



**CHAPTER cx.**

An Act to confirm certain Provisional Orders of the Local Government Board relating to Ashton-in-Makerfield Ashton - under - Lyne Bolton Llandudno Rotherham Southport (two) and York.      A.D. 1899.  
[13th July 1899.]

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

38 & 39 Vict.  
c. 55.

And whereas it is requisite that the said Orders should be confirmed by Parliament :

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

1. The Orders 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. 5) Act 1899.      Short title.

A.D. 1899.

SCHEDULE.

*Ashton in  
Makerfield  
Order.*

URBAN-DISTRICT OF ASHTON IN MAKERFIELD.

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

To the Urban District Council of Ashton in Makerfield ;—

And to all others whom it may concern.

WHEREAS the Urban District Council of Ashton in Makerfield (herein-  
after referred to as "the district council") are the local authority within the  
meaning of the Public Health Act 1875 for the Urban District of Ashton in  
Makerfield (herein-after referred to as "the district") ;

38 Vict.  
c. xxxviii.]

And whereas the unrepealed provisions of the Ashton-in-Makerfield Local  
Board Act 1875 (herein-after referred to as "the Local Act") as altered by the  
following Provisional Orders of the Local Government Board viz,—

43 & 44 Vict.  
c. lxxxvi. 1

(a) An Order dated the Second day of April One thousand eight hundred and  
eighty and confirmed by the Local Government Board's Provisional Orders  
Confirmation (Aberavon &c.) Act 1880 ;

46 & 47 Vict.  
c. cxxxvi.

(b) An Order dated the Fifth day of May One thousand eight hundred and  
eighty-three and confirmed by the Local Government Board's Provisional  
Orders Confirmation (No. 5) Act 1883 ; and

56 & 57 Vict.  
c. cxvii.

(c) An Order dated the Twenty-first day of April One thousand eight  
hundred and ninety-three and confirmed by the Local Government Board's  
Provisional Orders Confirmation (No. 9) Act 1893 ;

(each of which Provisional Orders and Confirming Acts is herein-after referred  
to as the Order or the Confirming Act of the year in which it was made or passed  
as the case may be and all of which Provisional Orders and Confirming Acts are  
herein-after referred to as "the Orders" and "the Confirming Acts") are in force  
in the district ;

And whereas under the authority of the Local Act and of the sanctions of the  
Local Government Board given in pursuance of the Orders as mentioned and  
described in column 1 of Parts I. and II. of the Schedule hereto (herein-after  
referred to as "the Schedule") the district council have borrowed the sums  
mentioned in column 3 for the purposes specified opposite those sums in column 2  
of Parts I. and II. of the Schedule ;

[62 & 63 VICT.]      *Local Government Board's*      [Ch. cx.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

And whereas on the Thirty-first day of March One thousand eight hundred and ninety-nine the sums mentioned in column 5 of Parts I. and II. of the Schedule were outstanding (after deducting the sums mentioned in column 4 of Parts I. and II. of the Schedule) in respect of the sums mentioned in column 3 of Parts I and II. of the Schedule :

A.D. 1899.  
 —  
*Ashton in  
 Makerfield  
 Order.*

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order (herein-after referred to as "the commencement of this Order") the Local Act and the Confirming Acts so far as they relate to the Orders shall be partially repealed and altered so that the following provisions shall take effect viz.,—

38 & 39 Vict.  
 c. 55.

Art. I. The following provisions of the Local Act and of the Confirming Acts viz.,—

Partial repeal.

Of the Local Act—

The concluding words of Section 60 viz. "and after having paid off otherwise than by instalments or by the sinking fund any moneys so borrowed may re-borrow the amount so paid off and so from time to time";

Sections 62 and 63.

Of the Confirming Act of 1880—

So much as relates to Articles II. and III. of the Order of 1880.

Of the Confirming Act of 1883—

So much as relates to Article II. of the Order of 1883.

Of the Confirming Act of 1893—

So much as relates to Articles III. IV. V. VI. VII. VIII. and X. of the Order of 1893 ;

shall be repealed except so far as the same may have been acted upon.

Art. II. Section 73 of the Local Act shall be altered by the insertion of the words "as amended by any Local Act or Provisional Order duly confirmed by Parliament" after the words "under this Act" and "under and with respect to this Act" wherever such words occur in that section.

Alteration of  
 Section 73 of  
 Act of 1875.

Art. III. The district council shall repay the sums mentioned in column 5 of Parts I. and II. of the Schedule within the period prescribed in column 7 of Parts I. and II. of the Schedule respectively each of which periods is herein-after included in the expression "the prescribed period".

Period for  
 repayment of  
 scheduled  
 water debt and  
 gas debt.

Art. IV. For the purpose of raising money by virtue of the unexhausted powers of borrowing conferred by the Local Act as altered by the Orders or of the powers of re-borrowing conferred by this Order the provisions of the Local Loans Act 1875 shall be available to the district council and Sections 236 to 238 both inclusive of the Public Health Act 1875 shall apply to all moneys borrowed or re-borrowed on mortgage by virtue of such powers.

Local Loans  
 Act and  
 certain pro-  
 visions of  
 Public Health  
 Act made  
 applicable.

[Ch. cx.] *Local Government Board's* [62 & 63 VICT.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

A.D. 1899.

*Ashton in  
Makerfield  
Order.*

Period for  
repayment of  
future debt.

Art. V. Any moneys borrowed by the district council after the Thirty-first day of March One thousand eight hundred and ninety-nine by virtue of the powers conferred by the Local Act as altered by the Orders shall be repaid within such period not exceeding thirty years from the date of borrowing as the district council with the sanction of the Local Government Board may in each case determine which period is herein-after included in the expression "the prescribed period" and shall be the prescribed period within the meaning of the Local Loans Act 1875.

Mode of  
repayment.

Art. VI.—(1.) The district council shall repay the moneys borrowed before or to be borrowed or re-borrowed after the commencement of this Order by virtue of the Local Act or the Local Act as altered by the Orders and this Order other than moneys borrowed under the provisions of the Local Loans Act 1875 by equal annual instalments of principal or by equal annual instalments of principal and interest combined or by means of a sinking fund or partly by one of these methods and partly by another or the others of them.

Sinking funds  
for water debt  
and gas debt.

(2.) The district council may establish one sinking fund (to be called and herein-after called "the Waterworks Sinking Fund") for the repayment of all moneys borrowed or re-borrowed under the Local Act or the Local Act as altered by the Orders and this Order for waterworks purposes which may be repayable by means of a sinking fund and may establish another sinking fund (to be called "the Gasworks Sinking Fund") for the repayment of all moneys borrowed or re-borrowed under the Local Act or the Local Act as altered by the Orders and this Order for gasworks purposes which may be repayable by means of a sinking fund.

Transfer to  
sinking fund  
for water debt,

(3.) If the sums mentioned in column 5 of Part I. of the Schedule or any of them shall be repayable by means of the waterworks sinking fund the sum mentioned in column 6 of Part I. of the Schedule shall be paid to that fund or if such sums are not so repayable the said sum mentioned in column 6 of Part I. of the Schedule shall be applied in repayment of any moneys borrowed or to be borrowed or re-borrowed for waterworks purposes by virtue of the Local Act and the Local Act as altered by the Orders and this Order and until so applied shall be invested and accumulated in manner herein-after provided as regards sums paid into an accumulating sinking fund.

Formation  
maintenance  
and appli-  
cation of  
sinking funds.

(4.) Subject to the provisions of Article VII. of this Order if the district council determine to repay by means of a sinking fund any moneys borrowed or to be borrowed or re-borrowed by virtue of the Local Act and the Local Act as altered by the Orders and this Order such sinking fund shall be formed and maintained either—

(a) by payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is herein-after called a non-accumulating sinking fund; or

(b) by payment to the fund throughout the prescribed period of such equal annual sums as with any sum paid to the fund in pursuance of subdivision (3) of Article VI. of this Order and with accumulations at a rate not exceeding three pounds per centum per annum will be sufficient to pay off within the

prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is hereinafter called an accumulating sinking fund.

A.D. 1899.  
—  
*Ashton in  
Makerfield  
Order.*

(5.) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in securities in which trustees are by law for the time being authorised to invest or in mortgages bonds debentures debenture stock stock or other securities (not being annuity certificates or securities payable to bearer) duly issued by any local authority as defined by Section 34 of the Local Loans Act 1875 other than the district council the district council being at liberty from time to time to vary and transpose such investments.

(6.) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the district council towards the equal annual payments to the fund.

(7.) The district council may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the district council shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund or part of a sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(8.)—(a.) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any deficiency shall be made good by the district council.

(b.) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any such excess may be applied towards such equal annual payments.

(9.) Any expenses connected with the formation maintenance investment application or management of or otherwise in relation to any sinking fund under this Order shall be paid by the district council in addition to the payments provided for by this Order.

Art. VII.—(1.) If it appears to the district council at any time that the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the district council to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose. Provided that if it appears to the Local Government Board that any such increase is necessary the district council shall increase the payments to such extent as the Board may direct.

Increase  
reduction or  
discontinuance  
of payments to  
sinking fund.

[Ch. cx.] *Local Government Board's* [62 & 63 VICT.]  
\* *Provisional Orders Confirmation (No. 5) Act, 1899.*

A.D. 1899.

*Ashton in  
Makerfield  
Order.*

(2.) If the district council desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(3.) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the district council may reduce the payments to be made to the sinking fund either temporarily or permanently to such an extent as the Board shall approve.

(4.) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be sufficient to repay the loan in respect of which it is formed within the prescribed period the district council may with the consent of the Board discontinue the equal annual payments to such sinking fund until the Board shall otherwise direct.

Surplus of  
sinking fund.

(5.) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the district council with the consent of the Local Government Board may determine.

Power to  
re-borrow.

Art. VIII. The district council shall except as herein-after provided have power to re-borrow for the purpose of paying off any moneys borrowed or to be borrowed or re-borrowed by virtue of the Local Act and the Local Act as altered by the Orders and this Order which have not been repaid and are intended to be forthwith repaid or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the district council within twelve months before the re-borrowing and which at the time of the repayment it was intended to re-borrow :

Provided that the district council shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments or by means of a sinking fund or out of moneys derived from the sale of land or out of any capital moneys properly applicable to the purpose of such repayment other than moneys borrowed for that purpose :

Provided also that any moneys re-borrowed shall be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made and shall be repaid within the prescribed period.

Return as to  
provision for  
repayment of  
debt.

Art. IX.—(1.) The clerk to the district council shall within twenty-one days after the Thirty-first day of March in each year if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of this Order or in respect of any money raised under the Local Act or the Local Act as altered by the Orders and this Order and at any other time when the Local Government Board may require such a return to be made transmit to the Board a return in such form as may from time to time be prescribed by the Board and if required by the Board verified by statutory declaration of such clerk showing for the year next preceding

[62 & 63 VICT.]      *Local Government Board's*      [Ch. cx.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the 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 compound 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 his failing to make such return the said clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

A.D. 1899.

*Ashton in  
Makerfield  
Order.*

(2.) If it appears to the Local Government Board by that return or otherwise that the district council have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Order or by the Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the 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 or applied as in such Order mentioned and any such Order shall be enforceable by writ of mandamus to be obtained by the Board out of the High Court.

Art. X. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of the Local Act or of the Orders or this Order the costs incurred by the Board in relation to such inquiry (including such reasonable sum not exceeding three guineas a day as the Board may determine for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the district council and the Board may certify the amount of the costs so incurred and any sum so certified and directed by the Board to be paid by the district council shall be a debt due to the Crown from the district council.

Inquiries and  
expenses.

Art. XI. The Order of 1880 may be cited as the Ashton in Makerfield Order 1880 the Order of 1883 may be cited as the Ashton in Makerfield Order 1883 the Order of 1893 may be cited as the Ashton in Makerfield Order 1893 this Order may be cited as the Ashton in Makerfield Order 1899 and all those Orders may be cited together as the Ashton in Makerfield Orders 1880 to 1899.

Short title.

A.D. 1899.

Ashton in  
Makerfield  
Order.

## SCHEDULE.

## PART I.

1.	2.	3.	4.	5.	6.	7.
Authority for Borrowing.	Purpose.	Amount of Borrowing Power sanctioned and exercised.	Amount of Loan paid off at 31st March 1899.	Amount of Loan outstanding at 31st March 1899.	Amount in Sinking Fund at 31st March 1899.	Period in which outstanding Loans are to be repaid.
The Local Act	Purposes of Water-works Undertaking.	£ 25000	£ 8300	£ 16700	£ s. d. 4492 18 3	30 years from the 31st day of March 1899.
Sanction of the Local Government Board dated 27th October 1880 under the Order of 1880.	ditto	8500	100	8400		
Sanction of the Local Government Board dated 2nd September 1889 under the Order of 1880.	ditto	1350	—	1350		
Sanction of the Local Government Board dated 15th August 1893 under the Order of 1893.	ditto	500	—	500		
Sanction of the Local Government Board dated 2nd October 1893 under the Order of 1893.	ditto	1000	—	1000		
Sanction of the Local Government Board dated 22nd July 1898 under the Order of 1893.	ditto	3000	—	3000		



## Provisional Orders Confirmation (No. 5) Act, 1899.

## PART II.

1. Authority for Borrowing.	2. Purpose.	3. Amount of Borrowing Power sanctioned and exercised.	4. Amount of Loan paid off at 31st March 1899.	5. Amount of Loan outstanding at 31st March 1899.	6. Amount in Sinking Fund at 31st March 1899.	7. Period in which outstanding Loans are to be repaid.
The Local Act - - -	Purposes of Gasworks Undertaking.	£ 12000	£ s. d. 5806 13 4	£ s. d. 6193 6 8	-	25 years from the 31st day of March 1899.
Sanction of the Local Government Board dated 27th October 1880 under the Order of 1880.	ditto - - -	2000	100 0 0	1900 0 0	-	
Sanction of the Local Government Board dated 10th May 1884 under the Order of 1880 and the Order of 1883.	ditto - - -	1709	409 0 0	1300 0 0	-	
Sanction of the Local Government Board dated 27th August 1884 under the Order of 1880 and the Order of 1883.	ditto - - -	1000	200 0 0	800 0 0	-	
Sanction of the Local Government Board dated 2nd September 1889 under the Order of 1880 and the Order of 1883.	ditto - - -	600	-	600 0 0	-	
Sanction of the Local Government Board dated 1st September 1893 under the Order of 1893.	ditto - - -	5000	-	5000 0 0	-	
Sanction of the Local Government Board dated 12th February 1897 under the Order of 1893.	ditto - - -	510	-	510 0 0	-	

A.D. 1899.

Ashton in  
Makerfield  
Order.

[Ch. cx.]                      *Local Government Board's*                      [62 & 63 VICT.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

A.D. 1899.

*Ashton in  
Makerfield  
Order.*

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

(L.S.)

HENRY CHAPLIN President.  
S. B. PROVIS Secretary.

*Ashton-  
under-Lyne  
Order.*

BOROUGH OF ASHTON-UNDER-LYNE.

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

To the Mayor Aldermen and Burgesses of the Borough of Ashton-under-  
Lyne ; —

And to all others whom it may concern.

WHEREAS the Borough of Ashton-under-Lyne (herein-after referred to as  
“the 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 district council and as such council are a local authority within the meaning of the Public Health Act 1875 ;

40 & 41 Vict.  
c. clxxi.  
49 & 50 Vict.  
c. lxxviii.

42 Vict. c. xliii.

59 & 60 Vict.  
c. cviii.

And whereas the unrepealed provisions of the Ashton-under-Lyne Improve-  
ment Act 1877 the Ashton-under-Lyne Improvement Act 1886 (each of which  
Acts is herein-after referred to as the Act of the year in which it was passed) as  
altered by a Provisional Order of the Local Government Board dated the  
Seventeenth day of April One thousand eight hundred and seventy-nine  
which was confirmed by the Local Government Board's Provisional Orders  
Confirmation (Ashton-under-Lyne &c.) Act 1879 and by the Ashton-under-Lyne  
and Stalybridge Order 1896 which was confirmed by the Local Government  
Board's Provisional Orders Confirmation (No. 14) Act 1896 (each of which  
Provisional Orders and Confirming Acts is herein-after referred to as the Order  
or the Confirming Act of the year in which it was made or passed as the case  
may be) and by certain other Local Acts and Provisional Orders duly confirmed  
by Parliament which do not affect the subject-matter of this Order are in force in  
the Borough ;

And whereas by Section 28 of the Act of 1877 as altered by the Order of 1879  
the Corporation were empowered to borrow for the extension and improvement  
of the town hall municipal offices police courts and cells and other buildings the  
sum of sixteen thousand pounds and for the extension and improvement  
of the markets the sum of eight thousand pounds ;

And whereas by Section 25 of the Act of 1886 the Corporation were autho-  
rised to purchase or acquire by agreement lands or buildings within the Borough  
for a public free library branch libraries or public reading rooms and to erect or  
provide buildings for those purposes but it was enacted that they should not  
under the powers of that Act be entitled to expend for that purpose any  
greater sum than five thousand pounds ;

[62 & 63 Viet.] *Local Government Board's* [Ch. cx.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

And whereas by Section 156 of the Act of 1886 the Corporation were empowered to borrow at interest on the security of the library rate and for the purchase of land and buildings for and for other the purposes of public libraries and reading rooms the sum of five thousand pounds ;

A.D. 1899.  
 —  
*Ashton-under-Lyne Order.*

And whereas by subdivision (1) of Article I. of the Order of 1896 the Act of 1877 and the Confirming Act of 1879 so far as it related to the Order of 1879 were altered so as to enable the Corporation with the sanction of the Local Government Board to borrow sums not exceeding the sum of nine thousand pounds for the extension and improvement of the town hall municipal offices police courts and cells and other buildings :

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Acts of 1877 and 1886 and the Confirming Acts of 1879 and 1896 so far as they respectively relate to the Orders of 1879 and 1896 shall be altered so that the following provisions shall take effect :—

38 & 39 Vict.  
 c. 55.

Art. I.—(1.) Section 28 of the Act of 1877 shall be altered by the insertion therein after the words “for the extension and improvement of the markets” of the words “including in such improvement the lighting thereof by electricity”.

Alteration of Section 28 of Act of 1877.

(2.) Notwithstanding anything contained in the Act of 1877 any moneys borrowed by the Corporation for the purpose of such lighting by electricity shall be repaid within such period not exceeding twenty years as the Local Government Board may determine.

Period for repayment of certain borrowed moneys.

Art. II. Section 25 of the Act of 1886 shall be altered by the omission therefrom of the words “but they shall not under the powers of this Act be entitled to expend for that purpose any greater sum of money than five thousand pounds.”

Removal of limit on expenditure for libraries purposes.

Art. III.—(1.) The Corporation may with the sanction of the Local Government Board borrow on the security of the library rate the sum of three thousand nine hundred and twenty-eight pounds for the purposes of public libraries and reading rooms in addition to the sum authorised to be borrowed for those purposes by the Act of 1886.

Additional borrowing powers for libraries purposes.

(2.) Moneys borrowed by virtue of this Article shall be repaid within such period not exceeding thirty years from the date of borrowing as the Corporation with the sanction of the Local Government Board shall in each case determine and the period so determined and sanctioned shall be the prescribed period for the purpose of the Local Loans Act 1875 and of the Order of 1896.

Period for repayment of borrowed moneys.

(3.) Article II. and Articles IV. V. VI. VII. and IX. of the Order of 1896 shall apply to any moneys borrowed by virtue of this Article.

Certain provisions of Order of 1896 made applicable to borrowed moneys.

Art. IV. The Confirming Act of 1896 shall be altered by the insertion in subdivision (1) of Article I. of the Order of 1896 of the words “twelve thousand pounds” in lieu of the words “nine thousand pounds.”

Additional borrowing powers for town hall &c. purposes. Inquiries and expenses.

Art. V. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of the Local Acts of 1877 and 1886 or the Orders of 1879 and 1896 and this Order the costs incurred by the Board in

[Ch. cx.] *Local Government Board's* [62 & 63 VICT.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

A.D. 1899. relation to such inquiry (including such reasonable sum not exceeding three guineas a day as the Board may determine for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Corporation and the Board may certify the amount of the costs so incurred and any sum so certified and directed by the Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

*Ashton-under-Lyne Order.*

Short titles.

Art. VI. The Order of 1879 may be cited as the Ashton-under-Lyne Order 1879 and this Order may be cited as the Ashton-under-Lyne Order 1899 and those Orders and the Order of 1896 may be cited together as the Ashton-under-Lyne Orders 1879 to 1899.

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

(L.S.)

HENRY CHAPLIN President.  
 S. B. PROVIS Secretary.

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BOROUGH OF BOLTON.

*Bolton Order.*

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

To the Mayor Aldermen and Burgesses of the Borough of Bolton ; —  
 And to all others whom it may concern.

WHEREAS the Borough of Bolton (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 unrepealed provisions of the Bolton Improvement Act 1882 (herein-after referred to as "the Local Act") as altered by the Provisional Orders herein-after mentioned and by certain other Provisional Orders duly confirmed by Parliament but which do not affect the subject-matter of this Order are in force in the Borough ;

45 & 46 Vict.  
 c. cexliv.

And whereas in pursuance of Section 4 of the Local Act the expression "parks" in that Act means and includes all parks and recreation grounds of the Corporation ;

And whereas by Section 34 of the Local Act the Corporation are empowered from time to time to set apart and appropriate as and for the purposes of parks any lands belonging to or authorised to be acquired by them and not required for the purposes for which they were so acquired ;

And whereas by Section 83 of the Local Act as altered by a Provisional Order of the Local Government Board dated the Thirteenth day of May One thousand eight hundred and ninety which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 5) Act 1890 and by a Provisional Order of the Local Government Board dated the Second day of March One thousand eight hundred and ninety-two which was confirmed by the Local Government Board's Provisional Orders Confirmation Act 1892 (each

53 & 54 Vict.  
 c. lxxxiv.

55 & 56 Vict.  
 c. lxxviii.

[62 & 63 VICT.] *Local Government Board's* [Ch. cx.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

of which Orders and Confirming Acts is herein-after respectively referred to as the Order or Act of the year in which it was made or passed as the case may be) the Corporation were empowered with the sanction of the Local Government Board to borrow thereunder upon the security of the borough fund and borough rate sums amounting in the whole to the sum of twenty-one thousand pounds for the purposes of parks and recreation grounds ;

A.D. 1899.

*Bolton  
Order.*

And whereas the Corporation under the powers possessed by them in that behalf have acquired certain land for waterworks purposes and in connexion with the acquisition of such land have borrowed certain moneys which are repayable within a period of sixty years from the date of borrowing ;

And whereas the said land so acquired not being required for waterworks purposes the Corporation in the year one thousand eight hundred and ninety-three resolved to set apart and appropriate the said land as and for the purposes of parks subject to a condition that in each year for a period of sixty years the waterworks account should be credited and the parks and recreation grounds account should be debited with the sum of one hundred and sixty pounds seven shillings and fourpence :

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Local Act and the Confirming Acts of 1890 and 1892 so far as they respectively relate to the Orders of 1890 and 1892 shall be altered so that the following provisions shall take effect viz,—

38 & 39 Vict.  
c. 55.

Art. I. Unless the Local Government Board otherwise direct or approve the Corporation shall in each year for a period of fifty-five years commencing with the year eighteen hundred and ninety-nine credit their waterworks account and debit their parks and recreation grounds account with the said sum of one hundred and sixty pounds seven shillings and fourpence.

Adjustment  
between water-  
works account  
and parks  
account.

Art. II. Section 83 of the Local Act shall be further altered so as to enable the Corporation with the sanction of the Local Government Board and subject to the provisions of this Order to borrow upon the security of the borough fund and borough rate such sum or sums in addition to the said sum of twenty-one thousand pounds as may be necessary for the purposes of parks and recreation grounds.

Borrowing  
powers for  
parks.

Art. III. For the purpose of raising money by virtue of this Order the provisions of the Local Loans Act 1875 shall be available to the Corporation and Sections 236 to 238 both inclusive of the Public Health Act 1875 shall apply to all moneys raised and borrowed on mortgage by virtue of this Order.

Local Loans  
Act and certain  
provisions of  
Public Health  
Act made  
applicable.

Art. IV. The moneys borrowed by virtue of this Order shall be repaid within such period not exceeding fifty years from the date of borrowing as the Corporation with the sanction of the Local Government Board shall determine and the period so determined and sanctioned is herein-after referred to as "the prescribed period" and shall be the prescribed period for the purpose of the Local Loans Act 1875.

Period for  
repayment of  
borrowed  
moneys.

Art. V.—(1.) The Corporation shall repay the moneys borrowed by virtue of this Order other than moneys borrowed under the provisions of the Local Loans Act 1875 by equal annual instalments of principal or by equal annual

Mode of  
repayment.

[Ch. cx.]                      *Local Government Board's*                      [62 & 63 VICT.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

A.D. 1899.

*Bolton  
Order.*

Formation  
maintenance  
and appli-  
cation of  
sinking fund.

instalments of principal and interest combined or by means of a sinking fund or partly by one of these methods and partly by another or the others of them.

(2.) Subject to the provisions of Article VI. of this Order if the Corporation determine to repay by means of a sinking fund any moneys borrowed by virtue of this Order such sinking fund shall be formed and maintained either—

(a) by payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is herein-after called a non-accumulating sinking fund; or

(b) by payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is herein-after called an accumulating sinking fund.

(3.) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in securities in which trustees are by law for the time being authorised to invest or in mortgages bonds debentures debenture stock stock or other securities (not being annuity certificates or securities payable to bearer) duly 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.

(4.) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Corporation towards the equal annual payments to the fund.

(5.) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the Corporation shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund or part of a sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(6.)—(a.) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any deficiency shall be made good by the Corporation.

(b.) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any such excess may be applied towards such equal annual payments.

(7.) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Order

[62 & 63 VICT.]      *Local Government Board's*      [Ch. cx.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

A.D. 1899.

shall be paid by the Corporation in addition to the payments provided for by this Order.

—  
*Bolton*  
*Order.*

Art. VI.—(1.) If it appears to the Corporation at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose. Provided that if it appears to the Local Government Board that any such increase is necessary the Corporation shall increase the payments to such extent as the Board may direct.

Increased  
reduction or  
discontinuance  
of payments to  
sinking fund.

(2.) If the Corporation desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(3.) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Corporation may reduce the payments to be made to the sinking fund either temporarily or permanently to such an extent as the Board shall approve.

(4.) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be sufficient to repay the loan in respect of which it is formed within the prescribed period the Corporation may with the consent of the Board discontinue the equal annual payments to such sinking fund until the Board shall otherwise direct.

(5.) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Corporation with the consent of the Local Government Board may determine.

Surplus of  
sinking fund.

Art. VII. The Corporation shall except as herein-after provided have power to re-borrow for the purpose of paying off moneys borrowed or re-borrowed by virtue of this Order which have not been repaid and are intended to be forthwith repaid or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the Corporation within twelve months before the re-borrowing and which at the time of the repayment it was intended to re-borrow :

Power to  
re-borrow.

Provided that the Corporation shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments or by means of a sinking fund or out of moneys derived from the sale of land or out of any capital moneys properly applicable to the purpose of such repayment other than moneys borrowed for that purpose :

Provided also that any moneys re-borrowed shall be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made and shall be repaid within the prescribed period.

[Ch. cx.] *Local Government Board's* [62 & 63 VICT.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

A.D. 1899.

*Bolton  
Order.*

Application  
of borrowed  
moneys.

Receiver.

Return as to  
provision for  
repayment of  
debt under  
Order and  
previous  
Orders.

Art. VIII. All moneys from time to time borrowed by virtue of this Order shall be applied by the Corporation only for the purposes for which the same are respectively authorised to be borrowed excepting that moneys which may have been borrowed in excess of the amount required shall be applied in such manner as the Corporation with the approval of the Local Government Board determine.

Art. IX.—(1.) Any mortgagee of the Corporation by virtue of this Order may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver. The amount of arrears due to such mortgagee or in the case of a joint application by two or more mortgagees to such mortgagees collectively to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

(2.) The application for the appointment of a receiver shall be made to the High Court and the Court if it thinks fit may appoint a receiver on such terms as it thinks fit and may at any time discharge the receiver and otherwise exercise full jurisdiction over him.

Art. X.—(1.) The town clerk of the Borough shall within twenty-one days after the Thirty-first day of March in each year if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of the Order of 1890 or of the Order of 1892 or of this Order or in respect of any money raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Board a return in such form as may from time to time be prescribed by the Board and if required by the Board verified by statutory declaration of the said town clerk showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the 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 compound 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 his failing to make such return the said town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

(2.) If it appears to the Local Government Board by that return or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Order or by the Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the 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 or applied as in such Order mentioned and any such Order shall be enforceable by writ of mandamus to be obtained by the Board out of the High Court.

A.D. 1899.

*Bolton  
Order.*

(3.) The Confirming Act of 1890 so far as it relates to subdivision (2) of Article III. of the Order of 1890 shall be altered so that subdivisions (7) and (8) of Article II. of the Order of 1888 referred to in that Article shall cease to apply to moneys borrowed under the Orders of 1890 and 1892.

Art. XI. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of this Order the costs incurred by the Board in relation to such inquiry (including such reasonable sum not exceeding three guineas a day as the Board may determine for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Corporation and the Board may certify the amount of the costs so incurred and any sum so certified and directed by the Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

Inquiries and  
expenses.

Art. XII. The Order of 1890 may be cited as the Bolton Order 1890 the Order of 1892 may be cited as the Bolton Order 1892 this Order may be cited as the Bolton Order 1899 and these Orders may together be cited as the Bolton Orders 1890 to 1899.

Short titles.

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

(L.S.)

HENRY CHAPLIN President.  
S. B. PROVIS Secretary.

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## URBAN DISTRICT OF LLANDUDNO.

*Llandudno  
Order.*

### *Provisional Order for altering a Local Act and a Confirming Act.*

To the Urban District Council of Llandudno ; —

And to all others whom it may concern.

WHEREAS the Urban District Council of Llandudno (herein-after referred to as "the Council") are the local authority within the meaning of the Public Health Act 1875 for the Urban District of Llandudno (herein-after referred to as "the district") ;

And whereas the unrepealed provisions of the Llandudno Improvement Act 1854 (herein-after referred to as "the Local Act") as altered by the Provisional Order herein-after recited and by certain other Local Acts and by Provisional Orders of the Local Government Board which were duly confirmed by Parliament but which do not affect the subject-matter of this Order are in force in the district ;

17 & 18 Vict.  
c. cii.

And whereas by Section 46 of the Local Act it was enacted that the Markets and Fairs Clauses Act 1847 (except Section 50 with respect to the receipts and expenditure of the undertakers) should be incorporated with and form part of the Local Act ;

10 Vict. c. 14.

And whereas by virtue of Section 47 of the Local Act the Council are empowered to demand and take from any person occupying or using any room

[Ch. cx.]                      *Local Government Board's*                      [62 & 63 VICT.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

A.D. 1899.  
*Llandudno*  
*Order.*

office stall shed or stand in any market place provided in pursuance of the Local Act or in the public streets or bringing therein any cattle animal provisions or things specified in the Schedule B. annexed to the Local Act such stallages rents and tolls as the Council from time to time appoint not exceeding the several stallages rents and tolls specified in that schedule ;

44 & 45 Vict.  
c. cxii.

And whereas by Articles I. and II. of a Provisional Order of the Local Government Board dated the Tenth day of May One thousand eight hundred and eighty-one and confirmed by the Local Government Board's Provisional Orders Confirmation (Acton &c.) Act 1881 which Order and Act are hereinafter respectively referred to as "the Order" and "the Confirming Act" Section 46 of the Local Act was altered so as to provide that Section 13 of the Markets and Fairs Clauses Act 1847 as incorporated with the Local Act should be read and construed as if the words "other than a licensed hawk" were omitted therefrom and so as further to provide that any articles in respect of which tolls are by the Local Act authorised to be taken in any market provided by the Council may be sold or exposed for sale by any person in any place within the district if the same tolls shall have been paid to the Council in respect of such articles as would have been payable if such articles had been sold or exposed for sale in any such market as aforesaid and Section 54 of the Local Act was altered so as to empower the Commissioners to make byelaws for regulating the conduct of any person hawking exposing or carrying about for sale in any highway street or other public place any article as aforesaid ;

And whereas it is expedient that the Local Act and the Confirming Act so far as it relates to the Order should be altered as herein-after mentioned :

38 & 39 Vict.  
c. 55.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Local Act and the Confirming Act so far as it relates to the Order shall be altered as follows :—

Alteration of  
Section 47 of  
the Local Act.

Art. I. Section 47 of the Local Act shall be altered by the omission therefrom of the words "or in the public streets."

Partial repeal  
of Order.

Art. II. So much of the Confirming Act as relates to Articles I. and II. of the Order shall be repealed except so far as the same may have been acted upon and the whole of the provisions of Section 13 of the Markets and Fairs Clauses Act 1847 shall be again incorporated with the Local Act.

New market  
tolls.

Art. III. So much of Schedule B to the Local Act as specifies tolls under the respective headings "List of Tolls to be taken for the Market" and "Carts" shall be repealed and Schedule B to the Local Act shall have effect as if for so much thereof as is hereby repealed there were substituted the contents of the schedule to this Order.

Short title.

Art. IV. This Order may be cited as the Llandudno Order 1899.

[62 & 63 VICT.]      *Local Government Board's*      [Ch. cx.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

The SCHEDULE above referred to.

A.D. 1899.

	£	s.	d.	<i>Llanudno</i> <i>Order.</i>
For any quantity of flesh meat cheese bacon or pickled pork—				
Where such quantity does not exceed in weight forty pounds avoirdupois - - - - - for every day	0	0	2	
Where such quantity exceeds in weight forty pounds avoirdupois—				
For the first forty pounds - - - - - for every day	0	0	2	
For each additional twenty pounds or fraction of twenty pounds - - - - - for every day	0	0	0½	
For any quantity of fish whether contained in a sack bag box hamper or basket or not—				
Where such quantity does not exceed in weight twenty pounds avoirdupois - - - - - for every day	0	0	1	
Where such quantity exceeds in weight twenty pounds avoirdupois—				
For the first twenty pounds - - - - - for every day	0	0	1	
For each additional twenty pounds or fraction of twenty pounds - - - - - for every day	0	0	0½	
For any quantity of an article of garden produce (including fruit, but excluding potatoes and other vegetables) whether contained in a sack bag box hamper or basket or not—				
Where such quantity does not exceed in weight twenty pounds avoirdupois - - - - - for every day	0	0	1	
Where such quantity exceeds in weight twenty pounds avoirdupois—				
For the first twenty pounds - - - - - for every day	0	0	1	
For each additional twenty pounds or fraction of twenty pounds - - - - - for every day	0	0	0½	
For any quantity of potatoes or other vegetables whether contained in a sack bag box hamper or basket or not—				
Where such quantity does not exceed in weight one hundred and twelve pounds avoirdupois - - - - - for every day	0	0	1	
Where such quantity exceeds in weight one hundred and twelve pounds avoirdupois—				
For the first one hundred and twelve pounds - for every day	0	0	1	
For each additional one hundred and twelve pounds or fraction of one hundred and twelve pounds - - - - - for every day	0	0	0½	

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

(l.s.)

HENRY CHAPLIN President.  
S. B. PROVIS Secretary.

A.D. 1899.

BOROUGH OF ROTHERHAM.

*Rotherham  
Order.*

*Provisional Order for altering the Rotherham Corporation  
Act 1896.*

To the Mayor Aldermen and Burgesses of the Borough of Rotherham ; —

And to all others whom it may concern.

59 Vict. c. xxvi.

WHEREAS the Borough of Rotherham (herein-after referred to as "the 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 as such are the local authority for the Borough within the meaning of the Public Health Act 1875 and the Rotherham Corporation Act 1896 (herein-after referred to as "the Local Act") is in force in the Borough ;

And whereas by Section 27 of the Local Act the Corporation were empowered to borrow on mortgage at interest upon the security of the revenue of their gas undertaking and of the district fund and general district rate of the Borough the sum of twenty thousand pounds for the gasworks purposes and it is expedient to increase the amount which may be borrowed by the Corporation for those purposes :

38 & 39 Vict.  
c. 55.

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 viz.,—

Borrowing  
power for gas  
undertaking.

Art. I. The Corporation may with the sanction of the Local Government Board and subject to the provisions of this Order borrow upon the security of the revenue of their gas undertaking and of the district fund and general district rate of the Borough such sum or sums in addition to the said sum of twenty thousand pounds as may be necessary for the purposes of their gas undertaking.

Local Loans  
Act and certain  
provisions of  
Public Health  
Act made  
applicable.

Art. II. For the purpose of raising money by virtue of this Order the provisions of the Local Loans Act 1875 shall be available to the Corporation and Sections 236 to 238 of the Public Health Act 1875 shall apply to all moneys raised and borrowed on mortgage by virtue of this Order.

Period for  
repayment of  
borrowed  
moneys.

Art. III. The moneys borrowed by virtue of this Order shall be repaid within such period not exceeding fifty years from the date of borrowing as the Corporation with the sanction of the Local Government Board shall in each case determine and the period so determined and sanctioned is herein-after referred to as "the prescribed period" and shall be the prescribed period for the purpose of the Local Loans Act 1875.

Mode of  
repayment.

Art. IV.—(1.) The Corporation shall repay the moneys borrowed by virtue of this Order other than moneys borrowed under the provisions of the Local Loans Act 1875 by equal annual instalments of principal or by equal annual instalments of principal and interest combined or by means of a sinking fund or partly by one of these methods and partly by another or the others of them.

[62 & 63 VICT.]      *Local Government Board's*      [Ch. cx.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

A.D. 1899.

*Rotherham*  
*Order.*

Formation  
maintenance  
and application  
of sinking  
fund.

(2.) Subject to the provisions of Article V. of this Order if the Corporation determine to repay by means of a sinking fund any moneys borrowed by virtue of this Order such sinking fund shall be formed and maintained either—

(a) by payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is hereinafter called a non-accumulating sinking fund; or

(b) by payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is hereinafter called an accumulating sinking fund.

(3.) Every sum paid to any sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in securities in which trustees are by law for the time being authorised to invest or in mortgages bonds debentures debenture stock stock or other securities (not being annuity certificates or securities payable to bearer) duly 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.

(4.) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Corporation towards the equal annual payments to the fund.

(5.) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the Corporation shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund or part of a sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(6.)—(a.) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any deficiency shall be made good by the Corporation.

(b.) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any such excess may be applied towards such equal annual payments.

(7.) Any expenses connected with the formation maintenance investment application or management of or otherwise in relation to any sinking fund under this Order shall be paid by the Corporation in addition to the payments provided for by this Order.

[Ch. cx.] *Local Government Board's* [62 & 63 VICT.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

A.D. 1899.

*Rotherham  
Order.*

Increase  
reduction or  
discontinuance  
of payments to  
sinking fund.

Art. V.—(1.) If it appears to the Corporation at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose. Provided that if it appears to the Local Government Board that any such increase is necessary the Corporation shall increase the payments to such extent as the Board may direct.

(2.) If the Corporation desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(3.) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Corporation may reduce the payments to be made to the sinking fund either temporarily or permanently to such an extent as the Board shall approve.

(4.) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be sufficient to repay the loan in respect of which it is formed within the prescribed period the Corporation may with the consent of the Board discontinue the equal annual payments to such sinking fund until the Board shall otherwise direct.

Surplus of  
sinking fund.

(5.) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Corporation with the consent of the Local Government Board may determine.

Power to re-  
borrow.

Art. VI. The Corporation shall except as herein-after provided have power to re-borrow for the purpose of paying off any moneys borrowed or re-borrowed by virtue of this Order which have not been repaid and are intended to be forthwith repaid or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the Corporation within twelve months before the re-borrowing and which at the time of the repayment it was intended to re-borrow:

Provided that the Corporation shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments or by means of a sinking fund or out of moneys derived from the sale of land or out of any capital moneys properly applicable to the purpose of such repayment other than moneys borrowed for that purpose:

Provided also that any moneys re-borrowed shall be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made and shall be repaid within the prescribed period.

Application of  
borrowed  
moneys.

Art. VII. All moneys from time to time borrowed by virtue of this Order shall be applied by the Corporation only for the purposes for which the same are

[62 & 63 VICT.]      *Local Government Board's*      [Ch. cx.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

respectively authorised to be borrowed excepting that moneys which may have been borrowed in excess of the amount required shall be applied in such manner as the Corporation with the approval of the Local Government Board determine.

A.D. 1899.  
Rotherham  
Order.

Art. VIII.—(1.) Any mortgagee of the Corporation by virtue of this Order may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver. The amount of arrears due to such mortgagee or in the case of a joint application by two or more mortgagees to such mortgagees collectively to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

Receiver.

(2.) The application for the appointment of a receiver shall be made to the High Court and the Court if it thinks fit may appoint a receiver on such terms as it thinks fit and may at any time discharge the receiver and otherwise exercise full jurisdiction over him.

Art. IX.—(1.) The town clerk of the Borough shall within twenty-one days after the Thirty-first day of March in each year if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of this Order or in respect of any money raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Board a return in such form as may from time to time be prescribed by that Board and if required by the Board verified by statutory declaration of the said town clerk showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the 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 compound 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 his failing to make such return the said town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

Return as to  
provision for  
repayment of  
debt.

(2.) If it appears to the Local Government Board by that return or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Order or by the Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the 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 or applied as in

[Ch. cx.]                      *Local Government Board's*                      [62 & 63 VICT.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

A.D. 1899.

—  
*Rotherham*  
*Order.*

Inquiries and  
expenses.

such Order mentioned and any such Order shall be enforceable by writ of mandamus to be obtained by the Board out of the High Court.

Art. X. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of this Order the costs incurred by the Board in relation to such inquiry (including such reasonable sum not exceeding three guineas a day as the Board may determine for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Corporation and the Board may certify the amount of the costs so incurred and any sum so certified and directed by that Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

Short title.

Art. XI. This Order may be cited as the Rotherham Order 1899.

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

(l.s.)

HENRY CHAPLIN President.  
S. B. PROVIS Secretary.

*Southport*  
*Order.*  
(1.)

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BOROUGH OF SOUTHPORT.

*Provisional Order for altering a Confirming Act.*

To the Mayor Aldermen and Burgesses of the Borough of Southport;—  
And to all others whom it may concern.

WHEREAS the Borough of Southport (herein-after referred to as "the 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 as such council are the local authority within the meaning of the Public Health Act 1875;

34 & 35 Vict.  
c. cxl.

58 & 59 Vict.  
c. lxxxvii.

And whereas the unrepealed provisions of the Southport Improvement Act 1871 (herein-after referred to as "the Local Act") as altered by the Southport Order 1895 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 6) Act 1895 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act") and by certain other Local Acts and Provisional Orders confirmed by Parliament which do not affect the subject-matter of this Order are in force in the Borough;

And whereas by the Local Act the Corporation were empowered to borrow money for gasworks purposes;

And whereas by Article II. of the Order the Corporation were empowered to borrow with the sanction of the Local Government Board and subject to the provisions of the Order on the securities therein named for the purpose of providing gas cooking ovens stoves meters burners or other fittings or apparatus used in the supply or consumption of gas for cooking or heating purposes the



[62 & 63 VICT.]      *Local Government Board's*      [Ch. cx.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

sum of ten thousand pounds and it is expedient that further powers of borrowing money for that purpose be granted :

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 297 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the following provisions shall take effect:—

Art. I. The Confirming Act shall be altered by the insertion in Article II. of the Order of the words "fifteen thousand pounds" in lieu of the words "ten thousand pounds".

Art. II. This Order may be cited as the Southport Order (No. 1) 1899 and the Order and this Order may be cited together as the Southport Orders 1895 and (No. 1) 1899.

Given under the Seal of Office of the Local Government Board this Eighteenth day of February One thousand eight hundred and ninety-nine.

(l.s.)

HENRY CHAPLIN President.  
S. B. PROVIS Secretary.

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BOROUGH OF SOUTHPORT.

*Provisional Order for altering the Southport Improvement Act 1885.*

To the Mayor Aldermen and Burgesses of the Borough of Southport ; —  
And to all others whom it may concern.

WHEREAS the Borough of Southport (herein-after referred to as "the 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 as such council are the local authority within the meaning of the Public Health Act 1875 ;

And whereas the unrepealed provisions of the Southport Improvement Act 1885 (herein-after referred to as "the Local Act") as altered by certain Provisional Orders confirmed by Parliament which do not affect the subject-matter of this Order are in force in the Borough ;

And whereas by sub-section (3) of Section 59 of the Local Act a statutory security is for the purposes of Part VIII. of the Local Act defined and by such definition includes any security of the Corporation ;

And whereas by Section 70 of the Local Act the Corporation are empowered from time to time by resolution of the council to exercise any statutory borrowing power by creation of redeemable stock to be from time to time issued in accordance with the provisions of that Act and by Section 73 of the Local Act provision is made for the establishment of the Southport Corporation Consolidated Loans Fund (herein-after referred to as "the loans fund") for the payment of dividends on Corporation Stock and for redemption and extinction or purchase and extinction of Corporation Stock ;

A.D. 1899.

*Southport Order.*  
(1.)

38 & 39 Vict.  
c. 55.

*Southport Order.*  
(2.)

48 & 49 Vict.  
c. cxxii.

[Ch. cx.] *Local Government Board's* [62 & 63 VICT.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

A.D. 1899.

*Southport*  
*Order.*  
(2.)

And whereas by sub-sections (3) and (5) of Section 75 of the Local Act the amounts of the contributions to the loans fund for the redemption of stock are prescribed and provision is made for the payment of certain sums into the loans fund if the extinction of Corporation Stock is accelerated by the application of the loans fund for the purpose ;

And whereas by sub-section (1) of Section 77 of the Local Act the Corporation are required to pay into the loans fund and to carry to the proper separate account forming part of the general account of the loans fund all such money being capital or in the nature of capital and not being otherwise wholly or in part appropriated or made applicable by law or by valid contract as shall from time to time arise from any sale lease or other disposition of land or other property of the Corporation on the revenues whereof any Corporation Stock is charged ;

And whereas by Section 78 of the Local Act provision is made with respect to the application of the loans fund :

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 as follows :—

38 & 39 Vict.  
c. 55.

Alteration of  
definition of  
statutory  
security.

Art. I. Sub-section (3) of Section 59 of the Local Act shall be altered by the substitution of the words "other than the Corporation" for the words "including the Corporation."

Contributions  
to loans fund  
for extinction  
of stock.

Art. II. Section 75 of the Local Act shall be altered by the repeal of sub-section (3) except so far as that sub-section may have been acted upon and by the substitution therefor of the following provision viz.,—

" (3) The amount of the said contribution to be paid in respect of an amount  
" of Corporation Stock issued in exercise of a statutory borrowing power  
" (subject to any payment in reduction thereof authorised by this part of  
" this Act) shall be such sum as will with accumulations at compound  
" interest at a rate not exceeding three pounds per centum per annum  
" be sufficient after payment of all expenses to purchase the amount of  
" stock at par within the period within which under the statutory borrow-  
" ing power the money represented by the stock is to be repaid and which  
" period for the purposes of this section is herein-after referred to as 'the  
" prescribed period.' "

Maintenance  
of loans fund  
increase re-  
duction and  
discontinuance  
of contribu-  
tions.

Art. III. Section 75 of the Local Act shall be further altered by the repeal of sub-section (5) except so far as the same may have been acted upon and by the substitution therefor of the following provisions viz.,—

" (5.) If before the expiration of the prescribed period applicable to an  
" amount of Corporation Stock the Corporation apply a part of the loans  
" fund in the redemption or purchase and extinction of stock then a sum  
" equal to the interest which the part of the loans fund so applied would  
" have produced at the rate per centum on which the payments to the  
" loans fund are calculated shall in each year until the expiration of the  
" prescribed period be paid into the loans fund out of the revenues of  
" the Corporation chargeable with payment of the contributions to the

[62 & 63 VICT.] *Local Government Board's* [Ch. cx.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

“ loans fund in respect of the amount of stock so redeemed or purchased  
 “ and extinguished.

A.D. 1899.

*Southport*  
*Order.*  
 (2.)

“(6.)—(a.) If it appears to the Corporation at any time that the contributions  
 “ which are being made to the loans fund will not be sufficient to redeem  
 “ or to purchase and extinguish the amount of Corporation Stock in  
 “ respect of which such contributions are made within the prescribed  
 “ period the amount of such contributions shall be increased to such extent  
 “ as will be sufficient for that purpose and the amount of any such increased  
 “ contributions shall be paid out of the revenues of the Corporation  
 “ chargeable with the payment of the contributions Provided that if it  
 “ appears to the Local Government Board that any such increase is  
 “ necessary the Corporation shall increase the contributions to such  
 “ extent as the Board may direct.

“(b.) The Corporation with the consent of the Local Government Board  
 “ may at any time reduce the contributions to be made to the loans  
 “ fund as aforesaid either temporarily or permanently in any case in  
 “ which it appears to the Board that such contributions would if  
 “ maintained be more than sufficient to redeem or to purchase and  
 “ extinguish the amount of Corporation Stock in respect of which such  
 “ contributions are made within the prescribed period.

“(c.) If the amount in the loans fund at any time is in the opinion of the  
 “ Local Government Board sufficient with accumulations to redeem or to  
 “ purchase and extinguish any amount of Corporation Stock within the  
 “ prescribed period the Corporation with the consent of the Board may  
 “ discontinue the payment of contributions to the loans fund in respect  
 “ of such stock.”

Art. IV. Sub-section (1) of Section 77 of the Local Act shall be altered by  
 the addition thereto of the words “and as shall from time to time arise from  
 any other source” and also of the following paragraph viz,—

Investment  
 and accumu-  
 lation of capital  
 receipts.

“ Any sums paid into the loans fund in pursuance of this sub-section or in  
 “ pursuance of sub-section (4) of Section 84 of this Act shall (unless the  
 “ same be forthwith applied in the redemption or purchase and extinction  
 “ of Corporation Stock) be invested in statutory securities and accumulated  
 “ as the sums paid into the loans fund in respect of contributions under  
 “ Section 75 of this Act are required to be invested and accumulated.”

Art V. Section 78 shall be repealed except so far as the same may have been  
 acted upon and in substitution therefor the following provisions shall have  
 effect viz,—

Application  
 and use of  
 loans fund.

“ 78.—(1.) The Corporation shall from time to time apply the loans fund  
 “ first in paying the dividends on all Corporation Stock and next in  
 “ redeeming Corporation Stock according to the terms of issue and  
 “ purchasing Corporation Stock for extinction.

“(2.) Where the Corporation are authorised by any statutory borrowing  
 “ power to raise money for any purpose the Corporation instead of  
 “ exercising the statutory borrowing power by the creation and issue of  
 “ additional Corporation Stock may exercise the statutory borrowing  
 “ power wholly or partially by using for such purpose any moneys

[Ch. cx.] *Local Government Board's* [62 & 63 VICT.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

A.D. 1899.  
—  
*Southport*  
*Order.*  
(2.)

- “ for the time being forming part of the loans fund and not required  
“ for the payment of dividends on Corporation Stock.
- “ (3.) The Corporation when exercising the power conferred on them by  
“ sub-section (2) of this section shall—
- “ (a) withdraw from the loans fund a sum equal to the amount of  
“ the statutory borrowing power proposed to be exercised by  
“ the use of moneys forming part of the loans fund and shall  
“ determine from which account in the loans fund having  
“ amounts to its credit the said sum shall be deemed to be  
“ withdrawn ;
- “ (b) transfer Corporation Stock at par value equal to the sum  
“ withdrawn from the loans fund from the last-named account  
“ to the account in respect of which the statutory borrowing  
“ power is exercised.
- “ (4.) The provisions of this Act shall apply (a) to the moneys used from  
“ the loans fund as aforesaid as though such moneys had been raised by  
“ the issue of further Corporation Stock and (b) to the stock transferred  
“ as aforesaid as though it were newly issued stock.
- “ (5.) On every transfer of Corporation Stock in pursuance of sub-section (3)  
“ of this section when the whole amount of stock standing to the debit  
“ of the particular account is not transferred the amounts payable to  
“ the loans fund in respect of the stock not transferred shall be such  
“ as the Local Government Board approve.
- “ (6.) In case the Corporation in pursuance of sub-sections (2) and (3) of  
“ this section use any moneys forming part of the loans fund and  
“ transfer Corporation Stock in respect thereof the loan in respect of  
“ which the moneys were paid into the loans fund shall to the amount  
“ of the stock transferred be deemed to have been paid off as if that  
“ amount of stock had been redeemed or purchased and extinguished  
“ out of the loans fund.
- “ (7.) The Corporation shall supply the Local Government Board with  
“ such information as that Board may require in consequence of the  
“ exercise by the Corporation of the powers of this section.”

Repeal of  
Section 82 of  
Local Act (as  
to application  
of income in  
reduction of  
contributions)  
and substituted  
provisions.

Art. VI. Section 82 of the Local Act shall be repealed except so far as  
the same may have been acted upon and in substitution therefor the following  
provisions shall have effect viz,—

- “ 82.—(1.) Where any money is standing on a separate account in the loans  
“ fund being money paid into the loans fund as rents and profits of land  
“ and other property of the Corporation or being money paid into the  
“ loans fund as interest on cash balances received by the Corporation  
“ or being other money paid into the loans fund but not being capital  
“ or in the nature of capital the Corporation may deal with the same as  
“ in this section provided.
- “ (2.) Where any money standing on a separate account in the loans  
“ fund and required by this Act to be invested and accumulated produces  
“ in any year a sum in excess of that which it would have produced  
“ at the rate of interest on which the payments to the loans fund are

[62 & 63 VICT.] *Local Government Board's* [Ch. cx.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

“calculated the Corporation may if they think fit deal with the excess  
 “so produced in accordance with the provisions of sub-section (3) of  
 “this section.

A.D. 1899 .  
 —  
*Southport*  
*Order.*  
 (2.)

“ (3.) The Corporation may if they think fit from time to time apply  
 “the money described in sub-section (1) of this section and the excess  
 “referred to in sub-section (2) of this section to either of the purposes  
 “following or partly to one and partly to the other in such proportions  
 “as the Corporation from time to time may consider equitable and  
 “expedient that is to say,—

“ (a.) In reduction of such contributions out of the Corporation  
 “revenues as are payable into the loans fund in respect of  
 “dividends on the portion of Corporation Stock in relation to  
 “which the separate account on which the money or interest  
 “and annual proceeds is or are standing is kept.

“ (b.) In reduction of the contributions out of the Corporation  
 “revenues payable into the loans fund for redemption and  
 “extinction or purchase and extinction of such portion of  
 “stock.”

Art. VII. This Order may be cited as the Southport Order (No. 2) 1899.

Short title.

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

(L.S.)

HENRY CHAPLIN President.  
 S. B. PROVIS Secretary.

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CITY OF YORK.

*York*  
*Order.*

*Provisional Order for altering the York Extension and  
 Improvement Act 1884.*

To the Lord Mayor Aldermen and Citizens of the City of York ;—  
 And to all others whom it may concern.

WHEREAS the City of York (herein-after referred to as “the city”) is an  
 Urban Sanitary District of which the Lord Mayor Aldermen and Citizens acting  
 by the council (herein-after referred to as “the Corporation”) are the Urban  
 Sanitary Authority ;

And whereas the unrepealed provisions of the York Extension and Improve-  
 ment Act 1884 (which Act is herein-after referred to as “the Act of 1884”)  
 as altered by a Provisional Order of the Local Government Board duly  
 confirmed by Parliament but which does not affect the subject-matter of this  
 Order are in force in the city ;

47 & 48 Vict.  
 c. ccxxxii.

And whereas by Section 7 of the Act of 1884 a Local Act passed in the third  
 year of the reign of His late Majesty King William the Fourth chapter lxii.  
 (herein-after referred to as “the Act of 1823”) was repealed with the qualification  
 that so much thereof as was set forth in the Second Schedule to the Act of 1884  
 should be re-enacted in manner therein appearing and should be in force and  
 have effect as if enacted in the body of the Act of 1884 ;

3 Will. IV.  
 c. lxii.

[Ch. cx.] *Local Government Board's* [62 & 63 VICT.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

A.D. 1899.

*York  
Order.*

And whereas by Section 160 of the Act of 1884 the Corporation are empowered from time to time to demand recover receive and take of and from all and every person and persons exposing or offering for sale or selling any provisions goods or wares in the markets of the Corporation who shall rent hire or use any stall or standing place in the markets the several rents stallages and sum or sums of money which shall at any time or from time to time be fixed and appointed by the Corporation to be paid for the same not exceeding the several rents stallages or sum or sums of money mentioned and specified in the Seventh Schedule to the Act of 1884 any charter statute usage or custom to the contrary thereof in anywise notwithstanding ;

And whereas by Section 161 of the Act of 1884 the Corporation are further empowered from time to time to demand recover receive and take in the cattle markets and fairs of the Corporation from any person bringing therein any cattle or live stock specified in the Eighth Schedule to the Act of 1884 such stallages rents or tolls as the Corporation shall from time to time appoint not exceeding the several stallages rents or tolls specified in the said Eighth Schedule ;

And whereas it is expedient that the Act of 1884 should be altered in manner herein-after appearing :

38 & 39 Vict.  
c. 55.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Act of 1884 shall be altered as follows :—

Letting of  
stalls &c. in  
market.

Art. I. The Corporation may from time to time demise all or any of the stalls standing places pens or other conveniences in any of the markets or fairs held within the city for any term not exceeding three years at such rent and upon such terms and conditions as the Corporation shall think proper.

Purposes of  
market.

Art. II. Section 7 and the Second Schedule of the Act of 1884 shall be altered so as to provide that the open and public market required to be held and kept in accordance with the provisions of Section XLVI of the Act of 1833 as re-enacted and set out in that schedule may be used for supplying the inhabitants of the city and neighbourhood with provisions goods wares or any other marketable commodities.

Rents stallages  
&c. to be taken  
in general  
market.

Art. III. Section 160 of the Act of 1884 shall be altered so as to provide that in lieu of the rents stallages and sum or sums of money therein referred to the Corporation may demand recover receive and take from any person exposing or offering for sale or selling any provisions goods wares or any other marketable commodities in the markets who shall rent hire or use any stall or standing place in the markets such rents stallages and sum or sums of money as the Corporation shall appoint not exceeding the rents stallages or sum or sums of money specified in Schedule A to this Order.

Rents stallages  
and tolls to be  
taken in cattle  
market.

Art. IV. Section 161 of the Act of 1884 shall be altered so as to provide that in lieu of the stallages rents and tolls therein referred to the Corporation may demand recover receive and take in the cattle markets and fairs from any person bringing therein any cattle or live stock such stallages rents or tolls as the Corporation shall appoint not exceeding the stallages rents and tolls specified in Schedule B to this Order.

Short title.

Art. V. This Order may be cited as the *York Order 1899.*

## SCHEDULE A.

A.D. 1899.

RENTS STALLAGES and SUMS for the hire of STALLS and STANDING PLACES for the sale of provisions goods wares and other marketable commodities.

York  
Order.

*Stalls.*

For every superficial foot or part of a superficial foot of ground occupied by a butcher's stall fish stall or stall for flowers plants fruit vegetables or any other articles of market garden produce brought for sale by tradesmen or market gardeners or stall for bacon ham cheese or any other provisions having undergone some process of manufacture or stall for game live rabbits pigeons or any other live stock—

	£	s.	d.
On every market day	0	0	3
On every other day	0	0	2

For every superficial foot or part of a superficial foot of ground occupied by a stall for living or dead poultry dead rabbits butter eggs fruit vegetables or any other articles of farm produce brought for sale by farmers—

On every market or other day	0	0	1
------------------------------	---	---	---

For every superficial foot or part of a superficial foot of ground occupied by a stall for books furniture manufactured goods sweets confectionery or any other provisions goods wares or marketable commodities which do not come within any of the foregoing classifications—

On every market or other day	0	0	6
------------------------------	---	---	---

The above-mentioned rents stallages and sums shall apply to every stall whether covered or uncovered.

*Standing Places.*

For every basket box hamper or other receptacle not exceeding two feet six inches in length and one foot six inches in width used for vegetables butter eggs or poultry—

On every market day	0	0	2
On every other day	0	0	1

For every superficial foot or part of a superficial foot of ground used (a) for vegetables poultry or any live stock when not in a basket box hamper or other receptacle or (b) for plants trees or shrubs—

On every market day	0	0	2
On every other day	0	0	1

For every superficial foot or part of a superficial foot of ground used for earthenware and other manufactured goods—

On every market day	0	0	4
On every other day	0	0	2

For every basket box hamper or other receptacle and every superficial foot or part of a superficial foot of ground used for any other provisions goods wares articles or things whatsoever which do not come within any of the foregoing classifications—

On every market or other day	0	0	6
------------------------------	---	---	---

The above-mentioned rents stallages and sums are to be payable as well by the original hirer or user of any stall or standing place for any portion of a day in case he shall not occupy the same during the whole day as also by any subsequent hirer or user of the same for the residue or any other portion of the same day.

[Ch. cx.] *Local Government Board's* [62 & 63 VICT.]  
*Provisional Orders Confirmation (No. 5) Act, 1899.*

A.D. 1899.

SCHEDULE B.

*York  
Order.*

STALLAGES RENTS and TOLLS for cattle and live stock brought into the markets or fairs otherwise than for sale by auction.

	£	s.	d.
For every horse or gelding and every mare with or without a foal	0	1	0
For every lean or store bull ox heifer cow with or without a calf	0	0	4
For every fat bull ox cow or heifer	0	0	6
For every pig	0	0	3
For every ram	0	0	6
For sheep (other than rams) the charge to be according to the pen in which they are placed on the following basis:—			
For every pen constructed to contain not more than ten sheep	0	1	0
For every pen constructed to contain not more than fifteen sheep	0	1	6
For every pen larger than the above a sum calculated at the rate of one shilling for every ten sheep which the pen is constructed to contain.			
For every cattle pen adjoining the city walls between Walmgate Bar and Fishergate	0	7	6
For every other cattle pen	0	5	0

STALLAGES RENTS and TOLLS for cattle and live stock brought into the markets or fairs for sale by auction.

	£	s.	d.
For every horse or gelding and every mare with or without a foal	0	1	0
For every head of cattle	0	0	9
For every sheep including a ram	0	0	2
For every pig	0	0	3

The above-mentioned stallages rents and tolls are to be payable by the original hirer of any pen for any portion of a day in case he shall not occupy the same during the whole day as also by any subsequent hirer or user of the same for the residue or any other portion of the same day.

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

(l.s.)

HENRY CHAPLIN President.  
S. B. PROVIS Secretary.

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