to enable the Urban District Council of Shoreham-by-Sea to put in force the Compulsory Clauses of the Lands Clauses Acts.*

WHEREAS the Urban District Council of Shoreham-by-Sea (hereinafter referred to as "the Council") require to purchase and take the land described in the Schedule hereto for the purpose of providing public pleasure grounds in the Urban District of Shoreham-by-Sea :

Now therefore the Minister of Health in pursuance of the powers given to him by Section 176 of the Public Health Act 1875 and by any other Statutes in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the following provisions shall have effect that is to say :—

Compulsory powers of purchase.

1. The Council shall be empowered for the purpose aforesaid to put in force with reference to the land described in the Schedule hereto (subject to the continuance of any existing public rights of highway if any) the powers of the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919 with respect to the purchase and taking of lands otherwise than by agreement or any of them.

Short title.

2. This Order may be cited as the Shoreham-by-Sea Order 1927.

The SCHEDULE above referred to.

Parish of KINGSTON-BY-SEA Urban District of SHOREHAM-BY-SEA County of SUSSEX.

No. on Deposited Plan.	Description of Property.	Owners or Reputed Owners.	Occupiers.
1	Vacant land (except such portion of the said land as lies below high-water mark of ordinary tides).	Paget Baxter - Shoreham Harbour Trustees. (Cranfield Baguley Clerk).	Paget Baxter Shoreham Har- bour Trustees (Cranfield Baguley Clerk).

Given under the Official Seal of the Minister of Health this
Eighteenth day of May One thousand nine hundred
and twenty-seven.

A.D. 1927.

—
*Shoreham-
by-Sea
Order.*

(L.S.)

H. W. S. FRANCIS
Assistant Secretary Ministry of Health.

BOROUGH OF SOUTHEND-ON-SEA.

*Provisional Order to enable the Southend-on-Sea Corporation
to put in force the Compulsory Clauses of the Lands
Clauses Acts.*

*Southend-
on-Sea
Order.*

WHEREAS the Mayor Aldermen and Burgesses of the Borough
of Southend-on-Sea (hereinafter referred to as "the Corporation")
acting by the Council as the local authority for that Borough for
the purposes of the Public Health Act 1875 require to purchase
and take the lands described in the Schedule hereto for the
purpose of receiving storing disinfecting distributing or otherwise
disposing of the sewage of the said Borough :

Now therefore the Minister of Health in pursuance of the
powers given to him by Section 176 of the Public Health Act
1875 and by any other Statutes in that behalf hereby orders
that from and after the date of the Act of Parliament confirming
this Order the following provisions shall have effect that is to
say :—

1. The Corporation shall be empowered for the purposes
aforesaid to put in force with reference to the lands described
in the Schedule hereto (subject to the continuance of existing
public rights of highway if any) the powers of the Lands Clauses
Acts as modified by the Acquisition of Land (Assessment of
Compensation) Act 1919 with respect to the purchase and taking
of lands otherwise than by agreement or any of them.

Compulsory
powers of
purchase.

2. This Order may be cited as the Southend-on-Sea Order
1927.

Short title.

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The SCHEDULE above referred to.

*Southend-
on-Sea
Order.*

Parish of BARLING Rural District of ROCHFORD in the County
of ESSEX.

No. on deposited Plan.	Description of Property.	Owners or Reputed Owners.	Lessees or Reputed Lessees.	Occupiers.
1	Arable land	Alexander Steel	Thomas Mills	Thomas Mills.
2	Ditto.	Ditto.	Ditto.	Ditto.
2a	Lane to farm	Ditto.	Ditto.	Thomas Mills Arthur Bentall Percy Bentall Arthur Law Bentall. Thomas Mills.
3	Arable land	Ditto.	Ditto.	Thomas Mills.
4	Pasture land	Ditto.	Ditto.	Ditto.
5	Orchard	Ditto.	Ditto.	Ditto.
6	Pond	Ditto.	Ditto.	Ditto.
7	Farm cottage and garden.	Ditto.	Ditto.	William Brazier.
8	Farmyard	Ditto.	Ditto.	Thomas Mills.
9	Farm house and garden.	Ditto.	Ditto.	David Wilson Samuel Freeman.
10	Farm buildings.	Ditto.	Ditto.	Thomas Mills.
11	Arable land	Ditto.	Ditto.	Ditto.
12	Ditto.	Ditto.	Ditto.	Ditto.
13	Ditto.	Ditto.	Ditto.	Ditto.
14	Saltings	Ditto.	Ditto.	Ditto.
15	Quay	Ditto.	Ditto.	Ditto.
16	River bed	Ditto.	Ditto.	Ditto.
17	Pasture land	Ditto.	Ditto.	Ditto.
18	Pasture land and road.	Ditto.	Ditto.	Ditto.
19	Arable land	Ditto.	Ditto.	Ditto.
20	Ditto.	Ditto.	Ditto.	Ditto.

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No. on deposited Plan.	Description of Property.	Owners or Reputed Owners.	Lessees or Reputed Lessees.	Occupiers.
21	Sea wall and saltings.	Alexander Steel	Thomas Mills	Thomas Mills Lower Crouch and Roach Drainage Board (Secretary Edgar Daniel Kinnish).
22	Arable land	Ditto.	Ditto.	Thomas Mills.
23	Pasture land.	Ditto.	Ditto.	Ditto.
24	Pasture land and road.	Ditto.	Ditto.	Ditto.
25	Farmyard and buildings.	Ditto.	Ditto.	Ditto.
26	Arable land	Ditto.	Ditto.	Ditto.
27	Farmhouse and garden.	Ditto.	Ditto.	Ditto.
28	Pasture land and roads.	Ditto.	Ditto.	Ditto.
28a	Pasture land.	Ditto.	Ditto.	Ditto.
29	Arable land	Ditto.	Ditto.	Ditto.
30	Farm cottages and garden.	Ditto.	Ditto.	James Horrex.
31	Arable land	Ditto.	Ditto.	Thomas Mills.
32	Ditto.	Ditto.	Ditto.	Ditto.

A.D. 1927.
 —
*Southend-on-Sea
 Order.*

Given under the Official Seal of the Minister of Health
 this Eighteenth day of May One thousand nine hundred
 and twenty-seven.

(L.S.)

H. W. S. FRANCIS
 Assistant Secretary Ministry of Health.

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