



CHAPTER lvi.

An Act to confirm certain Provisional Orders of the Minister of Health relating to Barton-upon-Irwell Bollington Bradford Bury Cambridge and Darlington. A.D. 1928.
[3rd August 1928.]

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 Poor Law Act 1927: 38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Orders should be confirmed by Parliament: 17 & 18
Geo. 5. c. 14.

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

1. The Orders as amended and set out in the Schedule hereto shall be and the same are hereby confirmed and all the provisions thereof shall have full validity and force. Orders in
Schedule
confirmed.

2. This Act may be cited as the Ministry of Health Provisional Orders Confirmation (No. 9) Act 1928. Short title.

A.D. 1928.

SCHEDULE.

BARTON-UPON-IRWELL UNION.

Barton-upon-Irwell Union Order. *Provisional Order made in pursuance of subsection (3) of Section 142 of the Poor Law Act 1927.*

WHEREAS the Guardians of the Poor of the Barton-upon-Irwell Union (hereinafter referred to as "the Guardians") propose to borrow money which with their existing debt will make their total debt exceed the maximum prescribed by subsection (2) of Section 142 of the Poor Law Act 1927 and the Guardians have applied to the Minister of Health for a Provisional Order to extend the said maximum:

Now therefore the Minister of Health in pursuance of the powers given to him by Section 142 of the Poor Law Act 1927 and by any other Statutes in that behalf hereby orders as follows:—

Extension of borrowing powers.

1. The limit placed by subsection (2) of Section 142 of the Poor Law Act 1927 on the total debt which may be incurred by a board of guardians shall in the case of the Guardians of the Poor of the Barton-upon-Irwell Union be increased to one half of the total net annual value of that Union.

Short title.

2. This Order may be cited as the Barton-upon-Irwell Union Order 1928.

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

(L.S.)

A. B. MACLACHLAN
Assistant Secretary Ministry of Health.

URBAN DISTRICT OF BOLLINGTON.

Bollington Order.

Provisional Order for partially repealing and altering the Bollington Improvement and Lighting Act 1862.

WHEREAS the Urban District Council of Bollington (hereinafter referred to as "the Council") are the local authority for the purposes of the Public Health Act 1875 for the Urban District

of Bollington (hereinafter referred to as "the District") and the unrepealed provisions of the Bollington Improvement and Lighting Act 1862 (hereinafter referred to as "the Local Act") as altered by the Bollington Order 1910 (which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 14) Act 1910) and the Bollington Gas Order 1925 are in force in the District;

A.D. 1928.

—
*Bollington
Order.*

And whereas by the Local Act as altered as aforesaid the Council are empowered to manufacture and supply gas or other means of illumination and provision is made for the making and levying of a lighting rate and with respect to other matters in connection with the undertaking;

And whereas the Council have made application to the Minister of Health for the issue of a Provisional Order partially to repeal the Local Act in the manner hereinafter set forth:

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 in that behalf hereby orders as follows:—

1.—(1) The provisions of the Local Act specified in Part I. of the Schedule to this Order shall except in so far as they relate to gas be repealed. Repeal.

(2) The provisions of the Local Act specified in the first column of Part II. of the Schedule to this Order shall be repealed to the extent specified in the second column.

2. This Order may be cited as the Bollington Order 1928 and shall come into operation on the First day of April One thousand nine hundred and twenty-nine. Short title.

SCHEDULE.

PART I.—SECTIONS OF THE LOCAL ACT REPEALED.

- Section 23 (Lighting Rate.)
Section 24 (Gasworks Account.)
Section 27 (Gas Rents to be primarily and Lighting Rate secondly liable.)
Section 28 (Rates not to be reduced under certain circumstances.)
Section 32 (Application of receipts.)

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Provisional Orders Confirmation (No. 9) Act, 1928.

A.D. 1928.

*Bollington
Order.*

PART II.—SECTIONS OF LOCAL ACT IN PART REPEALED.

Section.	Extent of Repeal.
2 (Interpretation) - - -	The words "or other means of lighting."
4 (Incorporation of Lands Clauses and Gasworks Clauses Acts).	The words "and in construing those Acts as incorporated with this Act the word 'gas' shall include any other superior means of artificial illumination which the Local Board may think fit to adopt."
11 (Power to purchase lands) -	The words "or other means of illumination."
12 (Powers as to construction of Gasworks &c.)	The words "or other means of artificial illumination" wherever they occur.
18 (Power to lay pipes against buildings.)	
25 (Power for Local Board to borrow on security of gas Rents &c.)	
26 (General District Rates and Estimates to include sums payable thereout under this Act.)	
34 (Costs of Distress) - - -	Any reference to the "Lighting Rate."
35 (Recovery of Sums under fifty pounds.)	

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

(L.S.)

A. B. MACLACHLAN
 Assistant Secretary Ministry of Health.

CITY OF BRADFORD.

*Bradford
Order.*

*Provisional Order for altering and amending certain
Local Acts.*

WHEREAS the City of Bradford (hereinafter referred to as "the City") is an urban sanitary district of which the Lord Mayor Aldermen and Citizens acting by the Council (hereinafter referred to as "the Corporation") are the local authority for the purposes of the Public Health Act 1875;

[18 & 19 GEO. 5.] *Ministry of Health* [Ch. lvi.]
Provisional Orders Confirmation (No. 9) Act, 1928.

And whereas there are in force in the City the unrepealed provisions of the Bradford Waterworks and Improvement Act 1868 the Bradford Corporation (Tramways Gas and Various Powers) Act 1900 the Bradford Corporation Act 1902 the Bradford Corporation Act 1913 and the Bradford Corporation Act 1925 (which Acts are hereinafter referred to separately as the Acts of the year in which they were passed and together as "the Local Acts");

A.D. 1928.

—
Bradford
Order.

And whereas by Section 38 of the Act of 1868 the Corporation are authorised to erect and provide on lands vested in them within the City a borough court and other offices and buildings for public or municipal purposes;

And whereas by Sections 48 to 51 of the Act of 1913 the Corporation are empowered to sell exchange or lease lands acquired by them for the purposes of Part III (Central Improvements) of that Act and not required for the purpose of street works or in lieu of selling or disposing of such lands to erect and maintain thereon houses warehouses offices and shops;

And whereas the Corporation have made application to the Minister of Health for the issue of a Provisional Order to alter and amend the Local Acts in the manner hereinafter set forth:

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 Acts shall be altered and amended so that the following provisions shall have effect that is to say:—

1.—(1) The Corporation may on any lands within the City from time to time vested in them and not required for the purpose for which they were acquired or on lands acquired by them under the succeeding subdivision of this Article erect furnish equip and maintain buildings for use for concerts lectures public meetings dances assemblies entertainments amusements and other like purposes together with all suitable offices and conveniences.

Provision of
concerts
entertain-
ments &c.

(2) For the purpose of the provision of such buildings as aforesaid the Corporation may purchase or take on lease or otherwise acquire lands by agreement but nothing in this Article shall authorise the Corporation to create or permit the creation or continuance of a nuisance on any such lands.

(3) The Corporation may grant or let with or without charge the use of the whole or any part of any such buildings for the purposes aforesaid or any of them on such terms and conditions as they may think fit.

(4) The Corporation may provide or arrange for the provision or carrying on of concerts lectures meetings dances

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*Bradford
Order.*

entertainments or amusements in such buildings and may make such charges as they may think fit for admission thereto.

(5) The Corporation may provide and sell or authorise any person to provide and sell programmes of any concerts lectures dances entertainments or amusements provided or given in pursuance of this Article.

(6) The Corporation may provide and sell or arrange for the provision and sale of refreshments in such buildings.

(7) The following restrictions shall have effect with respect to any concert or other entertainment provided by the Corporation under the provisions of this Article that is to say:—

(i) No stage play shall be performed;

(ii) The concert or other entertainment shall not include any performance in the nature of a variety entertainment;

(iii) No cinematograph film other than a film illustrative of questions relating to health or disease shall be shown; and

(iv) No scenery theatrical costumes or scenic or theatrical accessories shall be used.

(8) The net amount of any payments or expenses made or incurred by the Corporation under the provisions of this Article after deducting any moneys received by them under the provisions of this Article shall not in any one year exceed the product of a general rate of one penny in the pound or such higher rate as the Minister may approve.

Sale &c. of
surplus
lands.

2.—(1) The Act of 1913 shall be altered so that the provisions of Sections 48 49 and 51 of that Act shall extend and apply to any lands acquired at any time by the Corporation for the construction of any new street or the widening alteration or improvement of any existing street and not required for the purposes of such construction widening alteration or improvement.

(2) The Corporation may enter into and carry into effect agreements with any person being the owner of or interested in any lands houses or property required by the Corporation for the construction of any new street or the widening alteration or improvement of any existing street or abutting on any lands houses or property at any time acquired or proposed to be acquired for any such purpose with respect to the sale or exchange therefor of any lands or property including the site and soil of any street or thoroughfare or part of a street or thoroughfare (so far as the same is vested in the Corporation) stopped up under statutory powers for such a consideration as may be agreed between the Corporation and such person.

(3) The powers conferred by this Article shall not authorise the Corporation without the consent of the Minister of Health

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to sell lease exchange or otherwise dispose of any lands or buildings or any interests therein at a price or rent or for a consideration of a value less than the current market value but a purchaser or lessee or any person with whom the Corporation may exchange land or buildings shall not be concerned to inquire whether the consent of the Minister is necessary or has been obtained.

A.D. 1928.

—
Bradford
Order.

3.—(1) The Corporation may with the sanction of the Minister of Health from time to time in addition to any other moneys which they are authorised to borrow or which they may be authorised to borrow under the provisions of any of the Local Acts and Orders the Public Health Acts or any public general Act borrow on the following securities and for the following purposes the following sums that is to say:—

Borrowing
powers.

On the security of the City Fund and City Rate or the General Rate Fund and General Rate as the case may be such sums as are required for the purposes of Article 1 of this Order and on the security of the District Fund and General District Rate or the General Rate Fund and General Rate as the case may be such sums as are required for the purposes of Article 2 of this Order.

(2) Any moneys borrowed under this Article shall be repaid within such period not exceeding sixty years from the date of borrowing as the Minister of Health may prescribe and the period so prescribed in respect of any sum borrowed under this Article shall with reference to the repayment of such sum be the prescribed period for the purposes of the Local Loans Act 1875 and of Sections 51 and 52 of the Act of 1900 and Section 84 of the Act of 1902 as applied by this Article.

(3) The provisions of Section 51 (as amended by Section 109 of the Act of 1913) and Sections 52 53 54 and 55 of the Act of 1900 Sections 82 84 and 86 of the Act of 1902 and subsection (3) of Section 102 of the Act of 1913 shall apply as if those provisions were herein re-enacted and in terms made applicable to the moneys borrowed under this Article.

(4) The provisions of this Article prescribing the fund or rate which may be mortgaged or charged shall not affect the operation of Section 108 of the Act of 1913.

4.—(1) The Minister of Health may direct any inquiries to be held by his inspectors which he may deem necessary with reference to the purposes of this Order and such inspectors shall for the purposes of any inquiry have all such powers as they have for the purposes of inquiries directed by the Minister under the Public Health Act 1875.

Inquiries by
Minister of
Health.

(2) When the Minister of Health causes any such inquiry to be held with reference to any of the purposes of this Order the costs incurred by the Minister in relation to that inquiry

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A.D. 1928. (including such sum not exceeding five guineas a day as the
Minister may determine for the services of any inspector engaged
in the inquiry) shall be paid by the Corporation and the Minister
may certify the amount of the costs so incurred and any sum so
certified and directed by the Minister to be paid by the Corpora-
tion shall be a debt due to the Crown from the Corporation.

—
*Bradford
Order.*

Crown rights. 5. Nothing in this Order affects prejudicially any estate
right power privilege or exemption of the Crown.

Short title. 6. This Order may be cited as the Bradford Order 1928.

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

(L.S.)

E. H. RHODES
Assistant Secretary Ministry of Health.

BOROUGH OF BURY.

*Bury
(Acquisition
of Lands)
Order.*

*Provisional Order to enable the Bury Corporation to put
in force the Compulsory Clauses of the Lands Clauses
Acts.*

WHEREAS the Mayor Aldermen and Burgesses of the Borough
of Bury (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 purposes
of widening opening enlarging or otherwise improving certain
streets in the said Borough (including the improvement and
development of frontages to streets) :

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 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.

Short title.

2. This Order may be cited as the Bury (Acquisition of
Lands) Order 1928.

THE SCHEDULE above referred to.

A.D. 1928.

Parish of BURY in the County Borough of BURY.

Bury
(Acquisition
of Lands)
Order.

No. on Deposited Plan.	Description of Property.	Owners or Reputed Owners.	Lessees or Reputed Lessees.	Occupiers.
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IMPROVEMENT NO. I.—CLERKE STREET AND CROSS STREET.

1	House yard and closet.	The Rector of Bury.	The Trustees of the Will of Joseph Newbold deceased namely Joseph Newbold Openshaw Newbold and the Reverend Charles Edward Gausen.	Robert Johnston.
2	Ditto - -	Ditto - -	Ditto - -	Ditto.
3	Ditto - -	Ditto - -	Ditto - -	Mary Ellen Chadwick.
4	Ditto - -	Ditto - -	Ditto - -	Herbert Turner.
5	Ditto - -	Ditto - -	Ditto - -	Samuel Hamer.
6	Printing Works	Ditto - -	The surviving Executor of the Will of Arthur Rothwell deceased namely Thomas Henry Naylor.	Thomas Rothwell.
7	House yard and closet.	Ditto - -	The Executrix of the Will of John William Wike deceased namely Esther Ann Nuttall.	Alfred Law.
8	Workshop - -	Ditto - -	Ditto - -	Robert Weir.
9	Storeroom - -	Ditto - -	Ditto - -	Ditto.
10	House - - -	Ditto - -	Ditto - -	William Gibbs.

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A.D. 1928.

Bury
(Acquisition
of Lands)
Order.

No. on Deposited Plan.	Description of Property.	Owners or Reputed Owners.	Lessees or Reputed Lessees.	Occupiers.
11	Closet	The Rector of Bury.	The Executrix of the Will of John William Wike deceased namely Esther Ann Nuttall.	William Gibbs.
12	Passage and yard in common.	Ditto	Ditto	Alfred Law Robert Weir and William Gibbs.
13	Warehouse and Printing Works.	Ditto	William Ainsworth and Henry Hargreaves.	Harry Taylor and George Ikin and Company Limited.

IMPROVEMENT NO. 2.—WALMERSLEY ROAD (NEAR
WALMERSLEY BREWERY).

14	Part of garden	John Henry and Frederick William Green.	Taylor and Nicholson Limited.	Henry Calderbank.
15	Ditto	Ditto	Ditto	Sydney South.
16	Part of garden and part of passage.	Ditto	Harry Duckworth.	Harry Duckworth.
17	Part of garden parts of two yards and part of house.	Ditto	Continental Grape Products Limited.	Continental Grape Products Limited.

IMPROVEMENT NO. 3.—TOTTINGTON ROAD AND
WHITELEGGE STREET.

18	House	William Christopher Higgins Burne.	Joseph Hamer and William Henry Walsh.	James Hancock.
19	House and shop	Ditto	British Cotton and Wool Dyers Association Limited (S. Smethurst and Sons Limited Branch).	John Richard Maddock.
20	House	Ditto	Ditto	Arthur Spencer.
21	Ditto	Ditto	Ditto	William Henry Heaton.
22	Ditto	Ditto	Ditto	Stanley Whitaker.
23	Ditto	Ditto	Ditto	Richard Bennett.

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No. on Deposited Plan.	Description of Property.	Owners or Reputed Owners.	Lessees or Reputed Lessees.	Occupiers.
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A.D. 1928.
 —
Bury
(Acquisition
of Lands)
Order.

IMPROVEMENT NO. 4.—TOTTINGTON ROAD
 (NEAR "DUSTY MILLER").

24	Strip of land (part of builders' yard).	John Henry and Frederick William Green.	Emily Bridge and Mary Hannah Olive.	Spencer and Clarke Limited.
25	Part of office -	Ditto -	Mary Ann Hamer.	William Hamer and Sons Limited.
26	Strip of land (part of yard).	Ditto -	Crown Brewing Company Limited and Mary Ann Hamer.	Crown Brewing Company Limited.
27	House -	Crown Brewing Company Limited.	Crown Brewing Company Limited.	James Hulton.
28	Ditto -	Ditto -	Ditto -	William Leak.
29	Ditto -	Ditto -	Ditto -	Ellen Ward.
30	Yard in common w.c's. and ash-pits.	Ditto -	Ditto -	James Hulton William Leak and Ellen Ward.
31	Wall and fore-court to "Dusty Miller."	Ditto -	Ditto -	John Traynor.

IMPROVEMENT NO. 5.—MANCHESTER ROAD (NEAR NUTTALL SQUARE).

32	Garden and cellar area.	John Henry and Frederick William Green.	The Executors of the Will of Albert Taylor deceased namely Maria Taylor and Tom Taylor	Harold Mitchell.
33	Ditto -	Ditto -	Ditto and John Clayton Boardman Susan Elizabeth Hewetson and Sarah Boardman.	John Taylor.
34	Ditto -	Ditto -	Ditto -	Thomas Edward Hall.

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A.D. 1928.

*Bury
(Acquisition
of Lands)
Order.*

No. on Deposited Plan.	Description of Property.	Owners or Reputed Owners.	Lessees or Reputed Lessees.	Occupiers.
35	Garden and cellar area.	John Henry and Frederick William Green.	The Executors of the Will of Albert Taylor deceased namely Maria Taylor and Tom Taylor.	Charlotte Sar-ratt.
36	Bay window garden and cellar area.	Ditto	Ditto	Edward Tucker.

IMPROVEMENT NO. 6.—MANCHESTER ROAD AND
TENTERDEN STREET.

37	Part of front garden.	John Henry and Frederick William Green.	Oscar Standring Hall.	Oscar Standring Hall.
38	Ditto	Arthur Peel Nuttall.	Edward James Foulds.	Edward James Foulds.

IMPROVEMENT NO. 7.—AINSWORTH ROAD.

39	Strip of land	John Henry and Frederick William Green.	British Dyewood and Chemical Company Limited per James Winning Liquidator.	British Dyewood and Chemical Company Limited per James Winning Liquidator.
40	Strip of land—Canal feeder bank and retaining walls.	London Midland and Scottish Railway Company.	London Midland and Scottish Railway Company.	London Midland and Scottish Railway Company.
41	Strip of land and flag fences and boundary wall.	Ditto	Ditto	Ditto.
42	Canal feeder and parapet wall.	Ditto	Ditto	Ditto.
43	Part of builders' yard shed and part of shed.	John Henry and Frederick William Green.	British Dyewood and Chemical Company Limited per James Winning Liquidator.	James Barlow and the British Dyewood and Chemical Company Limited per James Winning Liquidator.
44	Strip of land forming access to 43.	Ditto	Ditto	James Barlow.

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A.D. 1928.
 —
Bury
(Acquisition
of Lands)
Order.

No. on Deposited Plan.	Description of Property.	Owners or Reputed Owners.	Lessees or Reputed Lessees.	Occupiers.
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IMPROVEMENT NO. 8.—WATER STREET AND STANLEY STREET.

46	House surgery garage stable yard and closet.	The Rector of Bury.	The Executors of the Will of William James France deceased namely Walter Thompson and William Clayton.	James Dewar.
47	House shop yard and closet.	Ditto -	The Mayor Aldermen and Burgesses of the County Borough of Bury.	Stanley Roscow.
48	House and shop and shop on ground floor.	John Dearden	John Dearden	John Dearden and Otho Hulme Horridge.
49	Lock-up shop -	Harry Cox -	Harry Cox -	Harry Cox.
50	Workshop yard and w.c.	James Coombes.	James Coombes.	James Coombes trading as James Coombes and Company.
51	House shop yard and w.c.	Mary Ann Lingard.	Mary Ann Lingard.	Mary Ann Lingard.
52	Ditto -	Mrs. T. W. M. Winfield.	Mrs. T. W. M. Winfield.	Fred Wadsworth.
53	Shop - -	William Henry and Christopher Watson.	William Henry and Christopher Watson.	Alfred Coyne.
54	Ditto -	Ditto -	Henry James Parker.	William Craig.
55	Yard in common and w.c.'s.	Ditto -	William Henry and Christopher Watson and Henry James Parker.	Alfred Coyne and William Craig.
56	Shop two yards two w.c.'s. and two ashpits.	John Henry and Frederick William Green.	William Tate	William Tate.
57	House shop yard and closet.	Ditto -	Ditto -	William Tate and Harold Hall.

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A.D. 1928.

*Bury
(Acquisition
of Lands)
Order.*

No. on Deposited Plan.	Description of Property.	Owners or Reputed Owners.	Lessees or Reputed Lessees.	Occupiers.
58	Public house yard w.c. and urinal.	John Henry and Frederick William Green.	Joseph Entwistle Frost and Alice Frost trading as Openshaw and Company.	Harrison Petie.
59	Bottling ware-house yard stable and garage.	Ditto	Ditto	Joseph Entwistle Frost and Alice Frost trading as Openshaw and Company.

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

(L.S.)

E. H. RHODES
Assistant Secretary Ministry of Health.

BOROUGH OF CAMBRIDGE.

*Cambridge
Order.*

Provisional Order for partially repealing and altering certain Local Acts and for other purposes.

WHEREAS the Borough of Cambridge (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 Cambridge Corporation Act 1850 and the Cambridge University and Corporation Act 1894 as altered by the Cambridge Order 1912 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 3) Act 1912 (which Acts and Order are hereinafter referred to collectively as "the Local Acts and Order" and separately as the Acts or Order of the year in which they were respectively passed or made);

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And whereas by the Local Acts and Order the Corporation are authorised to hold markets in the Borough which markets are hereinafter referred to as "the markets of the Borough" and by Section 23 of the Local Act of 1894 as altered by the Order of 1912 certain maximum tolls rents stallages and charges are prescribed for the use of the markets of the Borough;

A.D. 1928.
 —
*Cambridge
 Order.*

And whereas the Corporation have applied to the Minister of Health for the issue of a Provisional Order partially to repeal and alter the Local Acts and Order and to make further provision with respect to the markets of the Borough in manner hereinafter appearing:

Now therefore the Minister of Health in pursuance of the powers given to him by Sections 297 and 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 following provisions shall take effect that is to say:—

1.—(1) The Sections of the Act of 1850 and the Act of 1894 which are specified in column 2 of the First Schedule to this Order opposite the title of the Act in column 1 of that Schedule are hereby repealed so far as they relate to the markets of the Borough.

Repeal and
 alteration of
 Local Acts.

(2) The Act of 1894 as altered by the Order of 1912 shall be further altered by the substitution for the tolls stallages rents and charges specified under the headings "Stalls" and "Compartments or Spaces" respectively in the schedule thereto of the tolls stallages rents and charges specified under the corresponding headings in the Second Schedule to this Order.

2. Subject to the provisions of this Order and to the unrepealed provisions of the Local Acts and Order the markets of the Borough shall be deemed to have been and to be markets held established or provided under the Public Health Act 1875 and the provisions of the Public Health Act 1875 with respect to markets and the enactments incorporated therewith and thereby rendered applicable to markets to be established or regulated in pursuance of the said Act (including the provisions and enactments relating to byelaws with respect to any market belonging to an urban authority) shall together with the unrepealed provisions of the Local Acts and Order extend and apply to the markets of the Borough.

Markets
 Public
 Health Act
 to apply.

3.—(1) The Corporation may from time to time demand and receive tolls rents stallages and charges not exceeding those specified in the Schedule to the Act of 1894 as altered by the Order of 1912 and this Order from persons selling or offering or exposing for sale animals or things in the markets of the Borough or using or occupying shops stalls standings or other conveniences in any such market or frequenting any such market

Market
 tolls &c.

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A.D. 1928. or using any slaughter-house weighing-house or place weights
measures scales or machines in the markets.

—
*Cambridge
Order.*

(2) The Corporation may with the sanction of the Minister of Health from time to time alter or add to the tolls rents stallages and charges authorised by this Order and any such altered tolls rents stallages and charges shall as from the date on which they come into operation be substituted for the corresponding tolls rents stallages and charges payable as aforesaid.

Separate
accounts to
be kept.

4.—(1) The Corporation shall in respect of each market of the Borough keep separate accounts so as to distinguish capital from revenue and as to revenue so as to show under a separate heading or division in respect of that market on the one side all receipts and on the other side all payments and expenses such payments and expenses being divided so as also to show the amounts expended in respect of each of the following purposes (that is to say):—

- (a) The working and establishment expenses and cost of maintenance of the undertaking;
- (b) The interest on moneys borrowed and applied by the Corporation for the purposes of or connected with the undertaking;
- (c) The requisite appropriations instalments or sinking fund payments in respect of moneys borrowed and applied for the purposes of the undertaking;
- (d) All other expenses (if any) of the undertaking properly chargeable to revenue.

(2) The Corporation shall show in their accounts relating to each market all items (including receipts and payments in respect of loans applicable thereto) which ought to be entered therein in order to show the financial position of that market.

(3) In all cases in which the Corporation keep separate accounts as required by this Article they shall so far as may be reasonably practicable apportion between those accounts or carry to either of them any receipts credits payments and liabilities which from time to time ought to be so apportioned or carried.

Inquiries
and
expenses.

5.—(1) The Minister of Health may direct any inquiries to be held by his inspectors which he may deem necessary with reference to the purposes of this Order and such inspectors shall for the purposes of any inquiry have all such powers as they have for the purposes of inquiries directed by the Minister under the Public Health Act 1875.

(2) Where the Minister causes any such inquiry as aforesaid to be held the cost incurred by the Ministry in relation to that inquiry (including such sum not exceeding five guineas a

day as the Minister may determine for the services of any inspector or officer of the Ministry engaged in the inquiry) shall be paid by the Corporation and the Minister may certify the amount of the costs so incurred and any sum so certified and directed by the Minister to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

A.D. 1928.
 —
*Cambridge
 Order.*

6. This Order may be cited as the Cambridge Order 1928. Short title.

SCHEDULES.

THE FIRST SCHEDULE.

LOCAL ACTS TO BE PARTIALLY REPEALED SO FAR AS THEY RELATE TO THE MARKETS OF THE BOROUGH.

Local Acts.	Sections repealed.
—	—
The Cambridge Corporation Act 1850 (13 & 14 Vict. c. xxxvii).	Sections II IV IX X XI and XII.
The Cambridge University and Corporation Act 1894 (57 & 58 Vict. c. lx).	Section 23.

THE SECOND SCHEDULE.

STALLS.

Maximum charges per foot run of frontage per day.

I.—Market at Market Hill :

(a) Saturdays.

Covered stall spaces fronting Market Hill	-	-	7d.
Other covered stall spaces	-	-	5d.

(b) Week-days other than Saturdays.

All covered stall spaces	-	-	4d.
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II.—Market at Peas Hill :

All covered stall spaces	-	-	6d.
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[Ch. lvi.] *Ministry of Health* [18 & 19 GEO. 5.]
Provisional Orders Confirmation (No. 9) Act, 1928.

A.D. 1928.

COMPARTMENTS OR SPACES.

*Cambridge
Order.*

For every compartment or space of the ground within the market used by any person for the purpose of exposing to sale or on which shall be exposed to sale any article commodity or thing for which no specific toll is otherwise imposed the charge for each superficial square foot of such compartment or space not exceeding the sums following (that is to say) :—

If taken by the quarter half-year or year - 6*d.* per quarter.

If taken otherwise - - - - - $\frac{1}{2}$ *d.* per day.

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

(L.S.)

E. H. RHODES
Assistant Secretary Ministry of Health.

COUNTY BOROUGH OF DARLINGTON.

*Darlington
Order.*

*Provisional Order for altering certain Local Acts and
Orders.*

WHEREAS the County Borough of Darlington (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 whereas there are in force in the Borough the unrepealed provisions of the Darlington Local Board Act 1854 the Darlington Local Board Act 1861 the Darlington Extension and Improvement Act 1872 the Darlington Corporation (Transport &c.) Act 1925 the Darlington Order 1902 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 9) Act 1902 the Darlington Order 1912 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 3) Act 1912 and the Darlington Order 1923 which was confirmed by the Ministry of Health Provisional Orders Confirmation (No. 1) Act 1923 (which Acts and Orders are hereinafter separately referred to as the Acts and Orders of the year in which they were passed or made and together as "the Local Acts and Orders");

And whereas under the Local Acts and Orders the Corporation carry on a water undertaking and supply water within certain limits;

day as the Minister may determine for the services of any inspector or officer of the Ministry engaged in the inquiry) shall be paid by the Corporation and the Minister may certify the amount of the costs so incurred and any sum so certified and directed by the Minister to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

A.D. 1928.
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*Cambridge
 Order.*

6. This Order may be cited as the Cambridge Order 1928. Short title.

SCHEDULES.

THE FIRST SCHEDULE.

LOCAL ACTS TO BE PARTIALLY REPEALED SO FAR AS THEY RELATE TO THE MARKETS OF THE BOROUGH.

Local Acts.	Sections repealed.
The Cambridge Corporation Act 1850 (13 & 14 Vict. c. xxxvii).	Sections II IV IX X XI and XII.
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THE SECOND SCHEDULE.

STALLS.

Maximum charges per foot run of frontage per day.

I.—Market at Market Hill:

(a) Saturdays.

Covered stall spaces fronting Market Hill	7d.
Other covered stall spaces	5d.

(b) Week-days other than Saturdays.

All covered stall spaces	4d.
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II.—Market at Peas Hill:

All covered stall spaces	6d.
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[Ch. lvi.] *Ministry of Health* [18 & 19 GEO. 5.]
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A.D. 1928.

*Cambridge
Order.*

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If taken by the quarter half-year or year - 6*d.* per quarter.

If taken otherwise - - - - - $\frac{1}{2}$ *d.* per day.

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

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And whereas under the Local Acts and Orders the Corporation carry on a water undertaking and supply water within certain limits;

[18 & 19 GEO. 5.] *Ministry of Health* [Ch. lvi.]
Provisional Orders Confirmation (No. 9) Act, 1928.

And whereas by Article I. of the Order of 1902 as altered by Article I. of the Order of 1912 and Article I. of the Order of 1923 the Corporation were empowered with the sanction of the Local Government Board to borrow such sums not exceeding in the whole the sum of one hundred and sixty-five thousand pounds as might from time to time be necessary for the purposes of their water undertaking in addition to the moneys previously authorised to be borrowed for those purposes;

A.D. 1928.

—
Darlington
Order.

And whereas the Corporation have made application to the Minister of Health for the issue of a Provisional Order to amend the Local Acts and Orders in the manner hereinafter set forth:

Now therefore the Minister of Health in pursuance of the powers given to him by Sections 297 and 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 Acts and Orders shall be altered so that the following provisions shall have effect that is to say:—

1.—(1) Article I. of the Order of 1923 shall have effect as if the words “three hundred and fifteen thousand pounds” were therein substituted for the words “one hundred and sixty-five thousand pounds.”

Borrowing
powers.

(2) Nothing contained in the Order of 1902 or in the Acts or Orders incorporated therewith shall limit the powers conferred upon the Corporation by Section 51 (Power to use one form of mortgage) of the Act of 1925.

(3) In calculating the amount which the Corporation may borrow under the provisions of the Public Health Acts any sums which the Corporation may borrow under or for the purposes of this Order shall not be reckoned and the powers of the Corporation of borrowing and re-borrowing under the provisions of this Order shall not be in any way restricted by any of the provisions or regulations of the Public Health Acts.

2.—(1) The Corporation shall not be bound to supply with water otherwise than by measure (a) any building used by an occupier as a dwelling-house whereof any part is used by the same occupier for any trade or manufacturing purpose for which water is required or (b) any workhouse hospital asylum (whether public or private) sanatorium school club hotel public-house or inn or (c) any boarding-house capable of accommodating at least twelve persons or (d) any other public institution which is habitually occupied by at least twenty persons.

Supply to
houses partly
used for
trade &c.

(2) Where a supply of water to a farmhouse is used for farming purposes the Corporation may require that the supply for farming purposes shall be taken by measure but nothing in this Article shall authorise the Corporation to refuse a supply of water for domestic purposes to a farmhouse at the ordinary rate.

[Ch. lvi.] *Ministry of Health* [18 & 19 GEO. 5.]
Provisional Orders Confirmation (No. 9) Act, 1928.

A.D. 1928.

—
*Darlington
Order.*

(3) The minimum quarterly charge for a supply of water by measure to any of the premises in this Article mentioned shall be one-fourth of the annual amount which would be payable according to the scale for the time being in force for a domestic supply furnished to a dwelling-house of the same rateable value.

Application
of section 35
of Water-
works
Clauses Act
1847.

3. Section 35 (Constant supply of water to be kept for domestic use of all inhabitants entitled to demand a supply) of the Waterworks Clauses Act 1847 in its application to the Corporation shall be read and construed as if the words "one eighth part" were substituted therein for the words "one tenth part."

Corporation
to connect
communica-
tion pipes
with mains.

4. Notwithstanding anything contained in any Act or Order relating to the Corporation the Corporation shall have the exclusive right of executing any works on any of the water mains of the Corporation for connecting any communication pipe therewith and the Corporation shall on the request of any owner or occupier of any premises who is entitled to be supplied with water by the Corporation execute on any such main any work which shall be necessary to connect the communication pipe of such owner or occupier therewith and any expenses incurred by the Corporation in so doing shall be repaid by the owner or occupier so requesting and shall be recoverable as a civil debt.

Penalty for
interfering
with valves
&c.

5. Any person being the owner or occupier of any house or building or part of a house or building or premises to or in respect of which he is not for the time being entitled to a supply or the continuance of the supply of water by the Corporation who shall without the authority of the Corporation turn on any valve cock or other work or apparatus attached to any service main or pipe connected with any main of the Corporation and provided or available for the purpose of affording such supply shall be deemed to commit an offence under Section 60 (Penalty for destroying valves &c.) of the Waterworks Clauses Act 1847 and the said Section shall extend and apply accordingly.

Power to sell
meters.

6. The Corporation may sell meters and any fittings connected therewith upon and subject to such terms (pecuniary or otherwise) and conditions as they think fit.

Power to
supply water
fittings.

7.—(1) The Corporation may if requested by any person supplied or about to be supplied by them with water furnish to him and repair or alter but shall not manufacture any such pipes valves cocks cisterns baths meters soil-pans waterclosets and other fittings as are required or permitted by their regulations and may provide all materials and execute all work necessary or proper in that behalf and the reasonable charges of the Corporation in providing such materials and executing such work shall be paid by the person requiring the same.

[18 & 19 GEO. 5.] *Ministry of Health* [Ch. lvi.]
Provisional Orders Confirmation (No. 9) Act, 1928.

And whereas by Article I. of the Order of 1902 as altered by Article I. of the Order of 1912 and Article I. of the Order of 1923 the Corporation were empowered with the sanction of the Local Government Board to borrow such sums not exceeding in the whole the sum of one hundred and sixty-five thousand pounds as might from time to time be necessary for the purposes of their water undertaking in addition to the moneys previously authorised to be borrowed for those purposes;

A.D. 1928.

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Darlington
Order.

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Borrowing
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(2) Nothing contained in the Order of 1902 or in the Acts or Orders incorporated therewith shall limit the powers conferred upon the Corporation by Section 51 (Power to use one form of mortgage) of the Act of 1925.

(3) In calculating the amount which the Corporation may borrow under the provisions of the Public Health Acts any sums which the Corporation may borrow under or for the purposes of this Order shall not be reckoned and the powers of the Corporation of borrowing and re-borrowing under the provisions of this Order shall not be in any way restricted by any of the provisions or regulations of the Public Health Acts.

2.—(1) The Corporation shall not be bound to supply with water otherwise than by measure (a) any building used by an occupier as a dwelling-house whereof any part is used by the same occupier for any trade or manufacturing purpose for which water is required or (b) any workhouse hospital asylum (whether public or private) sanatorium school club hotel public-house or inn or (c) any boarding-house capable of accommodating at least twelve persons or (d) any other public institution which is habitually occupied by at least twenty persons.

Supply to
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(2) Where a supply of water to a farmhouse is used for farming purposes the Corporation may require that the supply for farming purposes shall be taken by measure but nothing in this Article shall authorise the Corporation to refuse a supply of water for domestic purposes to a farmhouse at the ordinary rate.

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A.D. 1928.

*Darlington
Order.*

Application
of section 35
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works
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1847.

Corporation
to connect
communica-
tion pipes
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Penalty for
interfering
with valves
&c.

Power to sell
meters.

Power to
supply water
fittings.

(3) The minimum quarterly charge for a supply of water by measure to any of the premises in this Article mentioned shall be one-fourth of the annual amount which would be payable according to the scale for the time being in force for a domestic supply furnished to a dwelling-house of the same rateable value.

3. Section 35 (Constant supply of water to be kept for domestic use of all inhabitants entitled to demand a supply) of the Waterworks Clauses Act 1847 in its application to the Corporation shall be read and construed as if the words "one eighth part" were substituted therein for the words "one tenth part."

4. Notwithstanding anything contained in any Act or Order relating to the Corporation the Corporation shall have the exclusive right of executing any works on any of the water mains of the Corporation for connecting any communication pipe therewith and the Corporation shall on the request of any owner or occupier of any premises who is entitled to be supplied with water by the Corporation execute on any such main any work which shall be necessary to connect the communication pipe of such owner or occupier therewith and any expenses incurred by the Corporation in so doing shall be repaid by the owner or occupier so requesting and shall be recoverable as a civil debt.

5. Any person being the owner or occupier of any house or building or part of a house or building or premises to or in respect of which he is not for the time being entitled to a supply or the continuance of the supply of water by the Corporation who shall without the authority of the Corporation turn on any valve cock or other work or apparatus attached to any service main or pipe connected with any main of the Corporation and provided or available for the purpose of affording such supply shall be deemed to commit an offence under Section 60 (Penalty for destroying valves &c.) of the Waterworks Clauses Act 1847 and the said Section shall extend and apply accordingly.

6. The Corporation may sell meters and any fittings connected therewith upon and subject to such terms (pecuniary or otherwise) and conditions as they think fit.

7.—(1) The Corporation may if requested by any person supplied or about to be supplied by them with water furnish to him and repair or alter but shall not manufacture any such pipes valves cocks cisterns baths meters soil-pans waterclosets and other fittings as are required or permitted by their regulations and may provide all materials and execute all work necessary or proper in that behalf and the reasonable charges of the Corporation in providing such materials and executing such work shall be paid by the person requiring the same.

(2) Any fittings let for hire under the provisions of this Article shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under any process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be. Provided that such fittings have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Corporation as the actual owners thereof.

A.D. 1928.

—
Darlington
Order.

(3) Subject to the proviso to subdivision (2) of this Article all fittings let by the Corporation on hire as aforesaid shall notwithstanding that they be fixed or fastened to any part of any premises in which they may be situate or to the soil under any premises at all times continue to be the property of and removable by the Corporation. Provided that nothing in this subdivision shall affect the amount of the assessment for rating of any premises upon which any such fittings are or shall be fixed.

(4) Provided as follows :—

- (a) The Corporation shall so adjust the charges to be made by them for any such fittings or for the fixing repairing or removal thereof as to meet any expenditure by them under the powers of this Article in connection therewith (including interest upon any moneys borrowed for those purposes and all sums applied to sinking fund for repayment of moneys so borrowed);
- (b) When a demand note delivered by the Corporation to a consumer includes a sum charged by the Corporation in respect of providing such fittings or the repairing fixing or removal thereof such sum shall be clearly stated in such demand note;
- (c) The total sums expended and received by the Corporation in connection with the purposes in this Article mentioned in each year (including interest and sinking fund) shall be separately shown in the published accounts of the water undertaking for such year.

8. When several houses or parts of houses in the occupation of several persons are supplied with water by one common pipe belonging to the several owners or occupiers of such houses or parts of houses the said several owners or occupiers shall be liable to contribute the amount of any expenses from time to time incurred by the Corporation in the maintenance and repair of such pipe and their respective proportions of contributions shall be settled by the waterworks engineer of the Corporation or other officer duly authorised in that behalf by the Corporation.

Maintenance
of common
pipe.

9.—(1) If it should appear to the Corporation that by reason of any injury to or defect in any communication pipe which the Corporation are not under obligation to maintain there is any

Power to
repair com-
munication
pipes.

[Ch. lvi.] *Ministry of Health* [18 & 19 GEO. 5.]
Provisional Orders Confirmation (No. 9) Act, 1928.

A.D. 1928.

Darlington
Order.

waste or risk of waste of water or injury or risk of injury to person or property it shall be lawful for the Corporation to execute such repairs as they may think necessary or expedient in the circumstances of the case without being requested so to do and if any injury to or defect in the communication pipe shall have been ascertained the expense incurred by the Corporation for the purposes of ascertaining the injury or defect and executing the repairs (including the expense of breaking up filling in reinstating and making good any road pavement or soil for those purposes) shall be recoverable by the Corporation from the owner of the premises supplied or in cases where the communication pipe is repairable by the occupier of such premises from the occupier.

(2) Provided that except in case of emergency the Corporation shall not under the powers of this Article enter into any house or private premises unless they shall have given to the occupier of such house or premises and in any case where the communication pipe is repairable by the owner thereof to such owner not less than twenty-four hours' previous notice of their intention so to enter.

Power to
enter houses
to inspect.

10. In addition to the powers conferred by Section 57 of the Waterworks Clauses Act 1847 any officer of the Corporation may between the hours of four o'clock and five o'clock in the afternoon enter into any house or premises supplied with water by the Corporation in order to examine if there be any waste or misuse of such water and if any person hinder any such officer from entering or making such examination whether under the powers of this Article or of Section 57 of the Waterworks Clauses Act 1847 he shall for every such offence be liable on summary conviction to a penalty not exceeding five pounds.

Meters in
streets to
measure
water or
detect waste.

11.—(1) Subject to the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes the Corporation may for the purposes of measuring the quantity of water supplied or of preventing and detecting waste affix and maintain meters and similar apparatus on the service pipes and mains of the Corporation and stopcocks in the pipes supplying houses with water and may insert in the roads or footways the necessary covers or boxes for giving access and protection thereto and may for that purpose break up and interfere temporarily with public and private streets sewers gas air or water pipes electric lines wires and apparatus.

(2) Provided that the Corporation shall not interfere with any telegraphic line belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

Supply of
water by
hose-pipe to
stables &c.

12. When water of the Corporation supplied for domestic purposes is used for washing horses carriages or motor cars or for other purposes in premises where horses carriages or motor cars

(2) Any fittings let for hire under the provisions of this Article shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under any process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be. Provided that such fittings have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Corporation as the actual owners thereof.

A.D. 1928.

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Darlington
Order.

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(4) Provided as follows :—

- (a) The Corporation shall so adjust the charges to be made by them for any such fittings or for the fixing repairing or removal thereof as to meet any expenditure by them under the powers of this Article in connection therewith (including interest upon any moneys borrowed for those purposes and all sums applied to sinking fund for repayment of moneys so borrowed);
- (b) When a demand note delivered by the Corporation to a consumer includes a sum charged by the Corporation in respect of providing such fittings or the repairing fixing or removal thereof such sum shall be clearly stated in such demand note;
- (c) The total sums expended and received by the Corporation in connection with the purposes in this Article mentioned in each year (including interest and sinking fund) shall be separately shown in the published accounts of the water undertaking for such year.

8. When several houses or parts of houses in the occupation of several persons are supplied with water by one common pipe belonging to the several owners or occupiers of such houses or parts of houses the said several owners or occupiers shall be liable to contribute the amount of any expenses from time to time incurred by the Corporation in the maintenance and repair of such pipe and their respective proportions of contributions shall be settled by the waterworks engineer of the Corporation or other officer duly authorised in that behalf by the Corporation.

Maintenance
of common
pipe.

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Power to
repair com-
munication
pipes.

[Ch. lvi.] *Ministry of Health. [18 & 19 GEO. 5.]*
Provisional Orders Confirmation (No. 9) Act, 1928.

A.D. 1928.

Darlington
Order.

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(2) Provided that except in case of emergency the Corporation shall not under the powers of this Article enter into any house or private premises unless they shall have given to the occupier of such house or premises and in any case where the communication pipe is repairable by the owner thereof to such owner not less than twenty-four hours' previous notice of their intention so to enter.

Power to
enter houses
to inspect.

10. In addition to the powers conferred by Section 57 of the Waterworks Clauses Act 1847 any officer of the Corporation may between the hours of four o'clock and five o'clock in the afternoon enter into any house or premises supplied with water by the Corporation in order to examine if there be any waste or misuse of such water and if any person hinder any such officer from entering or making such examination whether under the powers of this Article or of Section 57 of the Waterworks Clauses Act 1847 he shall for every such offence be liable on summary conviction to a penalty not exceeding five pounds.

Meters in
streets to
measure
water or
detect waste.

11.—(1) Subject to the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes the Corporation may for the purposes of measuring the quantity of water supplied or of preventing and detecting waste affix and maintain meters and similar apparatus on the service pipes and mains of the Corporation and stopcocks in the pipes supplying houses with water and may insert in the roads or footways the necessary covers or boxes for giving access and protection thereto and may for that purpose break up and interfere temporarily with public and private streets sewers gas air or water pipes electric lines wires and apparatus.

(2) Provided that the Corporation shall not interfere with any telegraphic line belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

Supply of
water by
hose-pipe to
stables &c.

12. When water of the Corporation supplied for domestic purposes is used for washing horses carriages or motor cars or for other purposes in premises where horses carriages or motor cars

are kept for private use the Corporation may if a hose-pipe or other similar apparatus is used charge such additional sum not exceeding twenty shillings per annum (and where more motor cars than one are ordinarily kept a further sum not exceeding ten shillings per annum for each motor car beyond the first as the Corporation may prescribe) and any sum charged under the provisions of this Section shall be paid quarterly in advance and be recoverable in the same manner as water rates.

A.D. 1928.

—
Darlington
Order.

13.—(1) The Corporation may if they think fit form and maintain a reserve fund in respect of the water undertaking by setting aside to such fund such an amount as they may from time to time think reasonable and investing the same in statutory securities (with power to vary and transpose such investments) until the fund so formed amounts to the maximum reserve fund for the time being prescribed by the Corporation not exceeding a sum equal to one-tenth of the aggregate capital expenditure for the time being by the Corporation upon the undertaking and any such fund shall be applicable to meet any extraordinary claim or demand at any time arising against the Corporation in respect of the undertaking or for payment of the cost of renewing improving or extending any part of the works comprised in the undertaking or otherwise for the benefit of the undertaking and so that if the fund be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens.

Reserve
fund.

(2) Any reserve fund which has been formed for the purpose of the water undertaking and which is in existence on the date of the confirmation of this Order shall be deemed to have been formed under this Article.

(3) All interest received in any year from the investments of any reserve fund so formed shall be carried to and shall form part of the revenue for that year of the district fund but the reserve fund shall in that year be increased by a sum equal to the amount of such interest.

(4) Resort may be had to the reserve fund under the foregoing provisions although the fund may not at the time have reached or may have been reduced below the prescribed maximum.

(5) In this Article "statutory securities" means securities in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by Section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation.

[Ch. lvi.] *Ministry of Health* [18 & 19 GEO. 5.]
Provisional Orders Confirmation (No. 9) Act, 1928.

A.D. 1928.

—
Darlington
Order.

Powers in
relation to
water mains.

14. For the purposes of the supply of water by the Corporation under the Local Acts and Orders the Corporation shall have the powers of a Local Authority under Section 54 (Power of carrying mains) of the Public Health Act 1875 in respect of the carrying of water mains within or without their district and in exercising the powers of that Section any area within the water limits of the Corporation shall be deemed to be included in their district:

Provided that in the exercise of the said powers the Corporation shall be subject to the provisions of Sections 308 327 328 329 and 332 of the Public Health Act 1875:

Provided further that the Corporation shall not exercise such powers in respect of any streets roads land or other property of a railway company without the previous consent of such railway company but such consent shall not be unreasonably withheld. Any question whether or not such consent has been unreasonably withheld shall be determined by the Minister of Health.

Charges for
supplies for
refrigerating
apparatus.

15. Where a person who takes a supply of water for domestic purposes from the Corporation uses any of such water for or in connection with the operation of a refrigerating apparatus the Corporation shall be entitled either—

- (a) to require that all water so used shall be measured and that such amount as at the rate for the time being applicable to measured supplies is in excess of the value of five shillings per quarter shall be paid for at such rate; or
- (b) to make such charge for the use of water in connection with the operation of the refrigerating apparatus as may be agreed between the consumer and the Corporation.

Short title.

16. This Order may be cited as the *Darlington Order 1928.*

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

(L.S.)

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

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FOR

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are kept for private use the Corporation may if a hose-pipe or other similar apparatus is used charge such additional sum not exceeding twenty shillings per annum (and where more motor cars than one are ordinarily kept a further sum not exceeding ten shillings per annum for each motor car beyond the first as the Corporation may prescribe) and any sum charged under the provisions of this Section shall be paid quarterly in advance and be recoverable in the same manner as water rates.

A.D. 1928.

—
Darlington
Order.

13.—(1) The Corporation may if they think fit form and maintain a reserve fund in respect of the water undertaking by setting aside to such fund such an amount as they may from time to time think reasonable and investing the same in statutory securities (with power to vary and transpose such investments) until the fund so formed amounts to the maximum reserve fund for the time being prescribed by the Corporation not exceeding a sum equal to one-tenth of the aggregate capital expenditure for the time being by the Corporation upon the undertaking and any such fund shall be applicable to meet any extraordinary claim or demand at any time arising against the Corporation in respect of the undertaking or for payment of the cost of renewing improving or extending any part of the works comprised in the undertaking or otherwise for the benefit of the undertaking and so that if the fund be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens.

Reserve
fund.

(2) Any reserve fund which has been formed for the purpose of the water undertaking and which is in existence on the date of the confirmation of this Order shall be deemed to have been formed under this Article.

(3) All interest received in any year from the investments of any reserve fund so formed shall be carried to and shall form part of the revenue for that year of the district fund but the reserve fund shall in that year be increased by a sum equal to the amount of such interest.

(4) Resort may be had to the reserve fund under the foregoing provisions although the fund may not at the time have reached or may have been reduced below the prescribed maximum.

(5) In this Article "statutory securities" means securities in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by Section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation.

[Ch. lvi.] *Ministry of Health* [18 & 19 GEO. 5.]
Provisional Orders Confirmation (No. 9) Act, 1928.

A.D. 1928.
—
Darlington
Order.
Powers in
relation to
water mains.

14. For the purposes of the supply of water by the Corporation under the Local Acts and Orders the Corporation shall have the powers of a Local Authority under Section 54 (Power of carrying mains) of the Public Health Act 1875 in respect of the carrying of water mains within or without their district and in exercising the powers of that Section any area within the water limits of the Corporation shall be deemed to be included in their district :

Provided that in the exercise of the said powers the Corporation shall be subject to the provisions of Sections 308 327 328 329 and 332 of the Public Health Act 1875 :

Provided further that the Corporation shall not exercise such powers in respect of any streets roads land or other property of a railway company without the previous consent of such railway company but such consent shall not be unreasonably withheld Any question whether or not such consent has been unreasonably withheld shall be determined by the Minister of Health.

Charges for
supplies for
refrigerating
apparatus.

15. Where a person who takes a supply of water for domestic purposes from the Corporation uses any of such water for or in connection with the operation of a refrigerating apparatus the Corporation shall be entitled either—

(a) to require that all water so used shall be measured and that such amount as at the rate for the time being applicable to measured supplies is in excess of the value of five shillings per quarter shall be paid for at such rate ; or

(b) to make such charge for the use of water in connection with the operation of the refrigerating apparatus as may be agreed between the consumer and the Corporation.

Short title.

16. This Order may be cited as the *Darlington Order 1928.*

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

(L.S.)

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

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