



CHAPTER lxi.

An Act to confirm a Provisional Order of the Minister of Health relating to Swindon. A.D. 1928.

[3rd August 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 (Swindon Extension) Act 1928. Short title.

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Extension) Act, 1928.*

A.D. 1928.

SCHEDULE.

BOROUGH OF SWINDON.

*Swindon
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 Borough of Swindon in the administrative county of Wilts is a borough within the meaning of the Local Government Act 1888 and the inhabitants are a body corporate by the name of the mayor aldermen and burgesses of the Borough of Swindon and act by the council of the Borough which now consists of the mayor (who is also an alderman) eleven other aldermen and thirty-six councillors and the Borough for the election of councillors is divided into six wards;

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

And whereas in pursuance of the Education Act 1921 the Council of the Borough are the local education authority for the purposes of elementary education;

And whereas the Borough is coextensive with the Parish of Swindon and is an urban district under the jurisdiction of the mayor aldermen and burgesses acting by the Council;

And whereas the four parishes of Chisledon Rodbourne Cheney Stratton Saint Margaret and Wroughton in the administrative county of Wilts immediately adjoin the Borough and are contributory places in the Rural District of Highworth;

And whereas the two parishes of Lydiard Millicent and Lydiard Tregoze in the administrative county of Wilts immediately adjoin the Borough and are contributory places in the Rural District of Cricklade and Wootton Bassett:

Now therefore the Minister of Health in pursuance of the powers given to him by sections 54 and 59 of the Local Govern-

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ment Act 1888 and of all other powers enabling him in that A.D. 1928.
behalf hereby orders as follows :—

—
*Swindon
Order.*

PART I.

INTERPRETATION AND COMMENCEMENT.

1. In this Order unless the context otherwise requires— Definitions.

“ Existing ” in relation to any area altered by this Order means existing immediately before the appointed day ;

“ 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 added part of Chisledon the added parts of Lydiard Millicent the added part of Lydiard Tregoze the added part of Rodbourne Cheney the added part of Stratton Saint Margaret and the added part of Wroughton ;

“ The added part of Chisledon ” means that part of the existing Parish of Chisledon which is coloured green on the borough maps ;

“ The added parts of Lydiard Millicent ” means those parts of the existing Parish of Lydiard Millicent which are coloured grey on the borough maps ;

“ The added part of Lydiard Tregoze ” means that part of the existing Parish of Lydiard Tregoze which is coloured blue on the borough maps ;

“ The added part of Rodbourne Cheney ” means that part of the existing Parish of Rodbourne Cheney which is coloured yellow on the borough maps ;

“ The added part of Stratton Saint Margaret ” means that part of the existing Parish of Stratton Saint Margaret which is coloured purple on the borough maps ;

“ The added part of Wroughton ” means that part of the existing Parish of Wroughton which is coloured brown on the borough maps ;

“ The appointed day ” means the First day of October Nineteen hundred and twenty-eight ;

“ The Borough ” means the existing Borough of Swindon as extended by this Order ;

“ The borough maps ” means the duplicate maps marked “ Map of the Borough of Swindon as extended by the Swindon (Extension) Order 1928 ” and sealed with the official seal of the Minister ;

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“The Corporation” means as the context requires the mayor aldermen and burgesses of the existing Borough or of the Borough acting by the Council;

“The County” and “the County Council” mean respectively the administrative county of Wilts and the county council of that County;

“The Cricklade District” and “the Cricklade Council” mean respectively the Rural District of Cricklade and Wootton Bassett and the Rural District Council of that rural district;

“The Highworth District” and “the Highworth Council” mean respectively the Rural District of Highworth and the Rural District Council of that rural district;

“The excluded part of Chisledon” “the excluded part of Lydiard Millicent” “the excluded part of Lydiard Tregoze” “the excluded part of Rodbourne Cheney” “the excluded part of Stratton Saint Margaret” and “the excluded part of Wroughton” mean respectively that part of the existing parish of the same name which is not by this Order added to the existing Borough;

“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;

“The Parish of Swindon” “the Parish of Chisledon” “the Parish of Lydiard Millicent” “the Parish of Lydiard Tregoze” “the Parish of Stratton Saint Margaret” and “the Parish of Wroughton” mean respectively each of those parishes as altered by this Order;

“The Parish of Haydon Wick” means the excluded part of Rodbourne Cheney as renamed by this Order;

“The ward maps” means the duplicate maps marked “Map of the wards of the Borough of Swindon as extended by the Swindon (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 October Nineteen hundred and twenty-eight :

Provided that for the purposes of—

A.D. 1928.

- (a) the division of the Borough and Parish of Swindon into wards and all proceedings preliminary or relating to any election to be held on or after the appointed day 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;
- (c) Part V. of this Order relating to rating and valuation;
- (d) the proceedings preliminary or relating to the election of parish councillors for the Parish of Haydon Wick or of a rural district councillor for that parish; and
- (e) the preparation of any precept or contribution order to be made on or after the appointed day;

—
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Order.*

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

PART II.

ALTERATIONS OF BOUNDARY.

4.—(1) The boundary of the existing Borough the area whereof is coloured pink on the borough maps shall be altered so as to include in addition to that area—

Extension
of existing
Borough.

- (a) that part of the Highworth District which comprises the added part of Chisledon the added part of Rodbourne Cheney the added part of Stratton Saint Margaret and the added part of Wroughton; and
- (b) that part of the Cricklade District which comprises the added parts of Lydiard Millicent and the added part of Lydiard Tregoze.

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

5.—(1) The added areas shall be separated from the existing parishes of which they form part and shall be added to the existing Parish of Swindon.

Alterations
of parishes.

(2) The whole of the Parish of Swindon shall form part of the Swindon and Highworth Union.

(3) That part of the existing Parish of Rodbourne Cheney which is not added to the Borough by this Order shall be known as the Parish of Haydon Wick.

6. The added areas shall cease to form part of any petty sessional division of the County.

Petty
sessional
divisions.

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Deposit and
copies of
borough and
ward maps.

7.—(1) One of the borough 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 Borough at his office.

(2) Copies of the borough 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 Cricklade Council to the clerk to the Highworth 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 Swindon and Highworth Union to the Registrar-General and to the Minister of Agriculture and Fisheries.

Copies of
borough
map to be
evidence.

8.—(1) Copies of or extracts from the borough map deposited with the town clerk and 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 Borough.

(2) The borough 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 Borough 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 borough fund.

PART III.

PROVISIONS CONSEQUENT ON EXTENSION OF BOROUGH.

Number of
councillors
and alder-
men.

9. Subject to the provisions of the Municipal Corporations Acts the number of councillors of the Borough shall continue to be thirty-six and the number of aldermen of the Borough shall continue to be twelve.

Existing
mayor alder-
men and
councillors.

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

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11. Subject to the provisions of the Municipal Corporations Acts the following provisions shall have effect :— A.D. 1928.

- *Swindon
 Order.*
- New
 municipal
 wards.
- (1) For the purposes of the election of councillors the Borough shall be divided into the six 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 Borough which is indicated by a separate colour and distinguished by the name of the ward on the ward maps :
 - (3) Six councillors shall be assigned to each ward and the councillors for each of the existing municipal wards shall on the appointed day represent the ward of the same name constituted by this Order :
 - (4) 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 :
 - (5) Any alderman who has been assigned by the Council of the existing Borough to act as returning officer at any election for one of the existing wards shall be deemed to have been assigned to act as returning officer at any election for the ward of the same name constituted by this Order.

12. For the purposes of the application to the Borough 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 Borough. County and Borough Councils (Qualification) Act 1914.

13. The powers and duties of the justices of the peace appointed for the existing Borough and of the clerk to those justices shall extend to and apply throughout the Borough : Jurisdiction powers and duties of borough justices &c. extended.

Provided that—

- (a) every person committing an offence in any of the added areas prior to the appointed day shall be tried and dealt with as if this Order had not been made ;
- (b) every proceeding which prior to the appointed day has been begun by or is pending before any justice in relation to any matter arising in or concerning any of the added areas may be continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this Order had not been made.

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County
electoral
divisions.

14.—(1) For the purpose of the election of county councillors—

(a) The added part of Rodbourne Cheney and the added part of Stratton Saint Margaret shall be separated from the Stratton Electoral Division the added part of Chisledon and the added part of Wroughton shall be separated from the Wroughton Electoral Division and the added parts of Lydiard Millicent and the added part of Lydiard Tregoze shall be separated from the Purton Electoral Division;

(b) The Borough shall be divided into six electoral divisions of the County to be designated by the names appearing in column 2 of the First Schedule to this Order and each electoral division shall be coextensive with the area of the new municipal ward mentioned in column 1 of that Schedule which is opposite the name of the new electoral division in column 2 of the Schedule.

(2) Any person who immediately before the appointed day represents as a county councillor—

(a) any electoral division mentioned in paragraph 1 (a) of this article shall represent that electoral division as altered by this Order;

(b) one of the existing electoral divisions of the County within the existing Borough shall be deemed to have been elected to represent the new electoral division mentioned in column 2 of the First Schedule to this Order which bears the same name as the existing electoral division.

(3) Any county councillor mentioned in this article shall retire from office on the day on which he would have retired if this Order had not been made.

Adaptation
of agree-
ments as to
higher
education:

15. In any agreement made between the County Council and the Corporation which relates to higher education any reference to the existing Borough or the existing Parish of Swindon shall be read as a reference to the Borough or the Parish of Swindon as the case may require.

Public
elementary
schools &c.
within added
areas.

16.—(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

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the estate and interest therein of the County Council as the local education authority; A.D. 1928.

(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 and teachers of any such 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;

—
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(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 the repayment of so much of any loan raised exclusively in respect of any public elementary school or in respect 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 borough fund and the borough rate of the Borough and shall be repaid by the Corporation within the period 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.

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

17. Every manager of any public elementary school within the added areas who was appointed by the County Council or by a parish council shall vacate office on the appointed day. Education managers.

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

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A.D. 1928. by or vested in the Corporation for the benefit of the existing
— Borough and all liabilities which immediately before the appointed
Swindon day attach to the Corporation in respect of the existing Borough
Order. shall on that day attach to them in respect of the Borough.

Mortgage debts of Corporation. 19.—(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 Borough or the revenues of the existing Borough shall be charged upon the corresponding fund or rate of the Borough or the revenues of the Borough as the case may require.

(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.

Property &c. of Rural Councils. 20. Subject to the provisions of this Order—

(1) Any property or liabilities which immediately before the appointed day are vested in or attach to—

(a) the Cricklade Council in relation exclusively to the added parts of Lydiard Millicent or the added part of Lydiard Tregoze or any portion of one of those added parts;

(b) the Highworth Council in relation exclusively to the added part of Chisledon the added part of Rodbourne Cheney the added part of Stratton Saint Margaret or the added part of Wroughton or any portion of one of those added parts;

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 Cricklade Council or to the Highworth Council in relation to those portions of the added areas which are within the existing district of that Council conjointly with any other portion of their district shall be a matter for adjustment under this Order.

Housing Schemes of Rural Council. 21.—(1) Upon the appointed day the estate or interest of—
(a) the Cricklade Council in such of the houses provided by that Council under the Rural Housing Schemes as

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are situate within the added parts of Lydiard Millicent
 or the added part of Lydiard Tregoze; or

- (b) the Highworth Council in such of the houses provided
 by that Council under the Rural Housing Schemes
 as are situate within any added area which forms part
 of the existing Highworth District;

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.

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

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

22.—(1) The chairman and members of the Parish Council
 of the existing Parish of Rodbourne Cheney shall retire from
 office on the appointed day.

(2) There shall be a parish council for the Parish of Haydon
 Wick and the number of parish councillors shall be seven.

(3) An election of parish councillors for the Parish of
 Haydon Wick shall be held in September Nineteen hundred and
 twenty-eight and subject to the provisions of this article and of
 any directions which may be given by the Secretary of State
 the rules in the Parish Councillors Election Order 1901 as
 amended by the Local Elections (Alteration of Rules) Order 1925
 shall apply to the election.

(4) In the application of the Parish Councillors Election
 Order 1901 the following modifications shall be made:—

(a) The chairman of the parish meeting for the election of
 parish councillors shall be such person as may be
 nominated in writing by the chairman of the County
 Council and the duties devolving on the chairman of
 the Parish Council under rules 1 and 2 of the Election
 Order shall be discharged by the person so nominated
 or if from illness or other sufficient cause he is unable
 to discharge the duties by the clerk to the Parish Council
 of the existing Parish of Rodbourne Cheney;

(b) References to the clerk to the Parish Council in
 rules 4 20 (3) and (4) 25 (2) and 33 (2) shall be deemed

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 Order.*

Parish
 councillors
 for Rod-
 bourne
 Cheney and
 election of
 parish coun-
 cillors for
 Haydon
 Wick.

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to be references to the clerk to the Parish Council of the existing Parish of Rodbourne Cheney;

(c) References to the "parish" in rule 21 (2) shall be deemed to be references to the existing Parish of Rodbourne Cheney; and

(d) The parish meeting for the election shall be held on Monday the third day of September and the day of poll (if any) shall be Monday the twenty-fourth day of September.

(5) The persons elected as parish councillors at the election shall come into office on the appointed day and shall retire from office on the Fifteenth day of April in the year Nineteen hundred and thirty-one.

(6) The first meeting of the Parish Council of Haydon Wick shall be convened by the person who acts as the chairman of the parish meeting for the election of parish councillors.

(7) The Parish Council of Haydon Wick shall be deemed to be the successors of the Parish Council of Rodbourne Cheney.

Parish
Councils of
other
parishes
affected by
Order.

23. The Parish Council of each of the existing Parishes of Chisledon Lydiard Millicent Lydiard Tregoze Stratton Saint Margaret and Wroughton shall be deemed to have been elected as and shall be the Parish Council of that parish as altered by this Order.

Powers
property &c.
of Parish
Councils.

24.—(1) Subject to the provisions of this Order any powers or duties vested in or imposed on the Parish Councils of the existing Parish of Chisledon the existing Parish of Lydiard Millicent the existing Parish of Lydiard Tregoze the existing Parish of Rodbourne Cheney the existing Parish of Stratton Saint Margaret and the existing Parish of Wroughton (in this article called "the Parish Councils") shall so far as regards the added part of each of those existing Parishes be vested in or imposed on the Corporation.

(2) Any property or liabilities held or incurred by any of the Parish Councils in relation exclusively to the added part of their parish or any portion of that added part shall by virtue of this Order be transferred to and vest in or attach to the Corporation.

(3) Any property or liabilities held or incurred by any of the Parish Councils in relation to the added part of their parish or any portion of that added part conjointly with any other area shall be a matter for adjustment under this Order.

Repeal of
Provisional
Orders relating
to Swindon New
Town.

25. The confirmation Acts mentioned in the Second Schedule to this Order in so far as they relate to the Provisional Orders specified in that Schedule are hereby repealed.

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26.—(1) Subject to the provisions of this Order the A.D. 1928.
 unrepealed provisions of—

(a) The local Acts and confirmation Acts specified in the Third 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 Borough or the Corporation (including any such Act or Order passed or confirmed during the present session of Parliament); and

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

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

Provided that—

(a) Nothing in this article shall extend the operation of section 4 of the Swindon Corporation (Wilts and Berks Canal Abandonment) Act 1914; and

(b) The provisions of Part VI. (Tuberculosis) and Part VII. (Infectious disease) of the Swindon Corporation Act 1904 shall not extend to the added areas unless before the appointed day public notice shall be given in the added areas of those provisions in the manner prescribed by sections 58 and 74 of that Act.

(2) The area for the supply of electricity by the Corporation under the local Acts and Orders relating to the existing Borough shall be the Borough and the Parish of Haydon Wick and for the purposes of paragraph (1) of section 80 of the Wessex Electricity Act 1927 the date when the boundary of the existing Borough is extended by this Order shall be the First day of October Nineteen hundred and twenty-eight.

(3) The whole of the Borough shall be within the limits for the supply of water by the Corporation under the local Acts and Orders relating to the existing Borough.

(4) Nothing in this Order shall alter the area for the supply of gas by the Swindon United Gas Company or shall prejudice or affect the existing rights and powers of that Company or shall vary the powers of charge in any part of the area of supply of the Company.

27.—(1) The provisions of—

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

—
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 Order.*
 Extension of
 local Acts
 and Orders
 relating to
 existing
 Borough.

Adoptive
 Acts.

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—
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Order.*

- (b) The Public Health Acts Amendment Act 1890;
- (c) The Museums and Gymnasiums Act 1891 (so far as it relates to museums); and
- (d) The Local Government and other Officers' Superannuation Act 1922;

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

(2) Such of the provisions of the Public Health Act 1925 as are in force immediately before the appointed day within the existing Borough by virtue of an adoption by the Corporation of those provisions shall be in force within and apply to the Borough.

(3) 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.

(4) 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 Borough 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.

Small
dwellings
acquisition
maternity
child
welfare &c.

28. For the purposes of—

- (a) The Small Dwellings Acquisition Acts 1899 to 1923;
and
- (b) The Notification of Births Acts 1907 and 1915 and the Maternity and Child Welfare Act 1918;

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

Burial Acts
1852 to
1906.

29.—(1) The Burial Acts 1852 to 1906 shall cease to be in force within any of the added areas :

Provided that nothing in this provision shall—

- (a) 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 burial ground; or
- (b) 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.

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(2) Any table of fees and charges in force in respect of any existing cemetery maintained by the Corporation under the Public Health (Interments) Act 1879 shall extend and apply to inhabitants of the Borough as such table applies to inhabitants of the existing Borough.

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 —
*Swindon
 Order.*

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

(2) Any other order under either of those Acts which is in force immediately before the appointed day throughout the existing Borough 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.

32.—(1) All the powers duties and liabilities of an urban authority and all the powers in relation to the chargeability of expenses with which the Cricklade Council or the Highworth Council are invested in pursuance of any order made by the Local Government Board or the Minister under the Public Health Acts 1875 to 1925 in respect of any contributory place which is altered by this Order shall be deemed to vest in and attach to the Cricklade Council or the Highworth Council in respect of that contributory place as altered by this Order.

Urban
 powers &c.
 in excluded
 parts of
 parishes.

(2) For the purposes of this article the contributory place of Haydon Wick constituted by this Order shall be deemed to be

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*Provisional Order Confirmation (Swindon
Extension) Act, 1928.*

A.D. 1928. the contributory place of Rodbourne Cheney as altered by this Order.

*Swindon
Order.*

Orders
under s. 33
of Act of
1894.

33.—(1) Subject to the provisions of the Rating and Valuation Act 1925 the orders under section 33 of the Act of 1894 made by the Local Government Board on the Eighth day of August Nineteen hundred and one the Tenth day of October Nineteen hundred and three and the Eighth day of August Nineteen hundred and four shall have effect as if any reference therein to the existing Borough extended and applied to the Borough and save as provided in this article as if any reference therein applicable to the existing Parish of Swindon extended and applied to the Parish of Swindon.

(2) Nothing in this article shall be deemed to alter any reference to the Parish of Swindon in the said order of the Eighth day of August Nineteen hundred and four which relates to charities.

Byelaws
regulations
scales of
charges &c.

34.—(1) Subject to the provisions of this Order all byelaws made by the Corporation or by the Cricklade Council or the Highworth 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 Borough or within the added areas immediately before the appointed day—

(a) if made before the First day of January Nineteen hundred and fourteen shall continue to apply to the existing Borough or to the added areas in which they are in force 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 Borough;

(b) if made on or after the First day of January Nineteen hundred and fourteen shall continue to apply to the existing Borough or to the added areas in which they are in force 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 Borough shall extend and apply to the Borough 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 Cricklade Council or the Highworth Council shall have effect as if they had been made by the Corporation and as if that part of the added areas which is within the Cricklade District or the Highworth District (as the case may require) were referred to therein.

A.D. 1928.
 —
*Swindon
 Order.*

(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 Cricklade Council or the Highworth 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;

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 Cricklade Council or by the Highworth Council shall be read as including a reference to byelaws made by the predecessors of the Corporation or the Rural District Council as the case may require.

PART IV.

ISOLATION HOSPITALS.

35.—(1) The Swindon Hospital (County of Wilts) Order 1895 and the amending Order made by the County Council on the Nineteenth day of May Eighteen hundred and ninety-six are hereby revoked.

Dissolution
 of Swindon
 Hospital
 District.

(2) The Swindon Hospital District shall be dissolved and the Swindon and District Hospital Board (in this Part of this Order called "the Hospital Board") shall be abolished and shall cease to exist but shall liquidate as far as practicable before the appointed day all current debts and liabilities incurred by them.

36. The added parts of Lydiard Millicent and the added part of Lydiard Tregoze shall be excluded from and cease to form part of the Cricklade and Wootton Bassett Hospital District constituted by the County Council under the Isolation Hospitals Act 1893.

Cricklade
 and Wootton
 Bassett
 Hospital
 District.

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*Provisional Order Confirmation (Swindon
Extension) Act, 1928.*

A.D. 1928.

*Swindon
Order.*

Transfer of
property &c.
of Hospital
Board.

37.—(1) All property debts and liabilities which immediately before the appointed day are vested in or attach to the Hospital Board shall by virtue of this Order be transferred to vest in and attach to the Corporation as the urban authority for the execution of the Public Health Acts 1875 to 1925.

(2) The liability for the repayment of principal of and for the payment of interest upon any loan raised by the County Council under section 22 of the Isolation Hospitals Act 1893 to defray expenditure of the Hospital Board shall by virtue of this Order be transferred to and attach to the Corporation.

(3) Any outstanding loan which may be transferred by this article shall by virtue of this Order be charged upon the district fund and general district rate of the Borough and the sums required to defray the repayment of principal and interest of any such loan or any debts or liabilities transferred by this article shall be defrayed by the Corporation out of that fund and rate.

(4) 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.

Adjustment
in respect of
property &c.
of Hospital
Board.

38.—(1) An adjustment of the property income debts liabilities and expenses of the Hospital Board shall be made between the Corporation and the Highworth Council upon the terms and conditions contained in the agreement between the Corporation and that Council dated the Twenty-fifth day of April Nineteen hundred and twenty-eight.

(2) The Highworth Council shall be entitled to send patients from the Highworth District to any hospital transferred to the Corporation by this Part of this Order upon the terms and subject to the conditions contained in the agreement mentioned in paragraph (1) of this article or in the event of disagreement upon the expiration or determination of that agreement upon such terms and subject to such conditions as may be settled by an arbitrator appointed by the County Council.

(3) The provisions of this article give effect to an agreement made between the Corporation and the Highworth Council for the purpose of obviating any other adjustment under this Order or any enactment relating to adjustments between local authorities in consequence of the operation of this Part of this Order.

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and shall operate in satisfaction of any claim by the Corporation or the Highworth Council to any other adjustment as aforesaid.

A.D. 1928.

—
*Swindon
Order.*

(4) An equitable adjustment under this Order shall be made between the County Council and the Corporation in respect of the contributions paid by the County Council towards capital expenditure of the Hospital Board upon the property of the Hospital Board.

39. All books and documents belonging to or under the control of the Hospital Board shall be deposited with the Corporation :

Books and
documents
of Hospital
Board.

Provided that the Highworth Council and the ratepayers of the Highworth District shall at all reasonable times have the right of inspecting and of taking copies of and extracts from any of the books or documents referred to in this article.

40.—(1) The accounts of the Hospital Board and of their committees and officers shall be made up to the appointed day and shall be audited in like manner and subject to the like incidents and consequences as if this Order had not been made.

Audit of
accounts of
Hospital
Board.

(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 Borough.

PART V.

RATING AND VALUATION.

41.—(1) The County of Wilts (Assessment Areas and Assessment Committees) Scheme 1926 as approved by the Minister on the Twelfth day of August Nineteen hundred and twenty-six shall on and after the appointed day be read and have effect as if for references therein to the Borough of Swindon and the Swindon 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 each of the Rural Districts of Highworth and Cricklade and Wootton Bassett and to each of the Highworth and Cricklade and Wootton Bassett Rural District Councils there were substituted references to that 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 an existing Rural District on the Swindon 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.

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—
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Order.*

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

42. For the purposes of all valuation lists of the Borough 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 23 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.

Valuation
lists under
Rating and
Valuation
Act 1925.

43.—(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 passing of the Act of Parliament confirming this Order shall have as respects the added areas to the exclusion of the Cricklade Council or the Highworth Council (as the case may be) all the powers duties and liabilities of the rating authority under Part II. of the Rating and Valuation Act 1925.

(2) Those portions of the drafts of the first new valuation lists under the Rating and Valuation Act 1925 for the existing Cricklade District and the existing Highworth District which relate to the added areas shall on the passing of the Act of Parliament confirming this Order be transferred to the Corporation and subject to such alterations therein as may appear to the Corporation to be necessary and to the revision and approval of the list by the assessment committee shall be amalgamated with the draft of the first new valuation list for the existing Borough to form the first new valuation list for the Borough.

(3) All documents relating exclusively to the preparation within the added areas of the first new valuation lists under the Rating and Valuation Act 1925 shall after the passing of the Act of Parliament confirming this Order be transferred to the Corporation.

(4) Nothing in this Order shall before the appointed day affect the powers and duties of the Cricklade Council or the Highworth Council as the rating authority for their Rural District with respect to valuation lists prepared under the Union Assessment Acts 1862 to 1880.

Valuation
lists under
Union
Assessment
Acts 1862 to
1880.

44. Until the first new valuation lists prepared under the Rating and Valuation Act 1925 come into force—

(1) The valuation list of the existing Parish of Swindon and the portions of the valuation lists of the existing Parish of Chisledon the existing Parish of Lydiard Millicent the existing Parish of Lydiard Tregoze the existing Parish of Rodbourne Cheney the existing

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 Extension) Act, 1928.*

Parish of Stratton Saint Margaret and the existing Parish of Wroughton which relate to hereditaments within the added areas shall on the appointed day together form the valuation list of the Parish of Swindon:

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 —
*Swindon
 Order.*

- (2) On the appointed day the remaining portion of the valuation list of the existing Parish of Rodbourne Cheney shall form the valuation list of the Parish of Haydon Wick and the remaining portions of the valuation lists of the other existing parishes mentioned in paragraph (1) of this article (exclusive of the existing Parish of Swindon) shall be the valuation lists of those existing parishes as altered by this Order.

45.—(1) The basis of the county rate of the County shall be altered as follows:— County rate basis.

- (a) From the amounts respectively appearing therein as the net annual values of the agricultural land and of other hereditaments in any existing parish of which a portion is added to the existing Borough by this Order there shall be deducted such sums in each case as will represent the net annual values of the agricultural land and of other hereditaments in the added part of that existing parish;
- (b) The sums deducted in pursuance of paragraph (1) of this article shall be added to the amounts appearing in the basis as the net annual values of the agricultural land and of other hereditaments in the existing Parish of Swindon; and
- (c) The remainder of the amounts respectively appearing therein as the net annual values of the agricultural land and of other hereditaments in any existing parish of which a portion is added to the existing Borough by this Order shall form the basis for that parish as altered by this Order and as respects the excluded part of Rodbourne Cheney shall form the basis for the Parish of Haydon Wick.

(2) Any alteration of the basis of the county rate made under this article shall not have effect for the purposes of any precept of the County Council for a financial period commencing before the appointed day.

46. For the purpose of ascertaining the amounts due under the precepts issued by the Guardians of the Swindon and Highworth Union to the Corporation and to the Highworth Council in respect of the financial year ending on the Thirty-first day of March Nineteen hundred and twenty-nine the product Estimates of produce of rates.

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Extension) Act, 1928.*

A.D. 1928. of a penny rate in the Borough and in the Highworth District
— respectively shall notwithstanding anything in the Rating and
Swindon Valuation Act (Product of Rates and Precepts) Rules 1926 be
Order. determined separately for each half-year of that financial year
and the amounts due in respect of the financial year under those
precepts shall be ascertained accordingly.

Contribu- 47.—(1) Notwithstanding the alterations of area effected by
tion orders this Order all contribution orders and precepts made or issued
precepts and before the appointed day shall be as valid in law as if this Order
arrears of had not been made.
rates.

(2) All rates not collected immediately before the appointed
day in respect of hereditaments within the added parts of
Lydiard Millicent or the added part of Lydiard Tregoze shall be
collected and recovered by the Cricklade Council as the Rating
Authority and all rates not so collected in respect of heredita-
ments within the remainder of the added areas shall be
collected and recovered by the Highworth Council as the
Rating Authority.

(3) Any rates so collected and recovered shall be a matter for
adjustment under this Order.

Expenses of 48. Any expenses incurred by the Corporation in the execu-
Corporation tion prior to the appointed day of this Part of this Order shall
under this be charged by them on or after the appointed day to the
Part of this borough fund of the Borough.
Order.

PART VI.

GUARDIANS AND RURAL DISTRICT COUNCILLORS.

Wards of 49.—(1) The Parish of Swindon shall for the purpose of the
and guardians election of guardians be divided into six wards which shall be
for Parish coextensive with and shall bear the same names as the wards
of Swindon. mentioned in column 1 of the First Schedule to this Order as
wards into which the Borough is divided for the election of
councillors and three guardians shall be elected for each ward.

(2) Any person who immediately before the appointed day
is in office as a guardian for one of the existing wards of the
existing Parish of Swindon shall be deemed to have been elected
as and shall be a guardian for that ward of the Parish of Swindon
which bears the same name.

(3) If immediately before the appointed day any casual
vacancy shall exist in the representation of one of the existing
wards of the existing Parish of Swindon the vacancy shall on the
appointed day be deemed to have arisen in that ward of the
Parish of Swindon which bears the same name.

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

A.D. 1928.

50. For the purposes of section 6 of the Poor Law Act 1927 which relates to the qualification of guardians the added parts of Lydiard Millicent and the added part of Lydiard Tregoze shall be deemed to have formed part of the Swindon and Highworth Union as from the First day of September Nineteen hundred and twenty-seven.

—
*Swindon
 Order,*
 Qualification
 as guardian
 for Parish
 of Swindon.

51.—(1) The Parish of Haydon Wick shall be represented by one rural district councillor and the number of councillors of the Highworth District and of guardians of the Swindon and Highworth Union shall be reduced by two.

Rural
 district
 councillors
 for Rod-
 bourne
 Cheney.

(2) The persons who immediately before the appointed day are the rural district councillors for the existing Parish of Rodbourne Cheney shall on the appointed day retire from office.

(3) An election of one rural district councillor for the Parish of Haydon Wick shall be held in September Nineteen hundred and twenty-eight.

(4) Subject to the provisions of this article and of any directions which may be given by the Secretary of State the rules in the Rural District Councillors Election Order 1898 as amended by the Local Elections (Alteration of Rules) Order 1925 applicable to a first election of a rural district councillor for a parish constituted after the date of the Order of 1898 shall apply to the election :

Provided that the person then elected shall come into office on the appointed day.

(5) In the application of the Rural District Councillors Election Order 1898 the following modifications shall be made :—

(a) References to the "parish" in rule 11 (1) shall be deemed to be references to the existing parish of Rodbourne Cheney; and

(b) The day of election shall be Monday the twenty-fourth day of September.

(6) If after the passing of the Act confirming this Order any casual vacancy shall occur in the office of rural district councillor for the existing Parish of Rodbourne Cheney the vacancy shall not be filled.

(7) The rural district councillor for the Parish of Haydon Wick shall retire from office on the Fifteenth day of April in the year Nineteen hundred and thirty-one and in every third year thereafter.

52. Any person immediately before the appointed day in office as the rural district councillor for the existing Parish of Chisledon the existing Parish of Lydiard Millicent the existing Parish of Lydiard Tregoze the existing Parish of Stratton

Rural
 district
 councillors
 for other
 parishes.

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Extension) Act, 1928.*

A.D. 1928. Saint Margaret or the existing Parish of Wroughton shall on the appointed day become a rural district councillor for that parish as altered by this Order.

—
*Swindon
Order.*

Term of
office of
guardians
and rural
district
councillors.

53. The guardians for the wards of the Parish of Swindon 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 save as expressly provided in this Part of this Order with regard to the retirement of certain rural district councillors for the existing Parish of Rodbourne Cheney any rural district councillor for an existing parish altered by this Order shall retire from office on that day in those years.

PART VII.

OFFICERS.

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

54. 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 remuneration is paid by a local authority and any teacher employed in a public elementary school which is maintained by a local education authority.

Officers of
Corporation
continued.

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

Existing
officers of
hospital
board.

56.—(1) All persons who on the passing of the Act of Parliament confirming this Order are officers of the Swindon and District Hospital Board shall on the appointed day be transferred to and become officers of the Corporation.

(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 among the transferred officers in such manner as they may think proper

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*Provisional Order Confirmation (Swindon
Extension) Act, 1928.*

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.

A.D. 1928.

—
*Swindon
Order.*

(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.

57.—(1) Every officer in office on the passing 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 or 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.

Compensa-
tion 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.

58.—(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 borough fund and borough rate of the Borough 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
" elementary school maintained but not provided by

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Extension) Act, 1928.*

A.D. 1928.

—
*Swindon
Order.*

“ 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 or determination of appointment 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.

(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 juror’s 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 passing 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 an 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.

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

(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.

A.D. 1928.

—
*Swindon
 Order.*

59. 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.

Compensa-
 tion and
 superannua-
 tion.

PART VIII.

SUPPLEMENTARY.

60.—(1) It shall be the duty of the Corporation within six months after the appointed day to submit for the approval of the Minister a scheme for sewerage the added part of Rodbourne Cheney and to complete a scheme for that purpose within five years after the appointed day.

Sewerage
 scheme for
 added part
 of Rod-
 bourne
 Cheney.

(2) In the event of the Corporation within the period prescribed by this article not submitting or not completing a sewerage scheme the requirements of this article may be enforced in the manner provided by section 299 of the Public Health Act 1875 as if this article were an order of the Minister limiting the time for the performance by the Corporation of their duty in that behalf and the Corporation had not performed the duty hereby imposed within the time limited by the order.

61.—(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 Wilts 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.

Provisions as
 to register
 of electors.

(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.

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*Provisional Order Confirmation (Swindon
Extension) Act, 1928.*

A.D. 1928.

—
*Swindon
Order.*

(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 Borough and of any officer designated under article 3 of the Overseers Order 1927 by the Corporation or by the Cricklade Council or by the Highworth 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.

Local land
charges
registers.

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

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

(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 Borough shall give notice to any person desiring to make a personal search that an additional search should be made in the register for the Cricklade District or the Highworth District as the case may require;

(b) Where application is made for an official search the local registrar for the Borough shall issue free of charge a certificate of official search in the register of the Borough and shall forward the application received by him

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together with the fees paid in respect thereof to the local registrar for the Cricklade District or the Highworth District as the case may require ;

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—
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(c) The local registrars for the Cricklade District and for the Highworth District shall permit and make such searches and furnish such office copies and certificates as they 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 a rural district is in pursuance of this Order transferred from that register to the register of the Borough 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 Borough.

63.—(1) 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 in any existing parish or part of an existing parish specified in column 1 of the Fourth Schedule to this Order shall be deemed to have acquired or to be in the course of acquiring thereby a settlement in the parish denoted by the corresponding number in column 2 of that Schedule as if in each case the area specified in column 1 had always been the parish denoted by the corresponding number in column 2 of the Schedule or a part of that parish.

Settlement
and irre-
movability.

(2) 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 status of irremovability from the existing Swindon and Highworth Union or the existing Cricklade and Wootton Bassett Union by reason of residence in any of the existing parishes or part of an existing parish mentioned in column 1 of the Fourth Schedule to this Order shall be deemed to have acquired or to be in the course of acquiring a status of irremovability from the Poor Law Union named in column 3 of that Schedule opposite the name of the parish in which by virtue of paragraph (1) of this article he is to be deemed to have acquired or to be in the course of acquiring a settlement.

(3) For the purposes of this article consecutive periods of residence in any portions of an existing parish divided by this Order shall be aggregated and reckoned as continuous residence

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—
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Order.*
Adaptation
of provisions
as to adjust-
ments.

64.—(1) 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;

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

(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 poor rate or general rate as the case may be."

(2) Where an authority affected by this Order or by anything done in pursuance of this Order are the board of guardians of a poor law union section 62 of the Act of 1888 shall apply with respect to any necessary adjustment as modified and set out in the Third Schedule to the Poor Law Act 1927.

Apportion-
ment by
Rural
Councils of
balances of
rates.

65.—(1) As soon as practicable after the appointed day the Cricklade Council and the Highworth Council as regards any balance in their hands derived from a general rate or a special rate shall estimate the proportion thereof derived from such of the added areas as are situate within their Rural District and subject to a deduction on account of undischarged liabilities in respect of those areas 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.

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66. Any balance standing on the appointed day in the books of the Guardians of the Cricklade and Wootton Bassett Union or the Swindon and Highworth Union or the Cricklade Council or the Highworth Council to the credit or debit of any existing parish which is altered by this Order shall be a matter for adjustment under this Order.

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 Order.*

Balances in
 accounts of
 Guardians and
 Rural Councils.

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 Swindon and District Hospital Board the Cricklade Council or the Highworth 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 either Council :

Savings for
 actions
 contracts &c.

Provided that—

(a) Any action cause of action or proceeding which immediately before the appointed day is pending or existing by or against the Hospital Board or by or against the Cricklade Council in relation to any added area which is within the existing Cricklade District or the Highworth Council in relation to any added area which is within the existing Highworth District may be continued prosecuted and enforced by or against the Corporation; and

(b) All contracts deeds bonds agreements and other instruments (subsisting immediately before the appointed day) entered into or made by the Hospital Board or the Cricklade Council (or their predecessors) in relation to any added area which is within the existing Cricklade District or the Highworth Council (or their predecessors) in relation to any added area which is within the existing Highworth District may be continued and enforced as fully and effectually as if instead of the Hospital Board or that 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. 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.

Saving for
 qualification
 of aldermen
 councillors
 and
 guardians.

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

Saving for
 main roads
 within added
 areas.

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Extension) Act, 1928.*

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—
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Order.*

Other
savings.

70. Nothing in this Order shall—

- (1) restrict the powers of the Secretary of State the Minister or the County Council 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 parliamentary county into polling districts for parliamentary elections or for the division of the county into polling districts for the elections of county councillors or any existing order or scheme for either of those purposes or for naming the polling places at any election;
- (3) affect the ecclesiastical divisions of any parish or prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment; or
- (4) affect the operation of such of the provisions of the Rating and Valuation Act 1925 as have not come into operation.

Short title.

71. This Order may be cited as the Swindon (Extension) Order 1928.

SCHEDULES.

A.D. 1928.

FIRST SCHEDULE.

*Swindon
 Order.*

WARDS OF THE BOROUGH FOR THE ELECTION OF COUNCILLORS
 AND OF THE PARISH OF SWINDON FOR THE ELECTION OF
 GUARDIANS AND ELECTORAL DIVISIONS WITHIN THE BOROUGH
 FOR THE ELECTION OF COUNTY COUNCILLORS.

Column 1.

Column 2.

Wards of the Borough and of the Parish of Swindon.	Electoral Divisions within the Borough.
1. North - - - -	1. Swindon North.
2. West - - - -	2. Swindon West.
3. Queen's - - - -	3. Swindon Queen's.
4. King's - - - -	4. Swindon King's.
5. East - - - -	5. Swindon East.
6. South - - - -	6. Swindon South.

SECOND SCHEDULE.

CONFIRMATION ACTS REPEALED IN SO FAR AS THEY RELATE TO
 CERTAIN PROVISIONAL ORDERS THEREBY CONFIRMED.

1. Session and Chapter.	2. Short Title.	3. Provisional Order thereby confirmed.
43 & 44 Vict. c. lviii.	The Local Government Board's Provisional Orders Confirmation (Aberga- venny &c.) Act 1880.	The order for extending the Local Government Dis- trict of Swindon New Town.
52 & 53 Vict. c. xxiv.	The Local Government Board's Provisional Orders Confirmation (No. 5) Act 1889.	The order relating to the Local Government Dis- trict of Swindon New Town.
54 & 55 Vict. c. clviii.	The Local Government Board's Provisional Orders Confirmation (No. 12) Act 1891.	The order relating to the Local Government Dis- trict of Swindon New Town.

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THIRD SCHEDULE.

LOCAL ACTS AND CONFIRMATION ACTS EXTENDED TO THE
 BOROUGH.

PART I.—LOCAL ACTS.

Session and Chapter.	Title.
57 & 58 Vict. c. clxxxii.	- The Swindon Water Act 1894.
4 Edw. 7. c. ccxxxiv.	- The Swindon Corporation Act 1904.
4 & 5 Geo. 5. c. cviii.	- The Swindon Corporation (Wilts and Berks Canal Abandonment) Act 1914.
16 & 17 Geo. 5. c. xciii.	- The Swindon Corporation Act 1926.

PART II.—CONFIRMATION ACTS.

Session and Chapter.	Short Title.	Order relating to Swindon thereby confirmed.
58 & 59 Vict. c. lxxvii.	The Electric Lighting Orders Confirmation (No. 2) Act 1895.	The Swindon New Town Electric Lighting Order 1895.
1 Edw. 7. c. clxxxii.	The Tramways Orders Confirmation (No. 2) Act 1901.	The Swindon Corporation Tramways Order 1901.
2 Edw. 7. c. lxxxiv.	The Local Government Board's Provisional Orders Confirmation (No. 11) Act 1902.	The Swindon Order 1902.
9 & 10 Geo. 5. c. lxxvii.	The Local Government Board's Provisional Orders Confirmation (No. 3) Act 1919.	The Swindon Order 1919.
13 & 14 Geo. 5. c. xxxix.	The Ministry of Health Provisional Orders Confirmation (No. 6) Act 1923.	The Swindon Order 1923.
15 & 16 Geo. 5. c. lxxxii.	The Ministry of Health Provisional Orders Confirmation (No. 6) Act 1925.	The Swindon Order 1925.
17 & 18 Geo. 5. c. xxxviii.	The Ministry of Health Provisional Orders Confirmation (No. 9) Act 1927.	The Swindon Order 1927.

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FOURTH SCHEDULE.

A.D. 1928.

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 Order.*

SETTLEMENT AND IRREMOVABILITY.

Column 1. Existing Parish or part of existing Parish.	Column 2. Parish in which a settlement is to be acquired or in course of acquisition.	Column 3. Poor Law Union in which irremovability to be acquired or in course of acquisition.
1. The existing Parish of Swindon and the added areas. 2. The excluded part of Chisledon. 3. The excluded part of Rodbourne Cheney. 4. The excluded part of Stratton Saint Margaret. 5. The excluded part of Wroughton. 6. The excluded part of Lydiard Millicent. 7. The excluded part of Lydiard Tregoze.	1. The Parish of Swindon. 2. The Parish of Chisledon. 3. The Parish of Haydon Wick. 4. The Parish of Stratton Saint Margaret. 5. The Parish of Wroughton. 6. The Parish of Lydiard Millicent. 7. The Parish of Lydiard Tregoze.	1. The Swindon and Highworth Union. 2. The Swindon and Highworth Union. 3. The Swindon and Highworth Union. 4. The Swindon and Highworth Union. 5. The Swindon and Highworth Union. 6. The Cricklade and Wootton Bassett Union. 7. The Cricklade and Wootton Bassett Union.

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

(L.S.)

E. TUDOR OWEN
 Assistant Secretary Ministry of Health.

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