

[11 & 12 GEO. 5.] *Ministry of Health* [Ch. cii.]
Provisional Order Confirmation (Barnsley
Extension) Act, 1921.



CHAPTER cii.

An Act to confirm a Provisional Order of the Minister of Health relating to Barnsley. A.D. 1921.
[19th August 1921.]

WHEREAS the Minister of Health has made the Provisional Order set forth in the schedule hereto under the provisions of the Local Government Act 1888 : 51 & 52 Vict. c. 41.

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

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

1. The Order as amended and set out in the schedule hereto shall be and the same is hereby confirmed and all the provisions thereof shall have full validity and force. Order in schedule confirmed.

2. This Act may be cited as the Ministry of Health Provisional Order Confirmation (Barnsley Extension) Act 1921. Short title.

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SCHEDULE.

BOROUGH OF BARN斯LEY.

*Barnsley
Order.*

*Provisional Order made in pursuance of the Local
Government Act 1888 for extending a
County Borough.*

51 & 52 Vict.
c. 41.

WHEREAS by virtue of Section 54 of the Local Government Act 1888 the Minister of Health is empowered to make a Provisional Order for altering the boundary of any Borough;

And whereas the Borough of Barnsley is a County Borough within the meaning of the Local Government Act 1888 and is for the purposes of that Act situate in the County of the West Riding of Yorkshire and the inhabitants are a body corporate by the name of the Mayor Aldermen and Burgesses of the Borough of Barnsley and act by the Council of the said Borough which now consists of the Mayor (who is also a Councillor) six Aldermen and seventeen other Councillors and the said Borough is for the purposes of the election of Councillors divided into six wards;

And whereas the said Borough is co-extensive with the Township of Barnsley and is an Urban Sanitary District of which the Mayor Aldermen and Burgesses acting by the Council are the Urban Sanitary Authority;

And whereas the said Borough has a separate commission of the peace and police force;

And whereas the said Borough with the Urban Districts of Ardsley Darton and Monk Bretton constitutes the Parliamentary Borough of Barnsley;

2 Edw. 7.
c. 42.

And whereas in pursuance of the Education Act 1902 the Council of the said Borough are the local education authority;

And whereas the unrepealed provisions of the Local Acts specified in Part I. of Schedule A to this Order and of the Confirmation Acts specified in Part II. of the said Schedule so far as the last-mentioned Acts relate to the Orders specified in that Schedule are in force in the said Borough;

And whereas the provisions of—

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

- (a) The Infectious Disease (Prevention) Act 1890;
- (b) Parts III. and IV. of the Public Health Acts Amendment Act 1890;

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- (c) The Baths and Washhouses Acts 1846 to 1899; and
(d) The Public Libraries Acts 1892 to 1919;

9 & 10 Vict. c. 74.
62 & 63 Vict. c. 29.
55 & 56 Vict. c. 53.
9 & 10 Geo. 5.
c. 93.

are in force in the said Borough;

And whereas the Council of the said Borough are the authority for the execution of the Burial Acts 1852 to 1906 within the said Borough;

15 & 16 Vict.
c. 85.

6 Edw. 7. c. 44.

And whereas the Urban Districts of Ardsley Monk Bretton and Worsborough in the Administrative County of the West Riding of Yorkshire immediately adjoin the said Borough;

And whereas the Urban District of Ardsley is co-extensive with the Township of Ardsley and is subject to the jurisdiction of the Urban District Council of Ardsley and the Council are the authority for the execution of the Burial Acts 1852 to 1906 within the Urban District;

And whereas the Urban District of Monk Bretton is co-extensive with the Township of Monk Bretton and is subject to the jurisdiction of the Urban District Council of Monk Bretton and the Council are the authority for the execution of the Burial Acts 1852 to 1906 within the Urban District;

And whereas the Urban District of Worsborough is co-extensive with the Township of Worsborough and is subject to the jurisdiction of the Urban District Council of Worsborough;

Now therefore the Minister of Health in pursuance of the powers given to him by Sections 54 and 59 of the Local Government Act 1888 and of all other powers enabling him in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the following provisions shall take effect:—

51 & 52 Vict.
c. 41.

Art. 1. In this Order—

Definitions.

- (1) The expression "the Minister" means the Minister of Health;
- (2) The expression "the commencement of this Order" means the Ninth day of November One thousand nine hundred and twenty-one;
- (3) The expression "the existing Borough" means the Borough of Barnsley as it exists immediately prior to the commencement of this Order;
- (4) The expression "the Borough" means the existing Borough as extended by this Order;

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- (5) The expression "the Corporation" means as the context requires the Mayor Aldermen and Burgesses of the existing Borough or of the Borough acting by the Council;
- (6) The expressions "the County" and "the County Council" mean respectively the Administrative County of the West Riding of Yorkshire and the County Council of that County;
- (7) The expression "the Borough maps" means the two maps each marked "Map of the Borough of Barnsley as extended by the Barnsley (Extension) Order 1921" and signed by Sir Francis Lowe the Chairman of the Committee of the House of Commons to whom the Bill for the confirmation of this Order was referred;
- (8) The expression "the Ward maps" means the two maps each marked "Map of the Wards of the Borough of Barnsley as extended by the Barnsley (Extension) Order 1921" and signed by Sir Francis Lowe the Chairman of the Committee of the House of Commons to whom the Bill for the confirmation of this Order was referred;
- (9) The expressions "the Ardsley District" and "the Ardsley Council" mean respectively the Urban District of Ardsley the area whereof is coloured blue on the Borough maps and the Urban District Council of that District the expressions "the Monk Bretton District" and "the Monk Bretton Council" mean respectively the Urban District of Monk Bretton the area whereof is coloured yellow on the Borough maps and the Urban District Council of that District the expressions "the Worsborough District" and "the Worsborough Council" mean respectively the Urban District of Worsborough and the Urban District Council of that District and the expression "the Urban Councils" means the Ardsley Council the Monk Bretton Council and the Worsborough Council;
- (10) The expression "the added areas" means the Ardsley District the Monk Bretton District and the part of the Worsborough District added to the existing Borough by this Order;
- (11) The expression "the added part of Worsborough" means the part of the Township of Worsborough which is coloured brown on the Borough maps and the expression "the excluded part of Worsborough" means the remaining part of that township;

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| <p>(12) The expressions "the existing Township of Ardsley"
 "the existing Township of Barnsley" "the existing
 Township of Monk Bretton" and "the existing
 Township of Worsborough" mean in each case
 the township as it exists immediately prior to the
 commencement of this Order and the expressions
 "the Township of Barnsley" and "the Township
 of Worsborough" mean in each case the township
 as altered by this Order;</p> <p>(13) The expressions "the Act of 1888" and "the Act
 of 1894" mean respectively the Local Government
 Act 1888 and the Local Government Act 1894;</p> <p>(14) The expression "the Municipal Corporations Acts"
 means the Municipal Corporations Act 1882 and the
 Acts amending and extending the same and the
 expression "the Public Health Acts" means the
 Public Health Act 1875 and the Acts amending and
 extending the same;</p> <p>(15) The expression "the Burial Acts" means the Burial
 Acts 1852 to 1906.;</p> <p>(16) The expressions "the Act of 1907" and "the Act
 of 1918" mean respectively the Public Health Acts
 Amendment Act 1907 and the Representation of the
 People Act 1918.</p> | <p>A.D. 1921.
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<p>Art. 2. This Order shall except so far as is otherwise herein expressly provided and except so far as there may be anything in the subject-matter or context inconsistent therewith come into operation on the Ninth day of November One thousand nine hundred and twenty-one:</p>	<p>Commence- ment of Order.</p>
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<p>Provided that for the purposes of all proceedings preliminary or relating to any municipal election to be held on the ordinary day of election in the year One thousand nine hundred and twenty-one and of the revision of the basis or standard of the county rate of the County this Order shall operate from the date of the Act of Parliament confirming this Order:</p>	<p>Date of operation of Order for elections &c.</p>
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<p>Provided also that for any purpose connected with the dis- tribution and application of the moneys payable out of the Local Taxation Account or by the Postmaster-General in pursuance of the Act of 1888 of the Local Taxation (Customs and Excise) Act 1890 and of the Roads Act 1920 (as amended by any subse- quent Act and as affected by any Order in Council) the existing Borough shall be deemed not to have been altered and the added areas shall be deemed to continue part of the County until the First day of April One thousand nine hundred and twenty-two.</p>	<p>Date of ope- ration for purposes of certain grants and Local Taxa- tion Licences.</p>
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Extension of
Borough.

Art. 3.—(1) The boundary of the existing Borough the area whereof is coloured pink on the Borough maps shall be altered so as to include in addition to that area the Ardsley District the Monk Bretton District and so much of the Worsborough District as comprises the added part of Worsborough.

(2) The boundary of the Borough shall be that shown by the red line on the Borough maps and the whole of the area within that boundary shall for the purposes of the Municipal Corporations Acts and for all other purposes be the Borough and shall be the County Borough for the purposes of the Act of 1888.

Deposit of
maps.

Art. 4.—(1) One of the Borough maps and one of the Ward maps shall be deposited in the office of the Minister and the other maps shall be deposited by the town clerk of the existing Borough at his office within fourteen days after the passing of the Act of Parliament confirming this Order.

(2) Copies of the Borough map deposited with the town clerk certified by him to be true shall be sent within one month after the date of the Act of Parliament confirming this Order to the Clerk of the County Council to the Clerk to the Worsborough Council to the Board of Inland Revenue to the Commissioners of Customs and Excise to the Registrar-General to the Postmaster-General to the Board of Trade to the Minister of Transport to the Minister of Agriculture and Fisheries and to the Electricity Commissioners and copies of the Ward map so deposited and certified in like manner shall be sent within the said period to the Registrar-General and to the Minister of Agriculture and Fisheries.

Copies of
map to be
evidence.

(3) Copies of or extracts from the Borough map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as primâ facie evidence of the contents of the map so far as it relates to the boundaries of the Borough and the map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the Borough and any such person shall be entitled to a copy of or extract from the map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation.

(4) All fees so received shall be carried to the credit of the borough fund.

Powers and
duties of
justices &c.
extended.

Art. 5. The powers and duties of the justices of the peace appointed for the existing Borough of the clerk to those justices and of the police constables and other peace officers of the existing Borough shall extend to and apply throughout the Borough:

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Provided that every person committing an offence in any part of the added areas prior to the commencement of this Order shall be tried and dealt with as if this Order had not been made:

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Provided also that every proceeding which prior to the commencement of this Order has been begun by or before any justice or justices in relation to any matter arising in or concerning any part of the added areas may be continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this Order had not been made.

Art. 6. For the purposes of the application to the Borough of the provisions of the County and Borough Councils (Qualification) Act 1914 the added areas shall be deemed to have always formed part of the Borough.

County and
 Borough Councils (Qualification) Act 1914.
 4 & 5 Geo. 5. c. 21.

Art. 7. The number of Councillors of the Borough shall be increased from eighteen to twenty-seven and the number of Aldermen of the Borough shall be increased from six to nine.

Number of
 Councillors
 and Aldermen.

Art. 8. Subject to the provisions of the Municipal Corporations Acts with respect to the alteration of wards the following provisions shall have effect:—

Division into
 wards.

- (1) For the purposes of the election of Councillors the Borough shall be divided into nine wards:
- (2) Of the six existing wards the North Ward and the South Ward and the number of Councillors respectively apportioned thereto shall remain unaltered:
- (3) So much of the Borough as is comprised in the existing East Ward South-East Ward South-West Ward and West Ward and the added areas shall be formed into seven new wards which shall be named respectively the East Ward the Central Ward the South-East Ward the South-West Ward the West Ward the Ardsley Ward and the Monk Bretton Ward each of which wards shall comprise that portion of the Borough which is indicated by a separate colour and distinguished by the name of the ward on the Ward maps:
- (4) Three Councillors shall be assigned to each of the Wards constituted by sub-division (3) of this Article:
- (5) Such of the Councillors representing the existing East Ward the existing South-West Ward and the existing West Ward respectively as would retire from office on the ordinary day of election in the years One thousand nine hundred and twenty-two and One thousand nine hundred and twenty-three shall in each case be deemed from and after the commencement of

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this Order to represent the ward constituted by this Order which bears the name of the ward for which they were elected and shall remain in office until the day on which they would have retired if this Order had not been made :

- (6) The three Councillors representing the existing South-East Ward shall go out of office on the First day of November One thousand nine hundred and twenty-one.

First election
of Council-
lors for
certain new
wards and
of additional
Aldermen.

Art. 9.—(1) The first election of Councillors for the Central Ward the South-East Ward the Ardsley Ward and the Monk Bretton Ward constituted by this Order shall be held on the First day of November One thousand nine hundred and twenty-one and the Mayor of the existing Borough shall be the returning officer at the election for those wards.

(2) The Mayor of the existing Borough may appoint some other person to act as returning officer at the election for any of the wards mentioned in this Article.

(3) The first election of the three additional Aldermen of the Borough shall take place on the Ninth day of November One thousand nine hundred and twenty-one after the ordinary election of Aldermen on that day.

Retirement
of certain
Councillors
and Alder-
men elected
in 1921.

Art. 10.—(1) The Councillors elected for the Borough in the year One thousand nine hundred and twenty-one for the Central Ward the South-East Ward the Ardsley Ward and the Monk Bretton Ward shall retire as follows :—

- (a) The Councillor for each ward who is elected by the smallest number of votes on the First day of November One thousand nine hundred and twenty-two :
- (b) The Councillor for each ward who is elected by the largest number of votes on the First day of November One thousand nine hundred and twenty-four :
- (c) The other Councillor for each ward on the First day of November One thousand nine hundred and twenty-three.

(2) The three additional Aldermen elected for the Borough in the year One thousand nine hundred and twenty-one in pursuance of this Order shall retire as follows :—

- (a) The Alderman elected by the smallest number of votes on the Ninth day of November One thousand nine hundred and twenty-four :
- (b) The other two Aldermen on the Ninth day of November One thousand nine hundred and twenty-seven.

(3) If for any reason it is doubtful which of the Councillors or Aldermen ought to retire on the dates above specified the

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Council of the Borough shall on the Ninth day of November One thousand nine hundred and twenty-one or at the next following quarterly meeting by a majority of votes or in case of an equality of votes by the casting vote of the chairman determine which of the Councillors or Aldermen as the case may be shall go out of office on the dates above specified respectively.

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Order.*

Art. 11.—(1) Subject to the provisions of this Order the unrepealed provisions of the Local Acts and of the Confirmation Acts specified in Part I and Part II (A) of Schedule A to this Order so far as the last-mentioned Acts respectively relate to the Provisional Orders specified in the said Part II (A) of that Schedule and of any other Local Act (including any Local Act passed or to be passed during the present Session of Parliament) or of any other Provisional Order duly confirmed by Parliament (other than the Barnsley Electric Lighting Order 1890) and affecting the existing Borough or the Corporation as the same respectively are in force within the existing Borough at the commencement of this Order shall extend and apply to the Borough and any reference therein to the existing Borough and the Corporation shall be deemed to refer to the Borough and the Corporation thereof.

Local Acts
and Orders.

(2) Nothing in this Order or in any Local Act or Order as extended and applied to the Borough by this Order shall prejudicially affect the undertaking or powers of the Yorkshire Electric Power Company in relation to the added areas under the Yorkshire Electric Power Acts 1901 1910 1914 and 1918 and in relation to the added areas the said Acts shall continue to apply as if within the meaning of those Acts the added areas were an Urban District of which the Corporation of the Borough were the Council and formed no part of the Borough and as if no consent of a distributing authority were required in any case to enable the Company to supply energy in the added areas.

Art. 12. Subject to the provisions of this Order—

Byelaws &c.

- (1) All byelaws and every scale of charges made by the Corporation which immediately before the commencement of this Order are in force throughout the existing Borough shall apply to the Borough until such byelaws or scale of charges may be altered or repealed :
- (2) All byelaws made by the County Council or any of the Urban Councils or their predecessors and in force immediately before the commencement of this Order in any part of the added areas shall on that date cease to be in force in those areas except as regards any work which has been begun before that date or as regards any work which has not

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been so begun but for which plans have been approved before that date by the Council of the District in which the part is situated or have been sent to the surveyor or clerk to that Council one month at least before that date and have not been disapproved by the Council:

- (3) As regards any work within the exception in subdivision (2) of this Article the byelaws in force immediately before the commencement of this Order shall continue to apply until the completion of the work in like manner and with the like effect as if those byelaws had been made by the Corporation and as if the Corporation and the Borough were referred to therein instead of the Council of the District in which the part is situated and that District:
- (4) Any proceedings which if this Order had not been made might have been taken by the County Council or any of the Urban Councils for any offence committed before the commencement of this Order against any byelaws which by virtue of this Article cease to be in force may be taken by the Corporation as if those byelaws had remained in force and the Corporation had been substituted therein for that Council:
- (5) In this Article the expression "byelaws" includes any regulation or order and the expression "scale of charges" includes any list of tolls or table of fees or payments.

Town clerk
and other
officers con-
tinued.

Art. 13. The town clerk and all other officers and servants of the Corporation of the existing Borough who hold office at the commencement of this Order shall continue to be the town clerk and officers and servants of the Corporation of the Borough and shall hold their offices by the same tenure as at that date.

Compensa-
tion to exist-
ing officers.

Art. 14.—(1) The provisions of subsection (13) of Section 118 and of Section 119 of the Act of 1888 shall apply to all persons who at the commencement of this Order hold office as officers or servants of the Ardsley Council and of the Monk Bretton Council with such modifications as are necessary to make those provisions applicable to the said officers and servants and to the Corporation.

(2) Every clerk to justices and every officer or servant of or paid by the County Council or of or paid by the Standing Joint Committee of the County and every other officer or servant who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary and

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for whose compensation no other provision is made by any enactment for the time being in force and applicable to his case shall be entitled to have compensation paid to him by the Corporation for that pecuniary loss.

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(3) In determining the compensation payable to any person who becomes entitled to compensation in pursuance of this Article regard shall be had to the conditions and circumstances mentioned in subsection (1) of Section 120 of the Act of 1888 and the compensation shall not exceed the limit therein mentioned :

Provided that for the purposes of this Article the expression "the Acts and Rules relating to Her Majesty's Civil Service" in subsection (1) of the said Section 120 shall mean the Acts and Rules relating to Her Majesty's Civil Service which were in operation at the date of the passing of the Act of 1888.

(4) Any person who devotes his whole time to two or more offices held under any local authority (as defined in Section 34 of the Local Loans Act 1875) or local authorities and who becomes entitled to compensation in pursuance of this Article may for the purposes of this Article and in respect of the offices or each of the offices (as the case may be) held by him be deemed to be a whole time officer employed at the net salary or remuneration (after deducting any expenses or payments for assistance or otherwise) received by him in respect of that office.

(5) Where any such officer as aforesaid was temporarily absent from his employment whilst serving in His Majesty's Forces or the Forces of the Allied or Associated Powers either compulsorily or with the sanction or permission of the local authority during the War such period of temporary absence shall also be reckoned as service under the local authority in whose employment he was immediately before and after such temporary absence and the amount of his salary wages and emoluments during such temporary absence shall be deemed to be the amounts which the officer would have received from the local authority during that period if he had remained in the actual service of the Authority :

Provided that this subdivision of this Article shall not apply to any officer who after the Armistice voluntarily extended his term of service in the Forces.

(6) Any compensation payable to any officer or servant whose office or employment relates wholly or partly to sanitary purposes as defined by the Public Health Act 1875 shall be paid out of the district fund and general district rate of the Borough and in every other case out of the borough fund and borough rate of the Borough and the provisions of subsections (2) to (7) of Section 120 of the Act of 1888 shall apply with the necessary modifications.

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(7) The non-acceptance of any office shall not be a bar to the right of any officer to compensation.

(8) If any officer or servant to whom this Article applies is at any time within five years after the commencement of this Order required by the Corporation to perform duties which are not analogous to or which are an unreasonable addition to those which he is required to perform at the commencement of this Order he may within that period relinquish his office and any officer or servant who so relinquishes his office shall be entitled to compensation in accordance with the provisions of this Article.

(9) For the purposes of subdivision (2) of this Article any clerk to justices officer or servant to whom that subdivision applies and whose services are dispensed with or whose salary is reduced by the County Council by the Standing Joint Committee of the County or by any other authority including the Corporation within five years from the commencement of this Order because his services are not required or his duties are diminished in consequence of this Order and not on the ground of misconduct shall be deemed to have suffered a direct pecuniary loss in consequence of this Order.

(10) No person shall be entitled to claim or receive both compensation for any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary and a superannuation or retiring allowance in respect of the same period of service and the same pecuniary loss.

*Actions &c.
not to abate.*

Art. 15.—(1) Any action or proceeding or any cause of action or proceeding which at the commencement of this Order is pending or existing by or against any of the Urban Councils in relation exclusively to any part of the added areas shall not be in anywise prejudicially affected by reason of the making of this Order but may be continued prosecuted and enforced by or against the Corporation.

*Saving for
contracts &c.*

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

*Corporation
property &c.*

Art. 16. Subject to the provisions of this Order all property vested in the Corporation at the commencement of this Order for the benefit of the existing Borough shall by virtue of this Order be held by the Corporation for the benefit of the Borough

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and the Corporation shall hold enjoy and exercise for the benefit of the Borough all the powers which at the date aforesaid are exercisable by or vested in the Corporation for the benefit of the existing Borough and all liabilities which on the date aforesaid attach to the Corporation in respect of the existing Borough shall from and after that date attach to them in respect of the Borough.

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Art. 17.—(1) The Ardsley Council and the Monk Bretton Council shall liquidate as far as practicable before the commencement of this Order all current debts and liabilities incurred by them.

Liquidation
 of current
 debts and
 liabilities.

(2) The Urban Councils shall prior to the commencement of this Order make provision for raising sufficient funds to defray all current debts and liabilities and the current expenditure to be incurred up to the Thirty-first day of March One thousand nine hundred and twenty-two in respect of the area of their District or of the part of their District as the case may be included in the Borough by this Order.

(3) In default of such provision being made in respect of any such area the Corporation may make and levy in that area a general district rate of such an amount in the pound as will be sufficient after the deduction of any arrears of rates upon such added area which may be recoverable by the Corporation to defray the current debts liabilities and expenditure aforesaid as if such area were the Borough and the provisions of the Public Health Acts relating to general district rates shall apply to any general district rate authorised by this Article.

(4) Save as expressly provided by this Order the Corporation shall not levy a rate in the added areas before or in respect of the period to end on the Thirty-first day of March One thousand nine hundred and twenty-two.

Art. 18. Subject to the provisions of this Order—

(1) The Ardsley Council and the Monk Bretton Council shall at the commencement of this Order be abolished and cease to exist and the Worsborough Council shall cease to exercise any powers or have any duties within any part of the added areas:

Cesser of
 jurisdiction
 of Urban
 Councils and
 property &c.

(2) All property and liabilities which immediately before the commencement of this Order are vested in or attach to the Ardsley Council and the Monk Bretton Council and all property and liabilities which immediately before the said date are vested in or attach to the Worsborough Council in relation exclusively to the added part of Worsborough shall by virtue of this Order be transferred to and vest in and

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attach to the Corporation as Urban Sanitary Authority and any property and liabilities vested in or attaching to the Worsborough Council in relation to the added part of Worsborough conjointly with the excluded part of Worsborough shall be a matter for adjustment under Section 62 of the Act of 1888.

Sums due
to Urban
Councils.

Art. 19. Subject to the provisions of this Order all arrears of rates made by any of the Urban Councils in respect of hereditaments in any part of the added areas and all other payments which at the commencement of this Order are due or owing to any of the Urban Councils in respect of any part of the added areas may be collected and recovered by the Corporation.

Adaptation
of provisions
as to adjust-
ment.

Art. 20.—(1) For the purposes of the application of Section 62 of the Act of 1888 to any adjustment which may become necessary in consequence of this Order that section shall have effect—

(a) As if in subsections (5) (6) and (7) thereof the expression "Council" included any authority affected by this Order or by anything done in pursuance of this Order; and

(b) As if in the case of any such authority not otherwise empowered to borrow under any Act or on any security or in any manner mentioned in the said subsection (6) that subsection empowered the authority to borrow under any Act relating to and conferring on the authority a power to borrow on the security of all or any of the funds rates and revenues of the authority and in the manner provided by the said Act but without the consent of any other authority and subject to the requirement that all money so borrowed shall be repaid within such period as the Minister may sanction :

(2) For the purposes of the application of Section 62 of the Act of 1888 to any adjustment which may become necessary in consequence of this Order so far as it relates to the abolition or the alteration of the area of any existing township that section shall have effect—

(a) As if the Overseers of the Townships of Barnsley and Worsborough and the persons who immediately before the commencement of this Order were the Overseers of the existing Townships of Ardsley and Monk Bretton or if the circumstances of the case so require any persons who may be substituted for those persons by an order of the Minister were within the meaning of the said section as applied by this Order authorities affected by this Order ;

[11 & 12 GEO. 5.] *Ministry of Health* [Ch. cii.]
*Provisional Order Confirmation (Barnsley
 Extension) Act, 1921.*

(b) As if the poor rate or any other rate leviable in pursuance of the said section as applied by this Order were substituted for any fund mentioned in the section ; and

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 —
*Barnsley
 Order.*

(c) As if for subsections (6) and (7) of the said section there were substituted the subsections hereunto appended that is to say :—

“ (6) If it is necessary for the purpose of giving effect to any agreement or award for an adjustment that a separate rate shall be levied in part of a parish only the agreement or award may authorise the making of such a separate rate as if it were a poor rate and as if the part of the parish on which it is to be levied were a whole parish.”

“ (7) Any capital sum paid for the purposes of any adjustment or in pursuance of any order or award of an arbitrator shall be applied by such person in such manner and for such purpose as the Minister of Health may authorise or direct.”

Art. 21.—(1) The liability for repayment of any moneys borrowed by the Ardsley Council or the Monk Bretton Council (including every such liability in relation to any sum borrowed by either of such Councils or their predecessors for the purposes of the Burial Acts) or of so much of any of those moneys as will be owing at the commencement of this Order and for the payment of the interest thereon shall by virtue of this Order be transferred to and attach to the Corporation.

Mortgage
 debts of
 Ardsley and
 Monk Bret-
 ton Councils
 and Corpora-
 tion.

(2) So much as will at the commencement of this Order be outstanding in respect of any moneys borrowed as aforesaid (except any sums borrowed for the purposes of the Burial Acts) together with so much of any sums borrowed by the Corporation as will at the commencement of this Order be owing and charged upon the district fund and general district rate of the existing Borough shall by virtue of this Order be charged upon the district fund and general district rate of the Borough.

(3) So much of any sums borrowed by the Ardsley Council or the Monk Bretton Council or the predecessors of those Councils for the purposes of the Burial Acts as will at the commencement of this Order be owing shall by virtue of this Order be charged upon the borough fund and borough rate of the Borough.

(4) So much of any sums borrowed by the Corporation as will at the commencement of this Order be owing and charged upon the borough fund and borough rate of the existing Borough shall by virtue of this Order be charged upon the borough fund and borough rate of the Borough and so much of any sums borrowed by the Corporation as will at the commencement of this Order be owing and charged upon any other

[Ch. cii.] *Ministry of Health* [11 & 12 GEO. 5.]
*Provisional Order Confirmation (Barnsley
Extension) Act, 1921.*

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Order.*

rate levied within the existing Borough shall be charged upon the corresponding rate to be levied in the Borough.

(5) All borrowed moneys to which this Article applies shall together with the interest to accrue due thereon be repaid by the Corporation within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

(6) Nothing in this Order shall prejudice or affect any mortgage or other security which has been granted in respect of any borrowed moneys the liability for the repayment of which is transferred to the Corporation by subdivision (1) of this Article or the powers of any person entitled under any such mortgage or other security to enforce the same as if this Order had not been made and where for any such purpose it is necessary to continue the exercise of a power which would have existed but for this Order the power may continue to be exercised as if this Order had not been made and the general district rate of the Borough borough rate or other rate leviable in the Borough as the case may require shall for any such purpose be levied and have effect in substitution for the rate which would have been leviable if this Order had not been made.

*Adoptive
Acts.*

Art. 22.—(1) The provisions of the Infectious Disease (Prevention) Act 1890 Parts III. and IV. of the Public Health Acts Amendment Act 1890 the Baths and Washhouses Acts 1846 to 1899 and the Public Libraries Acts 1892 to 1919 shall be in force in and apply to the Borough as if the same had been adopted for the Borough.

(2) The provisions of Part II. of the Public Health Acts Amendment Act 1890 and of the Private Street Works Act 1892 shall cease to be in force and apply to any part of the added areas.

(3) Nothing in this Article shall—

- (a) affect the operation prior to the commencement of this Order of any such provisions or anything duly done or suffered thereunder; or
- (b) affect any right privilege obligation or liability acquired accrued or incurred under any such provisions; or
- (c) affect any penalty forfeiture or punishment incurred in respect of any offence committed against any such provisions; or
- (d) affect any investigation legal proceeding or remedy in respect of any such right privilege obligation liability penalty forfeiture or punishment as aforesaid.

[11 & 12 GEO. 5.] *Ministry of Health* [Ch. cii.]
*Provisional Order Confirmation (Barnsley
 Extension) Act, 1921.*

Art. 23. Subject to the provisions of any order which the Minister or the Secretary of State may make after the commencement of this Order:—

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 Order.*

- (1) The provisions of any order made before the commencement of this Order under Section 33 or Section 34 of the Act of 1894 on the application of the Corporation shall have effect as if any reference in those provisions to each Parish wholly comprised within the existing Borough applied to the Township of Barnsley : Powers under Section 33 or 34 of Act of 1894 and under the Act of 1907.
- (2) The provisions of any order made by the Local Government Board or the Minister or by the Secretary of State before the commencement of this Order and declaring to be in force in the existing Borough any Parts or Sections of the Act of 1907 shall have and shall be deemed always to have had effect as if any reference in those provisions to the existing Borough extended and applied to the Borough and as if the said Parts or Sections were accordingly declared to be in force in the Borough :
- (3) The provisions of any order made by the Local Government Board or the Minister or by the Secretary of State before the commencement of this Order and declaring to be in force in any part of the added areas any Parts or Sections of the Act of 1907 shall cease to apply to any such part and subject to the provisions of this Order the Parts or Sections declared by any such order to be in force shall cease to be in force in any such part.

Art. 24. Any order made under the Shop Hours Act 1904 or under the Shops Act 1912 or any subsequent Act providing for the closing of shops and in force immediately before the commencement of this Order in any area affected by this Order shall subject to the provisions of such Acts remain in force and apply to the area to which it applied before the commencement of this Order.

Orders under the Shop Hours Act 1904 or the Shops Acts 1912 to 1920.

Art. 25. For the purposes and subject to the provisions of the Education Acts 1870 to 1919—

- (1) All public elementary schools (including the sites and schoolhouses) provided by the County Council as local education authority and situate in the added areas and the furniture fittings books and apparatus belonging to the County Council of any public elementary school in the added areas shall by virtue of this Order be transferred to and vested in the Corporation as the

Transfer of public elementary schools &c. to Corporation.

[Ch. cii.] *Ministry of Health* [11 & 12 GEO. 5.]
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Extension) Act, 1921.*

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*Barnsley
Order.*

local education authority for all the estate and interest therein of the County Council as the local education authority :

- (2) All contracts debts and liabilities which at the commencement of this Order are existing or are owing by or attach to the County Council in respect exclusively of any public elementary school in the added areas or of the furniture fittings books or apparatus or with respect to the officers teachers and servants of any public elementary school in the added areas shall by virtue of this Order enure to and be carried into effect by and be discharged and satisfied by the Corporation as the local education authority :
- (3) Section 68 of the Act of 1894 shall apply with respect to any adjustment required for the purposes of subdivisions (1) and (2) of this Article :
- (4) Subject to any adjustment which may hereafter be made the liability for repayment of so much of any loan raised exclusively in respect of any public elementary school (including the site and schoolhouse) or of the furniture fittings or apparatus transferred to and vested in the Corporation by virtue of this Order as will be owing at the commencement of this Order and the liability for the payment of interest on that part of the said loan shall by virtue of this Order be transferred and attach to the Corporation as the local education authority and so much of any such loan as will be owing at the commencement of this Order shall be charged on the borough fund and the borough rate of the Borough and shall be repaid by the Corporation within the period if any for which that part of the loan was originally sanctioned or within which the said part of the loan is otherwise required to be repaid or is made repayable :
- (5) In the foregoing subdivisions of this Article the expression "public elementary school" includes any land acquired and held by the County Council as the local education authority for purposes of elementary education :
- (6) Any byelaws in force in the existing Borough immediately before the commencement of this Order shall from and after that date apply to the Borough until revoked or altered and from and after that date any byelaws then in force in any part of the added areas shall cease to be in force in that part :

Mortgage
debts in
respect of
transferred
schools.

Education
byelaws.

[11 & 12 GEO. 5.] *Ministry of Health* [Ch. cii.]
*Provisional Order Confirmation (Barnsley
Extension) Act, 1921.*

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- (7) Any managers of any public elementary school in the added areas who were appointed by the County Council or by any of the Urban Councils or any Parish Council shall vacate office at the commencement of this Order.

—
*Barnsley
Order.*

Managers.

Art. 26. The total amount in the pound of the general district rate or rates to be made and levied by the Corporation upon any rateable hereditament situate in the part of the Borough which comprises the several added areas described in column 1 of Schedule B. to this Order shall in each of the years specified in column 2 of that Schedule be less than the total amount in the pound of the general district rate or rates to be made and levied by the Corporation in the same year upon any hereditament within the part of the Borough which comprises the existing Borough by the sum stated under the year in question opposite to the description of the added area.

Differential
rating.

Art. 27.—(1) If at the commencement of this Order the period of any poor rate made by the Overseers of the Poor of the existing Township of Barnsley (hereinafter referred to as "the current rate") has not expired and the period has expired of any poor rate made by the Overseers of the existing Township of Ardsley the Overseers of the Township of Barnsley may subject to the provisions of this Article assess the owners or occupiers of rateable hereditaments in the area of the existing Township of Ardsley to a separate rate in the nature of a poor rate as if such area were the parish for which they acted as Overseers and as if such separate rate were a poor rate.

Supple-
mental poor
rate in added
areas.

(2) The period of any rate authorised by this Article shall not extend beyond the end of the period of the current rate and the amount in the pound of any such rate shall not exceed one-half of the amount in the pound at which the current rate was made.

(3) The Corporation may order the Overseers of the Poor of the Township of Barnsley to pay from the proceeds of any rate authorised by this Article a reasonable contribution towards expenditure chargeable to the borough fund during the period between the commencement of this Order and the Thirty-first day of March One thousand nine hundred and twenty-two in respect of the execution of such powers and duties of the County Council as are transferred to the Corporation by this Order but the Corporation in making any such order shall have regard to the limitations imposed by this Article on the amount in the pound of any such rate.

(4) In relation to the existing Township of Monk Bretton and the area of that township this Article shall apply with

[Ch. cii.] *Ministry of Health* [11 & 12 GEO. 5.]
*Provisional Order Confirmation (Barnsley
Extension) Act, 1921.*

A.D. 1921. the substitution of that township for the existing Township of Ardsley.

*Barnsley
Order.*

(5) In relation to the added part of Worsborough this Article shall apply with the substitution of the existing Township of Worsborough for the reference to the existing Township of Ardsley where such reference first occurs and with the substitution of the added part of Worsborough for the reference to the existing Township of Ardsley where such reference next occurs in this Article.

Transfer of
property and
liabilities
under Burial
Acts to Cor-
poration.

Art. 28.—(1) The Corporation shall be the Burial Board for the Borough and shall have within the Borough to the exclusion of any other burial authority all the powers duties and liabilities of a Burial Board under the Burial Acts Provided that no approval sanction or authorisation of the vestry of the Township of Barnsley shall be required in respect of any act of the Corporation as the Burial Board.

(2) All property and liabilities which immediately before the commencement of this Order are vested in or attach to the Ardsley Council or the Monk Bretton Council as an authority for the execution of the Burial Acts shall by virtue of this Order vest in and be transferred to the Corporation as the Burial Board for the Borough.

(3) Subject to the provisions of the Burial Act 1900 all tables of fees payments or sums receivable in respect of a burial ground of the Ardsley Council or the Monk Bretton Council immediately prior to the commencement of this Order shall continue in force and the fees payments and sums shall thenceforth be receivable by the Corporation acting as a Burial Board until any such table of fees payments or sums may be varied in pursuance of the statutory provisions in that behalf.

Saving rights
of burial.

(4) Nothing in this Order shall prejudice or affect any right of burial which any parishioner or inhabitant of either of the existing Townships of Ardsley or Monk Bretton may have acquired prior to the commencement of this Order in relation to either of the burial grounds transferred to the Corporation by this Order or any right of constructing a burial place or of erecting or placing any monument tablet gravestone or inscription which any person may have acquired prior to the commencement of this Order in relation to either of the said burial grounds.

(5) Nothing in this Order shall prejudicially affect any right privilege authority or duty which immediately before the commencement of this Order will be exercisable by or attach to any incumbent or sexton under the Burial Acts.

[11 & 12 GEO. 5.] *Ministry of Health* [Ch. cii.]
*Provisional Order Confirmation (Barnsley
 Extension) Act, 1921.*

Art. 29.—(1) At the commencement of this Order such number of the members of the police force of the County as shall be determined by agreement to be made as soon as practicable after the date of the Act of Parliament confirming this Order between the Standing Joint Committee of the County and the Watch Committee of the existing Borough or in default of any such agreement as shall be determined by a Secretary of State shall be transferred to and become part of the police force of the Borough. Provided that no member of the police force of the County shall be transferred to or become a member of the police force of the Borough under this subdivision unless such member consents to be so transferred.

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*Barnsley
 Order.*

County
 police.

(2) Every member of the county police force so transferred shall hold office in the police force of the Borough upon the same tenure and upon the same terms and conditions as he would have held office in the county police force if this Order had not been made and while he performs the same or similar duties his remuneration emoluments and allowances and the pension (if any) to which he may be entitled shall not be less than they would have been if this Order had not been made.

(3) The provisions of Section 15 (2) of the Police Act 1890 as amended by any subsequent Act shall extend and apply to and in relation to any member of the police force transferred under the powers of this Article as if that member had removed with the written sanction of the Chief Constable of the County notwithstanding that at the date of the transfer such member may not have served in such police force for the minimum period prescribed by subsection (4) of Section 4 of the Police Act 1890 as amended by the Police (Superannuation) Act 1908.

53 & 54 Vict.
 c. 45.

8 Edw. 7.
 c. 5.

Art. 30.—(1) All the county police stations situate in any part of the added areas with the residences for constables and cells connected therewith and the fittings and furniture thereof respectively shall by virtue of this Order be transferred to and vest in the Corporation as from the commencement of this Order for all the estate and interest therein of the County Council and there shall be paid by the Corporation to the County Council out of the borough fund in consideration of such transfer such sums as shall be agreed upon or as in default of agreement shall be settled by arbitration in manner provided by the Act of 1888.

County police
 stations.

(2) In the event of the amount of the consideration for the transfer of the property which by virtue of this Article is transferred to and vested in the Corporation not being ascertained before the commencement of this Order the date of the final ascertainment of the consideration shall for the purposes

[Ch. cii.] *Ministry of Health* [11 & 12 GEO. 5.]
*Provisional Order Confirmation (Barnsley
Extension) Act, 1921.*

A.D. 1921.

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Order.*

58 Vict. c. 16.

Adjustment
of financial
relations
between
County
and County
Boroughs.

of Section 12 of the Finance Act 1895 be treated as the date of vesting.

Art. 31.—(1) In any case where the extension of the existing Borough by this Order affects the distribution between the County and the Borough or between the County and the Borough on the one hand and any other county borough on the other hand of the moneys payable out of the Local Taxation Account or by the Postmaster-General in pursuance of the Act of 1888 or of the Local Taxation (Customs and Excise) Act 1890 and of the Roads Act 1920 (as amended by any subsequent Act and as affected by any Order in Council) or any financial relations or questions between the areas aforesaid or any adjustment which has been made in regard to the said distribution or financial relations or questions equitable adjustments may be made between the areas interested.

(2) Any such adjustment as is authorised by subdivision (1) of this Article may be made by agreement between the Councils of the Borough the County and the County Borough affected and if such adjustment shall not have been made before the Thirtieth day of September One thousand nine hundred and twenty-two then on the application of any of the Councils interested the Minister may if he thinks fit make or appoint an arbitrator to make the adjustment.

(3) In any case in which an agreement for equitable adjustments as aforesaid shall not have been made the provisions of the Act of 1888 relating to adjustments between Administrative Counties and County Boroughs shall apply with the necessary modifications and the Minister or an arbitrator appointed by him as the case may be shall be substituted in those provisions for the Commissioners appointed under the Act of 1888 and notwithstanding anything in the provisions of this Order or of the Act of 1888 any such adjustment and the determination of any matter incidental or in relation thereto or consequent thereon shall when made by the Minister be deemed to be made by him otherwise than as an arbitrator and any arbitrator appointed by him shall be deemed to be an arbitrator within the meaning of Section 62 of the Act of 1888 and the provisions of the Act of 1888 shall apply accordingly :

Provided—

- (a) that in lieu of subsection (6) of Section 61 of the Act of 1888 subsections (1) and (5) of Section 87 of the Act of 1888 shall apply to any inquiries which may be directed by the Minister under this Article and to the costs of those inquiries ; and
- (b) that subsection (6) of Section 32 of the Act of 1888 shall apply to any agreement or award made under this Article.

[11 & 12 GEO. 5.] *Ministry of Health* [Ch. cii.]
*Provisional Order Confirmation (Barnsley
Extension) Act, 1921.*

Art. 32.—(1) An equitable adjustment shall be made between the County and the Borough respecting the interest of the added areas in any compensation fund constituted under Section 21 of the Licensing (Consolidation) Act 1910 or under any enactment repealed by that Act.

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*Barnsley
Order.*

Adjustment
for purposes
of Licensing
(Consolidation) Act
1910.

(2) Such adjustment shall be made by agreement between the Compensation Authority (as defined by the Licensing (Consolidation) Act 1910) for the County and for the Borough within twelve months from the commencement of this Order or such extended period as may be allowed by the Secretary of State or in default of agreement by an arbitrator appointed by the Secretary of State.

(3) For the purpose of such adjustment an arbitrator appointed by the Secretary of State shall be deemed to be an arbitrator within the meaning of Section 62 of the Act of 1888 and the provisions of that Act shall apply accordingly.

Art. 33.—(1) The Minister may at any time after the passing of the Act of Parliament confirming this Order by order make such provisions as appear to him to be necessary for transferring to the Insurance Committee for the Borough such of the property rights and liabilities of the Insurance Committee for the County as relate to persons resident in the added areas.

Insurance
Committees.

(2) An order made under this Article may authorise the Insurance Committee for the County to continue to act as Insurance Committee for the added areas until such date not being later than the Thirty-first day of December One thousand nine hundred and twenty-one as may be specified in the order and may for that purpose postpone the operation of this Order so far as relates to the rights and duties of the respective Insurance Committees for the County and Borough until the date so specified and may provide for such financial adjustments and may contain such other consequential and supplementary provisions as may appear to the Minister necessary or expedient.

(3) An order under this Article shall have effect as if enacted in the National Insurance Act 1911 and may be revoked revised or amended by an order made in like manner as the original order.

(4) The persons who immediately before the commencement of this Order are members of the respective Insurance Committees for the County and the existing Borough shall be deemed to have been appointed or elected as and shall be the members of the respective Insurance Committees for the County as altered by this Order and the Borough.

[Ch. cii.] *Ministry of Health* [11 & 12 GEO. 5.]
*Provisional Order Confirmation (Barnsley
Extension) Act, 1921.*

A.D. 1921.

*Barnsley
Order.*

Limiting
time for
scheme for
sewering the
Borough.

Art. 34.—(1) It shall be the duty of the Corporation within twelve months after the commencement of this Order to submit for the approval of the Minister a scheme for sewerage and for the disposal of the sewage of the Borough and to carry out and execute the scheme within three years after the date on which the sanction of the Minister to the borrowing of moneys to defray the expenses of carrying the scheme into effect has been given.

(2) In the event of the Corporation not submitting such a scheme of sewerage and sewage disposal or not proceeding with due diligence to carry out and execute such a scheme within the period prescribed as aforesaid the requirements of this Article may be enforced in the manner provided by Section 299 of the Public Health Act 1875 as if this Article were an order of the Minister limiting the time for the performance by the Corporation of their duty in that behalf and the Corporation had not performed the duty imposed by this Article within the time limited by the order.

Parochial
alterations.

Art. 35.—The added part of Worsborough shall be separated from the existing Township of Worsborough and with the existing Townships of Ardsley and Monk Bretton shall be amalgamated with the existing Township of Barnsley.

Guardians
and District
Councillors.

Art. 36. Subject to the provisions of Section 60 of the Act of 1894 the following provisions shall have effect:—

- (1) Ten Guardians of the Poor shall be assigned to the Township of Barnsley and the persons who at the commencement of this Order are holding the office of Guardian of the Poor for the existing Townships of Barnsley Ardsley and Monk Bretton shall together be deemed to have been elected for and shall represent the Township of Barnsley:
- (2) The persons who at the commencement of this Order are holding the office of Guardian of the Poor for the existing Township of Worsborough shall be deemed to have been elected to that office for the Township of Worsborough:
- (3) The persons who at the commencement of this Order are holding the office of Urban District Councillor for the existing Worsborough District shall be deemed to have been elected to that office for the Worsborough District as altered by this Order and shall not become disqualified for that office by reason of the alteration of that District by this Order:
- (4) All the persons mentioned in this Article shall continue in office until the date upon which they would have retired if this Order had not been made.

[11 & 12 GEO. 5.] *Ministry of Health* [Ch. cii.]
*Provisional Order Confirmation (Barnsley
 Extension) Act, 1921.*

Art. 37. The accounts of the Ardsley Council and the Monk
 Bretton Council and of their committees and officers shall be
 made up to the commencement of this Order and shall be
 audited by the District Auditor in like manner and subject to
 the like incidents and consequences as if this Order had not
 been made :

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 —
*Barnsley
 Order.*
 Audit of
 accounts of
 Ardsley and
 Monk Bret-
 ton Councils.

Provided that the audit may in each case be held as
 soon as practicable after that date any statutory provision or
 regulation as to the time of holding the audit to the contrary
 notwithstanding and that any sum certified by the District
 Auditor to be due from any person shall be paid to the treasurer
 of the Borough and shall if necessary be a matter for adjustment
 under Section 62 of the Act of 1888.

Art. 38. Until new valuation lists are in force —

Valuation
 lists.

(1) The valuation lists of the existing Townships of
 Ardsley and Monk Bretton and the portion of the
 valuation list of the existing Township of Wors-
 borough which relates to hereditaments in the added
 part of Worsborough shall be deemed to form part
 of the valuation list of the Township of Barnsley :

(2) The remaining portion of the valuation list of the
 existing Township of Worsborough shall be deemed
 to be the valuation lists of the Township of
 Worsborough.

Art. 39.—(1) Subject to any future revision the basis or
 standard of the county rate for the County shall be altered—

County rate
 basis.

(a) by the omission therefrom of the net annual value and
 assessable value of the property in the existing
 Townships of Ardsley and Monk Bretton ;

(b) by the deduction from the amounts respectively appearing
 therein as the net annual value of the agricultural
 land and of other hereditaments in the existing
 Township of Worsborough of such a sum as will
 represent the net annual value of the agricultural
 land and of other hereditaments in the added part
 of Worsborough.

(2) For the purposes of this Article the net annual value
 of the agricultural land in the added part of Worsborough
 shall be the amount which bears the same relation to the
 net annual value of agricultural land in the existing town-
 ship as the total rateable value of the agricultural land in such
 added part bears to the total rateable value of the agricultural
 land in the existing township.

(3) For the purpose of ascertaining the net annual value
 of hereditaments not being agricultural land in the added part

[Ch. cii.] *Ministry of Health* [11 & 12 GEO. 5.]
*Provisional Order Confirmation (Barnsley
Extension) Act, 1921.*

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—
*Barnsley
Order.*

of Worsborough subdivision (2) of this Article shall apply with the substitution for "agricultural land" of "hereditaments other than agricultural land."

(4) The amounts shown in the basis or standard of the county rate for the County as the net annual value and the assessable value of the property in the existing Township of Worsborough shall be reduced so as to correspond with the reductions in the net annual value of agricultural land and of hereditaments not being agricultural land made under this Article.

(5) In this Article the expressions "net annual value" and "assessable value" mean the net annual value and assessable value according to the basis or standard of the county rate for the County and the expression "total rateable value" means the total rateable value according to the valuation list of the existing Township of Worsborough last in force before the basis or standard is altered in pursuance of this Article.

Saving for
existing jury
lists

Art. 40. For the purposes of the jury lists the townships affected by this Order shall be deemed to continue unaltered until the next lists after the commencement of this Order come into force.

Settlement
and removal
of the poor.

Art. 41. For any purposes connected with the settlement and removal of the poor in relation to cases affected by this Order the following provisions shall have effect:—

(1) Every person who immediately before the commencement of this Order has acquired or is in the course of acquiring a settlement in any of the existing Townships of Barnsley Ardsley Monk Bretton and Worsborough by reason of any residence completed or in the course of completion or of any act or thing done or in the course of being done or of any status condition right or privilege acquired or created or in the course of acquisition or creation—

- (i) in the existing Township of Barnsley; or
- (ii) in the existing Township of Ardsley; or
- (iii) in the existing Township of Monk Bretton; or
- (iv) in the added part of Worsborough; or
- (v) in the excluded part of Worsborough;

shall be deemed to have acquired or to be in the course of acquiring in the first second third and fourth cases a settlement in the Township of Barnsley and in the fifth case a settlement in the Township of Worsborough and in each case as if the existing township or the

[11 & 12 GEO. 5.] *Ministry of Health* [Ch. cii.]
*Provisional Order Confirmation (Barnsley
 Extension) Act, 1921.*

specified part of the existing township were and had always been the township or a part of the township in which by virtue of this Article the person shall be deemed to have acquired or to be in the course of acquiring a settlement :

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 —
*Barnsley
 Order.*

- (2) Every person who immediately before the commencement of this Order has acquired or is in the course of acquiring a status of irremovability from the Barnsley Union by reason of residence in any of the areas mentioned in paragraphs (i) to (v) of subdivision (1) of this Article shall be deemed to have acquired or to be in the course of acquiring the like status by reason of residence in the township in which by virtue of subdivision (1) of this Article he is to be deemed to have acquired or to be in the course of acquiring a settlement.

Art. 42.—(1) Any balances standing in the books of the Guardians of the Poor of the Barnsley Union at the commencement of this Order to the credit of the existing Townships of Ardsley and Monk Bretton shall be carried to the credit of the Township of Barnsley and any balances owing by either of those existing townships at that date shall be deemed to be owing by the Township of Barnsley.

Balances in
 Guardians'
 accounts.

(2) Any balance standing in the books of the Guardians of the Poor of the Barnsley Union at the commencement of this Order to the credit of the existing Township of Worsborough and any balance owing by that township at that date shall be a matter of adjustment under Section 62 of the Act of 1888.

Art. 43. Notwithstanding the alterations in the areas of townships effected by this Order all contribution orders made by the Guardians of the Poor of the Barnsley Union before the commencement of this Order shall be as valid in law as if this Order had not been made.

Saving for
 contribution
 orders and
 precepts.

Art. 44.—(1) All sums in respect of rates made by the Overseers of the Poor of the existing Townships of Ardsley and Monk Bretton and due or owing at the commencement of this Order shall be collected and recovered by the Overseers of the Poor of the Township of Barnsley.

Arrears of
 rates.

(2) All sums in respect of rates made by the Overseers of the Poor of the existing Township of Worsborough and due or owing at the commencement of this Order shall be collected and recovered by the Overseers of the Poor of the Township of Worsborough as if this Order had not been made.

[Ch. cii.] *Ministry of Health* [11 & 12 GEO. 5.]
*Provisional Order Confirmation (Barnsley
Extension) Act, 1921.*

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Adjustment
of balances

Art. 45. Any balance in the hands of the Overseers of the existing Township of Worsborough at or immediately before the commencement of this Order and any sum collected after that date by the Overseers of the Poor of the Township of Worsborough in respect of any rate made before that date and levied upon any rateable hereditament in the existing township shall be a matter for adjustment under Section 62 of the Act of 1888.

Duplicate
entries in
electors lists.

Art. 46.—(1) The Registration Officer of the Parliamentary County of the West Riding of Yorkshire shall on publication of the electors lists for each registration unit comprising any part of the added areas not within the Parliamentary Borough of Barnsley supply the Registration Officer of the Parliamentary Borough with a sufficient number of copies of those lists.

(2) Except as otherwise provided in this Article it shall be the duty of the Registration Officer of the Parliamentary Borough to issue such notices and otherwise to take such steps as are required by Rule 23 in the First Schedule to the Act of 1918 in order to secure that no person is registered as a local government elector in respect of more than one qualification in the Borough for the purpose of borough council elections or in the Township of Barnsley for the purpose of guardians elections.

(3) Where the Registration Officer of the Parliamentary Borough considers (whether on account of an expression of choice by a person affected by a duplicate entry or otherwise) that any correction required for the purpose aforesaid should be made in the electors lists of any registration unit comprising any part of the added areas not within the Parliamentary Borough he shall forthwith notify the Registration Officer of the Parliamentary County and that officer shall make such correction accordingly.

Provisions as
to register
of electors.

Art. 47.—(1) For the purposes of the register of local government electors of the Borough prepared next after the commencement of this Order in pursuance of the Act of 1918 and of all matters connected with incidental to or consequent upon those purposes the added areas shall be deemed to have formed part of the Borough as from the first day of the qualifying period for that register.

(2) In the preparation of the autumn register for the year 1921 in pursuance of the Act of 1918 so far as it relates to any area affected by this Order it shall be competent to the Registration Officer of the Parliamentary County of the West Riding of Yorkshire to frame the register in separate parts for each area which will constitute a registration unit from and

[11 & 12 GEO. 5.] *Ministry of Health* [Ch. cii.]
*Provisional Order Confirmation (Barnsley
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after the commencement of this Order instead of in separate parts for each area constituting a registration unit before the commencement of this Order.

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(3) If any register of local government electors for any area affected by this Order is not so framed as to show the persons entitled to vote at an election to be held for a parish township or ward or other electoral division the Town Clerk in the case of an election for the Township of Barnsley or ward or other electoral division within the Borough and the Registration Officer of the Parliamentary County in the case of an election for a parish township or ward or other electoral division outside the Borough shall make such alteration or re-arrangement of the register as may be necessary for the purposes of such election.

(4) It shall be the duty of the Overseers to render such assistance as may be required by the Town Clerk of the Borough or Registration Officer of the Parliamentary County for the purpose of such alteration or re-arrangement.

(5) Where in the opinion of the Secretary of State the circumstances so require he may make such order as appears to him to be necessary to give effect to the provisions of this Order and may vary so far as is requisite the provisions in force with regard to the lists and registers of electors.

Art. 48. For the purpose of defraying any expenses under this Order which in the opinion of the Minister are properly chargeable to capital the Corporation may borrow according and subject to the provisions and restrictions of the Public Health Act 1875 and may mortgage the borough fund and borough rate or the district fund and general district rate of the Borough for the purpose of securing the repayment of any moneys so borrowed and the interest thereon Provided that all such moneys shall be repaid within such period not exceeding thirty years from the date of borrowing the same as the Corporation with the sanction of the Minister may determine.

Borrowing
powers for
purposes of
Order.

Art. 49. Nothing in this Order shall affect the powers of the County Council under Section 31 of the Act of 1918 or any order or scheme made by the County Council for the division of the Parliamentary County of the West Riding of Yorkshire into polling districts and the appointment of polling places for parliamentary elections.

Parliamen-
tary polling
districts.

Art. 50.—(1) The persons who immediately before the commencement of this Order are the County Councillors representing the Ardsley Electoral Division and the Worsborough Electoral Division of the County respectively shall continue to represent those divisions as diminished by this Order and shall retire on

As to repre-
sentation of
electoral
divisions.

[Ch. cii.] *Ministry of Health [11 & 12 GEO. 5.]
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Extension) Act, 1921.*

A.D. 1921. the date on which they would have retired if this Order had not been made.

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Order.*

(2) A County Alderman or County Councillor in office immediately before the commencement of this Order shall not be deemed to lose his qualification by reason of any alteration of area made by this Order.

Ecclesiastical
divisions and
charities.

Art. 51. Nothing in this Order shall affect the ecclesiastical divisions of any parish or township or shall prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment.

Short title.

Art. 52. This Order may be cited as the Barnsley (Extension) Order 1921.

The SCHEDULES.

SCHEDULE A.

PART I.—LOCAL ACTS.

Session and Chapter.	Title or Short Title.
3 Geo. IV. c. xxv. - -	An Act for lighting paving cleansing watching and improving the Town of Barnsley in the West Riding of the County of York.
16 & 17 Vict. c. cvii. - -	The Barnsley Waterworks Act 1853.
25 Vict. c. xxxii. - -	The Barnsley Local Board Act 1862.
29 & 30 Vict. c. xcvi. - -	The Barnsley Local Board Amendment Act 1866.
59 & 60 Vict. c. lii. - -	The Barnsley Corporation (Water) Act 1896.
63 & 64 Vict. c. clv. - -	The Barnsley Corporation (Water) Act 1900.
4 & 5 Geo. 5. c. xli. - -	The Barnsley Corporation Act 1914.

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PART II.—CONFIRMATION ACTS.

A.D. 1921.

(A.)

*Barnsley
 Order.*

Session and Chapter.	Short Title.	Order thereby confirmed.
16 Vict. c. xxiv.	The Public Health Supplemental Act 1853 (No. 1).	The Order of the General Board of Health relating to Barnsley and dated 9th November 1852.
43 & 44 Vict. c. lxxxiii.	The Local Government Board's Provisional Orders Confirmation (Alnwick Union &c.) Act 1880.	The Order of the Local Government Board relating to Barnsley dated 15th May 1880.
47 & 48 Vict. c. ccxiv.	The Local Government Board's Provisional Orders Confirmation (No. 7) Act 1884.	The Order of the Local Government Board relating to Barnsley dated 28th May 1884.
55 & 56 Vict. c. lxix.	The Local Government Board's Provisional Orders Confirmation (No. 2) Act 1892.	The Order of the Local Government Board relating to Barnsley dated 24th March 1892.
56 & 57 Vict. c. cxv.	The Local Government Board's Provisional Orders Confirmation (No. 4) Act 1893.	The Order of the Local Government Board relating to Barnsley dated 15th March 1893.
2 Edw. 7. c. lxxxii.	The Local Government Board's Provisional Orders Confirmation (No. 5) Act 1902.	The Barnsley Order 1902.
7 Edw. 7. c. cli.	The Local Government Board's Provisional Orders Confirmation (No. 1) Act 1907.	The Barnsley Order 1907.
2 & 3 Geo. 5. c. cxxxviii.	The Local Government Board's Provisional Orders Confirmation (No. 12) Act 1912.	The County Borough of Barnsley Order 1912.

(B.)

53 & 54 Vict. c. clxxxix.	The Electric Lighting Orders Confirmation (No. 4) Act 1890.	The Barnsley Electric Lighting Order 1890.
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A.D. 1921.

Barnsley
Order.

SCHEDULE B.

Column 1. Description of added Areas.	Column 2.														
	Year ending 31 Mar. 1923.	Year ending 31 Mar. 1924.	Year ending 31 Mar. 1925.	Year ending 31 Mar. 1926.	Year ending 31 Mar. 1927.	Year ending 31 Mar. 1928.	Year ending 31 Mar. 1929.	Year ending 31 Mar. 1930.	Year ending 31 Mar. 1931.	Year ending 31 Mar. 1932.	Year ending 31 Mar. 1933.	Year ending 31 Mar. 1934.	Year ending 31 Mar. 1935.	Year ending 31 Mar. 1936.	Year ending 31 Mar. 1937.
The Urban District of Monk Bretton.	s. d. 3 0	s. d. 3 0	s. d. 3 0	s. d. 3 0	s. d. 3 0	s. d. 1 6	s. d. 1 6	s. d. 1 6	s. d. 1 6	s. d. 1 6	s. d. Nil	s. d. Nil	s. d. Nil	s. d. Nil	s. d. Nil
The Urban District of Ardley.	2 0	2 0	2 0	1 0	1 0	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
The added part of Wors- borough.	3 0	3 0	3 0	3 0	2 0	2 0	2 0	2 0	1 0	1 0	1 0	1 0	0 6	0 6	0 6

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*Provisional Order Confirmation (Barnsley
Extension) Act, 1921.*

Given under the Official Seal of the Minister of Health this A.D. 1921.
Twentieth day of April One thousand nine hundred
and twenty-one. *Barnsley
Order.*

(L.S.)

F. J. WILLIS
Assistant Secretary Ministry of Health.

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