



CHAPTER clxii.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Improvement Act District of Bournemouth, the Local Government District of Brotton, the Boroughs of Haverfordwest (two) and Liverpool, the Improvement Act District of Llandudno, the Local Government District of Lofthouse, the Lower Thames Valley Main Sewerage District, the Improvement Act District of Middleton and Tonge, the Local Government Districts of Pemberton, Romford, and Tyldesley-with-Shakerley (two), the Borough of Wakefield, the Improvement Act District of West Hartlepool, the Borough of Wigan, and the Local Government Districts of Wilmslow and Workington. A.D. 1878.

[22d July 1878.]

WHEREAS the Local Government Board have, as regards the districts and boroughs herein mentioned, made the Provisional Orders set forth in the schedule hereunto annexed, under the provisions of the Public Health Act, 1875 :

And whereas it is requisite that the said Orders should be confirmed by Parliament, and that the provision herein contained should be enacted in reference to certain of the said Orders :

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. The Orders as 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. Before commencing the works authorised by the Order relating to the Improvement Act District of Bournemouth hereby confirmed, the Bournemouth Commissioners shall apply to the Board of Trade As to lights during the construction of works by

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the Bournemouth Commissioners.

for directions as to the lights to be exhibited, and shall in all respects obey any direction given upon such application, or afterwards from time to time given as to lights by the Board of Trade during the construction of the works, and compliance with directions so given shall satisfy and be in place of every other statutory requirement as to lights during the construction of the works: Provided that if the Bournemouth Commissioners refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works they shall for each offence be liable to a penalty not exceeding ten pounds.

As to lights after completion of works by Bournemouth Commissioners.

3. After completion or permanent discontinuance or abandonment of the said works the Bournemouth Commissioners shall at the outer extremity of the pier and works, or the completed portions thereof, exhibit from sunset to sunrise such light or lights as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that corporation for directions as to lighting, and the said Commissioners shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply.

Special provision as to the borough of Haverfordwest.

4. Nothing contained in the Provisional Orders relating to the borough of the town and county of Haverfordwest and hereby confirmed, or either of them, shall affect the rights, if any, of the ratepayers of the parish of Furzy Park and Portfield to be exempted from contributing to the expenses of the repair of the highways of the said borough, or the liability, if any, of the mayor, aldermen, and burgesses of the said borough to defray the expenses of the repair of the highways in the said parish out of the borough fund of the said borough.

Special provision as to Lower Thames Valley Main Sewerage District Order.

5. 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); viz.,

(a.) The Local Government District of Heston and Isleworth and the part of the Rural Sanitary District of the Kingston Union, known as "the Kingston Special Drainage District," shall respectively contribute to the common fund out of which the expenses of the joint board are defrayed sums equal to the rateable proportions of the costs, charges, and expenses of and incidental to the formation of the united

district, and of all subsequent costs, charges, and expenses incurred by the joint board prior to the passing of this Act, in like manner in all respects as if such Local Government District and Special Drainage District respectively had been included in Schedules (A.) and (B.) respectively to the Provisional Order of the Local Government Board, dated the fifth day of June one thousand eight hundred and seventy-seven, as confirmed by the Local Government Board's Provisional Orders Confirmation (Joint Boards) Act, 1877: A.D. 1878.

- (b.) The joint board shall within six months from the date of the passing of this Act determine the sums to be contributed as aforesaid by the said Local Government District and the said Special Drainage District, and shall have the like powers and remedies for the raising and recovery of such sums as if the same were contributions payable in respect of such districts respectively towards expenses incurred by the joint board after the passing of this Act:

Provided, that any difference which may arise between the said joint board and the Heston and Isleworth Local Board or the guardians of the poor of the Kingston Union acting as the rural sanitary authority of that union as to the sum to be contributed as aforesaid in respect of the said Local Government District or the said Special Drainage District, as the case may be, shall be referred to the Local Government Board, whose decision shall be final and conclusive on all parties concerned.

- (c.) If, at any time after the date of this Act, any proceedings shall be commenced against the joint board, or if the joint board be made a party to any proceedings commenced previous to such date against the Heston and Isleworth Local Board for preventing the flow of sewage into the River Crane, or otherwise in relation to the pollution of that river by sewage, the Heston and Isleworth Local Board shall alone be responsible for and chargeable with any penalties, damages, costs, or expenses which may be recovered against the joint board or the said local board in consequence of such proceedings, or for any costs, charges, or expenses the joint board may incur in defending such proceedings; and no member of the joint board (except the members of the joint board representing such local board) shall be liable to be attached in his person,

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property, or otherwise howsoever in consequence of disobedience to any writ of injunction or other legal order or decision arising out of such proceedings, or any of them :

Provided always, that nothing herein contained shall exonerate the joint board from the consequence of damage or injury caused by any act of its own in making and maintaining its own main sewer or sewers, or any of them, or otherwise howsoever.

- (d.) If the joint board shall incur or be put to any costs, charges, penalties, damages, or expenses of any kind whatever in consequence of any such proceedings as aforesaid, it shall be lawful and the joint board is hereby authorised and empowered to recover the same from the Heston and Isleworth Local Board under the provisions of section two hundred and eighty-four of the Public Health Act, 1875.
- (e.) When any vacancy occurs in the joint board by death, resignation, disqualification, or otherwise, seven days previous notice in writing shall be given to every member of the constituent authority in whose representation the vacancy has occurred by the clerk of such authority of any meeting that may be held for the purpose of filling up such vacancy.
- (f.) Any member may resign his office as a member of the joint board by sending his resignation in writing to the chairman for the time being of the joint board.
- (g.) The clerk of each of the constituent authorities shall notify in writing to the joint board, within seven days after any election shall have taken place, the name and address of each person elected by such authority as a member of the joint board.
- (h.) The joint board may from time to time make regulations with respect to the summoning, notice, place, management, and adjournment of their meetings, and generally with respect to the transaction and management of their business.
- (i.) The provisions of section three, sub-sections (d) to (m), both inclusive, of the Local Government Board's Provisional Orders Confirmation (Joint Boards) Act, 1877, shall be read as forming part of this Act, and shall apply to all matters, works, proceedings, and things done, executed, taken, or performed under the Provisional Order relating to the united district, and hereby confirmed.

6. The following provisions shall take effect with reference to the two Provisional Orders relating to the Local Government District of Tyldesley-with-Shakerley, hereby confirmed :

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Special
provision
as to the
Tyldesley-
with-
Shakerley
Orders.

(a.) The Tyldesley-with-Shakerley Local Board shall, before they shall lay out, construct, or execute any buildings or other works on the lands numbered respectively 1 and 3 in the schedules to the said two Orders, erect a retaining wall to form for the entire length of such lands the boundary of the properties of the local board and of the London and North-western Railway Company (herein-after referred to as "the Company"), such wall to be built on a give and take line in such a position and of such length, height, depth, thickness, and dimensions, and of such materials as the engineers of the local board and of the Company shall agree, or as in case of difference shall be determined by an engineer to be appointed on the application of either party by the President of the Institution of Civil Engineers, and the local board shall always maintain the said wall to the reasonable satisfaction of the engineer of the Company, the Company paying to the local board in consideration of the erection of such wall the sum of one hundred pounds on the completion thereof; no claim to be made by either party against the other as to any difference of land which may be occupied owing to such wall being built on a give and take line;

(b.) And in case any gasometer or gasholder shall at any time hereafter be constructed at any point within a distance of ten yards measured from the southern face of the said wall, the local board on being thereunto required by the Company in writing shall with all despatch carry such wall down to such depth (but not below the rock) or execute such further works for securing the stability of the wall and of the railway of the Company as shall in case of difference be determined by such engineer as aforesaid;

(c.) The local board shall not in constructing their gas or other works, or in carrying on any of their operations on the lands described in the said schedules, execute, do, omit, permit, or suffer any work, act, matter, or thing whereby or in consequence whereof the stability of the railway of the Company, or the wing walls or abutments of the bridge

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on the north-west corner of such lands, or any other works of the Company, may be endangered, or the same respectively be injured, or (without the consent of the Company in writing) be in any manner interfered with, or the conduct or passage of traffic on the said railway be obstructed or delayed, and if any injury or damage shall arise by reason of any such work, operation, act, matter, or thing, omission or permission, or by any such obstruction or delay as aforesaid, the local board shall make full compensation to the Company in respect thereof, the same to be recovered with full costs by the Company from the local board in and by all and the same means as any simple contract debt is recoverable ;

(d.) The local board and the Company may enter into and carry into effect agreements with reference to any variation of the works to be executed by the local board under this section.

Special provisions as to the Local Government District of Workington.

7. The bonds executed by the Workington Local Board before the passing of this Act for the purpose of securing the repayment of a sum of three thousand eight hundred and twenty pounds purporting to have been borrowed under the powers conferred by a Provisional Order of one of Her Majesty's Principal Secretaries of State dated the twenty-first day of December one thousand eight hundred and sixty seven, and duly confirmed by the Local Government Supplemental Act, 1868, but to which borrowing the sanction of the Secretary of State was not obtained as required by the said Order, and any payments made prior to the passing of this Act in respect of such bonds whether on account of principal or interest are hereby rendered valid as if the sanction of the Secretary of State had been obtained previous to the borrowing of the moneys purporting to be thereby secured.

8. The Workington Local Board shall not interfere with or do anything to affect the title to any of the subjects, or any rights, powers, or authorities mentioned in or reserved by sections twenty, twenty-one, and twenty-two of the Crown Lands Act, 1866, and belonging to or exerciseable on behalf of Her Majesty, her heirs or successors.

9. The Workington Local Board shall not at any time hereafter construct any work on any part of the shore or bed of the sea, where and so far up the same as the tide flows and reflows, without

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the previous consent of the Board of Trade, to be signified in writing, under the hand of one of the secretaries or assistant secretaries of the said Board, and then only according to such plan and under such restrictions and regulations as the said Board of Trade shall approve, such approval being signified as aforesaid, and where any such work shall have been constructed with such consent as aforesaid, the said local board shall not at any time alter or extend the same without obtaining, previously to making such alteration or extension, the like consent or approval; and if any such work shall be commenced without such consent or approval, the Board of Trade may abate and remove the same, and restore the site thereof to its former condition at the cost of the said local board, and the amount of such costs shall be a debt due from the local board to the Crown, and shall be recoverable against the said local board accordingly.

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10. Nothing contained in the Provisional Order relating to the Local Government District of Workington or in this Act shall authorise the Workington Local Board to take, use, or in any manner interfere with any portion of the shore or bed of the sea, or any right in respect thereof belonging to the Queen's most Excellent Majesty in right of her Crown, and under the management of the Board of Trade, without the previous consent of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give), neither shall anything in the said Order or Act contained extend to take away, prejudice, diminish, or alter any of the estates, rights, privileges, powers, or authorities vested in or enjoyed or exerciseable by the Queen's Majesty, her heirs, or successors.

Saving rights
of the Crown
in the fore-
shore ad-
jacent to
Workington.

11. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (Bournemouth, &c.) Act, 1878. Short title.

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SCHEDULE.

Bournemouth Order.

IMPROVEMENT ACT DISTRICT OF BOURNEMOUTH.

Provisional Order for altering the Bournemouth Improvement Act, 1856.

To the Bournemouth Commissioners, being the Sanitary Authority for the Urban Sanitary District of Bournemouth, in the County of Southampton;—

And to all others whom it may concern.

WHEREAS the Improvement Act District of Bournemouth, in the County of Southampton, is an Urban Sanitary District, of which the Bournemouth Commissioners are the Urban Sanitary Authority, and the Bournemouth Improvement Act, 1856, as amended by a Provisional Order made by one of Her Majesty's Principal Secretaries of State, dated the Ninth day of April, One thousand eight hundred and sixty-nine, and duly confirmed by "The Local Government Supplemental Act, 1869," is in force in the said District;

And whereas by Section 13 of the first-mentioned Act, the Commissioners were empowered to make and maintain a Pier and works connected therewith, in the line and levels shown by certain plans and sections deposited with the Clerk of the Peace for the County of Southampton;

And whereas the said Commissioners made the said Pier in accordance with the provisions of the said Act, but in consequence of the damage caused thereto by storms it is desirable to construct a new Pier in its place, and the said Commissioners, as such Sanitary Authority as aforesaid, have accordingly applied to the Local Government Board to issue a Provisional Order to alter and amend the said first-mentioned Act for that purpose;

And whereas by Section 303 of the Public Health Act, 1875, the Local Government Board are empowered, on the application of the Sanitary Authority of any Sanitary District, by Provisional Order, wholly or partially, to repeal, alter, or amend any Local Act, other than an Act for the conservancy of rivers, which is in force in any area comprising the whole or part of any such District, and not conferring powers or privileges on any persons or person for their or his own pecuniary benefit, which relate to the same subject-matters as the Public Health Act, 1875;

And whereas the first-mentioned Act is a Local Act within the meaning of the above-recited section of the Public Health Act, 1875;

And whereas upon receipt of the said application the Local Government Board directed a Local Inquiry to be held on the subject thereof, and such inquiry 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 Statutes in that behalf, do hereby order that, from and after the

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date of the Act of Parliament confirming this Order, the following provisions shall take effect; viz.,—

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—
Bourne-
mouth Order.
—

Art. 1. Section 13 of the said Local Act shall be altered, and shall provide that the said Commissioners may construct and maintain, on a site and according to plans and sections approved or to be approved by the Board of Trade, a Pier and works connected therewith in lieu of the Pier and works connected therewith mentioned in that Section, and may, subject to the sanction of the Local Government Board, borrow on the security of the General District Rate of the said District such amount as may be required for that purpose, not exceeding in the whole the sum of thirty thousand pounds:

Provided that all moneys borrowed for the construction of the said Pier and the works connected therewith shall be borrowed in accordance with, and subject to, the provisions of Sections 234, 236, 237, and 238 of the Public Health Act, 1875.

Art. 2. The provisions of Sections 14, 15, 16, and 17 of the said Local Act shall be altered so as to apply to the construction of the said new Pier and the works connected therewith:

Provided that the period of five years mentioned in Section 14 shall be taken to commence from the date of the Act of Parliament confirming this Order, and that the office of the Board of Trade shall be substituted for the Admiralty Office, and the Board of Trade shall be substituted for the Lord High Admiral of the United Kingdom or the Commissioners for executing the office of Lord High Admiral, in Sections 15, 16, and 17 respectively.

Art. 3. The provisions of the Harbours, Docks, and Piers Clauses Act, 1847, which are by Section 19 of the said Local Act, as amended by the Local Government Supplemental Act, 1869, incorporated with the said Local Act, shall, so far as applicable, apply to the said new Pier and the works connected therewith.

Art. 4. The provisions of Sections 20, 21, 37, 38, and 39 of the said Local Act, as amended by the Local Government Supplemental Act, 1869, shall be altered so as to apply to the said new Pier and the works connected therewith, in lieu of the Pier therein mentioned:

Provided that the Local Government Board shall be substituted for the Secretary of State, and the Public Health Act, 1875, for the Local Government Act, 1858, respectively, in Section 20 of the said Local Act, and the Board of Trade shall be substituted for the Commissioners for the time being of Her Majesty's Woods, Forests, and Land Revenues in Section 37 of the said Local Act.

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

(L.S.)

G. SCLATER-BOOTH, President,
HUGH OWEN, JUNR., Assistant Secretary.

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LOCAL GOVERNMENT DISTRICT OF BROTTON.

*Brotton
Order.*

Provisional Order for constituting the Brotton Local Government District.

To the Guardians of the Poor of the Guisborough Union, in the North Riding of the County of York, being the Sanitary Authority for the Rural Sanitary District of that Union ; —

To the Inhabitants of the Townships of Brotton and Kilton, in the said North Riding ; —

And to all others whom it may concern.

WHEREAS by Section 271 of the Public Health Act, 1875, it is enacted that the Local Government Board may, by Provisional Order, declare any Rural Sanitary District, or any portion of any Rural Sanitary District or Districts, to be a Local Government District ; and that, from and after the commencement of the Order, the District or portion of the District or Districts therein referred to shall become a Local Government District, and shall be subject to the jurisdiction of a Local Board, to be elected in manner provided by Schedule II. to that Act ; and that the Local Government Board may, by any Order constituting a Local Government District under that Section, divide such District into wards for the election of members of the Local Board ;

And whereas by Section 275 of the said Public Health Act, 1875, it is enacted that every Order made by the Local Government Board under Part VIII. of that Act, which includes Section 271 above recited, 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 Township of Brotton, and part of the Township of Kilton, in the North Riding of the County of York, now form part of the Rural Sanitary District of the Guisborough Union, and the remaining portion of the said Township of Kilton will, on the Twenty-eighth day of September, One thousand eight hundred and seventy-eight, also become included in such Rural Sanitary District ;

And whereas the Local Government Board proposed to declare that, from and after the Twenty-ninth day of September, One thousand eight hundred and seventy-eight, the said Township of Brotton and the whole of the said Township of Kilton should be a Local Government District, and accordingly directed 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 Statutes in that behalf, do hereby Declare that, from and after the day when this Order comes into operation, the said Townships of Brotton and Kilton shall be a Local Government District, under the name of the Brotton District.

And We do order as follows ; viz.,—

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

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II. Nine persons, who shall have the qualification prescribed by the law in force for the time being with regard to the election of members of a Local Board, shall be elected as members of the Local Board for the Brotton District.

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*Brotton
Order.*

III. The election of members for the said Local Board shall be conducted in accordance with the rules contained in Schedule II. to the Public Health Act, 1875. Provided, that the Returning Officer, when duly appointed, shall give notice of the said election, in accordance with Rule 36 of the said Schedule, within fourteen days from the said Twenty-ninth day of September, and shall specify in such notice the dates on which the several proceedings necessary to complete such election shall be taken.

IV. The said Local Government District shall, for the purposes of the election of the Local Board for such District, be divided into two wards, which shall be termed the Brotton Ward and the Kilton Ward respectively, and shall comprise the Townships of Brotton and Kilton respectively.

V. Six members of the said Local Board shall be elected for the Brotton Ward, and three members of the said Local Board shall be elected for the Kilton Ward, by the persons qualified to vote in the said Wards respectively.

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

G. SCLATER-BOOTH, President.

HUGH OWEN, JUNR., Assistant Secretary.

(L.S.)

BOROUGH OF HAVERFORDWEST.

*Haverford-
west Order*
(1).

*Provisional Order for altering the mode of defraying the Expenses of an Urban
Sanitary Authority.*

To the Mayor, Aldermen, and Burgesses of the Borough of the Town and
County of Haverfordwest, being the Urban Sanitary Authority for
that Borough ;—

And to all others whom it may concern.

WHEREAS by Section 208 of the Public Health Act, 1875, it is enacted that where at the time of the passing of that Act the expenses incurred by an Urban Sanitary Authority for sanitary purposes are payable otherwise than in the manner provided by the Local Government Acts, the Local Government Board may, on the application of such Authority, or of any ten persons rated to the relief of the Poor within the District, declare, by Provisional Order, that the expenses of such Authority incurred in the execution of that Act shall be defrayed out of a District Fund and General District Rate to be levied by them

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A.D. 1878. under that Act, subject to the provisions of that Act with respect to the mode of defraying in certain cases the expenses of the repair of highways ;

Haverford-
west Order
(1).

And whereas the Borough of the Town and County of Haverfordwest is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council, are the Urban Sanitary Authority ;

And whereas the expenses incurred by the said Council, acting as such Urban Sanitary Authority, for sanitary purposes were, at the time of the passing of the above-recited Act, payable otherwise than in the manner provided by the Local Government Acts, and the Local Government Board have received an application from more than ten persons who are rated to the relief of the Poor within the said Urban Sanitary District, praying them to declare, by Provisional Order, that the expenses of such Authority incurred in the execution of the above-recited Act should be defrayed as mentioned in the said section ;

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

Now therefore, We, the Local Government Board, in pursuance of the powers given by the Statutes in that behalf, do hereby order that, from and after the Thirty-first day of August, One thousand eight hundred and seventy-eight, the expenses of the Urban Sanitary Authority for the Urban Sanitary District of the Borough of the Town and County of Haverfordwest, incurred in the execution of the Public Health Act, 1875, shall be charged upon and defrayed out of a District Fund and General District Rate to be levied by them under that Act, subject to the provisions of that Act with respect to the mode of defraying in certain cases the expenses of the repair of highways.

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

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

(L.S.)

Haverford-
west Order
(2).

BOROUGH OF HAVERFORDWEST.

Provisional Order for amending a Local Act, and for altering a confirming Act.

To the Mayor, Aldermen, and Burgesses of the Borough of the Town and County of Haverfordwest, being the Urban Sanitary Authority for that Borough ; —

And to all others whom it may concern.

WHEREAS under the powers and provisions of a Local Act of Parliament passed in the fifth and sixth years of the reign of His late Majesty King William the Fourth, intituled " An Act for paving, lighting, and otherwise " improving the Town of Haverfordwest, and the adjoining Townships of

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“ Prendergast and Cartlett, in the Parishes of Prendergast and Uzmaston, in
“ the County of Pembroke ” (herein-after called “ the Local Act ”), certain
Commissioners were appointed to execute the said Act ;

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Haverford-
west Order
(2).

And whereas the District for which the said Commissioners acted was an
Improvement Act District within the meaning of the Public Health Act, 1875 ;

And whereas the Borough of the Town and County of Haverfordwest is an
Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting
by the Council, are the Urban Sanitary Authority ;

And whereas by a Provisional Order of the Local Government Board dated
the Twenty-eighth day of May, one thousand eight hundred and seventy-seven,
all the jurisdiction and powers of the said Commissioners remaining vested in
them at the time of the passing of the Public Health Act, 1875, were transferred
to the Council of the said Borough, as such Urban Sanitary Authority as
aforesaid ;

And whereas the said Provisional Order was confirmed by the Local Govern-
ment Board's Provisional Orders Confirmation (Belper Union, &c.) Act, 1877
(herein-after called “ the Confirmation Act ”), and by the Second Section of
that Act it is enacted that the said Urban Sanitary Authority shall repay out
of the rates authorised by the Local Act, and in the manner provided by
Section 234 of the Public Health Act, 1875, the sum of ten thousand pounds,
borrowed by the said Commissioners under the powers of the Local Act within
the period of sixty years commencing from the date of the Confirmation Act ;
and that for that purpose the said Urban Sanitary Authority should have and
exercise all the powers and provisions of the Local Act with respect to the
making, raising, and recovering the rates therein mentioned ; and should be
at liberty to raise the moneys required to defray the whole or any part of the
said sum of ten thousand pounds, by the issue of debentures or annuity certificates
under and subject to the provisions of the Local Loans Act, 1875 ;

And whereas by Section 297 of the Public Health Act, 1875, it is enacted
that any Act confirming any Provisional Order made in pursuance of any of
the Sanitary Acts or of that Act, may be repealed, altered, or amended by any
Provisional Order made by the Local Government Board and confirmed by
Parliament ;

And whereas by Section 303 of the Public Health Act, 1875, the Local
Government Board are empowered, on the application of the Sanitary Authority
of any Sanitary District, by Provisional Order, wholly or partially, to repeal,
alter, or amend any Local Act, other than an Act for the conservancy of rivers,
which is in force in any area comprising the whole or part of any such
District, and not conferring powers or privileges on any persons or person for
their or his own pecuniary benefit, which relate to the same subject-matters as
the Public Health Act, 1875 ;

And whereas the Local Act is a Local Act within the meaning of the said
last-mentioned section ;

And whereas the said Urban Sanitary Authority have applied to the Local
Government Board to issue a Provisional Order to amend the Local Act and to
alter the Confirmation Act in manner herein-after mentioned ;

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Haverford-
west Order
(2).

And whereas upon receipt of the said application, the Local Government Board directed local inquiry to be held, 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 Statutes in that behalf, do hereby Order that, from and after the First day of September, One thousand eight hundred and seventy-eight, the following provisions shall take effect ; viz.,—

Art. 1. Notwithstanding anything in the Local Act to the contrary, the rates made by the said Urban Sanitary Authority under the Local Act shall not be applicable to any purposes other than the payment of the outstanding balance of the said sum of ten thousand pounds, and the interest from time to time accruing in respect thereof, together with the expenses of the public lighting of the District of the said Urban Sanitary Authority, and the expenses incurred by the said Urban Sanitary Authority in respect of their gasworks, so far as such last-mentioned expenses are not met by the revenue arising from such gasworks, and the limits within which a General District Rate under the Public Health Act, 1875, shall be levied shall be the whole District of the said Authority.

Art. 2. Section 107 of the Local Act shall be altered and amended so as to enable the Urban Sanitary Authority, subject to the sanction of the Local Government Board, to borrow under the provisions thereof, and for the purposes of their gas undertaking, any sum or sums not exceeding in the whole the sum of five thousand pounds, in addition to the sum of ten thousand pounds therein mentioned, and the provisions of Section 108 of the Local Act shall apply to all sums borrowed by the said Urban Sanitary Authority under the said Section 107, as hereby altered and amended.

Art. 3. The said Urban Sanitary Authority may raise the whole or any part of the said sum of five thousand pounds by the issue of annuities, debentures, or debenture stock, under and subject to the provisions of the Local Loans Act, 1875.

Art. 4. Any money borrowed by the Urban Sanitary Authority under the provisions of the Local Act as amended by this Order for the purposes of their gas undertaking, shall be repaid within such period (not exceeding sixty years) as the Urban Sanitary Authority, with the sanction of the Local Government Board, shall determine, and the period so determined and sanctioned shall be deemed to be the prescribed period within the meaning of the Local Loans Act, 1875.

Art. 5. The Urban Sanitary Authority shall repay the money borrowed by them under the Local Act as amended by this Order, other than money borrowed under the Local Loans Act, 1875, either by equal annual instalments of principal, or of principal and interest, or by setting apart in every year as a sinking fund such a sum or sums as will, according to a reasonable calculation for the time being, with accumulations in the way of compound interest, be sufficient, after payment of all expenses, to pay off the money so borrowed within the period sanctioned, and shall invest the same in the purchase of Exchequer Bills or other Government securities, or, if the Local Government Board shall assent, in

[41 & 42 VICT.] *Local Government Board's* [Ch. clxii.]
Provisional Orders Confirmation (Bournemouth, &c.) Act, 1878.

securities in which Trustees are by law for the time being authorised to invest, or in nominal debentures or nominal debenture stock, issued under the Local Loans Act, 1875, by any Local Authority other than the Urban Sanitary Authority, the Urban Sanitary Authority being at liberty from time to time to vary and transpose such investments.

A.D. 1878.

Haverford-
west Order,
(2).

Art. 6. The Urban Sanitary Authority may at any time apply the whole or any part of such sinking fund in or towards the discharge of the money for the repayment of which the fund is established: Provided that the Urban Sanitary Authority pay into the fund in each year, and accumulate until the whole of the money borrowed is discharged, a sum equivalent to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied.

Art. 7. The Urban Sanitary Authority may, with the sanction of the Local Government Board, re-borrow any moneys borrowed by them under the Local Act as amended by this Order, other than moneys borrowed by the issue of annuities, debentures, or debenture stock issued by them under and subject to the provisions of the Local Loans Act, 1875: Provided that the money so re-borrowed shall, unless it is raised by the issue of annuities, debentures, or debenture stock issued by the said Urban Sanitary Authority under and subject to the provisions of the Local Loans Act, 1875, be repaid in the manner provided by Articles 4 and 5 of this Order:

Provided also, that the time for repayment of the money so re-borrowed shall not, except with the sanction of the Local Government Board, extend beyond the unexpired portion of the period for which the original loan was sanctioned, and shall in no case be extended beyond the period of sixty years from the date of the original loan.

Art. 8. The Treasurer of the Urban Sanitary Authority shall, within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund, or to be paid as an instalment in respect of moneys borrowed under the provisions of this Order, transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by statutory declaration, if so required by them, showing the amount which has been paid as instalments, and the amount which has been invested or applied for the purpose of such sinking fund during the year next preceding the making of such return, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the amount paid as instalments, or of the sinking fund, or investment, or of the sums accumulated by way of interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year.

Art. 9. If it appears to the Local Government Board, by that return or otherwise, that the Urban Sanitary Authority have failed to pay any instalment or to set apart the sum required for the sinking fund, or have applied any portion of the money set apart for the sinking fund or of the sums accumulated by way of interest, to any purposes other than those authorised, they may, by Order, direct that a sum, not exceeding double the amount in respect of which default has been made, shall be paid, set apart, and invested or applied as part of the

[Ch. clxii.] *Local Government Board's* [41 & 42 VICT.]
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A.D. 1878. sinking fund; and any such Order shall be enforceable by writ of Mandamus, to be obtained by the Local Government Board out of Her Majesty's High Court of Justice.

Haverford-
west Order
(2).

Art. 10. Section 2 of the Confirmation Act shall be altered, so as to enable the said Urban Sanitary Authority to raise any moneys required to defray the whole or any part of the outstanding balance of the sum of ten thousand pounds therein mentioned by the issue of annuities, debentures, or debenture stock, under and subject to the provisions of the Local Loans Act, 1875.

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

G. SCLATER-BOOTH, President.

HUGH OWEN, JUNR., Assistant Secretary.

(L.S.)

Liverpool
Order.

BOROUGH OF LIVERPOOL.

Provisional Order for altering a Local Act.

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

And to all others whom it may concern.

WHEREAS the Borough of Liverpool, in the County of Lancaster, is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council, are the Urban Sanitary Authority, and a Local Act of Parliament passed in the seventh and eighth years of the reign of Her Majesty Queen Victoria, and intituled "An Act to alter and amend an Act of the sixth and seventh years of the reign of Her present Majesty, for the better protection of property in the Borough of Liverpool from fire," (herein-after called the "Local Act,") is in force in the said District;

And whereas by Section 13 of the said Local Act it is enacted that it shall not be lawful for any ardent spirits, and preparations thereof, oil of any kind (palm and cocoa-nut oil excepted), or brimstone, to be received into any warehouse, building, or place, other than a fire-proof warehouse, or a cellar or ground-floor room, being the lowest room in any warehouse, building, or place, or a room on the ground-floor having a cellar or vault immediately under the same, arched as required for a cellar or vault in a fire-proof warehouse;

And whereas by Section 303 of the Public Health Act, 1875, the Local Government Board are empowered, on the application of the Sanitary Authority of any Sanitary District, by Provisional Order, wholly or partially, to repeal, alter, or amend any Local Act, other than an Act for the conservancy of rivers, which is in force in any area comprising the whole or part of any such District, and not conferring powers or privileges on any persons or person for their or his own pecuniary benefit, which relates to the same subject-matters as the Public Health Act, 1875;

[41 & 42 VICT.] *Local Government Board's* [Ch. clxii.]
Provisional Orders Confirmation (Bournemouth, &c.) Act, 1878.

And whereas the said Local Act is a Local Act within the meaning of the said Section of the Public Health Act, 1875, and the said Urban Sanitary Authority have applied to the Local Government Board to alter and amend the same in manner herein-after mentioned ;

A.D. 1878.

Liverpool
Order.

And whereas the Local Government Board, on receipt of such application, directed 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 Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, Section 13 of the said Local Act shall be altered and amended, so as to provide that it shall be lawful for any person to store in any room of a warehouse bonded throughout, spirits in bottles in cases, and to deposit for bottling or vating purposes, wine, spirits, beer, or spirituous liquors, during the hours prescribed by the regulations of the Commissioners of Her Majesty's Customs, in any vault, cellar, ground-floor, or first-floor of a warehouse bonded throughout and approved of for the purpose by the Committee for the preservation of property from fire and by the said Commissioners, and subject always to such regulations as shall be at the time in force in such warehouse under the sanction of the said Commissioners.

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

G. SCLATER-BOOTH, President.

JOHN LAMBERT, Secretary.

(L.S.)

IMPROVEMENT ACT DISTRICT OF LLANDUDNO.

Llandudno
Order.

Provisional Order for partially repealing and altering the Llandudno
Improvement Act, 1854.

To the Llandudno Improvement Commissioners, being the Sanitary Authority for the Urban Sanitary District of Llandudno, in the County of Carnarvon ; —

And to all others whom it may concern.

WHEREAS the Improvement Act District of Llandudno, in the County of Carnarvon, is an Urban Sanitary District, of which the Llandudno Improvement Commissioners are the Urban Sanitary Authority, and the Llandudno Improvement Act, 1854, is in force in the said District ;

And whereas by Section 303 of the Public Health Act, 1875, the Local Government Board are empowered, on the application of the Sanitary Authority of any Sanitary District, by Provisional Order, wholly or partially, to repeal, alter, or amend any Local Act, other than an Act for the conservancy of rivers, which is in force in any area comprising the whole or part of any such District, and not conferring powers or privileges on any persons or person for their or his own pecuniary benefit, which relates to the same subject-matters as the Public Health Act, 1875 ;

[Ch. clxii.] *Local Government Board's* [41 & 42 VICT.]
Provisional Orders Confirmation (Bournemouth, &c.) Act, 1878.

A.D. 1878.

Llandudno
Order.

And whereas the first-mentioned Act is a Local Act within the meaning of the above-recited section of the Public Health Act, 1875, and the said Commissioners have applied to the Local Government Board to partially repeal, alter, and amend the same, as herein-after mentioned;

And whereas the Local Government Board upon receipt of such application directed 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 Statutes in that behalf, do hereby order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall take effect; viz,—

Art. I. Section 15 of the said Local Act shall be altered so that the provisions of Section 63 of the Towns Improvement Clauses Act, 1847, shall be no longer incorporated with the said Local Act.

Art. II. Section 18 of the said Local Act shall be wholly repealed, except so far as the same may have been acted upon.

Art. III. Section 21 of the said Local Act shall be altered as regards streets to be made or laid out after the date of the Act of Parliament confirming this Order, so as to provide that it shall not be lawful for any person to build any house fronting any such street, if such street shall be of less width than twelve yards.

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

(L.S.)

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

Lofthouse
Order.

LOCAL GOVERNMENT DISTRICT OF LOFTHOUSE.

Provisional Order for diminishing the Local Government District of Lofthouse.

To the Lofthouse Local Board, being the Sanitary Authority for the Urban Sanitary District of Lofthouse, in the North Riding of the County of York;—

To the Guardians of the Poor of the Guisborough Union, in the said North Riding, being the Sanitary Authority for the Rural Sanitary District of that Union;—

To the Inhabitants of the Township of Kilton, in the said Union;—

And to all others whom it may concern.

WHEREAS by Section 270 of the Public Health Act, 1875, it is enacted, that the Local Government Board may, by Provisional Order, declare any portion of a Local Government District immediately adjoining a Rural Sanitary

[41 & 42 VICT.] *Local Government Board's* [Ch. clxii.]
Provisional Orders Confirmation (Bournemouth, &c.) Act, 1878.

District to be included in such Rural Sanitary District, and that thereupon the included area shall, for the purposes of that Act, be deemed to form part of the District in which it is included by such Order ;

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—
Lofthouse
Order.
—

And whereas by Section 275 of the last-mentioned Act, it is enacted, that every Order made by the Local Government Board under Part VIII. of that Act, which includes Section 270 above mentioned, shall specify the day on which such Order shall come into operation ; and that where any Local Government District is diminished or increased in extent under that part of the Act, the Order shall prescribe the number of members to be elected for the District when altered ;

And whereas the Local Government District of Lofthouse, in the North Riding of the County of York, comprises a part of the Parish of Lofthouse and parts of the Townships of Easington, Kilton, and Liverton ;

And whereas the remainder of the said Township of Kilton is comprised in the Rural Sanitary District of the Guisborough Union, in the said North Riding ;

And whereas the Local Government Board proposed to declare by Provisional Order that the part of the Township of Kilton which forms part of the Local Government District of Lofthouse, and which immediately adjoins the Rural Sanitary District of the Guisborough Union, should be included in that Rural Sanitary District, and accordingly directed 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 Statutes in that behalf, do hereby Declare that all that portion of the Local Government District of Lofthouse which immediately adjoins the Rural Sanitary District of the Guisborough Union, and which is composed of part of the Township of Kilton, shall be included in, and shall, for the purposes of the Public Health Act, 1875, be deemed to form part of, such Rural Sanitary District.

And We do hereby order as follows ; viz. :—

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

II. From and after the said Twenty-eighth day of September, the number of members to be elected for the Local Government District of Lofthouse shall remain and be the same as before the date of this Order.

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

(L.S.)

G. SCLATER-BOOTH, President.

HUGH OWEN, JUNR., Assistant Secretary.

A.D. 1878.

*Lower
Thames
Valley
Order.*

LOWER THAMES VALLEY MAIN SEWERAGE
DISTRICT.

Provisional Order for altering a Confirming Act.

To the Lower Thames Valley Main Sewerage Board; —

To the Heston and Isleworth Local Board, being the Sanitary Authority for the Urban Sanitary District of Heston and Isleworth, in the County of Middlesex; —

To the Guardians of the Poor of the Kingston Union, in the Counties of Surrey and Middlesex, being the Sanitary Authority for the Rural Sanitary District of that Union; —

And to all others whom it may concern.

WHEREAS by Section 297 of the Public Health Act, 1875, it is enacted that any Act confirming any Provisional Order made in pursuance of any of the Sanitary Acts, or of that Act, may be repealed, altered, or amended by any Provisional Order made by the Local Government Board, and confirmed by Parliament;

And whereas by a Provisional Order of the Local Government Board dated the Fifth day of June, One thousand eight hundred and seventy-seven, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (Joint Boards) Act, 1877 (herein-after called "the Confirmation Act"), subject to the provisions of that Act, certain Urban Sanitary Districts and parts of Rural Sanitary Districts therein mentioned, and termed "the Constituent Districts," were formed into a United District, 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 whereas by the said Provisional Order as confirmed by the said Act it was ordered that the Joint Board which should be the governing body of the said United District should consist of five ex-officio and twenty-three elective members, and should be called the Lower Thames Valley Main Sewerage Board;

And whereas the Lower Thames Valley Main Sewerage Board (herein-after called "the Joint Board") was duly elected in accordance with the provisions of the said Provisional Order, and of the Act confirming the same;

And whereas it has been proposed that the Confirmation Act should be altered and amended so as to provide that the said United District shall include the Local Government District of Heston and Isleworth and the portion of the Parish of Kingston in the Rural Sanitary District of the Kingston Union, known as the Kingston Special Drainage District, and that the Local Government Board should issue a Provisional Order for that purpose;

[41 & 42 VICT.] *Local Government Board's* [Ch. clxii.]
Provisional Orders Confirmation (Bournemouth, &c.) Act, 1878.

And whereas the Local Government Board directed Local Inquiry to be held on the subject of the proposed alteration of the Confirmation Act, and the same was held after due public notice; and report has been made to them thereon : A.D. 1878.

*Lower
Thames
Valley
Order.*

Now therefore, We, the Local Government Board, in pursuance of the powers given by the several Statutes in that behalf, do hereby order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall take effect; viz.,

Art. 1. The Confirmation Act shall be altered and amended so as to provide as follows:—

- (a.) The Local Government District of Heston and Isleworth and the part of the Rural Sanitary District of the Kingston Union which comprises the Kingston Special Drainage District shall be included in the United District.
- (b.) The said Local Government District shall form one of the Constituent Districts of the United District, and the said Special Drainage District shall be deemed to be a contributory place forming part of the Constituent District of the Kingston Union already included in the United District.
- (c.) The number of ex-officio members of the Joint Board shall be increased from five to six, and the number of elective members shall be increased from twenty-three to twenty-seven.
- (d.) The additional ex-officio member shall be the Chairman for the time being of the Heston and Isleworth Local Board (which Local Board shall form one of the Constituent Authorities mentioned in the said Provisional Order), and the four additional elective members shall be persons chosen by the said Local Board from among the members of its own body.
- (e.) The said four elective members shall be first chosen by the Heston and Isleworth Local Board, at a meeting of that Local Board, to be held within six weeks after the date of the Act of Parliament confirming this Order, 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 said Local Board by the Clerk to such Local Board.
- (f.) The Clerk to the said Local Board shall notify in writing to the Local Government Board and to the Joint Board, within seven days after such first and every subsequent election shall have taken place, the names and addresses of the persons elected by the Local Board as members of the Joint Board.
- (g.) Subject as aforesaid, all the provisions of the said Provisional Order as altered by the Confirmation Act, and of Section 3, sub-section (a) of the Confirmation Act, shall, so far as circumstances will admit, apply to the said Local Government District of Heston and Isleworth, to the Heston and Isleworth Local Board, and to the Kingston Special Drainage District respectively, as fully and effectually in all respects as

[Ch. clxii.] *Local Government Board's* [41 & 42 VICT.]
Provisional Orders Confirmation (Bournemouth, &c.) Act, 1878.

A.D. 1878.

*Lower
Thames
Valley
Order.*

if the said Local Government District and Local Board had been included in Schedule A. to the said Provisional Order, and the said Special Drainage District had been included in Schedule B. to that Order.

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

G. SCLATER-BOOTH, President.

JOHN LAMBERT, Secretary.

(L.S.)

*Middleton
and Tonge
Order.*

**IMPROVEMENT ACT DISTRICT OF MIDDLETON
AND TONGE.**

*Provisional Order for partially repealing, altering, and amending the provisions
of a Local Act.*

To the Middleton and Tonge Improvement Commissioners, being the Sanitary Authority for the Urban Sanitary District of Middleton and Tonge, in the County of Lancaster; —

And to all others whom it may concern.

WHEREAS under the provisions of a Local Act of Parliament, intituled "The Middleton and Tonge Improvement Act, 1861," (herein-after called "the Local Act,") certain Commissioners were appointed and incorporated, under the name of the Middleton and Tonge Improvement Commissioners, to execute the Local Act within a District comprising the Townships of Middleton and Tonge, in the County of Lancaster, as defined upon a map or plan deposited at the office of the Clerk to the said Commissioners;

And whereas the said District is an Urban Sanitary District, of which the Commissioners are the Urban Sanitary Authority;

And whereas by Section 303 of the Public Health Act, 1875, the Local Government Board are empowered, on the application of the Sanitary Authority of any Sanitary District, by Provisional Order, wholly or partially, to repeal, alter, or amend any Local Act, other than an Act for the conservancy of rivers, which is in force in any area comprising the whole or part of any such District, and not conferring powers or privileges on any persons or person for their or his own pecuniary benefit, which relates to the same subject-matters as the Public Health Act, 1875;

And whereas the Local Act is a Local Act within the meaning of the above-recited section of the Public Health Act, 1875;

And whereas the said Commissioners, as such Sanitary Authority as aforesaid, have applied to the Local Government Board to partially repeal, alter, and amend the Local Act as herein-after mentioned;

[41 & 42 VICT.] *Local Government Board's* [Ch. clxii.]
Provisional Orders Confirmation (Bournemouth, &c.) Act, 1878.

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

A.D. 1878.

*Middleton
and Tonge
Order.*

Now therefore, We, the Local Government Board, in pursuance of the powers given by the Statutes in that behalf, do hereby Order that, from and after the Twenty-ninth day of September, One thousand eight hundred and seventy-eight, the following provisions shall take effect; viz.,—

Art. 1. Section 12 of the Local Act shall be altered and amended, so as to provide as follows; viz. :—

- (a.) Any person who shall be qualified, in accordance with the provisions of Section 14 of the Local Act as hereby altered and amended, may nominate for the office of Commissioner himself (if qualified to be elected) or any other persons or person so qualified (not exceeding the number of persons to be elected).
- (b.) Every such nomination shall be in writing, and shall state the name and residence and calling or quality of the person or persons nominated, and shall be signed by the person nominating, and be delivered or sent to the chairman of the Commissioners at the Commissioners office, between the hours of ten in the morning and six in the evening of the Wednesday next preceding the day of election;
- (c.) Any person nominated may withdraw from his candidature by giving notice to that effect, signed by him, to the chairman of the Commissioners not later than three clear days before the election;
- (d.) If the number of persons nominated and not withdrawn is the same as or less than the number of persons to be elected, such persons (if duly qualified) shall be deemed and shall on the day of election be certified by the chairman of the Commissioners under his hand to be elected;
- (e.) If the number of persons nominated and not withdrawn exceeds the number of persons to be elected, the names and residence and the calling or quality of each of the persons nominated and not withdrawn (but of no other persons) shall be printed in the alphabetical order of the surnames of such persons, in the first column of the voting papers to be furnished to the Returning Officer for the use of the voters, in accordance with the provisions of the Commissioners Clauses Act, 1847, and the votes shall be given by the voter as directed in rule 45 of Schedule II. to the Public Health Act, 1875.

Art. 2. Section 14 of the Local Act shall be altered and amended, and shall provide as follows; viz.,—

- (a.) In the election of Commissioners every ratepayer qualified to vote shall have the number and proportion of votes according to the scale specified in Section 24 of "The Commissioners Clauses Act, 1847."
- (b.) Notwithstanding anything contained in the Local Act or the Acts incorporated therewith to the contrary, the Commissioners in making out the several rates leviable by them shall in every case, whether the occupier or the owner instead of the occupier is assessed thereto, enter

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*Middleton
and Tonge
Order.*

in the occupiers column of the rate book the name of the occupier of every rateable hereditament in their District, and every such occupier shall be deemed to be duly rated in respect of such hereditament, for the purpose of acquiring a qualification to vote at an election of the Commissioners, or at a special meeting of the ratepayers of the District.

- (c.) The payment of any such rate by the owner shall for purposes of Section 14 be deemed to be a payment by the occupier.
- (d.) In any case in which the owner instead of the occupier of any property has been rated to any such rate, and has neglected to pay the same, the occupier may pay the same and deduct the amount from the rent due or accruing due to such owner, and the receipt for such rate shall be a valid discharge of the rent to the extent of the rate so paid.
- (e.) A special rate for expenses recoverable as Private Improvement Expenses shall not be required to be paid for the purpose of acquiring a qualification to vote at an election of Commissioners.

Provided that nothing herein contained shall affect the liability of any owner to pay any rate leviable by the said Commissioners, and that the payment as aforesaid of a rate by the occupier of any property shall not entitle the owner to vote as a ratepayer in respect of any other property in the District while any other rate which he is required to pay under the provisions of the Local Act remains unpaid.

Art. 3. Section 18 of the Local Act shall be altered and amended so as to enable the Commissioners, subject to the sanction of the Local Government Board, to borrow under the provisions thereof and on the security of the Improvement Rates therein mentioned, any sum or sums not exceeding in the whole five thousand pounds, in addition to the sum of three thousand seven hundred pounds therein mentioned.

Art. 4. So much of Section 19 of the Local Act as enables the said Commissioners, with the consent of the ratepayers as therein mentioned, to borrow on the security of the Improvement Rates the sum of one thousand two hundred pounds, in addition to the said sum of three thousand seven hundred pounds, shall be repealed, except so far as the same may have been acted upon.

Art. 5. Section 21 of the Local Act shall be altered so as to apply as well to any sum or sums which may be borrowed by the said Commissioners under Section 18 as hereby altered and amended as to the principal moneys therein mentioned.

Art. 6. Sections 21 and 110 of the Local Act shall be amended, and shall provide as follows; viz.,—

- (a.) The Treasurer of the Commissioners shall, within twenty-one days after the Thirty-first day of December in each year during which any sums are required by those sections, or either of them, to be set apart as sinking funds, in respect of moneys already borrowed or to be borrowed under the provisions of the Local Act as hereby altered and amended, transmit to the Local Government Board a return, in such form as may be prescribed by that Board and verified by statutory

[41 & 42 VICT.] *Local Government Board's* [Ch. clxii.]
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declaration, if so required by them, showing the amounts which have been invested or applied for the purposes of such sinking funds during the year next preceding the making of such return, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking funds, or investments, or of the sums accumulated by way of interest, has been applied during the same period, and the total amounts (if any) remaining invested at the end of the year.

A.D. 1878.
*Middleton
and Tonge
Order.*

(b.) If it appears to the Local Government Board, by that return or otherwise, that the Commissioners have failed to set apart the sums required for the sinking funds, or have applied any portion of the money set apart for the sinking funds, or of the sums accumulated by way of interest, to any purposes other than those authorised, they may, by Order, direct that a sum not exceeding double the amount in respect of which default has been made shall be paid, set apart, and invested or applied as part of the sinking funds; and any such Order shall be enforceable by writ of Mandamus, to be obtained by the Local Government Board out of Her Majesty's High Court of Justice.

Art. 7. So much of Sections 34, 45, and 102 of the Local Act as limits the amounts of the several rates therein mentioned, when leviable by the Commissioners within their District, shall be repealed; and any limits imposed by the Local Act, and the Acts incorporated therewith, in respect to the amounts of any rates, shall not apply to rates leviable by the Commissioners within their District.

Art. 8. Sections 36, 52, and 103 of the Local Act shall be wholly repealed except so far as the same may have been acted upon, and all receipts, credits, payments, and liabilities, which, but for such repeal, would have belonged to, or have been a charge upon either of the Townships of Middleton and Tonge, shall be charged equally and uniformly over the whole District of the Commissioners.

Art. 9. Sections 37, 38, 39, and 40 of the Local Act shall be wholly repealed, except so far as the same may have been acted upon.

Art. 10. Section 41 of the Local Act shall be altered so as to provide that the payment thereunder of interest on all moneys borrowed shall include the interest on moneys borrowed under the said Local Act as hereby altered and amended.

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

(L.S.)

G. SCLATER-BOOTH, President.
HUGH OWEN, JUNR., Assistant Secretary.

A.D. 1878.

LOCAL GOVERNMENT DISTRICT OF PEMBERTON.

*Pemberton
Order.*

Provisional Order for altering and amending the Pemberton Local Board Water Act, 1875.

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

And to all others whom it may concern.

WHEREAS the Local Government District of Pemberton, in the County of Lancaster, is an Urban Sanitary District of which the Pemberton Local Board are the Urban Sanitary Authority, and the Pemberton Local Board Water Act, 1875, is in force in the said District ;

And whereas by Section 41 of the said Act, the said Local Board are empowered from time to time, in addition to any moneys they may have borrowed, or are authorised to borrow, under any other Act, to borrow at interest, on mortgage of the securities therein mentioned, all such sums as they may from time to time think requisite for all or any of the purposes of that Act, not exceeding in the whole thirty-four thousand pounds ;

And whereas by Section 303 of the Public Health Act, 1875, the Local Government Board are empowered, on the application of the Sanitary Authority of any Sanitary District, by Provisional Order, wholly or partially, to repeal, alter, or amend any Local Act, other than an Act for the conservancy of rivers, which is in force in any area comprising the whole or part of any such District, and not conferring powers or privileges on any persons or person for their or his own pecuniary benefit, which relates to the same subject-matters as the Public Health Act, 1875 ;

And whereas the first-mentioned Act is a Local Act within the meaning of the above-recited Section of the Public Health Act, 1875, and the said Local Board have applied to the Local Government Board to alter and amend the same as herein-after mentioned ;

And whereas the Local Government Board, on receipt of such application, 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 Statutes in that behalf, do hereby order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall take effect ; viz. :—

I. Section 41 of the said Local Act shall be altered and amended so as to enable the Pemberton Local Board, subject to the sanction of the Local Government Board, to borrow under the provisions thereof any sum or sums not exceeding in the whole the sum of thirty-one thousand pounds, in addition to the sum of thirty-four thousand pounds therein mentioned.

[41 & 42 VICT.] *Local Government Board's* [Ch. clxii.]
Provisional Orders Confirmation (Bournemouth, &c.) Act, 1878.

II. The provisions of Sections 43 and 45, Section 46, (with the exception that the words "Public Health Act, 1875," shall be deemed to be substituted for the words "Local Government Act, 1858," and "Local Government Acts," in such Section,) and Sections 47, 48, 49, 50, and 54 of the said Local Act shall apply to all sums borrowed by the said Local Board under the provisions of Section 41 as hereby altered and amended. Provided that the Local Board shall commence the formation of the sinking fund or the payment by instalments in respect of any money borrowed under the Local Act as hereby altered and amended after the date of the Act of Parliament confirming this Order, within one year from the date of borrowing such money.

A.D. 1878.
—
Pemberton
Order.
—

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

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

(L.S.)

LOCAL GOVERNMENT DISTRICT OF ROMFORD.

Romford
Order.
—

Provisional Order for extending the Local Government District of Romford.

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

To the Guardians of the Poor of the Romford 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 270 of the Public Health Act, 1875, the Local
Government Board are empowered, by Provisional Order, to declare the whole
or any portion of a Local Government or Rural Sanitary District immediately
adjoining a Local Government District to be included in such last-mentioned
District, and it is enacted that thereupon the included area shall, for the
purposes of that Act, be deemed to form part of the District in which it is
included by such Order;

And whereas by Section 275 of the said Public Health Act, 1875, it is
enacted that every Order made by the Local Government Board under Part
VIII. of that Act, which includes Section 270 above recited, shall specify the
day on which such Order shall come into operation (in that Act referred to
as the commencement of the Order); and that where any Local Government
District is diminished or increased in extent under that part of the Act, the
Order shall prescribe the number of members to be elected for the District
when altered;

[Ch. clxii.] *Local Government Board's* [41 & 42 VICT.]
Provisional Orders Confirmation (Bournemouth, &c.) Act, 1878.

A.D. 1878.

—
Romford
Order.
—

And whereas the Local Government District of Romford, in the County of Essex, is an Urban Sanitary District, of which the Romford Local Board are the Urban Sanitary Authority;

And whereas that portion of the Rural Sanitary District of the Romford Union, in the County of Essex, which forms part of the Parish of Romford, and is described in the Schedule hereto, immediately adjoins the Local Government District of Romford;

And whereas the Guardians of the Poor of the Romford Union, as the Sanitary Authority for the Rural Sanitary District of that Union, have applied to the Local Government Board to issue a Provisional Order to declare the part of the said Rural Sanitary District which is described in the Schedule hereto to be included in the Local Government District of Romford; and the Local Government Board accordingly directed Local Inquiry to be held on the subject of the proposed inclusion, and the same was held, after due public notice thereof, and report has been made to them thereon:

Now therefore, We, the Local Government Board, in pursuance of the powers given by the Statutes in that behalf, do hereby declare that all that portion of the Rural Sanitary District of the Romford Union which is described in the Schedule hereto shall be included in, and shall, for the purposes of the Public Health Act, 1875, be deemed to form part of, the Local Government District of Romford.

And We do hereby order as follows; viz. :—

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

II. The number of members constituting the Local Board for the Local Government District of Romford as hereby altered shall be and remain the same as before the date of this Order.

The SCHEDULE above referred to.

All that portion of the Rural Sanitary District of the Romford Union, in the County of Essex, which forms part of the Parish of Romford, and is contained within an imaginary line commencing at the point on the eastern boundary of the Local Government District of Romford where the black line marked on the plan prefixed to a Report made by Mr. William Ranger to the General Board of Health, and dated the 29th day of April, 1854, crosses the northern fence of the Great Eastern Railway; following such fence in an easterly direction for 350 yards; thence turning nearly at right angles across the said Railway to and along a fence which runs to the eastward of Mr. Hony's house called "Hill Lodge," and onwards in a southerly direction along the fence dividing the fields numbered 86 and 347 on the Ordnance Map (25 inches to a mile) to the point where it meets the boundary between the Parishes of Romford and Hornchurch; thence in a westerly direction along such last-

[41 & 42 VICT.] *Local Government Board's* [Ch. clxii.]
Provisional Orders Confirmation (Bournemouth, &c.) Act, 1878.

mentioned boundary to the point where the black line meets the boundary between the said two Parishes; thence along the first black line to the starting point.

A.D. 1878.

Romford.
Order.

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

G. SOLATER-BOOTH, President.

JOHN LAMBERT, Secretary.

(L.S.)

LOCAL GOVERNMENT DISTRICT OF TYLDESLEY-
WITH-SHAKERLEY.

Tyldesley-
with-Shaker-
ley Order.

(1.)

Provisional Order to enable the Urban Sanitary Authority for the District of Tyldesley with Shakerley to put in force the Compulsory Clauses of the Lands Clauses Consolidation Acts, 1845, 1860, and 1869.

To the Tyldesley-with-Shakerley Local Board, being the Sanitary Authority for the Urban Sanitary District of Tyldesley-with-Shakerley, in the County of Lancaster;—

And to all others whom it may concern.

WHEREAS the Tyldesley-with-Shakerley Local Board, being the Sanitary Authority for the Urban Sanitary District of Tyldesley-with-Shakerley, in the County of Lancaster, require to purchase and take the lands which are described in the Schedule hereto, for constructing gasworks thereon, and for other purposes connected with the gas undertaking authorised by the Tyldesley with-Shakerley Local Board (Gas) Act, 1865;

And whereas by Section 4 of the said Act it is enacted that the term "the Public Health Acts" means the Public Health Act, 1848, the Local Government Act, 1858, and the Acts for the time being in force amending the same respectively;

And whereas by Section 43 of the said Act it is enacted that, subject to the express provisions of that Act, that Act should be executed by the said Local Board, with the powers and indemnities, and according to the provisions of the Public Health Acts, and that those Acts should, in relation to the said Local Board and the purposes of the reciting Act, be read and have effect as if the purposes and provisions of the reciting Act were purposes and provisions of the Public Health Acts;

And whereas by Section 313 of the Public Health Act, 1875, it is enacted that where in any Act in force at the time of the passing of that Act any provisions of any of the Sanitary Acts which are repealed by that Act are mentioned or referred to, such Act shall be read as if the provisions of the said Public Health Act, 1875, applicable to purposes the same as or similar to those of the repealed provisions were therein mentioned or referred to instead of such repealed provisions, and were substituted for the same;

[Ch. clxii.] *Local Government Board's* [41 & 42 VICT.]
Provisional Orders Confirmation (Bournemouth, &c.) Act, 1878.

A.D. 1878.

*Tyldesley-
with-Shaker-
ley Order.*
(1.)

And whereas the Public Health Act, 1848, and the Local Government Act, 1858, were included with the term "the Sanitary Acts," and were wholly repealed by Section 343 of the said Public Health Act, 1875 ;

And whereas the said Local Board made due publication in the newspaper and served the several notices as required by the Public Health Act, 1875, and presented a Petition to the Local Government Board, stating as required by that Act, and praying, with reference to the said lands, to be allowed to put in force the powers of the Lands Clauses Consolidation Acts, with respect to the purchase and taking of lands otherwise than by agreement ;

And whereas upon receipt of such Petition the Local Government Board directed a Local Inquiry to be held as to the propriety of assenting to the prayer thereof, and such Inquiry 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 Statutes in that behalf, do hereby empower the Tyldesley-with-Shakerley Local Board, from and after the date of the Act of Parliament confirming this Order, to put in force, with reference to the lands described in the Schedule hereto, the powers of the Lands Clauses Consolidation Acts, 1845, 1860, and 1869, with respect to the purchase and taking of lands otherwise than by agreement, or any of them.

The SCHEDULE above referred to.

PARISH of LEIGH, in the County of LANCASTER.

Nos. on deposited Plan.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	Field, watercourse, and abutments of railway bridge.	Le Gendre Nicholas Starkie and the London and North-western Railway Company.	The Tyldesley Coal Company, Limited, James Bridge, Secretary, Thomas Carr, Ebenezer Hobbs, and the Tyldesley-with-Shakerley Local Board.	Ebenezer Hobbs and the London and North-western Railway Company.
2	Field	The Right Honourable Francis Charles Granville Egerton Earl of Ellesmere and his Trustees, the Honourable Francis Egerton, M.P., and the Reverend Lord John Thynne.	The Tyldesley-with-Shakerley Local Board.	George Cheetham.
3	Field and water-course.	Ditto	Ditto	Ditto.

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

G. SCLATER-BOOTH, President.
 HUGH OWEN, jun., Assistant Secretary.

(L.S.)

A.D. 1878.

LOCAL GOVERNMENT DISTRICT OF TYLDESLEY-
WITH-SHAKERLEY.

*Tyldesley-
with-Shaker-
ley Order.*
(2.)

*Provisional Order for altering and amending the Tyldesley-with-Shakerley Local
Board (Gas) Act, 1865.*

To the Tyldesley-with-Shakerley Local Board, being the Sanitary
Authority for the Urban Sanitary District of Tyldesley-with-Shakerley,
in the County of Lancaster; —

And to all others whom it may concern.

WHEREAS the Local Government District of Tyldesley-with-Shakerley,
in the County of Lancaster, is an Urban Sanitary District, of which the
Tyldesley-with Shakerley Local Board are the Urban Sanitary Authority, and
the Tyldesley-with-Shakerley Local Board (Gas) Act, 1865, (herein-after called
“the Local Act”) is in force in the said District;

And whereas by Section 303 of the Public Health Act, 1875, the Local
Government Board are empowered, on the application of the Sanitary Authority
of any Sanitary District, by Provisional Order, wholly or partially, to repeal,
alter, or amend any Local Act, other than an Act for the conservancy of rivers,
which is in force in any area comprising the whole or part of any such District,
and not conferring powers or privileges on any persons or person for their or
his own pecuniary benefit, which relates to the same subject-matters as the
Public Health Act, 1875;

And whereas the first-mentioned Act is a Local Act within the meaning of
the above-recited section of the Public Health Act, 1875, and the said Local
Board have applied to the Local Government Board to alter and amend the
same as herein-after mentioned;

And whereas the Local Government Board, on receipt of such application,
directed 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 Statutes in that behalf, do hereby Order that, from and
after the date of the Act of Parliament confirming this Order, the following
provisions shall take effect; viz. :—

Art. 1. Section 13 of the Local Act shall be altered, and shall provide that the
Local Board may, on the lands described in the Schedule hereto, if and when
acquired by them, erect, construct, and from time to time maintain, alter, remove,
or enlarge retorts, gasholders, receivers, meters, apparatus, and works for the
purposes therein mentioned, and all proper roads and approaches and con-
veniences connected therewith, and may make and store in and at the same,
gas, coke, coal-tar, pitch, asphaltum, ammoniacal liquor, oil, and all other refuse
or residual products arising, remaining, produced by, or obtained from, the
manufacture of gas, or the materials used therein, anything in the Local Act

[Ch. clxii.] *Local Government Board's* [41 & 42 VICT.]
Provisional Orders Confirmation (Bournemouth, &c.) Act, 1878.

A.D. 1878.
Tyldesley-
with-Shaker-
ley Order.
(2.)

to the contrary notwithstanding; and that the Local Board may, in addition to the said land, from time to time purchase by agreement other lands adjoining the said gasworks, and may use any of the lands to be acquired as aforesaid, or to be purchased by agreement, as in the said section as hereby altered is provided with respect to the lands therein mentioned.

Art. 2. Section 14 of the Local Act shall be altered and amended so as to enable the Local Board with the consent of the Local Government Board—

- (a.) To sell or exchange all or any part of the lands assured to them and their successors under the powers and in trust for the purposes of the Local Act as hereby altered and amended, and not required for such purposes; or
- (b.) To appropriate the same for any of the purposes of the Public Health Act, 1875, for which the same may be required; or
- (c.) To let the same to a responsible tenant on a yearly tenancy, or for a term of years, at the best rent that can be obtained for the same.

Provided—

- (i.) That the money to arise from any sale or for equality of exchange, or as consideration for a lease, or the value of such land if appropriated as aforesaid, (such value to be ascertained by a competent valuer), shall be carried to the credit of the gas (capital) account, and shall be applied to works or objects on which capital may properly be expended;
- (ii.) That the yearly rent to arise from any letting shall be carried to the credit of the gas (revenue) account.

Art. 3. Section 23 of the Local Act shall be altered so as to enable the Local Board to sell and dispose of coke, coal-tar, pitch, asphaltum, ammoniacal liquor, oil, and all other refuse or residual products, arising, remaining, produced by, or obtained from, the manufacture of gas, or the materials used therein, as they may think fit, the money realised thereby to be carried to the credit of the gas (revenue) account.

Art. 4. Section 26 of the Local Act shall be amended so as to provide that in addition to the security for the payment for gas to be supplied, reasonable security may also be required by the Local Board for any meter or fittings supplied to any owner or occupier by the Local Board, or for the rent of any such meter or fittings, such security, at the option of the Local Board, to be a sum of money to be fixed by them:

Provided always, that—

- (i.) When the Local Board require money to be deposited by any person with them by way of security for the payment to them of any moneys which may become due to them by such person in respect of any supply of gas, or of any meter or fittings, or of the rent of any such meter or fittings, the Local Board shall pay interest at the rate of four pounds per cent. per annum on every sum of ten shillings so deposited, for every six months during which the same remains in their hands;
- (ii.) The Local Board may invest any money so deposited with them in the purchase of Exchequer Bills or other Government securities, or if the

[41 & 42 VICT.] *Local Government Board's* [Ch. clxii.]
Provisional Orders Confirmation (Bournemouth, &c.) Act, 1878.

Local Government Board shall assent, in securities in which trustees are by law for the time being authorised to invest, or in nominal debentures or nominal debenture stock issued under the Local Loans Act, 1875, by any Local Authority other than the Local Board, the Local Board being at liberty from time to time to vary and transpose such investments, and in that case, the Local Board shall pay no higher rate of interest than they themselves receive thereon ;

A.D. 1878.

Tyldesley-
with-Shaker-
ley Order
(2.)

(iii.) No person shall connect or disconnect any main or gas pipe of the Local Board with any meter, unless he shall give to the Local Board not less than twenty-four hours previous written notice ;

(iv.) If any person shall connect or disconnect any main or gas pipe of the Local Board with any such meter without such notice, he shall be liable, upon summary conviction before a magistrate, to a penalty not exceeding forty shillings for each offence, the amount of such penalty, together with the costs thereof, to be recovered from such person by distress.

Art. 5. Section 26 as aforesaid, as hereby altered and amended, shall apply to any person who shall succeed a tenant in the occupation of a house or other premises where, immediately previous to such person entering into possession, gas supplied by the Local Board was consumed, and who shall desire to continue to use such gas, as if the Local Board had not theretofore supplied the said house or other premises with gas, and the Local Board, in default of such person's compliance with the provisions of such section, may discontinue the supply of gas to such person, and remove the meter, if such meter belongs to the Local Board.

Art. 6. Section 27 of the Local Act shall be altered, and shall provide, in addition to the present provisions, that the register of the meter shall be *prima facie* evidence of the quantity of gas consumed by any consumer, and in respect of which any rent is charged and sought to be recovered by the Local Board : Provided always, that if any meter becomes defective, or if in any case there is reason to believe that the quantity of gas appearing by the register to have been consumed is not the quantity actually consumed, the quantity actually consumed shall be charged for, and any difference between the Local Board and the customer may be determined upon the application of either party by two justices, who may also order and direct by which of the parties the costs of and relating to the proceedings before them shall be paid.

Art. 7. Section 28 of the Local Act shall be altered, and shall provide, in addition to the present provisions, that every consumer of gas supplied by the Local Board shall at all times, at his own expense, keep all meters not supplied by the Local Board but belonging to him, whereby any gas of the Local Board is registered, in proper order for correctly registering such gas, and in default of his so doing the Local Board may cease to supply gas through such meter : Provided that the Local Board shall have access to and be at liberty to take off, remove, test, inspect, and replace any such meter, or any meter belonging to the Local Board and lent on hire to such consumer, at all reasonable times, such taking off, removal, testing, inspecting, and replacing to be at the expense of the Local Board, if the meter belongs to the Local Board, or if the same belongs to the consumer and be found in proper order, but otherwise at the expense of the consumer.

[Ch. clxii.] *Local Government Board's* [41 & 42 Vict.]
Provisional Orders Confirmation (Bournemouth, &c.) Act, 1878.

A.D. 1878.

*Tyldesley-
with-Shaker-
ley Order.*
(2.)

Art. 8. Section 35 of the Local Act shall be altered and amended, so as to enable the Local Board, subject to the sanction of the Local Government Board, from time to time to borrow under the provisions thereof a further sum or sums not exceeding in the whole forty thousand pounds, in addition to the sum of twenty thousand pounds therein mentioned, such further sum or sums to be in addition to the borrowing powers which the Local Board may be entitled to exercise under the Public Health Act, 1875:

Provided that the Local Board may, with the consent of the Local Government Board, raise all or any part of the moneys which they are authorised to borrow under the Local Act as hereby altered, by the issue of debenture stock under the provisions of the Local Loans Act, 1875, and the period for repayment of any such loan which shall be determined on by the Local Board, with the sanction of the Local Government Board, shall be deemed to be the "prescribed period" within the meaning of the last-mentioned Act.

Art. 9. Section 37 of the Local Act shall not be applicable to the said sum of forty thousand pounds, or to any part thereof, but the provisions of Section 234, Sub-sections (1), (4), (5), and (6) of the Public Health Act, 1875, shall apply to the borrowing, re-borrowing, and repayment of the said sum, or of any part thereof, as if the same were borrowed under the provisions of that Act, and not of the Local Act:

Provided that any sinking fund established under the provisions of Sub-section (4) of Section 234 aforesaid, may be invested in the manner hereby provided with regard to the money deposited with the Local Board by way of security.

Art. 10. Section 39 of the Local Act shall be wholly repealed, except so far as the same may have been acted upon.

Art. 11. Sections 38, 41, and 42 of the Local Act shall apply to all sums borrowed by the Local Board under the Local Act as hereby altered and amended.

Provided that where money is re-borrowed under Section 38 aforesaid, whether to repay existing or future loans contracted by the Local Board under the Local Act as hereby altered, the time for repayment of the money so re-borrowed shall not extend beyond the unexpired portion of the period for which the original loan was borrowed, unless with the sanction of the Local Government Board, and shall in no case be extended beyond the period of sixty years from the date of the original loan.

Art. 12. The Local Act shall be altered and amended, so as to provide that all money borrowed or re-borrowed under the provisions thereof, as hereby altered, shall be appropriated to the purposes for which it is authorised to be so borrowed, but that it shall not be in any way incumbent on any mortgagee to see to the application of any money so borrowed or re-borrowed, nor shall the mortgagee be responsible for any misapplication thereof.

Art. 13. The Treasurer of the Local Board shall, within twenty-one days after the expiration of each year during which any sum is required by the Local Act as hereby altered and amended to be set apart for a sinking fund, or to be paid as an instalment in respect of moneys already borrowed or to be borrowed under the provisions of the Local Act as hereby altered and amended, transmit to the Local Government Board a return, in such form as may

[41 & 42 VICT.] *Local Government Board's* [Ch. clxii.]
Provisional Orders Confirmation (Bournemouth, &c.) Act, 1878.

be prescribed by that Board and verified by statutory declaration, if so required by them, showing the amount which has been paid as instalments, and the amount which has been invested or applied for the purpose of such sinking fund, during the year next preceding the making of such return, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the amount paid as instalments, or of the sinking fund, or investment, or of the sums accumulated by way of interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year.

A.D. 1878.
 ———
*Tyldesley-
 with-Shaker-
 ley Order.*
 (2.)
 ———

Art. 14. If it appears to the Local Government Board, by that return or otherwise, that the Local Board have failed to pay any instalment or to set apart the sum required for the sinking fund, or have applied any portion of the money set apart for the sinking fund, or of the sums accumulated by way of interest, to any purposes other than those authorised, they may, after hearing the Local Board, if desirous of being heard, by Order, direct that a sum not exceeding double the amount in respect of which default has been made, shall be paid, set apart, and invested or applied as part of the sinking fund; and any such Order shall be enforceable by writ of Mandamus, to be obtained by the Local Government Board out of Her Majesty's High Court of Justice.

The SCHEDULE above referred to.

Parish of LEIGH, in the County of LANCASTER.

Nos. on deposited Plan.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	Field, watercourse, and abutments of railway bridge.	Le Gendre Nicholas Starkie and the London and North-western Railway Company.	The Tyldesley Coal Company, Limited, James Bridge, Secretary, Thomas Carr, Ebenezer Hobbs, and the Tyldesley-with - Shakerley Local Board.	Ebenezer Hobbs and the London and North - western Railway Company.
2	Field	The Right Honourable Francis Charles Granville Egerton Earl of Ellesmere and his Trustees, the Honourable Francis Egerton, M.P., and the Reverend Lord John Thynne.	The Tyldesley-with-Shakerley Local Board.	George Cheetham.
3	Field and water-course.	Ditto	Ditto	Ditto.

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

G. SCLATER-BOOTH, President.

HUGH OWEN, jun., Assistant Secretary.

(L.S.)

A.D. 1878.

BOROUGH OF WAKEFIELD.

*Wakefield
Order.*

Provisional Order for altering the Wakefield Improvement Act, 1877.

To the Mayor, Aldermen, and Burgesses of the Borough of Wakefield, in the West Riding of the County of York, being the Urban Sanitary Authority for that Borough;—

And to all others whom it may concern.

WHEREAS the Borough of Wakefield, in the West Riding of the County of York, is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council, are the Urban Sanitary Authority, and the Wakefield Improvement Act, 1877, herein-after called "the Local Act," is in force in the said District;

And whereas by Section 303 of the Public Health Act, 1875, the Local Government Board are empowered, on the application of the Sanitary Authority of any Sanitary District, by Provisional Order, wholly or partially, to repeal, alter, or amend any Local Act, other than an Act for the conservancy of rivers, which is in force in any area comprising the whole or part of any such District, and not conferring powers or privileges on any persons or person for their or his own pecuniary benefit, which relates to the same subject-matters as the Public Health Act, 1875;

And whereas the Local Act is a Local Act within the meaning of the said Section of the Public Health Act, 1875, and the said Urban Sanitary Authority (in the Local Act called "the Corporation") have applied to the Local Government Board to alter and amend the same as herein-after set forth;

And whereas the Local Government Board, on receipt of such application, 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 Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall take effect:—

Art. 1. Section 91 of the Local Act shall be amended, so as to enable the Corporation for the purpose of paying off any moneys raised by them under that Act, by the issue of debentures or debenture stock, under the powers and subject to the provisions of the Local Loans Act, 1875, to re-borrow from time to time during the period prescribed for the repayment of such moneys, such sums as they may require, by the issue of fresh debentures or debenture stock, under the powers and subject to the provisions of the Local Loans Act, 1875.

Provided that all sums so re-borrowed shall be repaid within the period prescribed for the repayment of the moneys in respect of which such re-borrowing has been made, and that the moneys originally borrowed, and any sums from

[41 & 42 VICT.] *Local Government Board's* [Ch. clxii.]
Provisional Orders Confirmation (Bournemouth, &c.) Act, 1878.

time to time re-borrowed under the foregoing provisions for the repayment of such moneys, shall, for the purposes of Sections 14 and 15 of the Local Loans Act, 1875, be deemed to form the same loan, and the obligations of the Corporation with respect to the sinking fund to be set aside in respect of such moneys, and (save as herein-after provided) with respect to the appropriation and application of a fixed annual sum for the repayment of such moneys, shall not in any way be affected by reason of such re-borrowing.

A.D. 1878.

Wakefield
Order.

Art. 2. If the Corporation elect to secure the discharge of any moneys borrowed by them under the Local Act by the appropriation of an annual sum, as provided by Section 14 of the Local Loans Act, 1875, the following provisions shall have effect; that is to say,

- (1.) The amount of the annual sum shall be an annuity, which (calculated at the rate of interest payable by the Corporation on the money borrowed) will repay the money borrowed and the interest thereon within the prescribed period;
- (2.) If in any year any part of such annual sum remains at any time unapplied in payment of principal and interest, the amount to be appropriated by the Corporation in the ensuing year shall be the annuity, together with a sum equal to the interest on such part for the time during which such part has remained unapplied, at the rate of interest at which the annuity is calculated;
- (3.) Whenever any moneys in respect of which the annual sum is appropriated are paid off by means of moneys re-borrowed at a different rate of interest than that payable on the moneys so paid off, the annual sum shall be reduced or, as the case may be, increased by the subtraction therefrom or the addition thereto of a sum equivalent to the decrease or increase of the interest payable by the Corporation in consequence of such repayment and re-borrowing.

Art. 3. The Town Clerk shall, within twenty-one days after the expiration of each year during which any sum is required to be appropriated to the discharge of the moneys borrowed under Section 91 of the Local Act, or to be set aside for a sinking fund in respect of such moneys, transmit to the Local Government Board a return, in such form as may be prescribed by that Board, and verified by statutory declaration, if so required by them, showing the amount which has been appropriated and applied to the discharge of such moneys, and the amount which has been invested or applied for the purpose of such sinking fund during the year next preceding the making of such return, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the amount appropriated, or of the sinking fund; or investment, or of the sums accumulated by way of interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year.

Art. 4. If it appears to the Local Government Board, by that return or otherwise, that the Corporation have failed to appropriate the amount required to be appropriated, or to set apart the sum required for the

[Ch. clxii.] *Local Government Board's* [41 & 42 VICT.]
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A.D. 1878. sinking fund, or have applied any portion of the money so appropriated or set apart, or of the sums accumulated by way of interest, to any purposes other than those authorised, they may, by Order, direct that a sum, not exceeding double the amount in respect of which default has been made, shall be appropriated to the discharge of the moneys borrowed, or, as the case may be, set apart and invested or applied as part of the sinking fund; and any such Order shall be enforceable by writ of Mandamus, to be obtained by the Local Government Board out of Her Majesty's High Court of Justice.

Wakefield
Order.

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

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

(L.S.)

West
Hartlepool
Order.

IMPROVEMENT ACT DISTRICT OF WEST HARTLEPOOL.

*Provisional Order for partially repealing and altering the West Hartlepool
Extension and Improvement Act, 1870.*

To the West Hartlepool Improvement Commissioners, being the
Sanitary Authority for the Urban Sanitary District of West
Hartlepool, in the County of Durham;—

And to all others whom it may concern.

WHEREAS under the provisions of a Local Act of Parliament, intituled
the West Hartlepool Extension and Improvement Act, 1870, (herein-after
called "the Local Act,") certain Commissioners were appointed and incorporated
under the name of the West Hartlepool Improvement Commissioners, to execute
that Act within the District therein defined;

And whereas the said District is an Urban Sanitary District, of which the
said Commissioners (herein-after called "the Commissioners,") are the Urban
Sanitary Authority;

And whereas by Section 303 of the Public Health Act, 1875, the Local
Government Board are empowered, on the application of the Sanitary Authority
of any Sanitary District, by Provisional Order, wholly or partially to repeal,
alter, or amend any Local Act, other than an Act for the conservancy of rivers,
which is in force in any area comprising the whole or part of any such District,
and not conferring powers or privileges on any persons or person for their or
his own pecuniary benefit, which relates to the same subject-matters as the
Public Health Act, 1875;

And whereas the Local Act is a Local Act within the meaning of the said
section of the Public Health Act, 1875, and the Commissioners, as such
Sanitary Authority as aforesaid, have applied to the Local Government Board
to partially repeal, alter, and amend the Local Act as herein-after mentioned;

[41 & 42 VICT.] *Local Government Board's* [Ch. clxii.]
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And whereas the Local Government Board, on receipt of such application, directed 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 :

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—
*West
Hartlepool
Order.*
—

Now therefore, We, the Local Government Board, in pursuance of the powers given by the Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall take effect, viz. :

Art. 1. Section 80 of the Local Act shall be amended, so as to apply not only to every street therein mentioned, but also to every proposed new street, which has been shown on a plan submitted to the Commissioners under Section 71 of the Local Act, and has been approved by them under Section 72 of the Local Act, if and whenever such proposed street, in the opinion of the Commissioners, forms the necessary approach to any other street which is shown on the same plan, and has been formed, drained, and metalled to the satisfaction of the Commissioners.

Art. 2. Section 120 of the said Local Act shall be amended, so as to provide as follows, viz. :

(a.) It shall not be lawful for any person to use or permit to be used as a dwelling-house any building which was not originally constructed for human habitation, or which has been approved of by the Commissioners on the understanding that it was not intended for a dwelling-house, unless or until it has undergone the necessary structural alterations for converting it into a dwelling-house, and has in the rear thereof, and adjoining thereto, such an open space as is required by Section 133 of the Local Act, with respect to every new building intended to be used as a dwelling-house.

(b.) If the building has in the rear thereof, and adjoining thereto, such an open space as aforesaid, the Commissioners, if in their opinion no structural alterations are necessary to render the building fit for use as a dwelling-house, may, on the application of the owner of the building, authorise the same to be used as a dwelling-house.

(c.) If any person uses or permits to be used as a dwelling-house any such building as aforesaid, in contravention of the Local Act as hereby amended, he shall be liable to a penalty not exceeding five pounds, and to a further penalty not exceeding forty shillings for every day during which the offence continues, after notice in writing thereof given to him by the Commissioners.

Art. 3. Section 124 of the Local Act shall be repealed, and the following provision shall be substituted in lieu thereof; viz.

“The building regulations for the time being in force within the district
“ of the said Commissioners shall not apply to railways, railway buildings,
“ railway stations, quays, graving or other docks, or to the buildings
“ connected therewith or belonging thereto respectively, except so far as
“ the same relate to the height of chimneys, the ventilation of public

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Order.*

“ buildings, and the construction of water-closets or privies for the
“ separate use of each sex in any building, but the said regulations shall
“ apply to dwelling-houses and the outhouses and other buildings appur-
“ tenant thereto or immediately connected therewith.”

Art. 4. Sections 127 and 130 of the said Local Act shall be repealed, and the following provisions shall be substituted in lieu thereof; viz.

“ Subject as is herein-after mentioned, the external and party or side walls
“ of every new building shall be constructed of brick, stone, or other hard
“ and incombustible substances; and the roof or flat of every new building,
“ and every gutter, dormer, and other work or construction connected
“ therewith, except the doors, door frames, windows, and window frames
“ of such dormer and other construction, shall be formed of or externally
“ covered with incombustible materials.

“ Provided that this enactment shall not apply to any of the following
“ buildings; viz.

“ (a.) Any plant house, orchard house, summer house, poultry house, or aviary
“ which shall be wholly detached from any other building, and which
“ shall not be heated otherwise than by hot water, and in which the
“ fireplaces, if any, shall be detached, with no flues of any kind within
“ the same :

“ (b.) Any building which shall not exceed in height thirty feet as measured
“ from the footings of the walls, and shall not exceed in contents one
“ hundred and twenty-five thousand cubic feet, and shall not be a
“ public building, and shall not be constructed or adapted to be used
“ either wholly or partly for human habitation, or as a place of habitual
“ employment for any person engaged in any manufacture, trade, or
“ business, and which shall be distant at least eight feet from the nearest
“ street, and at least thirty feet from the nearest building and from the
“ boundary of any adjoining lands or premises :

“ (c.) Any building which shall exceed in height thirty feet, as measured from
“ the footings of the walls, and shall exceed in contents one hundred and
“ twenty-five thousand cubic feet, and shall not be a public building,
“ and shall not be constructed or adapted to be used either wholly or
“ partly for human habitation, or as a place of habitual employment for
“ any person engaged in any manufacture, trade, or business, and which
“ shall be distant at least thirty feet from the nearest street, and at least
“ sixty feet from the nearest building and from the boundary of any
“ adjoining lands or premises.

“ Provided also that the Commissioners may, in any cases where it appears
“ to them no danger would exist of spread of fire, sanction and approve
“ of any building not complying with the foregoing conditions, but which
“ is erected for a temporary purpose only, and so appears in the notice
“ and plan submitted to them, but so nevertheless that such building shall
“ be allowed to remain standing for such period only, not exceeding three

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“ months, as the Commissioners shall in each case prescribe; and that in
 “ the event of the building not being pulled down and removed at or before
 “ the expiration of the period so prescribed, the owner thereof or the
 “ person using the same shall be liable to a penalty not exceeding five
 “ pounds, and to a further penalty not exceeding forty shillings for every
 “ day during which the building remains standing after the expiration of
 “ such period.”

A.D. 1878.

*West
 Hartlepool
 Order.*

Art. 5. Section 251 of the said Local Act shall be amended so as to enable the Commissioners to make byelaws for all or any of the following purposes; viz.

- (a.) For appointing and limiting the places on the sea-shore to which persons of each sex may resort for the purpose of bathing therefrom without the use of any bathing machine, and for prohibiting such bathing elsewhere than from such places:
- (b.) For fixing the hours during which such places may be used for the aforesaid purpose, and for prohibiting such use thereof except during the hours so fixed:
- (c.) For preventing any indecent exposure of the persons of the bathers resorting to such places and bathing therefrom without the use of any bathing machine.

Provided that such byelaws shall not apply to or affect the beach and fore-shore below high-water mark without the previous approval in writing by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them.

Art. 6. Sub-sections (2) and (3) of Section 391, and the whole of Section 392 of the said Local Act shall be repealed, and the following provisions shall be substituted in lieu thereof; viz.

The money so borrowed shall not at any time exceed in the whole the assessable value for two years of the premises assessable within the district:

The money may be borrowed for such time not exceeding fifty years as the
 “ Commissioners may, with the sanction of the Local Government Board,
 “ in each case determine.”

Art. 7. Sub-section (4) of Section 399 of the said Local Act shall be repealed, so far as it relates to moneys to be hereafter borrowed by the Commissioners under the Local Act; and the Commissioners shall either pay off such moneys by equal annual instalments of principal, or of principal and interest, or they shall in every year set apart as a sinking fund, and accumulate in the way of compound interest by investing the same in the purchase of Exchequer Bills, or other Government securities, such sum as will with accumulations in the way of compound interest be sufficient, after payment of all expenses, to pay off the moneys so borrowed within the period sanctioned by the Local Government Board.

Provided that the Commissioners may at any time apply the whole or any part of any sinking fund set apart by them under the foregoing provisions in or towards

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A.D. 1878. the discharge of the moneys for the repayment of which the fund has been established: Provided that they pay into the fund in each year, and accumulate until the whole of such moneys are paid off, a sum equivalent to the interest which would have been produced by the sinking fund, or the part of the sinking fund so applied.

—
*West
Hartlepool
Order.*
—

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

G. SOLATER-BOOTH, President.
HUGH OWEN, jun., Assistant Secretary.

(L.S.)

*Wigan
Order.*
—

BOROUGH OF WIGAN.

Provisional Order to enable the Urban Sanitary Authority for the Borough of Wigan to put in force the Compulsory Clauses of the Lands Clauses Consolidation Acts, 1845, 1860, and 1869.

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

And to all others whom it may concern.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Wigan, in the County of Lancaster, acting by the Council, as the Urban Sanitary Authority for that Borough, require to purchase and take the lands described in the Schedule hereto, for the purpose of the disposal of the sewage of the said Borough, and for constructing works and a road in connexion therewith;

And whereas the said Council, as such Urban Sanitary Authority as aforesaid, have made due publication in the newspaper and served the several notices as required by the Public Health Act, 1875, and presented a petition to the Local Government Board, stating as required by that Act, and praying, with reference to the said lands, to be allowed to put in force the powers of the Lands Clauses Consolidation Acts, with respect to the purchase and taking of lands otherwise than by agreement;

And whereas upon receipt of such petition, the Local Government Board directed a Local Inquiry to be held as to the propriety of assenting to the prayer thereof, which Inquiry 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 Statutes in that behalf, do hereby empower the said Council, as such Urban Sanitary Authority as aforesaid, from and after the date of the Act of Parliament confirming this Order, to put in force, with reference to the lands described in the Schedule hereto, the powers of the

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Lands Clauses Consolidation Acts, 1845, 1860, and 1869, with respect to the purchase and taking of lands otherwise than by agreement, or any of them. A.D. 1878.

Wigan
Order.

The SCHEDULE above referred to.

Borough and Parish of WIGAN, in the County of LANCASTER.

Nos. on deposited Plan.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	House - -	Honourable Edward Kenyon.	- - - -	Ann Ormesher.
2	Barn, stables, and washhouse.	Ditto - -	- - - -	Ditto.
3	Yard and outbuildings	Ditto - -	- - - -	Ditto.
4	Field - - -	Ditto - -	- - - -	Ditto.
5	Garden - -	Ditto - -	- - - -	Ditto.
6	Pond - - -	Ditto - -	- - - -	Ditto.
7	Occupation road -	Ditto - -	- - - -	Ditto.
8	Vacant land - -	Ditto.	—	—
9	Vacant land and foot-path.	Ditto.	—	—
11	Occupation road under railway.	Ditto - -	- - - -	Ann Ormesher.
12	Railway siding -	Ditto - -	John Scarisbrick Walker, Thomas Ascroft Walker, and Edwin Robert Walker.	John Scarisbrick Walker, Thomas Ascroft Walker, and Edwin Robert Walker, and the Wigan Rolling Mills Company, Limited.
13	Colliery railway -	Ditto - -	William James Lamb.	William James Lamb.
14	Occupation road -	Ditto - -	- - - -	Ann Ormesher.
15	Vacant land - -	Ditto - -	- - - -	Ditto.
16	Vacant land and watercourse.	Ditto - -	- - - -	Ditto.
20	Pasture field -	Ditto - -	- - - -	Ditto.
22	River Douglas -	Ditto - -	- - - -	Ditto.

The Honourable and Reverend George Thomas Orlando Bridgman, and the Mayor, Aldermen, and Burgesses of the Borough of Wigan, as Lords or reputed Lords of the Manor of the Borough of Wigan.

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Township of LATHOM, in the Parish of ORMSKIRK, in the County of
 LANCASTER.

Wigan.
Order.

Nos. on deposited Plan.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
29	Pasture field	Thomas James Rigby	- - -	William Shaw.
30	Meadow land	Thomas Mawdesley	- - -	John Aspinall.
31	Arable field	Ditto	- - -	James Stopforth.
48	Paddock	William Liptrot, trustee and executor of James Tasker, deceased.	- - -	Robert Bullen.

Lord or reputed Lord of the Manor of the Township of Lathom, Lord Skelmersdale.

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

G. SCLATER-BOOTH, President.

HUGH OWEN, jun., Assistant Secretary.

(L.S.)

Wilmslow
Order.

LOCAL GOVERNMENT DISTRICT OF WILMSLOW.

Provisional Order for constituting the Wilmslow Local Government District.

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

To the Inhabitants of the Parish of Wilmslow, in the same County; —

And to all others whom it may concern.

WHEREAS by Section 271 of the Public Health Act, 1875, it is enacted
 that the Local Government Board may, by Provisional Order, declare any
 Rural Sanitary District, or any portion of any Rural Sanitary District or
 Districts, to be a Local Government District, and that, from and after the
 commencement of the Order, the District or portion of the District or Districts
 therein referred to shall become a Local Government District, and shall be
 subject to the jurisdiction of a Local Board, to be elected in manner provided
 by Schedule II. to that Act;

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Provisional Orders Confirmation (Bournemouth, &c.) Act, 1878.

And whereas by Section 275 of the said Public Health Act, 1875, it is enacted that every Order made by the Local Government Board under Part VIII. of that Act, which includes Section 271 above recited, shall specify the day on which such Order shall come into operation (in that Act referred to as the commencement of the Order);

A.D. 1878.

—
Wilmslow
Order.
—

And whereas the part of the Parish of Wilmslow, in the County of Chester, which is herein-after described, is comprised in the Rural Sanitary District of the Altrincham Union, and the Local Government Board having deemed it expedient to declare such part of the said Parish to be a Local Government District, directed 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 Statutes in that behalf, do hereby Declare that all that part of the Parish of Wilmslow which is comprised in the Rural Sanitary District of the Altrincham Union, except that portion of the Township of Pownall Fee which lies to the north of the rivers Bollin and Dean, and to the west of the Dobbins Brook, shall be and is hereby constituted a Local Government District, under the name of the Wilmslow District.

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

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

II. Twelve persons who shall have the qualification prescribed by the law in force for the time being with regard to the election of members of a Local Board, shall be elected as members of the Local Board for the Wilmslow District.

III. The election of members for the said Local Board shall be conducted in accordance with the rules contained in Schedule II. to the Public Health Act, 1875. Provided, that the Returning Officer, when duly appointed, shall give notice of the said election, in accordance with Rule 36 of the said Schedule, within fourteen days from the said Twenty-ninth day of September, and shall specify in such notice the dates on which the several proceedings necessary to complete such election shall be taken.

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

(L.S.)

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

A.D. 1878.

LOCAL GOVERNMENT DISTRICT OF WORKINGTON.

Workington
Order.

Provisional Order for extending the Local Government District of Workington, and for partially repealing, altering, and extending the provisions of a Local Act, and for other purposes.

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

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

To the Inhabitants of the Township of Workington, in the same County; —

And to all others whom it may concern.

WHEREAS by Section 211 of the Public Health Act, 1875, it is enacted that an Urban Sanitary Authority²¹ may divide their District or any street therein into parts for all or any of the purposes of that Act, and from time to time abolish or alter any such divisions, and may make a separate assessment on any such part for all or any of the purposes for which the same is formed; and that every such part, so far as relates to the purposes in respect of which such separate assessment is made, shall be exempt from any other assessment under that Act: and it is provided, that if any expenses are incurred or to be incurred in respect of two or more parts in common, the same shall be apportioned between them in a fair and equitable manner;

And whereas by Section 270 of the said Public Health Act, 1875, the Local Government Board are empowered, by Provisional Order, to declare the whole or any portion of a Rural Sanitary District immediately adjoining a Local Government District to be included in such last-mentioned District, and it is enacted that thereupon the included area shall, for the purposes of that Act, be deemed to form part of the District in which it is included by such Order;

And whereas by Section 275 of the said Public Health Act, 1875, it is enacted that every Order made by the Local Government Board under Part VIII. of that Act, which includes Section 270 above recited, shall specify the day on which such Order shall come into operation (in that Act referred to as the commencement of the Order); that from and after the commencement of the Order all the powers, rights, duties, capacities, liabilities, obligations, and property which under that Act are exerciseable by or attaching to or vested in the Sanitary Authority having, under that Act, jurisdiction in any District or part of a District, which is by such Order included in such other District, shall (so far as the same relate to the District or part of a District so included) pass to and vest in the Sanitary Authority of such other District, and that any Order made in pursuance of that part of the Act may, if necessary, provide for the settlement of any differences, or the adjustment of any accounts or ap-

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portionment of any liabilities arising between districts, parishes, or other places in consequence of the exercise of any powers conferred by that part of the Act, and may direct the persons by whom and to whom any moneys found to be due are to be paid, and the mode of raising such moneys; and that where any Local Government District is increased in extent under that part of the Act, the Order shall prescribe the number of members to be elected for the District, when altered;

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Workington
Order.

And whereas by Section 303 of the Public Health Act, 1875, the Local Government Board are empowered, on the application of the Sanitary Authority of any Sanitary District, by Provisional Order, wholly or partially to repeal, alter, or amend any Local Act, other than an Act for the conservancy of rivers, which is in force in any area comprising the whole or part of any such District, and not conferring powers or privileges on any persons or person for their or his own pecuniary benefit, which relates to the same subject-matters as the Public Health Act, 1875;

And whereas by the same section it is enacted that any such Provisional Order may provide for the extension of the provisions of the Local Act referred to therein beyond the District or Districts within the limits of such Act, or for the exclusion of the whole or a portion of any such District from the application of such Act; and may provide what Sanitary Authority shall have jurisdiction for the purposes of the Public Health Act, 1875, in any area which is by such Order included in or excluded from such District;

And whereas the provisions of a Local Act of Parliament, intituled "An Act for paving, cleansing, watching, and otherwise improving the Town of Workington, in the County of Cumberland," are in force within the Urban Sanitary District of Workington, in the same County, which is a Local Government District within the meaning of the Public Health Act, 1875;

And whereas the said Local Act is a Local Act within the meaning of, and relates to the same subject-matters as, the Public Health Act, 1875;

And whereas under the provisions of the said Local Act the Workington Local Board is composed of eleven members, viz., the Lord of the Manor of Workington for the time being, three persons named by the said Lord of the Manor, and seven other persons elected by the majority of the inhabitants of the Town of Workington, as in the said Local Act is mentioned;

And whereas the sum of eight thousand seven hundred pounds is now owing from the said Workington Local Board in respect of loans contracted under the provisions of the said Local Act for the purposes of street improvements and of gasworks in their District;

And whereas the said Local Board have borrowed under the provisions of the Sanitary Acts the sum of twenty-one thousand four hundred and fifty pounds for the construction of sewers and of works of water supply in their District, of which the sum of seventeen thousand eight hundred pounds now remains unpaid;

And whereas the Workington Local Board, being the Sanitary Authority for the said Urban Sanitary District of Workington, have applied to the Local

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Workington
Order.

Government Board to issue a Provisional Order to extend the said District, by including therein the part of the said Rural Sanitary District of the Coker-mouth Union which is described in the Schedule hereto, and which immediately adjoins their District, and to partially repeal, alter, and amend the said Local Act, and to extend the provisions thereof as herein-after mentioned ;

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

Now therefore, We, the Local Government Board, in pursuance of the powers given by the Statutes in that behalf, do hereby declare that all that part of the Rural Sanitary District of the Coker-mouth Union which is described in the Schedule hereto, shall be included in, and shall, for the purposes of the Public Health Act, 1875, be deemed to form part of the Local Government District of Workington.

And We do hereby Order as follows ; viz.—

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

Art. II. Section 1 of the said Local Act shall be altered so as to include within the limits of the Town of Workington, for the purposes of that Act, the part of the Rural Sanitary District of the Coker-mouth Union which is described in the Schedule hereto.

Art. III. Sections 3, 5, 6, 9, 11, 15, 18 to 29, 32, 51 to 69, 71 to 87, 91 to 96, 99 to 131, and 137 to 155, all inclusive, of the said Local Act shall be wholly repealed, except so far as the same shall have been acted upon, and so far as it may be necessary to continue the same for enabling the Workington Local Board to carry out the purposes of the said Local Act until the election herein-after mentioned, and to recover any rates due thereunder on or before the said Twenty-ninth day of September.

Provided that all matters and things commenced under the authority of the sections hereby repealed and not concluded before the said Twenty-ninth day of September may be continued under the same authority until concluded.

Art. IV. Sections 4, 10, 12, 13, 14, 16, and 17 of the said Local Act shall be wholly repealed, except so far as the provisions thereof relate to the Lord of the Manor of Workington, and to the persons to be named by him as trustees under that Act.

Art. V. Sections 2, 30, 33 to 40, 42 to 49, 70, 89, 90, 97, 98, 132, 133, and 136, all inclusive, of the said Local Act shall be altered by the substitution of the Workington Local Board in the place of the Trustees therein mentioned, and Sections 7, 8, 10, 12, 13, 16, and 17 of the same Local Act shall be altered by the substitution of the members of the Workington Local Board named by the Lord of the Manor of Workington, in the place of the Trustees therein mentioned.

Art. VI. Nine persons, who shall have the qualification prescribed by the law in force for the time being with regard to the election of members of a Local Board, shall be elected in the manner provided by the Public Health Act, 1875,

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with respect to such election, as members of the Workington Local Board, within two calendar months after the said Twenty-ninth day of September; and all the provisions of the Public Health Act, 1875, relating to the qualification, nomination, election, continuance in office, and retirement of the members of Local Boards, shall apply to the qualification, nomination, election, continuance in office, and retirement of the members so to be elected; and the said nine members shall, together with the Lord of the Manor of Workington, and the persons named by him under the provisions of the said Local Act, constitute the Workington Local Board.

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Art. VII. For the purposes of the election, such person as the Local Government Board shall, by Order, appoint, shall be the Returning Officer.

Such election shall be conducted in accordance with the Rules, excepting Rule 55, contained in Schedule II. to the Public Health Act, 1875, as if it were the first election of a Local Board for a District constituted after the passing of that Act, and the members then elected shall come into office on the day on which the first meeting of the Local Board shall be held after the Returning Officer shall have made his certificate of election in accordance with Rules 42 or 52, as the case may require, of the said Schedule.

Provided, that the Returning Officer shall give notice of the said election, in accordance with Rule 36 of the said Schedule; within fourteen days from the said Twenty-ninth day of September, and shall specify in such notice the dates on which the several proceedings necessary to complete such election shall be taken, notwithstanding anything in the said Public Health Act, 1875, to the contrary.

Art. VIII. The first meeting of the Workington Local Board as hereby constituted shall be held at such place and on such day (not being more than ten days after the Returning Officer shall have made his certificate of election as aforesaid) as the Returning Officer may, by written notice to each person elected, and to the Lord of the Manor and the three persons named by him, appoint; and all the provisions of the Public Health Act, 1875, relating to Local Boards, shall apply to the said Local Board as hereby constituted.

Art. IX. On the day on which the said nine members of the Workington Local Board as hereby constituted shall come into office, the seven members elected by the inhabitants of the Town of Workington under the provisions of the said Local Act shall retire from office.

Art. X. The order in which the elective members of the said Local Board shall go out of office shall be regulated by such Local Board as if the election above mentioned were the first election of a Local Board for a District constituted after the passing of the Public Health Act, 1875.

Art. XI. The unrepealed provisions of the said Local Act shall be altered so as to extend beyond the District heretofore within the limits of such Local Act, and shall apply to and be in force within the part of the Rural Sanitary District of the Cockerthorpe Union which is described in the Schedule hereto, and the purposes of such unrepealed provisions of the said Local Act shall, in all respects, be deemed to be purposes of the Public Health Act, 1875.

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Art. XII. The said Local Board shall, within one month after the said Twenty-ninth day of September, divide their District as hereby extended into two parts, one to comprise the part which formerly constituted the Workington Local Government District, and the other to comprise the remainder of the District.

Art. XIII. The said Local Board shall, after such division, from time to time make separate assessments, and levy and make such a rate or rates, in the nature of a General District Rate, upon the first-mentioned part of their District, as shall be sufficient to defray in the manner provided by Section 234 of the Public Health Act, 1875, the said sum of seventeen thousand eight hundred pounds, or so much thereof as shall be due and owing, and the said sum of eight thousand seven hundred pounds, together with the interest due or to become due on the said two sums respectively :

Provided that the said sum of seventeen thousand eight hundred pounds, or so much thereof as shall be due and owing, shall be repaid within the period or periods for which the same was originally sanctioned, and the said sum of eight thousand seven hundred pounds shall be repaid within a period not exceeding thirty years, commencing from the said Twenty-ninth day of September; and all the provisions of the Public Health Act, 1875, with respect to moneys borrowed thereunder, including the provisions with regard to the re-borrowing of moneys so borrowed, shall apply to the said sum of eight thousand seven hundred pounds as if it were a loan contracted under that Act.

Art. XIV. After such division of the said Local Government District, all the rents, revenue, income, and profits arising or accruing to [the Local Board from the gasworks and waterworks constructed or purchased by the Trustees under the said Local Act, or by the said Local Board, shall be carried to the credit of the first-mentioned part of the said Local Government District :

Provided that the sums to be charged by the said Local Board for the supply of gas and water shall be uniform throughout the said Local Government District as extended by this Order.

The SCHEDULE above referred to.

All that part of the Rural Sanitary District of the Cockermouth Union, in the County of Cumberland, which lies between the southern boundary line of the Local Government District of Workington and a line commencing at the point opposite the "Traveller's Rest" Inn, where the said southern boundary line touches the south-eastern fence of the occupation road leading to Moor Close; thence proceeding along the fence on the south-eastern and south-western sides of such occupation road until it reaches the road leading to Laverock Hall; thence across that road along the fence on the south side of the road leading

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past the Old Engine House, Annie Pit, and New Yard to low-water mark on the sea-shore; thence along the sea-shore at low-water mark till it meets the western boundary line of the said Local Government District of Workington.

A.D. 1878.

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Order.*

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

G. SCLATER-BOOTH, President.

JOHN LAMBERT, Secretary.

(L.S.)

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