



CHAPTER lxi.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Burnley Joint Hospital District, the Local Government District of Buxton, the Church and Clayton-le-Moors Joint Cemetery District, the Local Government Districts of East Ham and Llangollen, and the Boroughs of Halifax and West Bromwich (two). A.D. 1886.
[25th June 1886.]

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, and that the provisions herein contained should be enacted with reference thereto :

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 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. The sanitary authorities mentioned in the said Orders shall not under the powers of this Act or the said Orders, without the consent of the Local Government Board, purchase or acquire in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district, ten or more houses which, after the passing of this Act, have been or on the fifteenth day of December last were, occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers. Special provision as to houses of labouring class.

[Ch. lxi.] *Local Government Board's* [49 & 50 VICT.]
Provisional Orders Confirmation (No. 4) Act, 1886.

A.D. 1886.

For the purposes of this section, the expression "labouring class" includes mechanics, artizans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages, but working at some trade or handicraft without employing others except members of their own family, and persons, other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them.

Short title.

3. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 4) Act, 1886.

SCHEDULE.

A.D. 1886.

BURNLEY JOINT HOSPITAL DISTRICT.

*Burnley
Order.*

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

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

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

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

To the Padiham and Hapton Local Board, being the Sanitary Authority for the Urban Sanitary District of Padiham and Hapton, in the said County; —

And to all others whom it may concern.

WHEREAS the several Sanitary Authorities named in column 2 of Schedules A. and B. to this Order are the Local Authorities, within the meaning of the Public Health Act, 1875, for the several Urban Sanitary Districts and the Rural Sanitary District named in column 1 of those Schedules:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 279 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that the several Urban Sanitary Districts named in column 1 of the said Schedule A., and the Rural Sanitary District named in column 1 of the said Schedule B. (which Urban Sanitary Districts and Rural Sanitary District are herein-after referred to as "the Constituent Districts"), shall be formed into a United District, to be called the Burnley Joint Hospital District, for the purposes of the provision, maintenance, and management, for the use of the inhabitants of the Constituent Districts, of a hospital or hospitals for the reception of cases of infectious diseases.

And We do further Order as follows; viz. :—

Art. I. This Order shall come into operation on the date of the Act of Parliament confirming the same (herein-after referred to as "the commencement of this Order").

[Ch. lxi.] *Local Government Board's* [49 & 50 VICT.]
Provisional Orders Confirmation (No. 4) Act, 1886.

A.D. 1886.

*Burnley
Order.*

Art. II. The Joint Board, which shall be the governing body of the said United District, shall consist of four ex-officio and eleven elective members, and shall be called the Burnley Joint Hospital Board (herein-after referred to as "the Joint Board").

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

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

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

Art. VI. The first election of members of the Joint Board shall take place at a meeting of each of the Constituent Authorities, to be held within six weeks from the commencement of this Order, or within such further time as the Local Government Board may, by Order, allow, and fourteen days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authorities by the clerks to such Authorities respectively.

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

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

Art. IX. Any vacancy occurring in the Joint Board by death, resignation, disqualification, or otherwise, shall be filled up by the Constituent Authority in whose representation the vacancy happens at a meeting to be held within six weeks of such vacancy occurring, or within such further period as the Local Government Board may, by Order, determine, and fourteen days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the Clerk to such Authority.

Art. X. The time and place of holding the first meeting of the Joint Board shall be fixed by the Local Government Board, and the subsequent ordinary meetings of the Joint Board shall be held at such times and places as the Joint Board may appoint; and at all meetings of the Joint Board five members shall constitute a quorum.

[49 & 50 VICT.] *Local Government Board's* [Ch. lxi.]
Provisional Orders Confirmation (No. 4) Act, 1886.

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

A.D. 1886.

*Burnley
Order.*

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

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

Art. XI. The Joint Board shall, at their first meeting, or at an adjournment thereof, and from time to time thereafter as occasion shall require, appoint a chairman (who shall, subject to the provisions of Articles V. and VIII. of this Order, continue chairman for such period not exceeding three years as may be determined by the Joint Board at the time of his appointment), a treasurer, and a clerk, and they may from time to time appoint one or more medical officers who shall be legally qualified medical practitioners, and such other officers and servants as they think requisite. They may pay their treasurer, clerk, medical officers, and other officers and servants such reasonable remuneration as they shall deem expedient; and every such treasurer, clerk, medical officer, and other officer and servant shall be removable by the Joint Board at their pleasure.

Art. XII. The purposes for which the United District is formed are the provision, maintenance, and management of a hospital or hospitals for the reception of cases of infectious diseases, for the use of the inhabitants of the Constituent Districts.

Art. XIII. Persons shall be admitted into a hospital provided by the Joint Board in any of the following modes, and not otherwise, except with the consent of the Constituent Authorities; viz. :—

- a. By an order of the Joint Board or either of the Constituent Authorities.
- b. By an order of a Medical Officer of Health of either of the Constituent Authorities.
- c. By an order of a Medical Officer appointed by the Joint Board.
- d. By an order of a justice made under the provisions of the Public Health Act, 1875:

Provided, that if the Guardians of the Poor of the Burnley Union and the Joint Board agree for the reception into the hospital of persons in the receipt of relief from the said Guardians, any such person may be admitted into the hospital in such manner as such agreement shall prescribe.

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

Sections 122 and 123, 131 and 132, relating to Infectious Diseases and Hospitals.

Section 141, relating to the provision and fitting up of a mortuary, to the making of byelaws with respect to the same, and to the provision for

[Ch. lxi.] *Local Government Board's* [49 & 50 VICT.]
Provisional Orders Confirmation (No. 4) Act, 1886.

A.D. 1886.

*Burnley
Order.*

the decent and economical interment of any dead body received into such mortuary.

Sections 173 and 174 (except Sub-section 3), relating to Contracts.

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

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

Sections 192 to 197, Section 200, and Sections 203 to 206, all inclusive, relating to Officers and Conduct of Business of Local Authorities.

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

Sections 251, 253, and 254, and Sections 258 to 267, both inclusive, and Section 269, as amended by the Summary Jurisdiction Act, 1884, relating to Legal Proceedings.

Sections 306 to 309, both inclusive, relating to Miscellaneous Provisions.

Art. XV. A copy of Section 132 of the Public Health Act, 1875, shall be hung up in a conspicuous place at the principal entrance of the hospital, and in each of the wards of the hospital.

Art. XVI. Until a hospital provided by the Joint Board is ready for the reception of patients, nothing in this Order shall take away, abridge, or prejudicially affect any power vested in either of the Constituent Authorities with regard to the provision of a hospital or hospitals for the use of the inhabitants of their District.

Art. XVII. The expenses incurred by the Joint Board of and incidental to the providing, erecting, furnishing, fitting up, warming, cleansing, lighting, and keeping fit for use a hospital or hospitals, all establishment charges, including repairs to the hospital or hospitals, and the fittings and furniture thereof, the remuneration of the treasurer, clerk, medical officer or medical officers, and other officers and servants (except nurses), and the cost of rations allowed to officers and servants (except nurses), and all other expenses incurred by the Joint Board, except the expense of the maintenance of patients as hereinafter defined, shall be defrayed out of a Common Fund to be contributed by the Constituent Districts according to their rateable value for the time being.

Art. XVIII. The cost of maintenance of patients, to be paid by the several Constituent Authorities from whose Districts the patients respectively have been received into the hospital, shall be ascertained as follows, viz. :—

(1.) Within ten days after Lady-day and Michaelmas-day in each year, the Joint Board shall ascertain the average weekly cost per patient of the maintenance of patients who have been in the hospital during the previous half-year.

(2.) The cost of maintenance of patients shall include all the expenses incurred in and about the maintenance and care of the patients in the hospital, and in and about their medical treatment, except so far as the same shall be included in the salary of the medical officer or medical officers, and in and about the clothing, conveyance to and from the hospital, and burial and funerals, of patients; and shall also include the remuneration and rations of nurses.

The clerk to the Joint Board shall, within fourteen days after Lady-day and Michaelmas-day in each year, transmit to the clerk of each Constituent Authority an account showing, in respect of the patients received into the

[49 & 50 VICT.] *Local Government Board's* [Ch. lxi.]
Provisional Orders Confirmation (No. 4) Act, 1886.

hospital from the district of such Authority after deducting any sums recovered by the Joint Board from, or repaid to, the Joint Board by or for such patients,

A.D. 1886.

Burnley
Order.

- (a) the name of each patient,
- (b) the number of weeks (and for the purposes of this Order any period less than seven days shall be calculated as one week) during such half-year each patient has remained in the hospital,
- and (c) the amount (calculated according to such weekly average) due from such Authority.

The amount shown by such account to be due shall be paid by the Constituent Authority from whose district such patients shall be received into the hospital, and shall be included in the precepts which the Joint Board issue to the Constituent Authorities respectively under Section 284 of the Public Health Act, 1875, stating the sums to be contributed by the Constituent Authorities towards the Common Fund of the district; and, in case of default, shall be recovered in like manner as the sums to be contributed towards such Common Fund.

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

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

Art. XXI. If at any time all or any part of the district of the Constituent Authority mentioned in Schedule B. hereto becomes an Urban Sanitary District, then and in every such case the Local Government Board may, by Order, to be published as they shall direct, make such provision as to them seems fit for adapting the provisions of this Order to the alteration so made, and to the incidents and consequences thereof, and every such Order shall have effect as if the terms thereof were inserted in this Order.

Art. XXII. If at any time any difference arises between the Joint Board on the one hand and any Constituent Authority or Authorities on the other hand, or between the Constituent Authorities, respecting any matter arising out of the provisions of this Order, the same shall be referred to and be settled by arbitration, in the manner provided by the Public Health Act, 1875, except in any case otherwise herein provided for.

[Ch. lxi.] *Local Government Board's* [49 & 50 VICT.]
Provisional Orders Confirmation (No. 4) Act, 1886.

A.D. 1886.

*Burnley
Order.*

The SCHEDULES above referred to.

SCHEDULE A.

URBAN SANITARY DISTRICTS.

1. Name of District.	2. Name of Sanitary Authority.	3. Ex-officio Member.		4. Elective Members.
		Number.	Description.	Number.
The Local Government District of Brierfield.	The Brierfield Local Board	1	The Chairman of the Local Board.	1
The Local Government District of Nelson.	The Nelson Local Board	1	Ditto - -	3
The Local Government District of Padiham and Hapton.	The Padiham and Hapton Local Board.	1	Ditto - -	2

SCHEDULE B.

RURAL SANITARY DISTRICT.

1. Name of District.	2. Name of Sanitary Authority.	3. Ex-officio Member.		4. Elective Members.
		Number.	Description.	Number.
The Rural Sanitary District of the Burnley Union.	The Guardians of the Poor of the Burnley Union, acting as the Rural Sanitary Authority.	1	The Chairman of the Board of Guardians acting as the Rural Sanitary Authority, or in case of his being also the Chairman of any of the Urban Sanitary Districts mentioned in Schedule A., then the Vice-Chairman of the Board of Guardians acting as the Rural Sanitary Authority.	5

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

(L.S.)

JAMES STANSFELD, President.
 HUGH OWEN, Secretary.

LOCAL GOVERNMENT DISTRICT OF BUXTON.

A.D. 1886.

Provisional Order for altering certain Local Acts.

Buxton
Order.

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

And to all others whom it may concern.

WHEREAS the Local Government District of Buxton, in the County of Derby, is an Urban Sanitary District, of which the Buxton Local Board (hereinafter referred to as "the Local Board") are the Urban Sanitary Authority, and the Buxton Gas Act, 1870 (hereinafter referred to as "the Act of 1870"), and the Buxton Local Board Act, 1873 (hereinafter referred to as "the Act of 1873"), as altered by the Provisional Order herein-after mentioned, and by certain other Provisional Orders made by the Local Government Board, and duly confirmed by Parliament, but which do not affect the subject-matter of this Order, are in force in the District ;

And whereas by virtue of Section 78 of the Act of 1870 the Local Board are empowered to enter into and carry into effect contracts or arrangements for the supply of gas by them for public purposes within the limits of that Act ;

And whereas by Section 11 of the Act of 1873 the Local Board were empowered to make and maintain the works for the supply of water therein mentioned, together with all necessary works and conveniences connected therewith or incident thereto ;

And whereas by Section 34 of the Act of 1873 the Local Board were empowered to borrow, on the securities therein mentioned, all such sums as they might from time to time think requisite for all or any of the purposes of that Act, not exceeding in the whole, with respect to water, fifteen thousand pounds ;

And whereas by a Provisional Order of the Local Government Board dated the Twelfth day of May, One thousand eight hundred and eighty (hereinafter referred to as "the Order"), and duly confirmed by the Local Government Board's Provisional Orders Confirmation (Abingdon, &c.) Act, 1880, the provisions of the Act of 1873, with respect to the repayment of moneys borrowed or re-borrowed, and the sinking fund to be set aside for that purpose, were altered :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall take effect ; viz.,—

Art. I. Section 78 of the Act of 1870 shall be altered so as to enable the Local Board to supply gas, free of charge, for illuminating the clock in the clock-tower of the Devonshire Hospital at Buxton.

Art. II. The Act of 1873 shall be altered so as to provide as follows :—

- (1.) The Local Board may, for the purposes of their water undertaking, make and maintain such works as may from time to time be approved by the Local Government Board, and the making and maintaining of those works

[Ch. lxi.] *Local Government Board's* [49 & 50 VICT.]
Provisional Orders Confirmation (No. 4) Act, 1886.

A.D. 1886.

Buxton
Order.

shall be deemed to be purposes of the Act of 1873, both as regards the borrowing of money and the purchase of land by agreement.

- (2.) The period for completion of works prescribed by Section 18 shall not apply to the works referred to in subdivision (1.) of this Article.
- (3.) The Local Board may, subject to the sanction of the Local Government Board, borrow on mortgage of the water rates and other revenue of the Local Board arising from their water undertaking, and of the general district rates under the Public Health Act, 1875, or of either of such securities, either together or separately, any sum or sums not exceeding in the whole fifteen thousand pounds, in addition to the sum of fifteen thousand pounds which by the Act of 1873 the Local Board were empowered to borrow with respect to water, and any moneys so borrowed shall be applied for the purposes of the water undertaking of the Local Board, and shall be subject to all the provisions contained in the Act of 1873 as altered by the Order and by this Order, so far as such provisions are applicable to moneys borrowed for water purposes: Provided that the prescribed period for the repayment of moneys to be borrowed under this subdivision shall be such period, not exceeding fifty years, as the Local Board, with the sanction of the Local Government Board, shall in each case determine.

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

(L.S.)

JAMES STANSFELD, President.
HUGH OWEN, Secretary.

Church and
Clayton-le-
Moors
Order.

CHURCH AND CLAYTON-LE-MOORS JOINT CEMETERY
DISTRICT.

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

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

To the Clayton-le-Moors Local Board, being the Sanitary Authority for the
Urban Sanitary District of Clayton-le-Moors, in the said County; —

And to all others whom it may concern.

WHEREAS the Local Government District of Church, in the County of Lancaster, is an Urban Sanitary District, of which the Church Local Board are the Urban Sanitary Authority; and the Local Government District of Clayton-le-Moors, in the same County, is an Urban Sanitary District, of which the Clayton-le-Moors Local Board are the Urban Sanitary Authority, and the said Sanitary Authorities are the Local Authorities within the meaning of the Public Health Act, 1875, for the said Urban Sanitary Districts:

[49 & 50 VICT.] *Local Government Board's* [Ch. lxi.]
Provisional Orders Confirmation (No. 4) Act, 1886.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 279 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that the Urban Sanitary Districts of Church and Clayton-le-Moors (herein-after referred to as "the Constituent Districts") shall be formed into a United District, to be called the Church and Clayton-le-Moors Joint Cemetery District, for the purposes of the acquisition, construction, and maintenance of a cemetery or cemeteries for the Constituent Districts.

A.D. 1886.

—
*Church and
Clayton-le-
Moors
Order.*
—

And We do further Order as follows ; viz. :—

Art. I. This Order shall come into operation on the date of the Act of Parliament confirming the same (herein-after referred to as "the commencement of this Order").

Art. II. The Joint Board, which shall be the governing body of the said United District, shall consist of two ex-officio and six elective members, and shall be called the Church and Clayton-le-Moors Joint Cemetery Board (herein-after referred to as "the Joint Board").

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

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

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

Art. VI. The first election of members of the Joint Board shall take place at a meeting of each of the Constituent Authorities, to be held within six weeks from the commencement of this Order, or within such further time as the Local Government Board may, by Order, allow, and fourteen days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authorities by the clerks to such Authorities respectively.

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

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

[Ch. lxi.] *Local Government Board's* [49 & 50 VICT.]
Provisional Orders Confirmation (No. 4) Act, 1886.

A.D. 1886. of the Joint Board, provided that at the time of re-election he is qualified to be so re-elected.

*Church and
Clayton-le-
Moors
Order.*

Art. IX. Any vacancy occurring in the Joint Board by death, resignation, disqualification, or otherwise, shall be filled up by the Constituent Authority in whose representation the vacancy happens at a meeting to be held within six weeks of such vacancy occurring, or within such further period as the Local Government Board may, by Order, determine, and fourteen days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the clerk to such Authority.

Art. X. The time and place of holding the first meeting of the Joint Board shall be fixed by the Local Government Board, and the subsequent ordinary meetings of the Joint Board shall be held at such times and places as the Joint Board may appoint; and at all meetings of the Joint Board three members shall constitute a quorum.

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

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

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

Art. XI. The Joint Board shall, at their first meeting, or at an adjournment thereof, and from time to time thereafter as occasion shall require, appoint a chairman (who shall, subject to the provisions of Articles V. and VIII. of this Order, continue chairman for such period not exceeding one year as may be determined by the Joint Board at the time of his appointment), a treasurer, and a clerk, and they may from time to time appoint such other officers and servants as they think requisite. They may pay their treasurer, clerk, and other officers and servants such reasonable remuneration as they shall deem expedient; and every such treasurer, clerk, and other officer and servant shall be removable by the Joint Board at their pleasure.

Provided that the chairman of the Joint Board shall be chosen from amongst the members representing the Constituent Authorities alternately, unless the outgoing chairman be re-elected unanimously, the first chairman to be chosen from amongst the members representing the Clayton-le-Moors Local Board.

Art. XII. The purposes for which the United District is formed are the acquisition, construction, and maintenance of a cemetery or cemeteries for the Constituent Districts.

Art. XIII. For the purposes of this Order the following sections of the Public Health Act, 1875, viz. :—

Section 141 in so far as, by virtue of sub-section (1) of Section 2 of the Public Health (Interments) Act, 1879, it applies to cemeteries.

Sections 173 and 174 (except sub-section 3), relating to Contracts.

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

[49 & 50 VICT.] *Local Government Board's* [Ch. lxi.]
Provisional Orders Confirmation (No. 4) Act, 1886.

A.D. 1886.

*Church and
Clayton-le-
Moors
Order.*

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

Sections 192 to 197, Section 200, and Sections 203 to 206, all inclusive, relating to Officers and Conduct of Business of Local Authorities.

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

Sections 251, 253, and 254, and Sections 258 to 267, both inclusive, and Section 269 (as amended by the Summary Jurisdiction Act, 1884), relating to Legal Proceedings.

Section 298 as to Costs of Provisional Orders.

Sections 306 to 309, both inclusive, relating to Miscellaneous Provisions, together with sub-sections (2) and (3) of Section 2, and Section 3 of the Public Health (Interments) Act, 1879, shall apply, and the Joint Board shall have, exercise, perform, and be subject to, all the powers, rights, duties, capacities, liabilities, and obligations of an Urban Sanitary Authority under the same sections, so far as the same are applicable.

Art. XIV. Until a cemetery has been provided by the Joint Board, nothing in this Order shall take away, abridge, or prejudicially affect any power vested in either of the Constituent Authorities with regard to the provision of a cemetery or cemeteries for their District.

Art. XV. The expenses incurred by the Joint Board of and incidental to the acquisition, construction, and maintenance of a cemetery or cemeteries, including the cost of chapels, buildings, roads, fences, and repairs, all establishment charges, including the remuneration of the treasurer, clerk, and other officers and servants, and all other expenses incurred by the Joint Board, shall, except so far as such expenses are defrayed in the manner herein-after mentioned, be defrayed out of a Common Fund to be contributed by the Constituent Districts according to their rateable value for the time being.

Art. XVI.—(1.) All moneys received by the Joint Board in respect of grants of exclusive rights of burial under Section 40 of the Cemeteries Clauses Act, 1847, shall, so long as any debt incurred by the Joint Board is outstanding, be applied towards the reduction of such debt, or towards the increase of any sinking fund set apart for the repayment of such debt, and when such debt has been paid off shall be applied in the same manner as the other moneys received by the Joint Board are required to be applied under subdivision (2.) of this Article.

(2.) All other moneys received by the Joint Board shall be applied to the following purposes, viz. :—

In payment of the establishment charges, that is to say, of the expenses properly chargeable to revenue of managing and maintaining the cemetery or cemeteries and works connected therewith.

In payment of interest on moneys borrowed or re-borrowed for the purposes of this Order.

In providing for the discharge of any moneys so borrowed or re-borrowed.

In payment, if the Joint Board think fit, of the expenses of executing any permanent works.

The residue, if any, of such moneys shall be divided and paid over to the Constituent Authorities in proportion to the rateable value for the time being of the Constituent Districts, and shall be carried to the credit of the district funds of those Districts.

[Ch. lxi.] *Local Government Board's* [49 & 50 VICT.]
Provisional Orders Confirmation (No. 4) Act, 1886.

A.D. 1886.

*Church and
Clayton-le-
Moors
Order.*

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

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

Art. XIX. If at any time any difference arises between the Joint Board on the one hand and any Constituent Authority or Authorities on the other hand, or between the Constituent Authorities, respecting any matter arising out of the provisions of this Order, the same shall be referred to and be settled by arbitration in the manner provided by the Public Health Act, 1875, except in any case otherwise herein provided for.

The SCHEDULE above referred to.

1.	2.	3.		4.
Name of District.	Name of Sanitary Authority.	Ex-officio Members.		Elective Members.
		Number.	Description.	Number.
The Local Government District of Church.	The Church Local Board	1	The Chairman of the Local Board.	3
The Local Government District of Clayton-le-Moors.	The Clayton-le-Moors Local Board.	1	Ditto - - -	3

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

(L.S.)

JAMES STANSFELD, President.
 HUGH OWEN, Secretary.

LOCAL GOVERNMENT DISTRICT OF EAST HAM.

A.D. 1886.

*Provisional Order for extending the Local Government District of
East Ham.* *East Ham
Order.*

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

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

And to all others whom it may concern.

WHEREAS the Local Government District of East Ham, in the County of Essex, is an Urban Sanitary District, of which the East Ham Local Board (herein-after referred to as "the Local Board") are the Urban Sanitary Authority;

And whereas the Parish of Little Ilford is comprised in the Rural Sanitary District of the West Ham Union, in the same County, and immediately adjoins the Local Government District of East Ham:

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 Parish of Little Ilford, which is comprised in the Rural Sanitary District of the West Ham Union, shall be included in and form part of the Local Government District of East Ham,

And We do hereby Order as follows:—

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

Art. II. For the purposes of the election of members of the Local Board the Local Government District of East Ham as extended by this Order shall be divided into two Wards, which shall be termed respectively the East Ham Ward and the Ilford Ward.

Art. III. The East Ham Ward shall consist of the area which, before the commencement of this Order, formed the Local Government District of East Ham, and the Ilford Ward shall consist of the Parish of Little Ilford.

Art. IV. Three persons, who shall have the qualification prescribed by the law in force for the time being with regard to the election of members of a Local Board, shall be elected as members of the Local Board by the persons qualified to vote in the Ilford Ward.

Art. V. For the purposes of the first election for such last-mentioned Ward, the Chairman of the Local Board, or if the Chairman be unable or unwilling to act, or the office of Chairman be vacant, such person as the Local Government Board shall, by their Order, appoint, shall be the Returning Officer.

Such election shall be conducted in accordance with the Rules, excepting Rule 55, contained in Schedule II. to the Public Health Act, 1875, as if it were the first election of a Local Board constituted after the passing of that Act, and

[Ch. lxi.] *Local Government Board's* [49 & 50 VICT.]
Provisional Orders Confirmation (No. 4) Act, 1886.

A.D. 1886. the members then elected shall come into office on the day on which the first meeting of the Local Board shall be held after the Returning Officer shall have made his certificate of election in accordance with Rule 42 or Rule 52, as the case may require, of the said Schedule, and such members shall continue in office until the days herein-after fixed for their retirement.

*East Ham
Order.*

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

Art. VI. The three members so elected for the Ilford Ward shall go out of office in the following order, viz., one to be selected by the Local Board by ballot on the Fifteenth day of April, One thousand eight hundred and eighty-eight; one of the remaining two, to be selected as aforesaid, on the Fifteenth day of April, One thousand eight hundred and eighty-nine; and the remaining one on the Fifteenth day of April, One thousand eight hundred and ninety.

Art. VII. The members representing the Local Board at the commencement of this Order, or their successors in office, shall, after the persons to be elected to represent the Ilford Ward shall have come into office, represent the East Ham Ward, and thenceforth the number of members constituting the Local Board shall, subject to the provisions of Rule 2 of Schedule II. to the Public Health Act, 1875, be twelve.

Art. VIII. The Local Board shall repay to the Surveyor of Highways of the Parish of Little Ilford all expenses reasonably incurred by that Surveyor in the repair of the highways in such Parish between the Twenty-fifth day of March, One thousand eight hundred and eighty-six, and the commencement of this Order.

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

(L.S.)

JAMES STANSFELD, President.
HUGH OWEN, Secretary.

*Llangollen
Order.*

LOCAL GOVERNMENT DISTRICT OF LLANGOLLEN.

Provisional Order for partially repealing a Confirming Act.

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

And to all others whom it may concern.

WHEREAS the Local Government District of Llangollen, in the County of Denbigh (herein-after referred to as "the District"), is an Urban Sanitary

District, of which the Llangollen Local Board of Health (herein-after referred to as "the Local Board") are the Urban Sanitary Authority ;

A.D. 1886.

*Llangollen
Order.*

And whereas by a Provisional Order under the hand of one of Her Majesty's Principal Secretaries of State dated the Seventh 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,"), the Local Board were empowered to re-borrow the sum of four thousand five hundred and sixty-two pounds and ten shillings, borrowed under the provisions of the Local Government Act, 1858, to defray the expense of permanent works in the District, and to borrow any further sum or sums for the execution and completion of the said works, or for the carrying out of any other works of a permanent nature, on mortgage of the rates leviable by the Local Board under the said Act, the said sums not exceeding in the whole two years' assessable value of the premises assessable under such Act within the District, the whole of such sums to be repaid, with interest thereon, within a period of fifty years from the date of the borrowing thereof :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 297 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, so much of the Confirming Act as relates to the Order shall be repealed, except so far as it may have been acted upon, so that the Order shall, except as aforesaid, cease to have any effect.

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

(L.S.)

JAMES STANSFELD, President.
HUGH OWEN, Secretary.

BOROUGH OF HALIFAX.

*Halifax
Order.*

Provisional Order for altering the Halifax Corporation Act, 1882.

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

And to all others whom it may concern.

WHEREAS the Borough of Halifax, in the West Riding of the County of York (herein-after referred to as "the Borough"), is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as "the Corporation"), are the Urban Sanitary Authority, and the provisions of the Halifax Corporation Act, 1882 (herein-after referred to as "the Local Act"), are in force in the Borough ;

And whereas by Section 34 of the Local Act the Corporation are empowered to borrow money for the purposes therein mentioned :

[Ch. lxi.] *Local Government Board's* [49 & 50 VICT.]
Provisional Orders Confirmation (No. 4) Act, 1886.

A.D. 1886.

Halifax
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 date of the Act of Parliament confirming this Order, the Local Act shall be altered and amended in such a manner that the following provisions shall take effect; that is to say,—

Art. I. The word "private" shall be deemed to have been omitted from the last line but one of Section 34 of the Local Act as from the date of the passing of that Act.

Art. II. The Corporation may from time to time by resolution determine that any sum or sums which the Halifax School Board (herein-after referred to as "the School Board") may be by law authorised to borrow or re-borrow upon the security of any rates or funds, and which the School Board may be desirous of borrowing from the Corporation, shall be lent by the Corporation accordingly.

Art. III. Any sum or sums which the Corporation shall resolve to lend as aforesaid may be raised by borrowing or re-borrowing the same on mortgage of the borough fund and borough rate; and the provisions of Sections 236 to 239, both inclusive, of the Public Health Act, 1875, shall apply to all money raised and borrowed under this Article.

Art. IV. The following provisions shall apply to moneys raised under Article III. of this Order and to the payments of interest and principal in respect thereof:—

- (1.) The sum shall be lent by the Corporation to the School Board for a period not exceeding that for which the School Board is authorised to borrow or re-borrow the same, and with a provision for repayment by annual instalments.
- (2.) The sum shall be repaid by the Corporation within a period to expire not more than one year after that for which the same was lent by them to the School Board.
- (3.) All sums received for interest shall be applied towards the payment of interest payable in respect of moneys raised under this Order, the balance (if any) being carried to the credit of the borough fund.
- (4.) All sums received for principal shall be applied towards the repayment of the principal payable in respect of moneys raised under this Order, and until so applied shall be invested in the purchase of Exchequer bills, or other Government securities, or in securities in which trustees are by law for the time being authorised to invest, or in mortgages, debentures, debenture stock, or other securities issued by any Local Authority, as defined by Section 34 of the Local Loans Act, 1875, other than the Corporation, the Corporation being at liberty from time to time to vary and transpose such investments.

The interest derived from such investments shall be applied to making good any loss or deficiency of or in the principal so invested that may arise by depreciation of the investments or otherwise, and if not required for this purpose shall be applied as if the same had been received for interest on the moneys lent by the Corporation.

- (5.) If any sum payable to the Corporation for principal shall not be received within six months of the time appointed for the payment thereof, a like sum

[49 & 50 VICT.] *Local Government Board's* [Ch. lxi.]
Provisional Orders Confirmation (No. 4) Act, 1886.

shall be set apart out of the Borough Fund, and applied or invested in place thereof by the Corporation; and if after such application or investment the sum, or any part thereof, shall be received by the Corporation, the same shall be carried to the credit of the Borough Fund.

A.D. 1886.

Halifax
Order.

Art. V.—(1.) The town clerk shall, within twenty-one days after the expiration of each year ending on the thirty-first day of December, in which any sum is payable to the Corporation in respect of moneys lent by them 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 for the year next preceding the making of such return the amounts which have been received from the School Board for principal, the amounts which have been applied directly towards the repayment of the principal payable in respect of moneys raised under this Order, and the amounts which have been invested, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the investment 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.

(2.) If it appears to the Local Government Board by that return, or otherwise, that the Corporation have failed to apply or invest, as required by Article IV., any sum by that Article required to be applied or invested, or have misapplied any of the investments or the produce of the sale thereof, the Local Government Board may, by Order, direct that the sum in such Order mentioned, not exceeding double the amount in respect of which such default or misapplication has occurred, shall be applied directly towards repayment of principal, or be invested, and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of Her Majesty's High Court of Justice.

Given under the Seal of Office of the Local Government Board, this
Twenty-sixth day of April, One thousand eight hundred and
eighty-six.

(L.S.)

JAMES STANSFELD, President.
HUGH OWEN, Secretary.

A.D. 1886.

BOROUGH OF WEST BROMWICH.

*West Brom-
wich Order.*
(1.)

*Provisional Order for altering the West Bromwich Improvement
(Gas) Act, 1876.*

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

And to all others whom it may concern.

WHEREAS under the provisions of the West Bromwich Improvement Act,
1854, certain Commissioners and their successors were incorporated by the name
of the "West Bromwich Improvement Commissioners" (herein-after referred to
as "the Commissioners"), for putting that Act into execution within the Parish
of West Bromwich ;

And whereas by Section 24 of the West Bromwich Improvement (Gas) Act,
1876 (herein-after referred to as "the Local Act"), the Commissioners were
empowered to borrow certain sums of money upon the securities therein men-
tioned for the purposes of their gas undertaking ;

And whereas by a Royal Charter of Incorporation dated the Thirteenth day
of September, One thousand eight hundred and eighty-two, the Parish of West
Bromwich was created a Municipal Borough by the name of the "Borough of
West Bromwich" (herein-after referred to as "the Borough"), and the inhabitants
of the Borough and their successors were declared to be one body politic and
corporate by the name of the "Mayor, Aldermen, and Burgesses of the Borough
of West Bromwich" (herein-after referred to as "the Corporation") ; and by
virtue of Section 310 of the Public Health Act, 1875, all the powers, rights,
duties, capacities, liabilities, obligations, and property exerciseable by, attaching
to, or vested in the Commissioners under the Public Health Act, 1875, or under
the Local Act for purposes the same as or similar to those of the Public Health
Act, 1875, passed to and became exerciseable by, and vested in, the Corporation ;

And whereas the Borough is an Urban Sanitary District, of which the
Corporation are the Urban Sanitary Authority :

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

Art. I. Section 36 shall be altered—

(1.) By the insertion after the paragraph commencing "Fifthly" of the words—
"Sixthly. In setting apart such a sum or sums as may be necessary to
form a working capital for the gas undertaking" ;

(2.) By the insertion of the word "Seventhly" in lieu of the word "Sixthly."

Art. II. The Corporation may, in addition to the moneys by the Local Act
authorised to be borrowed, and with the sanction of the Local Government Board,
and subject to the provisions of this Order, borrow, on the security of the revenue
received from their gas undertaking, of the district fund and general district rate

[49 & 50 VICT.] *Local Government Board's* [Ch. lxi.]
Provisional Orders Confirmation (No. 4) Act, 1886.

of the Borough, or upon either of such securities, and for the purposes of their gas undertaking, any sum or sums, not exceeding in the whole the sum of fifty thousand pounds.

A.D. 1886.
—
West Brom-
wich Order.
(1.)
—

Art. III. For the purpose of raising money under this Order the provisions of the Local Loans Act, 1875 (including the power of creating debenture stock), shall be available to the Corporation, and Sections 236 to 239, both inclusive, of the Public Health Act, 1875, shall apply to all money raised and borrowed under this Order, other than money borrowed under the provisions of the Local Loans Act, 1875.

Art. IV. The moneys borrowed under the powers conferred by this Order shall be repaid within such period, not exceeding sixty years, as the Corporation, with the sanction of the Local Government Board, shall determine, and such period shall be deemed to be the "prescribed period" within the meaning of the Local Loans Act, 1875, and is herein-after referred to as "the prescribed period."

Art. V. The Corporation shall repay the moneys borrowed under the powers conferred by this Order, other than money borrowed under the provisions of the Local Loans Act, 1875, either by equal annual instalments of principal, or of principal and interest, or by setting apart in every year as a sinking fund such a sum or sums as will, according to a reasonable calculation for the time being, with accumulations in the way of compound interest, be sufficient, after payment of all expenses, to pay off the money so borrowed within the prescribed period, and shall invest the same in the purchase of Exchequer bills or other Government securities, or in securities in which trustees are by law for the time being authorised to invest, or in mortgages, debentures, debenture stock, or other securities issued by any Local Authority, as defined by Section 34 of the Local Loans Act, 1875, other than the Corporation, the Corporation being at liberty from time to time to vary and transpose such investments.

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

Art. VII. The Corporation may re-borrow moneys paid off otherwise than by instalments or by means of a sinking fund upon either or both of the securities mentioned in Article II. of this Order, for the purpose of discharging any loans contracted under that Article, other than loans contracted under the Local Loans Act, 1875: Provided that the money borrowed for such purpose shall be repaid in the manner provided by Articles IV. and V. of this Order, and the time for repayment of the money so borrowed shall not, except with the sanction of the Local Government Board, extend beyond the unexpired portion of the prescribed period, and shall in no case be extended beyond the period mentioned in Article IV. of this Order.

Art. VIII. The town clerk of the Borough 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,

[Ch. lxi.] *Local Government Board's* [49 & 50 VICT.]
Provisional Orders Confirmation (No. 4) Act, 1886.

A.D. 1886.

West Brom-
wich Order.
(1.)

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, for the year next preceding the making of such return, the amounts which have been paid as instalments, and the amounts which have been invested or applied for the purpose of such sinking fund, 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 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.

Art. IX. 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 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 purposes other than those authorised, the Local Government Board may, by Order, direct that the sum in such Order mentioned, 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. X. The provisions of Article V. of this Order as regards the investment of moneys paid into the sinking fund shall apply to all moneys required to be invested under Section 37 of the Local Act.

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

(L.S.)

JAMES STANSFELD, President.
HUGH OWEN, Secretary.

BOROUGH OF WEST BROMWICH.

West Brom-
wich Order.
(2.)

*Provisional Order to enable the Urban Sanitary Authority for the
Borough of West Bromwich to put in force the Compulsory
Clauses of the Lands Clauses Consolidation Acts.*

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

And to all others whom it may concern.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of West
Bromwich, in the County of Stafford, acting by the Council, as the Urban

[49 & 50 VICT.] *Local Government Board's* [Ch. lxi.]
Provisional Orders Confirmation (No. 4) Act, 1886.

Sanitary Authority for that Borough, require to purchase and take the lands described in the Schedule hereto for the purpose of widening and improving the street called Bromford Lane, in the said Borough:

A.D. 1886.

West
Bromwich
Order.
(2.)

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 176 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby empower the said Urban Sanitary Authority, from and after the date of the Act of Parliament confirming this Order, to put in force, with reference to the lands described in the Schedule hereto, and for the purpose aforesaid, the powers of the Lands Clauses Consolidation Acts, with respect to the purchase and taking of lands otherwise than by agreement, or any of them.

The SCHEDULE above referred to.

Parish of WEST BROMWICH, in the County of STAFFORD.

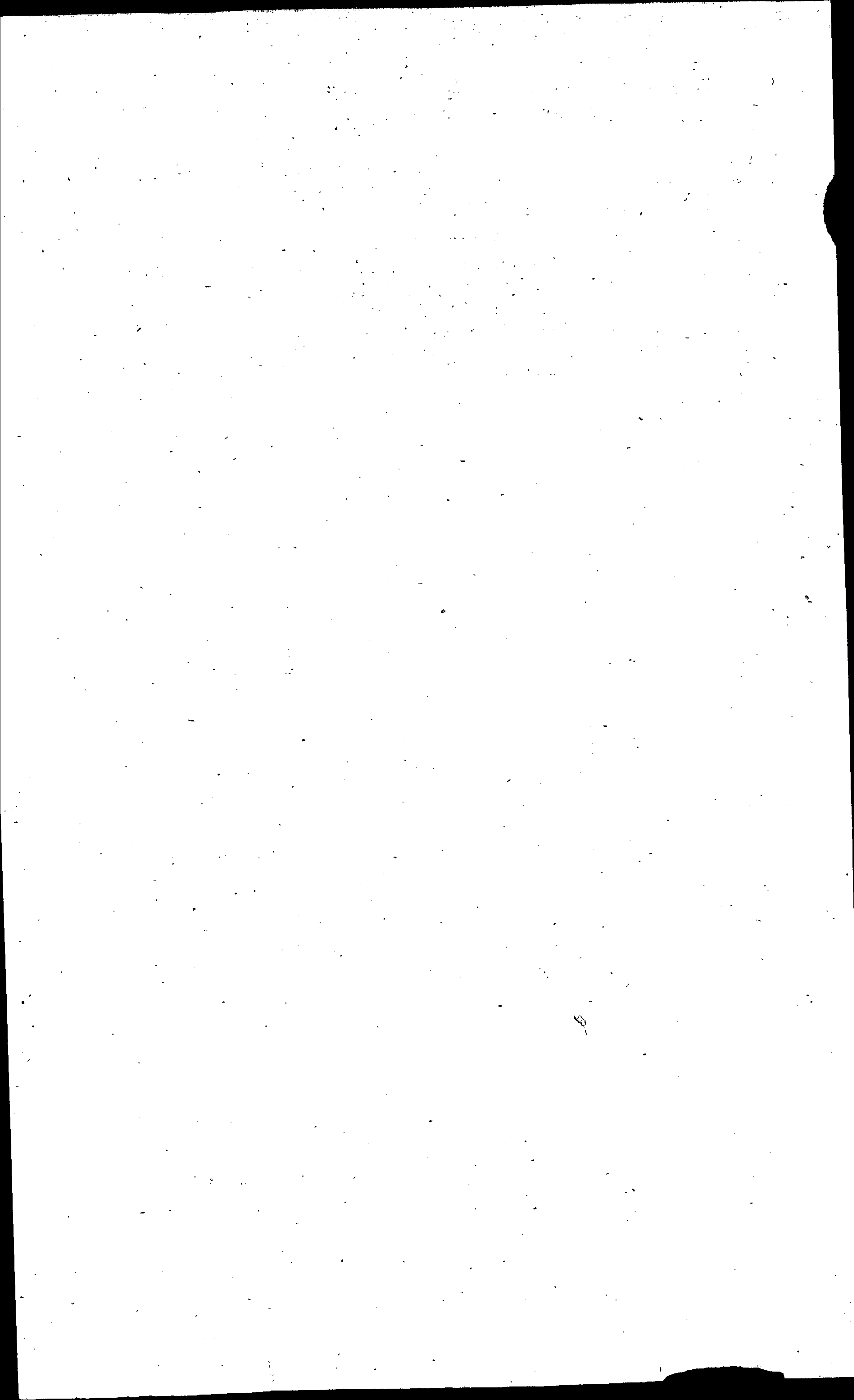
No. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupier.
1196	Vacant land, pantry, stabling, ashpit, and privy.	Henry Horton, Walter Showell, Charles Showell, Walter Showell, junior.	Richard Horton, Walter Showell, Charles Showell.	Joseph Chadwick.

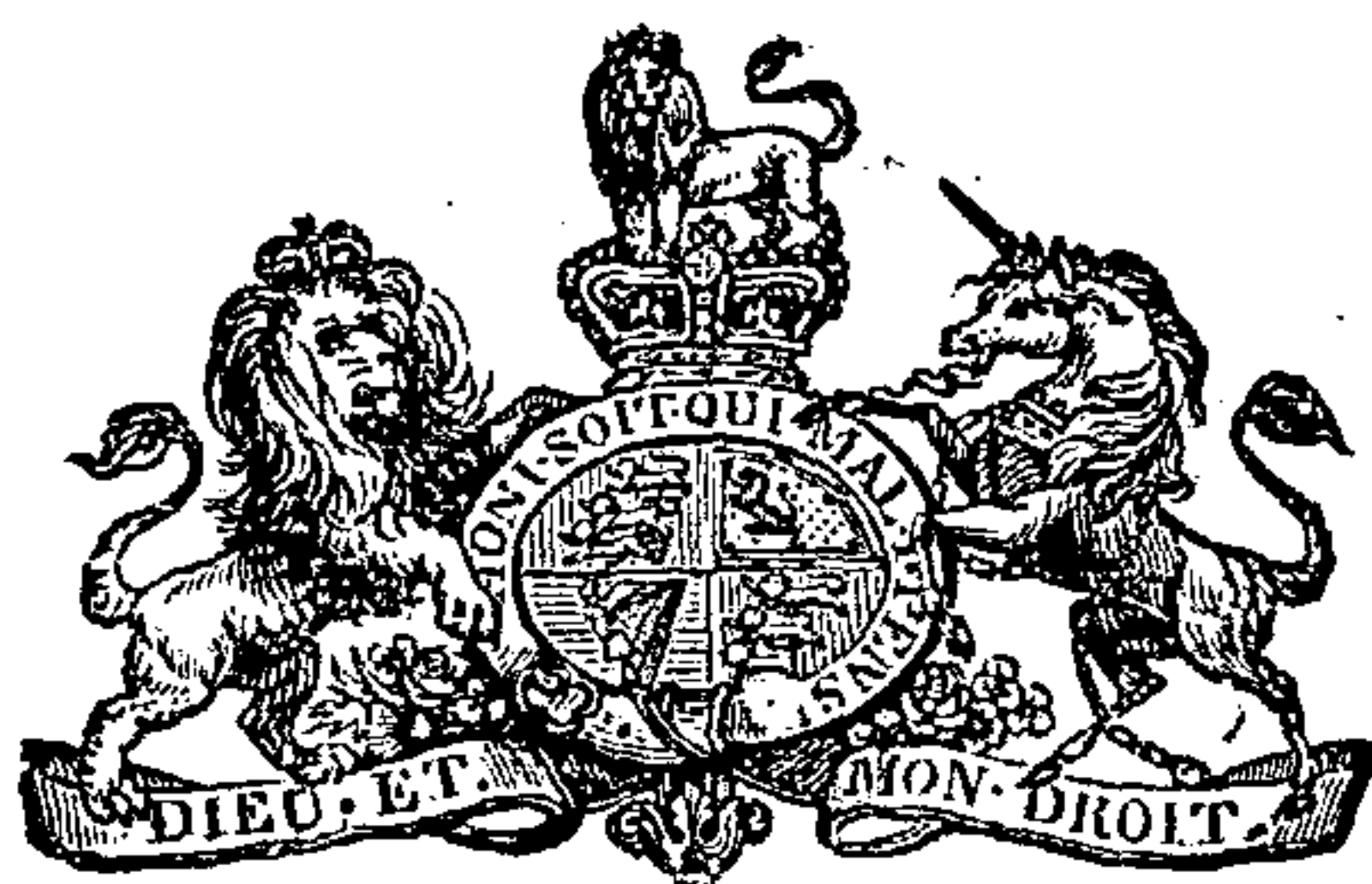
Given under the Seal of Office of the Local Government Board, this Twenty-first day of May, One thousand eight hundred and eighty-six.

(L.S.)

JAMES STANSFELD, President.
 HUGH OWEN, Secretary.

LONDON: Printed by EYRE and SPOTTISWOODE,
 Printers to the Queen's most Excellent Majesty. 1886.





CHAPTER lxii.

An Act to confirm an Order of the Secretary for Scotland under the provisions of the General Police and Improvement (Scotland) Act, 1862, relating to the Burgh of Leith. A.D. 1886.
[25th June 1886.]

WHEREAS Her Majesty's Secretary for Scotland has made the Provisional Order set forth in the schedule hereunto annexed, under the provisions of the General Police and Improvement (Scotland) Act, 1862 :

And whereas it is necessary that the said Order should be confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. The Order as amended and set out in the schedule hereto annexed shall be and the same is hereby confirmed. The Order
in schedule
confirmed.

2. This Act may be cited as the Secretary for Scotland's Leith Provisional Order Confirmation Act, 1886. Short title.

A.D. 1886.

SCHEDULE.

Leith.

BURGH OF LEITH.

PROVISIONAL ORDER RELATING TO LEITH LINKS.

WHEREAS by the General Police and Improvement (Scotland) Act, 1862, it is inter alia enacted (clause 79) that "whenever it appears desirable to the magistrates and council or commissioners of police of any royal or parliamentary burgh, or to the commissioners for executing this Act in any burgh or populous place, that provision should be made in order the better to apply and execute therein the provisions of this Act, in whole or part, or for the future application and execution of any Acts in force therein having relation to the purposes of this Act, or to the roads or streets within such burgh or populous place, or to any other matter or thing connected with the management and administration of the municipal or police affairs of such burgh or populous place. . . . the magistrates and council or the commissioners of any burgh . . . may present a petition to one of Her Majesty's Principal Secretaries of State praying for such provision."

And whereas the General Police and Improvement (Scotland) Act, 1862, has been adopted in whole by the parliamentary burgh of Leith :

And whereas there is also in force, in whole or in part, within the burgh of Leith an Act passed in the first and second year of the reign of Her Majesty Queen Victoria (cap. 55), intituled "An Act to regulate and secure the debt due by the city of Edinburgh to the public, to confirm an agreement between the said city and its creditors, and to effect a settlement of the affairs of the said city and the town of Leith" (herein-after referred to as "the Act of 1838").

And whereas owing to the great extent to which dwelling-houses and other buildings have been erected around the links of Leith, and to the largely increased use made of the same for games, and particularly for the game of football, which has quite denuded extensive portions of the links of its turf, converting the links into a succession of sandy patches and mud holes prejudicial to the comfort and health of the community, besides the said game being played in a manner causing danger and annoyance to other persons using the links, all thereby materially depriving the general public of that use of the links contemplated by the Act of 1838 :

And whereas it is necessary that provision should be made whereby the magistrates and council of Leith may the better apply and execute the Act of 1838, in so far as relating to the links of Leith :

And whereas by clause 439 of the General Police and Improvement (Scotland) Act, 1862, it is inter alia enacted, "It shall be lawful for the magistrates and councils of parliamentary burghs, in which there are no means or no adequate means of defraying the necessary expenses of their municipal establishments and other expenses attending the administration of the affairs of such burghs respectively, to assess all occupiers of premises within such burghs respec-

[49 & 50 VICT.] *Secretary for Scotland's Leith* [Ch. lxii.]
Provisional Order Confirmation Act, 1886.

“ tively in the sums necessary for defraying the expenses of such municipal
“ establishments and administration as aforesaid, but in no case to an
“ amount exceeding threepence in the pound of the yearly rent of such
“ premises:”

A.D. 1886.

Leith.

And whereas the links of Leith belong to the magistrates and council of Leith in their municipal capacity, and there are no adequate means in that burgh of defraying the necessary expenses of their municipal establishments, but not to such an extent as to justify a separate assessment therefor:

And whereas it is also desirable that the said magistrates and council should be authorised to charge the expenses attending their administration of the said links to the police assessment of the burgh:

And whereas a petition under the provisions of the General Police and Improvement (Scotland) Act, 1862, has been addressed to me, the Secretary for Scotland, as now invested with the powers and duties of one of Her Majesty's Principal Secretaries of State under the said Act, by the provost, magistrates, and council of the burgh of Leith under their corporate seal, praying that a Provisional Order may be issued in order the better to apply and execute therein the provisions of the recited Acts:

Now, therefore, in pursuance of the powers vested in me by the General Police and Improvement (Scotland) Act, 1862, I, as the Secretary for Scotland, do by this Provisional Order under my hand and seal of office direct that from and after any Act of Parliament confirming this Order:

1. The magistrates and council of Leith (herein-after called the magistrates and council) may, by resolution from time to time, set apart portions of the links of Leith for particular games or for purposes of recreation, and may temporarily exclude the public from any portions thereof in order to the restoration of the turf, and for that purpose may inclose or fence off the same, provided that they shall not inclose or fence off more than one acre at one place or more than two acres in the whole at any one time; and may from time to time make such byelaws as they think fit for the better preservation of the links and for regulating the use of the same, and for ensuring good order in the use thereof, and may from time to time repeal, alter, or amend any such byelaws, provided such byelaws be not repugnant to the law of Scotland and be reduced into writing, and have affixed thereto the signatures of two of the magistrates and council and also of the town clerk, and be confirmed and published as herein provided.

2. All persons contravening any such resolution or byelaw shall be liable in a penalty not exceeding forty shillings for each such contravention, and failing payment, to imprisonment for a period not exceeding one month; and contraventions of any such resolution or byelaw may be prosecuted and adjudged and penalties recovered and applied in the same manner as in ordinary police offences within the burgh, and for this purpose all the powers contained in the General Police and Improvement (Scotland) Act, 1862, or any other Police Act in force for the time being within the burgh with regard to the apprehension and punishment of offenders, shall be applicable.

3. Before setting apart any portions of the links, or excluding the public therefrom for the purposes aforesaid, the magistrates and council shall give notice of their resolution by affixing a copy thereof on a board on some conspicuous part of the links.

[Ch. lxii.] *Secretary for Scotland's Leith* [49 & 50 VICT.]
Provisional Order Confirmation Act, 1886.

A.D. 1886.

Leith.

4. No such byelaw shall come into operation until the same be confirmed by the sheriff and authenticated by his signature; and it shall be incumbent on the sheriff, on the request of the magistrates and council, to inquire into any byelaws tendered to him for that purpose, and to allow or disallow the same as he may think meet, and his decision shall be final.

5. No such byelaw shall be confirmed unless notice of the intention to apply for a confirmation of the same has been given in one or more newspapers circulating within the burgh of Leith, and in a newspaper published in the city of Edinburgh, one month at least before the hearing of such application, and any person desiring to object to any such byelaw, on giving to the magistrates and council notice of the nature of his objection ten days before the hearing of the application for the allowance thereof, may, by himself, or his counsel or agent, be heard thereon, but not so as to allow more than one objecting party to be heard on the same matter of objection without leave of the sheriff.

6. For one month at least previous to any such application for confirmation of any byelaw a copy of the proposed byelaws shall be kept at the office of the town clerk, and all persons may at all reasonable times inspect such copy without fee or reward, and the magistrates and council shall furnish every person who applies for the same with a copy thereof, or of any part thereof, on payment of sixpence for every one hundred words so to be copied.

7. Such byelaws when confirmed shall be printed, and the town clerk shall deliver a printed copy thereof to every person applying for the same at a charge not exceeding one penny, and a copy thereof shall be painted or printed and placed on boards, which shall be hung up on the front or in some conspicuous part of the Town Hall, and also on some conspicuous part of the links, for a period of not less than three months after the date of such confirmation.

8. Such byelaws when so confirmed and published shall be binding upon and be observed by all parties, and shall be sufficient to justify all parties acting under the same.

9. The production of a written or printed copy of the byelaws as confirmed by the sheriff, certified by the town clerk, shall be evidence of the existence and of the due making of such byelaws, and of the proper publication thereof in all prosecutions under the same, unless proof to the contrary be adduced by the party complained against.

10. The expenses incurred or to be incurred by the magistrates and council in their administration of the links of Leith, if and so far as the same shall be paid out of rates, shall be paid out of the police assessment of the said burgh.

11. Nothing in this Order shall prejudice or affect any right of road and entrance to the 1,480 feet of feuing ground as described in paragraph 2 (5) of Schedule A. annexed to the Act of 1838.

12. Subject to the provisions of this Order, nothing herein contained shall prejudice or affect any of the rights, powers, privileges, and provisions now in force of or under the Act of 1838.

13. The costs, charges, and expenses preliminary to and of and incidental to the preparation of and application for this Order, and the confirmation thereof

[49 & 50 VICT.] *Secretary for Scotland's Leith* [Ch. lxii.]
Provisional Order Confirmation Act, 1886.

by Parliament, shall be defrayed by the magistrates and council out of the police assessment aforesaid. A.D. 1886.

Leith.

Given under my Hands and Seal at the Secretary for Scotland's Office,
Whitehall, this sixteenth day of April one thousand eight hundred and
eighty-six.

L.S.

(Signed) DALHOUSIE.

LONDON: Printed by EYRE and SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1886.

