



**CHAPTER cxxxvi.**

An Act to confirm certain Provisional Orders of the Local Government Board relating to Milford Haven Salford the Luddenden Foot Joint Sewerage District and the South West Gloucestershire United Districts. A.D. 1912.

[7th August 1912.]

**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 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 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. 10) Act 1912. Short title.

SCHEDULE.

A.D. 1912.

URBAN DISTRICT OF MILFORD HAVEN.

*Milford  
Haven Order.*

*Provisional Order for partially repealing and altering the  
Milford Improvement Act 1857 and the Local  
Government Board's Provisional Orders Confirmation  
(No. 7) Act 1887.*

To the Urban District Council of Milford Haven;—

And to all others whom it may concern.

WHEREAS the Urban District Council of Milford Haven (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 Milford Haven (herein-after referred to as "the District");

20 & 21 Vict.  
c. lxxiv.  
50 & 51 Vict.  
c. clxxx.

And whereas there are in force in the District the unrepealed provisions of the Milford Improvement Act 1857 (herein-after referred to as "the Local Act") as altered by the Milford Haven Order 1887 (herein-after referred to as "the Order of 1887") which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 7) Act 1887 (herein-after referred to as "the Confirming Act of 1887") and by another Local Act and by certain other Provisional Orders duly confirmed by Parliament which do not affect the subject matter of this Order;

And whereas by Section 49 of the Local Act the Commissioners for the execution of that Act (herein-after referred to as "the Commissioners") who were the predecessors of the Council were required to make and maintain certain streets and bridges;

And whereas by Section 50 of the Local Act the streets and bridges by that Act authorised to be made and maintained were defined and comprised a new street commencing at or near to the western end of First Street in the Town of Milford and passing by an opening bridge over Priory or Hubberstone Pill and a new street branching out of the High Road from Nayland to Milford and crossing Castle Pill by an opening bridge which streets and bridges were to be constructed and maintained in accordance with the provisions of Sections 51 52 and 53 of the Local Act;

And whereas the Commissioners were empowered by Section 96 of the Local Act after any bridge by that Act authorised had been

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opened for public traffic to set up and maintain tollgates at or upon any such bridge or the approaches thereto together with toll-houses (herein-after referred to as "the toll-houses") and other conveniences and by Section 97 of that Act to demand and take tolls from persons using any such bridge ;

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And whereas a bridge or viaduct across the Castle Pill was constructed in accordance with the provisions of the Local Act but that bridge or viaduct was removed and has not been replaced ;

And whereas in pursuance of the Local Act as altered by the Order of 1887 the bridge or viaduct which had been constructed across the Priory or Hubberstone Pill in accordance with the provisions of the Local Act was removed and a new bridge or viaduct across the said Pill was constructed and by virtue of subdivision (6) of Article II. of the Order of 1887 the provisions of Sections 96 and 97 of the Local Act are applicable to the new bridge ;

And whereas the Council propose in the exercise of their powers under the general law to construct a new bridge across the Castle Pill at or near the site of the bridge or viaduct constructed as aforesaid across the Castle Pill and it is expedient that the provisions of the Local Act relating to any bridge or viaduct across the Castle Pill should be repealed and that the bridge across the Priory or Hubberstone Pill should be freed from tolls ;

And whereas the Council have made application to the Local Government Board for the issue of a Provisional Order to partially repeal alter or amend the Local Act and the Confirming Act of 1887 in the manner herein-after set forth :

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 of 1887 so far as it relates to the Order of 1887 shall be partially repealed and altered so that the following provisions shall take effect that is to say :—

38 & 39 Vict.  
c. 55.

Art. I.—(1) Sections 51 and 53 of the Local Act shall be wholly repealed.

Repeal of provisions of Local Act as to bridge over Castle Pill.

(2) Sections 49 50 and 54 to 59 of the Local Act shall be repealed so far as they relate to any bridge or viaduct across the Castle Pill.

(3) From and after the thirtieth day of September One thousand nine hundred and twelve Sections 96 to 116 of the Local Act shall be repealed and the Confirming Act of 1887 so far as it relates to the Order of 1887 shall have effect as if the words "and the provisions of Sections 96 and 97 of the Local Act shall apply to the new bridge when open to public traffic" were omitted from subdivision (6) of Article II. of that Order.

Repeal of provisions of Local Act and Confirming Act as to tolls in respect of bridge over Hubberstone Pill.

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Haven Order.*

Authorising  
Council to sell  
or dispose of  
toll-houses  
Application of  
proceeds.

Short titles.

Art. II. The Council may sell or otherwise dispose of the toll-houses on such terms and conditions as they think fit and may make do and execute any deed act or thing proper for effectuating any such sale or other disposition and shall apply all moneys in the nature of capital received by them in pursuance of this Article in or towards the discharge of moneys borrowed for bridge purposes.

Art. III. This Order may be cited as the Milford Haven Order 1912 and the Milford Haven Orders 1884 to 1911 and this Order may be cited together as the Milford Haven Orders 1884 to 1912.

Given under the Seal of Office of the Local Government Board  
this Seventeenth day of May One thousand nine hundred and  
twelve.

(L.S.)

JOHN BURNS President.  
H. C. MONRO Secretary.

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BOROUGH OF SALFORD.

*Salford  
Order.*

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

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

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

To the Urban District Council of Irlam;—

To the Urban District Council of Prestwich;—

To the Urban District Council of Swinton and Pendlebury;—

To the Urban District Council of Worsley;—

To the Rural District Council of Barton-upon-Irwell;—

And to all others whom it may concern.

WHEREAS the Borough of Salford (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;

25 & 26 Vict. c. ccv.  
30 Vict. c. lviii.  
33 & 34 Vict. c. cxxix.  
38 & 39 Vict. c. ci.

And whereas there are in force in the Borough the unrepealed provisions of the Salford Improvement Act 1862 the Salford Improvement Act 1867 the Salford Improvement Act 1870 the Salford Tramways and Improvement Act 1875 the Salford Corporation Act 1897 the Salford Corporation Act 1900 and the Salford Corporation Act 1902 (which Acts are herein-after together referred to as "the Local Acts" and each of which Acts is herein-after referred to as

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the Act of the year in which it was passed) as altered by a Provisional Order of the Local Government Board dated the Sixteenth day of May One thousand eight hundred and eighty-two which was confirmed by the Local Government Board's Provisional Order Confirmation (No. 8) Act 1882 and by a Provisional Order of the Local Government Board dated the Twenty-fifth day of May One thousand eight hundred and ninety-one which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 14) Act 1891 (which Provisional Orders and Confirming Acts are herein-after referred to as "the Orders" and "the Confirming Acts" respectively and each of which Provisional Orders is herein-after referred to as the Order of the year in which it was made);

*Salford*  
*Order.*  
 60 & 61 Vict.  
 c. cclv.  
 63 & 64 Vict.  
 c. ccxx.  
 2 Edw. 7.  
 c. cxlviii.  
 45 & 46 Vict.  
 c. xxvii.  
 54 & 55 Vict.  
 c. cexi.

And whereas by virtue of Section 83 of the Act of 1862 as altered by the Little Hulton Urban District Council Act 1910 the Corporation are empowered to supply gas within limits which now comprise the Borough of Eccles the Urban District of Irlam the Urban District of Swinton and Pendlebury the Urban District of Worsley and parts of the Urban District of Prestwich and the Rural District of Barton-upon-Irwell (herein-after referred to as "the outside limits of supply") in addition to the Borough;

10 Edw. 7 &  
 1 Geo. 5.  
 c. cxvi.

And whereas by virtue of the Act of 1862 and the Act of 1867 as altered by the Orders and of the Act of 1900 the Corporation are prohibited from using any lands for the purpose of the manufacture or storage of gas or residual products other than the lands therein described;

And whereas by Sections 37 and 38 of the Act of 1897 provision was made as therein mentioned with respect to the price which might be charged by the Corporation for the gas supplied by them in the Urban District of Swinton and Pendlebury and in the Borough of Eccles respectively and by Section 39 of the said Act it was provided that the price at which gas should be supplied by the Corporation to all persons within the Urban District of Worsley who should consume the same by meter or otherwise should not exceed the price for the time being charged by the Corporation for the supply of gas to ordinary consumers of gas within the Borough by more than twopence per thousand cubic feet;

And whereas by Sections 89 90 91 and 92 of the Act of 1862 and Sections 37 and 38 of the Act of 1897 provision is made with respect to the quality and testing of the gas supplied by the Corporation;

And whereas by Sections 413 and 414 of the Act of 1862 provision was made for the application of the revenue of the gas undertaking of the Corporation (herein-after referred to as "the gas undertaking")

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A.D. 1912. to the purposes mentioned in those sections including the formation  
*Salford* of a depreciation fund to be from time to time applied and expended  
*Order.* in making replacements and repairs necessary to maintain the gasworks  
of the Corporation in efficient condition ;

And whereas by Section 391 of the Act of 1862 Section 16 of  
the Act of 1867 Section 90 of the Act of 1870 and Section 57 of the  
Act of 1875 the Corporation were empowered to borrow moneys on  
the security of their gasworks and of the borough rate of the Borough  
for the purposes mentioned in the said sections including the purposes  
of the gas undertaking and provision was made by the said Acts for  
the repayment of the moneys so borrowed out of the revenue of the  
gas undertaking in the case of the moneys borrowed under the Acts  
of 1862 1867 and 1870 and out of the borough rate or profits of the  
gasworks in the case of the moneys borrowed under the Act of  
1875 ;

And whereas by the Order of 1882 the provisions of the last-  
mentioned Acts with respect to the repayment of the moneys borrowed  
thereunder were repealed and the Corporation were required subject  
to the provisions of that Order to repay the said moneys within the  
period of fifty-seven years from the date of the Act of Parliament  
confirming that Order ;

And whereas the proposals with respect to the payments to be  
made to the sinking fund formed in pursuance of the provisions of  
the Order of 1882 were submitted to the Local Government Board  
and included an annual payment of two thousand and eighty-nine  
pounds and sixteen shillings to the sinking fund in respect of the  
repayment of the moneys borrowed or re-borrowed under Section 391  
of the Act of 1862 Section 16 of the Act of 1867 Section 90 of the  
Act of 1870 and Section 57 of the Act of 1875 for purposes other  
than the purposes of the gas undertaking and then remaining unpaid  
and the Corporation have annually transferred that amount from the  
revenue account of the gas undertaking to the borough fund account  
in aid of the payments to be made in each year to the said sinking  
fund ;

And whereas in pursuance of a scheme made by the Corporation  
and confirmed by the Local Government Board under Section 33 of  
the Act of 1902 the Corporation are required to repay so much of  
the moneys borrowed or re-borrowed as aforesaid for purposes other  
than purposes of the gas undertaking as was outstanding at the Thirty-  
first day of March One thousand nine hundred and five within the  
period of thirty-three years from that date ;

And whereas by the Order of 1882 the Order of 1891 the Act of  
1897 and the Act of 1900 the Corporation were empowered to borrow

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moneys for the purposes of the gas undertaking in addition to the moneys previously authorised to be borrowed as aforesaid and it is expedient that the Corporation be empowered to borrow further moneys for the said purposes;

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*Order.*

And whereas the Corporation have made application to the Local Government Board for the issue of a Provisional Order, to partially repeal alter or amend the Local Acts and the Confirming Acts in the manner herein-after set forth:

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 Acts and the Confirming Acts so far as they respectively relate to the Orders shall be partially repealed and altered so that the following provisions shall take effect that is to say:—

38 & 39 Vict.  
c. 55.

Art. I. The Corporation may acquire by agreement but not otherwise for the purposes of the gas undertaking the land described in the First Schedule to this Order and may notwithstanding anything in the Local Acts as altered as aforesaid hold and use the said land for all or any of the purposes of the gas undertaking including the manufacture and storage of gas and residual products.

Acquisition  
of land for  
gas under-  
taking.

Art. II. Notwithstanding anything in the Local Acts the price rent or rate at which gas shall be supplied by the Corporation to consumers or for the purposes of public lighting within the outside limits of supply shall not as from the Thirty-first day of March One thousand nine hundred and thirteen be higher in similar circumstances than the price rent or rate charged for gas supplied by them to consumers of gas within the Borough or credited for gas supplied for public lighting therein.

Prohibition  
of differential  
charges for  
gas.

Art. III.—(1) Notwithstanding anything in the Local Acts the quality of the gas supplied by the Corporation with respect to its illuminating power and the method of testing the quality of the gas so supplied shall be such as to comply with the conditions set out in the Second Schedule to this Order.

Quality and  
testing of  
gas.

(2) The Corporation shall at any time within two years after the date of the Act of Parliament confirming this Order if and when required by any consumer of gas supplied by the Corporation supply and fix free of charge to that consumer a sufficient number of flat flame burners suitable in all respects for the consumption of gas of the illuminating power prescribed by this Order in the place of any burners (not being incandescent burners) used by him at the said date Notice of the provisions of this sub-division of this Article shall be given on each

Free burners  
for gas of  
prescribed  
illuminating  
power.

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A.D. 1912. demand note of the Corporation for gas charges sent out during the said period.

*Salford Order.*

Additional borrowing powers for gas undertaking.

Art. IV. 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 the gas undertaking and of the district fund and general district rate of the Borough or upon either of those securities such further moneys not exceeding in the whole the sum of two hundred and fifty thousand pounds as may from time to time be required for the purposes of the gas undertaking.

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

Art. V. For the purpose of raising money in the exercise of the powers of borrowing conferred by 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 borrowed on mortgage under this Order.

Period for repayment of borrowed moneys.

Art. VI. The moneys borrowed under Article IV. of this Order shall be repaid within such period not exceeding sixty years from the date of borrowing as the Corporation with the sanction of the Local Government Board in each case determine and the period so determined and sanctioned is herein-after referred to as "the prescribed period" and shall with reference to the repayment of those moneys be the prescribed period for the purposes of this Order and of the Local Loans Act 1875.

Mode of repayment.

Art. VII.—(1) The Corporation shall repay the moneys borrowed under 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 those methods and partly by another or the others of them.

Formation maintenance and application of sinking fund.

(2) Subject to the provisions of Article VIII. of this Order if the Corporation determine to repay by means of a sinking fund any moneys borrowed under this Order the 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 the sinking fund is formed A sinking fund so formed is herein-after called an accumulating sinking fund.



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(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 but exclusive in every case of the securities of the Corporation and the Corporation shall be at liberty from time to time to vary and transpose the investments.

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*Order.*

(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 the sinking fund or the part of the 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 those 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.

Art. VIII.—(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

Increase  
reduction or  
discontinu-  
ance of pay-  
ments to  
sinking fund.

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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 in the opinion of the Local Government Board 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 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 approve.

(4) If in the opinion of the Local Government Board the amount in any sinking fund at any time together with the accumulations thereon (in the case of an accumulating sinking fund) will probably 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 the sinking fund until the Board 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 in connection with the gas undertaking as the Corporation with the consent of the Local Government Board may determine.

*Power to  
re-borrow.*

Art. IX.—(1) The Corporation shall have power—

- (a) to borrow for the purpose of paying off any moneys previously borrowed under this Order which are intended to be forthwith repaid; or
- (b) to borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Corporation in repaying moneys previously borrowed under this Order and which at the time of such repayment it was intended to replace by borrowed moneys.

(2) Any moneys borrowed under this Article shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the prescribed period which remains unexpired and the provisions which are for the time being applicable

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to the original loan shall apply to the moneys borrowed under this Article. A.D. 1912.

(3) The Corporation shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

—  
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*Order.*

(4) The Corporation shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

- (a) by instalments or annual payments; or
- (b) by means of a sinking fund; or
- (c) out of moneys derived from the sale of land; or
- (d) out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

Art. X. All moneys from time to time borrowed under 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 for or in connection with the gas undertaking in such manner as the Corporation with the approval of the Local Government Board determine. Application  
of borrowed  
moneys.

Art. XI.—(1) Subject to the provisions of this Article any mortgagee of the Corporation in respect of a mortgage under this Order may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver. 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:

Provided that no such application shall be entertained unless the amount of arrears due to the applicant or in the case of a joint application by two or more mortgagees to the applicants collectively be not less than five hundred pounds in the whole.

Art. XII.—(1) The town clerk 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 the Board and if required by the Board verified Return as to  
provision for  
repayment  
of debt.

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by statutory declaration of the town clerk showing for the year next preceding the making of the 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 the return the 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 that penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the 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 the 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 an authorised purpose the Board may by order direct that the sum in their order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as is mentioned in the said order and any such order shall be enforceable by writ of mandamus to be obtained by the Board out of the High Court.

*Application  
of gas  
revenue.*

Art. XIII. As from the Thirty-first day of March one thousand nine hundred and thirteen—

- (1) Sections 413 and 414 of the Act of 1862 shall be repealed :
- (2) The Corporation shall apply the moneys from time to time received by them by way of revenue from the gas undertaking in each year in the following manner and for the following purposes that is to say :—

First—In payment of the working and establishment expenses of the gas undertaking and the cost of the maintenance renewal and repair of the gasworks of the Corporation ;

Secondly—In payment of the interest on the moneys borrowed or re-borrowed for the purposes of the gas undertaking and (subject to the provisions of this Order)

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on any moneys standing to the credit of the reserve fund to be established under this Article which have been used by the Corporation for the said purposes;

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*Order.*

Thirdly—In providing for the discharge of the moneys borrowed or re-borrowed for the purposes of the gas undertaking in accordance with the provisions of the Acts or Orders which are applicable thereto;

Fourthly—In annual payment of the sum of two thousand and eighty-nine pounds and sixteen shillings to the credit of the borough fund of the Borough until the Thirty-first day of March One thousand nine hundred and thirty-eight when the moneys borrowed or re-borrowed by the Corporation as aforesaid under Section 391 of the Act of 1862 Section 16 of the Act of 1867 Section 90 of the Act of 1870 and Section 57 of the Act of 1875 for purposes other than purposes of the gas undertaking have been discharged;

Fifthly—In annual payment of the sum of ten thousand pounds to the credit of the district fund of the Borough;

Sixthly—In repayment as herein-after provided to the reserve fund to be established under this Article or to the district fund of the Borough of any sum which the Corporation may at any time after the said date have provided out of that fund for the purpose of making good a deficiency in the revenue of the gas undertaking;

Seventhly—In providing and maintaining a reserve fund for such purposes of the gas undertaking and subject to such limitations and conditions as are set out in the Third Schedule to this Order:

(3) The residue (if any) of the moneys received by way of revenue from the gas undertaking shall be carried forward to the revenue account of the gas undertaking for the next succeeding year and shall whenever and so soon as the amount so carried forward exceeds the sums required to meet the purposes secondly thirdly fourthly (so long as the same is payable) and fifthly above mentioned for one year be applied to the reduction of the price of gas supplied by the Corporation:

(4) The account or accounts of the depreciation fund established under Section 413 of the Act of 1862 shall be closed and any sums which at the said date are standing to the

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Order.*

credit of the said account or accounts shall be carried to the credit of the account of the reserve fund to be established in pursuance of this Article :

- (5) Any deficiency in the revenue of the gas undertaking in any year shall be made good out of the reserve fund to be established under this Article or if the reserve fund shall be insufficient for the purpose out of the district fund of the Borough and the amount of the deficiency shall in each case be a debt due to and shall be repaid to the reserve fund or the district fund as the case may be out of the future revenue of the gas undertaking.

Inspection of  
accounts of  
gas under-  
taking.

Art. XIV. The Corporation on or before the Twenty-fourth day of June in each year shall forward to the Council of the Borough of Eccles and each of the Councils of the Urban or Rural Districts comprised or partly comprised within the outside limits of supply an annual statement of the accounts of the gas undertaking made up to the Thirty-first day of March in the same year and the Corporation shall at the request of any of the said Councils if made within two months from the receipt of the said annual statement produce such books and accounts relating to the gas undertaking as may be necessary in verification of the said annual statement to any chartered accountant or member of the Society of Incorporated Accountants and Auditors appointed for the purpose by the Council by whom the request was made with the approval of the Corporation or in the event of the Corporation withholding their approval of the Local Government Board.

Inquiries and  
expenses.

Art. XV. 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 that 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 the 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.

Costs of this  
Order and of  
inquiry pre-  
liminary  
thereto.

Art. XVI. Notwithstanding anything in this Order the reasonable costs incurred by the Corporation and by the Council of the Borough of Eccles and by the Councils of any Urban and Rural Districts comprised or partly comprised within the outside limits of supply in respect of this Order and of the inquiry preliminary thereto as sanctioned by the Local Government Board shall be paid by the Corporation out of the revenue of the gas undertaking as if the

payment of the said costs were one of the purposes first mentioned in sub-division (2) of Article XIII. of this Order.

A.D. 1912.

*Salford*  
*Order.*

Art. XVII. This Order may be cited as the Salford Order 1912. Short title.

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The SCHEDULES above referred to.

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THE FIRST SCHEDULE.

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All that piece of land in the Township of Salford comprising the brickworks known as the Earl of Ellesmere's Brickworks Liverpool Street Salford which piece of land is bounded on the northerly side by Liverpool Street on the westerly side by West Egerton Street on the southerly side in part by the London and North Western Railway and in part by the Liverpool Street Wharf belonging or reputed to belong to the Right Honourable the Earl of Ellesmere and on the easterly side in part by the said Liverpool Street Wharf and in part by a line drawn parallel or nearly parallel to and at a distance of 0·93 of a chain or thereabouts from the easterly side of Wilna Terrace.

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THE SECOND SCHEDULE.

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1. The prescribed number of candles shall be fourteen.
2. The photometer to be used shall be that known as the bar photometer.
3. The standard burner to be used shall be the Metropolitan Argand Burner No. 2 or other burner approved by the Board of Trade.
4. The standard light to be used shall be that supplied by Harcourt's standard pentane ten-candle lamp consuming standard pentane.
5. The gas shall be consumed in the standard burner at the rate of five cubic feet per hour.
6. The gas under examination shall be kept burning at the said rate of five cubic feet per hour for at least fifteen minutes before any test is made.
7. The said Metropolitan Argand Burner No. 2 or such other burner as aforesaid shall when the test is made be so used as to obtain from the gas when consumed at the rate aforesaid the greatest possible amount of light.

[Ch. cxxxvi.] *Local Government Board's* [2 & 3 GEO. 5.]  
*Provisional Orders Confirmation (No. 10) Act, 1912.*

A.D. 1912.

*Salford  
Order.*

8. Each testing shall include ten observations of the photometer made at intervals of a minute.

9. The average of each set of ten observations shall be taken as representing the illuminating power of that testing and provision shall be made for the necessary corrections of the readings in consequence of variations in barometrical pressure and temperature.

10. The standard barometrical pressure shall be thirty inches of mercury and the standard temperature sixty degrees Fahrenheit.

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THE THIRD SCHEDULE.

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1. In this Schedule the expression "the reserve fund" means the reserve fund to be established in pursuance of this Order for the purposes of the gas undertaking.

2. Subject as herein-after provided the Corporation may from time to time carry to the credit of the reserve fund account from the revenue account of the gas undertaking such sums not exceeding in any one year the sum of seven thousand pounds as the Corporation may think fit in addition to any sums which the Corporation may be required to apply out of the revenue of the gas undertaking in payment to the reserve fund in accordance with the paragraphs secondly and sixthly of subdivision (2) of Article XIII. of this Order.

3. Subject as herein-after provided every sum standing to the credit of the reserve fund account and every sum received by way of interest on the investments of the reserve fund which is not immediately required for the purposes herein-after mentioned shall be invested by the Corporation 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 but exclusive in every case of the securities of the Corporation and the Corporation shall be at liberty from time to time to vary and transpose the investments.

4. The sum standing to the credit of the reserve fund account shall not at any time exceed the sum of seventy thousand pounds and so much of any sum payable by way of interest to the reserve fund which when added to the amount already standing to the credit of the reserve fund account would make up a total of more than seventy thousand pounds shall not be carried to the credit of the reserve fund.



[2 & 3 GEO. 5.] *Local Government Board's* [Ch. cxxxvi.]  
*Provisional Orders Confirmation (No. 10) Act, 1912.*

account but shall be carried to the credit of the revenue account of the gas undertaking and shall be applied to the purposes to which the revenue of the gas undertaking is applicable in pursuance of this Order. . . .

A.D. 1912.

*Salford*  
*Order.*

5. Any moneys standing to the credit of the reserve fund account may at any time be applied by the Corporation for any of the following purposes of the gas undertaking that is to say:—

In the payment of any expenses caused by accidents or contingencies or of any other extraordinary expenses; or

In the satisfaction of any extraordinary demand or claim; or

In the payment of the cost of the replacement or removal of plant or works or renewal of plant or works; or

In the payment of the cost not exceeding two thousand pounds in any financial year of the extension or improvement of the undertaking; or

In the making good of any deficiency in the revenue of the gas undertaking.

6. The Corporation may at any time use any moneys standing to the credit of the reserve fund account for any purpose (other than payments to the reserve fund) to which the revenue of the gas undertaking is applicable in pursuance of this Order and subject to the provisions of this Schedule the Corporation shall pay interest to the reserve fund out of the revenue of the gas undertaking on any moneys so used by them at the rate of three pounds per centum per annum.

Any moneys so used by the Corporation shall be deemed to continue to form part of the sum standing to the credit of the reserve fund account.

Given under the Seal of Office of the Local Government Board  
this Twentieth day of May One thousand nine hundred and  
twelve.

(L.S.)

JOHN BURNS President.  
H. C. MONRO Secretary.

[Ch. cxxxvi.] *Local Government Board's* [2 & 3 GEO. 5.]  
*Provisional Orders Confirmation (No. 10) Act, 1912.*

A.D. 1912.

LUDDENDEN FOOT JOINT SEWERAGE DISTRICT.

*Luddenden  
Foot Order.*

*Provisional Order for altering certain Confirming Acts.*

To the Luddenden Foot Joint Sewerage Board ;—

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

To the Urban District Council of Luddenden Foot ;—

To the Urban District Council of Midgley ;—

To the Urban District Council of Mytholmroyd ;—

To the Urban District Council of Sowerby ;—

And to all others whom it may concern.

60 & 61 Vict.  
c. cxi.  
62 & 63 Vict.  
c. cxlvii.

WHEREAS by the Luddenden Foot Joint Sewerage Orders 1897 and 1899 which were respectively confirmed by the Local Government Board's Provisional Orders Confirmation (No. 13) Act 1897 and the Local Government Board's Provisional Orders Confirmation (No. 9) Act 1899 (each of which Orders is herein-after referred to as the Order of the year in which it was made and all which Orders and Confirming Acts are herein-after referred to respectively as "the Orders" and "the Confirming Acts") and by the Order of the Local Government Board dated the Twenty-third day of February One thousand nine hundred and one (herein-after referred to as "the Adapting Order") the part of the Borough of Halifax which comprises the Warley Ward of that Borough and the Urban Districts of Luddenden Foot Midgley and Mytholmroyd constitute the United District called the Luddenden Foot Joint Sewerage District (herein-after referred to as "the United District") of which the governing body is the Luddenden Foot Joint Sewerage Board (herein-after referred to as "the Joint Board");

And whereas by virtue of the Orders and the Adapting Order the Joint Board consists of six ex-officio members and of six elected members representing the Councils of the said Borough and Districts (each of which Councils is herein-after referred to as a "Constituent Authority");

And whereas it is expedient that a part of the Urban District of Sowerby should be included in the United District and that the Orders should be altered as herein-after provided:

38 & 39 Vict.  
c. 55.

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

[2 & 3 GEO. 5.] *Local Government Board's* [Ch. cxxxvi.]  
*Provisional Orders Confirmation (No. 10) Act, 1912.*

Confirming Acts so far as they relate to the Orders shall be altered so that the following provisions shall take effect:—

A.D. 1912.

*Luddenden  
Foot Order.*

Art. I.—(1) The United District shall be extended so as to include the part of the Urban District of Sowerby which is described in the First Schedule to this Order.

Extension  
of United  
District.

(2) The expressions "Constituent District" or "Constituent Districts" and "Constituent Authority" or "Constituent Authorities" where they occur in the Orders shall be deemed to include the said part of the Urban District of Sowerby and the Urban District Council of Sowerby as the case may be.

(3) The particulars contained in the Second Schedule to this Order shall be substituted for the particulars contained in the Schedule to the Order of 1897 in lieu of the particulars contained in the Schedule to the Adapting Order and the Joint Board shall in future consist of seven ex-officio members and seven elective members.

(4) The provisions of Article X. of the Order of 1897 shall apply to the first election by the Urban District Council of Sowerby of the elective member of the Joint Board to which they are entitled under this Order as if such election related to the filling of a casual vacancy occurring on the day of the date of the Act of Parliament confirming this Order.

Art. II.—(1) The following provisions shall be substituted for subdivision (1) of Article XV. of the Order of 1897 that is to say:—

" (1) The expenses incurred by the Joint Board in carrying out the purposes for which the United District is formed shall except so far as is otherwise herein expressly provided be defrayed out of a common fund to be contributed by the Constituent Districts respectively in proportion to the number of inhabitants in each Constituent District.

Expenses of  
Joint Board.

" The number of inhabitants in each Constituent District other than the Constituent District consisting of part of the Urban District of Sowerby shall be ascertained from the last published census at the time of issuing the precepts for obtaining payment of the several contributions.

" The number of inhabitants in the Constituent District consisting of part of the Urban District of Sowerby shall be ascertained as follows:—

" The Constituent Authority of that Constituent District shall as soon as practicable after the publication of each census make and transmit to the Joint Board a return specifying the situation and description and the number of inhabitants of all premises within the area of the said Constituent District

[Ch. cxxxvi.] *Local Government Board's* [2 & 3 GEO. 5.]  
*Provisional Orders Confirmation (No. 10) Act, 1912.*

A.D. 1912.

*Luddenden  
Foot Order.*

“ at the time of the census The said Constituent Authority  
“ shall at the same time transmit a copy of the return to every  
“ other Constituent Authority.

“ Within twenty-one days after the receipt by a Constituent  
“ Authority of any such copy the Constituent Authority may  
“ by notice in writing addressed to the Joint Board and to  
“ every other Constituent Authority object to any entry in the  
“ said copy and unless within the said period of twenty-one  
“ days the objection is withdrawn the Joint Board shall inquire  
“ into the grounds of objection and shall confirm or amend the  
“ entry to which the objection relates and the determination of  
“ the Joint Board upon every such matter of inquiry shall be  
“ final and conclusive.

“ The entries in the return or where in pursuance of this  
“ subdivision the entries have been amended the entries as so  
“ amended shall form the basis whereon in relation to the said  
“ Constituent District the Joint Board for the purposes of any  
“ contribution to their expenses during any year until the  
“ publication of the next census shall assess and determine  
“ according to the rule set forth in this subdivision the pro-  
“ portionate amount of contribution in respect of which a precept  
“ shall be issued by the Joint Board to the Constituent Authority  
“ of that Constituent District.”

*Contribution  
to Common  
Fund.*

(2) Subdivision (2) of Article XV. of the Order of 1897 as altered by the Order of 1899 shall be further altered by the insertion of the words “or four” immediately after the words “two or three” and the proviso to subdivision (3) of that Article as altered by the Order of 1899 shall be further altered by the insertion of the words “or four” immediately after the words “two or three” wherever those words occur in the proviso as so altered.

*Short titles.*

Art. III. This Order may be cited as the Luddenden Foot Joint Sewerage Order 1912 and the Orders and the Adapting Order and this Order may be cited together as the Luddenden Foot Joint Sewerage Orders 1897 to 1912.

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The SCHEDULES above referred to.

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FIRST SCHEDULE.

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That part of the Urban District of Sowerby which is coloured yellow on three maps each of which is marked “Map showing the part of the Urban District of Sowerby included in the Luddenden

[2 & 3 GEO. 5.] *Local Government Board's* [Ch. cxxxvi.]  
*Provisional Orders Confirmation (No. 10) Act, 1912.*

"Foot Joint Sewerage District 1912" and sealed with the official seal of the Local Government Board. One of the said maps is deposited in the office of the Local Government Board and another of the said maps shall be deposited by the Clerk to the Luddenden Foot Joint Sewerage Board at his office and the remaining map by the Clerk to the Urban District Council of Sowerby at his office within one month from the date of this Order.

A.D. 1912.  
*Luddenden  
 Foot Order.*

SECOND SCHEDULE.

1. Name of District.	2. Name of Authority.	3. Ex-officio Members.		4. Elective Members.
		Number.	Description.	Number.
So much of the Borough of Halifax as comprises the Warley Ward of that Borough.	The Mayor Aldermen and Burgesses of the Borough of Halifax acting by the Council.	3	The three Councilors representing the Warley Ward of the Borough.	—
The Urban District of Luddenden Foot.	The Urban District Council of Luddenden Foot.	1	The Chairman of the District Council.	2
The Urban District of Midgley.	The Urban District Council of Midgley.	1	Ditto - -	2
The Urban District of Mytholmroyd.	The Urban District Council of Mytholmroyd.	1	Ditto - -	2
So much of the Urban District of Sowerby as comprises the area described in the First Schedule to this Order.	The Urban District Council of Sowerby.	1	Ditto - -	1

Given under the Seal of Office of the Local Government Board  
 this Sixteenth day of May One thousand nine hundred and  
 twelve.

(L.S.)

JOHN BURNS President.  
 H. C. MONRO Secretary.

[Ch. cxxxvi.] *Local Government Board's* [2 & 3 GEO. 5.]  
*Provisional Orders Confirmation (No. 10) Act, 1912.*

A.D. 1912.

URBAN DISTRICTS OF AWRE CIRENCESTER  
NEWNHAM TETBURY AND WESTBURY ON SEVERN  
AND  
RURAL DISTRICTS OF CHIPPING SODBURY  
CIRENCESTER EAST DEAN AND UNITED PARISHES  
GLOUCESTER LYDNEY AND TETBURY.

*South West  
Gloucester-  
shire United  
Districts  
(Medical  
Officer of  
Health)  
Order.*

*Provisional Order for partially repealing a Confirming Act.*

To the Urban District Councils of Awre Cirencester Newnham Tetbury and Westbury on Severn;—

To the Rural District Councils of Chipping Sodbury Cirencester East Dean and United Parishes Gloucester Lydney and Tetbury;—

And to all others whom it may concern.

6 Edw. 7.  
c. cvi.

WHEREAS by virtue of the South West Gloucestershire United Districts (Medical Officer of Health) Order 1906 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 7) Act 1906 (which Order and Act are herein-after respectively referred to as "the Order of 1906" and "the Confirming Act of 1906") and of the Regulations (herein-after referred to as "the Regulations") contained in an Order of the Local Government Board dated the Thirty-first day of August One thousand nine hundred and six the Urban Districts of Awre Cirencester Newnham Tetbury and Westbury on Severn and the Rural Districts of Chipping Sodbury Cirencester East Dean and United Parishes Gloucester Lydney and Tetbury (herein-after together referred to as "the Districts") were united for the purpose of appointing a Medical Officer of Health and a joint committee (herein-after referred to as "the Joint Committee") of representatives of the Councils of the Districts was constituted for the purposes of the Order of 1906 and of the Regulations;

And whereas it is expedient that the Order of 1906 should be repealed:

38 & 39 Vict.  
c. 55.

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 as follows:—

Commence-  
ment of  
Order.

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

[2 & 3 GEO. 5.] *Local Government Board's* [Ch. cxxxvi.]  
*Provisional Orders Confirmation (No. 10) Act, 1912.*

A.D. 1912.

Art. II. The Confirming Act of 1906 so far as it relates to the Order of 1906 shall be repealed and the Regulations shall be rescinded:

*South West  
Gloucester-  
shire United  
Districts  
(Medical  
Officer of  
Health)  
Order.*

Provided that notwithstanding the repeal and rescission aforesaid the Joint Committee and their Clerk shall continue in office for such period as may be necessary for the purpose of the ascertainment and payment of the liabilities of the Joint Committee and of the transfer of their assets to the Councils of the Districts and for the completion of any business outstanding at the commencement of this Order and that during that period so much of the Order of 1906 and of the Regulations as may be necessary for those purposes shall continue in force.

Partial  
repeal of  
Confirming  
Act.

Art. III. This Order may be cited as the South West Gloucester-  
shire United Districts (Medical Officer of Health) Order 1912. Short title.

Given under the Seal of Office of the Local Government Board  
this Sixteenth day of May One thousand nine hundred and  
twelve.

(L.S.)

JOHN BURNS President.

H. C. MONRO Secretary.

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