



**CHAPTER ccxiv.**

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Accrington and Church Outfall Sewerage District, the Boroughs of Bangor, Barnsley, and Burnley, the Local Government District of Fulwood, the City of Liverpool, the Local Government District of Llanelly, the Borough of Middlesbrough, the Improvement Act District of Milford, and the Borough of Nottingham. A.D. 1884.

[7th August 1884.]

**W**HEREAS the Local Government Board have made the Provisional Orders set forth in the schedule hereto, under the provisions of the Public Health Act, 1875 :

And whereas it is requisite that the said Orders 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 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 dates therein respectively mentioned, have full validity and force. The Orders in schedule confirmed.

2. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 7) Act, 1884. Short title.

A.D. 1884.

SCHEDULE.

*Accrington  
and Church  
Order.*

ACCRINGTON AND CHURCH OUTFALL SEWERAGE  
DISTRICT.

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

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

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

And to all others whom it may concern.

WHEREAS the Borough of Accrington, in the County of Lancaster, 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 the Local Government District of Church, in the same  
County, is an Urban Sanitary District of which the Church Local Board  
(herein-after referred to as “the Local Board”) are the Urban Sanitary  
Authority, and the Corporation and the Local Board are the Local Authorities  
for the said Urban Sanitary Districts respectively within the meaning of the  
Public Health Act, 1875 ;

And whereas by Section 6 of the Accrington Improvement Act, 1882 (here-  
after referred to as “the Local Act”), it is enacted as follows :—

“The Corporation and the Local Board shall concur in making forthwith a  
“ joint application to the Local Government Board under the provisions  
“ of the Public Health Acts, for the formation of the Borough and the  
“ District of the Local Board into United District, to be subject to the  
“ jurisdiction of a Joint Board, in order to carry into effect a system of outfall  
“ sewerage for the use of the United District, and such outfall sewer shall  
“ terminate, and the sewage shall be treated and disposed of, at one or the  
“ other of two sites belonging or reputed to belong to Henry Petre, being  
“ the owner or reputed owner as tenant for life of the same (subject to the  
“ now existing tenancies), namely, at Copsy Clough within the district of  
“ the Local Board, or at a point lower down the river Hyndburn, and  
“ situate within the Townships of Rishton and Clayton le Moors, and  
“ known as the Holt Mill Valley, such two sites being respectively shown

“ upon the plan signed by the Right Honourable George Selater-Booth,  
“ the Chairman of the Committee to whom the Bill for this Act was  
“ referred, and deposited in the Private Bill Office of the House of  
“ Commons. Provided always, that the question which is the better of  
“ the two sites above referred to, for the treatment and disposition of the  
“ sewage of the United District, shall be left to be decided by the Local  
“ Government Board after the usual local and public enquiry before an  
“ inspector of such Board, at which enquiry the Corporation, the Local  
“ Board, and the said owner shall respectively be at liberty to attend and  
“ give evidence in favour of one or other of the said sites. The Corpora-  
“ tion, the Local Board, and the said owner respectively, shall not nor  
“ shall any of them be at liberty to oppose the confirmation in Parliament  
“ of the Provisional Order embodying the result of such decision and  
“ constituting the United District for the purposes aforesaid, provided  
“ always, that in construing for the purposes of this Section, the Lands  
“ Clauses Consolidation Acts, as incorporated with this Act, the Special  
“ Act shall be construed to mean this Act and the Act confirming the  
“ aforesaid Provisional Order, and the Promoters of the Undertaking shall  
“ be construed to mean such Joint Board as aforesaid, and land shall be  
“ construed to mean any right over land, provided also, that the compensa-  
“ tion to be paid to Mr. Petre or other the owner in respect of the selected  
“ site, shall be assessed upon the basis of a compulsory taking of the said  
“ site under the powers of the Lands Clauses Consolidation Acts, and that  
“ nothing in this Act contained shall extend to enable the Joint Board to  
“ compulsorily purchase any mines of coal, iron, ore, slate, or other minerals  
“ under any land included in the site, to be selected as aforesaid, and  
“ all such mines and minerals shall be deemed to be excepted out of the  
“ conveyance (if any) of such lands ;”

A.D. 1884.  
Accrington  
and Church  
Order;

And whereas the Corporation and the Local Board made a joint application to the Local Government Board in pursuance of Section 6 of the Local Act, to issue a Provisional Order to form the said Urban Sanitary Districts into a United District, for the purpose of making a main sewer and carrying into effect a system of outfall sewerage for the use of the said Urban Sanitary Districts ;

And whereas, after due public notice, local and public Inquiry has been held by one of the Inspectors of the Local Government Board on the subject of such application, and also as to which of the two sites referred to in Section 6 of the Local Act is the better for the treatment and disposal of the sewage of the United District, and report has been made to the Local Government Board thereon :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the several Statutes in that behalf, 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-four, herein-after referred to as “ the commencement of this Order.”

[Ch. ccxiv.] *Local Government Board's* [47 & 48 VICT.]  
*Provisional Orders Confirmation (No. 7) Act, 1884.*

A.D. 1884.

*Accrington  
and Church  
Order.*

Art. II. The Urban Sanitary Districts of Accrington and Church (herein-after referred to as "the Constituent Districts") shall be formed into a United District, to be called the Accrington and Church Outfall Sewerage District (herein-after referred to as "the United District"), for the purposes herein mentioned.

Art. III. The Joint Board, which shall be the governing body of the said United District (herein-after referred to as "the Joint Board"), shall consist of two ex-officio and ten elective members, and shall be called the Accrington and Church Outfall Sewerage Board.

Art. IV. The ex-officio members shall be the persons described in column 3 of the Schedule hereto, and the elective members shall be elected by the Sanitary Authorities mentioned in column 2 of the said Schedule (herein-after referred to as "the Constituent Authorities").

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

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

Art. VII. The first election of members of the Joint Board shall take place at a meeting of each of the Constituent Authorities to be held within six weeks from the commencement of 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 Constituent Authorities by the Clerks to such Authorities respectively.

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

Art. IX. An elective member of the Joint Board shall continue in office until the expiration of the period for which he was elected a member of the Joint Board, or until he dies, or resigns, or becomes disqualified, or ceases to be a member of the Constituent Authority as a member of which he was qualified to be elected, or until he becomes an ex-officio member of the Joint Board, whichever shall first happen; and a member who ceases to hold office by reason of the expiration of his period of office, or by reason of his resignation or disqualification, or ceasing to be a member of such Constituent Authority, shall, subject to the provisions of Art. VI. of this Order, be re-eligible as a member of the Joint Board, provided that at the time of re-election he is qualified to be so re-elected.

Art. X. Any vacancy occurring in the Joint Board by death, resignation, disqualification, or otherwise, shall be filled up by the Constituent Authority in whose representation the vacancy happens at a meeting to be held within six

weeks of such vacancy occurring, or within such further period as the Local Government Board may, by Order, determine, and fourteen days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the Clerk to such Authority.

A.D. 1884.  
—  
*Accrington  
and Church  
Order.*  
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Art. XI. The time and place of holding the first meeting of the Joint Board shall be fixed by the Local Government Board, and the subsequent ordinary meetings of the Joint Board shall be held at such times and places as the Joint Board may appoint; and at all meetings of the Joint Board three members shall constitute a quorum.

Provided that an extraordinary meeting shall be summoned by the Clerk to the Joint Board, when a requisition for that purpose is addressed to him by the Chairman, or any three members, of the Joint Board.

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

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

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

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

(a.) For making and maintaining a system of outfall sewerage, and such main sewer or main sewers and works as may be required for the reception and disposal of the sewage from the sewers of the Constituent Districts.

(b.) For purchasing such lands, and erecting, making, maintaining, and working such works, machinery, and plant as may be required for conveying the sewage of the United District to a convenient place or places where it may be purified, and for purifying the same, by precipitation and filtration or otherwise, in such manner that it may be discharged into any stream, river, or watercourse without breach of the Rivers Pollution Prevention Act, 1876, or of any other provisions of the law; and it shall be the duty of the Joint Board to carry out and perform the purposes for which the United District is formed within a period of three years from the commencement of this Order, and in default of their so doing, they shall be deemed to be a Local Authority which has made default in providing their District with sufficient sewers within the meaning of Section 299 of the Public Health Act, 1875.

[Ch. ccxiv.] *Local Government Board's* [47 & 48 VICT.]  
*Provisional Orders Confirmation (No. 7) Act, 1884.*

A.D. 1884.

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

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

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

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

Sections 175, 176, and 177, relating to purchase of Lands.

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

Section 192 (except as regards the Inspector of Nuisances), Sections 193 to 197, Section 200, and Sections 203 to 206, all inclusive, relating to Officers and Conduct of Business of Local Authorities.

Sections 245, 247, (as amended by the District Auditors Act, 1879,) 249 and 250, relating to Audit.

Sections 251 to 254, and Sections 258 to 267, all inclusive, and Section 269, relating to legal Proceedings.

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

Sections 299 (except so far as relates to Water Supply), 300, 301, and 302, relating to defaulting Local Authorities.

Sections 305 to 309, both inclusive.

Sections 327, 328, and 329.

Art. XV. The expenses incurred by the Joint Board in carrying out the purposes for which the United District is formed, including all establishment charges, remuneration to treasurer, clerk, officers, and servants, shall be defrayed out of a Common Fund, to be contributed by the Constituent Districts respectively, in manner provided by Section 283 of the Public Health Act, 1875 ; and, for the purposes of this Order, any person appointed by the Joint Board may inspect, take copies of, or make extracts from, the Valuation List and Poor Rate of the Townships of Accrington and Church respectively, and any book relating to the same.

Art. XVI. The accounts of the Joint Board shall at all reasonable times be open to inspection and transcription by any member of either of the Constituent Authorities or by an officer of either of the Constituent Authorities authorised by them for that purpose, without payment.

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

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

[47 & 48 VICT.] *Local Government Board's* [Ch. cccxiv.]  
*Provisional Orders Confirmation (No. 7) Act, 1884.*

matter into such sewers, or into any drain, channel, or watercourse communicating therewith.

A.D. 1884.

*Accrington  
and Church  
Order.*

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

Art. XX. Each Constituent Authority shall be entitled as of right to have communication from any of their sewers into the main sewer or sewers of the Joint Board.

Provided that the communications between the sewers of each Constituent Authority and those of the Joint Board shall be made by the Joint Board, at the expense of the Constituent Authority; and shall, when made, be wholly under the control of the Joint Board, and the Joint Board shall be at liberty at any time to alter such communications accordingly.

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

Art. XXI. If at any time any difference arises between the Joint Board on the one hand and either of the Constituent Authorities on the other hand, as to whether any sewer is a main sewer, or ought to be treated as such, it shall be referred to the Local Government Board whose decision thereon shall be conclusive; but any other difference which arises between the Joint Board on the one hand and either of the Constituent Authorities on the other hand, or between the Constituent Authorities, respecting any matter arising out of the provisions of this Order, the same shall be referred to and be settled by arbitration, in the manner provided by the Public Health Act, 1875, except in any case otherwise herein-before provided for.

Art. XXII. If the main sewer or sewers of the Joint Board do not come within or up to the boundary of either of the Constituent Districts, any communication between the sewers of such District, and such main sewer or sewers which is outside the boundary thereof, shall be made by and at the expense of the Joint Board.

[Ch. ccxiv.] *Local Government Board's* [47 & 48 VICT.]  
*Provisional Orders Confirmation (No. 7) Act, 1884.*

A.D. 1884.

*Accrington  
and Church  
Order.*

Art. XXIII. All costs, charges, and expenses of, and incidental to the formation of the United District, and to the decision of the question left by Section 6 of the Local Act, to be decided by the Local Government Board, incurred by the Constituent Authorities, shall be a first charge on the rates leviable in the United District in pursuance of the Public Health Act, 1875 :

Provided that such costs, charges, and expenses shall not include any costs, charges, and expenses incurred by either of the Constituent Authorities in promoting or opposing the Local Act or in relation thereto.

And We, the Local Government Board, do hereby, in pursuance of the powers conferred upon Us by Section 6 of the Local Act, decide that the site at Copsy Clough, in the District of the Local Board, is the better of the two sites referred to in that Section for the treatment and disposal of the sewage of the United District.

The SCHEDULE above referred to.

URBAN SANITARY DISTRICTS.

1. Name of District.	2. Name of Sanitary or Local Authority.	3. Ex-officio Members.		4. Elective Members.
		Number.	Description.	Number.
The Borough of Accrington -	The Mayor, Aldermen, and Burgesses of the Borough of Accrington, acting by the Council.	1	The Mayor	8
The Local Government District of Church.	The Church Local Board -	1	The Chairman of the Local Board.	2

Given under the Seal of Office of the Local Government Board, this Seventeenth day of May, One thousand eight hundred and eighty-four.

(L.S.)

CHARLES W. DILKE, President.  
 HUGH OWEN, Secretary.



BOROUGH OF BANGOR.

A.D. 1884.

*Provisional Order under Section 304 of the Public Health Act,  
1875.*

Bangor  
Order.

To the Mayor, Aldermen, and Burgesses of the Borough of Bangor, in the County of Carnarvon ; —

To the Guardians of the Poor of the Bangor and Beaumaris Union, in the Counties of Carnarvon and Anglesey ; —

And to all others whom it may concern.

WHEREAS the Parish of Bangor, in the County of Carnarvon aforesaid, was formerly, as to the part thereof within the then Urban Sanitary District of Bangor, under the authority of the Bangor Local Board (herein-after referred to as "the Local Board"), and as to the other or remaining part thereof (herein-after referred to as "the contributory place") within the Rural Sanitary District of the Bangor and Beaumaris Union, under the authority of the Rural Sanitary Authority of that Union (herein-after referred to as "the Rural Sanitary Authority") ;

And whereas by an Agreement dated the Seventeenth day of March, One thousand eight hundred and eighty-one, and purporting to be made between the Local Board of the one part, and the Rural Sanitary Authority of the other part, it was agreed (inter alia) that for the purpose of enabling the Rural Sanitary Authority to dispose of the sewage of a part of the contributory place the Local Board should construct and thereafter maintain a certain length of sewer, and that the Rural Sanitary Authority should from the completion of such sewer for ever thereafter pay to the Local Board an annual rent equal to five pounds per centum per annum on the outlay of the Local Board in constructing the said sewer ;

And whereas by Royal Charter dated the Tenth day of August, One thousand eight hundred and eighty-three, the Local Board District, with certain parts (herein-after referred to as "the included part") of the contributory place were constituted the Municipal Borough of Bangor ;

And whereas the first meeting of the Mayor, Aldermen, and Burgesses of the Borough (who are herein-after referred to as "the Corporation,") was held on the Ninth day of November, One thousand eight hundred and eighty-three, which date is herein-after referred to as "the vesting period" ;

And whereas the Rural Sanitary Authority, prior to the vesting period, executed certain works of sewerage within the included part and expended thereon on capital account the sum of Three hundred and twenty-eight pounds nineteen shillings and elevenpence, such sum being part of a larger sum of Four hundred pounds advanced to them by the Public Works Loan Commissioners for that purpose, and charged upon the rate leviable for special expenses in the contributory place ;

And whereas the Rural Sanitary Authority have repaid to the Public Works Loan Commissioners three half-yearly instalments of principal, amounting together to the sum of Twenty pounds, and the sum of Seventy-one pounds and one

[Ch. ccxiv.] *Local Government Board's* [47 & 48 VICT.]  
*Provisional Orders Confirmation (No. 7) Act, 1884.*

A.D. 1884

*Bangor*  
*Order.*

penny, being the unexpended balance of the said principal sum of Four hundred pounds, leaving now due from them to the Public Works Loan Commissioners the sum of Three hundred and eight pounds nineteen shillings and elevenpence ;

And whereas at the vesting period there was a balance due from the contributory place to the Rural Sanitary Authority, and there was due from the Rural Sanitary Authority to the Local Board a certain sum for rent, in accordance with the provisions of the recited agreement, and since the vesting period the Rural Sanitary Authority have paid one of the above-mentioned instalments of principal, and a sum for interest on the above-mentioned loan :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 304 of the Public Health Act, 1875, and by any other 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 principal sum of Three hundred and eight pounds nineteen shillings and elevenpence (being the residue of the said principal sum of Four hundred pounds) so owing to the Public Works Loan Commissioners as aforesaid, together with all interest accrued and to accrue due thereon shall be discharged by the Corporation by the same payments and within the same period as the same would have been discharged by the Rural Sanitary Authority but for this Order, and such principal sum and interest shall be a charge on the general district rate and district fund of the Borough and the rates leviable in respect of special expenses in the contributory place shall no longer be charged with the payment of such principal sum and interest.

Art. II. The Corporation shall pay to the Rural Sanitary Authority out of the district fund the sum of Nine pounds nine shillings and eightpence, and the Rural Sanitary Authority shall receive the same in full discharge of the balance due to them in respect of the above-mentioned payments and liabilities, and the said sum, when received by the Rural Sanitary Authority, shall be applied by them to purposes to which moneys received in respect of special expenses account in so much of the contributory place as is not included in the Borough are applicable.

Art. III. All arrears of rates unrecovered at the vesting period, and not recovered at the commencement of this Order, may be recovered by the persons entitled to recover the same immediately before the vesting period in the same manner as they might have been recovered if the said Charter had not come into operation, and shall be paid by such persons to the Rural Sanitary Authority.

Art. IV. The herein-before recited agreement shall be cancelled as from the vesting period.

Given under the Seal of Office of the Local Government Board, this  
Fourth day of June, One thousand eight hundred and eighty-four.

CHARLES W. DILKE, President.  
HUGH OWEN, Secretary.

(L.S.)

BOROUGH OF BARNLSLEY.

*Provisional Order for altering certain Local Acts and  
Confirming Acts.*

A.D. 1884.

*Barnsley  
Order.*

To the Mayor, Aldermen, and Burgesses of the Borough of Barnsley, 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 by Section 114 of an Act passed in the third year of the reign of His late Majesty King George the Fourth, c. xxv., intituled "An Act for lighting, paving, cleansing, watching, and improving the Town of Barnsley, in the West Riding of the County of York" (herein-after referred to as "the Act of 1822"), the Commissioners constituted under that Act were empowered from time to time to borrow and take up at interest any sum or sums of money, not exceeding in the whole the sum of Two thousand pounds, upon the credit of the rates or assessments thereby authorised to be made and collected, under the name and description of "The Lighting and Watching Rate"; and also from time to time to borrow and take up at interest any further sum or sums of money, not exceeding in the whole the sum of Three thousand five hundred pounds, upon the credit of the rates or assessments thereby authorised to be made and collected under the name of "The Public Improvement Rate"; but no provision was made in the said Act for the repayment of the sums borrowed within a limited period;

And whereas the said Commissioners from time to time borrowed certain sums on the security of the said rates, and there still remains due and owing of such sums the sum of Seven hundred and sixty pounds;

And whereas by an Order of the General Board of Health dated the Ninth day of November, One thousand eight hundred and fifty-two, and confirmed by the Public Health Supplemental Act, 1853 (No. 1.), (herein-after referred to as "the Confirming Act of 1853"), the Public Health Act, 1848, except Section 50 thereof, was made applicable to the Township of Barnsley, and the parts of the Act of 1822 specified in the Schedule to that Order were repealed, except as therein specified, which repealed parts include all the provisions of the Act of 1822 with reference to borrowing and the repayment of borrowed moneys;

And whereas the said Order provided that all debts of the said Commissioners should be paid and satisfied by the Local Board to be constituted under that Order (herein-after referred to as "the Local Board") out of the property and estate of the said Commissioners transferred to such Local Board, and if such property and estate were insufficient the deficiency should be charged upon the rates leviable under the Public Health Act, 1848;

And whereas by a Provisional Order of one of Her Majesty's Principal Secretaries of State, dated the Eighteenth day of April, One thousand eight hundred and sixty, and duly confirmed by the Local Government Supplemental Act, 1860 (which Order and Act are herein-after respectively referred to as

[Ch. ccxiv.] *Local Government Board's* [47 & 48 VICT.]  
*Provisional Orders Confirmation (No. 7) Act, 1884.*

A.D. 1884.

*Barnsley  
Order.*

“the Order of 1860” and the “Confirming Act of 1860,”); the Local Board were authorised to borrow or re-borrow for the execution and completion of certain works therein mentioned, and on mortgage of the rates leviable by them under the powers of the Public Health Act, 1848, and the Local Government Act, 1858, an amount not exceeding in the whole two years’ assessable value of the premises assessable under such Acts, within the district of the Local Board, to be repaid with interest thereon within a period of fifty years from the date of the borrowing thereof.

And whereas by Section 58 of the Barnsley Local Board Act, 1862 (herein-after referred to as “the Act of 1862”), it was enacted that the Local Board might from time to time, under the authority of that Act, in addition to any moneys they had borrowed or were authorised to borrow under the Public Health Acts, borrow at interest, on mortgage of the water rates and other revenue of the Local Board arising therefrom, and of the improvement rates, or of any of such securities, either together or separately, all such sums as they might from time to time think requisite for all or any of the purposes of that Act, not exceeding in the whole the sum of Forty-nine thousand nine hundred pounds;

And whereas by Section 7 of the Barnsley Local Board Act, 1866 (herein-after referred to as “the Act of 1866”), it was enacted that the Local Board might from time to time, under the authority of that Act, in addition to any moneys they had borrowed or were authorised to borrow under the Public Health Acts and under the Act of 1862, borrow at interest, on mortgage of the water rates and other revenue of the Local Board arising therefrom, and of the improvement rate, as authorised by the Act of 1866, or of any of such securities, either together or separately, all such sums as they might from time to time think requisite for all or any of the purposes of the Act of 1862 and of the Act of 1866, not exceeding in the whole the sum of Fifty thousand pounds;

And whereas by a Royal Charter of Incorporation dated the Fifth day of July, One thousand eight hundred and sixty-nine, the Township of Barnsley was created a Municipal Borough by the name of the “Borough of Barnsley” (herein-after referred to as “the Borough”), and the inhabitants of the Borough and their successors were declared to be one body politic and corporate by the name of the “Mayor, Aldermen, and Burgesses of the Borough of Barnsley” (herein-after referred to as “the Corporation”);

And whereas by a Provisional Order of the Local Government Board, dated the Fifteenth day of May, One thousand eight hundred and eighty, and duly confirmed by the Local Government Board’s Provisional Orders Confirmation (Alnwick Union, &c.) Act, 1880 (which Order and Act are herein-after respectively referred to as “the Order of 1880” and the “Confirming Act of 1880”), section 7 of the Act of 1866 was altered and amended so as to enable the Corporation, subject to the sanction of the Local Government Board, to borrow under the provisions thereof on mortgage of the water rates and other revenue of the Urban Sanitary Authority arising therefrom, and of the improvement rate or any of such securities either together or separately,

any sum or sums not exceeding in the whole the sum of Twenty thousand pounds, in addition to the sum of Fifty thousand pounds authorised to be borrowed by that section :

A.D. 1884.

*Barnsley*  
*Order.*

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act, 1875, and by any other 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 Confirming Act of 1860, so far as it confirms the Order of 1860, shall be repealed in so far as it confers any borrowing powers on the Corporation, and so far as it relates to the period for repayment of moneys borrowed, but not in so far as it confers on the Corporation power to reborrow any moneys borrowed under it and still owing. Provided that such power shall be subject to the provisions of Article III. of this Order.

Art. II. Section 13 of the Act of 1866 shall be amended by the insertion of the words "Fourthly in providing for the discharge of any moneys borrowed " or reborrowed for the purposes of this Act " in lieu of the paragraph beginning with the word "Fourthly."

Art. III. The Local Acts and Confirming Acts shall be altered and amended so as to provide as follows :—

- (1.) The provisions of the Order of 1880 relating to the mode of repayment of the moneys borrowed under that Order shall not apply to moneys borrowed under that Order prior to the commencement of this Order, but the Corporation shall, out of the Rates and Revenues upon which the same are charged, repay all moneys heretofore borrowed under the provisions of the Local Acts, or the Order of 1860, or the Order of 1880, and remaining unpaid at the commencement of this Order, within thirty-seven years from the Twenty-fifth day of March, One thousand eight hundred and eighty-four, 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 with accumulations in the way of compound interest at the rate of Three pounds per centum per annum be sufficient after the payment of all expenses to pay off the moneys so borrowed within the said period of thirty-seven years, and shall invest such sinking fund and the income thereof in the purchase of exchequer bills or other government securities, or in securities in which trustees are by law for the time being authorised to invest, or in mortgages, debentures, debenture stock, or other securities issued by any Local Authority as defined by Section 34 of the Local Loans Act, 1875, other than the Urban Sanitary Authority, the Corporation being at liberty from time to time to vary and transpose such investments.
- (2.) The Corporation 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 Corporation pay into the fund each year and accumulate until the whole of the money in

A.D. 1884.

*Barnsley  
Order.*

respect of which the fund is established is discharged, a sum equivalent to the interest at Three pounds per centum per annum, which would have been produced by the sinking fund or part of the sinking fund so applied.

- (3.) The payments to the sinking fund under this Order shall be made on the First day of March in every year, and the first payment shall be made on the First day of March, One thousand eight hundred and eighty-five.
- (4.) Any moneys repaid under the provisions of this Order shall not be reborrowed.
- (5.) Nothing in this Order contained shall in any way vary the obligations of the Corporation with respect to the repayment of the outstanding balances of the loans of Forty thousand pounds and Fifteen thousand pounds advanced to the Corporation by the Public Works Loan Commissioners on the Nineteenth day of June, One thousand eight hundred and seventy-seven, and the Twentieth day of May, One thousand eight hundred and seventy-nine.

Art. IV. The Local Acts shall be further altered and amended so as to provide that—

- (a.) The Town Clerk shall, within twenty-one days after the expiration of each year during which any sum is required to be paid as an instalment, or to be set apart for a sinking fund, in respect of moneys borrowed under the Local Acts as altered and amended, whether before or after the commencement of this Order, or in respect of moneys reborrowed for the repayment of moneys so borrowed, 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 amounts which have been paid as instalments, and the amounts which have been invested or applied for the purposes 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 sinking fund or investment, 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. And in the event of any wilful default in making such return, such Town Clerk shall be liable to a penalty not exceeding Twenty pounds, which shall be paid to the Local Government Board, and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act, 1875, in a summary manner may be recovered by parties aggrieved within the meaning of that Act.
- (b.) If it appears to the Local Government Board, by that return or otherwise, that the Corporation have failed to pay any instalment or other sum required to be paid or applied in repayment of borrowed moneys or to set apart any sum required for any sinking fund, or have applied any portion of the money set apart for any sinking fund, or of the sums accumulated by way of interest, or any other sums properly

applicable in repayment of borrowed moneys 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 by way of instalment, or 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.

A.D. 1884.

—  
*Barnsley*  
*Order.*  
—

Given under the Seal of Office of the Local Government Board,  
this Twenty-eighth day of May, One thousand eight hundred  
and eighty-four.

CHARLES W. DILKE, President.

HUGH OWEN, Secretary.

(L.S.)

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## BOROUGH OF BURNLEY.

### *Provisional Order for altering certain Local Acts, and Confirming Acts.*

*Burnley*  
*Order.*  
—

To the Mayor, Aldermen, and Burgesses of the Borough of Burnley, 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 Burnley, in the County of Lancaster, 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 the Burnley Borough Improvement Act, 1871 (herein-after referred to as "the Act of 1871"), as amended by the Burnley Borough Improvement Act, 1883 (herein-after referred to as "the Act of 1883"), the Provisional Orders herein-after recited, and by certain other Provisional Orders of the Local Government Board, so far as it has not been repealed by such Act and Orders, and the Act of 1883, are in force in the District;

And whereas by Section 204 of the Act of 1871 it was provided that the Corporation might let for hire any meter or instrument for measuring the quantity of gas supplied and consumed, and any pipes and apparatus for the conveyance, reception, or storage of the gas for such remuneration in money as might be agreed upon between them and the hirer, which should be recoverable as gas rent, and that the meters, instruments, pipes, and apparatus should not be subject to distress for rent of the premises where the same were used, or be attached or taken in execution under any legal proceeding against or affecting the consumer of the gas or the occupier of the premises, or other the person in whose possession the meters, instruments, pipes, and apparatus might be;

And whereas by Section 468 of the Act of 1871, the Corporation were empowered from time to time, in addition to any existing mortgage debt, to borrow

[Ch. ccciv.] *Local Government Board's* [47 & 48 VICT.]  
*Provisional Orders Confirmation (No. 7) Act, 1884.*

A.D. 1884.

*Burnley*  
*Order.*

at interest, on the security of the estates and property of the Corporation and the Borough Fund and Borough Rates, any sums not exceeding in the whole One hundred and twelve thousand pounds, and to mortgage their estates and property and the Borough Fund and Borough Rates to secure the repayment thereof, with interest, accordingly;

And whereas by Section 469 of the Act of 1871, it was enacted that the Corporation should not, out of the money borrowed by them under that Act, expend more than Twenty thousand pounds in connection with the supply of gas;

And whereas by a Provisional Order of the Local Government Board dated the First day of May, One thousand eight hundred and seventy-eight, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (Belper Union, &c.) Act, 1878 (which Order and Act are herein-after respectively referred to as "the Order of 1878" and "the Confirming Act of 1878"), Section 468 of the Act of 1871 was altered and amended so as to enable the Corporation to borrow under the provisions thereof a sum not exceeding Thirty-five thousand pounds, in addition to the sum of One hundred and twelve thousand pounds therein mentioned; and Section 469 of the Act of 1871 was also altered and amended so as to provide that such further sum as might be borrowed by the Corporation under that Act as thereby altered and amended, should be applied in connection with the supply of gas;

And whereas by another Provisional Order of the Local Government Board dated the Ninth day of May, One thousand eight hundred and eighty-three, and confirmed by the Local Government Board's Provisional Orders Confirmation (No. 5) Act, 1883 (which Order and Act are herein-after respectively, referred to as "the Order of 1883" and "the Confirming Act of 1883"), the Confirming Act of 1878 so far as it related to the Order of 1878 was altered and amended by the insertion therein of the words "forty-six thousand pounds" in lieu of the words "thirty-five thousand pounds" wherever the words "thirty-five thousand pounds" occurred therein;

And whereas by Section 76 of the Act of 1883 it was enacted that from and after the passing of that Act all the provisions contained in any of the Acts or Orders set forth in the first Schedule thereto (which included the Act of 1871 and the Order of 1878) for the creation of sinking funds for the repayment of moneys borrowed under those Acts or Orders, or any of them, should be and the same were thereby repealed, save as to any act done under the provisions thereof prior to the passing of the Act of 1883;

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act, 1875, and by any other 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 204 of the Act of 1871, shall be altered and amended so as to provide that it shall be lawful for the Corporation within the Borough to purchase, sell, or let on hire, gas cooking ovens, stoves, burners, or other fittings or apparatus used in the supply or consumption of gas for cooking and heating purposes.



[47 & 48 VICT.]      *Local Government Board's*      [Ch. ccxiv.]  
*Provisional Orders Confirmation (No. 7) Act, 1884.*

Art. II. The provisions of Sections 198, 199, and 200 of the Act of 1871, with reference to the security to be given for gas rents and meter rents, shall be applicable to the rents for the supply of gas or apparatus under Article I. of this Order.

A.D. 1884.

*Burnley*  
*Order.*

Art. III. The Confirming Act of 1883 shall be altered and amended so as to insert in the Order of 1883 the words "Fifty thousand pounds" in lieu of the words "Forty-six thousand pounds" occurring therein.

Provided always that the sanction of the Local Government Board to the borrowing of the further sum of Four thousand pounds which the Corporation will be enabled to borrow under this Order, shall not be required.

Art. IV. Sections 77 and 78 of the Act of 1883 shall be altered and amended so as to provide that the Corporation shall discharge the sum of four thousand pounds which they are authorised to borrow by this Order within twenty years from the date of borrowing or respective dates of borrowing thereof, 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 with accumulations in the way of compound interest at the rate of three pounds per centum per annum, be sufficient after the payment of all expenses, to pay off the money so borrowed within the prescribed period, and shall invest such sinking fund and the income thereof in the purchase of exchequer bills or other government securities, or in securities in which trustees are by law for the time being authorised to invest, or in mortgages, debentures, debenture stock, or other securities issued by any Local Authority as defined by Section 34 of the Local Loans Act, 1875, other than the Corporation, the Corporation being at liberty from time to time to vary and transpose such investments. The Corporation may from time to 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 Corporation pay into the fund each year and accumulate until the whole of the money is discharged, a sum equivalent to the interest at three pounds per centum per annum, which would have been produced by the sinking fund, or part of the sinking fund so applied.

Art. V. The provisions of Section 86 of the Act of 1883 shall extend and apply to all sums required to be set apart as a sinking fund or to be paid by way of instalment under this Order.

Given under the Seal of Office of the Local Government Board, this  
Thirty-first day of May, One thousand eight hundred and  
eighty-four.

CHARLES W. DILKE, President.  
HUGH OWEN, Secretary.

(L.S.)

[Ch. ccxiv.] *Local Government Board's* [47 & 48 VICT.]  
*Provisional Orders Confirmation (No. 7) Act, 1884.*

A.D. 1884.

*Fulwood  
Order.*

LOCAL GOVERNMENT DISTRICT OF FULWOOD.

*Provisional Order for altering and amending a Local Act.*

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

And to all others whom it may concern.

WHEREAS the Local Government District of Fulwood, in the County of Lancaster, is an Urban Sanitary District, of which the Fulwood Local Board (herein-after referred to as "the Local Board"), are the Urban Sanitary Authority, and the Fulwood and Whittingham Water Act, 1882 (herein-after referred to as "the Local Act"), is in force in the said District;

And whereas by Section 4 of the Local Act the Local Board were empowered to make, construct, and maintain the reservoir and works described in and authorised by Part I. of the Lancashire County Justices Act, 1880 (herein-after referred to as "the Act of 1880"), and all the powers in that behalf conferred on the Committee of Visitors for the time being of the Lunatic Asylum for the County of Lancaster, situate at Whittingham, by the Act of 1880, were transferred to and became exerciseable by the Local Board, subject to the provisions of the Act of 1880 and the Local Act;

And whereas by Section 20 of the Local Act it is enacted that the Local Board may from time to time borrow on the security of the revenue of the water undertaking authorised by that Act and the Act of 1880, and of their district fund and general district rate (subject to the provisions of the Local Act), such sums as they may require for defraying the costs, charges, and expenses, preliminary, and of and incident to the obtaining and passing of the Local Act, the boring and search for water at or near Fulwood Row before the passing of the Local Act, and the acquisition of land and the construction of the works authorised by the Act of 1880, and by the Local Act, not exceeding in the whole Fifteen thousand pounds:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the Local Act shall be altered and amended so as to provide that the Local Board may, with the sanction of the Local Government Board, borrow thereunder and in addition to the sum of Fifteen thousand pounds mentioned in Section 20 thereof, any sum or sums not exceeding in the whole the sum of Eight thousand pounds.

Provided that all moneys borrowed under the powers conferred by this Order shall be repaid within such period as the Local Government Board, by their sanction, may in each case determine.

Given under the Seal of Office of the Local Government Board, this  
Thirty-first day of May, One thousand eight hundred and eighty-four.

(L.S.)

CHARLES W. DILKE, President.  
HUGH OWEN, Secretary.

CITY OF LIVERPOOL.

A.D. 1884.

*Provisional Order for 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, in the County of Lancaster (herein-after referred to as "the City") 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 whereas the Liverpool Sanitary Amendment Act, 1864 (herein-after referred to as "the Act of 1864"), except so far as the same has been repealed by a Provisional Order of the Local Government Board dated the Second day of May, One thousand eight hundred and seventy-nine, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (Axminster Union, &c.) Act, 1879, (which Order and Act are herein-after respectively referred to as "the Order of 1879," and "the Confirming Act of 1879"), the Liverpool Improvement Act, 1867 (herein-after referred to as "the Act of 1867"), the Liverpool Corporation Loans Act, 1880 (herein-after referred to as "the Act of 1880"), and the Liverpool Improvement Act, 1882 (herein-after referred to as "the Act of 1882"), are in force in the City ;

And whereas by Section 29 of the Act of 1864 the Corporation were for the purposes of that Act empowered from time to time to borrow and reborrow by mortgage of the rate or moneys authorised to be raised by that Act such sums as they thought fit, not exceeding in the whole One hundred thousand pounds ;

And whereas by Section 73 of the Act of 1867 the Corporation were empowered to borrow and reborrow on mortgage of the general rate any sums not exceeding the further sum of One hundred thousand pounds, for the purposes of the Act of 1864 ;

And whereas by Section 4 of the Act of 1880, it is enacted that, subject to the provisions of that Act, the Corporation may from time to time by resolution determine to create capital stock, to be called "Liverpool Corporation Stock," for (inter alia) raising any sum (to be specified in such resolution) on account of any moneys which they have authority to raise by borrowing under the powers conferred upon them by any of the Corporation Acts (which Acts included the Act of 1864 and the Act of 1867), for any of the purposes of the same, and which they have not then raised ;

And whereas by Section 43 of the Act of 1880, it is enacted that where by any Act or Provisional Order passed or confirmed in the then present or any future session of Parliament, the Corporation are empowered to borrow any moneys for the purposes in such Act or Order mentioned, and it is by such Act or Order provided that for the purpose of raising or securing the moneys thereby authorised to be borrowed, the Corporation may create and issue capital stock, then and in every such case any further capital stock created and issued under the authority of such Act or Order shall be deemed to be Corporation stock created and issued

[Ch. CCXIV.] *Local Government Board's* [47 & 48 VICT.]  
*Provisional Orders Confirmation (No. 7) Act, 1884.*

A.D. 1884.

*Liverpool*  
*Order.*

under the authority of the Act of 1880, and shall rank *pari passu* therewith, and all the provisions of that Act shall extend and apply to the creation and issue of such further stock and to the security for the same, and otherwise in relation thereto in every respect as if such Act or Order were mentioned in the First Schedule to the Act of 1880, and such Act or Order were included in the expression "the Corporation Acts," as used in the Act of 1880; and that the Act of 1880, and all deeds, securities, instruments, and documents in which that Act is mentioned or referred to shall be construed accordingly;

And whereas by Section 79 of the Act of 1882 it is (*inter alia*) provided that any moneys which the Corporation are for the time being authorised to borrow or apply for the purposes of the Act of 1864, may be borrowed or applied by the Corporation for the execution of that Section:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that from and after the date of the Act of Parliament confirming this Order, the Act of 1864, and the Act of 1867, shall be altered so as to provide as follows; viz.,—

(1.) The Corporation may, with the sanction of the Local Government Board, borrow under and for the purposes of the Act of 1864 and in addition to the sums mentioned in Section 29 of the Act of 1864 and Section 73 of the Act of 1867, any sum or sums not exceeding in the whole the sum of Two hundred thousand pounds.

(2.) For the purpose of raising or securing any moneys, by this Order authorised to be borrowed, the Corporation may create and issue capital stock.

(3.) Any moneys borrowed by the Corporation under the powers conferred by this Order may be borrowed or applied by the Corporation for the execution of Section 79 of the Act of 1882.

Given under the Seal of Office of the Local Government Board, this  
Thirty-first day of May, One thousand eight hundred and eighty-four.

CHARLES W. DILKE, President.  
HUGH OWEN, Secretary.

(L.S.)

*Llanelly*  
*Order.*

LOCAL GOVERNMENT DISTRICT OF LLANELLY.

*Provisional Order for altering certain Confirming Acts.*

To the Llanelly Local Board of Health, being the Sanitary Authority for the Urban Sanitary District of Llanelly, in the County of Carmarthen;—

And to all others whom it may concern.

WHEREAS by a Provisional Order of the General Board of Health dated the Thirty-first day of July, One thousand eight hundred and fifty, and duly

[47 & 48 VICT.] *Local Government Board's* [Ch. ccxiv.]  
*Provisional Orders Confirmation (No. 7) Act, 1884.*

confirmed by the Public Health Supplemental Act, 1850 (No. 3.) (which Order and Act are herein-after respectively referred to as "the Order of 1850" and "the Confirming Act of 1850"), it was ordered that from and after the day appointed by the Confirming Act of 1850 for the first election of the Local Board of Health according to the provisions of the Public Health Act, 1848 (the day so appointed being the Twenty-fifth day of September, One thousand eight hundred and fifty), the Public Health Act, 1848, and every part thereof (except Section 50) should apply to and be in force within and throughout the entire area, hamlets, townships, and places comprised within the boundaries of the Borough of Llanelly, in the County of Carmarthen, as fixed for the purposes of the Municipal Corporations Act, 1835, and that such Borough should be and constitute a District for the purposes of the said Public Health Act accordingly;

A.D. 1884.

—  
*Llanelly*  
*Order.*  
—

And whereas by the Order of 1850 it was further directed that the Local Board of Health to be elected under the said Public Health Act (herein-after referred to as "the Local Board"), should consist of twelve persons, and that the entire number should be elected for the whole of the said District;

And whereas by a Provisional Order under the hand of one of Her Majesty's Principal Secretaries of State dated the Seventeenth day of January, One thousand eight hundred and sixty-eight, and duly confirmed by the Local Government Supplemental Act, 1868 (which Order and Act are herein-after respectively referred to as "the Order of 1868," and "the Confirming Act of 1868"), the District of the Local Board was altered by the incorporation with such District of a portion of that part of the Hamlet of Westfae, in the Parish of Llanelly, which was known as St. Paul's Town, the boundaries of such part being as therein defined;

And whereas by the Order of 1868, it was directed that at every election of members of the Local Board, which should take place after the date of the Confirming Act of 1868, the members to be elected should be elected for the whole of the District of the Local Board as altered by that Order (such District as so altered being herein-after referred to as "the District"); and that the said members should be elected by the votes of owners and ratepayers in respect of property situate within the District;

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 297 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the Confirming Act of 1850 and the Confirming Act of 1868, so far as they relate respectively to the Order of 1850 and the Order of 1868 shall be altered so as to provide that notwithstanding anything therein contained,—

- (1.) The number of members of the Local Board shall from and after the fifteenth day of April, 1885, be increased from twelve to eighteen; and the Local Government Board shall by Order make such provisions as to them shall seem necessary with regard to the continuance in office or

[Ch. ccxiv.] *Local Government Board's* [47 & 48 VICT.]  
*Provisional Orders Confirmation (No. 7) Act, 1884.*

A.D. 1884.

*Llanelly*  
*Order.*

retirement of the present members of the Local Board, and as to the election, continuance in office, or retirement, of other members of the same.

- (2.) The Local Government Board may from time to time, by Order, increase or diminish the number of members of the Local Board, or divide the District into wards, and from time to time abolish or alter the number or boundaries of such wards, and determine, and from time to time alter the proportion of members to be elected for each ward, and in any such case may make suitable provision as to the election, continuance in office and retirement, of the members of the Local Board.

Given under the Seal of Office of the Local Government Board, this  
Twenty-second day of May, One thousand eight hundred and  
eighty-four.

CHARLES W. DILKE, President.  
HUGH OWEN, Secretary.

(L.S.)

*Middles-*  
*brough*  
*Order.*

BOROUGH OF MIDDLESBROUGH.

*Provisional Order for altering and amending 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 Sanitary  
Authority for the Urban Sanitary District of 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 the Middlesbrough Improvement Act, 1877 (herein-after referred to as "the Local Act"), is in force in the Borough;

And whereas by Section 29 of the Local Act, the Corporation were empowered from time to time to borrow at interest (not exceeding the rate of five pounds per centum per annum) such moneys as they might think requisite for the purposes of that Act, to an amount not exceeding in the aggregate the amounts by that Act authorised;

And whereas by Section 30 of the Act of 1877 it was (inter alia) enacted that the moneys to be borrowed by the Corporation under the authority of that Act should not, with respect to the Ferry Undertaking, exceed the sum of thirty thousand pounds;

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, do hereby Order that, from and after the date of the Act of Parliament confirming this

Order, the Local Act shall be altered and amended so as to provide as follows, A.D. 1884.  
viz. :—

- (1.) The construction and provision of boats or other vessels for the passage or conveyance of passengers, animals, carriages, minerals, and other things, across the River Tees, shall be deemed to be one of the purposes of the Local Act.
- (2.) The Corporation may from time to time, with the sanction of the Local Government Board, borrow thereunder such sum or sums of money as may be required for the construction and provision of any such boats or other vessels, or for the purposes of the Ferry Undertaking authorised by the Middlesbrough Improvement Act, 1856, the Middlesbrough Extension and Improvement Act, 1858, and the Middlesbrough Extension and Improvement Act, 1866.
- Provided that all moneys borrowed under the powers conferred by this Order shall be repaid within such period as the Local Government Board, by their sanction, may in each case determine.

*Middles-  
brough  
Order.*

Given under the Seal of Office of the Local Government Board, this  
Twenty-seventh day of May, One thousand eight hundred and  
eighty-four.

CHARLES W. DILKE, President.  
HUGH OWEN, Secretary.

(L.S.)

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### IMPROVEMENT ACT DISTRICT OF MILFORD.

*Provisional Order for partially repealing and altering certain  
Local Acts.*

*Milford  
Order.*

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

And to all others whom it may concern.

WHEREAS under the provisions of the Milford Improvement Act, 1857 (herein-after referred to as "the Act of 1857"), certain Commissioners were appointed by the name of the Milford Improvement Commissioners (herein-after referred to as "the Commissioners") to carry the Local Act into execution in the places within the limits defined by Section 4 of that Act (the places within such limits being in the Local Act, and herein-after referred to as "the Town");

And whereas by Section 83 of the Act of 1857, it is enacted that the Commissioners from time to time may borrow at interest on mortgage of the paving and sewerage rate therein mentioned any sums not exceeding in the whole One thousand nine hundred pounds, and that after having paid off (otherwise

[Ch. ccxiv.]      *Local Government Board's*      [47 & 48 VICT.]  
*Provisional Orders Confirmation (No. 7) Act, 1884.*

A.D. 1884.

*Milford  
Order.*

than by the sinking fund) any money so borrowed, they may reborrow the amount so paid off, and so from time to time ;

And whereas by Section 84 of the Act of 1857, it is enacted that the Commissioners from time to time may borrow at interest on mortgage of the improvement rate therein mentioned, and any property from time to time vested in them under that Act for any purposes other than paving and sewerage, any sums not exceeding in the whole Five thousand six hundred pounds, and that after having paid off (otherwise than by the sinking fund) any money so borrowed, they may reborrow the amount so paid off, and so from time to time :

And whereas by Section 85 of the Act of 1857, it is provided that the total amount of principal money at any one time borrowed and secured under that Act should not exceed Seven thousand pounds ;

And whereas the Commissioners under the authority of Sections 83 and 84 of the Act of 1857 borrowed upon mortgage of the paving and sewerage rate the sum of One thousand four hundred pounds, and upon mortgage of the improvement rate, the gasworks, and other property of the Commissioners the sum of Five thousand six hundred pounds ; such mortgages amounting together to the sum of Seven thousand pounds ;

And whereas by Section 4 of the Milford Improvement Act, 1869 (herein-after referred to as "the Act of 1869,") the mortgages granted by the Commissioners as above-recited, on the paving and sewerage rates, and on the improvement rate, gasworks and property of the Commissioners, (such mortgages being in the Act of 1869, and herein-after referred to as "the existing mortgages,") were confirmed and rendered valid and subsisting in all respects ; and it is enacted that the Commissioners may concur in any transfer of such mortgages respectively for the purpose of paying off the then holders thereof, or that they may reborrow the amount thereof or any part thereof, and grant a new mortgage or new mortgages in respect thereof, either jointly or separately on all or any of the properties or rates so already charged, and on their water-works, or the tolls or other property of the Commissioners, or any part thereof, and for all or any part of such sums so already charged, and with all usual and necessary powers, without reference to the rates, properties, or purposes on or for which such charges were originally made ;

And whereas by Section 5 of the Act of 1869 it is (inter alia) enacted that in addition to the sums authorised to be borrowed by the Act of 1857 the Commissioners may from time to time borrow at interest on mortgage of all or any of the rates or properties, and in the manner mentioned in Section 4 of the Act of 1869, and either together with or separate from any security made under that Section, any further sum or sums not exceeding in the whole Three thousand pounds, and that for the purpose of paying off the holders of any security under the Section now in recital or the said Section 4 for the time being, the Commissioners may concur in transferring any such mortgage or security, or may reborrow the amount of principal moneys secured thereby for the purpose of paying off the same, and after having paid off (otherwise than by



[47 & 48 VICT.]      *Local Government Board's*      [Ch. ccxiv.]  
*Provisional Orders Confirmation (No. 7) Act, 1884.*

a sinking fund or instalments as therein-after provided) any money so borrowed, they may reborrow the amount so paid off, and so from time to time ;

A.D. 1884.

*Milford*  
*Order.*

And whereas by Section 6 of the Act of 1869 it is provided that the total amount of principal money at any one time borrowed under that Act should not, in addition to the maximum amount of Seven thousand pounds authorised to be borrowed by the Act of 1857, exceed Three thousand pounds ;

° And whereas by Section 13 of the Act of 1869 it is enacted that from and after the passing of that Act the Commissioners should either set apart and appropriate, out of any moneys other than borrowed moneys coming to the hands of the Commissioners, as a sinking fund to be applied in paying off the principal moneys borrowed on mortgage under the Act of 1857 and the Act of 1869, or either of them, in each year respectively not less than one-thirtieth part of the respective moneys so borrowed, or instead thereof may, at their option, contract with the mortgagees for the payment of such moneys by instalments, composed of principal and interest, either equal or not, or annual or half-yearly, or otherwise, so that all such moneys, with interest, should be repaid at or before the end of thirty years from the passing of the Act of 1869 as to existing mortgages, or from the time of making the same as to future mortgages, and should out of the moneys coming to the hands of the Commissioners pay off such mortgages accordingly ;

And whereas the Commissioners borrowed, under the powers of reborrowing and borrowing conferred by Sections 4 and 5 of the Act of 1869, the sum of Ten thousand pounds, of which the sum of Seven thousand pounds was applied in discharging the existing mortgages ;

And whereas the Commissioners did not contract with the mortgagees for the payment by instalments of the sum of Ten thousand pounds so borrowed as aforesaid, nor have the Commissioners set apart any moneys as a sinking fund for the repayment of that sum, as required by Section 13 of the Act of 1869, and the whole sum of Ten thousand pounds now remains unpaid ;

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by any other 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 1869 shall be altered and amended so as to provide as follows :—

(1.) The Commissioners may, subject to the provisions of this Order, borrow money, upon any or all of the securities upon which they might borrow under the Act of 1869, for the purpose of discharging the whole or any part of the said sum of Ten thousand pounds, so owing upon mortgage as aforesaid.

(2.) The Commissioners may from time to time reborrow money upon any or all of the securities mentioned in sub-division (1) of this Article for the purpose of discharging any loan contracted under that sub-division : Provided that the time for repayment of the money so reborrowed shall not

[Ch. ccxiv.] *Local Government Board's* [47 & 48 VICT.]  
*Provisional Orders Confirmation (No. 7) Act, 1884.*

A.D. 1884

Milford  
Order.

- extend beyond the period of twenty-five years from the commencement of this Order.
- (3.) The provisions of Sections 236 to 239, both inclusive, of the Public Health Act, 1875, shall, mutatis mutandis, apply to all money borrowed or reborrowed under this Order.
- (4.) The Corporation shall repay all money borrowed or reborrowed under this Order, by equal yearly or half-yearly instalments of principal, or of principal and interest combined, within the period of twenty-five years from the commencement of this Order.
- (5.) The Clerk to the Commissioners shall within twenty-one days after the expiration of each year, ending on the Twenty-fifth day of March, in which any sum is required to be paid as an instalment in respect of moneys borrowed or reborrowed 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 amounts which have been paid as instalments during the year next preceding the making of such return; and in the event of any wilful default in making such return, such Clerk shall be liable to a penalty not exceeding Twenty pounds, which shall be paid to the Local Government Board, and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act, 1875, in a summary manner, may be recovered by parties aggrieved within the meaning of that Act.
- (6.) If it appear to the Local Government Board by that return, or otherwise that the Commissioners have failed to pay any instalment required to be paid, the Local Government Board may by order direct that a sum, not exceeding double the amount in respect of which default has been made, shall be paid by way of instalment, 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.

Given under the Seal of Office of the Local Government Board, this  
Twenty-ninth day of May, One thousand eight hundred and  
eighty-four.

(L.S.)

CHARLES W. DILKE, President.  
HUGH OWEN, Secretary.

BOROUGH OF NOTTINGHAM.

A.D. 1884.

*Provisional Order for altering and amending certain Local Acts  
and a Confirming Act.*

*Nottingham  
Order.*

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

And to all others whom it may concern.

WHEREAS the Borough of Nottingham, in the County of the Town of Nottingham (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 the Nottingham Improvement Act, 1874 (herein-after referred to as "the Act of 1874"); the Nottingham Borough Extension Act, 1877 (herein-after referred to as "the Act of 1877"); and the Nottingham Improvement Act, 1878 (herein-after referred to as "the Act of 1878"), are in force in the Borough;

And whereas by Section 88 of the Act of 1874, it was enacted that the Markets and Fairs Clauses Act, 1847, should be incorporated with that Act, and should extend and apply to the markets and fairs of the Corporation as if they were authorised by that Act as the Special Act, and that the limits of the Corporation's markets and fairs should be the limits of the borough;

And whereas by Section 110 of the Act of 1874, it is enacted that the Corporation may from time to time, with the previous approval of the Local Government Board, borrow at interest on the security of the borough fund and borough rate or district fund account and general district rate, so much money as they deem necessary for defraying the expenses of the execution by them of that Act, and may mortgage the borough fund and borough rate or district fund account and general district rate to secure repayment thereof, with interest, accordingly;

And whereas by Section 11 of the Nottingham and Leen District Sewerage Act, 1872 (herein-after referred to as "the Act of 1872"), the Nottingham and Leen District Sewerage Board (herein-after called "the Sewerage Board"), composed of members of the Sewer Authorities mentioned in the Second Schedule to that Act, was established for the purposes of carrying out the provisions of that Act;

And whereas by Section 21 of the Act of 1872, the Sewerage Board were empowered, with the consent of the Local Government Board, but not otherwise, to borrow, on the securities therein mentioned, the sum of Fifty thousand pounds;

And whereas by Section 32 of the Act of 1872 it was enacted that the Sewerage Board should pay off all money borrowed by them in the manner therein mentioned, within a period of fifty-seven years from the time of the first borrowing thereof;

[Ch. ccxiv.] *Local Government Board's* [47 & 48 VICT.]  
*Provisional Orders Confirmation (No. 7) Act, 1884.*

A.D. 1884.

*Nottingham*  
*Order.*

And whereas by a Provisional Order of the Local Government Board dated the Twenty-second day of June, One thousand eight hundred and seventy-six, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (Bingley, &c.) Act, 1876 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), it was ordered that,—

- (a.) Section 21 of the Act of 1872 should be altered so as to provide that the Sewerage Board might, for the purposes of that Act, with the consent of the Local Government Board, but not otherwise, borrow under the provisions thereof, or of the Local Loans Act, 1875, upon the securities and in addition to the sum of Fifty thousand pounds therein mentioned, any money not exceeding in the whole the sum of One hundred and fifty thousand pounds;
- (b.) The provisions of Section 32 of the Act of 1872 should be altered so as to extend to the repayment of the whole or any part of the said sum of One hundred and fifty thousand pounds which might be borrowed by the Sewerage Board under the Act of 1872 as thereby altered: Provided that the period for the repayment of the whole or any part of such sum of One hundred and fifty thousand pounds should be limited to sixty years after the same shall have been first borrowed [instead of the said period of fifty-seven years;

And whereas by the Act of 1877, it was (inter alia) enacted that,—

- (a.) From and after the commencement of that Act the Sewerage Board should be dissolved, and that all the powers, rights, duties, and liabilities of the Sewerage Board (except the power of making calls of money on the said sewer authorities) under the Act of 1872 and the Order of 1876, should be transferred, attach to, and vest in the Corporation;
- (b.) All debts (including the mortgage and bond debt of the Sewerage Board) which at the commencement of the Act of 1877, were due or owing from or binding on the Sewerage Board should be paid, discharged, satisfied, and performed by the Corporation;
- (c.) The Corporation might exercise all the borrowing powers of the Sewerage Board, as those powers existed at the commencement of the Act of 1877.

And whereas by Section 17 of the Act of 1878 it is enacted that every owner of a new building shall, before the same shall be inhabited, give to the Corporation or the borough surveyor a notice in writing that the said building and its appurtenances, and the paving of the yard, and the drainage and ventilation thereof, are completed, and that the drains thereof are sufficiently trapped according to the provisions of the several Acts of Parliament and the byelaws for the time being in force in the borough, and a demand that the same may be inspected within fourteen days from the service of such notice; and that no owner of a new building shall occupy or allow the same to be occupied if he shall have received from the borough surveyor, within fourteen days after the service of such

[47 & 48 VICT.]      *Local Government Board's*      [Ch. ccciv.]  
*Provisional Orders Confirmation (No. 7) Act, 1884.*

notice, a notice in writing that such new building is not complete or sufficiently ventilated and fit for habitation, or that the drainage thereof is not completed, and the drains not sufficiently trapped (the notice to state in what particulars the building or the drainage is defective); and that any owner who shall occupy or allow such new building to be occupied after such last-mentioned notice has been given shall be liable to a penalty not exceeding five pounds, and a further penalty not exceeding forty shillings for every day during which such building shall be inhabited until the borough surveyor shall have certified that the defects specified in his notice have been remedied ;

A.D. 1884.  
—  
*Nottingham*  
*Order.*  
—

And whereas by a Sanction under the Seal of the Local Government Board, and dated the Fourteenth day of May, One thousand eight hundred and eighty-four, the Corporation were authorised to borrow the sum of Fifteen thousand pounds for the purchase of stock and implements for the sewage farm transferred to them by the Act of 1877 :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act, 1875, and by any other 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 110 of the Act of 1874 shall be altered and amended so as to enable the Corporation, with the approval of the Local Government Board, to borrow thereunder such sum or sums of money as may be required for the purpose of defraying the cost of making convenient roads and approaches, and improving the roads and approaches to any market belonging to the Corporation, and for laying out such market and for erecting a market house and providing sidings and other conveniences.

Art. II. The Order as confirmed by the Confirming Act shall be altered and amended so as to provide that notwithstanding anything therein contained, the moneys already borrowed or to be borrowed by the Corporation, in pursuance of the powers conferred thereby, for the purchase of stock and implements for their sewage farm, shall be repaid within the following periods,—

- (a.) All moneys borrowed or to be borrowed in pursuance of the above recited sanction of the Local Government Board, dated the Fourteenth day of May, One thousand eight hundred and eighty-four, within a period not exceeding thirty years from the date of borrowing thereof.
- (b.) All moneys to be borrowed in pursuance of any sanction hereafter granted by the Local Government Board, within such period not exceeding thirty years, as the Local Government Board by their sanction, may in each case determine.

Art. III. Section 17 of the Act of 1878 shall be altered by the insertion therein of the words, “or any appurtenance thereof is not in some of the particulars above specified, complete or sufficient, or that for some other reason it is unfit for human habitation (the notice to state in what particulars the building or the appurtenance is defective),” in lieu of the words “is not complete or

[Ch. ccxiv.] *Local Government Board's* [47 & 48 VICT.]  
*Provisional Orders Confirmation (No. 7) Act, 1884.*

A.D. 1884. " sufficiently ventilated and fit for habitation, or that the drainage thereof is not  
— " completed, and the drains not sufficiently trapped (the notice to state in what  
*Nottingham* " particulars the building or the drainage is defective)."  
*Order.* —

Given under the Seal of Office of the Local Government Board, this  
Fourth day of June, One thousand eight hundred and eighty-four.

CHARLES W. DILKE, President.  
HUGH OWEN, Secretary.

(L.S.)

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