



CHAPTER lxxix.

An Act to confirm a Provisional Order of the Local Government Board relating to the Borough of Ryde. A.D. 1882.
[3rd July 1882.]

WHEREAS the Local Government Board have, as regards the borough herein mentioned, made the Provisional Order 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 Order should be confirmed by Parliament:

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 Order set out in the Schedule hereto shall be and the same is hereby confirmed, and all the provisions thereof shall, from and after the passing of this Act, have full validity and force. The Order in Schedule confirmed.

2. This Act may be cited as the Local Government Board's Provisional Order Confirmation (No. 10) Act, 1882. Short title.

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SCHEDULE.

BOROUGH OF RYDE.

Provisional Order for altering and amending a Confirming Act.

To the Mayor, Aldermen, and Burgesses of the Borough of Ryde, in the Isle of Wight, in the County of Southampton, being the Urban Sanitary Authority for that Borough;—

And to all others whom it may concern.

WHEREAS by the Ryde Improvement Act, 1854 (herein-after called "the Local Act"), certain Commissioners (herein-after called "the Commissioners") were appointed to execute the Local Act in the Town of Ryde;

And whereas in the year One thousand eight hundred and sixty-eight a Charter of Incorporation was granted to the Town of Ryde, and the said Town became a Borough, subject to the provisions of the Act passed in the fifth and sixth years of the reign of His late Majesty, King William the Fourth, intituled "An Act to provide for the regulation of Municipal Corporations in England and Wales;" and thereupon the Mayor, Aldermen, and Burgesses of the said Borough, acting by the Council, became the Local Board of Health within and for the District of the Borough, in the place of the Commissioners;

And whereas in or about the month of December, 1868, the Commissioners executed a deed poll under their Common Seal in accordance with the provisions of an Act of Parliament passed in the twentieth and twenty-first years of the reign of Her present Majesty, Queen Victoria, intituled "An Act to amend the Acts concerning Municipal Corporations in England," and thereby transferred all their powers, estates, property, and liability including the liability to repay the amount borrowed to defray certain private improvement expenses to the said Mayor, Aldermen, and Burgesses;

And whereas on the passing of the Public Health Act, 1872, the said Borough of Ryde became an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council, herein-after called "the Corporation," became the Urban Sanitary Authority;

And whereas by Art. X. of a Provisional Order of the Local Government Board dated the Fourth day of May, One thousand eight hundred and seventy-six, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (Bristol, &c.) Act, 1876 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), it is ordered that where in the said Borough provisions of the Local Act are in force, which relate to the same or similar subjects to those mentioned or contained in the Public Health Act, 1875, any proceedings which may require to be taken shall be taken under the provisions of the last-mentioned Act,

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and not under the Local Act, and the purposes of the unrepealed portions of the Local Act shall in all respects be deemed to be purposes of the Public Health Act, 1875 ;

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And whereas doubts have arisen whether under the provisions of Art. X. of the Order the Corporation can take proceedings under the Public Health Act, 1875, in cases where such proceedings arise out of any matter or thing done before the Twenty-ninth day of September, One thousand eight hundred and seventy-six, the date of the commencement of the Order ;

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 the Order is an Order made in pursuance of the Public Health Act, 1875 ;

And whereas the Corporation have applied to the Local Government Board to issue a Provisional Order to alter and amend the Confirming Act so far as it relates to the Order ;

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 Confirming Act so far as it relates to the Order shall be altered so as to provide that Article X. of the Order shall be read as if after the words, " and not under the said Local Acts " the following words " whether such proceedings arise out of " any matter or thing done under the Local Act or the Public Health Act, 1875, " and either before or after the Twenty-ninth day of September, One thousand " eight hundred and seventy-six," had been inserted therein.

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

(L.S.)

J. G. DODSON, President
JOHN LAMBERT, Secretary

