



CHAPTER xix.

An Act to confirm a Provisional Order of the Minister of Health relating to Peterborough. A.D. 1928.
[2nd July 1928.]

WHEREAS the Minister of Health has made the Provisional Order 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 Order 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 Order set out in the schedule hereto shall be and the same is hereby confirmed and all the provisions thereof shall have full validity and force. Order in schedule confirmed.

2. This Act may be cited as the Ministry of Health Provisional Order Confirmation (Peterborough Extension) Act 1928. Short title.

[Ch. xix.] *Ministry of Health* [18 & 19 GEO. 5.]
*Provisional Order Confirmation (Peterborough
Extension) Act, 1928.*

A.D. 1928.

SCHEDULE.

CITY AND BOROUGH OF PETERBOROUGH.

*Peterborough
Order.*

*Provisional Order made in pursuance of the Local
Government Act 1888 for the extension of a Borough.*

WHEREAS by section 54 of the Local Government Act 1888 the Minister of Health is empowered to make a Provisional Order for altering the boundary of any borough;

And whereas the existing City and Borough of Peterborough (in this Order called "the existing City") is situate within the Administrative County of the Soke of Peterborough and 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 citizens and burgesses of the City and Borough of Peterborough and act by the council of the existing City which now consists of the mayor (who is also an alderman) five other aldermen and eighteen councillors;

And whereas the existing City is divided for the election of councillors into four wards;

And whereas the existing City comprises the four Parishes of Fletton Urban Minster Close Precincts Peterborough Within and Woodstone Urban and is an urban district under the jurisdiction of the mayor aldermen citizens and burgesses acting by the Council;

And whereas the existing City has a separate police force and in pursuance of the Education Act 1921 the City Council are the local education authority for the purposes of elementary education;

And whereas the Parliamentary County of Northampton with the Soke of Peterborough is coextensive with the area of the Administrative Counties of Northampton and the Soke of Peterborough;

And whereas the Parishes of Longthorpe Paston Peterborough Without and Walton adjoin the existing City and the Parishes of Gunthorpe and Werrington adjoin the Parishes of Paston and Walton and all those Parishes are contributory places within the Rural District of Peterborough and are situate within the Administrative County of the Soke of Peterborough;

[18 & 19 GEO. 5.] *Ministry of Health* [Ch. xix.]
*Provisional Order Confirmation (Peterborough
Extension) Act, 1928.*

Now therefore the Minister of Health in pursuance of the powers given to him by sections 54 and 59 of the Local Government Act 1888 and of all other powers enabling him in that behalf hereby orders as follows :—

A.D. 1928.

—
*Peterborough
Order.*

PART I.

INTERPRETATION AND COMMENCEMENT.

1. In this Order unless the context otherwise requires—
- “ Existing ” in relation to any area altered by this Order means existing immediately before the First day of April Nineteen hundred and twenty-nine;
- “ The Act of 1888 ” and “ the Act of 1894 ” mean respectively the Local Government Act 1888 and the Local Government Act 1894;
- “ The added areas ” means the existing Parish of Gunthorpe which is coloured brown on the City maps the existing Parish of Longthorpe which is coloured purple on the City maps the existing Parish of Paston which is coloured yellow on the City maps the existing Parish of Peterborough Without which is coloured blue on the City maps the existing Parish of Walton which is coloured grey on the City maps and the existing Parish of Werrington which is coloured green on the City maps;
- “ The appointed day ” means the First day of April Nineteen hundred and twenty-nine;
- “ The City ” means the existing City of Peterborough as extended by this Order;
- “ The city maps ” means the duplicate maps marked “ Map of the City and Borough of Peterborough as altered by the Peterborough (Extension) Order 1928 ” and sealed with the official seal of the Minister;
- “ The Corporation ” means as the context requires the mayor aldermen citizens and burgesses of the existing City acting by the council or the mayor aldermen and citizens of the City acting by the council;
- “ The County ” and “ the County Council ” mean respectively the administrative county of the Soke of Peterborough and the county council of that county;
- “ The Minister ” means the Minister of Health;
- “ The Municipal Corporations Acts ” means the Municipal Corporations Act 1882 and the Acts amending and extending the same and the Borough Councillors (Alteration of Number) Act 1925;

Definitions.

[Ch. xix.] *Ministry of Health* [18 & 19 GEO. 5.]
*Provisional Order Confirmation (Peterborough
Extension) Act, 1928.*

A.D. 1928.

—
*Peterborough
Order.*

“The Parish of Peterborough” means the parish of that name constituted by this Order;

“The Rural District” and “the Rural Council” mean respectively the Rural District of Peterborough and the Rural District Council of Peterborough;

“The ward maps” means the duplicate maps marked “Map of the wards of the City and Borough of Peterborough as altered by the Peterborough (Extension) Order 1928” and sealed with the official seal of the Minister.

Provision as
to Sunday.

2. Where the day on which anything by this Order required to be done falls on a Sunday that thing shall be done on the following day.

Commence-
ment of
Order.

3. Save as otherwise expressly provided this Order shall come into operation on the First day of April Nineteen hundred and twenty-nine:

Provided that for the purposes of—

(a) the division of the City and Parish of Peterborough into wards and all proceedings preliminary or relating to any election to be held in the year Nineteen hundred and twenty-nine for any area affected by this Order;

(b) the compilation alteration or re-arrangement of any register of electors made under the Representation of the People Acts 1918 to 1926; and

(c) the provisions of this Order relating to valuation lists and assessment committees;

this Order shall operate from the date of the Act of Parliament confirming this Order.

PART II.

ALTERATIONS OF BOUNDARY.

Extension of
City.

4.—(1) The boundary of the existing City (the area whereof is coloured pink on the City maps) shall be altered so as to include in addition to that area so much of the Rural District as comprises the existing Parish of Gunthorpe the existing Parish of Longthorpe the existing Parish of Paston the existing Parish of Peterborough Without the existing Parish of Walton and the existing Parish of Werrington.

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

[18 & 19 GEO. 5.] *Ministry of Health* [Ch. xix.]
*Provisional Order Confirmation (Peterborough
 Extension) Act, 1928.*

5.—(1) The existing Parishes of Gunthorpe Longthorpe Paston Peterborough Without Walton and Werrington shall be amalgamated with the existing Parishes of—

A.D. 1928.

—
*Peterborough
 Order.*

Amalgama-
 tion of
 parishes.

- (a) Fletton Urban;
- (b) Minster Close Precincts;
- (c) Peterborough Within; and
- (d) Woodstone Urban;

to form the Parish of Peterborough which shall be coextensive with the City as extended by this Order.

(2) The Parish of Peterborough constituted by this Order shall form part of the Peterborough Union and all orders in force in that Union and applicable to any of the existing Parishes mentioned in paragraph (1) of this Article shall be in force throughout the new Parish.

6.—(1) One of the city maps and one of the ward maps shall be deposited in the office of the Minister and the duplicate of each map shall be deposited by the town clerk of the existing City at his office.

Deposit and
 copies of city
 and ward
 maps.

(2) Copies of the city map deposited with the town clerk certified by him to be true shall be sent by him within one month after the passing of the Act of Parliament confirming this Order to the clerk to the County Council to the clerk to the Rural Council to the Board of Inland Revenue to the Commissioners of Customs and Excise to the Registrar-General to the Board of Trade to the Minister of Transport to the Minister of Agriculture and Fisheries and to the Electricity Commissioners.

(3) Copies of the ward map deposited with the town clerk and certified by him to be true shall be sent by him within the period mentioned in paragraph (2) of this article to the clerk to the County Council to the clerk to the Guardians of the Peterborough Union to the Registrar-General and to the Minister of Agriculture and Fisheries.

7.—(1) Copies of or extracts from the city map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as *prima facie* evidence of the contents of the map so far as it relates to the boundary of the City.

Copies of
 city map to
 be evidence.

(2) The city map deposited with the town clerk shall at all reasonable times be open to inspection by any person liable to any rate leviable within the City and any such person shall be entitled to a copy of or extract from the map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation.

(3) All fees so received shall be carried to the general rate fund of the City.

[Ch. xix.] *Ministry of Health* [18 & 19 GEO. 5.]
*Provisional Order Confirmation (Peterborough
Extension) Act, 1928.*

A.D. 1928.

PART III.

*Peterborough
Order.*

PROVISIONS CONSEQUENT ON EXTENSION OF CITY.

Alteration of
name of
municipal
corporation.

8. The municipal corporation of the City shall be styled the mayor aldermen and citizens of the City of Peterborough but the body corporate shall not be deemed otherwise to be affected by this Order.

Number of
councillors
and alder-
men.

9. Subject to the provisions of the Municipal Corporations Acts the number of councillors of the City shall be increased from eighteen to twenty-one and the number of aldermen of the City shall be increased from six to seven.

Municipal
wards.

10. Subject to the provisions of the Municipal Corporations Acts the following provisions shall have effect :—

- (1) For the purposes of the election of councillors the City shall be divided into the five wards mentioned in column 1 of the First Schedule to this Order and the wards shall be designated by the names appearing in that column;
- (2) Each ward shall comprise that portion of the City which is indicated by a separate colour and distinguished by the name of the ward on the ward maps;
- (3) The number of councillors to be elected for each ward shall be the number specified in column 2 of the First Schedule to this Order opposite the name of the ward in column 1 of that Schedule.

Existing
mayor and
aldermen.

11. The persons who hold office immediately before the appointed day as mayor and aldermen of the existing City shall on the appointed day become the mayor and aldermen of the City but shall respectively retire from office on the day on which they would have retired from office if this Order had not been made.

Continuance
in office of
existing
councillors.

12. Notwithstanding any enactment to the contrary the following provisions shall have effect with regard to the persons who at the passing of the Act confirming this Order are the councillors of the existing City—

- (1) Such of the councillors for the existing municipal wards as but for this Order would have retired from office in November nineteen hundred and twenty-eight shall retire from office on the Twenty-sixth day of March Nineteen hundred and twenty-nine;
- (2) Such of the councillors for the existing municipal wards as would have retired from office in November of the year Nineteen hundred and twenty-nine or Nineteen

[18 & 19 GEO. 5.] *Ministry of Health* [Ch. xix.]
*Provisional Order Confirmation (Peterborough
 Extension) Act, 1928.*

hundred and thirty shall continue to represent the ward of the same name constituted by this Order until the day on which they would have retired from office if this Order had not been made;

A.D. 1928.
 —
*Peterborough
 Order.*

- (3) If immediately before the appointed day a casual vacancy shall exist in the representation of one of the existing municipal wards the vacancy shall be deemed to have arisen in the ward of the same name constituted by this Order.

13. For the purposes of the application to the City of the provisions of the County and Borough Councils (Qualification) Act 1914 the added areas shall be deemed to have always formed part of the City.

County and
 Borough
 Councils
 (Qualifica-
 tion) Act
 1914.

14.—(1) Upon the Twenty-sixth day of March Nineteen hundred and twenty-nine there shall be held an election of—

Election of
 councillors
 in 1929.

- (a) three councillors for the Paston Ward of the City;
 (b) two councillors for the East Ward of the City and two councillors for the West Ward of the City; and
 (c) one councillor for each of the two remaining wards of the City.

(2) The election directed by this article shall extend to any casual vacancy which can be filled at the election but any person elected to fill a casual vacancy shall retire from office on the day on which the person in whose place he is elected would have gone out of office if this Order had not been made.

(3) The mayor and town clerk of the existing City or such other persons as the Secretary of State may appoint shall perform the duties devolving at an election upon a mayor and town clerk respectively under the Municipal Corporations Acts and the mayor shall be the returning officer at the election for all the wards but may appoint some other person to act as returning officer at the election for any of the wards.

(4) Where in the representation of a municipal ward constituted by this Order an ordinary vacancy and a casual vacancy are filled at the election held in pursuance of this article the councillor elected by the smallest number of votes shall be deemed to fill the casual vacancy.

(5) If for any reason it is doubtful which of the councillors is to be deemed to fill a casual vacancy the question shall be determined at the first or second meeting of the Council of the City by lot conducted under the direction of the person presiding at that meeting.

(6) The councillors elected at the election shall come into office on the appointed day.

[Ch. xix.] *Ministry of Health* [18 & 19 GEO. 5.]
*Provisional Order Confirmation (Peterborough
Extension) Act, 1928.*

A.D. 1928.

—
*Peterborough
Order.*

First election
of additional
alderman.

15.—(1) The first election of the additional alderman assigned to the City by this Order shall take place at the first meeting of the Council of the City and at that election the additional alderman shall be chosen from among persons not being councillors of the Borough who have resided within the added areas during the whole of the twelve months preceding the election.

(2) The Council of the City shall at the same meeting assign an alderman to act until the quarterly meeting of the Council in November following as returning officer at any election for the Paston Ward.

Retirement
of coun-
cillors and
alderman
elected in
1929.

16.—(1) The councillors of the City elected at the first election for the Paston Ward shall retire from office as follows :—

- (a) The councillor who is elected by the smallest number of votes on the First day of November Nineteen hundred and thirty;
- (b) The councillor who is elected by the largest number of votes on the First day of November Nineteen hundred and thirty-two;
- (c) The remaining councillor on the First day of November Nineteen hundred and thirty-one.

(2) Any councillor of the City who is elected at the election directed by this Order to fill a vacancy (not being a casual vacancy) in the representation of any ward of the City other than the Paston Ward shall retire from office on the First day of November Nineteen hundred and thirty-one.

(3) If for any reason it is doubtful which of the councillors elected in pursuance of this Order ought to retire from office on a date mentioned in this article the question shall be determined at the first or second meeting of the Council of the City by lot conducted under the direction of the person presiding at that meeting.

(4) The additional alderman of the City elected in pursuance of this Order shall retire from office on the Ninth day of November Nineteen hundred and thirty-two.

Corporation
property
liabilities &c.

17. Subject to the provisions of this Order all property immediately before the appointed day vested in the Corporation for the benefit of the existing City (not being property held on any charitable trust) shall by virtue of this Order be held by the Corporation for the benefit of the City and the Corporation shall hold enjoy and exercise for the benefit of the City all the powers which immediately before that day are exercisable by or vested in the Corporation for the benefit of the existing City and all liabilities which immediately before the appointed day

[18 & 19 GEO. 5.] *Ministry of Health* [Ch. xix.]
*Provisional Order Confirmation (Peterborough
Extension) Act, 1928.*

attach to the Corporation in respect of the existing City shall on that day attach to them in respect of the City. A.D. 1928.

18.—(1) So much of any sums borrowed by the Corporation as immediately before the appointed day are owing and charged upon a fund or rate of the existing City or the revenues of the existing City shall be charged upon the general rate fund or general rate of the City or the revenues of the City as the case may require. *Peterborough Order. Mortgage debts of Corporation.*

(2) All borrowed moneys to which this article applies with the interest thereon shall 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.

19. The powers and duties of the police constables and other peace officers of the existing City shall extend to and apply throughout the City. *Powers of city police extended.*

20.—(1) On the appointed day such number of the members of the police force of the County as before that day shall have been determined by agreement subject to the approval of the Secretary of State between the standing joint committee of the County and the watch committee of the Corporation or in default of agreement by the Secretary of State shall be transferred to and become part of the police force of the City : *Transfer of members of county police force*

Provided that no member of the police force of the County shall be so transferred without his consent.

(2) Every member of the county police force so transferred shall hold office in the police force of the City upon the same tenure and subject to the same terms and conditions as the other serving members of the city police force of the same rank as that member and any period of service which the transferred member was entitled to reckon before the transfer for purposes of pay promotion or pension in the police force of the County shall be reckoned for the same purpose in the police force of the City :

Provided that where the scale of ordinary pensions applicable to a member of the police force of the County who is so transferred is by virtue of section 29 (1) (a) of the Police Pensions Act 1921 a scale other than that prescribed in Part I. of the First Schedule to that Act such scale shall continue to apply to him as if he had not been so transferred.

(3) The provisions of subsection (2) of section 8 of the Police Pensions Act 1921 shall extend and apply to and in relation to any member of a police force transferred under this article as if that member had removed with the written sanction

[Ch. xix.] *Ministry of Health* [18 & 19 GEO. 5.]
*Provisional Order Confirmation (Peterborough
Extension) Act, 1928.*

A.D. 1928.
—
*Peterborough
Order.*

County
police
stations &c.

of the chief constable of the County and notwithstanding that at the date of the transfer that member may not have completed one year's approved service in the police force of the County.

21.—(1) Any county police station situate within the added areas and any residence for a constable or cell so situate and the fittings and furniture of any such police station residence or cell shall by virtue of this Order be transferred to and vest in the Corporation as from the appointed day for all the estate and interest therein of the County Council and there shall be paid by the Corporation to the County Council out of the general rate fund in consideration of such transfer such sums as shall be agreed upon or as in default of agreement shall be settled by arbitration in manner provided by the Act of 1888.

(2) In the event of the amount of the consideration for the transfer of the property which by virtue of this article is transferred to and vested in the Corporation not being ascertained before the appointed day the date of the final ascertainment of the consideration shall for the purposes of section 12 of the Finance Act 1895 be treated as the date of vesting.

Transfer
of public
elementary
schools.

22.—(1) For the purposes and subject to the provisions of the Education Act 1921—

(a) Any public elementary school provided by the County Council as local education authority and situate within the added areas and the furniture fittings books and apparatus belonging to the County Council of any public elementary school within those areas shall by virtue of this Order be transferred to and vest in the Corporation as the local education authority for all the estate and interest therein of the County Council as the local education authority;

(b) All contracts debts and liabilities which immediately before the appointed day are existing or are owing by or attach to the County Council in respect exclusively of any public elementary school within the added areas or of the furniture fittings books or apparatus or with respect to the officers teachers and servants of any public elementary school within those areas shall by virtue of this Order enure to and be carried into effect by and be discharged and satisfied by the Corporation as the local education authority;

(c) Section 68 of the Act of 1894 shall apply with respect to any adjustment required for the purposes of this article;

(d) Subject to any adjustment which may hereafter be made the liability for repayment of so much of any

[18. & 19 GEO. 5.] *Ministry of Health* [Ch. xix.]
*Provisional Order Confirmation (Peterborough
Extension) Act, 1928.*

loan raised exclusively in respect of any public elementary school or of the furniture fittings or apparatus transferred to and vested in the Corporation by virtue of this Order as will be owing immediately before the appointed day and the liability for the payment of interest on that part of any such loan shall by virtue of this Order be transferred and attach to the Corporation as the local education authority and so much of any such loan as will then be owing shall be charged on the general rate fund and general rate of the City and shall be repaid by the Corporation within the period if any for which that part of the loan was originally sanctioned or within which that part of the loan is otherwise required to be repaid or is made repayable.

A.D. 1928.
—
*Peterborough
Order.*

(2) In this article "public elementary school" includes the site and schoolhouse and also any land acquired and held by the County Council as the local education authority for purposes of elementary education.

23. Any manager of any public elementary school within the added areas who was appointed by the County Council or by a parish council or parish meeting shall vacate office on the appointed day.

School
managers.

24. Subject to the provisions of this Order—

Property
&c. of Rural
Council.

(1) Any property or liabilities which immediately before the appointed day are vested in or attach to the Rural Council in relation exclusively to one of the added areas (or any part thereof) shall by virtue of this Order be transferred to and vest in the Corporation as the urban authority for the execution of the Public Health Acts 1875 to 1925;

(2) Any property or liabilities which immediately before the appointed day are vested in or attach to the Rural Council in relation to one of the added areas (or any part thereof) conjointly with any other portion of the existing Rural District shall be a matter for adjustment under this Order.

25.—(1) Upon the appointed day the estate or interest of the Rural Council in such of the houses provided by that Council under the Rural Housing Schemes as are situate within the added areas shall by virtue of this Order be transferred to and vest in the Corporation as the authority for the execution of the Housing Act 1925.

Housing
Schemes of
Rural
Council.

(2) The rights liabilities obligations and property attaching to or vested in the Rural Council in relation to the Rural Housing Schemes shall be a matter for adjustment under this Order.

[Ch. xix.] *Ministry of Health* [18 & 19 GEO. 5.]
*Provisional Order Confirmation (Peterborough
Extension) Act, 1928.*

A.D. 1928.
—
*Peterborough
Order.*

(3) In this article "the Rural Housing Schemes" means the housing schemes of the Rural Council formulated for the Rural District under Part III. of the Housing of the Working Classes Act 1890 or under the Housing Town Planning &c. Act 1919 the Housing &c. Act 1923 the Housing (Financial Provisions) Act 1924 and the Housing Act 1925.

Dissolution
powers &c.
of parish
councils and
parish
meetings.

26.—(1) The Parish Councils of Longthorpe Peterborough Without Walton and Werrington and the Parish Meetings of Gunthorpe and Paston shall cease to exist but shall liquidate as far as practicable before the appointed day all current debts and liabilities incurred by them.

(2) Subject to the provisions of this Order any powers and duties vested in or imposed on any of the Parish Councils or Parish Meetings mentioned in paragraph (1) of this Article shall be vested in and imposed on the Corporation.

(3) Any property or liabilities held or incurred by—

(a) any of the Parish Councils mentioned in paragraph (1) of this article; or

(b) any Parish Meeting mentioned in that paragraph or by the representative body constituted by article 7 of the Overseers Order 1927 for each of the Parishes of Gunthorpe and Paston;

shall by virtue of this Order be transferred to and vest in or attach to the Corporation.

Local Acts
and orders
relating to
existing
Borough.

27.—(1) Subject to the provisions of this Order the unrepealed provisions of—

(a) The local Act and confirmation Acts specified in the Second Schedule to this Order so far as the last-mentioned Acts respectively relate to the provisional orders specified in that Schedule;

(b) Any other local Act or provisional order duly confirmed and affecting the existing City or the Corporation (including any such local Act or provisional order passed or confirmed during the present session of Parliament); and

(c) Any order affecting the existing City or the Corporation which has effect as if enacted by Parliament;

as the same respectively are in force within the existing City immediately before the appointed day shall extend and apply to the City and any reference therein applicable to the existing City and the Corporation shall be deemed to refer to the City and the Corporation thereof.

(2) Nothing in this Order shall alter the area for the supply of gas by the Peterborough Gas Company or shall prejudice or affect the existing rights and powers of that Company.

[18 & 19 GEO. 5.] *Ministry of Health* [Ch. xix.]
*Provisional Order Confirmation (Peterborough
 Extension) Act, 1928.*

28.—(1) The provisions of—

- (a) The Baths and Washhouses Acts 1846 to 1925;
- (b) The Infectious Disease (Prevention) Act 1890;
- (c) Part III. of the Public Health Acts Amendment Act 1890;
- (d) The Museums and Gymnasiums Act 1891 so far as that Act relates to museums;
- (e) The Public Libraries Acts 1892 to 1919;
- (f) The Private Street Works Act 1892; and
- (g) Parts II. to V. of the Public Health Act 1925;

A.D. 1928.
 —
*Peterborough
 Order.*
 Adoptive
 Acts.

shall be in force within and apply to the City as if the same had been adopted for the City.

(2) The provisions of any adoptive Act in force within the added areas or any part thereof shall subject to the provisions of this article cease to be in force within and apply to any part of the added areas but this paragraph shall not extend to the Burial Acts 1852 to 1906.

(3) Any order under the Infectious Disease (Notification) Act 1889 or under any adoptive enactment mentioned in this article which is in force immediately before the appointed day throughout the existing City shall extend and apply to the added areas and any order under the Infectious Disease (Notification) Act 1889 in force immediately before that day within the added areas shall cease to be in force within those areas.

29. For the purposes of—

- (a) The Public Libraries Acts 1892 to 1919; and
- (b) The Notification of Births Acts 1907 and 1915 and the Maternity and Child Welfare Act 1918;

Public
 libraries
 maternity
 child
 welfare &c.

the Corporation shall be the authority for the City to the exclusion of the County Council.

30. Any order made under the Shop Hours Act 1904 or under the Shops Act 1912 or any subsequent Act providing for the closing of shops and in force immediately before the appointed day in any area affected by this Order shall subject to the provisions of those Acts remain in force and apply to the area to which it then applied.

Orders under
 Shops Hours
 Act 1904 or
 Shops Acts.

31. Subject to any order which the Minister or the Secretary of State may make on or after the appointed day the following provisions shall have effect as regards orders under the Public Health Acts Amendment Act 1907 or the Public Health Act 1925—

Orders under
 Public
 Health Acts
 Amendment
 Act 1907 or
 Public
 Health Act
 1925.

- (1) The provisions of any order made before the appointed day and declaring to be in force throughout the existing

[Ch. xix.] *Ministry of Health* [18 & 19 GEO. 5.]
*Provisional Order Confirmation (Peterborough
Extension) Act, 1928.*

A.D. 1928.

—
*Peterborough
Order.*

City any parts or sections of either of those Acts shall have effect as if any reference in that order to the existing City extended and applied to the City and as if the said parts or sections were accordingly declared to be in force within the City;

(2) Any other order under either of those Acts which is in force immediately before the appointed day throughout the existing City shall extend and apply to the added areas;

(3) The provisions of any order made before the appointed day and declaring to be in force within the added areas any parts or sections of either of those Acts shall cease to apply to the added areas and the parts or sections declared by any such order to be in force shall save as hereinbefore provided cease to be in force within the added areas.

Orders under
section 33 of
Act of 1894.

32.—(1) The powers duties and liabilities of a parish council under section 14 of the Act of 1894 conferred upon the Corporation by the order of the Local Government Board dated the Twentieth day of September Nineteen hundred and five shall be deemed to have been conferred on the Corporation in respect of each of the existing parishes within the existing City.

(2) Nothing in this Order shall affect the power of the Minister to make an order under section 33 of the Act of 1894 with respect to charities as if each of the added areas were a separate parish within the City.

Trustees
of Peter-
borough
United
Charities.

33.—(1) The power of each of the Parish Councils of Peterborough Without and Longthorpe to appoint a representative trustee of the Peterborough United Charities under the scheme of the Charity Commissioners dated the Eighteenth day of October Nineteen hundred and seven as amended by article 3 of the order which was confirmed by the County of the Soke of Peterborough (Peterborough Without and Longthorpe) Confirmation Order 1908 shall be transferred to and vest in the Corporation without prejudice to the tenure of office of any trustee in office immediately before the appointed day.

(2) A person shall not be qualified to be appointed under this article by the Corporation a trustee representative of the existing Parish of Peterborough Without unless he has during the whole of the twelve months preceding his appointment resided in that part of the Parish of Peterborough which is coextensive with the existing Parish of Peterborough Without.

(3) Any person appointed under this article by the Corporation as a trustee representative of the existing Parish of Longthorpe shall be a woman who has during the whole of the twelve months preceding her appointment resided in that part

[18 & 19 GEO. 5.] *Ministry of Health* [Ch. xix.]
*Provisional Order Confirmation (Peterborough
Extension) Act, 1928.*

of the Parish of Peterborough which is coextensive with the existing Parish of Longthorpe. A.D. 1928.

(4) Nothing in this Order shall affect the powers of the Charity Commissioners under the Charitable Trusts Acts 1853 to 1925 to settle or alter a scheme for the better administration of any charity and those powers may be exercised as if this Order had not been made. *Peterborough Order.*

34.—(1) All byelaws made by the Corporation or by the Rural Council and confirmed by the Minister or his predecessors or which if made after the date of this Order would be subject to the Minister's confirmation which are in force within the existing City or within the added areas immediately before the appointed day— *Byelaws regulations scales of charges &c.*

(a) if made before the First day of January Nineteen hundred and fifteen shall continue to apply to the existing City or to the added areas as the case may be for one year after the appointed day (unless previously repealed or altered by byelaws made by the Corporation) but shall on the expiration of the period aforesaid cease to be in force within any part of the City;

(b) if made on or after the First day of January Nineteen hundred and fifteen shall continue to apply to the existing City or to the added areas as the case may be until repealed or altered by byelaws made by the Corporation.

(2) Subject to paragraph (1) of this article all byelaws made by the Corporation or by the Watch Committee of the Corporation and in force immediately before the appointed day within the existing City shall extend and apply to the City until repealed or altered by further byelaws.

(3) All byelaws made by the County Council or by the standing joint committee of the County and in force immediately before the appointed day within the added areas shall in so far as byelaws to the like effect could be made by the Corporation cease to be in force within the added areas.

(4) In their application to the added areas any byelaws made by the Rural Council shall have effect as if they had been made by the Corporation and as if the added areas were referred to therein.

(5) Any proceedings which if this Order had not been made might have been taken for any offence within the added areas committed before the appointed day against—

(a) any byelaws of the Rural Council; or

(b) any byelaws of the County Council or the standing joint committee which by virtue of this article cease to apply to the added areas;

[Ch. xix.] *Ministry of Health* [18 & 19 GEO. 5.]
*Provisional Order Confirmation (Peterborough
Extension) Act, 1928.*

A.D. 1928.
—
*Peterborough
Order.*

may be taken by the Corporation as if the Corporation had been substituted therein for the Rural District Council the County Council or the standing joint committee as the case may require and as if the byelaws of the County Council or the standing joint committee had remained in force.

(6) In this article "byelaws" includes any regulation scale of charges list of tolls or table of fees or payments and any reference to byelaws made by the Corporation or by the Rural Council shall be read as including a reference to byelaws made by the predecessors of the Corporation or the Rural Council as the case may require.

PART IV.

BURIALS.

Corporation
to be burial
board.

35.—(1) The Burial Acts 1852 to 1906 shall be in force within and apply to that part of the Parish of Peterborough (in this Part of this Order called "the burial board area") which does not comprise the existing Parishes of Fletton Urban and Woodstone Urban.

(2) The Corporation shall be the burial board for the burial board area and shall have within that area to the exclusion of any other burial authority all the powers duties and liabilities of a burial board under the Burial Acts :

Provided that no approval sanction or authorisation of any vestry or meeting in the nature of a vestry within the City shall be required in respect of any act of the Corporation as the burial board.

(3) The expenses of the Corporation as a burial board shall be defrayed by the levy over the burial board area of an additional item of the general rate of the City.

Burial com-
mittee of
Corporation.

36.—(1) The Corporation may appoint annually a committee consisting wholly or partly of members of the Council of the City for the exercise of such of their powers and duties as a burial board as may be delegated by them but the committee shall not be authorised to borrow money or to make rates and the acts of the committee shall be submitted to the Corporation for their approval.

(2) Part IV. of the First Schedule to the Act of 1894 which relates to proceedings of committees of parish or district councils shall extend to any committee appointed under this article.

Dissolution of
Peterborough
Joint Ceme-
tery Board.

37.—(1) The Local Government Board's Provisional Orders Confirmation (No. 14) Act 1911 so far as it relates to the Peterborough Joint Cemetery Order 1911 is hereby repealed.

[18 & 19 GEO. 5.] *Ministry of Health* [Ch. xix.]
*Provisional Order Confirmation (Peterborough
 Extension) Act, 1928.*

(2) The Peterborough Joint Cemetery Board shall cease to exist. A.D. 1928.

(3) All property and liabilities which immediately before the appointed day are vested in or attach to the Peterborough Joint Cemetery Board shall by virtue of this Order be transferred to vest in and attach to the Corporation as the burial board and shall be held by them on behalf of the burial board area.

—
*Peterborough
 Order.*

(4) Any outstanding loan which may be transferred by this article shall by virtue of this Order be charged upon the general rate fund and general rate of the City but the sums required to defray the repayment of principal and interest of any such loan shall be defrayed by the Corporation as part of their expenses as a burial board.

(5) Nothing in this article shall prejudice or affect any mortgage or other security for any outstanding loan transferred by this article or the powers of any person entitled under such mortgage or other security to enforce the same as if this Order had not been made and where for any such purpose it is necessary to continue the exercise of a power which would have existed but for this Order the power may continue to be exercised as if this Order had not been made.

38.—(1) Subject to the provisions of this article the Corporation as the burial board and in succession to the Peterborough Joint Cemetery Board shall be responsible for the management and control of the closed burial ground (in this article called "the burial ground") of the former Parish of Peterborough which adjoins Cowgate in the existing City and the burial ground shall be maintained in good order and its walls and fences shall be kept in good repair by the Corporation acting as the burial board.

Maintenance
 &c. of closed
 burial
 ground of
 former
 Parish of
 Peter-
 borough.

(2) No interment shall take place in the burial ground.

(3) Nothing in this article shall prevent the application of the Open Spaces Act 1906 to the burial ground and upon any agreement under that Act between the Corporation and the owner of the burial ground coming into operation the burial ground shall cease to be managed and controlled by the Corporation as the burial board and shall be held and administered by the Corporation under the Open Spaces Act 1906 as an open space for the benefit of the City.

39.—(1) The Peterborough and Old Fletton Joint Burial Committee which acts for an area coextensive with the existing Parish of Fletton Urban and the Parish of Fletton Rural shall be deemed to have been appointed for that part of the Parish of Peterborough which is coextensive with the existing Parish of Fletton Urban and for the Parish of Fletton Rural.

Peter-
 borough
 and Old
 Fletton and
 Woodstone
 Joint Burial
 Committees.

[Ch. xix.] *Ministry of Health* [18 & 19 GEO. 5.]
*Provisional Order Confirmation (Peterborough
Extension) Act, 1928.*

A.D. 1928.
—
*Peterborough
Order.*

(2) The Woodstone Joint Burial Committee which acts for an area coextensive with the existing Parish of Woodstone Urban and the Parish of Woodstone Rural shall be deemed to have been appointed for that part of the Parish of Peterborough which is coextensive with the existing Parish of Woodstone Urban and for the Parish of Woodstone Rural.

(3) Any sum which may be required to meet the expenses of either of the Joint Burial Committees mentioned in this article shall in so far as it is chargeable on a part of the City be defrayed by the levy over that part of the City which is within the district of the joint burial committee of an additional item of the general rate.

Burial fees
and savings
for existing
rights.

40.—(1) Any table of fees and charges in force in respect of any existing cemetery or burial ground which is transferred to the Corporation by this Order shall extend and apply to inhabitants of the burial board area as that table applies to inhabitants of the existing Peterborough Joint Cemetery District.

(2) Nothing in this Order shall prejudice or affect any right of burial or of constructing a burial place or of erecting or placing any monument tablet gravestone or inscription which any person may have acquired prior to the appointed day in relation to any cemetery or burial ground.

(3) Nothing in this Order shall prejudicially affect any right privilege authority or duty which immediately before the appointed day is exerciseable by or attaches to any incumbent or sexton under the Burial Acts 1852 to 1906.

PART V.

GUARDIANS AND RURAL DISTRICT COUNCILLORS.

Wards of and
guardians for
Parish of
Peter-
borough.

41.—(1) The Parish of Peterborough shall for the purpose of the election of guardians be divided into five wards which shall be coextensive with and shall bear the same names as the wards mentioned in column 1 of the First Schedule to this Order as wards into which the City is divided for the election of councillors.

(2) The number of elective guardians for the Parish of Peterborough shall be twenty-two.

(3) The number of guardians to be elected for each ward of the Parish of Peterborough shall be the number specified in column 3 of the First Schedule to this Order opposite to the name of the ward in column 1 of that Schedule.

Guardians
for existing
wards and
parishes.

42.—(1) Any person who immediately before the appointed day is in office as a guardian for the North Ward the East Ward or the West Ward of the existing Parish of Peterborough shall

[18 & 19 GEO. 5.] *Ministry of Health* [Ch. xix.]
*Provisional Order Confirmation (Peterborough
 Extension) Act, 1928.*

on the appointed day be deemed to have been elected as and shall be a guardian for that ward of the Parish of Peterborough which bears the same name but shall retire from office on the day on which he would have retired from office if this Order had not been made.

A.D. 1928.
 —
*Peterborough
 Order.*

(2) The person in office immediately before the appointed day as the guardian for the existing Parish of Minster Precincts shall on the appointed day be deemed to have been elected as and shall be a guardian for the East Ward of the Parish of Peterborough.

(3) The two persons in office immediately before the appointed day as the guardians for the existing Parishes of Fletton Urban and Woodstone Urban shall on the appointed day be deemed to have been elected as and shall be the guardians for the South Ward of the Parish of Peterborough.

(4) If immediately before the appointed day any casual vacancy shall exist in the representation of an existing ward or parish referred to in this article the vacancy shall on the appointed day be deemed to have arisen in that ward of the Parish of Peterborough to which the guardian would have been assigned by this article if the office had been full.

43.—(1) The three persons who immediately before the appointed day are the rural district councillors for the existing Parishes of Gunthorpe Paston Walton and Werrington shall on the appointed day cease to be rural district councillors but shall become guardians for the Paston Ward of the Parish of Peterborough constituted by this Order.

Rural
 district
 councillors
 for existing
 parishes.

(2) The person who immediately before the appointed day is the rural district councillor for the existing Parishes of Longthorpe and Peterborough Without shall on the appointed day cease to be a rural district councillor but shall become a guardian for the West Ward of the Parish of Peterborough.

(3) If immediately before the appointed day a casual vacancy shall exist in the office of rural district councillor for any existing parish or parishes referred to in this article the vacancy in that office shall not be filled and the vacancy shall on the appointed day be deemed to have arisen in the office of guardian for that ward of the Parish of Peterborough to which the rural district councillor would have been assigned by this article if the office had been full.

44. The guardians for the wards of the Parish of Peterborough constituted by this Order shall retire on the Fifteenth day of April in the year Nineteen hundred and thirty-one and in every third year thereafter and any guardian or councillor who by a provision in this Part of this Order is assigned to a ward of the

Term of
 office of
 guardians.

[Ch. xix.] *Ministry of Health* [18 & 19 GEO. 5.]
*Provisional Order Confirmation (Peterborough
Extension) Act, 1928.*

A.D. 1928. Parish of Peterborough shall retire as guardian on the day on
— which he would have retired from his existing office if this Order
Peterborough had not been made.
Order.

PART VI.

OFFICERS.

Meaning in
this Part of
"local
authority"
and
"officer."

45. In this Part of this Order unless the context otherwise
requires—

"Local authority" means a local authority as defined in
section 3 of the Local Government and other Officers'
Superannuation Act 1922 and includes the standing
joint committee of a county;

"Officer" includes a servant and any person whose remunera-
tion is paid by a local authority and any teacher
employed in a public elementary school which is main-
tained by a local education authority.

Officers of
Corporation
continued.

46. The town clerk and all other officers of the Corporation
of the existing City who hold office immediately before the
appointed day shall continue to be the town clerk and officers of
the Corporation of the City and shall hold their offices by the
same tenure as before that day.

Existing
officers of
joint
cemetery
board.

47.—(1) All persons who on the date of the Act of Parliament
confirming this Order are officers of the Peterborough Joint
Cemetery Board shall on the appointed day be transferred to
and become officers of the Corporation acting as a burial board.

(2) Every officer so transferred shall hold his office by the
same tenure and upon the same terms and conditions as if this
Order had not been made and while performing similar duties
to those which he was required to perform immediately before
the appointed day shall receive not less salary or remuneration
and shall be entitled to not less pension (if any) than the salary
remuneration or pension to which he would have been entitled
if this Order had not been made.

(3) The Corporation may distribute their business as a
burial board among the transferred officers in such manner as
they may think proper and every officer shall perform such
duties in relation to that business as may be directed by the
Corporation and the Corporation may abolish the office of any
officer.

(4) If at any time within five years after the appointed
day any transferred officer is required by the Corporation to
perform duties which are not analogous to or which are an
unreasonable addition to those which that officer was required
to perform immediately before the appointed day the officer may
relinquish his office.

[18 & 19 GEO. 5.] *Ministry of Health* [Ch. xix.]
*Provisional Order Confirmation (Peterborough
 Extension) Act, 1928.*

48.—(1) Every officer in office on the date of the Act of Parliament confirming this Order 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 by determination of his appointment or by diminution or loss of fees salary or emoluments (and for whose compensation no other provision is made by any enactment for the time being in force) shall be entitled to compensation for that loss from the Corporation.

A.D. 1928.
 —
*Peterborough
 Order.*
 Compensation to exist-
 ing officers.

(2) Any transferred officer who relinquishes his office under the power conferred by this Order or any officer whose services are dispensed with or whose fees salary or emoluments are reduced within five years after the appointed day because his services are not required or his duties are diminished in consequence of this Order and not on the ground of misconduct shall be deemed unless the contrary is shown to have suffered a direct pecuniary loss in consequence of this Order.

49.—(1) In determining the compensation payable to any person who becomes entitled to compensation in pursuance of this Order regard shall be had to the conditions and circumstances mentioned in subsection (1) of section 120 of the Act of 1888 and the compensation shall not exceed the limit therein mentioned.

Determina-
 tion of com-
 pensation.

(2) Any compensation payable under this Order to any officer shall be paid out of the general rate fund and general rate of the City and the provisions of section 120 of the Act of 1888 shall apply subject to the following and any necessary modifications :—

(a) Any reference in that section to the county council shall be construed as a reference to the Corporation and in subsection (7) of that section for the words “ the same or any other county council ” there shall be substituted the words “ the council of any county or county borough or under any district council ” and there shall be added to the subsection the words “ For the “ purposes of this subsection a teacher in a public elemen-
 “ tary school maintained but not provided by a council
 “ shall be deemed to hold an office under the council.”

(b) References in that section to “ the passing of this Act ” shall be construed as references to the date on which the abolition of office takes effect or the direct pecuniary loss commences as the case may be; and

(c) The expression in subsection (1) of that section “ the “ Acts and rules relating to Her Majesty’s Civil
 “ Service ” shall mean the Acts and rules relating to Her Majesty’s Civil Service which were in operation at the date of the passing of the Act of 1888.

[Ch. xix.] *Ministry of Health [18 & 19 GEO. 5.]
Provisional Order Confirmation (Peterborough
Extension) Act, 1928.*

A.D. 1928.
—
*Peterborough
Order.*

(3) In computing the time of service in any capacity of any officer for the purpose of the award of compensation the Corporation shall take into account all the service of that officer (after the attainment of the age of eighteen years) in any capacity under any local authority whether such officer has been appointed annually or otherwise.

(4) All fees or remuneration received and retained by an officer in connection with the preparation of the jurors book or the register of electors under the Representation of the People Acts 1918 to 1926 shall subject to a reasonable deduction for any expenses incurred by the officer be regarded as part of the emoluments of the officer for the purpose of compensation.

(5) The compensation payable under this Order to an officer who on the date of the Act of Parliament confirming this Order shall hold two or more offices under any local authority or local authorities and who shall have devoted the whole of his time to the duties of such offices shall not be reduced by reason of the fact that he has devoted only part of his time to each of such offices and for the purpose of this paragraph of this article a superintendent registrar registrar of births and deaths or registrar of marriages shall be deemed to hold office under a local authority.

(6) If any officer was temporarily absent from his employment during the war whilst serving in His Majesty's Forces or the Forces of the Allied or Associated Powers either compulsorily or with the sanction or permission of the local authority such period of temporary absence shall be reckoned as service under the local authority in whose employment he was immediately before and after such temporary absence :

Provided that in the case of an officer who after the Armistice voluntarily extended his term of service with the Forces no period of absence during such extension shall be so reckoned.

(7) The Corporation may in their discretion and in consideration of the fact that any officer was appointed to his office as a specially qualified person or of the fact that he had prior to his appointment served as a deputy assistant or clerk to any officer not holding a temporary appointment add any number of years (not exceeding ten) to the number of years which such officer would otherwise be entitled to reckon for the purpose of computing the compensation to which he would be entitled under the Acts and rules relating to Her Majesty's Civil Service as applied by this Order.

Compensa-
tion and
superannua-
tion.

50. No officer shall be entitled to receive both compensation under this Order for pecuniary loss and a superannuation or retiring allowance in respect of the same period of service and the same pecuniary loss.

PART VII.

A.D. 1928.

SUPPLEMENTARY.

*Peterborough
Order.*

Provisions
as to register
of electors.

51.—(1) In the preparation of the register of electors in the year Nineteen hundred and twenty-eight so far as it relates to any area affected by this Order it shall be competent to the Registration Officer of the Parliamentary County of Northampton with the Soke of Peterborough to frame the register in separate parts for each area which will constitute a registration unit after this Order has come into operation instead of in separate parts for each area constituting a registration unit before the operation of this Order.

(2) If the register of local government electors for any electoral area affected by this Order is not so framed as to show the persons entitled to vote at an election or parish meeting to be held for an electoral division parish or ward or other voting area the Registration Officer shall make such alteration or re-arrangement of the register as may be necessary for the purposes of such election or parish meeting.

(3) Any additional expense incurred by the Registration Officer which may be solely attributable to an alteration in the arrangement of a new register of electors or to a re-arrangement of an existing register of electors under the foregoing provisions of this article shall be defrayed by the Corporation.

(4) It shall be the duty of the town clerk of the City and of any officer designated under article 3 of the Overseers Order 1927 by the Corporation or by the Rural Council for the performance of the duties of overseers in relation to the preparation of the register of electors to render such assistance as may be required by the Registration Officer for the purpose of any alteration or re-arrangement authorised by paragraph (2) of this article.

(5) Where in the opinion of the Secretary of State the circumstances so require the Secretary of State may make such order as appears to him to be necessary or desirable to give effect to the provisions of this Order and may vary so far as is requisite the provisions in force with regard to the lists and registers of electors.

52.—(1) The local registrar for the Rural District under the Land Charges Act 1925 and the rules made thereunder shall within fourteen days after the appointed day supply to the local registrar for the City an office copy of every entry in the local land charges register relating to any premises situate within the added areas and shall be paid by the Corporation in respect thereof such fees as are prescribed by the said rules.

Local land
charges
registers.

[Ch. xix.] *Ministry of Health* [18 & 19 GEO. 5.]
*Provisional Order Confirmation (Peterborough
Extension) Act, 1928.*

A.D. 1928.
—
*Peterborough
Order.*

(2) The local registrar for the City shall within fourteen days after the receipt of the office copy mentioned in paragraph (1) of this article enter the same with any necessary modifications in the appropriate part of the local land charges register of the City.

(3) Until the expiration of one month after the appointed day the following provisions shall have effect in respect of all land within the added areas—

- (a) The local registrar for the City shall give notice to any person desiring to make a personal search that an additional search should be made in the register for the Rural District;
- (b) Where application is made for an official search the local registrar for the City shall issue free of charge a certificate of official search in the register of the City and shall forward to the local registrar for the Rural District the application received by him together with the fees paid in respect thereof;
- (c) The local registrar for the Rural District shall permit and make such searches and furnish such office copies and certificates as he would have been required to permit make and furnish and shall in relation thereto have the same powers and be subject to the same obligations as if this Order had not been made;
- (d) Where a local land charge duly registered in the local land charges register of the Rural District is in pursuance of this Order transferred from the register of the Rural District to the register of the City such charge shall not be void as against a purchaser for money or money's worth of a legal estate in the land affected thereby by reason only that it has not been entered in the register of the City.

Valuation
lists.

53.—(1) For the purposes of the preparation revision and approval of the first new valuation list under the Rating and Valuation Act 1925 the Corporation as from the first day of March nineteen hundred and twenty-nine shall have as respects the added areas to the exclusion of the Rural Council all the powers duties and liabilities of the rating authority under Part II. of the Rating and Valuation Act 1925.

(2) Those divisions of the draft of the first new valuation list under the Rating and Valuation Act 1925 for the existing Rural District which relate to the added areas shall on the first day of March nineteen hundred and twenty-nine be transferred to the Corporation and subject to such alterations therein as may appear to the Corporation to be necessary and to the revision

[18 & 19 GEO. 5.] *Ministry of Health* [Ch. xix.]
*Provisional Order Confirmation (Peterborough
 Extension) Act, 1928.*

and approval of those divisions of the list by the assessment committee shall be amalgamated with the draft of the first new valuation list for the existing City to form the first new valuation list for the City.

A.D. 1928.
 —
*Peterborough
 Order.*

(3) All documents relating exclusively to the preparation within the added areas of the first new valuation list under the Rating and Valuation Act 1925 shall be transferred to the Corporation with the divisions of that valuation list so transferred.

(4) Any expenses incurred by the Corporation in the execution prior to the appointed day of the provisions of this article shall be charged by them on or after the appointed day to the general rate of the City.

(5) Nothing in this Order shall before the appointed day affect the powers and duties of the Rural Council as the rating authority for the Rural District with respect to valuation lists to which the Union Assessment Acts 1862 to 1880 apply.

54.—(1) On and after the appointed day the County of the Soke of Peterborough (Assessment Areas and Assessment Committees) Scheme 1926 as approved by the Minister on the Twenty-second day of July Nineteen hundred and twenty-six shall have effect as if for references therein to the Borough of Peterborough and the Peterborough Borough Council there were substituted references to that Borough as extended by this Order and the Borough Council thereof and as if for references to the Rural District of Peterborough and the Peterborough Rural District Council there were substituted references to the Rural District as altered by this Order and the Council thereof.

Assessment
 areas and
 committees.

(2) Any person who immediately before the appointed day represents the existing Borough or the existing Rural District on the Soke of Peterborough Assessment Committee shall on that day be deemed to have been appointed to represent the Borough or the Rural District (as the case may require) on that Committee.

55. For the purposes of all valuation lists of the City prepared under the Rating and Valuation Act 1925 the amount of the deduction to be made from net annual value in the ascertainment of the rateable value of such rateable hereditaments within the added areas as are included in class (3) of the hereditaments specified in column (1) of Part II. of the Second Schedule to that Act shall be 34 per cent. and such alterations of the rateable value of rateable hereditaments within the added areas shall be made by the Corporation in the first new valuation list under the Act of 1925 as may be necessary to give effect to this provision.

Deduction
 in ascertain-
 ing rateable
 value of
 tithes rail-
 ways canals
 &c.

[Ch. xix.] *Ministry of Health* [18 & 19 GEO. 5.]
*Provisional Order Confirmation (Peterborough
Extension) Act, 1928.*

A.D. 1928.

*Peterborough
Order.*

Contribu-
tion orders
precepts and
arrears of
rates.

Apportion-
ment by
Rural
Council of
balance of
general rate.

Balance in
special
account of
Rural
Council.

Balances in
accounts of
Guardians.

Adaptation
of provisions
as to
adjustments.

56.—(1) Notwithstanding the alterations of area effected by this Order all contribution orders and precepts made or issued before the appointed day shall be as valid in law as if this Order had not been made.

(2) All rates not collected immediately before the appointed day in respect of hereditaments within the added areas shall be collected and recovered by the Rural Council or their officers but shall be a matter for adjustment under this Order.

57.—(1) As soon as practicable after the appointed day the Rural Council as regards any balance in their hands derived from a general rate shall estimate the proportion thereof derived from the existing Parishes of Gunthorpe Longthorpe Paston Peterborough Without Walton and Werrington and subject to a deduction on account of undischarged liabilities in respect of those Parishes accruing up to the appointed day shall transfer the amount to the Corporation.

(2) The apportionment under this article of any balance shall be subject to review on an adjustment under this Order.

58.—(1) Any balance on the appointed day in the hands of the Rural Council which may have been derived from any special rate levied by them within any existing parish affected by this Order together with the arrears of any such special rate collected after the appointed day shall subject to the discharge of any outstanding liability for any purpose covered by the rate be paid to the Corporation.

(2) Any balance standing on the appointed day in any special account of the Rural Council to the debit of any existing parish affected by this Order shall be a matter for adjustment under this Order.

59. Any balance standing on the appointed day in the books of the Guardians of the Peterborough Union to the credit or debit of any existing parish affected by this Order shall be transferred by the Guardians to the credit or debit of the Parish of Peterborough.

60. 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—

(a) As if in subsections (5) (6) and (7) of that section the expression "council" included any authority affected by this Order or by anything done in pursuance of this Order; and

(b) As if in the case of any such authority not otherwise empowered to borrow under any Act or on any security

[18 & 19 GEO. 5.] *Ministry of Health* [Ch. xix.]
*Provisional Order Confirmation (Peterborough
Extension) Act, 1928.*

or in any manner mentioned in subsection (6) of the section that subsection 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 Minister may sanction; and

A.D. 1928.
—
*Peterborough
Order.*

(c) As if the fund or rate specified in any agreement or award of adjustment were substituted for any fund mentioned in the section; and

(d) As if the following subsection were added to the section :—

“ (8) If it is necessary for the purpose of giving effect to any agreement or award for an adjustment that a separate rate shall be levied in part only of a parish the agreement or award may authorise such sum to be levied in that part as an additional item of the general rate.”

61.—(1) Subject to the provisions of this Order all and every right custom privilege or power (other than in matters exclusively ecclesiastical or in relation to any charitable trust or purpose) vested in or exerciseable by the parishioners rate-payers or inhabitants in vestry assembled of any area by this Order included in the Parish of Peterborough shall for and in respect of that Parish vest in and be exerciseable by a meeting of inhabitants of the Parish of Peterborough.

Vestry of
Parish of
Peter-
borough.

(2) At every such meeting the chairman shall be appointed by the inhabitants assembled at the meeting but save as aforesaid the general law relating to parish vestries shall apply to any meeting of inhabitants of the Parish of Peterborough to be held in pursuance of this article.

62.—(1) All books and documents belonging to any existing parish affected by this Order and all documents directed by law to be kept with the public books writings and papers of any such parish (except any book or document relating to ecclesiastical matters) shall be deposited in such custody as the Corporation may direct.

Parish books
and docu-
ments.

(2) Any ratepayer of any existing parish affected by this Order shall at all times have the same right of inspection and of making extracts from the books and documents of the existing parish which he would have had if this Order had not been made.

[Ch. xix.] *Ministry of Health* [18 & 19 GEO. 5.]
*Provisional Order Confirmation (Peterborough
 Extension) Act, 1928.*

A.D. 1928.

—
*Peterborough
 Order.*
 Audit of
 accounts of
 dissolved
 authorities.

63.—(1) The accounts of—

(a) the Peterborough Joint Cemetery Board;

(b) the Parish Councils of Longthorpe Peterborough
 Without Walton and Werrington; and

(c) the Parish Meetings of Gunthorpe and Paston;

shall be made up to the appointed day and shall be audited by the district auditor in like manner and subject to the like incidents and consequences as if this Order had not been made.

(2) Any sum certified by the district auditor to be due from any person at any such audit shall be paid to the treasurer of the City and if certified at the audit of the accounts of the Joint Cemetery Board shall be applied in aid of the expenses of the Corporation as a burial board.

Poor law
 settlements.

64. Every person who at any time before the appointed day has acquired or who immediately before that day is in the course of acquiring a settlement in any existing parish affected by this Order by reason of residence birth or other qualification therein shall be deemed to have acquired or to be in the course of acquiring a settlement in the Parish of Peterborough and as if the existing parish had always been a part of the Parish of Peterborough.

Electoral
 divisions of
 County and
 county
 councillors.

65. Nothing in this Order shall affect the area of the electoral divisions of the County or the qualification or term of office of the county councillors representing those electoral divisions.

Saving for
 qualification
 of aldermen
 councillors
 and
 guardians.

66. Any alderman councillor or guardian who is to continue in office after the appointed day shall not during his present term of office be deemed to lose his qualification for being an alderman councillor or guardian by reason of the alterations of area made by this Order.

Savings for
 actions con-
 tracts &c.

67.—(1) No alteration effected by this Order shall cause to abate or shall prejudicially affect or prevent the continuance of any action cause of action or proceeding which immediately before the appointed day is pending or existing by or against the Peterborough Joint Cemetery Board or the Rural Council or any contract deed bond agreement or other instrument (subsisting immediately before the appointed day) entered into or made by that Board or Council or the predecessors of the Rural Council:

Provided that—

(a) Any action cause of action or proceeding which immediately before the appointed day is pending or existing by or against the Cemetery Board or by or against the Rural Council in relation exclusively to

[18 & 19 GEO. 5.] *Ministry of Health* [Ch. xix.]
*Provisional Order Confirmation (Peterborough
Extension) Act, 1928.*

any of the added areas or any part thereof may be continued prosecuted and enforced by or against the Corporation; and

A.D. 1928.
—
*Peterborough
Order.*

- (b) All contracts deeds bonds agreements and other instruments (subsisting immediately before the appointed day) entered into or made by the Cemetery Board or by the Rural Council (or their predecessors) in relation exclusively to any of the added areas or any part thereof may be continued and enforced as fully and effectually as if instead of the Cemetery Board or the Rural Council (or their predecessors) the Corporation had been a party thereto.

(2) All legal proceedings pending immediately before the appointed day may be amended in such manner as may be necessary or proper in consequence of this Order.

68. Nothing in this Order shall empower the Corporation to claim to maintain and repair any main road situate within any of the added areas.

Saving for
main roads
within added
areas.

69. Nothing in this Order shall—

Other
savings.

- (1) restrict the powers of the Secretary of State the Minister or the council of any county or county borough under the Act of 1888 the Act of 1894 or the Poor Law Act 1927;
- (2) affect the powers of the County Council for the division of the County into polling districts for the election of county councillors;
- (3) affect the ecclesiastical divisions of any parish or save as expressly provided in this Order prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment;
- (4) affect the area of any petty sessional division; or
- (5) affect the operation of such of the provisions of the Rating and Valuation Act 1925 as have not come into operation.

70. This Order may be cited as the Peterborough (Extension) Order 1928. Short title.

[Ch. xix.] *Ministry of Health [18 & 19 GEO. 5.]
Provisional Order Confirmation (Peterborough
Extension) Act, 1928.*

A.D. 1928.

*Peterborough
Order.*

SCHEDULES.

FIRST SCHEDULE.

WARDS OF CITY FOR ELECTION OF CITY COUNCILLORS AND OF
PARISH OF PETERBOROUGH FOR ELECTION OF GUARDIANS.

1. Wards of the City and of the Parish of Peterborough.	2. Number of City Councillors for Ward.	3. Number of Guardians for Ward.
North - - - - -	3	3
South - - - - -	3	2
East - - - - -	6	7
West - - - - -	6	7
Paston - - - - -	3	3
Total - - - - -	21	22

SECOND SCHEDULE.

PART I.—LOCAL ACT RELATING TO THE EXISTING CITY.

Session and Chapter.

Short Title.

17 & 18 Geo. 5. c. xciv. The Peterborough Corporation Act
1927.

PART II.—CONFIRMATION ACTS RELATING TO THE EXISTING CITY.

Session and Chapter.	Short Title.	Orders relating to Peterborough thereby confirmed.
39 & 40 Vict. c. excix.	The Local Government Board's Provisional Orders Confirmation (Chelmsford &c.) Act 1876.	Two Provisional Orders dated 6th June 1876 relating to the City and Borough of Peter- borough.
57 & 58 Vict. c. l.	The Electric Lighting Orders Confirmation (No. 2) Act 1894.	The Peterborough Electric Lighting Order 1894.
15 & 16 Geo. 5. c. lxxxiv.	The Ministry of Health Provisional Orders Con- firmation (No. 8) Act 1925.	The Peterborough Order 1925.

[18 & 19 GEO. 5.] *Ministry of Health* [Ch. xix.]
*Provisional Order Confirmation (Peterborough
Extension) Act, 1928.*

Given under the Official Seal of the Minister of Health
this Fifth day of April Nineteen hundred and twenty-
eight.

A.D. 1928
—
*Peterborough
Order.*

(L.S.)

A. B. MACLACHLAN
Assistant Secretary Ministry of Health.

Printed by EYRE and SPOTTISWOODE, LTD.,
FOR
WILLIAM RICHARD CODLING, Esq., C.B., C.V.O., C.B.E., the King's Printer of
Acts of Parliament.

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:
Adastral House, Kingsway, London, W.C.2; 120, George Street, Edinburgh;
York Street, Manchester; 1, St. Andrew's Crescent, Cardiff;
15, Donegall Square West, Belfast;
or through any Bookseller.

