



**CHAPTER ccxxix.**

An Act to confirm certain Provisional Orders of the Local Government Board forming the Birmingham, Tame, and Rea Main Sewerage District, and the Lower Thames Valley Main Sewerage District, and constituting the Weymouth Port Sanitary Authority. A.D. 1877.  
[10th August 1877.]

**W**HEREAS the Local Government Board have made the Provisional Orders set forth in the schedule hereunto annexed, under the provisions of the Public Health Act, 1875: 38 & 39 Vict.

And whereas it is requisite that the said Orders should be confirmed by Parliament: c. 55.

Be it therefore enacted by the Queen'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. Subject to the provisions of this Act, the Orders set out in the schedule hereunto annexed shall be and the same are hereby confirmed, and all the provisions thereof shall, from and after the passing of this Act, have full validity and force. The Provisional Orders in schedule confirmed.

2. The following provisions shall take effect with reference to the Provisional Order relating to the Birmingham, Tame, and Rea Main Sewerage District, and to the Birmingham, Tame, and Rea District Drainage Board (in this section called the United District and the Joint Board respectively); viz.—

(a.) Nothing in the said Provisional Order shall render the Rural Sanitary Authority of the West Bromwich Union liable to contribute to so much of the expenses as shall be incurred by the Joint Board in respect of the cost of management (as defined by the said Provisional Order) until some part of the

Rural Sanitary Authority of the West Bromwich Union not to contribute to management

[Ch. ccxxix.] *Local Government Board's* [40 & 41 VICT.]  
*Provisional Orders Confirmation (Joint Boards) Act, 1877.*

A.D. 1877.

expenses till  
Perry Barr  
placed in  
connexion  
with outfall  
works.

Portions of  
Kings Nor-  
ton and  
Northfield,  
shown on  
plan, only to  
be included  
in United  
District.

38 & 39 Vict.  
c. 55.

For protec-  
tion of Lon-  
don and  
North-west-  
ern Railway  
Company.

contributory place of Perry Barr shall have been placed in connexion with any of the outfall works of the Joint Board; and if at any time any difference arises between the Joint Board and the said Rural Sanitary Authority as to the necessity for placing the said contributory place of Perry Barr in connexion with any of the said outfall works, then the difference shall stand referred for decision to the Local Government Board, whose decision thereon shall be final and binding:

- (b.) Those portions only of the contributory places of Kings Norton and Northfield which are coloured green and red respectively on the map or plan marked A, sealed with the official seal of the Local Government Board, and deposited in their office, a duplicate whereof sealed in like manner is also deposited in the office of the town clerk of Birmingham, shall be included in the United District under the name of the Kings Norton Special Sewerage District, and shall throughout the said Provisional Order be substituted for the contributory places of Kings Norton and Northfield in the said Order mentioned, and each of the said portions of the said contributory places so included in the United District shall for the purposes of the said Provisional Order be deemed to be a separate contributory place as defined by the Public Health Act, 1875, and the contributions of the Rural Sanitary Authority of the Kings Norton Union towards the common fund of the United District shall be contributed and raised in the same manner in every respect as if such contributions were required to defray special expenses within the meaning of the last-mentioned Act:
- (c.) If any dispute shall arise as to the boundaries of the Kings Norton Special Sewerage District, the same shall be settled by the Local Government Board under the provisions of section two hundred and seventy-eight of the Public Health Act, 1875:
- (d.) Where the Joint Board or any of the several constituent authorities mentioned or referred to in the said Provisional Order respectively require for the purpose of executing any of the powers enabling them respectively to carry any works across or to interfere either permanently or temporarily with any of the lands, railways, works, or property now or hereafter belonging to or worked, used, or occupied by the London and North-western Railway Company, then and in every such case the carrying any such works across, and all interference with such lands, railways, works, or property shall be made and

A.D. 1877.

done under the superintendence and to the reasonable satisfaction of the engineer of that company, but in all things at the expense of the Joint Board or of the several constituent authorities (as the case may be), and so as to cause no injury to any such railways or works or interruption to the passage or conduct of traffic over or at any of the railways or stations of that company; and if any such injury or interruption or any injury to the lands or property of the company shall arise, then the Joint Board or the several constituent authorities (as the case may be) shall make full compensation to that company in respect thereof; and in case of any difference arising as to the mode of executing any of the powers conferred on or enabling the Joint Board or any of the several constituent authorities respectively with reference to such crossing, or involving any such interference as aforesaid, the same shall be determined by a referee, to be appointed by the Local Government Board on the application of either party, but at the cost of the Joint Board or of the several constituent authorities respectively interested, as the case may be :

- (e.) The contributions (if any) of the Rural Sanitary Authorities of the Aston and West Bromwich Unions respectively towards the common fund of the United District shall be contributed and raised in the same manner in every respect as if such contribution were required to defray "special expenses" within the meaning of the Public Health Act, 1875.

Special provision as to contributions of Rural Sanitary Authorities of Aston and West Bromwich Unions. 38 & 39 Vict. c. 55.

3. The following provisions shall take effect with reference to the Provisional Order relating to the Lower Thames Valley Main Sewerage District and the Lower Thames Valley Main Sewerage Board (in this section called the United District and the Joint Board respectively), videlicet :

Modifications of the Provisional Order relating to the Lower Thames Valley Main Sewerage District.

- (a.) If a main sewer or sewers do not come within or up to the boundary of any Urban Sanitary District, or contributory place included in the United District, any communication between the sewers of such Urban Sanitary District or contributory place and such main sewer or sewers which is outside the boundary thereof shall be made at the expense of the Joint Board :
- (b.) The proviso to Article Ten of the said Provisional Order shall be altered so as to provide that the "prescribed quantity" therein mentioned shall be deemed to be a volume of sewage equal to two hundred and fifty gallons per diem for each house in the united district, the number of houses to be

[Ch. ccxxix.] *Local Government Board's* [40 & 41 VICT.]  
*Provisional Orders Confirmation (Joint Boards) Act, 1877.*

A.D. 1877;

ascertained from time to time from the poor rate in force for the time being :

- (c.) Article Sixteen of the Provisional Order shall not be confirmed, but instead thereof the following provisions shall take effect :

The expenses incurred by the Joint Board in carrying out the duties prescribed by this Order, including all establishment charges, remuneration to clerk, treasurer, officers, and servants, shall be defrayed out of a common fund, to be contributed by the several urban sanitary districts and contributory places mentioned in the schedules hereto, in manner provided by section two hundred and eighty-three of the Public Health Act, 1875 :

For the purposes of this Order any person appointed by the Joint Board may inspect, take copies of, or make extracts from any valuation list or rate for the relief of the poor within the united district or any part thereof, or any book relating to the same :

38 & 39 Vict.  
c. 55.

No works in the River Thames to be commenced without the consent of the Conservators of the River Thames.

- (d.) No works shall be commenced by the Joint Board upon the bed, shore, or banks of the River Thames without the consent in writing of the Conservators of the River Thames, signified under their corporate seal, and any works constructed upon such bed, shore, or banks shall be executed according to a plan and section and upon a site to be approved in writing by the Conservators of the River Thames under their corporate seal and deposited at their office, and the works in the River Thames and adjoining thereto shall be executed and performed to the reasonable satisfaction of the engineer for the time being of the Conservators :

Joint Board not to interfere with the bed of the river.

- (e.) The Joint Board shall not embank, encroach upon, or interfere with any part of the bed, shore, or banks of the River Thames, except in the manner shown on the plan and section last herein-before mentioned, signified as aforesaid :

Joint Board not to take gravel, &c. from river without consent of Conservators.

- (f.) The Joint Board shall not take any gravel, soil, or other material from the bed of the River Thames without the previous consent of the Conservators of the River Thames, signified as aforesaid :

Joint Board not to commence any work on shore

- (g.) The Joint Board shall not make or construct any work whatever on the shore or bed of the River Thames, or of any

creek or inlet thereof, until the expiration of one calendar month after notice in writing to the Conservators of the River Thames :

A.D. 1877.

(h.) If any work shall be constructed by the Joint Board in the waterway of the River Thames, then during the making of any such work the Joint Board shall hang out and exhibit thereat or near thereto, and for ever after the completion of any such work the Joint Board shall, if required by the Conservators, hang out or exhibit on every such work every night, from sunset to sunrise, lights, to be kept burning by and at the expense of the Joint Board, and proper and sufficient for the navigation and safe guidance of vessels, and the lights shall from time to time be altered by the Joint Board in such manner, and be of such kind and number, and be so placed and used as the Conservators of the River Thames by writing under their corporate seal shall approve, and in case the Joint Board fail to exhibit and keep burning the lights, they shall for every such offence forfeit ten pounds :

of Thames until notice given to Conservators.

Lights to be exhibited during construction of works and for ever after.

(i.) If a work constructed by the Joint Board on, in, or over any part of the bed, shore, or banks of the River Thames is abandoned or suffered to fall into decay, the Conservators of the River Thames may abate and remove the work, or any part of it, and restore the site thereof to its former condition at the expense of the Joint Board; and the amount of such expense shall be a debt due from the Joint Board to the Conservators, and be recoverable accordingly with costs :

Abatement of work abandoned or decayed.

(j.) The provisions of the Thames Conservancy Acts, 1857 and 1864, and the Thames Navigation Act, 1866, and of any Acts amending the same, with respect to the pollution of the water of the River Thames, and the discharge of sewage and other offensive matters into the said river, shall, subject to the provisions of this Act and the Order, apply to and be read as part of this Act, and in construing such provisions the word person shall include the Joint Board :

Application of certain provisions of 20 & 21 Vict. c. cxlvii., 27 & 28 Vict. c. 113., and 29 & 30 Vict. c. 89.

(k.) Except as herein provided nothing in this Act or in the Order shall extend to or be construed to extend to prejudice or derogate from the estates, rights, interests, liberties, privileges, or franchises of the Conservators of the River Thames, or to prohibit or defeat, alter or

Saving the rights of the Conservators of the River Thames.

[Ch. ccxxix.] *Local Government Board's* [40 & 41 VICT.]  
*Provisional Orders Confirmation (Joint Boards) Act, 1877.*

A.D. 1877.

Constituent authorities to be indemnified against proceedings for discharging sewage into the Thames.

Suspending penalties for three years.

20 & 21 Vict. c. cxlvii.  
 27 & 28 Vict. c. 113.  
 29 & 30 Vict. c. 89.

Alteration of number of members of Joint Board.

diminish, any power, authority, or jurisdiction which at the time of the making of this Order the Conservators did or might lawfully claim, use, or exercise :

- (l.) If at any time after the passing of this Act any proceedings shall be commenced against any or either of the constituent authorities in respect of the discharge of sewage into the River Thames after the passing of this Act, such constituent authorities shall thereupon give notice thereof to the Joint Board, who shall be at liberty to come in and defend the same, and the said Board shall indemnify such constituent authority against any penalties, damages, costs, or expenses which may be recovered against them in consequence of their continuing after the passing of this Act to discharge or suffer to be discharged sewage into the River Thames, in contravention of the Rivers Pollution Prevention Act or of the Thames Conservancy Acts :
- (m.) No proceeding shall, during the period of three years from the day when the Order comes into operation, be commenced or continued to enforce the payment of any penalties to be legally incurred by any of the constituent authorities in respect of the breach or non-observance of any of the provisions of the Thames Conservancy Acts, 1857 and 1864, and the Thames Navigation Act, 1866, and any Acts amending the same, after the passing of this Act, and the expiration of a period of three years from the day when the said Order comes into operation ; provided, that if at the expiration of the said period of three years the Joint Board shall, in the opinion of the Local Government Board, have failed to sufficiently carry out and perform the purposes for which the United District is formed, as defined by the said Provisional Order, any such penalties shall attach to and may be sued for and be enforceable against the Joint Board in the same manner as the said penalties would but for this Act have attached to and been enforceable against any such constituent authority :
- (n.) Article Two of the Provisional Order shall be altered by the substitution of the words five ex-officio and twenty-three elective members in lieu of six ex-officio and twenty-six elective members therein mentioned, and Schedule A. shall be altered by the omission therefrom of all reference to the Twickenham Local Government District and the Twickenham Local Board :

- (o.) All contributions which the Sanitary Authority for the Urban Sanitary District of Surbiton shall be required to make to the common fund of the United District shall be payable out of the improvement rates leviable in that Urban Sanitary District, anything in the Surbiton Improvement Act, 1855, contained to the contrary notwithstanding : A.D. 1877.  
Special provision as to the Constituent District of Surbiton. 18 & 19 Vict. c. xxxvi.
- (p.) The Joint Board may, for any of the purposes for which the United District is formed, or for the purpose of disposing of the sewage of that District, or of any Sanitary District which does not adjoin the United District, either by purification or otherwise, by agreement, and with the sanction of the Local Government Board, cause any sewers under their control to communicate with the sewers of any other Main Sewerage Board, or of the Joint Board of any other United District formed under the Public Health Act, 1875, or of the Sanitary Authority of any Sanitary District which does not adjoin the United District, in such manner and on such terms and subject to such conditions as may be agreed upon between the Joint Board and such other Main Sewerage Board, Joint Board, or Sanitary Authority respectively, or in case of dispute, as may be settled by the Local Government Board, subject to the proviso contained in section twenty-eight of the Public Health Act, 1875, for the exclusion of storm waters from the sewers with which any such communication may be made : Special provision as to Lower Thames Valley Main Sewerage District.  
38 & 39 Vict. c. 55.
- (q.) If the Sanitary Authority of any Sanitary District are desirous of being included in the United District for any of the purposes for which such United District is formed, or for the purpose of disposing of the sewage of their district, and shall apply to the Local Government Board, on or before the thirty-first day of December one thousand eight hundred and seventy-seven, to be so included, the Local Government Board may by order declare the whole or any portion of such district to be included in the United District accordingly, upon such terms and conditions as they shall by such order determine ; and the Local Government Board may by their order prescribe the number of members to be elected to represent such authority on the Joint Board, and may make such provision for adapting the Provisional Order relating to the United District hereby confirmed to the alteration so

[Ch. ccxxix.] *Local Government Board's* [40 & 41 VICT.]  
*Provisional Orders Confirmation (Joint Boards) Act, 1877.*

A.D. 1877.

made, including the settlement of any differences, and the adjustment of any accounts, or apportionment of any liabilities, as between any such Sanitary Authority and the Joint Board respectively: Provided always, that notice in writing of their intention to apply to the Local Government Board to include their district, or any part thereof, in the United District, shall be given by such Sanitary Authority to the Joint Board at the same time as their application is sent to the Local Government Board; and if the Joint Board shall, within one calendar month after the receipt of such notice, signify to the Local Government Board their dissent to or disapproval of the inclusion of the whole or part of such district in the United District, then any order made by the Local Government Board under the provisions of this sub-section shall be of no validity or force until it shall have been confirmed by Parliament:

- (r.) The contributions of the Rural Sanitary Authorities of the Kingston and Richmond Unions respectively toward the common fund of the United District shall be contributed and raised in the same manner in every respect as if such contributions were to defray special expenses within the meaning of "The Public Health Act, 1875."

Short title.

4. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (Joint Boards) Act, 1877.



A.D. 1877.

SCHEDULE.

---

---

*Provisional Order for forming a United District under Sect. 279 of the  
Public Health Act, 1875.*

To the Mayor, Aldermen, and Burgesses of the Borough of Birmingham, in the County of Warwick, being the Urban Sanitary Authority for that Borough; —

To the several other Urban Sanitary Authorities mentioned in Schedule A. to this Order; —

To the several Rural Sanitary Authorities mentioned in Schedule B. to this Order; —

To the Inhabitants of the several contributory places mentioned in Schedule B. to this Order; —

And to all others whom it may concern.

WHEREAS by Section 279 of the Public Health Act, 1875, it is enacted that where, on the application of the Local Authorities of any Urban or Rural Sanitary Districts, or of any of such Authorities, it appears to the Local Government Board that it would be for the advantage of such Districts, or any of them, or any parts thereof, or of any contributory places in any Rural Sanitary District or Districts, to be formed into a United District for all or any of the purposes following; that is to say, —

- (1.) The procuring a common supply of water; or
- (2.) The making a main sewer or carrying into effect a system of sewerage for the use of all such Districts or contributory places; or
- (3.) For any other purposes of this Act;

the Local Government Board may by Provisional Order form such Districts or contributory places into a United District; and that all costs, charges, and expenses of and incidental to the formation of a United District shall, in the event of the United District being formed, be a first charge on the rates leviable in the United District in pursuance of that Act;

And whereas by Section 280 of the same Act it is further enacted that the governing body of a United District shall be a Joint Board, consisting of such ex-officio members and of such number of elective members as the Local Government Board may by the Provisional Order forming the District determine, and that a Joint Board shall be a body corporate by such name as

[Ch. ccxxix.] *Local Government Board's* [40 & 41 VICT.]  
*Provisional Orders Confirmation (Joint Boards) Act, 1877.*

A.D. 1877. may be determined by the Provisional Order, having a perpetual succession and a common seal, with power to hold lands for the purposes of its constitution, without any license in mortmain ;

And whereas by Section 281 of the same Act it is also enacted that the Provisional Order forming a United District under that Act shall define the purposes for which such United District is formed, and the powers, rights, duties, capacities, liabilities, and obligations under that Act which the Joint Board is authorised to exercise or perform, or is made subject to, and shall contain regulations as to the qualification and mode of election of elective members of the Joint Board, as to their continuance in office, as to casual vacancies in the Joint Board, as to their meetings and officers, and any other matter or thing, including the adjustment of present and future liabilities and property with respect to which the Local Government Board may think fit to make any regulations for the better carrying into effect the provisions of that Act with respect to United Districts ; and that upon the constitution of a Joint Board the local authorities having jurisdiction in the component Districts or contributory places shall cease to exercise therein any powers, or to perform any duties, or to be subject to any liabilities or obligations, which the Joint Board is authorised to exercise or perform or is made subject to ; nevertheless, the Joint Board may delegate to the Local Authority of any component District the exercise of any of its powers or the performance of any of its duties ;

And whereas by Section 282 of the same Act it is also enacted that meetings of any Joint Board shall be held and the proceedings thereat shall be conducted (so far as such meetings and proceedings are not regulated by the Order forming the Joint Board) in accordance with the rules as to meetings and proceedings contained in Schedule I. to that Act ;

And whereas by Section 283 of the same Act it is also enacted that any expenses incurred by a Joint Board in pursuance of that Act, unless otherwise determined by the Provisional Order, shall be defrayed out of a common fund, to be contributed by the component Districts or contributory places in proportion to the rateable value of the property in each District or contributory place, such value to be ascertained according to the valuation list in force for the time being ;

And whereas by Section 284 of the same Act it is also enacted that for the purpose of obtaining payment from the component Districts of the sums to be contributed by them, the Joint Board shall issue their precept to the Local Authority of each component District, stating the sum to be contributed by such Authority, and requiring such Authority, within a time limited by the precept, to pay the sums therein mentioned to the Joint Board, or to such persons as the Joint Board may direct ;

That any sum mentioned in a precept addressed by a Joint Board to a Local Authority as aforesaid shall be a debt due from that Authority, and may be recovered accordingly, such contribution in the case of a Rural Authority being deemed to be general expenses ; that, if any Local Authority makes default in

complying with the precept addressed to it, the Joint Board may, instead of instituting proceedings for the recovery of a debt, or in addition to such proceedings as to any part of a debt which may for the time being be unpaid, proceed in a summary manner as in this Act mentioned to raise within the district of the defaulting Authority such sum as may be sufficient to pay the sum due; and that for the purpose of obtaining payment from contributory places of the sums to be contributed by them, the Joint Board shall have the same powers of issuing precepts and of recovering the amounts named therein as if such contributory places formed a Rural District, and the Joint Board were the Authority thereof;

And whereas by Section 275 of the same Act it is also enacted that every Order made by the Local Government Board under Part VIII. of that Act, which includes the above-recited sections, shall specify the day on which such Order shall come into operation, in that Act referred to as the commencement of the Order;

And whereas the Mayor, Aldermen, and Burgesses of the Borough of Birmingham, acting by the Council, being the Urban Sanitary Authority for that Borough, and being the Local Authority for the said Urban Sanitary District within the meaning of the above-mentioned Act, have applied to the Local Government Board to form the Urban Sanitary Districts and the parts of the Rural Sanitary Districts mentioned in the Schedules A. and B. to this Order into a United District, for the purpose of carrying into effect a system of sewerage for the use of all such Districts;

And whereas upon receipt of such application the Local Government Board directed a local Inquiry to be held on the subject, and the same was held, after due public notice, and report has been made to them thereon:

Now therefore, We, the Local Government Board, in pursuance of the powers given by the several Statutes in that behalf, do hereby Order that the Urban Sanitary Districts named in column 1 of Schedule A. hereto, and the parts of the Rural Sanitary Districts of the Aston, Kings Norton, and West Bromwich Unions respectively which comprise the contributory places named in column 1 of Schedule B. hereto (which Urban Sanitary Districts and parts of Rural Sanitary Districts are herein-after called "the Constituent Districts") shall be formed into a United District, to be called the Birmingham, Tame, and Rea Main Sewerage District, for the purposes herein-after described.

And We do further Order as follows; viz.,—

I. This Order shall come into operation on the Twenty-ninth day of September, One thousand eight hundred and seventy-seven.

II. The Joint Board, which shall be the governing body of the said United District, shall consist of two ex-officio and twenty elective members, and shall be called the Birmingham, Tame, and Rea District Drainage Board.

III. The ex-officio members shall be the persons described in column 3 of Schedule A. hereto, and the elective members shall be elected by the several Sanitary Authorities mentioned in column 2 of the said Schedule (herein-after

[Ch. ccxxix.] *Local Government Board's* [40 & 41 VICT.]  
*Provisional Orders Confirmation (Joint Boards) Act, 1877.*

A.D. 1877  
—

called "the Constituent Authorities"), and shall hold office until they cease to be members of the Constituent Authorities by which they were elected.

IV. The number of members of the Joint Board to be elected by each of the Constituent Authorities shall be that set opposite to the name of each of such Authorities in column 3 of Schedules A. and B. respectively, and the said members shall be chosen by the members of each Constituent Authority from among the members of its own body.

Provided that the members to be chosen by the Constituent Authorities mentioned in column 2 of Schedule B. hereto shall be selected from among the members of such Authorities representing the contributory places mentioned in column 1 of the same Schedule, or from among the ex-officio members of such Authorities being resident, and the owners or occupiers of property, in such contributory places respectively of a value sufficient to qualify them as elective Guardians of the Union.

V. The provisions of Rules 5 and 64 of Schedule II. to the Public Health Act, 1875, shall mutatis mutandis apply to elective members of the Joint Board.

VI. The first election of members of the Joint Board shall take place at a meeting of each of the Constituent Authorities, to be held within six weeks from the date when this Order comes into operation, or within such further time as the Local Government Board may, by Order, allow, and fourteen days previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authorities by the Clerks of such Authorities respectively.

VII. In the event of any member of the Joint Board ceasing to be a member of the Constituent Authority by which he was elected, he shall thereupon be disqualified from acting as a member of the Joint Board, but he shall be re-eligible as a member of the Joint Board if he is again elected a member of the same or any other of the Constituent Authorities.

VIII. The Clerk of each of the Constituent Authorities shall notify in writing to the Local Government Board, within seven days after such first and every subsequent election shall have taken place, the names, addresses, and callings of the persons elected by such Authority as members of the Joint Board.

IX. Any vacancy occurring in the Joint Board by death, resignation, disqualification, or otherwise, shall be filled up by the Constituent Authority in whose representation the vacancy occurs within six weeks, or within such further period as the Local Government Board may, by Order, determine.

X. The purposes for which the United District is formed are as follows:—

- (a.) For purchasing such lands, and erecting, making, and maintaining such buildings, machinery, and plant, as may be required for the treatment at outfall works of the sewage of the several Urban Sanitary Districts and contributory places mentioned in Schedules A. and B. hereto, where it may be purified so that it may be discharged into any stream, river, or watercourse without breach of the Rivers Pollution Act, 1876;

- (b.) For constructing or providing, or causing to be constructed or provided, such intercepting sewerage works as may be necessary to convey the sewage of the several Urban Sanitary Districts and Contributory places mentioned in Schedules A. and B. hereto to the said outfall works, and there dealing with and disposing of the same; A.D. 1877.]
- (c.) And for any other purposes of this Order or incidental thereto.

XI. For the purposes of this Order the following sections of the Public Health Act, 1875, shall apply, and the Joint Board shall have, exercise, perform, and be subject to all the powers, rights, duties, capacities, liabilities, and obligations of a Local or Urban Sanitary Authority under the same sections, so far as the same are applicable, viz. :—

Sections 14 to 20, and 26 to 34, all inclusive, as to Sewerage and Drainage.

Section 153, as to Removal of Gas and Water Pipes.

Sections 173 and 174 (except Sub-sections 3 and 4), relating to Contracts.

Sections 175 and 176, as to Purchase of Land.

Sections 179 to 181, both inclusive, as to Arbitration.

Sections 192 (except as regards the office of Inspector of Nuisances), 193, 194, 195, 196, and 197, as to Officers and conduct of business.

Sections 200 and 203 to 206, both inclusive, relating to the mode of conducting business.

Sections 245, 247, 249, and 250, as to Audit.

Sections 251 to 254, both inclusive, 258 to 267, both inclusive, and 269, as to Legal Proceedings.

Section 284, as to payment of contribution to Joint Board.

Section 285, as to the execution of works in adjoining districts and combination for execution of works.

Sections 299 (except so far as relates to Water Supply), 300, 301, and 302, as to enforcing performance of duty by defaulting Authority.

Sections 305 to 309, relating to miscellaneous Provisions.

Sections 327, 328, and 329, as to Saving Clauses.

XII. The Joint Board shall not, except for the purposes of this Order, exercise any power vested in them, in or in relation to the District of any of the Constituent Authorities, and the several Constituent Authorities shall not, in or in relation to their respective Districts, exercise any such power as is under this Order exerciseable by or vested in the Joint Board, otherwise than subject to and in accordance with the provisions of this Order; but, except as herein expressly provided, nothing in this Order shall take away, abridge, or prejudicially affect any power, right, duty, or obligation vested in or imposed on any of the several Constituent Authorities in relation to their several Districts.

XIII. The time and place of holding the first meeting of the Joint Board shall be fixed by the Local Government Board, and the subsequent meetings of the Joint Board shall be held at such times and places as the Joint Board may appoint; and at all meetings of the Joint Board seven members shall constitute a quorum.

[Ch. ccxxix.] *Local Government Board's* [40 & 41 VICT.]  
*Provisional Orders Confirmation (Joint Boards) Act, 1877.*

A.D. 1877. — Provided that an extraordinary meeting may be summoned at any time by the Clerk, upon a requisition addressed to him by the Chairman or any three members of the Joint Board.

Such requisition shall be in writing, and no business other than that specified in the requisition shall be transacted at such extraordinary meeting.

Notices of all meetings shall be delivered or sent so as to reach the last known place of abode or business in England of each member of the Joint Board three clear days before the day of meeting, or at such earlier time as the Joint Board from time to time direct.

XIV. The Joint Board shall at their first meeting, or at an adjournment thereof, appoint a chairman, a treasurer, and a clerk, and they may from time to time appoint such other officers and servants as they think requisite. They may pay their clerk, treasurer, officers, and servants such reasonable remuneration as they shall deem expedient; and every such clerk, officer, and servant shall be removable by the Joint Board at their pleasure.

XV. The accounts of the Joint Board shall at all reasonable times be open to inspection and transcription by any member of the Constituent Authorities without payment.

XVI. A copy of the Auditor's Report and of the abstract of the accounts of the Joint Board, when duly audited, shall be sent by the Joint Board to each of the Constituent Authorities.

XVII. The provisions of Section 305 of the Public Health Act, 1875, shall apply for the purposes of this Order not only in the cases therein mentioned, but also where the Joint Board desire to exercise the powers thereof for the purpose of discovering or ascertaining any communication with or opening into any of the sewers of the Joint Board, or the flowing or passing of any matter into such sewers, or into any drain, channel, or watercourse communicating therewith.

XVIII. If at any time all or any part of the District of any of the Constituent Authorities, being a Rural Sanitary District, becomes an Urban Sanitary District, then and in every such case the Local Government Board may, by Order, to be published as they shall direct, make such provision as to them seems fit for adapting the provisions of this Order to the alteration so made, and to the incidents and consequences thereof, and every such Order shall have effect as if the terms thereof were inserted in this Order.

XIX. If at any time any difference arises between the Joint Board and any of the several Constituent Authorities, or between any two of those Authorities, as to the exercise by the Joint Board of the power conferred by Article XXVI. of this Order, or as to whether any work undertaken by the Joint Board is an intercepting sewerage work, or an outfall sewerage or other permanent work within the meaning of this Order, or with respect to the amount to be contributed by the several Constituent Sewer Authorities to the capital required for intercepting sewerage works and outfall sewerage or other permanent works respectively, or as to the necessity for the construction of or the course to be

taken by any new intercepting sewer, then and in every such case the difference shall by virtue of this Order stand referred for decision to the Local Government Board, whose decision thereon shall be final and binding.

A.D. 1877.

Save as provided by the last preceding clause of this Order, every arbitration under this Order shall be pursuant to the provisions of the Public Health Act, 1875.

XX. "Outfall works" shall comprise lands, tanks, or works for treatment and disposal of sewage.

"Intercepting works" shall comprise all such trunk or main drains or sewers as shall be necessary to convey the sewage of each Urban Sanitary District or Contributory place from such District or Contributory place to the outfall works.

XXI. The Joint Board may purchase the existing works and lands belonging to any of the Constituent Authorities on such terms and conditions as may be agreed on, or, failing agreement, by arbitration; and they may extend such existing works and purchase additional lands for the purpose. The Joint Board may purchase other land and construct other works where the same may be desirable for the use of the United District or of any part thereof.

XXII. The Joint Board shall purchase by agreement the works specified in Schedule C. to this Order, and the stock, plant, crops, and effects in, upon, and about the same, as going concerns, or, failing agreement, upon such terms as shall be settled by arbitration.

XXIII. The expenses incurred by the Joint Board in pursuance of this Order shall be defrayed out of a common fund to be contributed by the several Urban Sanitary Districts and contributory places mentioned in Schedules A. and B. hereto, in proportion to the number of rated tenements in each such District or Contributory place; such number to be ascertained from the poor rate made last before the time of issuing the precepts for obtaining payment of the several contributions.

For the purposes of this Order any person appointed by the Joint Board may inspect, take copies of, or make extracts from any valuation list or rate for the relief of the poor within the United District, or any part thereof, or any book relating to the same.

XXIV. No Urban Sanitary District or Contributory place shall be liable to contribute to so much of the said expenses as shall be incurred by the Joint Board in respect of outfall works, and the treatment and disposal of sewage thereat, unless and until some part of such Urban Sanitary District or Contributory place shall have been placed in connexion with any of the said outfall works; and then and in such case such Urban Sanitary District or Contributory place shall, in addition to their share of the current annual expenses of the sewage treatment, pay and contribute to the Joint Board such amount in respect of the outfall works and land which may have been acquired by the Joint Board as may be settled by agreement, or, failing agreement, by arbitration.

[Ch. ccxxix.] *Local Government Board's* [40 & 41 VICT.]  
*Provisional Orders Confirmation (Joint Boards) Act, 1877.*

A.D. 1877.

XXV. The Joint Board may require or allow any Constituent Authority to construct such new intercepting works as may be necessary to convey the sewage of its own District, or of so much of its District as is comprised in the United District, to any outfall works at its own cost. In such case the direction which such intercepting sewer is to take when passing through any District other than that to which it belongs shall be determined by the Joint Board. The Joint Board may construct and maintain intercepting sewers, and charge the cost thereof to any place or places making use of the same.

In all cases the necessity for, and the nature, size, character, and direction of, new intercepting sewers shall be determined by the Joint Board.

XXVI. It shall be lawful for the Joint Board to charge the cost of any "intercepting works" which it shall construct to such of the said Constituent Authorities, and in such proportions as the Joint Board shall think fit.

XXVII. In case any Constituent Authority shall have constructed or shall hereafter construct any intercepting sewer or sewers which, in the opinion of the Joint Board, can and ought to be used in conveying the sewage of any other Constituent Authority to the outfall works, the Constituent Authority last mentioned shall have the permanent right to use such intercepting sewer or sewers for the conveyance of the said sewage to the extent of but not exceeding forty gallons per head per day of the population of the District of the Authority exercising such right, on payment of a perpetual annuity to such first-mentioned Constituent Authority, the amount of such perpetual annuity to be settled and secured by agreement on the basis of the population or the number of inhabited houses in such last-mentioned District, and failing agreement by arbitration.

XXVIII. The cost of the various works shall be distributed and be borne as follows:—

- (a.) The cost of "outfall works" shall, subject to the limitation contained in Article XXIV. of this Order, be borne by the Joint Board.
- (b.) The cost of "intercepting works" constructed or maintained by the Joint Board shall be borne by the Constituent Authorities using the same in the proportion decided by the Joint Board.
- (c.) The cost of management, including all salaries of officers, costs, charges, and all outgoings other than the cost of "outfall works" and "intercepting works," shall be borne by the Joint Board.

Provided that separate accounts shall be kept, to be called respectively "the Outfall Account," "the Intercepting Account," and "the Management Account."

XXIX. The Joint Board may exercise any of the powers conferred upon a Local Authority under or by virtue of Section 69 of The Public Health Act, 1875, and all costs and expenses incurred thereby shall be deemed costs of management, and charged to "the Management Account."

XXX. In case the Joint Board deem it necessary or desirable to obtain running powers into and through the sewers in the District of any Local or Sani-



[40 & 41 VICT.] *Local Government Board's* [Ch. ccxxix.]  
*Provisional Orders Confirmation (Joint Boards) Act, 1877.*

tary Authority without the area of the United District, for the more convenient drainage of any portion of the United District, and an agreement for that purpose shall be come to between the Joint Board and the Authority to which such sewers belong, then the amount to be paid to such Sanitary Authority for such powers shall be deemed outfall expenses, and carried to "the Outfall Account." A.D. 1877.

The SCHEDULES above referred to.

SCHEDULE A.

URBAN SANITARY DISTRICTS.

1.	2.	3.	4.	
Name of District.	Name of Sanitary or Local Authority.	Elective Members.	Ex-officio Members.	
		Number.	Number.	Description.
Aston Manor, Local Government District of.	Aston Manor Local Board	1	1	The Chairman of the Local Board.
Balsall Heath, Local Government District of.	Balsall Heath Local Board	1	—	—
Birmingham, Borough of	The Mayor, Aldermen, and Burgesses, acting by the Council.	11	1	The Mayor.
Handsworth (Stafford), Local Government District of.	Handsworth Local Board	1	—	—
Harborne, Local Government District of.	Harborne Local Board -	1	—	—
Saltley, Local Government District of.	Saltley Local Board -	1	—	—
Smethwick, Local Government District of.	Smethwick Local Board -	1	—	—
	Total - -	17	2	

[Ch. ccxxix.] *Local Government Board's* [40 & 41 VICT.]  
*Provisional Orders Confirmation (Joint Boards) Act, 1877.*

A.D. 1877.

SCHEDULE B.

RURAL SANITARY DISTRICTS.

1.	2.	3.
Name of District.	Name of Sanitary or Local Authority.	Elective Members.
Aston Union - - - -	} The Guardians of the Poor of the Aston Union.	1
Contributory Place of Aston - -		
Kings Norton Union - - -	} The Guardians of the Poor of the Kings Norton Union.	1
Contributory Places of Kings Norton and Northfield.		
West Bromwich Union - - -	} The Guardians of the Poor of the West Bromwich Union.	1
Contributory Place of Perry Barr - -		
Total - - -		3

SCHEDULE C.

1.—BOROUGH OF BIRMINGHAM.

SCHEDULE of FREEHOLD and LEASEHOLD LANDS belonging to the MAYOR, ALDERMEN, and BURGESSES of the BOROUGH of BIRMINGHAM, all of which are situated in the PARISH of ASTON; together with INVENTORIES of PLANT and STOCK thereon, on the 31st of December 1876.

158 acres 3 roods and 4 perches of freehold land, with three cottages, eighteen tanks, engine and boiler houses, elevators, canal basin, stabling, cow-sheds, offices, laboratory, workshops, inlet and outlet channels, drainage and other works thereon.

103 acres 2 roods and 17 perches of leasehold land, with shed, including engine and mixing houses, drainage and other works thereon.

*Inventory of Farm Stock.*

- Horses.
- Live stock.
- Harness.
- Implements, tools, carts, &c.
- Hay, straw, seeds, &c.
- Wooden bridges, timber, &c.

*Outlet Stock.*

- Timber, tools, rails, ironwork, &c.
- Wagons, carts, and barrows.
- Steam engines, boilers, elevators.
- Wooden shoots.
- Clothing.
- Horses.
- Harness.
- Wooden bridges.
- Heating and lime apparatus, presses, &c.

A.D. 1877.

2.—LOCAL GOVERNMENT DISTRICT OF MANOR OF ASTON.

DESCRIPTION of the LAND belonging to the MANOR of ASTON LOCAL BOARD.

“All that close, piece, or parcel of meadow land, situate at Saltley, in the parish of Aston, commonly called or known by the name of ‘the Drift Holmes,’ formerly containing by estimation six acres and twenty perches, but now by recent admeasurement five acres and three roods or thereabouts.”

3.—LOCAL GOVERNMENT DISTRICT OF HARBORNE.

PARTICULARS of SEWERAGE WORKS of the URBAN SANITARY AUTHORITY of HARBORNE.

Land situate at the bottom of Harborne Heath, in the parish of Harborne, in the county of Stafford, adjoining lands of the Right Honorable Lord Calthorpe and Hyla Holden, Esq., respectively, and containing 2,390 square yards or thereabouts, together with a messuage, sewerage tanks, and other sewerage works now erected and standing thereon.

The lime mixing machine, pump, and the other plant, tools, and utensils used in connexion with the said works.

Tank, fencing, shed, pump, &c. situate adjoining the Harborne Mill in the same parish.

Tank, fencing, &c. situate near adjoining the Moor Pool in the said parish.

Tank, fencing, &c. situate at Harts Green in the said parish.

4.—LOCAL GOVERNMENT DISTRICT OF BALSALL HEATH.

STATEMENT of LAND and EFFECTS used by the BALSALL HEATH LOCAL BOARD OF HEALTH in purifying the SEWAGE flowing from the EASTERN OF SPARKBROOK DIVISION of their DISTRICT.

Cottage (two rooms) and garden containing about 470 square yards or thereabouts.

Dry brick wall fence, 371 feet long 9 inches thick and 6 feet 6 inches high, 14 inches by 18 inches, pillars at intervals of about 15 feet.

Double doors, ledged, 10 feet 6 inches wide and 6 feet high.

Lime screening shed, timber covered with slates, 21 feet by 10 feet 6 inches.

Tool shed (in dry brick) with flue, 10 feet 6 inches by 7 feet 10 inches.

Two rough boarded lime mixing sheds, each 9 feet by 9 feet.

Two platforms, four mixing barrels and two stands, four sluice gates.

Mud troughs or shoots, 73 feet 6 inches, 12 inches wide, and 1 inch deal.

No. 1, precipitating tank and filter, one iron filter frame 60 feet by 20 feet, in 24-inch, 18-inch, and 14-inch brickwork.

No. 2, set of three precipitating tanks, two small and one large; one iron filter frame, 55 feet 6 inches by 19 feet 6 inches, in 24-inch, 18-inch, and 14-inch brickwork.

Two sluice gates.

Storm overflow drain, 90 feet lineal of 24-inch socket pipe.

Outfall culvert, 72 feet lineal.

Outlet drain, 36 feet lineal of 18-inch socket pipe.

*Note.*—The tanks, sheds, &c. occupy about 1,230 square yards of land.

Given under the Seal of Office of the Local Government Board, this  
Fifth day of June, in the year One thousand eight hundred and  
seventy-seven.

(L.S.)

G. SCLATER-BOOTH, President.  
JOHN LAMBERT, Secretary.

[Ch. ccxxix.] *Local Government Board's* [40 & 41 VICT.]  
*Provisional Orders Confirmation (Joint Boards) Act, 1877.*

A.D. 1877.

*Provisional Order for forming a United District under Sect. 279 of the  
Public Health Act, 1875.*

To the Hampton Wick Local Board, being the Sanitary Authority for the Urban Sanitary District of Hampton Wick, in the County of Middlesex; —

To the several other Urban Sanitary Authorities mentioned in Schedule A. to this Order; —

To the several Rural Sanitary Authorities mentioned in Schedule B. to this Order; —

To the Inhabitants of the several contributory places mentioned in Schedule B. to this Order; —

And to all others whom it may concern.

WHEREAS by Section 279 of the Public Health Act, 1875, it is enacted that where, on the application of the Local Authorities of any Urban or Rural Sanitary Districts, or of any of such Authorities, it appears to the Local Government Board that it would be for the advantage of such Districts, or any of them, or any parts thereof, or of any contributory places in any Rural Sanitary District or Districts, to be formed into a United District for all or any of the purposes following; that is to say,—

- (1.) The procuring a common supply of water; or
- (2.) The making a main sewer or carrying into effect a system of sewerage for the use of all such Districts or contributory places; or

(3.) For any other purposes of this Act ;  
the Local Government Board may by Provisional Order form such Districts or contributory places into a United District; and that all costs, charges, and expenses of and incidental to the formation of a United District shall, in the event of the United District being formed, be a first charge on the rates leviable in the United District in pursuance of that Act ;

And whereas by Section 280 of the same Act it is further enacted that the governing body of a United District shall be a Joint Board, consisting of such ex-officio members and of such number of elective members as the Local Government Board may by the Provisional Order forming the District determine, and that a Joint Board shall be a body corporate by such name as may be determined by the Provisional Order, having a perpetual succession and a common seal, with power to hold lands for the purposes of its constitution, without any license in mortmain

And whereas by Section 281 of the same Act it is also enacted that the Provisional Order forming a United District under that Act shall define the purposes for which such United District is formed, and the powers, rights, duties, capacities, liabilities, and obligations under that Act which the Joint Board is authorised to exercise or perform, or is made subject to, and shall contain regulations as to the qualification and mode of election of elective

members of the Joint Board, as to their continuance in office, as to casual vacancies in the Joint Board, as to their meetings and officers, and any other matter or thing, including the adjustment of present and future liabilities and property with respect to which the Local Government Board may think fit to make any regulations for the better carrying into effect the provisions of that Act with respect to United Districts; and that upon the constitution of a Joint Board the local authorities having jurisdiction in the component Districts or contributory places shall cease to exercise therein any powers, or to perform any duties, or to be subject to any liabilities or obligations, which the Joint Board is authorised to exercise or perform or is made subject to; nevertheless, the Joint Board may delegate to the local authority of any component District the exercise of any of its powers or the performance of any of its duties;

And whereas by Section 282 of the same Act it is also enacted that meetings of any Joint Board shall be held and the proceedings thereat shall be conducted (so far as such meetings and proceedings are not regulated by the Order forming the Joint Board) in accordance with the rules as to meetings and proceedings contained in Schedule I. to that Act;

And whereas by Section 283 of the same Act it is also enacted that any expenses incurred by a Joint Board in pursuance of that Act, unless otherwise determined by the Provisional Order, shall be defrayed out of a common fund, to be contributed by the component Districts or contributory places in proportion to the rateable value of the property in each District or contributory place, such value to be ascertained according to the valuation list in force for the time being;

And whereas by Section 284 of the same Act it is also enacted that for the purpose of obtaining payment from the component Districts of the sums to be contributed by them, the Joint Board shall issue their precept to the Local Authority of each component District, stating the sum to be contributed by such Authority, and requiring such Authority, within a time limited by the precept, to pay the sums therein mentioned to the Joint Board, or to such persons as the Joint Board may direct;

That any sum mentioned in a precept addressed by a Joint Board to a Local Authority as aforesaid shall be a debt due from that Authority, and may be recovered accordingly, such contribution in the case of a Rural Authority being deemed to be general expenses; that, if any Local Authority makes default in complying with the precept addressed to it, the Joint Board may, instead of instituting proceedings for the recovery of a debt, or in addition to such proceedings as to any part of a debt which may for the time being be unpaid, proceed in a summary manner as in this Act mentioned to raise within the district of the defaulting Authority such sum as may be sufficient to pay the sum due; and that for the purpose of obtaining payment from contributory places of the sums to be contributed by them, the Joint Board shall have the same powers of issuing precepts and of recovering the amounts named therein as if such contributory places formed a Rural District, and the Joint Board were the Authority thereof.

[Ch. CCXXIX.] *Local Government Board's* [40 & 41 VICT.]  
*Provisional Orders Confirmation (Joint Boards) Act, 1877.*

A.D. 1877. And whereas by Section 275 of the same Act it is also enacted that every Order made by the Local Government Board under Part VIII. of that Act, which includes the above-recited sections, shall specify the day on which such Order shall come into operation, in that Act referred to as the commencement of the Order ;

And whereas the Hampton Wick Local Board, being the Sanitary Authority for the Urban Sanitary District of Hampton Wick, in the County of Middlesex, and being the Local Authority for the said Urban Sanitary District within the meaning of the above-mentioned Act, have applied to the Local Government Board to form the Urban Sanitary Districts and the parts of the Rural Sanitary Districts mentioned in the Schedules A. and B. to this Order into a United District, for the purpose of carrying into effect a system of sewerage for the use of all such Districts ;

And whereas upon receipt of such application the Local Government Board directed a local Inquiry to be held on the subject, and the same was held, after due public notice, and report has been made to them thereon :

Now therefore, We, the Local Government Board, in pursuance of the powers given by the several Statutes in that behalf, do hereby Order that the Urban Sanitary Districts named in column 1 of Schedule A. hereto, and the parts of the Rural Sanitary Districts of the Kingston and Richmond Unions respectively which comprise the contributory places named in column 1 of Schedule B. hereto, (which Urban Sanitary Districts and parts of Rural Sanitary Districts are herein-after called "the Constituent Districts,") shall be formed into a United District, to be called the Lower Thames Valley Main Sewerage District, for the purpose of making a main sewer for the use of all the Constituent Districts.

And We do further Order as follows ; viz. :

I. This Order shall come into operation on the Twenty-ninth day of September, One thousand eight hundred and seventy-seven.

II. The Joint Board, which shall be the governing body of the said United District, shall consist of six ex-officio and twenty-six elective members, and shall be called the Lower Thames Valley Main Sewerage Board.

III. The ex-officio members shall be the persons described in column 3 of the Schedules hereto, and the elective members shall be elected by the several Sanitary Authorities mentioned in column 2 of the said Schedules (herein-after called "the Constituent Authorities,") and shall hold office until they cease to be members of the Constituent Authorities by which they were elected.

IV. The number of members of the Joint Board to be elected by each of the Constituent Authorities shall be that set opposite to the name of each of such Authorities in column 4 of the said Schedules respectively, and the said members shall be chosen by the members of each Constituent Authority from among the members of its own body.

Provided that the members to be chosen by the Constituent Authorities mentioned in column 2 of Schedule B. hereto shall be selected from among the

members of such Authorities representing the contributory places mentioned in column 1 of the same Schedule, or from among the ex-officio members of such Authorities being resident, and the owners or occupiers of property, in such contributory places respectively of a value sufficient to qualify them as elective Guardians of the Union.

A.D. 1877.

V. The provisions of Rules 5 and 64 of Schedule II. to the Public Health Act, 1875, shall mutatis mutandis apply to elective members of the Joint Board.

VI. The first election of members of the Joint Board shall take place at a meeting of each of the Constituent Authorities, to be held within six weeks from the date when this Order comes into operation, or within such further time as the Local Government Board may, by Order, allow, and fourteen days previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authorities by the Clerks of such Authorities respectively.

VII. In the event of any member of the Joint Board ceasing to be a member of the Constituent Authority by which he was elected, he shall thereupon be disqualified from acting as a member of the Joint Board, but he shall be re-eligible as a member of the Joint Board if he is again elected a member of the same or any other of the Constituent Authorities.

VIII. The Clerk of each of the Constituent Authorities shall notify in writing to the Local Government Board, within seven days after such first and every subsequent election shall have taken place, the names and addresses of the persons elected by such Authority as members of the Joint Board.

IX. Any vacancy occurring in the Joint Board by death, resignation, disqualification, or otherwise, shall be filled up by the Constituent Authority in whose representation the vacancy occurs within six weeks, or within such further period as the Local Government Board may, by Order, determine.

X. The purposes for which the United District is formed are as follows:—

(a.) For making and maintaining a main sewer or sewers for the use of, and for the reception of the sewage from the sewers of, the several Urban Sanitary Districts and Contributory Places mentioned in the Schedules hereto.

(b.) For erecting, making, maintaining, and working such machinery and plant as may be required for the above purpose, or for conveying the sewage of the United District to a convenient place or places where it may be purified, if necessary, by application to land or otherwise, in such manner that it may be discharged into any stream, river, or watercourse without breach of the Rivers Pollution Prevention Act, 1876, or of the Thames Conservancy Acts, or of any other provisions of the law; and it shall be the duty of the Joint Board to carry out and perform the purposes for which the United District is formed within a period of three years from the commencement of this Order, and in default of their so doing, they shall be deemed to be a Local Authority which has made default in providing their District with

[Ch. ccxxix.] *Local Government Board's* [40 & 41 VICT.]  
*Provisional Orders Confirmation (Joint Boards) Act, 1877.*

A.D. 1877.

sufficient sewers within the meaning of Section 299 of the Public Health Act, 1875.

Provided that the duty of making and maintaining a main sewer or sewers shall be deemed to have been sufficiently carried out and performed if and so long as the Joint Board shall, by the construction of a main sewer or sewers, with all such machinery and appliances as may be requisite for lifting and disposing of the sewage, have made provision for the reception of a volume of sewage equal to two hundred and fifty gallons per diem for each inhabited house in the United District (which quantity is herein-after called the "prescribed quantity"), the number of such houses to be ascertained from time to time in the manner herein-after mentioned.

XI. The Joint Board shall construct and maintain and put into, and keep in, operation all necessary and proper pumping stations, with engines, pumps, and other apparatus and appliances, so that effectual provision may be thereby always made for the carrying of the sewage of every part of the United District into the sewers of the Joint Board by raising or by gravitation or otherwise.

XII. For the purposes of this Order the following sections of the Public Health Act, 1875, shall apply, and the Joint Board shall have, exercise, perform, and be subject to all the powers, rights, duties, capacities, liabilities, and obligations of a Local or Urban Sanitary Authority under the same sections, so far as the same are applicable, viz. :—

Sections 14 to 20, and 26 to 34, all inclusive, as to Sewerage and Drainage.

Section 153, as to Removal of Gas and Water Pipes.

Sections 173 and 174 (except Sub-sections 3 and 4), relating to Contracts.

Sections 175 and 176, as to Purchase of Land.

Sections 179 to 181, both inclusive, as to Arbitration.

Sections 192 (except as regards the office of Inspector of Nuisances), 193, 194, 195, 196, and 197, as to Officers and conduct of business.

Sections 200 and 203 to 206, both inclusive, relating to the mode of conducting business.

Sections 245, 247, 249, and 250, as to Audit.

Sections 251 to 254, both inclusive, 258 to 267, both inclusive, and 269, as to Legal Proceedings.

Section 285, as to the execution of works in adjoining districts and combination for execution of works.

Sections 299 (except so far as relates to Water Supply), 300, 301, and 302, as to enforcing performance of duty by defaulting Authority.

Sections 305 to 309, relating to Miscellaneous Provisions.

Sections 327, 328, and 329, as to Saving Clauses.

XIII. The Joint Board shall not, except for the purposes of this Order, exercise any power vested in them, in or in relation to the District of any of the Constituent Authorities, and the several Constituent Authorities shall not, in or in relation to their respective Districts, exercise any such power as is under this Order exerciseable by or vested in the Joint Board, otherwise than subject to and in accordance with the provisions of this Order; but, except as herein expressly provided, nothing in this Order shall take away, abridge, or prejudicially affect



any power, right, duty, or obligation vested in or imposed on any of the several Constituent Authorities in relation to their several Districts. A.D. 1877.

XIV. The time and place of holding the first meeting of the Joint Board shall be fixed by the Local Government Board, and the subsequent meetings of the Joint Board shall be held at such times and places as the Joint Board may appoint; and at all meetings of the Joint Board seven members shall constitute a quorum.

Provided that an extraordinary meeting may be summoned at any time by the Clerk, upon a requisition addressed to him by the Chairman or any three members of the Joint Board.

Such requisition shall be in writing, and no business other than that specified in the requisition shall be transacted at such extraordinary meeting.

Notices of all meetings shall be delivered or sent so as to reach the last known place of abode or business in England of each member of the Joint Board three clear days before the day of meeting, or at such earlier time as the Joint Board from time to time direct.

XV. The Joint Board shall at their first meeting, or at an adjournment thereof, appoint a chairman, a treasurer, and a clerk, and they may from time to time appoint such other officers and servants as they think requisite. They may pay their clerk, treasurer, officers, and servants such reasonable remuneration as they shall deem expedient; and every such clerk, treasurer, officer, and servant shall be removable by the Joint Board at their pleasure.

XVI. The expenses incurred by the Joint Board in carrying out the duties prescribed by this Order, including all establishment charges, remuneration to clerk, treasurer, officers, and servants, shall be defrayed out of a Common Fund, to be contributed by the several Urban Sanitary Districts and contributory places mentioned in the Schedules hereto, in direct proportion to the degree in which such Urban Sanitary Districts and contributory places respectively are or will be benefited by the execution of the purposes of this Order, such degree to be determined by the number of inhabited houses in each Urban Sanitary District and contributory place, and such number to be ascertained from the Poor Rate made last before the time of issuing the precepts for obtaining payment of the several contributions.

For the purposes of this Order any person appointed by the Joint Board may inspect, take copies of, or make extracts from, any Valuation List or Rate for the relief of the Poor within the United District or any part thereof, or any book relating to the same.

XVII. The accounts of the Joint Board shall at all reasonable times be open to inspection and transcription by any member of the Constituent Authorities without payment.

XVIII. A copy of the Auditor's Report and of the abstract of the accounts of the Joint Board, when duly audited, shall be sent by the Joint Board to each of the Constituent Authorities.

XIX. The provisions of Section 305 of the Public Health Act, 1875, shall apply for the purposes of this Order not only in the cases therein mentioned, but

[Ch. ccxxix.] *Local Government Board's* [40 & 41 VICT.]  
*Provisional Orders Confirmation (Joint Boards) Act, 1877.*

A.D. 1877. — also where the Joint Board desire to exercise the powers thereof for the purpose of discovering or ascertaining any communication with or opening into any of the sewers of the Joint Board, or the flowing or passing of any matter into such sewers, or into any drain, channel, or watercourse communicating therewith.

XX. If at any time all or any part of the District of any of the Constituent Authorities, being a Rural Sanitary District, becomes an Urban Sanitary District, then and in every such case the Local Government Board may, by Order, to be published as they shall direct, make such provision as to them seems fit for adapting the provisions of this Order to the alteration so made, and to the incidents and consequences thereof, and every such Order shall have effect as if the terms thereof were inserted in this Order.

XXI. For the purposes of this Order all sewers made by the Joint Board shall vest in and be under the control of the Joint Board, and the Joint Board may take the control of and maintain any other sewers in any part of the United District, upon giving one month's previous notice of their intention so to do to the Constituent Authority in whose District such sewers are situate.

XXII. Each Constituent Authority shall be entitled as of right to have at their own expense a communication from any of their sewers into the main sewer or sewers of the Joint Board.

Provided always, that after the commencement of this Order every Constituent Authority proposing to construct any new sewer for the purpose of bringing the sewage of their District, or of any part thereof, into any sewer, under the control of the Joint Board, by a new communication with such last-mentioned sewer, shall, two months at least before they commence the construction thereof, send to the Joint Board plans and sections showing the proposed places of communication and the proposed level, at such place, of the intended new sewer; and the place of every such communication, and the level thereof of every such new sewer, shall be such as shall be determined by the Joint Board; and every dispute respecting any such determination which may arise between any such Constituent Authority and the Joint Board shall be referred to the Local Government Board, whose decision thereon shall be conclusive on all persons interested.

XXIII. For the purpose of limiting the discharge of sewage into the main sewer or sewers of the Joint Board to the prescribed quantity, the communications between the sewers of the Constituent Authorities and those of the Joint Board shall be wholly under the control of the Joint Board, and the Joint Board shall be at liberty at any time to alter or reduce such communications accordingly.

XXIV. The Joint Board shall be at liberty to receive into their main sewer or sewers from the sewers of any Constituent Authority any quantity of sewage in excess of the prescribed quantity, upon such terms as may be agreed upon between them and such Constituent Authority.

XXV. If at any time any difference arises between the Joint Board on the one hand and any Constituent Authority or Authorities, or persons or person,

[40 & 41 VICT.] *Local Government Board's* [Ch. ccxxix.]  
*Provisional Orders Confirmation (Joint Boards) Act, 1877.*

A.D. 1877.

on the other hand, or between any two or more Constituent Authorities, or between any Constituent Authority and any contributory place, or persons or person, respecting any matter arising out of the provisions of this Order, the same shall be referred to and be settled by arbitration, in the manner provided by the Public Health Act, 1875, except in any case otherwise herein-before provided for.

The SCHEDULES above referred to.

SCHEDULE A.

URBAN SANITARY DISTRICTS.

1.	2.	3.		4.
Name of District.	Name of Sanitary or Local Authority.	Ex-officio Members.		Elective Members.
		Number.	Description.	Number.
Ham Common, Local Government District of.	Ham Common Local Board.	-	-	1
Hampton Wick, Local Government District of.	Hampton Wick Local Board.	-	-	1
East Moulsey, Local Government District of.	East Moulsey Local Board.	-	-	1
Kingston-on-Thames, Borough of.	The Mayor, Aldermen, and Burgesses, acting by the Council.	1	The Mayor -	3
New Malden, Local Government District of.	New Malden Local Board.	-	-	1
Richmond, Improvement Act District of.	The Select Vestry -	1	The Chairman of the Select Vestry.	4
Surbiton, Improvement Act District of.	The Improvement Commissioners.	1	The Chairman of the Improvement Commissioners.	3
Teddington, Local Government District of.	Teddington Local Board.	-	-	2
Twickenham, Local Government District of.	Twickenham Local Board.	1	The Chairman of the Local Board.	3
	Total - -	4	Total -	19

[Ch. ccxxix.] *Local Government Board's* [40 & 41 VICT.]  
*Provisional Orders Confirmation (Joint Boards) Act, 1877.*

A.D. 1877.

SCHEDULE B.

RURAL SANITARY DISTRICTS.

1.		2.		3.		4.	
Name of District.	Name of Sanitary or Local Authority.	Ex-officio Members.		Elective Members.			
		Number.	Description.	Number.			
Kingston Union -	The Guardians of the Poor of the Kingston Union.	1	The Chairman of the Board of Guardians, acting as the Rural Sanitary Authority.	4			
Contributory Places of Hampton, Hook, Esher, Long Ditton, Thames Ditton, West Moulsey.							
Richmond Union -	The Guardians of the Poor of the Richmond Union.	1	Ditto -	3			
Contributory Places of Barnes, Kew, Mortlake, Peter-sham.							
Total - -		2	Total -	7			

Given under the Seal of Office of the Local Government Board, this Fifth day of June, in the year One thousand eight hundred and seventy-seven.

G. SCLATER-BOOTH, President.  
 JOHN LAMBERT, Secretary.

(L.S.)

PORT OF WEYMOUTH.

*Provisional Order permanently constituting a Port Sanitary Authority, and for other purposes.*

To the Mayor, Aldermen, and Burgesses of the Borough of Weymouth and Melcombe Regis, in the County of Dorset, being the Urban Sanitary Authority for that Borough;—

To the Portland Local Board, being the Sanitary Authority for the Urban Sanitary District of Portland, in the same County;—

To the Guardians of the Poor of the Weymouth Union, in the same County, being the Sanitary Authority for the Rural Sanitary District of that Union;—

And to all others whom it may concern.

WHEREAS by Section 287 of the Public Health Act, 1875, it is enacted that the Local Government Board may, by Provisional Order, permanently constitute any Local Authority whose district or part of whose district forms part of

[40 & 41 VICT.] *Local Government Board's* [Ch. ccxxix.]  
*Provisional Orders Confirmation (Joint Boards) Act, 1877.*

A.D. 1877.

or abuts on any part of a port in England, or the waters of such port, or any conservators, commissioners, or other persons having authority in or over such port, or any part thereof, (which local authority, conservators, commissioners, or other persons, are in that Act referred to as a "Riparian Authority,") the Sanitary Authority of the whole of such port or any part thereof (in that Act referred to as the "Port Sanitary Authority,") and that the Local Government Board may also, by Provisional Order, permanently constitute a Port Sanitary Authority for the whole or any part of a port, by combining any two or more Riparian Authorities having jurisdiction within such port, or any part thereof, and may prescribe the mode of their joint action; or by forming a Joint Board, consisting of representative members of any two or more Riparian Authorities, in the same manner as is by that Act provided with respect to the formation of a united district; and that any Order constituting a Port Sanitary Authority may assign to such Authority any powers, rights, duties, capacities, liabilities, and obligations under that Act, and direct the mode in which the expenses of such Authority are to be paid; and that where such Order constitutes a Joint Board the Port Sanitary Authority, it may contain regulations with respect to any matters for which regulations may be made by a Provisional Order forming a united district under that Act; and that a port shall mean a port as established for the purposes of the laws relating to the Customs of the United Kingdom;

And whereas by Section 288 of the same Act it is further enacted that the Order of the Local Government Board constituting a Port Sanitary Authority shall be deemed to give such Authority jurisdiction over all waters within the limits of such port, and also over the whole or such portions of the district within the jurisdiction of any Riparian Authority as may be specified in the Order;

And whereas by Section 282 of the same Act it is also enacted that meetings of any Joint Board shall be held, and the proceedings thereat shall be conducted (so far as such meetings and proceedings are not regulated by the Order forming the Joint Board) in accordance with the rules as to meetings and proceedings contained in Schedule I. to that Act;

And whereas by Section 275 of the same Act it is also enacted that every Order made by the Local Government Board under Part VIII. of that Act, which includes the above-recited Sections, shall specify the day on which such Order shall come into operation, in that Act referred to as the commencement of the Order;

And whereas the Port of Weymouth, in the County of Dorset, is a Port established for the purposes of the laws relating to the Customs of the United Kingdom;

And whereas the Borough of Weymouth and Melcombe Regis, in the same County, is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council, are the Urban Sanitary Authority, and part of such District forms part of, or abuts on, the said Port;

And whereas the Local Government District of Portland, in the same County, is an Urban Sanitary District, of which the Portland Local Board are the

[Ch. CCXXIX.] *Local Government Board's* [40 & 41 VICT.]  
*Provisional Orders Confirmation (Joint Boards) Act, 1877.*

A.D. 1877. Urban Sanitary Authority, and such District forms part of, or abuts on, the said Port;

And whereas part of the Weymouth Union, in the same County, is a Rural Sanitary District, of which the Guardians of the Poor of that Union are the Rural Sanitary Authority, and part of such District forms part of, or abuts on, the said Port;

And whereas such Urban and Rural Sanitary Authorities are Riparian Authorities of the said Port;

And whereas by an Order dated the 20th day of March 1877, the Local Government Board ordered that a Joint Board, to be termed "The Weymouth Port Sanitary Authority," should be formed to constitute the Port Sanitary Authority, until the 29th day of September 1877, for so much of the Port of Weymouth as is therein mentioned;

And whereas the Local Government Board have proposed to issue a Provisional Order for permanently constituting a Port Sanitary Authority for so much of the said Port as is herein-after described, and accordingly directed a Local Inquiry to be held on the subject of such proposal, and the same was held, after due public notice, and report has been made to them thereon:

Now therefore, We, the Local Government Board, in pursuance of the powers given by the several Statutes in that behalf, do hereby Order that a Joint Board, to be called the Weymouth Port Sanitary Authority, shall be formed as herein-after mentioned, and shall permanently constitute the Port Sanitary Authority for so much of the Port of Weymouth as abuts on the several Parishes of Radipole, Melcombe Regis, Weymouth, Wyke Regis, and Portland.

Together with the waters of the said Port abutting upon the said Parishes, and the place for the time being appointed as the Customs Boarding Station for such part of the said Port, and every other place for the time being appointed for the mooring or anchoring of ships for such part of the said Port, under any regulations for the prevention of the spread of diseases issued under the authority of the Statutes in that behalf;

And the water-sides of the District constituted as aforesaid, and the docks, basins, creeks, and drains belonging to that part of the said Port included in such District.

And We do further Order as follows; viz.—

I. This Order shall come into operation on the Twenty-ninth day of September, One thousand eight hundred and seventy-seven.

II. The Joint Board shall consist of ten representative members of the several Riparian Authorities above mentioned, and such members shall be chosen by the members of each Riparian Authority from among the members of its own body, as follows; namely,

Five by the Urban Sanitary Authority for the Borough of Weymouth and Melcombe Regis.

[40 & 41 VICT.] *Local Government Board's* [Ch. ccxxix.]  
*Provisional Orders Confirmation (Joint Boards) Act, 1877.*

Three by the Urban Sanitary Authority for the Local Government District of Portland. A.D. 1877.

Two by the Guardians of the Poor of the Weymouth Union acting as the Sanitary Authority for the Rural Sanitary District of that Union.

III. The provisions of Rules 5 and 64 of Schedule II. to the Public Health Act, 1875, shall *mutatis mutandis* apply to members of the Joint Board.

IV. The first election of members of the Joint Board shall take place at a meeting of each of the Riparian Authorities, to be held within four weeks from the date when this Order comes into operation, or within such further time as the Local Government Board may, by Order, allow, and fourteen days previous notice in writing of such meeting shall be given or sent to each member of the Riparian Authorities by the Clerks of such Authorities respectively.

V. In the event of any member of the Joint Board ceasing to be a member of the Riparian Authority by which he was elected, he shall thereupon be disqualified from acting as a member of the Joint Board, but he shall be re-eligible as a member of the Joint Board if he is again elected a member of the same or any other of the Riparian Authorities.

VI. Any vacancy occurring in the Joint Board by death, resignation, disqualification, or otherwise, shall be filled up by the Riparian Authority in whose representation the vacancy occurs within one month, or within such further period as the Local Government Board may, by Order, determine.

VII. Until the first meeting of the Joint Board, to be elected under the provisions of this Order, the Joint Board constituted under the authority of the above-recited Order dated the Twentieth day of March, One thousand eight hundred and seventy-seven, shall be and continue to act as the Port Sanitary Authority for so much of the said Port as is therein described, and shall have and be subject to all the powers, rights, duties, capacities, liabilities, and obligations assigned to them by the said Order, and their expenses shall be defrayed in the manner in the said Order provided; and until such first meeting the Officers and Assistants appointed in pursuance of that Order may be continued in office by the last-mentioned Joint Board, subject to the regulations therein contained.

VIII. The time and place of holding the first meeting of the Joint Board shall be fixed by the Local Government Board, and the subsequent meetings of the Joint Board shall be held at such times as the Joint Board may appoint; and at all meetings of the Joint Board three members shall constitute a quorum.

Provided that an extraordinary meeting may be summoned at any time by the Clerk, upon a requisition addressed to him by the Chairman or any three members of the Joint Board.

Such requisition shall be in writing, and no business other than that specified in the requisition shall be transacted at such extraordinary meeting.

Notices of all meetings shall be delivered or sent so as to reach the last known place of abode or business in England of each member of the Joint Board one

[Ch. ccxxix.] *Local Government Board's* [40 & 41 VICT.]  
*Provisional Orders Confirmation (Joint Boards) Act, 1877.*

A.D. 1877. clear day before the day of meeting, or at such earlier time as the Joint Board from time to time direct.

IX. For the purposes of this Order the following Sections of the Public Health Act, 1875, shall apply to the Joint Board, and the Joint Board shall have, exercise, perform, and be subject to all the powers, rights, duties, capacities, liabilities, and obligations of a Local or Urban Sanitary Authority under the same Sections so far as those Sections are applicable to a Port Sanitary Authority, and to ships, vessels, boats, waters, or persons within their jurisdiction; namely,—

Sections 91 to 111, both inclusive, relating to Nuisances.

Sections 120 to 133, both inclusive, relating to Infectious Diseases and Hospitals.

Sections 134 to 138, both inclusive, and Section 140, as to Prevention of Epidemic Diseases.

Sections 141 and 142, relating to Mortuaries, &c.

Sections 173 and 174, relating to Contracts.

Sections 182 to 186, both inclusive, and Section 188, relating to Byelaws.

Section 189, relating to Officers, Assistants, and Servants (except as regards the offices of Surveyor and Collector).

Section 191, with respect to a Medical Officer of Health, and Sections 192 to 196, both inclusive, relating to the Security to be given by Officers, and their liability to account.

Sections 197, 200, 203, 204, 205, and 206, relating to the mode of conducting business.

Sections 245, 247, 249, and 250, relating to Audit.

Sections 251 to 269, both inclusive, relating to Legal Proceedings.

Section 280 (second clause), and Sections 282, 283, and 284, relating to Joint Boards or Port Sanitary Authorities.

Sections 299 to 302, both inclusive, relating to defaulting Local Authorities.

Sections 306, 307, and 308, as to Miscellaneous Provisions.

Sections 327, 328, and 329, containing "Saving Clauses."

X. The following provisions of the General Order of the Local Government Board dated the Eleventh day of November, One thousand eight hundred and seventy-two, addressed to all Urban Sanitary Authorities, in regard to the appointment of Medical Officers of Health, shall, so far as they are applicable to appointments made by a Port Sanitary Authority, apply to any Medical Officer of Health or other officer appointed under this Order, any portion of whose salary is paid out of moneys voted by Parliament; namely,—

Section II.—Articles 3, 4, 5, and 6.

Section III.—Articles 1 and 3.

The whole of Section V.

XI. The provisions of Section I. of the said General Order shall also be applicable to every Medical Officer of Health appointed under this Order.



[40 & 41 VICT.] *Local Government Board's* [Ch. ccxxix.]  
*Provisional Orders Confirmation (Joint Boards) Act, 1877.*

XII. The provisions of Section IV. of the said General Order, and of Section III. of the General Order of the Local Government Board, bearing the same date, and addressed to all Urban Sanitary Authorities, in regard to the appointment of Inspectors of Nuisances, shall, so far as they are applicable to ships, vessels, boats, waters, or persons within the jurisdiction of the Port Sanitary Authority, respectively apply to every Medical Officer of Health and Inspector of Nuisances appointed under this Order, any portion of whose salary is paid out of moneys voted by Parliament. A.D. 1877.

XIII. From and after the first meeting of the Joint Board, all property, real or personal, belonging to or vested in the Joint Board constituted under the authority of the above-recited Order dated the Twentieth day of March, One thousand eight hundred and seventy-seven, together with all debts and liabilities incurred by them and remaining outstanding at that date, and all debts due to them, shall be transferred to the Joint Board hereby constituted.

XIV. The expenses incurred by the Joint Board in carrying into effect the purposes of the Public Health Act, 1875, and of this Order, including all establishment charges, remuneration to officers and servants, shall be defrayed out of a Common Fund to be contributed by the several Riparian Authorities aforesaid in the proportions following, viz. :—

By the said Urban Sanitary Authorities, in proportion to the rateable value of their respective Urban Sanitary Districts; and by the said Rural Sanitary Authority, in proportion to the rateable value of that part of their District which abuts on the portion of the said Port which is within the jurisdiction of the Joint Board.

XV. The accounts of the Joint Board shall at all reasonable times be open to inspection and transcription by any member of the Riparian Authorities without payment.

XVI. A copy of the Auditor's Report and of the abstract of the accounts of the Joint Board, when duly audited, shall be sent by the Joint Board to each of the Riparian Authorities.

Given under the Seal of Office of the Local Government Board, this  
Fifth day of June, in the year One thousand eight hundred and  
seventy-seven.

(L.S.)

G. SCLATER-BOOTH, President.  
JOHN LAMBERT, Secretary.

LONDON : Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1877.

