



CHAPTER ccxv.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Borough of Aberavon, the Local Government Districts of Brighouse, and Denton and Haughton, the City of Manchester, and the Local Government Districts of Shipley, Skelton and Brotton, Sowerby Bridge, and Sutton in Ashfield. A.D. 1884.

[7th August 1884.]

WHEREAS the Local Government Board have 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 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.

Orders in
Schedule
confirmed.

2. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 8) Act, 1884. Short title.

A.D. 1884.

*Aberavon
Order.*

SCHEDULE.

BOROUGH OF ABERAVON.

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

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

And to all others whom it may concern.

WHEREAS the Borough of Aberavon, in the County of Glamorgan, 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 Aberavon Market Act, 1848 (herein-after referred
to as "the Act of 1848"), and the Aberavon Local Board Act, 1866, (herein-after
referred to as "the Act of 1866"), as amended by a Provisional Order of the
Local Government Board herein-after recited, and by a certain other Provisional
Order of the Local Government Board dated the Second day of April, One
thousand eight hundred and eighty, and confirmed by the Local Government
Board's Provisional Orders Confirmation (Aberavon &c.) Act, 1880, so far as it
has not been repealed by such Order (which said Acts of 1848 and 1866 are
herein-after together referred to as "the Local Acts") are in force in the said
District;

And whereas by Section 8 of the Act of 1848, it is enacted that it shall be
lawful for the Undertakers (the Undertakers being the predecessors of the
Corporation) to borrow on mortgage of the works, stallages, rents, and tolls, by
that Act authorised, and of any lands and hereditaments then belonging to the
Undertakers, or on any of the aforesaid securities, or on bond, any sum or sums
of money not exceeding in the whole the sum of Three thousand pounds, and
from time to time to pay off and reborrow the same or any part thereof, but so
as there shall not be due at any one time under that section, any greater sum
than Three thousand pounds;

And whereas by Section 17 of the Act of 1866 the limits for the supply of
gas under that Act were defined to be the district under the control of the
Corporation as the Local Board;

And whereas by Section 35 of the Act of 1866 the Corporation were
empowered, in addition to any moneys they might have borrowed, or were

[47 & 48 VICT.] *Local Government Board's* [Ch. ccxv.]
Provisional Orders Confirmation (No. 8) Act, 1884.

authorised to borrow under the Public Health Acts, to borrow at interest on mortgage of the rates and income of the Corporation under that Act, and of the charges and rates authorised to be made and collected under the Public Health Acts, 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 Five thousand pounds, and the Corporation were further empowered to include in any such mortgages the gasworks and the premises connected therewith;

A.D. 1884.

*Aberavon
Order.*

And whereas the Local Government Board by a Provisional Order dated the Twenty-second day of May, One thousand eight hundred and seventy-six, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (Aberavon, &c.) Act, 1876 (which Order and Act are herein-after respectively referred to as "the Order of 1876" and "the Confirming Act of 1876"), ordered that from and after the Twenty-ninth day of September next following the date of the Act of Parliament confirming that Order, Section 35 of the Local Act should be amended so as to enable the Corporation, subject to the sanction of the Local Government Board, to borrow the sum of Seven thousand five hundred pounds in lieu of the sum of Five thousand pounds therein mentioned, such sum of Seven thousand five hundred pounds to be applied in manner directed by the Act of 1866 with respect to the said sum of Five thousand pounds, and to be subject to all the other provisions in that Act contained applicable to such last-mentioned sum;

And whereas the Corporation borrowed the sum of Seven thousand five hundred pounds, but did not comply with the provisions of the Act of 1866 with reference to the repayment thereof;

And whereas if the provisions of the Act of 1866 had been complied with, the sum of Two thousand six hundred and fifty-six pounds would, at the commencement of this Order, be standing to the credit of a sinking fund for paying off moneys borrowed in accordance with the provisions of that Act and the Order of 1876, but no such sinking fund has been formed, and the sum of Five hundred and sixty-five pounds six shillings and ninepence only has been repaid of the principal moneys borrowed under that Act and Provisional Order, leaving a deficiency of Two thousand and ninety pounds thirteen shillings and threepence:

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. So much of Section 2 of the Act of 1848 as incorporates the provisions of the Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the Commissioners, and Section 8 of the Act of 1848 shall be repealed in so far as the same have not been acted upon.

[Ch. ccxv.] *Local Government Board's* [47 & 48 VICT.]
Provisional Orders Confirmation (No. 8) Act, 1884.

A.D. 1884.

Aberavon
Order.

Art. II.—The Act of 1848 shall be altered and amended so as to provide as follows :

- (1.) The Corporation shall, within twelve months from the commencement of this Order, pay off all moneys now owing under Section 8 of the Act of 1848, and shall, on the security of the stallages, rents and tolls authorised by the Act of 1848 and on the General District Rate of the Borough, borrow all such sums as may be necessary for that purpose.
- (2.) All moneys borrowed under the provisions of this Article shall be repaid within twenty-five years from the commencement of this Order, and the provisions of Sections 236 to 239, both inclusive, of the Public Health Act, 1875, and sub-divisions (3), (4), (5), and (6) of Art. VI. of this Order shall, so far as they are applicable, apply to all moneys so borrowed.

Art. III. Section 17 of the Act of 1866 shall be amended by the addition thereto of the words “and the hamlets of Havod-y-Porth and Michaelstone Lower.”

Art. IV. Section 40 of the Act of 1866 shall be altered as follows :

- (1.) By the insertion of the words “other than borrowed moneys or moneys received on capital account” after the words “the Corporation shall apply all moneys from time to time received by them.”
- (2.) By the insertion of the words “Thirdly. In providing for the discharge of any moneys borrowed or reborrowed for the purposes of this Act” in lieu of the paragraph commencing with the word “Thirdly.”

Art. V. The Act of 1876 and the Confirming Act of 1876, so far as it relates to the Order of 1876, shall be altered and amended so as to provide as follows :—

- (1.) The Corporation shall, out of Gas Revenue or out of the General District Rate of the Borough, repay the sum of Two thousand and ninety pounds, part of the moneys borrowed by them before the commencement of this Order under the Act of 1866 and the Order of 1876, within ten years from the commencement of this Order
- (2.) The Corporation shall repay all moneys borrowed before the commencement of this Order under the Act of 1866, or under the borrowing powers conferred by the Order of 1876 (other than moneys borrowed under the powers of borrowing conferred by the Provisional Order of 1880, and other than the said sum of Two thousand and ninety pounds) within Twenty-five years from the Twenty-fifth day of March, One thousand eight hundred and eighty-four.
- (3.) The Corporation shall repay all moneys required by this Order to be repaid, 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 accumulation in the way of compound interest at the rate of three pounds per centum per annum, be sufficient after payment of all expenses to pay off the money so borrowed as regards the said sum of Two thousand and ninety pounds, within the said period of ten years, and as regards the remainder of such moneys within the said period of twenty-five

years. 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.

A.D. 1884.

—
Aberavon
Order.
—

- (4.) The Corporation shall invest all moneys from time to time set apart as sinking funds under the provisions of this Order and the income arising therefrom, 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, with liberty from time to time to vary and transpose such investments.
- (5.) The Corporation may at any time apply any sinking fund or any part thereof 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 respect of which such sinking fund is set aside is discharged a sum equivalent to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied.
- (6.) If the Corporation pay off any moneys borrowed by them under the Local Acts or the Order of 1876 or this Order otherwise than by instalments or than by means of a sinking fund, or than out of the proceeds of the sale of land, or out of other moneys received on capital account they may, from time to time reborrow the same, but all moneys so reborrowed shall be repaid within the period prescribed by this Order for the repayment of the same, and shall be deemed to form the same loan as the moneys originally borrowed, and the obligations of the Corporation with respect to the repayment of the loan and to the provision to be made for such repayment shall not be diminished by reason of such reborrowing.

Art. VI. The Local Acts and the Confirming Act of 1876, so far as it relates to the Order of 1876, shall be further altered and amended so as to provide as follows:—

- (1.) The Town Clerk shall within twenty-one days after the Twenty-fifth day of March in every year during which any sum is required to be paid as an instalment or to be set apart for a sinking fund under 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 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

[Ch. CCXV.] *Local Government Board's* [47 & 48 VICT.]
Provisional Orders Confirmation (No. 8) Act, 1884.

A.D. 1884.

Aberavon
Order.

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.

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

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

CHARLES W. DILKE, President.

HUGH OWEN, Secretary.

(L.S.)

Brighouse
Order.

LOCAL GOVERNMENT DISTRICT OF BRIGHOUSE.

*Provisional Order for partially repealing, altering, and amending
a Local Act and a Confirming Act.*

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

And to all others whom it may concern.

WHEREAS by a Local Act of Parliament passed in the ninth and tenth years of the reign of Her present Majesty Queen Victoria, intituled "An Act for sewerage, draining, and lighting the Hamlet of Brighouse, in the Township of Hipperholme-cum-Brighouse, in the Parish of Halifax, in the West Riding of the County of York" (herein-after referred to as "the Local Act"), certain persons were constituted Commissioners for carrying the Local Act into execution (herein-after referred to as "the Commissioners");

And whereas by Sections 31, 32, 33, and 34 of the Local Act, provision was made with respect to the accounts of the Commissioners and the audit thereof;

And whereas by Section 35 of the Local Act the Commissioners were empowered to borrow at interest, on the credit of the several rates and

[47 & 48 VICT.] *Local Government Board's* [Ch. ccxv.]
Provisional Orders Confirmation (No. 8) Act, 1884.

assessments by that Act granted, and other property vested in the Commissioners any sum of money not exceeding the sum of four thousand pounds ;

A.D. 1884.

*Brigthouse
Order.*

And whereas by Section 59 of the Local Act it was enacted that it should be lawful for the Commissioners, subject to the restrictions contained in the Local Act, from time to time to make, construct, lay, maintain, and continue, alter, or discontinue such retorts, gasometers, receivers, and buildings, cisterns, engines, machines, and other apparatus, cuts, drains, sewers, watercourses, reservoirs, machinery, and other works, and also such houses and buildings, upon the land thereby authorised to be held and purchased by the Commissioners and to do all other acts necessary and convenient as they should think proper, for lighting the streets and supplying the inhabitants with gas as therein-after authorised ;

And whereas by a Provisional Order of one of Her Majesty's Principal Secretaries of State dated the Sixth day of February, One thousand eight hundred and sixty-five, and duly confirmed by the Local Government Supplemental Act, 1865 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), Sections 1, 11, and 35 of the Local Act were repealed, and it was ordered that the powers, authorities, and duties of the Commissioners under the unrepealed portions of the Local Act should be transferred to a Local Board, to be elected in the manner and form set forth and prescribed by the Local Government Act, 1858, within the period of one month from the date of the Confirming Act (such Local Board being herein-after referred to as "the Local Board") ;

And whereas by the Order it was further directed that all property and estate of the Commissioners should be transferred to and vested in the Local Board, and should be held and applied by the Local Board for the general purposes of such Local Board ; and that all debts, moneys, and securities for money contracted or payable by such Commissioners should be satisfied by the Local Board out of such parts of the said transferred property and estate as would have been chargeable therewith if the said Sections 1, 11, and 35 of the Local Act had not been repealed, and should be paid and satisfied by the Local Board as by the Commissioners : Provided, that if such property and estate were insufficient for the purposes aforesaid, the deficiency should be charged upon the rates leviable under the Local Act, and the said Local Government Act, 1858, in the parts only which would have been chargeable with such deficiency if the Order had not been made ;

And whereas the Commissioners under the authority of Section 35 of the Local Act, borrowed sums amounting in the whole to the sum of four thousand pounds, of which the sum of one thousand six hundred pounds now remains unpaid, and the mortgages for securing the said sum of one thousand six hundred pounds are, in pursuance of the Order, payable by the Local Board out of the property mentioned in the Order ;

And whereas the Local Board under the authority of a sanction of one of Her Majesty's Principal Secretaries of State, dated the twenty-ninth day of August,

[Ch. ccxv.] *Local Government Board's* [47 & 48 VICT.]
Provisional Orders Confirmation (No. 8) Act, 1884.

A.D. 1884. One thousand eight hundred and sixty-seven, borrowed for the purpose of extending their gasworks, certain sums amounting in the whole to the sum of eight thousand pounds ;

*Brighouse
Order.*

And whereas the District of the Local Board (herein-after referred to as "the District") is an Urban Sanitary District, of which the Local Board are the Urban Sanitary Authority :

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 Local Act and the Confirming Act, so far as it relates to the Order, shall be altered and amended so as to provide as follows :—

- (1.) The Local Board may, subject to the provisions of this Order, re-borrow money upon mortgage of the revenue arising from their gas undertaking, and upon mortgage of the district fund and general district rate, or upon either of such securities for the purpose of discharging the whole or any part of the said sum of one thousand six hundred pounds so owing on mortgage as aforesaid.
- (2.) The Local Board may, with the sanction of the Local Government Board, for the purposes of their gas undertaking, and in addition to any sums heretofore borrowed for those purposes under the Local Act, or under the above-cited sanction dated the twenty-ninth day of August, one thousand eight hundred and sixty-seven, borrow upon either or both of the securities mentioned in Sub-division (1) of this Article any sum or sums not exceeding in the whole the sum of fifteen thousand pounds.
- (3.) The said sum of one thousand six hundred pounds so owing as aforesaid, and the moneys raised under the powers conferred by sub-division (1) of this Article shall be repaid within a period not exceeding thirty years from the commencement of this Order, and the moneys raised under the powers conferred by Sub-division (2) of this Article shall be repaid within such period not exceeding thirty years from the date of borrowing, as the Local Government Board by their sanction may in each case determine.
- (4.) Sections 36 to 41, both inclusive, of the Local Act shall be wholly repealed, except so far as they relate to existing mortgages under the Local Act and the provisions of Sections 236 to 239 of the Public Health Act, 1875, shall apply to all mortgages hereafter given or made under the Local Act or the Local Act as altered by this Order.
- (5.) The Local Board shall repay the said sum of one thousand six hundred pounds so owing as aforesaid, and the money borrowed under the powers conferred by this Order, either by equal yearly or half-yearly instalments of principal, or of principal and interest combined, or by setting apart in every year as a sinking fund such a sum or sums as will, according to a

reasonable calculation for the time being, with accumulations in the way of compound interest, be sufficient after payment of all expenses, to pay off the money so borrowed within the respective periods mentioned in sub-division (3) of this Article and shall invest the same in the purchase of exchequer bills or other government securities, or securities in which trustees are by law for the time being authorised to invest, or 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 Local Board, the Local Board being at liberty from time to time to vary and transpose such investments.

A.D. 1884.

*Brighouse
Order.*

- (6.) The Local Board 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 Local Board pay into the fund each year, and accumulate until the whole of the money borrowed is discharged, a sum equivalent to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied.
- (7.) The Local Board may reborrow money upon one or more of the securities mentioned in Sub-division (1) of this Article, for the purpose of discharging any loans contracted under Sub-divisions (1) or (2) of this Article: Provided, that the money borrowed for such purpose shall be repaid in the manner provided by Sub-division (5) of this Article, and the time for repayment of the money so borrowed shall not extend beyond the unexpired portion of the period prescribed by this Order, or by the sanction of the Local Government Board for the repayment of the original loan.
- (8.) All money borrowed or reborrowed under this Order shall be appropriated to the purposes for which it is authorised to be so borrowed or re-borrowed: Provided, that it shall not in any way be incumbent on any mortgagee to see to the application of any money so borrowed or reborrowed, nor shall the mortgagee be responsible for any misapplication thereof.
- (9.) The powers of borrowing and reborrowing conferred by Sub-divisions (1.), (2.), and (7.) of this Article shall be deemed to be distinct from, and in addition to, the powers of borrowing and reborrowing conferred on the Local Board, by the Public Health Act, 1875.
- (10.) The Clerk to the Local Board 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 or to be set apart for a sinking fund in respect of moneys borrowed under the provisions of this Order, transmit to the Local Government Board a return in such form as may be prescribed by that Board, and verified, by statutory declaration, if so required by them, showing the amounts which have been paid as instalments, and the amounts which have been invested or applied for the purpose of such sinking fund during the year next preceding the making of such return, and the description of the securities

[Ch. ccxv.] *Local Government Board's* [47 & 48 VICT.]
Provisional Orders Confirmation (No. 8) Act, 1884.

A.D. 1884.

—
Brighouse
Order.
—

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 amount (if any) remaining invested at the end of the year, 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.

- (11.) If it appear to the Local Government Board by that return, or otherwise, that the Local Board have failed to pay any instalment required to be paid, or to set apart any sum required for any sinking fund, or have applied any portion of the moneys set apart for any sinking fund, or of the sums accumulated by way of interest to any purpose other than those authorised, 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, 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.

Art. II. Sections 60 to 64, 67 to 80 (all inclusive) of the Local Act shall be wholly repealed, except so far as the same may have been acted upon, and so far as it may be necessary to continue the same for the purpose of enabling any moneys due or payable thereunder on or before the commencement of this Order to be recovered.

Art. III: The Local Act shall be further altered, and amended so as to provide as follows; viz:—

- (1.) The provisions of the Gasworks Clauses Act, 1847, (except Sections 30 to 38 both inclusive, and Sections 41, 43, 45, 46, and 47 thereof), and of the Gasworks Clauses Act, 1871, (except Section 5 Sections 24 to 27 both inclusive, Sections 29 and 35, and Schedule B. thereof), shall be incorporated with the Local Act, but subject to such alterations as this Order may make therein, and the said provisions of the said Gasworks Clauses Acts shall apply as well to any mains, pipes, or works which may now belong to the Local Board, as to any mains, pipes, or works which may be laid down or constructed under the authority of the Local Act as hereby altered.
- (2.) The Local Board may, on the land already acquired or hereafter to be acquired by them, in pursuance of the Local Act, from time to time construct, erect, alter, enlarge, or when necessary, remove buildings, apparatus and works for the manufacture and storage of coke, asphaltum, pitch, coal-tar, ammoniacal liquor, and other refuse, or residual products arising from the manufacture of gas, and any matters producible therefrom; and they may subject to the provisions of the Local Act as hereby altered, make gas and supply and sell the same within the district, and may convert or

manufacture coke, asphaltum, pitch, coal-tar, ammoniacal liquor, and all refuse or residual products arising from the manufacture of gas by them, and any matter producible therefrom, and may sell and dispose of the same at the gasworks and elsewhere.

A.D. 1884.

*Brighouse
Order.*

- (3.) The Local Board may make, purchase, and sell, or let on hire within the district, gas cooking ovens, stoves, burners, or other fittings used in the supply or consumption of gas for cooking, lighting, and heating purposes, or for motive powers.
- (4.) The Local Board shall not manufacture gas or any residual products arising in the manufacture of gas on any land other than that already acquired or hereafter to be acquired by them in pursuance of the Local Act, neither shall they commence the storage of gas on any land, other than that acquired or to be acquired as aforesaid, which shall be situated within three hundred yards of any dwelling-house, without the previous consent in writing of the owner, lessee, and occupier of such dwelling-house.
- (5.) The quality of the gas supplied by the Local Board shall, with respect to its illuminating power, be such as to produce at the testing-place hereinafter mentioned, a light equal in intensity to the light produced by fifteen sperm candles, of six to the pound, and shall, in all respects, be in accordance with the provisions of the Gasworks Clauses Act, 1871.
- (6.) The Local Board shall, within one month from the commencement of this Order provide and maintain a suitable photometer and other necessary appliances for the purposes of testing the quality of the gas, and shall at all times keep the same in proper order and repair.
- (7.) All gas supplied by the Local Board to any consumer of gas shall be supplied at such pressure as to balance from midnight to sunset a column of water not less than six-tenths of an inch in height, and to balance from sunset to midnight a column of water not less than eight-tenths of an inch in height at the main, or as near as may be to the junction therewith of the service-pipe supplying such consumer.
- (8.) For the purposes of the Gasworks Clauses Act, 1871, the prescribed testing-place shall be a testing-place to be provided by the Local Board at the gasworks within one month after the commencement of this Order, and the burner to be used for testing the gas shall be a Sugg's "London" Argand, No. 1, with a six-inch by one-and-three-quarter inch glass chimney, and if at any time the gas-flame tails over the top of the glass, a six-inch by two-inch chimney shall be used. Any gas examiner appointed under the Gasworks Clauses Act, 1871, for the purposes of this Order, may from time to time, subject to the terms of his appointment, at such testing-place, or elsewhere, not being the immediate approach to any railway bridge or railway station, as and when he thinks fit, test the pressure at which the gas is supplied, and for that purpose may open any street, road, passage, or place vested in or under the control of any local or road authority.

[Ch. ccxv.] *Local Government Board's* [47 & 48 VICT.]
Provisional Orders Confirmation (No. 8) Act, 1884.

A.D. 1884.

*Brighthouse
Order.*

(9.) No penalty shall be incurred by the Local Board for insufficiency of pressure, defect of illuminating power, or for excess of impurity, in the gas supplied by them in any case in respect of which it is proved that such insufficiency, defect, or excess was produced by an unavoidable cause or accident.

(10.) The Local Board shall keep separate capital and revenue accounts of all receipts, credits, payments, liabilities, and transactions from or on account of their gas undertaking, which accounts shall be distinct from the other accounts of the Local Board, and shall be called respectively "the Gas Capital Account" and "the Gas Revenue Account."

(11.) All moneys from time to time received by the Local Board by way of revenue from or on account of their gas undertaking shall be applied for the following purposes:—

In payment of the interest on the moneys borrowed or reborrowed for the purposes of the gas undertaking.

In providing for the discharge of any moneys borrowed or reborrowed for the purposes of the gas undertaking.

In payment of the gas establishment charges, that is to say, of the expenses properly chargeable to revenue of establishing, conducting, managing, and maintaining the gasworks, and works connected therewith.

In payment, if the Local Board think fit, of the expenses of executing any permanent works authorised by the Local Act as hereby altered.

The residue, if any, of such revenue, shall be carried to the credit of the District Fund or General District Rate (at the option of the Local Board), but no part of such revenue shall be carried to the credit of the District Fund or General District Rate when the price of gas to private consumers exceeds three shillings per one thousand cubic feet.

(12.) The Local Board shall keep separate records of the quantities of gas supplied to private consumers, and for public lighting, respectively, and for the purpose of ascertaining the quantity of gas supplied for public lighting, shall provide and maintain meters for the public street lamps in the proportion of not less than one meter for every twelve lamps. Separate accounts of the cost of the public and private lighting shall be kept by the Local Board, and the price charged for gas for public lighting shall not be more than ten pounds per centum less than that charged to private consumers.

(13.) The Local Board shall not defray any of the charges and expenses in respect of their gas works undertaking other than payments required to be made in respect of money borrowed on mortgage of the District Fund and General District Rate, out of the District Fund or General District Rate, when the price of gas is less than five shillings per one thousand cubic feet.

(14.) If any difference arise between the Local Board and any Railway, Canal, or other Company whose lands or works the Local Board have power to cross under the authority of the Local Act as hereby altered for the purposes of meeting the demands for gas within the district, as to the mode of laying down, repairing, altering, or enlarging their pipes or the facilities to be afforded for the same, the same shall be settled by an engineer to be appointed by the Local Government Board at the request of either party.

A.D. 1884.
Brighouse
Order.

(15.) The several words and expressions to which by the Acts in whole or in part hereby incorporated with the Local Act, and by the Gas and Waterworks Facilities Act, 1870, meanings are assigned, have in this Order the same respective meanings.

(16.) The Local Board shall, in relation to the purposes of the Local Act as hereby altered, exercise and be subject to all the powers and provisions of the Public Health Act, 1875, so far as the same are applicable to such purposes.

Art. IV. When the Local Board require money to be deposited by any person with them by way of security for the payment to them of any moneys which may become due to them by such person in respect of any supply of gas, or of the purchase or hire of any meter, the Local Board shall pay interest at the rate of three pounds per centum per annum on every sum of ten shillings so deposited, for every six months during which the same remains in their hands: Provided that the Local Board may, if they think fit, invest any money so deposited with them in the manner provided by Sub-division 5 of Article I. of this Order as to the sinking fund, and in that case the Local Board shall pay no higher rate of interest than they themselves receive thereon.

Art. V. Sections 31 to 34, both inclusive, of the Local Act shall be wholly repealed, except so far as the same have been acted upon, and in lieu of the provisions therein contained, the provisions of Sections 245, 247 (excepting sub-section (2)), 249, and 250 of the Public Health Act, 1875, relating to accounts and their audit, and the provisions of the District Auditors Act, 1879, so far as the same are applicable shall apply to the accounts of the Local Board in respect of their Gas Undertaking under the Local Act as hereby altered and to the audit of such accounts.

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

(L.S.)

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

A.D. 1884.

*Denton and
Haughton
Order.*

LOCAL GOVERNMENT DISTRICT OF DENTON AND
HAUGHTON.

*Provisional Order for dissolving a Local Government District, and
for partially repealing, altering, and amending certain Local
Acts, and for other purposes.*

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

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

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

And to all others whom it may concern.

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

And whereas the Dukinfield and Denton Local Boards Gas Act, 1877
(herein-after referred to as "the Act of 1877"), and the Denton, and Haughton
(Gas) Act 1880 (herein-after referred to as "the Act of 1880") are in force in
the said Local Government Districts of Denton and Haughton, which Acts
are together herein-after referred to as "the Local Acts."

Now therefore, We, the Local Government Board, in pursuance of the
powers given to Us by Sections 270 and 303 of the Public Health Act, 1875,
and by any other Statutes in that behalf, do hereby Order that the following
provisions shall take effect, viz,—

Art. I. This Order shall, except as herein-after provided, come into operation
on the Twenty-ninth day of September, One thousand eight hundred and
eighty-four (herein referred to as "the commencement of this Order");

Art. II. The Local Government District of Haughton shall be dissolved and
shall be merged in the Local Government District of Denton, such last-
mentioned District as hereby extended being in this Order referred to as "the
District," and the Local Board for that District (herein-after referred to as
"the Local Board") shall be called the Denton and Haughton Local Board.

Art. III. Three of the twelve members of the Denton Local Board shall go
out of office on the Twenty-eighth day of September, One thousand eight
hundred and eighty-four, and such three members shall be chosen by the said
Local Board, by ballot, at their meeting next before the said Twenty-eighth
day of September, one from among the members elected at the annual election
in the year one thousand eight hundred and eighty-two, one from among those
elected at the annual election in the year one thousand eight hundred and
eighty-three, and one from among those elected at the annual election in the
year one thousand eight hundred and eighty-four.

Art. IV. Six of the nine members of the Haughton Local Board shall on the Twenty-ninth day of September, One thousand eight hundred and eighty-four, become members of the Local Board, and such six members shall be chosen by the Haughton Local Board, by ballot, at their meeting next before the said Twenty-ninth day of September, two from among the members elected at the annual election in the year one thousand eight hundred and eighty-two, two from among those elected at the annual election in the year one thousand eight hundred and eighty-three, and two from among those elected at the annual election in the year one thousand eight hundred and eighty-four.

A.D. 1884.

*Denton and
Haughton
Order.*

Art. V. The six members of the Haughton Local Board so becoming members of the Local Board shall, with the nine remaining members of the Denton Local Board, subject to the provisions of Rules 64 and 65 of Schedule II. to the Public Health Act, 1875, form the Local Board until the Fifteenth day of April, One thousand eight hundred and eighty-five.

Art. VI. At the next and all future elections, the members forming the Local Board, shall go out of office according to the provisions of Rules 59 and 61 of Schedule II. to the Public Health Act, 1875, and their successors shall be elected from the whole of the District.

Art. VII. The number of members constituting the Local Board shall, from and after the said Twenty-ninth day of September, One thousand eight hundred and eighty-four, and subject to the provisions of Rule 2 of Schedule II. to the Public Health Act, 1875, be fifteen.

Art. VIII. From and after the commencement of this Order all the powers, rights, duties, capacities, liabilities, obligations, and property which immediately before the commencement of this Order are exercisable by, or attaching to, or vested in either of the said Local Boards of Denton or Haughton, or in the Denton and Haughton Gas Joint Committee constituted under the Act of 1880, shall pass to and vest in the Local Board; and the said Denton and Haughton Gas Joint Committee shall cease to exist.

Art. IX. The debts of the said Local Boards of Denton and Haughton, and of the said Denton and Haughton Gas Joint Committee, shall be charged upon the revenues, funds, and rates of the whole of the District, and on the property of the Local Board, in the same manner and to the same extent as they are, immediately prior to the commencement of this Order, charged on the revenues, funds, and rates of the respective districts of Denton and Haughton, and upon the property of the said Denton and Haughton Gas Joint Committee, and shall be discharged by the Local Board accordingly.

Art. X. The Local Board shall in every year during the next thirty years after the commencement of this Order levy such rate or rates upon the part of the District which constituted the Local Government District of Haughton immediately before the commencement of this Order, either by an addition to the General District Rate, or by a separate rate in the nature of a General District Rate, as will be sufficient to raise an annual sum of Two hundred

[Ch. ccxv.] *Local Government Board's* [47 & 48 VICT.]
Provisional Orders Confirmation (No. 8) Act, 1884.

A.D. 1884.
*Denton and
Haughton
Order.*

and sixteen pounds thirteen shillings and fourpence, which sum shall in every year be carried to the credit of the District Fund of the District. A separate rate under this Article shall in all respects be subject to the same provisions as apply in law to a General District Rate, so far as the same are applicable.

Art. XI. The Act of 1877, so far as it affects the Local Board shall be partially repealed and amended as follows; but so nevertheless that no such repeal or amendment shall affect the Dukinfield Local Board, except where that Board is herein expressly mentioned:—

- (1.) Sections 4, 8, 10 to 14, 19, 31, 47 to 50, 53 to 60, 63 to 65, 71, 72, 74 and 80 (all inclusive), shall be repealed.
- (2.) Section 9 shall be amended so as to provide that so much of the mortgage debt of the Company as remains unpaid at the commencement of this Order, shall as to one moiety thereof, be a first charge on the gas revenue of the Local Board, and as to the remainder thereof, be a first charge on the gas revenue of the Dukinfield Local Board.
- (3.) Section 16 shall be amended as if the Denton Local Board therein referred to were the Local Board, and the gas revenue were the gas revenue of the Local Board and the Dukinfield Local Board respectively, and the charges subsisting on the passing of that Act on the district fund and district rates were charges on the district fund and general district rates of the Dukinfield Local Board and the Local Board respectively.
- (4.) The references in sections 17, 20, 21, 25, 26, 29, 30, 33 to 36, 40, and 66 to 70 (all inclusive) to the "Local Boards respectively," or "each of the Local Boards," or "the Local Board," or "such Local Board," or "either of the Local Boards," or "the two Local Boards respectively," shall be read as referring to the Dukinfield Local Board and the Local Board, and the reference in section 23 to "the Denton Local Board," and the references in sections 41 (6 and 7), 42, 45, 46, 51, and 52 to "the joint committee" shall be read as referring to the Local Board.
- (5.) In Section 34 the expression "transmission" shall be read as including every case of apparent transmission in consequence of the change of name of the annuitant, although the actual ownership of the annuity may remain unaltered.
- (6.) Section 39 shall be amended so as to provide that the Local Board may redeem or purchase any annuity at such price as may be agreed upon between the annuitant and the Local Board.
- (7.) Sub-section (4) of Section 41 shall be amended so as to require that a testing place shall be provided by the Local Board at their Gasworks within one month after the commencement of this Order.
- (8.) In lieu of the provisions of Section 63 the following provisions shall take effect,—

"The Local Board shall set aside such yearly or half-yearly sums for a
" sinking fund for the redemption of the annuities created under the
" Act of 1877, within the period of sixty years from the Second day of
" August, One thousand eight hundred and eighty-two, as shall from

“ time to time be approved by the Local Government Board, and
“ shall invest and accumulate the same and the income thereof in
“ manner provided by Article XVI. of this Order, for the accumulation
“ and investment of the sinking funds, for repayment of moneys
“ borrowed under this Order. And the Local Board shall, from time
“ to time, apply the sinking fund so created in the redemption of the
“ annuities, provided that when any part of the sinking fund has been
“ so applied, the Local Board shall thenceforth, until all the annuities
“ have been redeemed, pay into the sinking fund every year, in
“ addition to the sum aforesaid, a sum equal to the interest at the rate
“ of three pounds per centum per annum which would have been
“ produced by the sinking fund or part of the sinking fund so applied,
“ and provided further, that when and so long as the yearly income
“ arising from the sinking fund invested equals the annual amount of
“ the annuities then outstanding, the Local Board may, instead of
“ investing that yearly income, apply the same in payment of the
“ annuities outstanding, and discontinue the payment to the sinking
“ fund of the sums required to be paid thereto as aforesaid.”

A.D. 1884.

*Denton and
Haughton
Order.*

(9.) The provisions of Section 67 shall apply to every instalment or appropriation for repayment of loans or redemption of annuities to be made under the Local Acts or this Order.

(10.) In lieu of the provisions of Section 71 the following provisions shall take effect;—

“ The Local Board shall apply their gas revenue as follows :

“ In payment of the gas establishment charges, that is to say, of the
“ expenses properly chargeable to revenue of establishing, con-
“ ducting, managing, and maintaining the gasworks, and works
“ connected therewith ;

“ In payment of the interest on the moneys borrowed or reborrowed
“ for the purposes of the gas undertaking, including the redemption
“ of gas annuities and the repayment of the mortgage debt of
“ the Dukinfield Gas Company chargeable to the Local Board,
“ and in payment of the unredeemed annuities payable in respect
“ thereof.

“ In providing for the discharge of any moneys borrowed or re-
“ borrowed for the purposes of the gas undertaking, including the
“ redemption of gas annuities and the repayment of the mortgage
“ debt of the Dukinfield Gas Company chargeable to the Local
“ Board, and the sinking fund required to be set aside for the
“ redemption of the said annuities.

“ In setting apart, if the Local Board think fit, a yearly sum not
“ exceeding ten pounds per centum of such revenue, for the
“ purpose of forming a reserve fund to provide for the expenses
“ attendant upon or occasioned by any sudden accident to the
“ said gasworks and works connected therewith, or any other

[Ch. CCXV.] *Local Government Board's* [47 & 48 VICT.]
Provisional Orders Confirmation (No. 8) Act, 1884.

A.D. 1884.

*Denton and
Haughton
Order.*

“ extraordinary expenditure authorised by the Local Acts: Pro-
“ vided that such reserve fund shall be accumulated by way of
“ compound interest by investment in the manner specified in
“ Article XVI. of this Order as to the sinking fund, for repayment
“ of moneys borrowed under this Order, and shall not at any time
“ exceed the sum of five thousand pounds, and that whenever the
“ reserve fund amounts to five thousand pounds the income there-
“ from shall be applied in the same manner as money received
“ by the Local Board by way of revenue under the Local Acts.
“ In payment, if the Local Board think fit, of the expenses of
“ executing any permanent works in connection with the gas under-
“ taking.
“ The residue, if any, of such revenue, shall be carried to the credit of
“ the District Fund or General District Rate (at the option of the
“ Local Board) but no part of such revenue shall be carried to the
“ credit of the District Fund or General District Rate when
“ the price of gas to private consumers exceeds four shillings per
“ one thousand cubic feet.”

Art. XII. The Act of 1880 shall be read and take effect and be executed by the Local Board as if the name of the Local Board had been therein inserted instead of “the Denton and Haughton Gas Joint Committee,” and of “the Joint Committee,” and of “the Local Boards of Denton and Haughton,” and of “the Local Boards.”

Art. XIII. The proviso to Section 15 of the Act of 1880 shall be repealed, and instead thereof the following words shall be inserted:—

“ Provided always that all moneys received for or in respect of such sale or
“ disposal shall be applied in repayment of the mortgage debt or increasing
“ the sinking funds of the Local Board in respect of the gas undertaking,
“ in addition to any other moneys required to be so applied, unless the
“ Local Government Board shall sanction the application of such moneys
“ for works or objects on which capital may properly be expended.”

Art. XIV. Section 17 of the Act of 1880 shall be repealed in so far as the same has not been acted upon, and in lieu thereof the following provisions shall take effect:—

The Local Board, with the sanction of the Local Government Board, on the security of their gas revenue, district fund and general district rate, or any or either of such securities, may borrow such sum or sums of money as they may from time to time think requisite for the payment of the expenses of their gas undertaking incurred or to be incurred on capital account, including the redemption of gas annuities and the repayment of the mortgage debt of the Dukinfield Gas Company chargeable to the Local Board.

Art. XV. Any money borrowed by the Local Board under the provisions of Article XIV. of this Order, shall be repaid within such period as the Local Board, with the sanction of the Local Government Board, shall determine.

[47 & 48 VICT.] *Local Government Board's* [Ch. ccxv.]
Provisional Orders Confirmation (No. 8) Act, 1884.

Art. XVI. The Local Board shall repay the money borrowed under Article XIV. of this Order 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 payment of all expenses, to pay off the money so borrowed within the period sanctioned, and shall invest such sinking fund and the income thereof in the purchase of exchequer bills or other Government securities, or securities in which trustees are by law for the time being authorised to invest, or 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 Local Board, the Local Board being at liberty from time to time to vary and transpose such investments.

A.D. 1884.

*Denton and
Haughton
Order.*

Art. XVII. The Local Board 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 Local Board pay into the fund each year, and accumulate until the whole of the money borrowed is discharged, a sum equivalent to the interest at the rate of three pounds per centum per annum, which would have been produced by the sinking fund or the part of the sinking fund so applied.

Art. XVIII. All money borrowed by the Local Board under this Order, or reborrowed, shall be appropriated to the purposes for which it is authorised to be so borrowed or reborrowed: Provided always, that it shall not be incumbent on any mortgagee to see to the application of any money so borrowed or reborrowed, nor shall the mortgagee be responsible for any misapplication thereof.

Art. XIX. The Local Board may from time to time reborrow any money borrowed by them, or the Denton Local Board, or the Haughton Local Board, under this Order or the Local Acts, and paid off otherwise than by instalments or appropriations, or by means of a sinking fund, or out of the proceeds of the sale or disposition of land, or out of other moneys received or capital account. Provided always, that all moneys so reborrowed shall be repaid within the period prescribed for the repayment of the moneys in lieu of which such reborrowing is made, and any amounts from time to time reborrowed shall be deemed to form the same loan as the money in lieu of which such reborrowing has been made, and the obligations of the Local Board with respect to the repayment of such moneys shall not be in any way affected by such reborrowing.

Art. XX. The Local Board shall keep separate capital and revenue accounts of all receipts, credits, payments, liabilities, and transactions in and about the execution of the Local Acts and this Order, and from or on account of the gas undertaking hereby authorised, which accounts shall be distinct from the other accounts of the Local Board, and shall be called respectively "the Gas Capital Account" and "the Gas Revenue Account."

[Ch. ccxv.] *Local Government Board's* [47 & 48 VICT.]
Provisional Orders Confirmation (No. 8) Act, 1884.

A.D. 1884.

*Denton an
Haughton
Order.*

Art. XXI. The provisions of Sections 245, 247 (except sub-section (2)), 249, and 250 of the Public Health Act, 1875, relating to accounts and their audit, and the provisions of the District Auditors Act, 1879, so far as the same are applicable, shall apply to the accounts of the Local Board under the Local Acts and this Order, and to the audit of such accounts.

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

CHARLES W. DILKE, President.

HUGH OWEN, Secretary.

(L.S.)

*Manchester
Order.*

CITY OF MANCHESTER.

*Provisional Order for altering the Manchester Corporation Water-
works and Improvement Act, 1875, and certain other Local
Acts relating to Markets.*

To the Mayor, Aldermen, and Citizens of the City of Manchester, 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 Manchester 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 Manchester Corporation Waterworks and Improvement Act, 1875 (herein-after referred to as "the Improvement Act of 1875"), the Manchester Market Act, 1846 (herein-after referred to as "the Market Act of 1846"), the Manchester Markets Act, 1847, the Manchester Improvement Act, 1860, and the Manchester Improvement Act, 1865 (herein-after referred to as "the Improvement Act of 1865"), are in force in the said City ;

And whereas by Section 57 of the Improvement Act of 1875 it is enacted that in addition to the other sums which the Corporation are by any Act relating to the Corporation or the Improvement Act of 1875 authorised to borrow, the Corporation from time to time may borrow at interest, for purposes connected with their gasworks, any sums not exceeding the sum of Two hundred and fifty thousand pounds on the credit of the city rate of the said city, and that the Sections 16 to 30, both inclusive, of the Act (Local and Personal) 7 & 8 Victoria, chapter forty, and the several provisions contained in the Sections 34 to 50, both inclusive, of the Manchester Corporation Waterworks and Improvement Act, 1872, shall be extended to the Improvement Act of 1875, with reference to the moneys to be so borrowed, as if the same had been expressly repeated and re-enacted therein with reference thereto; and it is provided that the Corporation shall, from and after the First day of January, One thousand eight hundred and seventy-nine, and during the succeeding twenty years, annually

[47 & 48 VICT.] *Local Government Board's* [Ch. ccxv.]
Provisional Orders Confirmation (No. 8) Act, 1884.

set apart as a sinking fund a sum being not less than one pound ten shillings per centum, and from and after the expiration of such twenty years a sum being not less than two pounds per centum, on so much of the said sum of Two hundred and fifty thousand pounds as from time to time has been borrowed, and that such sinking fund shall from time to time be applicable to the redemption of mortgages granted under that section, and to no other purpose whatever ;

A:D. 1884.
—
Manchester
Order.
—

And whereas the Local Government Board by a Provisional Order dated the Twelfth day of May, One thousand eight hundred and eighty, and confirmed by the Local Government Board's Provisional Orders Confirmation (Abingdon, &c.) Act, 1880, ordered that, from and after the date of the Act of Parliament confirming that Order, Section 57 of the Improvement Act of 1875 should be altered and amended so as to enable the Corporation to borrow under the provisions thereof, and for purposes connected with their gasworks, any sum or sums not exceeding in the whole the sum of Two hundred and fifty thousand pounds in addition to the sum of Two hundred and fifty thousand pounds in the Improvement Act of 1875 mentioned ;

And whereas by Section 39 of the Market Act of 1846 the Corporation were empowered to demand and take in respect of the Market Hall, or any market, market-place, or place for holding any market or fair, such stallages, rents, and tolls as the Corporation should from time to time appoint, not exceeding the several stallages, rents, and tolls specified in the Schedule B. to that Act annexed ;

And whereas by Section 26 of the Improvement Act of 1865 the Corporation were empowered to demand and take the tolls and stallages set forth and prescribed in the Schedule to that Act annexed ;

And whereas the Improvement Act of 1875, the Market Act of 1846, and the Improvement Act of 1865, are Local Acts within the meaning of Section 303 of the Public Health Act, 1875, and the Corporation have applied to the Local Government Board to alter and amend the same :

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. Section 57 of the Improvement Act of 1875 shall be altered and amended so as to enable the Corporation to borrow under the provisions thereof, and for purposes connected with their gasworks, any sum or sums not exceeding in the whole the sum of Two hundred thousand pounds, in addition to the two several sums of Two hundred and fifty thousand pounds which they already have power to borrow for gasworks purposes as herein-before recited.

Provided that the Corporation shall, in the twenty years immediately following the borrowing of the said sum of Two hundred thousand pounds, or any part thereof, annually set apart as the sinking fund for the repayment of the moneys borrowed a sum not less than one pound ten shillings per centum on the sum so borrowed, and after the expiration of such twenty years shall annually set apart as such sinking fund a sum not less than two pounds per centum on the sum so borrowed.

[Ch. ccxv.] *Local Government Board's* [47 & 48 VICT.]
Provisional Orders Confirmation (No. 8) Act, 1884.

A.D. 1884.

Manchester
Order.

Art. II. Sections 60, 62, and 63 of the Act of 1875 shall apply to all sums borrowed by the Corporation under Section 57 of that Act as hereby altered and amended.

Art. III. Section 39 of the Market Act of 1846, and the Schedule B. to that Act annexed, and Section 26 of the Improvement Act of 1865 and the Schedule to that Act annexed, so far as the said Sections and Schedules relate to the Fruit, Vegetable, General, and Fish Markets belonging to the Corporation and situate between Shude Hill, Swan Street, Thomas Street, and Tib Street, and to all future enlargements of the said markets (which markets and enlargements are herein-after referred to as "the Smithfield Markets"), shall be altered and amended so as to provide as follows :

It shall be lawful for the Corporation from time to time to demand and take from any person occupying or using in the Smithfield Markets any building used as a shop or otherwise, and comprising not more than one storey, or any stand or temporary structure or erection, or any space provided for the reception, deposit, or exposure for sale of any marketable commodity (which building, stand, temporary structure or erection, or space, is herein-after referred to as a "stall"), in lieu of the rents set forth and prescribed in the said first-mentioned Schedule, such weekly rent not exceeding the rent specified in Part I. of the Schedule to this Order as the Corporation shall from time to time appoint: Provided that in fixing the rent to be so demanded and taken and appointed no distinction shall be made in respect of the particular trade, business, or purpose for which any stall may be occupied or used.

Such rent shall, upon demand by the Corporation or any officer or person authorised by them to receive the same, be paid in advance, and the Corporation shall be deemed to have agreed or to have become liable to pay any rate assessed upon any hereditament in respect of which the rent from time to time accruing due shall be paid in accordance with this Article.

Art. IV. The Corporation shall, from time to time, in the exercise of their powers of regulating and directing the manner of occupying and using the Smithfield Markets and the stalls therein, provide, as far as may be practicable, a number of stalls sufficient for the accommodation of all persons applying for permission to occupy or use any stall on payment of weekly rent in pursuance of Article III. of this Order ; and every such person, to the extent to which such accommodation shall have been provided, and shall at the time be available for use, shall be entitled to occupy or use a stall on payment of such rent.

If at any time the number of unoccupied stalls is insufficient for the accommodation of the number of persons applying for permission to occupy or use the same, the several stalls then unoccupied shall be let to the several persons applying for permission to occupy or use the same at the discretion of the Corporation.

Art. V. If after the expiration of one complete financial year next after the commencement of this Order the net sum which has accrued during that year in respect of the revenues of the several markets belonging to the Corporation, and has been placed to the credit of the City Fund, exceeds Twenty thousand

pounds, then unless such excess arises from other sources or other causes than the Smithfield Markets the Corporation shall reduce the weekly rent to be demanded and taken from any person occupying or using any stall in the Smithfield Markets to such sum or sums as the Corporation may deem equitable; and thenceforth, for the purposes of Article III. of this Order, such sum or sums shall be deemed to be the rent which the Corporation shall be empowered from time to time to demand and take in lieu of the rent specified in Part I. of the Schedule to this Order.

A.D. 1884.
—
Manchester
Order.
—

Art. VI. Section 39 of the Market Act of 1846 and the Schedule B. to that Act annexed, and Section 26 of the Improvement Act of 1865 and the Schedule to that Act annexed, so far as the said Sections and Schedules relate to the Smithfield Markets, shall be further altered and amended so as to provide as follows:

It shall be lawful for the Corporation from time to time to demand and take from any person bringing into the Smithfield Markets any marketable commodity for sale or exposure for sale, elsewhere than in or upon any stall occupied on payment of rent in pursuance of Article III. of this Order, such toll, not exceeding the amount specified in Part II. of the Schedule to this Order, as the Corporation shall from time to time appoint, as the toll leviable in respect of such commodity in lieu of the toll set forth and prescribed by the Schedule to the Improvement Act of 1865 annexed;

Every toll payable in pursuance of this Article shall be deemed to accrue due and be leviable in respect of every day during which, or during part of which, the marketable commodity to which such toll relates is exposed for sale or remains in the Smithfield Markets.

Art. VII. Every person who occupies a stall in the Smithfield Markets on payment of a weekly rent, and who has paid in respect of such stall the amount of rent accruing due and demanded by the Corporation, or by any officer or person authorised by them to receive the same, shall not be liable to the payment of any toll leviable by the Corporation in respect of any marketable commodity delivered by him from any wharf or railway station:

Provided that nothing in this Article shall authorise any person or persons to set up a rival market, or shall prejudice any remedies of the Corporation in relation to rival markets.

Art. VIII. Section 46 of the Market Act of 1846, so far as it relates to the Smithfield Markets, shall be altered and amended so as to provide that in case any dispute arises under the said Section any one of the parties concerned in such dispute, if an occupier of a stall in the Smithfield Markets on payment of a weekly rent, may, by a notice in writing given within three days of the time when such dispute shall have arisen, submit the matter in dispute to the Markets Committee of the Corporation, and in that case no proceedings under the said Section shall be taken by the Corporation until the determination of the Markets Committee shall have been given in reference to the matter so submitted.

A.D. 1884.

*Manchester
 Order.*

THE SCHEDULE.

PART I.

RENT authorised to be demanded and taken in the SMITHFIELD
 MARKETS.

From the occupier of each stall, according to the size and dimensions of the same, a weekly rent not exceeding One shilling for each and every superficial yard thereof, measured upon the surface of the ground.

PART II.

TOLLS authorized to be taken in the Smithfield Markets in respect
 of the several marketable commodities herein-after specified.

Fruit.

	<i>s.</i>	<i>d.</i>
For a package of any kind containing not more than 56 lbs. (4 stones)		
not exceeding	0	0½
For a package of any kind containing over 56 lbs. and not exceeding 84 lbs.		
(6 stones) - - - - - not exceeding	0	1
For a package of any kind containing over 84 lbs. and not exceeding 112 lbs.		
(8 stones) - - - - - not exceeding	0	1½
For a package of any kind containing over 112 lbs. and not exceeding 3 cwt.		
gross - - - - - not exceeding	0	2
For a package of any kind containing over 3 cwt. and not exceeding 7½ cwt.		
gross - - - - - not exceeding	0	3
For a package of any kind exceeding 7½ cwt. gross - not exceeding	0	4
For small packages containing not more than 6 lbs. each, if tied together, or contained in an outer case, for every 5 such packages - not exceeding	0	1
For a box or chest not exceeding 3 feet 8 inches in length, 1 foot 8 inches in breadth, and 1 foot 4 inches in depth, containing oranges or lemons		
not exceeding	0	1
For a box or chest exceeding the above dimensions containing oranges or lemons - - - - - not exceeding	0	2

Nuts.

For cocoa nuts in the husks, for every 20 or less - - - not exceeding	0	0½
For cocoa nuts not in the husks, for every 50 or less - - - not exceeding	0	0½
For all other nuts, for every 56 lbs. or part thereof - - - not exceeding	0	0½

Vegetables.

	s.	d.	A.D. 1884.
For potatoes when in bags, 9 stones or under, for each bag - not exceeding	0	0½	— <i>Manchester</i> — <i>Order.</i>
For potatoes when in bags, above 9 stones and not exceeding 18 stones			
not exceeding	0	1	
For carrots, turnips, and dry onions, 112 lbs. or under - not exceeding	0	0½	
For above 112 lbs. and not exceeding 2 cwt. - not exceeding	0	1	
For vegetables (other than green vegetables) not falling within the above scale, for every 112 lbs. or part thereof - not exceeding	0	0½	
And when any of the above-named vegetables are in hampers the toll thereon shall be double the sum fixed for bags.			
For green vegetables of any kind, 1 bushel or under - not exceeding	0	0½	
For above one bushel and not exceeding two bushels - not exceeding	0	1	
And for every additional bushel - not exceeding	0	0½	
For celery, for every five bundles of one dozen sticks - not exceeding	0	1	
For rhubarb, for every five bundles of one dozen bunches - not exceeding	0	1	
For green vegetables or evergreens deposited upon the floor of the market, for every superficial foot occupied per day - not exceeding	0	0½	
For green vegetables or evergreens sold from a cart, waggon, or other vehicle, for every superficial foot occupied by such vehicle per day			
not exceeding	0	0½	

Roots, Plants, and Cut Flowers.

For each package not exceeding 1 bushel - not exceeding	0	1
And for each additional bushel or part thereof - not exceeding	0	1

Fish, Game, Poultry, Lobsters, Crabs, and Oysters.

For small packages containing not more than 6 lbs. each, if tied together or contained in an outer case, for every 5 such packages - not exceeding	0	1
For any quantity of fish, wet or dry, lobsters, crabs, oysters, game, poultry, or small birds, not exceeding 28 lbs. weight - not exceeding	0	0½
For 28 lbs. and not exceeding 112 lbs. - not exceeding	0	1
And for every additional 112 lbs. or part thereof - not exceeding	0	1

Cockles, Mussels, Periwinkles, Whelks, and Escallops.

For every bag, barrel, or other package, 56 lbs., or under - not exceeding	0	0½
For every bag, barrel, or other package, exceeding 56 lbs., but not exceeding 112 lbs. - not exceeding	0	1
And for every additional 56 lbs. or part thereof - not exceeding	0	0½

Rabbits.

For every 12 couples or less - not exceeding	0	1
--	---	---

[Ch. CCXV.] *Local Government Board's* [47 & 48 VICT.]
Provisional Orders Confirmation (No. 8) Act, 1884.

A.D. 1884.

Live Poultry.

		s.	d.
<i>Manchester Order.</i>	In coops, crates, or baskets, per superficial yard, per day - not exceeding	0	4
	For loose turkeys, per dozen, per day - - - - - not exceeding	0	6
	For loose geese, per dozen, per day - - - - - not exceeding	0	4
	For loose ducks, per dozen, per day - - - - - not exceeding	0	2

No less a sum than twopence per day shall be charged to any person selling or exposing for sale, any kind of goods whatsoever in the said markets.

NOTE.—In any case not provided for by this Schedule, the Corporation may charge and take in the said markets such tolls and sums as may be agreed upon.

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

(L.S.)

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

Shipley Order.

LOCAL GOVERNMENT DISTRICT OF SHIPLEY.

Provisional Order for partially repealing, altering, and amending the Shipley Local Government Act, 1874.

To the Shipley Local Board, being the Sanitary Authority for the Urban Sanitary District of Shipley, in the West Riding of the County of York.

And to all others whom it may concern.

WHEREAS the Local Government District of Shipley, in the West Riding of the County of York, is an Urban Sanitary District, of which the Shipley Local Board (herein-after referred to as "the Local Board"), are the Urban Sanitary Authority, and the Shipley Local Government Act, 1874 (herein-after referred to as "the Local Act"), is in force in the District;

And whereas by Section 33 of the Local Act, it was provided that any purchase money received on any sale of lands, buildings, or premises, and any money received for equality of exchange by the Local Board under that Act, should be distinguished as capital in the accounts of the Local Board.

[47 & 48 VICT.] *Local Government Board's* [Ch. CCXV.]
Provisional Orders Confirmation (No. 8) Act, 1884.

And whereas by Section 49 of the Local Act it was provided that from and after the passing of that Act, the following provisions should regulate the setting apart by the Local Board of a sinking fund, with respect to moneys borrowed by them before or after the passing of that Act, under the authority of the recited Acts (the Public Health Act, 1872, being one of such recited Acts,) and Provisional Order, and under the authority of that Act, that is to say, the Local Board should commence and thenceforth continue to set apart and appropriate annually from the rates and rents forming the security, a sum equal to one pound per centum on the aggregate amount of the principal moneys which should have been borrowed as a sinking fund for the repayment of those principal moneys, which sinking fund should be from time to time invested in the name of the Local Board, in any securities in which by law trust moneys might from time to time be invested, and should be accumulated in the way of compound interest or otherwise, and the Local Board should from time to time apply the sums so set apart in repayment of the principal moneys so borrowed.

A.D. 1884.

Shipley
Order

And whereas the Local Board have, under the powers of the Local Act and certain Provisional Orders amending the same, and under the Sanitary Acts and the Public Health Act, 1875, with the sanction of the Secretary of State or of the Local Government Board, borrowed and expended on the purchase of land for street improvements the sum of Fifty-four thousand and ninety-seven pounds nine shillings and twopence, on the purchase of lands for waterworks purposes the sum of Fourteen thousand nine hundred and seventy-nine pounds and fifteen shillings, and on the construction of reservoirs Seventy-three thousand three hundred and ninety-two pounds seventeen shillings and elevenpence, and the particulars of the amounts borrowed, with the dates on which the same respectively were sanctioned to be borrowed, and the amounts now remaining unpaid in respect thereof are set forth in the Schedule to this Order:

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 Twenty-ninth day of September, One thousand eight hundred and eighty-four (hereinafter referred to as "the commencement of this Order"), the following provisions shall take effect:—

Art. I. Section 33 of the Local Act shall be repealed, so far as the same relates to moneys thereby required to be distinguished as capital in the accounts of the Local Board; and the Local Act shall be amended so as to provide that the Local Board shall pay to the sinking fund under Section 49 of the Local Act, in addition to any other moneys required to be carried to that fund, all purchase moneys received under the Local Act on any sale of lands, buildings, and premises, or for equality of exchange by the Local Board, and any other moneys received by the Local Board on capital account under the Local Act for the application of which no distinct provision is made.

[Ch. ccxv.] *Local Government Board's* [47 & 48 VICT.]
Provisional Orders Confirmation (No. 8) Act, 1884.

A.D. 1884.

Shipleys
Order.

Art. II. The provisions of Section 49 of the Local Act shall not apply to any moneys hereafter borrowed by the Local Board under the Public Health Act, 1875, or any Public General Act amending the same, but such moneys shall be repaid in accordance with the provisions of the Act under which they shall be borrowed.

Art. III. Section 49 of the Local Act shall be altered and amended so as to provide that in addition to the mode of repayment thereby authorised, it shall be lawful for the Local Board to repay all or any of their loans under the Local Act or the Provisional Orders amending the same, or under the Sanitary Acts, or the Public Health Act, 1875, by equal annual instalments of principal, or of principal and interest combined, within such periods as the Local Board, with the sanction of the Local Government Board, shall determine; and any moneys so repaid shall not be reborrowed.

Art. IV.—The Local Act shall be further altered and amended so as to provide as follows;—

- (1.) The Local Board shall repay the moneys mentioned in the fifth column of the Schedule hereto within the respective periods mentioned in the sixth column of the same Schedule, either by equal annual instalments of principal, or of principal and interest, or by setting apart in every year as a sinking fund such sums as will, with accumulations in the way of compound interest at the rate of Three pounds and ten shillings per centum per annum, be sufficient, after payment of all expenses, to pay off such moneys within the respective periods prescribed.
- (2.) The Local Board shall invest all moneys from time to time set apart as sinking funds, under the provisions of this Order, 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 Local Board, with liberty from time to time to vary and transpose such investments.
- 3.) The Local Board may at any time apply the whole or any part of the sinking fund in or towards the discharge of the money for the repayment of which the fund is established: Provided that the Local Board pay into the fund each year and accumulate until the whole of the money borrowed is discharged a sum equivalent to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied.
- (4.) Any moneys paid off in accordance with the provisions of this Article shall not be reborrowed.

Art. V. The Local Act shall be further altered and amended so as to provide as follows;—

- (1) The Clerk to the Local Board shall within twenty-one days after the Twenty-fifth day of March in every year during which any sum is

required to be paid as an instalment or to be set apart for a sinking fund under the Local Act or any Provisional Order amending the same, 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 or in repayment of borrowed moneys 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 investments, or of the sums accumulated by way of interest has been applied during the same period, and the total amounts (if any) remaining invested at the end of the year; 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.

- (2.) If it appears to the Local Government Board by that return or otherwise that the Local Board have failed to pay any instalment required to be paid or to set apart any sum required for such sinking fund, or have applied any portion of the money set apart for such sinking fund, or of the sums accumulated by way of interest or any sums required to be applied 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 such 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.

Shipley
Order.

[Ch. ccxv.] *Local Government Board's* [47 & 48 VICT.]
Provisional Orders Confirmation (No. 8) Act, 1884.

A D. 1884.

The SCHEDULE above referred to.

*Shipley
Order.*

Purpose.	Authority under which the Loan was raised.	Amount borrowed.	Date of Sanction.	Amount now remaining unpaid.	Period prescribed for repayment.
1.	2.	3.	4.	5.	6.
1. Water Undertaking.	Shipley Water Works and Police Act, 1854.	£ 10,401 12 6	April 16th, 1855 -	£ 9,300 12 6	60 years from date of sanction.
2. Do. do. -	Public Health Act, 1848	5,029 11 9	April 5th, 1856 -	4,497 11 9	Do.
3. Do. do. -	Do. do. -	1,973 15 10	April 7th, 1857 -	1,764 15 10	Do.
4. Do. do. -	Do. do. -	198 2 6	Feb. 10th, 1858 -	177 2 6	Do.
5. Do. do. -	Shipley Water Works and Police Act, 1854, as amended by Provisional Order of February 16th, 1865.	7,456 14 11	June 19th, 1865 -	6,679 14 0	Do.
6. Do. do. -	Do. do. -	650 0 0	Dec. 17th, 1867 -	581 4 3	Do.
7. Do. do. -	Do. do. -	3,190 2 0	Mar. 10th, 1871 -	2,852 2 0	Do.
8. Do. do. -	Shipley Water Works and Police Act, 1854, as amended by Provisional Order of June 2nd, 1873.	5,497 9 2	June 2nd, 1873 -	4,915 8 2	Do.
9. Street Improvements.	Shipley Local Government Act, 1874.	24,949 7 0	July 8th, 1874 -	22,826 7 0	Do.
10. Water Undertaking.	Do. do. -	4,502 10 0	July 8th, 1876 -	4,066 5 5	Do.
11. Do. do. -	Do. do. -	4,502 10 0	Aug. 26th, 1876 -	4,066 5 5	Do.
12. Do. do. -	Public Health Act, 1875 and the Local Government Board's Provisional Orders Confirmation Act, 1873 (No. 6.)	21,721 17 6	Sept. 27th, 1876 -	19,617 6 8	Do.
13. Do. do. -	Public Health Act, 1875	23,248 6 9	April 2nd, 1877 -	22,177 6 9	Do.
14. Street Improvements.	Shipley Local Government Act, 1874.	10,903 18 9	April 2nd, 1877 -	10,044 18 9	Do.
15. Do. do. -	Public Health Act, 1875	8,191 11 10	July 25th, 1879 -	7,932 11 10	Do.
16. Do. do. -	Do. do. -	10,052 11 7	Aug. 26th, 1880 -	9,846 11 7	Do.
		142,470 2 1		131,346 4 5	

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

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

(L.S.)

LOCAL GOVERNMENT DISTRICT OF SKELTON AND
BROTTON.

A.D. 1884.

*Skelton and
Brotton
Order.*

*Provisional Order for extending a Local Government District, and
for other purposes.*

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

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

And to all others whom it may concern.

WHEREAS on or about the Sixteenth day of April, One thousand eight hundred and sixty-six, the Local Government Act, 1858, came into force in the Township of Skelton in Cleveland, in the North Riding of the County of York ;

And whereas by a Provisional Order of the Local Government Board, dated the Twenty-eighth day of April, One thousand eight hundred and seventy-nine, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (Aspull, &c.) Act, 1879, (which Order and Act are herein-after respectively referred to as "the Order of 1879" and "the Confirming Act of 1879"), it was declared that all that part of the Rural Sanitary District of the Guisborough Union which comprised the Townships of Moorsholm-cum-Gerrick and Stanghow should be included in, and should, for the purposes of the Public Health Act, 1875, be deemed to form part of the Local Government District of Skelton, (which District as thereby extended is herein-after referred to as "the Skelton District") ;

And whereas by a Provisional Order of the Local Government Board, dated the Fourth day of May, One thousand eight hundred and seventy-eight, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (Bournemouth, &c.) Act, 1878, it was declared that the Townships of Brotton and Kilton should, from and after the Twenty-ninth day of September, One thousand eight hundred and seventy-eight, be a Local Government District under the name of the Brotton District ;

And whereas each of the said Districts is divided into Wards for the purpose of the election of members of the Local Board thereof ;

And whereas the Brotton District immediately adjoins the Skelton District :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 270 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Declare that, from and after the commencement of this Order, the Local Government District of Brotton 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 Skelton, such last-mentioned District, as hereby extended, being herein referred to as "the District."

[Ch. ccxv.] *Local Government Board's* [47 & 48 VICT.]
Provisional Orders Confirmation (No. 8) Act, 1884.

A.D. 1884.

*Skelton and
Brotton
Order.*

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-four (herein referred to as “ the commencement of this Order ”).

Art. II. The nine members of the Brotton Local Board shall, at the commencement of this Order, become members of the Local Board of the District (herein-after referred to as the “ Local Board ”), and the persons so becoming members of the Local Board shall, with the twelve members of the Skelton Local Board and, subject to the provisions of Rules 64 and 65 of Schedule II., to the Public Health Act, 1875, form the Local Board, until the Fifteenth day of April, One thousand eight hundred and eighty-five.

Art. III. At the next and all future elections the members forming the Local Board, shall go out of office according to the provisions of Rules 59 and 61 of Schedule II. to the Public Health Act, 1875.

Art. IV. The number of members constituting the Local Board, shall, from and after the commencement of this Order, and subject to the provisions of Rule 2 of Schedule II. to the Public Health Act, 1875, be twenty-one.

Art. V. The Local Government Board shall by Order, before the next annual election of the Local Board, determine whether the Wards into which the Skelton District and the Brotton District are now divided shall continue for the purpose of elections of the Local Board, or in what way the same shall be altered.

Art. VI. The Local Government Board may from time to time, by Order, increase or diminish the number of members of the Local Board, or abolish or alter the number or boundaries of the wards, and 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.

And whereas by Section 4 of the Confirming Act of 1879, it was enacted that from and after the commencement of the Order of 1879, the Skelton Local Board should be the burial board for the Skelton District (which District, so far as the Burial Board is concerned, is herein-after referred to as “ the Burial Board District ”), and should have the same rights, powers, duties, liabilities, and obligations as if they had been duly constituted a burial board for such district, and should hold for the benefit of the Burial Board District, the burial ground which they had provided as the burial board for the then existing Local Government District of Skelton ; and that so much of the principal sums amounting to Three thousand two hundred and forty pounds secured by the mortgages therein mentioned, as should remain due and owing at the commencement of the Order of 1879 should, together with the interest then due and thereafter to accrue due in respect of the same, be charged on the rates which were leviable for defraying the expenses of the burial board for the Burial Board District ;

And whereas of the said sum of Three thousand two hundred and forty pounds the sum of Two thousand seven hundred and three pounds now remains unpaid ;

And whereas it is expedient that the Confirming Act of 1879 should be altered so as to make provision as to which of the members of the Local

Board shall form the burial board for the district herein-after mentioned, and for the transfer to such burial board of the powers, rights, duties, capacities, liabilities, obligations, and property vested in or attaching to the burial board appointed under the Confirming Act of 1879 :

A.D. 1884.
—
*Skelton and
Brotton
Order.*
—

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 further order that from and after the commencement of this Order, the following provisions shall take effect ; viz.—

Art. VII.—The Confirming Act of 1879 shall be altered and amended so as to provide as follows :

- (1.) From and after the commencement of this Order, the members of the Local Board who shall for the time being represent the wards which comprise the Burial Board District, shall form the Burial Board for the said District (herein-after referred to as "the Burial Board"), and shall be deemed to be a Burial Board elected under the Burial Acts for the time being in force.
- (2.) The Local Government Board may, if they think fit, add to the Burial Board District the parts of the Brotton District wholly surrounded by the Skelton District.
- (3.) All the powers, rights, duties, capacities, liabilities, obligations, and property which, prior to the commencement of this Order, were exerciseable by or attaching to, or vested in the Skelton Local Board, acting as a Burial Board, including the liability for the repayment of the said sum of Two thousand seven hundred and three pounds and interest thereon, shall pass to and vest in the Burial Board.
- (4.) All expenses incurred by and debts transferred to the burial board, including the said sum of Two thousand seven hundred and three pounds, or so much thereof as shall be owing at the commencement of this Order, and interest thereon, shall, so far as the same are not otherwise provided for, be defrayed out of and charged upon a rate to be levied by the Local Board as and when requested by the burial board, such rate being levied in the Burial Board District, and in the same manner as a general district rate.
- (5.) Sections 245, 247 (excepting Sub-section (2)), 249, and 250 of the Public Health Act, 1875, relating to accounts and their audit, and the provisions of the District Auditors Act, 1879, so far as the same are applicable, shall apply to the accounts of the burial board for the time being, and to the audit of such accounts.

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

(L.S.)

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

[Ch. CCXV.] *Local Government Board's* [47 & 48 VICT.]
Provisional Orders Confirmation (No. 8) Act, 1884.

A.D. 1884. LOCAL GOVERNMENT DISTRICT OF SOWERBY BRIDGE.

Sowerby
Bridge
Order.

Provisional Order for partially repealing and altering the Sowerby Bridge Gas Act, 1861, and the Sowerby Bridge Local Board Act, 1863.

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

And to all others whom it may concern.

WHEREAS the Local Government District of Sowerby Bridge, in the West Riding of the County of York (herein-after referred to as "the District"), is an Urban Sanitary District, of which the Sowerby Bridge Local Board (herein-after referred to as "the Local Board"), are the Urban Sanitary Authority, and the Sowerby Bridge Gas Act, 1861, and the Sowerby Bridge Local Board Act, 1863, as amended by a Provisional Order of the Local Government Board dated the Thirteenth day of May, One thousand eight hundred and eighty-two, not affecting the subject-matter of this Order (herein-after respectively referred to as "the Act of 1861" and "the Act of 1863," and together referred to as "the Local Acts"), are in force in the District;

And whereas by Articles of Agreement set out in the First Schedule to the Act of 1861, bearing date the Twentieth day of March, One thousand eight hundred and sixty-one, and made between the Sowerby Bridge Gas Company (herein-after referred to as "the Company"), of the one part, and the Local Board of the other part, the Company agreed to sell, and the Local Board agreed to purchase, the undertaking of the Company;

And whereas by Articles of Agreement set out in the Second Schedule to the Act of 1861, bearing date the Twentieth day of March, One thousand eight hundred and sixty-one, and made between the Sowerby Bridge Gas Consumers Company (herein-after referred to as "the Consumers Company") of the first part, certain persons therein named of the second part, and the Local Board of the third part, the Consumers Company agreed to sell, and the Local Board agreed to purchase, all the property, powers, rights, and privileges of the Consumers Company, exclusive of their land, but subject to their liabilities and engagements;

And whereas by Section 56 of the Act of 1861, the Agreement set forth in the First Schedule thereto was confirmed;

And whereas by Section 75 of the Act of 1861, the Agreement set forth in the Second Schedule thereto was confirmed;

And whereas by Section 80 of the Act of 1861 the sections of the Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the Commissioners, were incorporated;

And whereas by Section 9 of the Act of 1863, the Local Board were empowered under the authority of that Act, and in accordance with the Act of 1861, to borrow at interest on mortgage of their gas undertaking and of the income arising therefrom, and on the credit of the gas works purchase rates, and of the special or general district rates imposed for the purposes of the gas works and the extensions thereof, such sums as they might think requisite, not exceeding in the whole twenty-two thousand pounds, in addition to the sum of forty thousand pounds authorised to be borrowed under the provisions of the Act of 1861;

A.D. 1884.

—
Sowerby
Bridge
Order.
—

And whereas by Section 10 of the Act of 1863 it was provided that the period within which any money borrowed by the Local Board under the authority of and for the purposes of the Act of 1861, was to be paid off, should be forty years from the year 1866, and the prescribed sum to be set aside yearly as a sinking fund to pay off the principal moneys to be borrowed by the Local Board for the purposes of the Act of 1861, or of that Act, should be one-fortieth part of the moneys so borrowed; and that the like provision might, with the consent of the lenders or parties interested, be made applicable to any moneys then already borrowed by the Local Board for the purposes of the gas undertaking;

And whereas the Local Board have borrowed under the Local Acts sums amounting in the aggregate to the sum of Sixty-one thousand nine hundred and six pounds six shillings and sixpence, but they have not annually set aside the prescribed sum for a sinking fund, in accordance with the provisions of Sections 80 and 81 of the Act of 1861, and Section 10 of the Act of 1863;

And whereas the Local Board have from time to time paid off certain parts of the said sum of Sixty-one thousand nine hundred and six pounds six shillings and sixpence, and have reborrowed the same, and doubts have been expressed as to the power of the Local Board to reborrow, and as to the validity of the mortgages granted for the sums reborrowed;

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 Twenty-ninth day of September, One thousand eight hundred and eighty-four (herein referred to as "the commencement of this Order"), the following provisions shall take effect; viz.—

Art. 1. Sections 79, 81, and 87 of the Act of 1861, and Sections 9 and 10 of the Act of 1863, shall be wholly repealed, except so far as the same may have been acted upon!

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

- (1.) The Local Board, within such period not exceeding fifteen years from the commencement of this Order, as the Local Government Board may hereafter determine, and out of the rates, funds, and revenues out of which the same should, in accordance with the provisions of the Local Acts, as amended by this Order, have been set aside, shall set apart as a sinking fund the

[Ch. ccxv.] *Local Government Board's* [47 & 48 VICT.]
Provisional Orders Confirmation (No. 8) Act, 1884.

A.D. 1884.

*Sowerby
Bridge
Order.*

sum of three thousand six hundred pounds which, before the commencement of this Order, should have been set aside, and which has not been so set aside. The sums to be annually paid into the sinking fund for this purpose shall be such as the Local Board, with the approval of the Local Government Board, shall in each year determine, and shall be so paid by the Local Board on the Twenty-fifth day of March in every year, and the first payment shall be made on the Twenty-fifth day of March, One thousand eight hundred and eighty-five.

- (2.) In addition to the moneys required to be set aside under Sub-division (1) of this Article the Local Board shall on the Twenty-fifth day of March One thousand eight hundred and eighty-five, and on the same day in every succeeding year until the whole of the moneys borrowed by the Local Board under the powers of borrowing conferred by Section 79 of the Act of 1861 and Section 9 of the Act of 1863 shall have been repaid, set apart a sum of One thousand five hundred and forty-seven pounds thirteen shillings and twopence for the repayment of such borrowed moneys.

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

- (1.) The Local Board may, with the sanction of the Local Government Board, borrow on the security of the revenue of the gas undertaking and upon the security of the district fund and general district rate of their District, or upon either of such securities, such sum or sums of money as they may from time to time require, not exceeding in the whole the sum of Twenty thousand pounds.
- (2.) Any money borrowed by the Local Board under the provisions of sub-division (1) of this Article shall be repaid within such period as the Local Board, with the sanction of the Local Government Board, shall determine.
- (3.) The Local Board shall pay off the money borrowed under sub-division (1) of this Article by equal annual instalments, or appropriations of principal, or of principal and interest combined, 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 payment of all expenses, to pay off the money so borrowed within the period sanctioned, 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 Local Board, the Local Board being at liberty from time to time to vary and transpose such investments.
- (4.) The Local Board 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 Local Board pay into the fund each year a sum equivalent to interest at three pounds per centum on the sinking fund or part of the sinking fund so applied.

Art. IV. The Local Acts shall be altered so as to provide as follows, viz. :— A.D. 1884.

- (1.) The Local Board may from time to time reborrow any money borrowed by them under Section 79 of the Act of 1861, or Section 9 of the Act of 1863, or this Order, and paid off otherwise than by instalments or appropriations, or by means of a sinking fund, or out of the proceeds of the sale of surplus lands, or out of other moneys received on capital account. Provided always that all moneys so reborrowed shall be repaid within the period prescribed for repayment of the moneys in lieu of which such reborrowing is made, and any amounts from time to time reborrowed shall be deemed to form the same loan as the moneys in lieu of which such reborrowing has been made, and the obligations of the Local Board with respect to the repayment of such moneys shall not be in any way affected by such reborrowing.
- (2.) Any mortgages executed by the Local Board for securing the repayment of any moneys reborrowed to repay moneys borrowed under Section 79 of the Act of 1861 and Section 9 of the Act of 1863, which shall be existing at the commencement of this Order shall be hereby rendered valid and of as full effect as if a general power of reborrowing had been given to the Local Board by the Local Acts.
- (3.) The provisions of sub-division (3) of Article III. of this Order relating to the investment of a sinking fund, shall apply to all moneys required to be set apart under Article II. of this Order, pending their application in repayment of the principal moneys in respect of which they are set apart.
- (4.) All money borrowed under this Order shall be appropriated only to the purposes for which it is authorised to be so borrowed.

Provided always that it shall not in any way be incumbent on any mortgagee to see to the application of any money so borrowed, nor shall the mortgagee be responsible for any misapplication thereof.

- (5.) The powers of borrowing and reborrowing conferred by Article III. and by sub-division (1) of this Article shall be deemed to be distinct from, and in addition to the powers of borrowing conferred on the Local Board by the Public Health Act, 1875.

Art. V. The Local Acts shall be further altered and amended so as to provide as follows ;—

- (1.) The Clerk to the Local Board shall within twenty-one days after the Twenty-fifth day of March in every year during which any sum is required to be paid as an instalment or to be set apart for a sinking fund under 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 and the amounts which have been invested or applied for the purposes of such sinking fund or in repayment of borrowed moneys during the year next preceding the making of such return, and the description of

*Sowerby
Bridge
Order.*

[Ch. CCXV.] *Local Government Board's* [47 & 48 VICT.]
Provisional Orders Confirmation (No. 8) Act, 1884.

A.D. 1884.

*Sowerby
Bridge
Order.*

the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund, or investments or of the sums accumulated by way of interest has been applied during the same period, and the total amounts (if any) remaining invested at the end of the year; 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.

(2.) If it appears to the Local Government Board by that return or otherwise that the Local Board have failed to pay any instalment required to be paid or to set apart any sum required for such sinking fund, or have applied any portion of the money set apart for such sinking fund, or of the sums accumulated by way of interest, or any other moneys required to be appropriated to the repayment of loans, 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 such 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.

Art. VI. In lieu of Section 87 of the Act of 1861, the following provisions shall apply:—

The Local Board shall apply all money from time to time received by them in respect of their gas undertaking on revenue account, as follows:—

First, in payment of the expenses properly chargeable to revenue of conducting, managing, and maintaining the gas works, and carrying on the gas undertaking of the Local Board.

Secondly, in providing the sums required to be set aside by subdivision (1) of Article II. of this Order.

Thirdly, in providing the requisite instalments, appropriations, and sinking funds under this Order other than the instalments under subdivision (1) of Article II. of this Order.

Fourthly, in improving and extending the gas works and mains, and in payment of any charges and expenses for the time being paid out of the district fund or general district rate in respect thereof.

The residue, if any, of such revenue, shall be carried to the credit of the district fund: Provided always that no part of such revenue shall be carried to the credit of the district fund until the before-mentioned sum of three thousand six hundred pounds has been made good, and until the said sum of three thousand six hundred pounds has been made good, the whole of such residue, if any, shall be carried to the credit of the fund to be created under subdivision (1) of Article II. of this Order in addition to the yearly sum approved by the Local Government Board.

Provided further, that no part of such revenue shall be carried to the credit of the district fund when the price of gas to private consumers within the district exceeds two shillings and sixpence per one thousand cubic feet.

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

(L.S.)

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

A.D. 1884.

*Sowerby
Bridge
Order.*

LOCAL GOVERNMENT DISTRICT OF SUTTON IN
ASHFIELD.

*Sutton in
Ashfield
Order.*

*Provisional Order for partially repealing, altering, and amending
the Sutton in Ashfield Local Board Gas Act, 1878.*

To the Sutton in Ashfield Local Board, being the Sanitary Authority for the Urban Sanitary District of Sutton in Ashfield, in the County of Nottingham;—

And to all others whom it may concern.

WHEREAS the Local Government District of Sutton in Ashfield, in the County of Nottingham, is an Urban Sanitary District, of which the Sutton in Ashfield Local Board (herein-after referred to as "the Local Board"), are the Urban Sanitary Authority, and the Sutton in Ashfield Local Board Gas Act, 1878 (herein-after referred to as "the Local Act"), is in force in the said District;

And whereas by Section 6 of the Local Act the Local Board are empowered to appoint from time to time out of their own body a Committee to be called the Gas Committee, and by Section 7 of the same Act it is enacted that at all meetings of the Committee one of the members present shall be appointed chairman, and all questions shall be determined by a majority of the votes of the members present;

And whereas by Section 22 of the Local Act, it was provided that the mortgage or debenture debt of the Sutton in Ashfield Gaslight and Coke Company (herein-after referred to as "the Company") should be paid, discharged, and satisfied by the Local Board, but no provision was made with respect to the means of repayment;

And whereas it is expedient to fix one period for the repayment of the loans of the Local Board which have been already borrowed under the Local Act, and for the repayment of the said mortgage or debenture debt of the Company;

And whereas it is expedient that the Local Board should be empowered to create a reserve fund:

[Ch. ccxv.] *Local Government Board's* [47 & 48 VICT.]
Provisional Orders Confirmation (No. 8) Act, 1884.

A.D. 1884.

*Sutton in
Ashfield
Order.*

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 twenty-ninth day of September next (herein-after referred to as "the commencement of this Order") the following provisions shall take effect, (viz.) :

Art. I. Section 7 of the Local Act shall be altered and amended by the insertion therein, in lieu of the words "and at all meetings of the Committee" "one of the members present shall be appointed chairman, and all questions shall be determined by a majority of the votes of the members present," of the following words :

"The Committee shall at their first meeting after the commencement of this Order, appoint one of their number to be chairman at all meetings at which he is present during the residue of the period for which the committee has been appointed. Each committee appointed after the commencement of this Order, shall, at their first meeting after their appointment, appoint one of their number to be chairman at all meetings at which he is present during the period for which the committee may have been appointed. The rules numbered 4, 5, and 7 in the first Schedule to the Public Health Act, 1875, shall apply to the proceedings of each Committee in the same manner as if the said rules were herein set out."

Art. II. Section 28 of the Local Act shall be repealed and instead thereof the following provisions shall apply.

- (1.) The Local Board shall repay all moneys remaining unpaid at the commencement of this Order in respect of the mortgage or debenture debt of the Company or borrowed for any of the purposes of the Local Act and remaining unpaid at the commencement of this Order within a period of 49 years from the commencement of this Order.
- (2.) Any moneys hereafter borrowed by the Local Board under the provisions of the Local Act shall be repaid within such period as the Local Board, with the sanction of the Local Government Board, shall in each case determine, and the period so determined and sanctioned shall be deemed to be the prescribed period within the meaning of the Local Loans Act, 1875.
- (3.) The Local Board shall repay the said moneys by setting apart in every year as sinking funds and accumulating in the way of compound interest by investment of the sums so set apart 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 securities issued by any Local Authority as defined by section 34 of the Local Loans Act, 1875 (other than the Local Board), the Local Board being at liberty from time to time to vary and transpose such investments, such sums as will with accumulations at the rate of three pounds per centum per annum be sufficient after the payment of all expenses to pay off such moneys within the periods prescribed by sub-divisions (1) and (2) of this Article.

(4.) The Local Board may at any time apply the whole or any part of any sinking fund set apart in accordance with the requirements of this Article in or towards the discharge of the moneys for the repayment of which such fund has been established, but in any such case they shall pay into the fund in each year, and accumulate until the whole of the money for the repayment of which the fund has been established is discharged, a sum equal to the interest at three pounds per centum per annum which would have been produced by the fund or the part of the fund so applied.

(5.) The payments to the sinking funds to be set apart under this Order shall be made on the twenty-second day of July in every year. The first payment to the funds for the repayment of the sums mentioned in sub-division (1) of this Article shall be made on the Twenty-second day of July, One thousand eight hundred and eighty-five, and the first payments to the funds for the repayment of the sums mentioned in sub-division (2) of this Article shall be made on the Twenty-second day of July next following the borrowing of such sums.

Art. III. The provisions of Section 33 of the Local Act shall extend to the sinking funds to be set apart under the provisions of this Order.

Art. IV. Section 31 of the Local Act shall be altered and amended by the insertion therein after the words "in respect thereof" of the following words:

"Fifthly. In providing, if the Local Board think fit, a sum not exceeding
" the sum of One thousand pounds for the purpose of forming a
" reserve fund to provide for the expenses attendant upon or occasioned
" by any sudden accident to the gas undertaking of the Local Board and
" any works connected therewith, or any other extraordinary expenditure
" authorised by the Local Act, and for the purpose of providing a working
" capital for the said gas undertaking."

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

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

(L.S.)

LONDON: Printed by EYRE and SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1884.

A.D. 1884.

—
*Sutton in
Ashfield
Order.*
—

