



CHAPTER xcvi.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Local Government Districts of Askern and Atherton, the Borough of Birmingham, the Local Government Districts of Ealing and Hampton Wick, the City of Liverpool, the Borough of Middlesbrough, and the Local Government Districts of Selby and Shirley. A.D. 1881.

[18th July 1881.]

WHEREAS the Local Government Board have, as regards the boroughs and districts herein mentioned, made the Provisional Orders set forth in the schedule hereto under the provisions of the Public Health Act, 1875: 38 & 39 Vict. c. 55.

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

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 hereto 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 Orders in schedule confirmed.

2. When the Provisional Order hereby confirmed, whereby the Local Government District of Askern is dissolved, comes into operation, the powers, rights, duties, capacities, liabilities, obligations, and property which, under sections 144, 146 to 154, both inclusive, 174, 189, 197, 199, 200, 207 to 227, both inclusive, and 247 of the Public Health Act, 1875, are exerciseable by or attaching to or vested in the Askern Local Board shall not, by virtue of section 275 of that Act, except as provided by this section, pass to and vest in the guardians of the poor of the Doncaster Union, in the west riding of

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A.D. 1881. the county of York and the county of Nottingham, as the sanitary authority for the rural sanitary district of that union.

Except as herein-after mentioned, all moneys which at the date when the Order hereby confirmed comes into operation shall be due or shall be then accruing due from the said local board shall be paid by the said guardians as the sanitary authority, and all rates and moneys which at the date aforesaid shall be due or shall be then accruing due to the said local board may be collected and recovered by the said guardians as the sanitary authority in like manner as if they were the local board for the district, and any moneys or rates so paid or recovered by the guardians shall, in their accounts as the sanitary authority in respect of general expenses, be charged or credited, as the case may be, to the township of Askern.

All property which at the date aforesaid is vested in or belonging to the said local board, by reason of their executing the office of surveyor of highways, shall be transferred to and vest in the surveyors of highways who may be appointed for the township of Askern, and their successors, and any sums which at the date aforesaid shall be due in respect of highway rates may be collected and recovered by such surveyors of highways in like manner as highway rates made by such surveyors, and any moneys which shall be due or accruing due from the said local board at the date aforesaid by reason of their executing the office of surveyor of highways shall be paid by such surveyors.

Tolls under
Liverpool
Order.

3. The tolls payable under the Order hereby confirmed relating to the city of Liverpool shall be payable in respect of each of the articles, matters, or things mentioned in the schedule to that Order for each day or part of a day during which the same is exposed for sale.

Special pro-
vision as to
the Selby
Local Go-
vernment
District.

4. The Selby Local Board of Health shall, within one month after the Provisional Order hereby confirmed shall have come into operation, pay to the Guardians of the Poor of the Selby Union, as the Sanitary Authority for the Rural Sanitary District of that Union, the sum of one hundred and forty-one pounds twelve shillings and fivepence, being the amount which it has been mutually agreed between the said Local Board of Health and the said Rural Sanitary Authority shall be paid by the said Local Board in full discharge of all costs and expenses incurred by the said Rural Sanitary Authority prior to the date of such Provisional Order, in respect of the cleansing and repairing of the Holme Dyke in that part of the Chapelry of Barlby, in the East Riding of the County of York, known as "The Holmes."

Short title.

5. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (Askern, &c.) Act, 1881.

SCHEDULE.

A.D. 1881.

LOCAL GOVERNMENT DISTRICT OF ASKERN.

*Askern
Order.*

Provisional Order for dissolving the Local Government District of Askern.

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

To the Guardians of the Poor of the Doncaster Union, in the said Riding and in the County of Nottingham, being the Sanitary Authority for the Rural Sanitary District of that Union;—

And to all others whom it may concern.

WHEREAS in the year One thousand eight hundred and seventy, the Local Government Act, 1858, came into force in the Township of Askern, in the West Riding of the County of York, and that Township is a Local Government District as defined by the Public Health Act, 1875;

And whereas by Section 270 of the Public Health Act, 1875, it is enacted that the Local Government Board may, by Provisional Order, dissolve any Local Government District, and may merge any such District in some other Urban or Rural Sanitary District or Districts;

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 (in that Act referred to as the commencement of the Order); and 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 some 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 whereas the Local Government Board, having deemed it expedient to dissolve the said Local Government District and to merge it in the Rural Sanitary District of the Doncaster Union, 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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Provisional Orders Confirmation (Askern, &c.) Act, 1381.

A.D. 1881.

—
Askern
Order.
—

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the Statutes in that behalf, do hereby Order that the following provisions shall take effect; viz.:—

Art. I. The Local Government District of Askern shall be dissolved, and shall be merged in the Rural Sanitary District of the Doncaster Union, and shall be subject to the jurisdiction of the Guardians of the Poor of that Union, as the Sanitary Authority for such Rural Sanitary District.

Art. II. This Order shall come into operation on the Twenty-ninth day of September, One thousand eight hundred and eighty-one.

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

J. G. DODSON, President.

JOHN LAMBERT, Secretary.

(L.S.)

Atherton
Order.
—

LOCAL GOVERNMENT DISTRICT OF ATHERTON.

Provisional Order for altering and amending a Confirming Act.

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

And to all others whom it may concern.

WHEREAS the Local Government District of Atherton, in the County of Lancaster, is an Urban Sanitary District, of which the Atherton Local Board (herein-after referred to as "the Local Board") are the Urban Sanitary Authority, and the Atherton Local Board Act, 1873 (herein-after referred to as "the Local Act"), is in force in the said District;

And whereas by Section 30 of the Local Act, it is enacted that, in addition to any money which, under the Public Health Acts, the Local Board are authorised to borrow, the Local Board may from time to time, by virtue of the Local Act, borrow at interest, for gas purposes, a sum not exceeding twenty thousand pounds, on mortgage of the gas fund, with or without including the gasworks, and with or without including the General District Rate;

And whereas by Section 32 of the Local Act, it is enacted that the Local Board shall form a sinking fund in respect of their gasworks and gas undertaking by setting aside and carrying to the credit of a sinking fund, on the first day of January, One thousand eight hundred and seventy-six, a sum equal

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to one-fiftieth part of the money borrowed under the Local Act for gas purposes and then remaining unpaid, and on the First day of January in every succeeding year a sum larger by five per centum than in the last preceding year, until the whole of the money borrowed under the Local Act for gas purposes is paid off;

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—
Atherton
Order.
—

And whereas by a Provisional Order of the Local Government Board dated the Fourth day of June, One thousand eight hundred and seventy-seven (herein-after referred to as "the Provisional Order"), and duly confirmed by the Local Government Board's Provisional Orders Confirmation (Atherton, &c.) Act, 1877 (herein-after referred to as "the Confirming Act"), Section 30 of the Local Act was altered so as to enable the 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 thousand pounds, in addition to the sum of twenty thousand pounds therein mentioned, such sum to be applied in the manner directed by the Local Act with respect to the said sum of twenty thousand pounds;

And whereas the Local Board have borrowed, under the Local Act and the Provisional Order, sums amounting in the whole to twenty-six thousand two hundred and six pounds;

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

And whereas the Local Government Board proposed to alter and amend the Confirming Act in manner herein-after appearing, and accordingly directed Local Inquiry to be held on the subject of such alteration, 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 to Us by the Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order (herein-after referred to as "the commencement of this Order"), the Confirming Act shall be altered and amended so as to provide as follows:—

- (1.) The Local Board shall discharge all moneys borrowed after the commencement of this Order under the powers of borrowing conferred by the Local Act as altered by the Provisional Order, by equal annual instalments of principal or of principal and interest, or by means of a sinking fund set apart, invested, accumulated, and applied in accordance with the provisions of Sub-sections (4) and (5) of Section 234 of the Public Health Act, 1875, and within such period, not exceeding forty years from the time when such moneys shall have been respectively borrowed, as the Local Board, with the sanction of the Local Government Board, shall in each case determine.
- (2.) Nothing in this Order shall in any way affect the obligation of the Local Board to pay into the sinking fund under Section 32 of the Local Act the sums required by that Section to be set aside and carried to the

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Atherton
Order.

credit of the sinking fund for the repayment of moneys borrowed before the commencement of this Order under the Local Act and the Provisional Order.

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

J. G. DODSON, President.

(L.S.)

HUGH OWEN, JUNR., Assistant Secretary.

Birmingham
Order
(2).

BOROUGH OF BIRMINGHAM.

Provisional Order for altering certain Local Acts of Parliament.

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

And to all others whom it may concern.

WHEREAS the Borough of Birmingham, in the County of Warwick (herein-after referred to as "the Borough"), is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as "the Corporation"), are the Urban Sanitary Authority;

And whereas the Birmingham Improvement Act, 1851 (herein-after referred to as "the Act of 1851"), and the Birmingham Improvement Act, 1861 (herein-after referred to as "the Act of 1861"), are in force in the Borough, except so far as the Act of 1851 has been partially repealed by the Act of 1861, and except so far as the Act of 1851 or the Act of 1861 have been partially repealed by certain Provisional Orders made by the Local Government Board and duly confirmed by Parliament;

And whereas by Section 78 of the Act of 1851, Sections 37 to 68, both inclusive, of the Town Police Clauses Act, 1847, relating to hackney carriages, are (inter alia) incorporated with the Act of 1851;

And whereas by Section 65 of the Act of 1861 the Corporation are empowered from time to time to fix the standing and starting places of hackney carriages and the starting places of stage carriages and omnibuses;

And whereas by Sections 66, 67, and 68 of the Act of 1861 provision is made as to the making out and entering of licences, the time for which such licences shall be in force, and the suspension and revocation of such licences;

And whereas by Section 81 of the Act of 1861 the Corporation are authorised to make byelaws and regulations (inter alia) for regulating the taking up and setting down of passengers and the loading and unloading of carriages, and for the proper adaptation of hackney carriages for the security and conveyance of luggage and effects;

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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;

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Birmingham
Order
(2).

And whereas the Act of 1851 and the Act of 1861 are Local Acts within the meaning of the above-recited Section of the Public Health Act, 1875, and the Corporation have applied to the Local Government Board to alter and amend the same;

And whereas the Local Government Board, upon receipt of such application, directed Local Inquiry to be held on the subject, 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 to Us 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. The provisions of Sections 38 to 68, both inclusive, of the Town Police Clauses Act, 1847, as incorporated with the Act of 1851, and Sections 66 to 68, both inclusive, and Section 81 of the Act of 1861, shall be deemed to include every hackney carriage or wheeled carriage, of whatever form or construction, other than the carriages referred to in Article II. of this Order, used in standing or plying for hire at any railway station, or yard adjoining or connected with any such railway station, within a radius of five miles from the north end of Stephenson Place, in the Borough, where the Attwood Statue now stands.

Provided that nothing herein, or in Section 68 of the Town Police Clauses Act, 1847, contained, shall empower the Corporation to fix the stand of any such hackney carriage as aforesaid in any railway station, or in any yard adjoining or connected therewith: Provided also, that nothing in this Order, or in the sections of the Town Police Clauses Act, 1847, mentioned or referred to in Articles I. and II. of this Order, shall apply to or include, or empower the Corporation to interfere in any way with, any wheeled carriage, of whatever form or construction, which may belong to, or be hired and used by, any railway company for conveying passengers and their luggage to or from their respective railways, or to or with the drivers or conductors thereof, unless such wheeled carriage shall ply for hire in the ordinary way that hackney carriages or stage-coaches do.

Art. II. Sections 37, 39 to 52, both inclusive, 54, 58, and 60 to 68, both inclusive, of the Town Police Clauses Act, 1847, as incorporated with the Act of 1851, and Sections 65 and 66 of the Act of 1861, shall, anything in Section 38 of the Town Police Clauses Act notwithstanding, be deemed to include every omnibus, waggonette, brake, stage-coach, and other carriage (with the exception of tram-cars and carriages licenced by the Corporation under the provisions of the Tramways Act, 1870, or of any provisional order made thereunder and confirmed by Parliament) plying or standing for hire by, or used to carry, passengers at

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Birmingham
Order.
(2).

Provided, that so much of Section 68 of the Town Police Clauses Act, 1847, as authorises the making of byelaws, with respect to the fares to be charged for hackney carriages, shall not apply to the fares to be charged for any such omnibus, waggonette, brake, stage-coach, or other carriage as aforesaid; and that whenever the word "driver" or "drivers" occurs in any of the sections of the Town Police Clauses Act, 1847, mentioned in this Article, it shall be deemed to include every conductor of any such omnibus, waggonette, brake, stage-coach, or other carriage as aforesaid.

Art. III. A licence granted to a driver or conductor under the Act of 1851 and the Act of 1861, as hereby altered, shall only authorise the owner thereof to act as driver or conductor of the class or description of carriage specified in such licence, and shall be in force for one year only from the date thereof, or until the next general licensing meeting, in case any general licensing day be appointed, and shall be subject to the power of suspension or revocation provided for by Section 50 of the Town Police Clauses Act, 1847, and Section 68 of the Act of 1861.

Art. IV. The prescribed distance to which, within the meaning of Sections 37, 45, 46, and 51 of the Town Police Clauses Act, 1847, a licence for any such omnibus, waggonette, brake, stage-coach, or other carriage to ply or stand for hire by or to be used to carry passengers at separate fares shall extend, shall be a distance within a radius of fifteen miles from the north end of Stephenson Place, in the Borough, where the Attwood Statue now stands; and such distance shall, as regards any such omnibus, waggonette, brake, stage-coach, and other carriage, be substituted for the limits mentioned in Section 37 of the Town Police Clauses Act, 1847.

Art. V. The Corporation may from time to time alter and repeal any existing byelaws, or make other byelaws, or separate codes of bye-laws, for each description of carriage required to be licensed by them under the Act of 1851, as hereby altered and amended, and for the owners, drivers, and conductors thereof, and may alter and repeal such other byelaws or separate codes; or they may include in one code, byelaws relating to every description of carriage, and to the owners, drivers, and conductors thereof; and in such case, all or any of such byelaws may be made to apply to certain classes or descriptions of carriages, and to the owners, drivers, and conductors thereof.

Art. VI. The Corporation may make bye-laws for the following purposes, viz. :---

(a.) To provide for the exhibition on some conspicuous part of any such omnibus, waggonette, brake, stage-coach, or other carriage as aforesaid, of a statement, in legible letters and figures, of fares to be demanded and received from the persons using, or carried for hire in, such omnibus, waggonette, brake, stage-coach, or other carriage.

(b.) To provide for the carrying in suitable parts of any such omnibus, waggonette, brake, stage-coach, or other carriage as aforesaid, of proper and

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sufficient lamps for denoting the direction in which such omnibus, waggonette, brake, stage-coach, or other carriage is proceeding, and for the convenience of passengers travelling therein, and also to provide for the lighting of such lamps.

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—
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Order
(2).
—

- (c.) To prevent the owner, driver, or conductor, of any such omnibus, waggonette, brake, stage-coach, or carriage, or any other person on their behalf, by touting, calling out, or otherwise, from importuning any person to use, or to be carried for hire in, such omnibus, waggonette, brake, stage-coach or carriage.
- (d.) To prevent the blowing of, or playing upon, horns or other musical instruments, or the ringing of bells, by the driver or conductor of any such omnibus, waggonette, brake, stage-coach, or carriage, or by any person travelling on or using any such omnibus, waggonette, brake, stage-coach, or carriage.
- (e.) To prescribe the routes by which, within a distance of three miles from the said north end of Stephenson Place, in the Borough, where the Attwood Statue now stands, any such omnibus, waggonette, brake, stage-coach, or carriage may convey passengers.
- (f.) To fix the points within the said distance of three miles from the north end of Stephenson Place, in the Borough, at which any such omnibus, waggonette, brake, stage-coach, or carriage, shall or may take up and set down passengers.

Provided that for the purposes of Sections 54, 58, and 66 of the Town Police Clauses Act, 1847, as incorporated with the Act of 1851, the fare according to the statement of fares exhibited on any such omnibus, waggonette, brake, stage-coach, or carriage shall be deemed to be the fare allowed by the special Act, or the fare authorised by a byelaw under the special Act.

Art. VII. The provisions with respect to byelaws, and the recovery and application of penalties, contained in the Public Health Act, 1875, shall apply to all byelaws made, altered, or repealed, by the Corporation under the provisions of the Act of 1851 and the Act of 1861 as hereby altered and amended, or of this Order, and to all penalties imposed thereby, or by any of the Sections of the Town Police Clauses Act, 1847, mentioned in this Order, so far as they are by this Order rendered applicable to hackney carriages, omnibuses, waggonettes, brakes, stage-coaches, and other carriages, and their owners, drivers, and conductors.

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

(L.S.)

J. G. DODSON, President.

HUGH OWEN, JUNR., Assistant Secretary

A.D. 1881.

LOCAL GOVERNMENT DISTRICT OF EALING.

Ealing
Order.

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

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

And to all others whom it may concern.

WHEREAS the Ealing Local Board, as the Sanitary Authority for the Urban Sanitary District of Ealing, in the County of Middlesex, require to purchase and take the lands described in the Schedule hereto, for the construction of a new street between the Uxbridge Road and Mattock Lane, and for extending a street called Beaconsfield Road, and for widening a public foot-path called Churchfield Path, in the said District ;

And whereas the said Sanitary Authority have made due publication in the newspaper and served the several notices, as required by the Public Health Act, 1875, and have 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 the Local Government Board, upon receipt of such petition, directed 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 to Us by the Statutes in that behalf, do hereby empower the Ealing 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.

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The SCHEDULE above referred to.
 Parish of EALING, in the County of MIDDLESEX.

A.D. 1881.

Ealing
Order.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees and Occupiers.
1	All that piece of land containing in length 410 feet or thereabouts, and in width 45 feet or thereabouts, bounded on the west partly by land belonging to Edward Wood and his trustee and others, partly by land belonging to Joseph William Turner and partly by waste of the Manor of Ealing; on the east by other land belonging to the said Edward Wood and his trustee; on the north by the Uxbridge Road; and on the south by Mattock Lane.	Edward Wood and his trustee, viz.: Francis Hamilton; the Ecclesiastical Commissioners for England and Wales; the Commoners of the Manor of Ealing.	George Secrett, James Wills, William Henry Wills, Henry Harris.
2	All that piece of land containing in width 40 feet or thereabouts, and extending from the western end of Beaconsfield Road to Churchfield Path, a distance of 300 feet or thereabouts, and thence northwards along the eastern side of such path for a distance of 770 feet or thereabouts.	Edward Wood and his trustee, viz.: Francis Hamilton; William Stephens; the Commoners of the Manor of Ealing.	Percy Jackson.

Lords of the Manor of Ealing.
 The Ecclesiastical Commissioners for England and Wales.

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

J. G. DODSON, President.

JOHN LAMBERT, Secretary.

(L.S.)

LOCAL GOVERNMENT DISTRICT OF HAMPTON WICK.

Hampton
Wick
Order.

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

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

And to all others whom it may concern.

WHEREAS the Hampton Wick Local Board, being the Sanitary Authority for the Urban Sanitary District of Hampton Wick, in the County of Middlesex, require to purchase and take the lands described in the Schedule hereto, for the purpose of widening, enlarging, and improving a certain street leading from Upper Teddington Road to Park Road, in the said District;

And whereas the said Sanitary Authority have made due publication in the newspaper and served the several notices, as required by the Public Health Act, 1875, and have 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;

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*Hampton
Wick
Order.*

And whereas the Local Government Board, upon receipt of such petition, directed 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 to Us by the Statutes in that behalf, do hereby empower the Hampton Wick 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 HAMPTON WICK, County of MIDDLESEX.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Occupiers.
1	House and garden -	John Carpenter - - - -	John William Page.
2	Cottage, outhouse, forecourt, and garden.	Charles Himmus Debus and Elizabeth Bridges.	Thomas Harnes.
3	ditto - - - -	ditto - - - -	Henry Venn.
4	ditto - - - -	ditto - - - -	Henry Harlow.
5	ditto - - - -	ditto - - - -	Thomas Ocock.
6	ditto - - - -	Charles Himmus Debus, trustee under the will of Charlotte Sarah Bridges, deceased.	Adelaide Lannon.
7	ditto - - - -	ditto - - - -	John Comfort.
8	ditto - - - -	ditto - - - -	Thomas Crane.
9	ditto - - - -	ditto - - - -	Robert Searles.
10	Cottage and garden -	William Augustus Fricker -	William Shortland.
11	ditto - - - -	ditto - - - -	Ellen Sales.
12	Cottage, outhouse, and garden.	Charles Henry Goodfellow -	James Sparkes.
13	ditto - - - -	ditto - - - -	John Stannard.
14	ditto - - - -	ditto - - - -	Hannah Wilkinson.
15	ditto - - - -	ditto - - - -	James Searles.
16	ditto - - - -	ditto - - - -	John MaTravers.

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

(L.S.)

J. G. DODSON, President.
 JOHN LAMBERT, Secretary.

CITY OF LIVERPOOL.

A.D. 1881.

Provisional Order for partially repealing and altering certain Local Acts.

*Liverpool
Order.*

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

And to all others whom it may concern.

WHEREAS the City of Liverpool is an Urban Sanitary District, of which the Mayor, Aldermen, and Citizens, acting by the Council (herein-after referred to as "the Corporation"), are the Urban Sanitary Authority, and the Local Acts herein-after referred to are in force in the said City;

And whereas by Section 43 of a Local Act of Parliament passed in the twenty-sixth year of the reign of His late Majesty King George the Third, intituled "An Act for opening, making, widening, and altering certain streets, passages, and places within the Town of Liverpool, in the County Palatine of Lancaster; for supplying the said Town with fresh and wholesome water; for removing and preventing nuisances and annoyances therein; for appointing additional market places; and for extending so much of the powers of an Act of the second year of His present Majesty, as relates to hackney coachmen, chairmen, carters, and porters, to a certain distance beyond the liberties of the said Town" (herein-after referred to as "the Act of 1786"), the Corporation were empowered from time to time to direct and order such public squares or parts of streets then in being or thereafter to be in being in the said Town, to be used as and for public market places, as they should think proper, and for such sorts and species of goods and provisions only as they should think proper; provided that no market whatever should be made in any then present square or principal street unless such square or principal street had been then already used as a market;

And whereas by Section 2 of another Local Act of Parliament passed in the fifty-ninth year of the reign of His late Majesty King George the Third, intituled "An Act for abolishing the payment of certain tolls called ingates and outgates, collected at the several entrances into the Town of Liverpool in the County of Lancaster, and of certain tolls and stallage now payable in the markets and fairs there, and for granting other tolls and stallage in lieu thereof, and for the better regulation of the said markets and fairs" (herein-after referred to as "the Act of 1819"), the Corporation were authorised and empowered to demand, receive, and take, of and from all and every person and persons (except as therein-after mentioned) exposing for sale any article, matter, or thing in any of the markets then or thereafter to be established within the said Town, or in the two ancient fairs held within the said Town on the twenty-fifth day of July and eleventh day of November in each year, and ten days previous and ten days subsequent to such fairs respectively, such tolls and stallage as should from time to time be fixed and appointed by the Corporation

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of the said Town, or the major part of them, in common council assembled, according to the schedule to the Act of 1819 annexed, but not exceeding in amount the respective sums therein specified ;

And whereas by Sections 258, 259, and 260 of another Local Act of Parliament passed in the fifth and sixth years of the reign of Her present Majesty Queen Victoria, intituled "An Act for the improvement, good government, and police regulation of the Borough of Liverpool" (herein-after referred to as "the Act of 1842"), provision is made for the settlement of disputes and differences arising under the Act of 1819 between the Corporation and the tenants or occupiers of the shops, stalls, benches, or conveniences in the market places belonging to the Corporation, concerning the term and interest of such tenants or occupiers thereof, and concerning the stallage, rents, or tolls payable in respect of such shops, stalls, benches, or other conveniences, and for preventing persons evading payment of the said tolls and stallage ;

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 Act of 1786, the Act of 1819, and the Act of 1842 are Local Acts within the meaning of the above-recited section of the Public Health Act, 1875, and the Corporation have applied to the Local Government Board to alter and amend the same ;

And whereas the Local Government Board, upon receipt of such application, directed Local Inquiry to be held on the subject, 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 to Us by the Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order (herein-after referred to as "the commencement of this Order"), the following provisions shall take effect ; viz :—

Art. I. The Act of 1786 shall be amended in such a manner as to provide that the Corporation may from time to time, by resolution to be passed at a meeting of the Council, of which twenty-one clear days notice in writing shall have been previously given to each member of the Council, order that any public square or part of a street in the Town of Liverpool which has, under the Act of 1786, been directed and ordered to be used as and for a public market place, shall, from and after a date to be fixed by such resolution, cease to be so used, and that the site of such public market place shall thenceforth become a part of the public highway, and, as such, shall vest in and be repairable by the Corporation as the Urban Sanitary Authority.

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Art. II. A copy of every such resolution shall be affixed in some conspicuous place in every public square or part of a street to which the same relates not less than twenty-one days before the said date fixed by such resolution, and from and after that date such public square or part of a street shall in pursuance of such resolution, cease to be used as a public market place, and the site of such market place shall become a part of the public highway, and, as such, shall vest in and be repairable by the Corporation as the Urban Sanitary Authority.

A.D. 1881.

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Art. III. So much of Section 2 of the Act of 1819 and the schedule annexed to that Act as relates to the tolls to be demanded, received, and taken by the Corporation of and from persons exposing for sale any article, matter, or thing in any of the markets then or thereafter to be established in the Town of Liverpool, or in the two ancient fairs mentioned in that section, and during ten days previous and ten days subsequent to such fairs respectively, shall, from and after the commencement of this Order, be wholly repealed; and it shall be provided in lieu thereof that the Corporation may demand, receive, and take of and from all and every person and persons (except any of the persons who, under Section VI. of the Act of 1819, are exempted from the payment of the tolls or stallage authorised by the Act of 1819) exposing for sale any article, matter, or thing mentioned in the Schedule to this Order in any of the markets, established either before or after the commencement of this Order, or in the two ancient fairs aforesaid, and ten days previous and ten days subsequent to such fairs respectively, such tolls as shall from time to time be fixed and appointed by the Corporation according to the Schedule to this Order, but not exceeding in amount the respective sums mentioned in that Schedule.

Provided that nothing herein contained shall prejudice or affect the power of the Corporation from time to time to levy, demand, and take stallages according to the provisions of the Act of 1819 and the Schedule thereto, if they so think fit.

Art. IV. The Act of 1842 shall be altered in such a manner that the provisions contained in Sections 258 and 259 of that Act shall be applicable to the settlement of any disputes and differences concerning the tolls payable under this Order, arising between the Corporation and any persons bringing into any of the said markets or fairs any article, matter, or thing mentioned in the Schedule to this Order, and so that the provisions contained in Section 260 of that Act shall apply to persons evading the payment of such tolls, but without prejudice to any other right or remedy of the Corporation under the Public Health Act, 1875, or the Markets and Fairs Clauses Act, 1847, so, nevertheless, that the Corporation shall not take proceedings in respect of one and the same offence or matter both under the Act of 1842 and also under the Public Health Act, 1875, or the Markets and Fairs Clauses Act, 1847.

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The SCHEDULE above referred to.

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	s.	d.
For every cart load of hay, straw, grass, roots, or other fodder - - -	0	6
„ wagon or float load of hay, straw, grass, roots, or other fodder -	0	9
„ three superficial feet occupied by any cart or wagon loaded with vegetables, fruit, or other produce not otherwise provided for -	0	1
„ head of cattle not otherwise provided for - - - - -	0	6
„ calf - - - - -	0	2
„ horse, pony, or mule - - - - -	1	0
„ ass - - - - -	0	3
„ pig, goat, sheep, or lamb - - - - -	0	1
For any quantity of fish, shell-fish, game, poultry, rabbits, or birds brought into the market in any hamper, whisket, basket, box, barrel, crate, sack, bag, or package of any description, the measurement of which in any part thereof does not exceed one superficial foot - - - - -	0	0½
And a further charge of ½d. for every additional superficial foot or part of a foot.		
For any quantity of marketable commodities not otherwise provided for, brought into the market in any sieve, small basket, package, or receptacle of any description, the measurement of which in any part does not exceed 1½ superficial feet - - - - -	0	0½
For any quantity of marketable commodities not otherwise provided for, brought into the market in any hamper, whisket, basket, box, barrel, crate, sack, bag, package, or receptacle of any description, the measurement of which in any part thereof exceeds 1½ superficial feet, but does not exceed 3 superficial feet - - - - -	0	1
For any quantity of marketable commodities not otherwise provided for, brought into the market in any hamper, whisket, basket, box, barrel, crate, sack, bag, package, or receptacle of any description, the measurement of which in any part thereof exceeds 3 superficial feet, but does not exceed 6 superficial feet - - - - -	0	2
For any quantity of marketable commodities not otherwise provided for, brought into the market in any hamper, whisket, basket, box, barrel, crate, sack, bag, package, or receptacle of any description, the measurement of which in any part thereof exceeds 6 superficial feet, but does not exceed 9 superficial feet - - - - -	0	3
For any article, matter, or thing not otherwise provided for, brought into the market, the measurement of which in any part thereof does not exceed 3 superficial feet - - - - -	0	1
And a further charge of 1d. for every additional 3 feet or part of 3 feet of superficial measurement.		

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

J. G. DODSON, President.

HUGH OWEN, JUNR., Assistant Secretary.

(L.S.)

BOROUGH OF MIDDLESBROUGH.

Provisional Order for altering a Local Act.

To the Mayor, Aldermen, and Burgesses of the Borough of Middlesbrough,
in the North 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 Middlesbrough, in the North Riding of the
County of York (herein-after referred to as "the Borough"), is an Urban
Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the
Council, (herein-after referred to as "the Corporation"), are the Urban Sanitary
Authority;

And whereas by a Local Act of Parliament passed in the fourth and fifth
years of the reign of Her present Majesty Queen Victoria, intituled "An Act
" for paving, lighting, watching, cleansing, and otherwise improving the Town
" of Middlesbrough and the neighbourhood thereof, in the North Riding of the
" County of York, and for establishing a market therein" (herein-after referred
to as "the Local Act"), certain Commissioners were appointed for carrying the
Local Act into execution within the limits of the Town of Middlesbrough, as
therein defined;

And whereas by Section 94 of the Local Act it is enacted that the owner or
occupier of any house or building abutting upon any street within the limits of
the Local Act shall, if required by the Commissioners, pave or form, with stones
or such materials as the Commissioners shall prescribe, upon the sides of such
street, for the whole length of such house or building and the premises im-
mediately adjoining thereto and occupied therewith, a causeway or footway for
the use of foot passengers, to a depth not exceeding nine feet; and that such
causeway or footway, when made, shall for ever afterwards be kept in repair by
the Commissioners;

And whereas by Section 96 of the Local Act it is also enacted that all cause-
ways or footways within the limits of the Local Act, whether made by the
Commissioners or otherwise, which the Commissioners shall deem necessary
to be kept up, shall be kept in repair by the Commissioners;

And whereas by a Provisional Order of the General Board of Health dated
the Eighteenth day of July, One thousand eight hundred and fifty-five, and
duly confirmed by the Public Health Supplemental Act, 1855, certain parts of
the Local Act were repealed, and the powers, authorities, and duties of the
Commissioners as granted or imposed by the unrepealed parts of the Local Act
(which unrepealed parts included Sections 94 and 96 above-recited) so far as
they were not repugnant to or inconsistent with the Public Health Act, 1848,
or that Order, or any byelaw which might be lawfully made under the Public
Health Act, 1848, were transferred to the Corporation, to be exercised as if they
had been granted or imposed by the Public Health Act, 1848; and for that

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brough
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purpose, it was directed that the said unrepealed parts should be incorporated with the Public Health Act, 1848, as applied to the Borough, and that all places within the limits of the Borough should be subject to such unrepealed parts of the Local Act; and it was further directed that the Corporation should be the Commissioners for executing the unrepealed parts of the Local Act;

And whereas the limits of the Borough have been from time to time extended;

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 the Corporation, as such Urban Sanitary Authority as aforesaid, have applied to the Local Government Board to issue a Provisional Order to alter and amend the same;

And whereas the Local Government Board, upon receipt of the said application, directed Local Inquiry to be held on the subject, 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 to Us by the Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the Local Act shall be altered so as to provide that, notwithstanding anything contained in Sections 94 and 96 of the Local Act to the contrary, it shall not be obligatory on the Corporation to keep in repair any causeway or footway upon the side of any street within the Borough, which is not a highway repairable by the inhabitants at large, unless and until such street shall have become a highway repairable by the inhabitants at large.

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

(L.S.)

J. G. DODSON, President.
JOHN LAMBERT, Secretary.

LOCAL GOVERNMENT DISTRICT OF SELBY.

A.D. 1881.

*Provisional Order for extending the Local Government District of Selby,
and for other purposes.*

Selby
Order.

To the Selby Local Board of Health, being the Sanitary Authority for the Urban Sanitary District of Selby, in the West Riding of the County of York;—

To the Guardians of the Poor of the Selby Union, in the West and East Ridings of the County of York, being the Sanitary Authority for the Rural Sanitary District of that Union;—

And to all others whom it may concern.

WHEREAS the Local Government District of Selby, in the West Riding of the County of York, is an Urban Sanitary District of which the Selby Local Board of Health are the Urban Sanitary Authority;

And whereas the Selby Local Board of Health have borrowed certain sums amounting in the whole to the sum of fourteen thousand five hundred pounds for the construction of certain permanent works in their District, of which the sum of four thousand four hundred and thirty-eight pounds two shillings and tenpence now remains unpaid;

And whereas the portion of the Rural Sanitary District of the Selby Union, in the West and East Ridings of the County of York, which is herein-after described, immediately adjoins the Local Government District of Selby;

And 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;

And whereas application having been made to the Local Government Board to issue a Provisional Order to declare certain portions of the Rural Sanitary District of the Selby Union, including the portion of that Rural Sanitary

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A.D. 1881. District herein-after described, to be included in the said Local Government District, the Local Government Board directed Local Inquiry to be held on the subject, which inquiry was held, after due public notice, and report has been made to them thereon :
Selby
Order.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the Statutes in that behalf, do hereby Declare that, from and after the commencement of this Order, all that portion of the Rural Sanitary District of the Selby Union which comprises the part of the Chapelry of Barlby known as "The Holmes," and is bounded on the west and in part on the north by the boundary line separating the Local Government District of Selby from the said Chapelry, on the remainder of the north and on the east by the boundary line separating the Parish of Wistow from the said Chapelry to the point where such last-named boundary line strikes the main course of the River Ouse, and on the south by the main course of the River Ouse, between the point at which such last-named boundary line strikes it and that at which the main course of the River Ouse is entered by the water course known as the Selby Dam, shall be included in, and shall, for the purposes of the Public Health Act, 1875, be deemed to form part of the said Local Government District of Selby.

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 eighty-one (herein referred to as "the commencement of this Order").

Art. II. The number of members constituting the Local Board of Health for the Local Government District of Selby as hereby altered shall, subject to the provisions of Rule 2 of Schedule II. to the Public Health Act, 1875, be the same as before the date of this Order.

Art. III. The Selby Local Board of Health shall, from time to time, levy and make such rates, in the nature of general district rates, upon the part of their District which constituted the Local Government District of Selby immediately before the commencement of this Order, as shall be sufficient to defray, in the manner provided by Section 234 of the Public Health Act, 1875, the said sum of four thousand four hundred and thirty-eight pounds two shillings and tenpence, or so much thereof as shall be owing at the commencement of this Order, and the interest due or to become due thereon, within the respective periods for which the loans, in respect of which the said sum is owing, were originally sanctioned.

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

J. G. DODSON, President.
JOHN LAMBERT, Secretary.

(L.S.)

LOCAL GOVERNMENT DISTRICT OF SHIRLEY.

A.D. 1881.

*Provisional Order for extending the Local Government District of Shirley,
and for other purposes.*

*Shirley
Order.*

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

To the Guardians of the Poor of the South Stoneham Union, in the said County, being the Sanitary Authority for the Rural Sanitary District of that Union ; —

And to all others whom it may concern.

WHEREAS the Local Government District of Shirley, in the County of Southampton, is an Urban Sanitary District, of which the Shirley Local Board are the Urban Sanitary Authority ;

And whereas that portion of the Rural Sanitary District of the South Stoneham Union, in the said County, which comprises the District Chapelry of Christchurch, Freemantle, immediately adjoins the Local Government District of Shirley ;

And whereas by Section 270 of the Public Health Act, 1875, it is enacted that the Local Government Board may, by Provisional Order, 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 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 some 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 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 Board proposed to issue a Provisional Order to include in the Local Government District of Shirley that portion of the Rural Sanitary District of the South Stoneham Union which comprises the District Chapelry of Christchurch, Freemantle, and accordingly directed Local Inquiry to be held on the subject, which Inquiry was held, after due public notice, and report has been made to them thereon :

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—
Shirley
Order.
—

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the Statutes in that behalf, do hereby Declare that from and after the commencement of this Order, all that part of the Rural Sanitary District of the South Stoneham Union which comprises the District Chapelry of Christchurch, Freemantle, 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 Shirley ;

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 eighty-one (herein referred to as "the commencement of this Order").

Art. II. The number of members of the Shirley Local Board shall, subject to the provisions of Rule 2 of Schedule II. to the Public Health Act, 1875, be increased from twelve to fifteen, and the three additional members 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, and shall, on the occasion of the first election of such additional members, be elected as members of such Local Board by the persons qualified to vote in the said District Chapelry of Christchurch, Freemantle.

Art. III. For the purposes of the first election of such additional members, the Chairman of the Shirley Local Board, or if the Chairman be unable or unwilling to act, or the office of Chairman be vacant, such person as the Local Government Board shall, by their 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 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 Shirley Local Board shall be held after the Returning Officer shall have made his certificate of election in accordance with Rule 42 or Rule 52, as the case may require, of the said Schedule, and such members shall continue in office until the days herein-after fixed for their retirement.

Provided that the Returning Officer shall publish notice of the said election, in accordance with Rule 36 of the said Schedule, within fourteen days after the commencement of this Order, and shall specify in such notice the dates on which the several proceedings necessary to complete such election shall be taken.

Art. IV. The three additional members so elected as aforesaid shall go out of office in the following order ; viz., one to be selected by the Local Board by ballot, on the Fifteenth day of April, One thousand eight hundred and eighty-three ; one of the remaining two, to be selected as aforesaid, on the Fifteenth day of April, One thousand eight hundred and eighty-four ; and the remaining member on the Fifteenth day of April, One thousand eight hundred and eighty five.

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Art. V. Any casual vacancy in the places of the said three members which may occur prior to the said Fifteenth day of April, One thousand eight hundred and eighty-five, shall be filled up like casual vacancies in the places of other members of the Local Board.

A.D. 1881.

Shirley
Order.

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

J. G. DODSON, President.

JOHN LAMBERT, Secretary.

(L.S.)

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