



**CHAPTER lxxxiii.**

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Borough of Ashton-under-Lyne and the Urban District of Dukinfield and to the City of Chester.      A.D. 1898.  
[25th July 1898.]

**W**HEREAS the Local Government Board have made the Provisional Orders set forth in the schedule hereto under the provisions of the Local Government Act 1888 :

51 & 52 Vict.  
c. 41.

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 altered and set out in the schedule hereto shall be and the same are hereby confirmed and all the provisions thereof shall 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. 11) Act 1898.      Short title.

A.D. 1898.

SCHEDULE.

*Ashton under  
Lyne and  
Dukinfield  
Order.*

BOROUGH OF ASHTON UNDER LYNE AND URBAN  
DISTRICT OF DUKINFIELD.

*Provisional Order made in pursuance of Sections 54 and 59 of the  
Local Government Act 1888.*

- To the Mayor Aldermen and Burgesses of the Borough of Ashton under Lyne ; —
  - To the School Board for the said Borough ; —
  - To the Justices of the Peace for the said Borough ; —
  - To the Urban District Council of Dukinfield ; —
  - To the School Board for the Township of Dukinfield ; —
  - To the Justices of the Peace for the County Palatine of Lancaster in Quarter Sessions assembled ; —
  - To the Justices of the Peace for the County of Chester in Quarter Sessions assembled ; —
  - To the County Council of the County Palatine of Lancaster ; —
  - To the County Council of Chester ; —
  - To the Guardians of the Poor of the Ashton under Lyne Union ; —
  - To the Overseers of the Poor of each of the Townships of Ashton under Lyne and Dukinfield ; —
- And to all others whom it may concern.

51 & 52 Vict.  
c. 41.

WHEREAS by Section 54 of the Local Government Act 1888 (which Act is herein-after referred to as "the Act of 1888") the Local Government Board are empowered to make a Provisional Order for altering the boundary of any borough and by such Order to divide or alter any electoral division ;

And whereas the Borough of Ashton under Lyne in the County Palatine of Lancaster is a borough within the meaning of the Act of 1888 and the inhabitants of the borough are a body corporate by the name of the Mayor Aldermen and Burgesses of the Borough of Ashton under Lyne and act by the council of the borough which now consists of the Mayor (who is also a Councillor) eight Aldermen and twenty-three other Councillors ;

[61 & 62 VICT.]      *Local Government Board's*      [Ch. lxxxvii.]  
*Provisional Orders Confirmation (No. 11) Act, 1898.*

And whereas the existing borough is co-extensive with the Township of Ashton under Lyne ; A.D. 1898.

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Order.*

And whereas the existing borough is an Urban District of which the Mayor Aldermen and Burgesses acting by the council (herein-after referred to as "the Corporation") are the Urban District Council ;

And whereas the existing borough has a separate commission of the peace and a separate police force and is for the purposes of the election of town councillors divided into four wards termed respectively the Saint Michael's Ward the Market Ward the Saint Peter's Ward and the Portland Place Ward and six councillors are assigned to each of the said wards ;

And whereas the unrepealed provisions of the Local Acts mentioned in Part. I. of the Schedule A. to this Order (herein-after referred to as "the Ashton Local Acts") and of the Confirmation Acts mentioned in Part II. of that schedule so far as the last-mentioned Acts relate to the Provisional Orders mentioned in that Part are in force in the existing borough ;

And whereas the Corporation have adopted the provisions of—

(a.) The Infectious Disease (Prevention) Act 1890 ; and

(b.) Parts I. II. III. and IV. of the Public Health Acts Amendment Act 1890 ;

53 & 54 Vict.  
c. 34.  
53 & 54 Vict.  
c. 59.

and those provisions are accordingly in force in the existing borough ;

And whereas the Public Libraries Acts 1892 and 1893 are in force in the existing borough ;

55 & 56 Vict.  
c. 53.  
56 Vict. c. 11.

And whereas the council of the existing borough are under the Burial Acts 1852 to 1885 the Burial Board for the existing borough ;

15 & 16 Vict.  
c. 85.  
48 & 49 Vict.  
c. 21.

And whereas the Urban District of Dukinfield (herein-after referred to as "the Dukinfield District") in the County of Chester adjoins the existing borough and the Urban District Council of Dukinfield (herein-after referred to as "the Dukinfield Council") are the District Council for that district ;

And whereas the Dukinfield District is co-extensive with the Township of Dukinfield ;

And whereas the Dukinfield District is for the purposes of the election of Urban District Councillors divided into two wards which are termed respectively the East Ward and the West Ward and nine councillors are assigned to each of the said wards ;

And whereas the unrepealed provisions of the Local Acts mentioned in Part I. of the Schedule B. to this Order (herein-after referred to as "the Dukinfield Local Acts") and of the Confirmation Acts mentioned in Part II. of that schedule so far as the last-mentioned Acts relate to the Provisional Orders mentioned in that Part are in force in the Dukinfield District ;

And whereas the Dukinfield Council have adopted the provisions of—

(a.) The Infectious Disease (Notification) Act 1889 ;

(b.) The Infectious Disease (Prevention) Act 1890 (except Sections 9 10 and 12) ; and

(c.) The Private Street Works Act 1892 ;

52 & 53 Vict.  
c. 72.  
53 & 54 Vict.  
c. 34.  
55 & 56 Vict.  
c. 57.

and those provisions are accordingly in force in the Dukinfield District ;



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55 & 56 Vict.  
 c. 53.  
 56 Vict. c. 11.  
 15 & 16 Vict.  
 c. 85.  
 48 & 49 Vict.  
 c. 21.

And whereas the Public Libraries Acts 1892 and 1893 are in force in the Dukinfield District ;

And whereas the Dukinfield Council are under the Burial Acts 1852 to 1885 the Burial Board for the Dukinfield District ;

And whereas the existing borough and the Township of Dukinfield are School Districts for each of which a School Board has been formed ;

And whereas the existing borough is for the purpose of the election of county councillors of the County Palatine of Lancaster divided into two electoral divisions known as the East Electoral Division and the West Electoral Division the East Electoral Division comprising the Market and Saint Michael's Wards and the West Electoral Division comprising the Saint Peter's and Portland Place Wards ;

And whereas the Dukinfield District is for the purpose of the election of county councillors of the County of Chester divided into two electoral divisions known as the East Dukinfield Electoral Division and the West Dukinfield Electoral Division the East Dukinfield Electoral Division comprising the East Ward of the Dukinfield District and the West Dukinfield Electoral Division comprising the West Ward of the Dukinfield District :

51 & 52 Vict.  
 c. 41.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 54 and 59 of the Act of 1888 and by any other enactments 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 :—

Commence-  
 ment of Order.

Art. I. This Order shall except so far as is otherwise herein expressly provided or as there may be anything in the subject-matter or context inconsistent therewith come into operation on the Ninth day of November One thousand eight hundred and ninety-eight (which date is herein-after referred to as "the commencement of this Order") :

Date of  
 operation of  
 Order for  
 parish burgess  
 lists &c.  
 51 Vict. c. 10.

Provided that for the purposes of the parish burgess lists and burgess roll and other lists to be made under the Municipal Corporations Act 1882 and the Acts amending the same of the lists of county electors and the county registers to be made in pursuance of the County Electors Act 1888 and any Act amending that Act of the lists or register of parochial electors and any other lists or register to be made in pursuance of the Local Government Act 1894 and of all proceedings preliminary or relating to any municipal election to be held on the next ordinary day of election of councillors this Order shall operate from the date of the Act of Parliament confirming the same :

56 & 57 Vict.  
 c. 73.

Date of  
 operation for  
 grants from  
 Local Taxation  
 Account.  
 53 & 54 Vict.  
 c. 60.

Provided also that for the purposes of Sections 20 22 23 24 and 26 of the Act of 1888 and for the purposes of the Local Taxation (Customs and Excise) Act 1890 the Counties of Chester and Lancaster shall be deemed not to have been altered until after the Thirty-first day of March One thousand eight hundred and ninety-nine.

Definitions.

Art. II. In this Order—

- (1.) The expression "the borough" means the borough as altered by this Order.
- (2.) The expression "the Ashton added areas" means the parts of the Dukinfield District added to the existing borough by this Order.

[61 & 62 Vict.]      *Local Government Board's*      [Ch. lxxxiii.]  
*Provisional Orders Confirmation (No. 11) Act, 1898.*

(3.) The expression "the Dukinfield added areas" means the parts of the existing borough added to the Dukinfield District by this Order. A.D. 1898.

Art. III.—(1.) The boundaries of the existing borough and Dukinfield District shall be altered as follows:—

—  
*Ashton under  
 Lyne and  
 Dukinfield  
 Order.*

(a.) The parts of the Dukinfield District which are coloured brown and green on the three maps (herein-after referred to as "the maps") each marked "Map showing the alteration of the boundary between the Borough of Ashton under Lyne and the Urban District of Dukinfield 1898" and sealed with the official seal of the Local Government Board shall be separated from that district and added to the existing borough; and

Alteration of  
 Borough and  
 Urban District.

(b.) The parts of the existing borough which are coloured blue and pink on the maps shall be separated from the existing borough and added to the Dukinfield District;

and the altered boundary between the borough and the Dukinfield District shall be that shown by the red line on the maps.

(2.) The Ashton added areas shall for the purposes of the Municipal Corporations Act 1882 and for all other purposes be included in the borough and the Dukinfield added areas shall for the like purposes be excluded from the borough.

45 & 46 Vict.  
 c. 50.

Art. IV.—(1.) One of the maps shall be deposited in the office of the Local Government Board and the others shall be respectively deposited by the town clerk of the borough and the clerk of the Dukinfield Council at their offices within fourteen days after the date of this Order. Copies of the map deposited with the town clerk certified by him to be true shall be sent within one month after the date of the Act of Parliament confirming this Order to the clerk to the County Council of Chester to the clerk to the County Council of Lancaster and to the Board of Agriculture.

Deposit of  
 maps.

(2.) Copies of or extracts from either of the maps deposited with the town clerk and with the clerk to the Dukinfield Council certified by such town clerk or clerk to the Dukinfield Council as the case may be to be true shall be received in all courts of justice and elsewhere as *prima facie* evidence of the contents of such map so far as it relates to the boundary between the borough and the Dukinfield District and between the Counties of Chester and Lancaster so far as such boundary is altered by this Order and such maps shall at all reasonable times be open to inspection by any person liable to any rate leviable within the borough or within the Dukinfield District as the case may be and any such person shall be entitled to a copy of or extract from such map certified by such town clerk or clerk to the Dukinfield Council to be true on payment of a reasonable fee to be determined by the council of the borough or by the Dukinfield Council as the case may be for every such copy or extract. All sums received under this Article shall be carried to the credit of the borough fund of the borough or to the district fund of the Dukinfield District as the case may be.

Copies of map  
 to be evidence.

Art. V. The boundary between the County of Chester and the County Palatine of Lancaster shall be altered so that the Ashton added areas shall cease to be within the County of Chester and shall form part of the County Palatine of Lancaster and the Dukinfield added areas shall cease to be within the County Palatine of Lancaster and shall form part of the County of Chester.

Alteration  
 of county  
 boundary



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A D. 1898.  
 —  
*Ashton under  
 Lyne and  
 Dukinfield  
 Order.*  
 Transfer of  
 lists of  
 prisoners &c.

Art. VI.—(1.) Lists of prisoners writs process and particulars and all records and documents relating to or to be executed in connexion with any action or proceeding pending or existing at the commencement of this Order and appertaining to the Ashton added areas or to the Dukinfield added areas as the case may be shall be delivered turned over or transferred and signed in like manner in all respects so nearly as circumstances admit as is required to be done upon a new sheriff coming into office in like manner as if the sheriff of the county to which the areas are hereby added were as respects such areas the new sheriff in succession to the sheriff of the county from which the areas are hereby separated.

Coroners'  
 Districts.

(2.) The Ashton added areas shall be included in the Salford Coroner's District of the County Palatine of Lancaster and the Dukinfield added areas shall be included in the Stockport Coroner's District of the County of Chester subject in either case to any alteration which may be made in the district.

County rate  
 bases.

(3.) Subject to any future revision—

(a) the county rate basis or standard of the County Palatine of Lancaster shall be altered by the omission therefrom of the annual value of the property in the Dukinfield added areas and by the addition of the annual value of the property in the Ashton added areas and the county rate basis or standard of the County of Chester shall be altered by the addition thereto of the annual value of the property in the Dukinfield added areas and by the omission of the annual value of the property in the Ashton added areas ;

(b) for the purpose of ascertaining the annual value of the property in the Dukinfield added areas and the Ashton added areas respectively the annual value of the property in the Township of Ashton under Lyne and in the Township of Dukinfield as stated in the county rate basis or standard in force immediately before the commencement of this Order shall be divided in proportion to the rateable value according to the valuation list then in force of the property in the added areas respectively and in the remainder of the Townships respectively ;

(c) no rate shall be deemed to be invalid or open to objection by reason of its being levied and raised on the basis or standard of either County as so altered.

County bridge  
 over River  
 Tame.

Art. VII.—(1.) The bridge over the River Tame known as Dukinfield Bridge shall be deemed to be a county bridge repairable by the County Council of the County Palatine of Lancaster (herein-after called "the Lancashire County Council") and the County Council of Chester (herein-after called "the Cheshire County Council") jointly Provided always that the liability of the Cheshire County Council to repair the said bridge shall notwithstanding anything herein contained continue until the said bridge is widened or re-constructed.

In the event of the Lancashire County Council and the Cheshire County Council deciding to widen or re-construct the said bridge the cost thereof shall be borne in four equal proportions by the Lancashire County Council the Cheshire County Council the Corporation and the Dukinfield Council and from and after the widening or re-construction of the said bridge the maintenance or repair

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thereof as widened or re-constructed shall be borne by the said County Councils in equal moieties. A.D. 1898.

*Ashton under  
Lyne and  
Dukinfield  
Order.*

(2.) The Corporation and the Dukinfield Council shall respectively acquire at their own cost all land in the borough and the Dukinfield District respectively required for widening re-constructing or altering the said bridge and the approaches thereto and the Corporation and the Dukinfield Council shall respectively bear the cost of widening re-constructing or altering the approaches in the borough and the Dukinfield District, respectively.

(3.) The Lancashire County Council shall not make any claim upon the Cheshire County Council for compensation in respect of the said bridge one-half of which will under this Order be situate in the County of Lancaster.

(4.) Neither the Lancashire County Council nor the Cheshire County Council shall make any claim upon the other of them in respect of the distribution of the proceeds of the Local Taxation Licences and Probate Duty Grants and of the Local Taxation (Customs and Excise) Duties nor for compensation in respect of the loss of rateable value respectively sustained by them by reason of the alteration of the boundary between the said counties under this Order.

(5.) In the event of the borough becoming a county borough the liability of the Lancashire County Council in regard to the said bridge shall be excluded from any claim for compensation by the Corporation in respect thereof.

(6.) The purposes of this Article in so far as the same are to be carried out by the Corporation or the Dukinfield Council shall be deemed to be purposes of the Public Health Act 1875.

Art. VIII.—(1.) The powers and duties of the justices of the peace appointed for the existing borough and of the clerk to such justices and of the police constables and other peace officers of the existing borough shall extend to and apply throughout the Ashton added areas. Jurisdiction of  
justices &c.  
extended.

(2.) The Dukinfield added areas shall be included within the Hyde Petty Sessional Division of the County of Chester until the Quarter Sessions of that County shall otherwise direct.

(3.) Every person committing an offence in the Ashton added areas or in the Dukinfield added areas prior to the commencement of this Order shall be tried adjudicated on and dealt with as if this Order had not been made.

Art. IX. For the purposes of the parish burgess lists and burgess roll and other lists to be made under the Municipal Corporations Act 1882 and the Acts amending the same and of all matters in relation thereto the Ashton added areas shall be deemed to have always been part of the borough and the town clerk of the existing borough shall be the town clerk of the borough and for the purposes of the lists of county electors and the county registers to be made under the County Electors Act 1888 and the Acts amending the same and all matters in relation thereto the Dukinfield added areas shall be deemed to have always been part of the County of Chester and anything required to be done in connexion with the purposes aforesaid before the date of the Act of Parliament confirming this Order may be done as soon as practicable after such date and if so done shall have full force and effect and if any difficulty arise in making out revising or otherwise dealing with such lists roll or register or the lists and registers of parochial electors the Local Government Parish burgess  
lists &c.



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 Order.*

Alteration of  
 wards.

Board may make such Order as shall appear to them to be necessary to remove any such difficulty and to give effect to the provisions of this Order and may vary so far as shall be necessary the provisions in force with regard to such lists roll and registers.

Art. X.—(1.) Subject as regards any future alteration of wards to the provisions of the Municipal Corporations Act 1882 and any Act amending the same as to the alteration of wards the following provisions shall have effect:—

(a.) For the purposes of the election of town councillors the borough shall continue to be divided into four wards.

(b.) The existing Saint Michael's and Portland Place Wards shall be altered as follows:—

(a.) The Saint Michael's Ward so as to include the parts of the Ashton added areas which are coloured brown on the maps.

(b.) The Portland Place Ward so as to include the parts of the Ashton added areas which are coloured green on the maps.

(c.) The remaining two wards into which the existing borough is divided and the number of councillors assigned to each of the four wards of the borough shall be unaltered.

(d.) The councillors representing the existing Saint Michael's and Portland Place Wards who will not go out of office on the First day of November One thousand eight hundred and ninety-eight shall be deemed from and after the commencement of this Order to represent the altered wards.

(2.) Subject as regards any future alteration of wards to the provisions of the Local Government Act 1888 and any Act amending the same as to the alteration of wards the following provisions shall have effect:—

(a.) For the purposes of the election of Urban District Councillors the Dukinfield District shall continue to be divided into two wards.

(b.) The existing wards shall be altered as follows:—

The East Ward so as to include the parts of the Dukinfield added areas which are coloured blue on the maps.

The West Ward so as to include the parts of the Dukinfield added areas which are coloured pink on the maps.

(c.) The councillors representing the existing wards shall be deemed from and after the commencement of this Order to represent the altered wards.

Byelaws &c.

Art. XI.—(1.) Any byelaws and regulations and lists of tolls and table of fees made by the Corporation or by the Dukinfield Council as the case may be which at the commencement of this Order are in force in the existing borough or in the Dukinfield District shall thenceforth apply to the borough or to the Dukinfield District as hereby altered as the case may be until or except in so far as the same may be altered revised or repealed and any byelaws and regulations made by the Corporation or the Dukinfield Council shall on that date cease to be in force or have effect within the Dukinfield added areas or the Ashton added areas as the case may be. Provided that any proceedings which might have been taken by the Corporation or by the Dukinfield Council against any person for any offence against such byelaws and regulations committed before the commencement of this Order may so far as such offence was committed in the



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Ashton added areas or the Dukinfield added areas as the case may be taken by the Corporation or by the Dukinfield Council as if those byelaws had remained in force and the Corporation or the Dukinfield Council as the case may be had been substituted therein for the authority by whom the byelaws were made.

A.D. 1898.

—  
*Ashton under  
 Lyne and  
 Dukinfield  
 Order.*

(2.) Any byelaws made by the Cheshire County Council which at the commencement of this Order are in force in the Dukinfield District shall thenceforth apply to and be in force in the Dukinfield added areas and shall cease to apply to and be in force in the Ashton added areas but without prejudice to anything done thereunder.

(3.) All byelaws made under the Acts relating to public elementary education in force in the existing borough or in the Dukinfield District as the case may be at the commencement of this Order shall thenceforth apply to the borough or to the Dukinfield District as hereby altered as the case may be until revoked or altered in accordance with the provisions of the Elementary Education Acts 1870 to 1891.

Art. XII.—(1.) The town clerk and all other officers and servants of the Corporation of the existing borough and the clerk and all other officers and servants of the Dukinfield Council who hold office at the commencement of this Order shall continue to be the town clerk and officers and servants of the Corporation of the borough or the clerk and officers and servants of the Dukinfield Council as the case may be and shall hold their offices by the same tenure as at that date.

Officers  
 continued.

(2.) The auditors for the existing borough who shall be in office at the commencement of this Order shall continue in office and shall be the borough auditors until the next ordinary day of election of borough auditors.

Borough  
 auditors.

Art. XIII.—(1.) Every officer whether of the Corporation or of the Dukinfield Council who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary shall be entitled to have compensation paid to him for such pecuniary loss and in determining such compensation regard shall be had to the conditions and other circumstances required by sub-section (1) of Section 120 of the Act of 1888 to be had in regard in cases of compensation under that section and the compensation shall not exceed the limit therein mentioned. Such compensation in the case of any officer of the Corporation whose office or employment relates wholly or partly to sanitary purposes as defined by the Public Health Act 1875 shall be paid by the Corporation out of any fund or rate applicable to the payment of the expenses incurred or payable by the Corporation in the execution of the said Act and in the case of any other such officer out of the borough fund and borough rate of the borough and in the case of any officer of the Dukinfield Council out of the district fund and general district rate of the Dukinfield District and the provisions of sub-sections (2) to (7) of the said Section 120 shall apply with such modifications (if any) as may be required. Provided that the non-acceptance of any office offered shall not be a bar to the right of any officer to compensation.

Compensation  
 to existing  
 officers.

(2.) Any officer whose salary shall be reduced within one year from the commencement of this Order on the ground that his duties have been diminished

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A.D. 1898. in consequence hereof shall be deemed to have suffered a direct pecuniary loss in consequence of this Order.

Ashton under  
Lyne and  
Dukinfield  
Order.

Actions &c.  
not to abate.

Art. XIV.—(1.) (a.) If at the commencement of this Order any action or proceeding or any cause of action or proceeding is pending or existing by or against the Dukinfield Council in relation exclusively to any part of the Ashton added areas the same shall not be in anywise prejudicially affected by reason of the making of this Order but may be continued prosecuted and enforced by or against the Corporation.

Saving for  
contracts &c.

(b.) Anything duly done or suffered and all contracts deeds bonds agreements and other instruments (subsisting at the commencement of this Order) entered into or made by the Dukinfield Council in relation exclusively to any part of the Ashton added areas shall be of as full force and effect against or in favour of the Corporation and may be continued and enforced as fully and effectually as if the Corporation had done or suffered the same or been a party thereto instead of the Dukinfield Council.

(2.) The provisions of this Article shall apply with the necessary adaptations to the Dukinfield added areas and the Dukinfield Council.

Property and  
liabilities.

Art. XV.—(1.) All property vested in the Corporation at the commencement of this Order for the benefit of the existing borough shall be held by the Corporation for the benefit of the borough and the Corporation shall hold enjoy and exercise for the benefit of the borough all the powers which at the date aforesaid are exerciseable by or vested in the Corporation for the benefit of the existing borough and all liabilities which on the date aforesaid attached to the Corporation in respect of the existing borough shall attach to them in respect of the borough.

(2.) The provisions of this Article shall apply with the necessary adaptations to the Dukinfield Council and any property powers and liabilities vested in or attached to them at the commencement of this Order.

Property &c. of  
Corporation  
and District  
Council.

Art. XVI.—(1.) All property and liabilities which immediately before the commencement of this Order are vested in or attach to the Dukinfield Council in relation exclusively to any part of the Ashton added areas shall be transferred to vested in and attach to the Corporation as Urban District Council and any property or liabilities which immediately before the commencement of this Order are vested in or attached to the Corporation as Urban District Council in relation exclusively to any part of the Dukinfield added areas shall be transferred to vested in and attach to the Dukinfield Council and any property and liabilities vested in or attaching to the Corporation or to the Dukinfield Council in relation to any part of the Ashton added areas or of the Dukinfield added areas as the case may be conjointly with the remainder of their respective districts or some part thereof shall be a matter for adjustment under Section 62 of the Act of 1888.

Cesser of  
jurisdiction.

(2.) The Corporation and the Dukinfield Council shall respectively at the commencement of this Order cease to exercise any powers or duties within any area separated hereby from their district :

Provided that all arrears of rates made by the Corporation or the Dukinfield Council before the commencement of this Order which remain due on that date

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in respect of any hereditaments in any of the Dukinfield added areas or Ashton added areas may be collected and recovered as if this Order had not been made.

A.D. 1898.

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 Lyne and  
 Dukinfield  
 Order.*

Art. XVII.—(1.) So much of any sums borrowed by the Corporation as may immediately before the commencement of this Order be owing and charged upon the borough fund and borough rates of the existing borough shall be charged upon the borough fund and borough rates of the borough and so much of any sums borrowed by the Corporation as will on that date be owing and charged upon any other rate levied by them in the existing borough shall be charged upon the corresponding rate to be levied in the borough and all such sums shall together with the interest to accrue due thereon be repaid by the Corporation within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

Mortgage  
 debts.

(2.) So much of any sums borrowed by the Dukinfield Council as may immediately before the commencement of this Order be owing and charged upon the district fund and general district rate of the Dukinfield District shall subject to the provisions of this Order be charged upon the district fund and general district rate of the Dukinfield District as hereby altered and all such sums shall together with the interest to accrue due thereon be repaid by the Dukinfield Council within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

Art. XVIII. The unrepealed provisions of the Ashton Local Acts and of any other Local Act or of any Provisional Order affecting the existing borough or the Corporation as the same respectively are in force within the existing borough at the commencement of this Order shall subject to any alteration made therein by this Order extend and apply to the borough and any reference therein to the existing borough and the Corporation thereof shall be deemed to refer to the borough and the Corporation thereof and the unrepealed provisions of the Dukinfield Local Acts and of any other Local Act or of any Provisional Order affecting the Dukinfield District or the Dukinfield Council as the same respectively are in force within the Dukinfield District at the commencement of this Order shall similarly extend and apply to the Dukinfield District as altered hereby and to the Dukinfield Council and any reference therein to the existing Dukinfield District and the Council thereof shall be deemed to refer to that District as hereby altered and the Council thereof.

Scheduled Acts  
 and Orders.

Art. XIX.—(1.) The provisions of the Infectious Disease (Prevention) Act 1890 of Parts I. II. III. and IV. of the Public Health Acts Amendment Act 1890 and of the Public Libraries Acts 1892 and 1893 shall be in force within and apply to the borough as if the same had been adopted therein.

Adoptive Acts.

(2.) The provisions of the Infectious Disease (Notification) Act 1889 of the Infectious Disease (Prevention) Act 1890 (except Sections 9 10 and 12) of the Private Streets Works Act 1892 and of the Public Libraries Acts 1892 and 1893 shall be in force within and apply to the Dukinfield District as hereby altered as if the same had been adopted therein.



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(3.) The provisions of the Infectious Disease (Notification) Act 1889 and of the Private Street Works Act 1892 shall subject to the provisions of those Acts respectively or of any Act amending or extending the same cease to be in force within any part of the Ashton added areas and the provisions of Parts I. II. III. and IV. of the Public Health Acts Amendment Act 1890 shall subject to the provisions of that Act or of any Act amending or extending the same cease to be in force within any part of the Dukinfield added areas.

Burial Boards.

Art. XX. The council of the borough shall be the Burial Board for the borough and shall have within the borough to the exclusion of any other Burial Authority all the powers rights duties and liabilities of a Burial Board under the Burial Acts 1852 to 1885 and the Dukinfield Council shall in like manner be the Burial Board for the Dukinfield District as hereby altered.

Electoral  
Divisions.

Art. XXI. Subject to the provisions of Section 54 of the Act of 1888 the following provisions shall take effect:—

(1.) The areas by this Order added to the Saint Michael's Ward of the borough shall be added to the East Electoral Division of the borough and the areas by this Order added to the Portland Place Ward shall be added to the West Electoral Division of the borough ; and

(2.) The areas added by this Order to the East Ward of the Dukinfield District shall be added to the East Dukinfield Electoral Division of the County of Chester and the areas added by this Order to the West Ward of the Dukinfield District shall be added to the West Dukinfield Electoral Division of the County of Chester.

(3.) The persons who immediately prior to the commencement of this Order are the County Councillors of the County Palatine of Lancaster or of the County of Chester as the case may be representing the East Electoral Division and the West Electoral Division respectively of the borough or the East Dukinfield Electoral Division and the West Dukinfield Electoral Division shall from and after that date represent those divisions as hereby altered as if they had originally been elected to represent the altered divisions.

Alteration of  
Townships.

Art. XXII.—(1.) The Ashton added areas and the Dukinfield added areas shall cease to form parts of the townships of which they now respectively form part.

(2.) The Ashton added areas shall be amalgamated with the Township of Ashton under Lyne.

(3.) The Dukinfield added areas shall be amalgamated with the Township of Dukinfield.

Ecclesiastical  
divisions and  
charities.

Art. XXIII.—(1.) Nothing in this Order shall affect the ecclesiastical divisions of any parish or shall prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment which now is applicable for the benefit of any of the existing townships affected by this Order.

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(2.) Until new valuation lists are made the portion of the valuation list of any existing township which relates to hereditaments in any of the added areas shall be deemed to be part of the valuation list of the township to which the area comprising such hereditaments is by this Order added.

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Order.*

Valuation lists.

(3.) For the purposes of the registers of persons entitled to vote at an election of Members of Parliament of the register of county and parochial electors and of the jury lists the townships affected by this Order shall be deemed to continue unaltered until the new lists and registers come into operation :

Saving for  
existing  
register of  
parliamentary  
voters &c.

Provided that the clerk to the Cheshire County Council or the clerk to the Lancashire County Council as the case may be shall alter the existing register of parochial electors so far as may be necessary in consequence of the changes made by this Order.

(4.)—(a.) Every person who has acquired or who on or before the commencement of this Order shall acquire a settlement in any existing township affected by this Order shall be deemed to have acquired a settlement in the township comprising the area in which the acts or circumstances conferring such settlement shall have been done or occurred or if such acts or circumstances shall have been done or occurred in more than one township such settlement shall be in the township comprising the place of residence of such person at the time of acquiring such settlement.

Settlement of  
paupers.

(b.) Any person who shall have acquired a status of irremovability from any existing township affected by this Order shall be deemed to have acquired a status of irremovability from the township comprising the area in which he shall reside at the commencement of this Order or (if he shall then be in receipt of relief) from the township comprising the area in which he was residing at the time of becoming chargeable.

Irremovability  
of paupers.

(5.) Notwithstanding the alteration in the areas of townships effected by this Order all contribution orders made by the Guardians of the Poor of the Ashton under Lyne Union before the commencement of this Order shall be as valid in law as if this Order had not been made.

Saving for  
contribution  
orders and  
precepts.

(6.) All arrears of rates made by the overseers due at the commencement of this Order shall be collected and recovered by the overseers of the existing townships affected as if this Order had not been made.

Arrears of  
rates.

Art. XXIV. This Order may be cited as the Ashton under Lyne and Dukinfield Order 1898.

Short title.

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*Provisional Orders Confirmation (No. 11) Act, 1898.*

A.D. 1898.

The SCHEDULE A. above referred to.

*Ashton under  
 Lyne and  
 Dukinfield  
 Order.*

PART I.—LOCAL ACTS.

Session and Chapter.	Title or Short Title.
12 & 13 Vict. c. xxxv. - -	The Ashton under Lyne Improvement Act 1849.
33 & 34 Vict. c. cxxxix. - -	The Ashton under Lyne Stalybridge and Dukinfield (District) Waterworks Act 1870.
38 Vict. c. lxvii. - -	The Ashton under Lyne Stalybridge and Dukinfield (District) Waterworks Act 1875.
40 & 41 Vict. c. clxxi. - -	The Ashton under Lyne Improvement Act 1877.
48 Vict. c. xxii. - -	The Ashton under Lyne Stalybridge and Dukinfield (District) Waterworks Act 1885.
49 & 50 Vict. c. lxxviii. - -	The Ashton under Lyne Improvement Act 1886.
55 & 56 Vict. c. cxx. - -	The Ashton under Lyne Stalybridge and Dukinfield (District) Waterworks Act 1892.
56 & 57 Vict. c. excv. - -	The Ashton under Lyne Corporation Act 1893.

PART II.—CONFIRMATION ACTS.

Session and Chapter.	Short Title.	Order relating to Ashton under Lyne thereby confirmed.
32 & 33 Vict. c. cl. - -	The Local Government Supplemental Act 1869 (No. 2).	Order dated 23rd June 1869.
42 Vict. c. xliii. - -	The Local Government Board's Provisional Orders Confirmation (Ashton under Lyne &c.) Act 1879.	Order dated 17th April 1879.
45 & 46 Vict. c. lxiii. - -	The Local Government Board's Provisional Orders Confirmation (No. 6) Act 1882.	Order dated 16th May 1882.
46 & 47 Vict. c. cxxxvi. - -	The Local Government Board's Provisional Orders Confirmation (No. 5) Act 1883.	Order dated 18th May 1883.



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*Provisional Orders Confirmation (No. 11) Act, 1898.*

PART II.—CONFIRMATION ACTS—*continued.*

A.D. 1898.

Session and Chapter.	Short Title.	Order relating to Ashton under Lyne thereby confirmed.	<i>Ashton under Lyne and Dukinfield Order.</i>
54 & 55 Vict. c. clvi.	The Local Government Board's Provisional Orders Confirmation (No. 7) Act 1891.	Order dated 1st May 1891.	
57 Vict. c. xx.	The Local Government Board's Provisional Orders Confirmation (No. 2) Act 1894.	Ashton-under-Lyne Order 1894.	
59 & 60 Vict. c. cviii.	The Local Government Board's Provisional Orders Confirmation (No. 14) Act 1896.	Ashton under Lyne and Stalybridge Order 1896.	

The SCHEDULE B. above referred to.

PART I.—LOCAL ACTS.

Session and Chapter.	Title or Short Title.
33 & 34 Vict. c. cxxxi.	The Ashton under Lyne Stalybridge and Dukinfield (District) Waterworks Act 1870.
38 Vict. c. lxxvii.	The Ashton under Lyne Stalybridge and Dukinfield (District) Waterworks Act 1875.
40 & 41 Vict. c. cxc.	The Dukinfield and Denton Local Boards (Gas) Act 1877.
43 & 44 Vict. c. xvii.	The Denton and Haughton (Gas) Act 1880.
48 Vict. c. xxii.	The Ashton under Lyne Stalybridge and Dukinfield (District) Waterworks Act 1885.
55 & 56 Vict. c. cxx.	The Ashton under Lyne Stalybridge and Dukinfield (District) Waterworks Act 1892.

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PART II.—CONFIRMATION ACTS.

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 Order.*

Session and Chapter.	Short Title.	Order relating to Dukinfield thereby confirmed.
20 Vict. c. iii.	The Public Health Supplemental Act 1857.	Order dated 12th February 1857.
29 & 30 Vict. c. xxiv.	The Local Government Supplemental Act 1866.	Order dated 12th March 1866.
46 & 47 Vict. c. cxxxvi.	The Local Government Board's Provisional Orders Confirmation (No. 5) Act 1883.	Order dated 18th May 1883.
47 & 48 Vict. c. ccxv.	The Local Government Board's Provisional Orders Confirmation (No. 8) Act 1884.	Order dated 5th June 1884.
50 Vict. c. viii.	The Local Government Board's Provisional Orders Confirmation (No. 6) Act 1886.	Order dated 21st May 1886.
50 Vict. c. xvii.	The Local Government Board's Provisional Orders Confirmation (No. 11) Act 1886.	Order dated 10th June 1886.
52 & 53 Vict. c. cxv.	The Local Government Board's Provisional Orders Confirmation (No. 13) Act 1889.	Order dated 31st May 1889.
57 & 58 Vict. c. cxxv.	The Local Government Board's Provisional Orders Confirmation (No. 13) Act 1894.	The Stalybridge and Dukinfield Joint Sewage Order 1894.

Given under the Seal of Office of the Local Government Board this Nineteenth day of May One thousand eight hundred and ninety-eight.

(L.S.)

HENRY CHAPLIN President,  
 HUGH OWEN Secretary.

*Chester  
 Order.*

CITY OF CHESTER.

*Provisional Order made in pursuance of Sections 54 and 59 of the  
 Local Government Act 1888.*

To the Mayor Aldermen and Citizens of the City of Chester ; —

To the Justices of the Peace for the said City ; —

To the Court of Quarter Sessions for the said City ; —

To the Justices of the Peace for the County of Chester in Quarter Sessions assembled ; —

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To the County Council of Chester ; —

To the Rural District Council of Chester ; —

To the Guardians of the Poor of the Chester Union ; —

To the Overseers of the Poor of each of the Parishes of Chester and Chester Castle otherwise Gloverstone and to the Overseers of the Poor of the Township of Blacon-with-Crabhall or Crabwall ; —

And to all others whom it may concern.

A.D. 1898.

*Chester  
Order.*

WHEREAS by Section 54 of the Local Government Act 1888 (which Act is herein-after referred to as "the Act of 1888") the Local Government Board are empowered to make a Provisional Order for altering the boundary of any borough and by such Order to divide or alter any electoral division ;

51 & 52 Vict.  
c. 41.

And whereas the City of Chester (which is herein-after referred to as "the existing City") is a County of itself and a County Borough under the Act of 1888 and the inhabitants of the City are a body corporate by the name of the Mayor Aldermen and Citizens of the City of Chester (herein-after referred to as "the Corporation") and act by the Council of the City which now consists of the Mayor (who is also a Councillor) ten Aldermen and twenty-nine other Councillors and the existing City is for the purposes of the election of Councillors divided into five wards two of which are termed Trinity Ward and Saint Mary's Ward ;

And whereas the existing City is an Urban Sanitary District of which the Mayor Aldermen and Citizens acting by the council are the Urban Sanitary Authority ;

And whereas the existing City has a separate court of quarter sessions recorder commission of the peace police force sheriff and coroner and ancient courts of record called "The Court of Pentice" and "The Court of Portmote" ;

And whereas the existing City comprises the Parish of Chester ;

And whereas the unrepealed provisions of the Local Acts mentioned in Part I. of the schedule to this Order (herein-after referred to as "the Local Acts") and of the Confirmation Act mentioned in Part II. of the said schedule so far as the last-mentioned Act relates to the Provisional Order mentioned in that schedule are in force in the existing City ;

And whereas the Corporation of the existing City have adopted the provisions of—

(a.) The Infectious Disease (Prevention) Act 1890 ;

(b.) The Public Health Acts Amendment Act 1890 ; and

(c.) The Private Street Works Act 1892 ;

53 & 54 Vict.  
c. 34.  
53 & 54 Vict.  
c. 59.  
55 & 56 Vict.  
c. 57.

and those provisions are accordingly in force in the existing City ;

9 & 10 Vict.  
c. 74.  
45 & 46 Vict.  
c. 30.  
55 & 56 Vict.  
c. 53.

And whereas the Baths and Wash-houses Acts 1846 to 1882 and the Public Libraries Acts 1892 and 1893 are in force in the existing City ;

And whereas the Rural District Council of Chester (herein-after referred to as "the Rural District Council") have adopted the provisions of—

(a.) The Infectious Disease (Notification) Act 1889 ; and

56 Vict. c. 11.



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53 & 54 Vict.  
 c. 59.

(b.) Part III. of the Public Health Acts Amendment Act 1890 which are applicable to Rural Districts ;

and those provisions are accordingly in force in the Rural District of Chester (herein-after referred to as "the Rural District") ;

And whereas the Parish of Chester Castle otherwise Gloverstone (herein-after referred to as "the Parish of Chester Castle") and the Township of Blacon-with-Crabhall or Crabwall (herein-after referred to as "the Township of Blacon") are included in the Chester Castle Electoral Division of the County of Chester ;

And whereas the Parishes of Chester and Chester Castle and the Township of Blacon are included in the Chester Poor Law Union :

51 & 52 Vict.  
 c. 41.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 54 and 59 of the Act of 1888 and by any other enactments 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 :—

Commence-  
 ment of Order.

Art. I. This Order shall except so far as is otherwise herein expressly provided or as there may be anything in the subject-matter or context inconsistent therewith come into operation on the Ninth day of November One thousand eight hundred and ninety-eight (which date is herein-after referred to as "the commencement of this Order") :

Date of  
 operation of  
 Order for  
 parish burgess  
 lists &c.  
 51 Vict. c. 10.

Provided that for the purposes of the parish burgess lists and burgess roll and other lists to be made under the Municipal Corporations Act 1882 and the Acts amending the same of the lists of county electors and the county registers to be made for the county in pursuance of the County Electors Act 1888 or any Act amending that Act of the lists and registers of parochial electors and any other lists or registers to be made in pursuance of the Local Government Act 1894 and of all proceedings preliminary or relating to any municipal election to be held on the next ordinary day of election of Councillors this Order shall operate from the date of the Act of Parliament confirming the same :

Date of  
 operation for  
 grants from  
 Local Taxation  
 Account.  
 53 & 54 Vict.  
 c. 60.

Provided also that for the purposes of Sections 20 22 23 24 and 26 of the Act of 1888 and for the purposes of the Local Taxation (Customs and Excise) Act 1890 the existing City shall be deemed not to have been altered until after the Thirty-first day of March One thousand eight hundred and ninety-nine.

Definition.

Art. II. In this Order the expression "the City" means the City as altered by this Order.

City boundary.

Art. III.--(1.) The boundaries of the existing City shall be altered so that—

(a.) Each of the areas (herein-after called "the excluded areas") one of which is coloured pink and the other is edged red on the three maps (herein-after referred to as "the maps") each marked "Map showing the alterations in the area of the City of Chester 1898" and sealed with the official seal of the Local Government Board shall be excluded from the City ;

(b.) The areas (herein-after called "the included areas") which are within the blue boundary line on the maps and are not now in the City and do not form part of the excluded areas shall be included within the City.

(2.) The included areas shall for the purposes of the Municipal Corporations Act 1882 and for all other purposes be included in the City and the County of

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the City and shall be included in the County Borough for the purposes of the Act of 1888 and for all other purposes and the excluded areas shall for the like purposes be excluded from the City County of the City and County Borough and all rights privileges benefits and advantages enjoyed by the inhabitants (if any) of the excluded areas as citizens of the City shall cease and be extinguished.

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—  
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(3.) The excluded areas shall become part of the County and shall be subject to the jurisdiction of the County Council of the County and shall be merged in the Rural District.

Art. IV.—(1.) One of the maps shall be deposited in the office of the Local Government Board and the others shall be respectively deposited by the town clerk of the City and the clerk of the County Council of the County at their offices within fourteen days after the date of this Order. Copies of the map deposited with the town clerk certified by him to be true shall be sent within one month after the date of the Act of Parliament confirming this Order to the clerk of the Rural District Council and to the Board of Agriculture.

Deposit of  
maps.

(2.) Copies of or extracts from the map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as *prima facie* evidence of the contents of such map so far as it relates to the included and excluded areas and the boundary of the City and County of the City as affected by this Order and such map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the City or in the excluded area and any such person shall be entitled to a copy of or extract from such map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Council of the City for every such copy or extract. All sums received under this Article shall be carried to the credit of the borough fund.

Copies of map  
to be evidence.

Art. V.—(1.) The powers and duties of the quarter sessions recorder registrar of the Courts of Pentice and Portmote clerk of the peace sheriff and coroner of the existing City of the justices of the peace appointed for the existing City and of the clerk to such justices and of the police constables and other peace officers of the existing City shall extend to and apply throughout the City.

Powers and  
duties of  
justices &c.  
extended.

(2.) The excluded areas shall be included in the Chester Castle Petty Sessional Division and in the Chester coroner's district of the County.

(3.) Every person committing an offence in any part of the included areas or of the excluded areas prior to the commencement of this Order shall be tried adjudicated on and dealt with as if this Order had not been made.

(4.) Lists of prisoners writs process and particulars and all records and documents relating to or to be executed in connexion with any action or proceeding pending or existing at the commencement of this Order and appertaining to the included areas or the excluded areas shall if necessary be delivered turned over or transferred and signed in like manner in all respects so nearly as circumstances admit as is required to be done upon a new sheriff coming into office in like manner as if the sheriff of the City were as respects the included areas the new sheriff in succession to the sheriff of the County of Chester and the sheriff of the County of Chester were as respects the excluded areas the new sheriff in succession to the sheriff of the City.

Transfer of  
lists of  
prisoners &c.

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Parish burgess  
lists &c.

Art. VI. For the purposes of the parish burgess lists and burgess roll and other lists to be made under the Municipal Corporations Act 1882 and the Acts amending the same and all matters in relation thereto the included areas shall be deemed to have always been part of the City and the town clerk of the existing City shall be the town clerk of the City and for the purposes of the lists of county electors and of the county register to be made under the County Electors Act 1888 or the Acts amending the same and all matters in relation thereto the excluded areas shall be deemed to have always been part of the County and if any difficulty arise in making out revising or otherwise dealing with such lists roll or register or the lists and registers of parochial electors the Local Government Board may make such Order as shall appear to them to be necessary to give effect to the provisions of this Order and may vary so far as shall be necessary the provisions in force with regard to such lists roll and registers.

Wards.

Art. VII. Subject as regards any future alteration of wards to the provisions of the Municipal Corporations Act 1882 and any Act amending the same—

- (1.) The City shall for the purposes of the election of Councillors continue to be divided into five wards.
- (2.) The part of the included areas which is part of the Parish of Chester Castle shall be included in the Saint Mary's Ward and the part of the included areas which is part of the Township of Blacon shall be included in the Trinity Ward.
- (3.) The Town Councillors representing those wards who will not go out of office on the First day of November One thousand eight hundred and ninety-eight shall be deemed from and after the commencement of this Order to represent those wards as altered.

City Acts and  
Order.

Art. VIII. The unrepealed provisions of the Local Acts and of the Confirmation Act mentioned in the schedule to this Order so far as the last-mentioned Act relates to the Provisional Order mentioned in that schedule and of any other Local Act or Provisional Order affecting the existing City or the Corporation which may have already been passed or may be passed before the commencement of this Order as the same respectively are in force within the existing City at the commencement of this Order shall extend and apply to the City and any reference therein to the existing City and the Corporation shall be deemed to refer to the City and the Corporation thereof.

Byelaws &c.

Art. IX.—(1.) All byelaws and regulations and any list of tolls and table of fees made by the Corporation which at the commencement of this Order are in force in the existing City shall thenceforth apply to the City until or except in so far as any such byelaws or regulations or list of tolls or table of fees may be altered or repealed and all byelaws and regulations made by the Corporation shall on that date cease to be in force or have any effect in the excluded areas but without prejudice to anything duly done thereunder Provided that any proceedings which might have been taken by the Corporation against any person for any offence against such last-mentioned byelaws and regulations committed before the commencement of this Order may be taken by the Rural District Council as if those byelaws and regulations had remained in force and the Rural District Council had been substituted therein for the Corporation.



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(2.) All byelaws and regulations made by the County Council or the Court of Quarter Sessions of the County of Chester shall at the commencement of this Order cease to be in force or have any effect in any part of the included areas but such byelaws and regulations shall as from that date be in force and have effect in the excluded areas. A.D. 1898.  
—  
*Chester*  
*Order.*

(3.) All byelaws made under the Acts relating to public elementary education in force in the existing City at the commencement of this Order shall thenceforth apply to the City until revoked or altered in accordance with the provisions of the Elementary Education Acts 1870 to 1890.

Art. X.—(1.) The town clerk and all other officers and servants of the Corporation of the existing City and the clerk and all other officers and servants of the Rural District Council who hold office at the commencement of this Order shall continue to be the town clerk and officers and servants of the Corporation of the City or the clerk and officers and servants of the Rural District Council as the case may be and shall hold their offices by the same tenure as at that date. Officers  
continued.

(2.) The auditors for the existing City who shall be in office at the commencement of this Order shall continue in office and shall be the City auditors until the next ordinary day of election of City auditors. City auditors.

Art. XI.—(1.) Every officer who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary shall be entitled to have compensation paid to him for such pecuniary loss and in determining such compensation regard shall be had to the conditions and other circumstances required by sub-section (1) of Section 120 of the Act of 1888 to be had in regard in cases of compensation under that section and the compensation shall not exceed the limit therein mentioned and shall be paid in the case of any officer whose office or employment relates wholly or partly to sanitary purposes as defined by the Public Health Act 1875 out of the improvement rate of the City and in the case of any other officer out of the borough fund of the City and the provisions of sub-sections (2) to (7) of the said Section 120 shall apply with such modifications (if any) as may be required. Provided that the non-acceptance of any office offered shall not be a bar to the right of any officer to compensation. Compensation  
to existing  
officers.

(2.) Any such officer whose salary shall be reduced on the ground that his duties have been diminished in consequence hereof shall be deemed to have suffered a direct pecuniary loss in consequence of this Order.

Art. XII.—(1.) (a.) If at the commencement of this Order any action or proceeding or any cause of action or proceeding is pending or existing by or against the Rural District Council in relation exclusively to any part of the included areas the same shall not be in anywise prejudicially affected by reason of the making of this Order but may be continued prosecuted and enforced by or against the Corporation. Actions &c.  
not to abate.

(b.) Anything duly done or suffered and all contracts deeds bonds agreements and other instruments (subsisting at the commencement of this Order) entered into or made by the Rural District Council in relation exclusively to any part of the included areas shall be of as full force and effect against or in favour of the Corporation and may be continued and enforced as fully and effectually as Saving for  
contracts &c.

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A.D. 1898. if instead of the Rural District Council the Corporation had done or suffered the same or been a party thereto.

*Chester Order.*

(2.) The provisions of this Article shall apply with the necessary adaptations to the excluded areas.

Property and liabilities.

Art. XIII. All property vested in the Corporation at the commencement of this Order for the benefit of the existing City shall be held by the Corporation for the benefit of the City and the Corporation shall hold enjoy and exercise for the benefit of the City all the powers which at the date aforesaid are exercisable by or vested in the Corporation for the benefit of the existing City and all liabilities which on the date aforesaid attached to the Corporation in respect of the existing City shall from and after that date attach to them in respect of the City.

Property &c. transferred.

Art. XIV.—(1.) All property and liabilities which immediately before the commencement of this Order are vested in or attached to the Rural District Council in relation exclusively to any part of the included areas shall be transferred to vested in and attach to the Corporation as Urban Sanitary Authority and any property and liabilities which immediately before the commencement of this Order are vested in or attached to the Corporation as a Sanitary Authority in relation exclusively to any part of the excluded areas shall be transferred to vested in and attached to the Rural District Council and any property and liabilities vested in or attaching to the Corporation or the Rural District Council in relation to any part of the included areas or of the excluded areas as the case may be conjointly with any other area shall be a matter for adjustment under Section 62 of the Act of 1888.

Cesser of jurisdiction.

(2.) The Corporation and the Rural District Council shall respectively cease to exercise any powers or have any duties within any area separated hereby from their district :

Arrears of Corporation rates &c.

Provided that all arrears of rates made by the Corporation before the commencement of this Order and all arrears of rates made by any overseers which at the commencement of this Order are due or owing in respect of hereditaments in any of the included areas or in the excluded areas may be collected and recovered as if this Order had not been made.

Mortgage debts of Corporation.

Art. XV. So much of any sums borrowed by the Corporation as will at the commencement of this Order be owing and charged upon the borough fund and borough rates of the existing City shall be charged upon the borough fund and borough rate of the City and so much of any sums borrowed by the Corporation as will on that date be owing and charged upon the improvement rate of the existing City shall be charged upon the improvement rate of the City and all such sums shall together with the interest to accrue due thereon be repaid by the Corporation within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

Adjustment of financial relations between County and County Borough.

Art. XVI. In any case where the extension of the City by this Order shall affect the distribution of the proceeds of the local taxation licenses and the share of the estate duty and of the Local Taxation (Customs and Excise) duties between the Council of the County or the City or any financial relations or



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questions between the County and the City or any adjustment which shall have been made in regard to the said proceeds and financial relations or questions' equitable adjustments between the areas interested may be made by the Council of the County and the Corporation by agreement within six months from the commencement of this Order and in default of such agreement by the Local Government Board and for the purposes of such adjustments the provisions of the Act of 1888 relating to adjustments between Administrative Counties and County Boroughs shall apply with the necessary modifications and the Local Government Board shall be substituted in such provisions for the Commissioners appointed under the Act of 1888 :

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Provided that in lieu of sub-section (6) of Section 61 of the Act of 1888 sub-sections (1) and (5) of Section 87 of the Act of 1888 shall apply to any inquiries which may be directed by the Local Government Board under this Article and to the costs of such inquiries :

Provided also that sub-section (6) of Section 32 of the Act of 1888 shall apply to any agreement or award made under this Article.

Art. XVII.—(1.) The provisions of the Infectious Disease (Prevention) Act 1890 the Public Health Acts Amendment Act 1890 the Private Street Works Act 1892 the Baths and Wash-houses Acts 1846 to 1882 and the Public Libraries Acts 1892 and 1893 shall be in force within and apply to the City as if the same had been adopted therein.

Adoptive Acts.

(2.) The provisions of the Infectious Disease (Notification) Act 1889 and of Part III. of the Public Health Acts Amendment Act 1890 which are applicable to Rural Districts shall be in force within and apply to the Rural District as altered hereby as if the same had been adopted therein.

(3.) The provisions of any of the Acts mentioned in subdivision (1) of this Article shall except so far as they are continued in force by subdivision (2) of this Article cease to be in force in the excluded areas.

Art. XVIII. The excluded areas shall be included in the Chester Castle Electoral Division of the County of Chester and the person who immediately prior to the commencement of this Order is the County Councillor representing that division shall from and after that date represent that division as altered as if he had been originally elected to represent the altered division.

Electoral  
Divisions and  
County  
Councillors.

Art. XIX.—(1.) So much of the included areas as does not now form part of the Parish of Chester shall be included within that Parish ;

Alteration of  
Parishes and  
Townships.

(2.) So much of the area coloured pink on the maps as does not now form part of the Township of Blacon shall be included within that Township ; and

(3.) So much of the area edged red on the maps as does not now form part of the Parish of Chester Castle shall be included within that Parish.

Art. XX.—(1.) Nothing in this Order shall affect the ecclesiastical divisions of any parish or shall prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment which now is applicable for the benefit of any of the existing places affected by this Order.

Ecclesiastical  
divisions and  
charities.

(2.) Until new valuation lists are made the portions of any valuation list in force which relate to hereditaments in any part of the included areas or in any

Valuation lists.



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Saving for  
existing  
lists of  
parliamentary  
voters &c.

part of the excluded areas shall be deemed to form part of the valuation list of the parish or township in which any such part is included by this Order.

(3.) For the purposes of the registers of persons entitled to vote at an election of members of Parliament of the register of county and parochial electors and of jury lists the places affected by this Order shall be deemed to continue unaltered until the new registers come into operation :

Provided that for the purposes of any election under the Local Government Act 1894 to be held for any area affected by this Order and of the holding of Parish Meetings in the Township of Blacon the County Council or the Council of the City as the case may be shall if necessary as soon as may be practicable after the commencement of this Order cause the register of parochial electors to be altered in such manner as may be necessary to give effect to the alterations made by this Order.

Settlement of  
paupers.

(4.)—(a.) Every person who has acquired or who on or before the commencement of this Order shall acquire a settlement in any existing parish or township affected by this Order shall be deemed to have acquired a settlement in the parish or township comprising the area in which the acts or circumstances conferring such settlement shall have been done or occurred or if such acts or circumstances shall have been done or occurred in more than one parish or township such settlement shall be in the parish or township comprising the place of residence of such person at the time of acquiring such settlement.

Irremovability  
of paupers.

(b.) Any person who shall have acquired a status of irremovability from any existing parish or township affected by this Order shall be deemed to have acquired a status of irremovability from the parish or township comprising the area in which he shall reside at the commencement of this Order or (if he shall then be in receipt of relief) from the parish or township comprising the area in which he was residing at the time of becoming chargeable.

Saving for  
contribution  
orders and  
precepts.

(5.) Notwithstanding the alterations effected by this Order all contribution orders made by the Guardians of the Poor of the Chester Union and all precepts made by the Rural District Council before the commencement of this Order shall be as valid in law as if this Order had not been made.

Short title.

Art. XXI. This Order may be cited as the Chester Order 1898.

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*Provisional Orders Confirmation (No. 11) Act, 1898.*

The SCHEDULE above referred to.

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PART I.—LOCAL ACTS.

Session and Chapter.	Short Title.
8 & 9 Vict. c. xv. - -	The Chester Improvement Act 1845.
47 & 48 Vict. c. ccxxxix. -	The Chester Improvement Act 1884.
57 & 58 Vict. c. clxxx. -	The Queen's Ferry Bridge Act 1894.

PART II.—CONFIRMATION ACT.

Session and Chapter.	Short Title.	Order relating to Chester thereby confirmed.
53 & 54 Vict. c. clxxxvii. -	The Electric Lighting Orders Confirmation (No. 2) Act 1890.	The Chester Electric Lighting Order 1890.

Given under the Seal of Office of the Local Government Board this  
Nineteenth day of May One thousand eight hundred and ninety-  
eight.

(L.S.)

HENRY CHAPLIN President.  
HUGH OWEN Secretary.

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