



CHAPTER lxxxii.

An Act to confirm certain Provisional Orders of the Local Government Board relating to Bury and the Bury and District Joint Hospital District. A.D. 1903.
[21st July 1903.]

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

38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Orders should be confirmed by Parliament and that the provisions herein contained should be enacted with reference thereto :

Be it therefore enacted by the 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 are hereby confirmed and all the provisions thereof shall have full validity and force. Orders in schedule confirmed.

2. Whereas by virtue of an Order (in this section referred to as "the County Council Order") made by the County Council of Lancaster (in this section referred to as "the county council") in pursuance of the Isolation Hospitals Act 1893 and dated the Fifth day of August one thousand eight hundred and ninety-seven and of the County of Lancaster (Tottington Urban District) Confirmation Order 1899 the Urban Districts of Radcliffe Ramsbottom Tottington and Whitefield and the Rural District of Bury (in this section referred to as "the constituent districts") constitute the Radcliffe Ramsbottom Whitefield and Bury Joint Hospital District (in this section referred to as "the Old Hospital District") Special provisions as to Radcliffe Ramsbottom Whitefield and Bury Joint Hospital District.

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A.D. 1903. District") for which a hospital committee (in this section referred to as "the Hospital Committee") has been formed :

And whereas by the Bury and District Joint Hospital Order 1903 (herein-after referred to as "the new Hospital Order") scheduled to this Act the Borough of Bury and the constituent districts are formed into a united district (in this section referred to as "the New Hospital District") for the purposes of the provision maintenance and management for the use of the inhabitants of the new hospital district of a hospital or hospitals for the reception of cases of infectious diseases of which district the governing body will be the Bury and District Joint Hospital Board (in this section referred to as "the Hospital Board") :

And whereas the Hospital Committee have purchased certain land (in this section referred to as "the Ainsworth site") situate in the parish of Ainsworth in the county of Lancaster and containing by admeasurement fifty-one acres or thereabouts and have provided thereon certain buildings for use as a hospital :

And whereas it is expedient that the Old Hospital District should be dissolved that the County Council Order should cease to have effect and that the other provisions in this section contained should be made :

Be it therefore enacted that on the day on which the Hospital Board hold their first meeting (in this section referred to as "the transfer day") the following provisions shall take effect:—

(1) The Old Hospital District shall be dissolved and subject to the provisions of this section the Hospital Committee shall be abolished and cease to exist and the County Council Order shall cease to have effect.

(2)—(a) The Ainsworth site and the hospital and other buildings thereon shall be transferred to and vest in the Hospital Board for all the estate and interest therein of the Hospital Committee and shall be held by the Hospital Board under and subject to the provisions of the Public Health Act 1875 for the purposes of the new Hospital Order and the said provisions shall apply and have effect as if the acquisition of the Ainsworth site and the hospital and other buildings thereon in pursuance of this subsection were a purpose of the constitution of the Hospital Board and all other property debts and liabilities which immediately before the transfer day are vested in or attach to the Hospital Committee shall be transferred to vested in and attach to the Hospital Board and shall

be held or possessed and satisfied or discharged by the Hospital Board as if the said property had been acquired and the said debts and liabilities had been incurred in pursuance of the Public Health Act 1875 for the purposes of the constitution of the Hospital Board Provided always that after the expiration of two years from the passing of this Act the present hospital buildings at Paddock Leach Farm shall not be used for the treatment of persons suffering from small-pox or any contagious or infectious disease and after the same period no small-pox patients shall be treated within a distance of two hundred and twenty-five yards from any part of any existing buildings outside the Ainsworth site.

(b) The Hospital Board shall at the expiration of a period of six months from the transfer day pay to the County Council the balance then outstanding of any loans advanced by the County Council to the Hospital Committee.

(3)—(a) If at the transfer day any action or proceeding or any cause of action or proceeding is pending or existing by or against the Hospital Committee the same shall not be in anywise prejudicially affected by reason of the provisions in this section contained but may be continued prosecuted or enforced by or against the Hospital Board as if the said action or proceeding or cause of action or proceeding related to a purpose of the constitution of the Hospital Board.

(b) Anything duly done or suffered and all contracts deeds bonds agreements and other instruments (subsisting on the transfer day) entered into or made by the Hospital Committee shall be of as full force and effect against or in favour of the Hospital Board and may be continued and enforced as fully and effectually as if instead of the Hospital Committee the Hospital Board in pursuance of the Public Health Act 1875 and in relation to a purpose of their constitution had done or suffered the same or been a party thereto.

(4)—(a) The Hospital Board the Constituent Authorities as defined in the new Hospital Order and any other authorities affected by this section may subject to the provisions of subsection (2) of this section make agreements for the purpose of adjusting any property debts and liabilities affected by this section and in default of an agreement as to any matter requiring adjustment for the purpose of this section the matter shall be referred to arbitration and the provision of subsections (1) (2) (3) (4) (5) and (7) of section 62 of

A.D. 1903. — the Local Government Act 1888 shall with the necessary modifications apply to and for the purposes of any adjustment under this subsection and for the purposes of any such adjustment the Hospital Committee shall act and continue to act so long as the circumstances of the case require.

(b) The payment of any capital sum required to be made by the Hospital Board for any purpose of this section or for the purpose of any adjustment under this subsection and under the provisions made applicable to adjustments by this subsection shall be a purpose for which the Hospital Board may borrow under the provisions of the Public Health Act 1875 and the last-mentioned provisions shall apply and have effect as if the said purpose were a purpose of the constitution of the Hospital Board.

(5) The Accounts of the Hospital Committee and their committees and officers up to the transfer day shall be audited in like manner and subject to the like incidents and consequences as if this Order had not been made and the Hospital Committee and their committees and officers shall be deemed for the purpose of the audit to continue in office after the transfer day and be bound in relation to the audit to perform the same duties and render the same accounts and be subject to the same liabilities as before the transfer day :

Provided that such audit may be held as soon as practicable after the transfer day any statutory provision or regulation as to the time of holding the audit to the contrary notwithstanding :

Provided also that any sum certified by the District Auditor which would have been required to be paid to the treasurer of the Hospital Committee shall be paid to the treasurer of the Hospital Board.

(6)—(a) The provisions of subsection (13) of Section 118 and of Section 119 of the Local Government Act 1888 shall apply to all persons who on the transfer day hold office as officers or servants of the Hospital Committee with such modifications as are necessary to make these provisions applicable to the said officers and servants and to the Hospital Board.

(b) Every officer and servant who by virtue of this section or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary shall be entitled to have compensation paid to him by the Hospital Board and in determining such compensation and the compensation payable to any person who becomes

entitled to compensation in pursuance of paragraph (a) of this subsection regard shall be had to the conditions and other circumstances required by subsection (1) of Section 120 of the Local Government Act 1888 to be had in regard in cases of compensation under that section and the compensation shall not exceed the limit therein mentioned and shall be paid out of the common fund of the Hospital Board and the provisions of subsections (2) to (7) of the said Section 120 shall apply with such modifications (if any) as may be required. Provided that the non-acceptance of any office shall not be a bar to the right of any officer to compensation.

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(c) Any officer or servant whose services are dispensed with by the Hospital Board within two years after the transfer day because his services are not required or whose salary is reduced on the ground that his duties have been diminished in consequence of this section shall be deemed to have suffered a direct pecuniary loss in consequence of the section.

3. This Act may be cited as the Local Government Board's *Short title.*
Provisional Orders Confirmation (No. 17) Act 1903.

A.D. 1903.

SCHEDULE.

BOROUGH OF BURY.

Bury Order.

Provisional Order for altering certain Local Acts.

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

And to all others whom it may concern.

62 & 63 Vict.
c. lxxx.
1 Edw. 7.
c. exiii.

WHEREAS the Borough of Bury (herein-after referred to as “ the Borough ”) is an Urban Sanitary District of which the Mayor Aldermen and Burgesses acting by the council (herein-after referred to as “ the Corporation ”) are the Urban Sanitary Authority and the unrepealed provisions of the Bury Corporation Act 1899 and of the Bury Corporation Act 1901 (each of which Acts is herein-after separately referred to as the Act of the year in which it was passed and which Acts are herein-after collectively referred to as “ the Local Acts ”) are in force in the Borough ;

And whereas by Section 21 of the Act of 1899 the Corporation were empowered to enter upon take use and appropriate the lands in that section described and to erect thereon hospitals for infectious diseases and to rebuild or enlarge their existing hospital for infectious diseases on the lands secondly described or referred to in that section (such last-mentioned lands being the site of the Florence Nightingale Hospital) but it was provided that small-pox patients should not be treated at such hospitals ;

And whereas by Section 5 of the Act of 1901 the Corporation were empowered to enter on take and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference which lands included the lands described in the Third Schedule to that Act ;

And whereas by Section 15 of the Act of 1901 the Corporation were empowered to appropriate and utilise the lands described in the Third Schedule to that Act or some part thereof for the purposes therein mentioned including as to the lands firstly described in the said schedule for additions to the Florence Nightingale Hospital and the Corporation were further empowered to erect and fit up equip and maintain on such lands all necessary buildings for such purpose ;

And whereas the Corporation have in pursuance of the Local Acts purchased the lands described in the schedule hereto (herein-after referred to as “ the Hospital Lands ”) and have erected or are erecting thereon hospitals

for the reception of cases of infectious diseases other than small-pox which hospitals are known and in this Order are referred to as "the Florence Nightingale Hospital" and "the Deardens Hospital";

A.D. 1903.
Bury Order.

And whereas the Local Government Board by the Bury and District Joint Hospital Order 1903 (herein-after referred to as "the Hospital Order") made in pursuance of Section 279 of the Public Health Act 1875 have formed the Borough the Urban Districts of Radcliffe Ramsbottom Tottington and Whitefield and the Rural District of Bury into a United District (herein-after referred to as "the Hospital District") to be called the Bury and District Joint Hospital District for the purposes of the provision maintenance and management for the use of the inhabitants of the Borough and the said Urban and Rural Districts of a hospital or hospitals for the reception of cases of infectious diseases;

And whereas the Hospital Order provides for the constitution of the Bury and District Joint Hospital Board (herein-after referred to as "the Joint Board") as the governing body of the Hospital District;

And whereas it is expedient that the Hospital Lands with the Florence Nightingale Hospital and the Deardens Hospital thereon and all liabilities and contracts attaching or relating thereto should be transferred from the Corporation to the Joint Board:

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that on and after the day on which the Joint Board hold their first meeting the Local Acts shall be altered so that the following provisions shall have effect viz.,—

38 & 39 Vict.
c. 55.

Art. I.—(1) The Hospital Lands and the Florence Nightingale Hospital and the Deardens Hospital erected thereon shall be transferred to and vest in the Joint Board for all the estate and interest therein of the Corporation and shall be held by the Joint Board under and subject to the provisions of the Public Health Act 1875 for the purposes of the Hospital Order and the said provisions shall apply and have effect as if the acquisition of the Hospital Lands and the Florence Nightingale Hospital and the Deardens Hospital in pursuance of this subdivision were a purpose of the constitution of the Joint Board.

Transfer of
lands and
hospitals to
Joint Board.

(2) The Joint Board shall pay to the Corporation out of the common fund of the Hospital District in consideration of such transfer such sum as shall be agreed upon or as in default of agreement shall be settled by arbitration in the manner provided by the Public Health Act 1875 and for the purposes of this subdivision the provisions of that Act shall with the necessary modifications apply and have effect as if the matter were one which by the said Act is authorised or directed to be settled by arbitration.

Consideration
for transfer.

(3) The Corporation shall apply the sum received from the Joint Board in pursuance of subdivision (2) of this Article in repayment of the moneys obtained by the Corporation for the purpose of defraying any capital

Application
of moneys
received by
Corporation.

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A.D. 1903. expenditure of or in connexion with the purchase of the Hospital Lands and
Bury Order. the erection of the Deardens Hospital.

Transfer of
liabilities.
Saving for
contracts &c.

Art. II. All liabilities vested in or attaching to the Corporation in relation to the Hospital Lands and the Florence Nightingale Hospital and the Deardens Hospital shall be transferred to vested in and attach to the Joint Board and all contracts deeds bonds and other instruments (subsisting at the date of the said transfer) entered into or made by the Corporation in relation to the Hospital Lands and the Florence Nightingale Hospital and the Deardens Hospital shall be of as full force and effect against or in favour of the Joint Board and may be continued and enforced as fully and effectually as if instead of the Corporation the Joint Board had done or suffered the same or been a party thereto and as if the said liabilities had been incurred and the said contracts deeds bonds or other instruments had been entered into executed or made or had effect in pursuance of the Public Health Act 1875 for the purposes of the constitution of the Joint Board.

Short title. Art. III. This Order may be cited as the Bury (Transfer of Hospitals)
Order 1903.

The SCHEDULE above referred to.

All those plots pieces or parcels of land situate in the Parish of Bury in the County of Lancaster containing by admeasurement fourteen acres and thirty-eight poles or thereabouts and bounded as follows that is to say northerly by the Lancashire and Yorkshire Railway southerly and easterly by land belonging or reputed to belong to the Right Honourable Frederick Arthur Earl of Derby K.G. and westerly partly by land in lease to the Lancashire and Yorkshire Railway Company and partly by other land belonging or reputed to belong to the said Earl of Derby.

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

(L.S.)

WALTER H. LONG President.
S. B. PROVIS Secretary.

BURY AND DISTRICT JOINT HOSPITAL DISTRICT. A.D. 1903.

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

To the Mayor Aldermen and Burgesses of the Borough of Bury ; —
To the Urban District Council of Radcliffe ; —
To the Urban District Council of Ramsbottom ; —
To the Urban District Council of Tottington ; —
To the Urban District Council of Whitefield ; —
To the Rural District Council of Bury ; —
And to all others whom it may concern.

WHEREAS the Urban Sanitary Authority and the district councils named
in column 2 of the Schedule to this Order are the local authorities within
the meaning of the Public Health Act 1875 for the districts named in
column 1 of that Schedule : 38 & 39 Vict.
c. 55.

Now therefore We the Local Government Board in pursuance of the
powers given to Us by Section 279 of the said Act and by any other Statutes
in that behalf do hereby order as follows viz.,—

Art. I. In this Order—

Definitions.

- (1) The expression “ the appointed day ” means the date of the Act of
Parliament confirming this Order ;
- (2) The expression “ the Schedule ” means the Schedule to this Order ;
- (3) The expression “ the Act ” means the Public Health Act 1875 ;
- (4) The expression “ Constituent District ” means a district named in
column 1 of the Schedule and the expression “ Constituent Districts ”
means all the districts so named ;
- (5) The expression “ Constituent Authority ” means the Urban
Sanitary Authority or a district council named in column 2 of the
Schedule and the expression “ Constituent Authorities ” means the
said urban sanitary authority and all the district councils so named ;
- (6) The expression “ the Joint Board ” means the governing body of
the United District to be formed in pursuance of this Order.

Art. II. This Order shall come into operation from and after the
appointed day. Commence-
ment of Order.

Art. III. The Constituent Districts shall be formed into a United Formation
of district.
District to be called the Bury and District Joint Hospital District for
the purposes of the provision maintenance and management for the use of
the inhabitants of the Constituent Districts of a hospital or hospitals for the
reception of cases of infectious diseases.

Art. IV. The Joint Board shall consist of one ex-officio and fourteen Constitution
of governing
body.
elective members and shall be called the Bury and District Joint Hospital
Board.

Bury and District Order.
Ex-officio and elective members.

Art. V. The ex-officio member shall be the person described in column 3 of the Schedule and the elective members shall be elected by the Constituent Authorities.

Number and qualification of elective members.

Art. VI. The number of members of the Joint Board to be elected by each Constituent Authority shall be that set opposite to the name of the Constituent Authority in column 4 of the Schedule and the said members shall be chosen by each Constituent Authority from among their own members.

Disqualifications for members.
56 & 57 Vict. c. 73.

Art. VII. Such of the provisions of Section 46 of the Local Government Act 1894 as relate to members of councils of districts other than boroughs shall with the necessary modifications apply to members of the Joint Board.

Date of first election.

Art. VIII. The first election of members of the Joint Board shall take place at a meeting of each Constituent Authority to be held within six weeks from the appointed day or within such further time as the Local Government Board may allow and seven days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the clerk to that authority.

Notification to Local Government Board of members first elected.

Art. IX. The clerk to each Constituent Authority shall notify in writing to the Local Government Board within seven days after the first election has taken place the names address and occupation of each of the persons elected by the Constituent Authority as a member of the Joint Board.

Tenure of office of members.

Art. X. An elective member of the Joint Board shall continue in office until the expiration of the period for which he was elected a member of the Joint Board or until he dies or resigns or ceases to be a member of the Constituent Authority as a member of which he was qualified to be elected or otherwise becomes disqualified or until he becomes an ex-officio member of the Joint Board whichever shall first happen :

Provided always that an elective member shall not continue in office for a longer period than three years without re-election and a member who ceases to hold office by reason of the expiration of his period of office or by reason of his resignation or disqualification or ceasing to be a member of the said Constituent Authority shall subject to the provisions of Article VII. of this Order be re-eligible as a member of the Joint Board if at the time of re-election he is qualified to be so re-elected.

Supply of vacancies.

Art. XI. Any vacancy occurring amongst the elective members of the Joint Board by death resignation disqualification or otherwise shall be filled up by the Constituent Authority in whose representation the vacancy happens at a meeting to be held within six weeks of the occurrence of the vacancy or within such further period as the Local Government Board determine and seven days' previous notice in writing of the said meeting shall be given or sent to each member of the Constituent Authority by the clerk to that authority and the clerk shall forthwith notify in writing to the clerk to the Joint Board the names address and occupation of the person elected to fill the said vacancy.

Art. XII.—(1) The time and place of holding the first meeting of the Joint Board shall be fixed by the Local Government Board and the subsequent ordinary meetings of the Joint Board shall be held at such times and places as the Joint Board may appoint and at all meetings of the Joint Board five members shall constitute a quorum. A.D. 1903.
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District Order.
Meetings.

(2) An extraordinary meeting shall be summoned by the clerk to the Joint Board when a requisition for that purpose is addressed to him by the chairman or any three members of the Joint Board.

(3) The requisition shall be in writing and no business other than that specified in the requisition shall be transacted at such extraordinary meeting.

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

(5) The Joint Board may appoint committees consisting of members of the Joint Board for the exercise of any powers which in the opinion of the Joint Board can be properly exercised by committees but the acts of every such committee shall unless otherwise directed by the Joint Board be submitted to the Joint Board for approval. Provided that a committee so appointed shall in no case be authorised to borrow money or to issue any precept for contributions or to enter into any contract and any such committee shall be subject to the provisions of Part IV. of the First Schedule to the Local Government Act 1894 so far as they are applicable. Committees.

Art. XIII. The Joint Board shall at their first meeting or at an adjournment thereof and thereafter as occasion requires appoint a chairman (who shall subject to the provisions of Articles VII. and X. of this Order continue chairman for such period not exceeding three years as may be determined by the Joint Board at the time of his appointment) a treasurer and a clerk and they may appoint one or more medical officers who shall be registered medical practitioners and such other officers and servants as they think requisite. The Joint Board may pay their treasurer clerk medical officers and other officers and servants such reasonable remuneration as they deem expedient and every such treasurer clerk medical officer and other officer and servant shall be removable by the Joint Board at their pleasure. Appointment
of chairman
and appoint-
ment and
remuneration
of officers.

Art. XIV.—(1) Persons shall be admitted into a hospital provided by the Joint Board in any of the following modes and not otherwise except with the consent of the Constituent Authorities viz.,— Mode of ad-
mission into
hospitals.

- (a) By an order of the Joint Board or of a Constituent Authority;
- (b) By an order of a medical officer of health of a Constituent Authority;
- (c) By an order of a medical officer appointed by the Joint Board; or
- (d) By an order of a justice made under the provisions of Section 124 of the Act with the consent required by that section.

(2) If the board of guardians of the poor of the Bury Union and the Joint Board agree for the reception into the hospital of persons in the receipt of relief

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from that board of guardians any such person may be admitted into the hospital in the manner and on the terms prescribed in the agreement.

Art. XV. For the purposes of this Order the following sections of the Act the Public Health (Officers) Act 1884 and the Public Health (Members and Officers) Act 1885 shall apply and the Joint Board shall have exercise perform and be subject to all the powers rights duties capacities liabilities and obligations of an Urban District Council under the same sections so far as the same are applicable viz.,—

Of the Act:—

Sections 122 123 131 and 132 relating to infectious diseases and hospitals.

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

Sections 175 176 and 177 relating to purchase sale and letting of lands.

Sections 179 to 181 relating to arbitration.

Sections 192 to 197 and Sections 205 and 206 (except so much of Section 206 as requires the publication in a local newspaper of the annual report) relating to officers provision of offices and conduct of business of local authorities.

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

Sections 251 253 and 254 and Sections 258 to 263 and 265 to 267 and Section 269 as amended by the Summary Jurisdiction Act 1884 relating to legal proceedings.

Section 298 as to costs of Provisional Orders.

Sections 306 to 309 including miscellaneous provisions.

47 & 48 Vict.
c. 74.

Of the Public Health (Officers) Act 1884:—

Section 2.

48 & 49 Vict.
c. 53.

Of the Public Health (Members and Officers) Act 1885:—

Section 2.

Power of Local Government Board to make regulations for prevention of epidemic diseases.

Art. XVI. The Joint Board shall for the purpose of the sections of the Act with regard to the "Prevention of epidemic diseases" be a local authority so as to enable the Local Government Board by any regulations under those sections to confer powers and to impose duties on the Joint Board and so far as regards any powers so conferred and any duties so imposed but nothing in this Order contained shall prevent the Local Government Board from imposing any duties by any regulations under the said sections on any Constituent Authority or affect the powers of any Constituent Authority so far as the same may be required to be exercised in pursuance of the said regulations.

Saving hospital powers of Constituent Authorities till hospital provided.

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

Art. XVIII. A copy of Section 132 of the Act shall be hung up in a conspicuous place at the principal entrance of the hospital or hospitals.

Art. XIX.—(1) All the expenses incurred by the Joint Board shall be classified as structural expenses patients' expenses and establishment expenses—

- (a) Structural expenses shall include all expenses of and connected with the acquisition of the site of a hospital the provision thereon of a hospital with all necessary furniture appliances and fittings any permanent extension or enlargement of a hospital any alteration or repair of the drainage of a hospital and any structural repairs to a hospital but shall not include ordinary repairs painting cleaning or the renewal or keeping in order of the furniture appliances or fittings of a hospital or the supply of new furniture appliances or fittings ;
- (b) Patients' expenses shall include all the expenses incurred in and about the maintenance and care of the patients in the hospital or hospitals and in and about their medical treatment (except so far as the same shall be included in the salaries of the medical officer or officers and permanent nurse or nurses) and in and about the clothing conveyance to and from the hospital burials and funerals of patients and shall also include during any day on which a patient or patients may have been in the hospital the remuneration and rations of temporary nurses but shall not include any structural expenses as herein-before defined or the cost of the repairs to a hospital or to the furniture appliances and fittings thereof or the salaries remuneration or rations of the officers or servants other than temporary nurses ;
- (c) Establishment expenses shall include all the expenses incurred by the Joint Board other than structural expenses and patients' expenses as herein-before defined.

(2) All the expenses incurred by the Joint Board shall be paid out of a common fund to which shall be paid the sums received from the Constituent Authorities in respect of patients' expenses and establishment expenses and the sums recovered by the Joint Board from or repaid to the Joint Board by or for patients.

(3) Each Constituent Authority shall contribute to the common fund as regards structural expenses in connexion with any hospital provided by the Joint Board in the proportion which the number of inhabitants in the Constituent District of the Constituent Authority bears to the total number of inhabitants of the Constituent Districts and for the purposes of this Article the number of inhabitants shall in each case be the number according to the returns of the last census prior to the issue of precepts of the Joint Board for contributions from the Constituent Authorities.

(4) After payment of any amount which the Urban District Council of Tottington or the Rural District Council of Bury are required by subdivision (3) of this Article to pay in respect of structural expenses each of

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A.D. 1903. those Councils shall pay to or receive from the other Council the proportionate sum required to adjust the actual payment by each Council in pursuance of the said subdivision to the amount which each Council should contribute according to any agreement which the said Councils are hereby empowered to make for determining their respective shares of the aggregate amount of the claims upon the two Councils in respect of the aforesaid expenses Provided that in default of agreement the several sums which the Councils shall pay or receive in pursuance of this subdivision shall be determined upon the basis of an allocation to each Council of so much of the aggregate amount of the claims upon the two Councils in respect of the said expenses as is in the proportion which the number of inhabitants in the district of the said Council bears to the total number of inhabitants of the districts of the said Councils and for the purposes of this subdivision the number of inhabitants shall in each case be the number according to the returns of the last census prior to the issue of the precepts of the Joint Board requiring payment of the expenses in question.

Calculation
and payment
of patients'
expenses and
establishment
expenses.

Art. XX. Patients' expenses and establishment expenses shall be ascertained and paid as follows viz.,—

- (1) Within twenty-one days after the Thirty-first day of March and the Thirtieth day of September in each year the Joint Board shall ascertain in respect of (i.) patients' expenses and (ii.) establishment expenses the average daily outlay on account of each patient during the previous half-year :
- (2) The clerk to the Joint Board shall within twenty-eight days after the Thirty-first day of March and the Thirtieth day of September in each year transmit to the clerk to each Constituent Authority an account showing in respect of the patients received into the hospital from the district of such authority after deducting any sums received by the Joint Board from or repaid to the Joint Board by or for those patients—
 - (a) the name of each patient ;
 - (b) the number of days during such half-year each patient has remained in the hospital ; and
 - (c) the amount (calculated according to the daily averages ascertained as aforesaid) due from the Constituent Authority in respect of patients' expenses and establishment expenses :
- (3) In any quarter during which there have been no patients' expenses the clerk to the Joint Board shall apportion the establishment expenses in respect of that quarter between the Constituent Authorities in the manner in which structural expenses are required by Article XIX. of this Order to be apportioned between the Constituent Authorities and shall in the said account show the amount thus ascertained to be due from each Constituent Authority in respect of the quarter :

(4) The amount shown by the said account to be due in accordance with subdivisions (1) and (2) of this Article shall be paid by the Constituent Authority from whose district the said patients have been received into the hospital and the amount shown by the said account to be due from each Constituent Authority in accordance with subdivision (3) of this Article shall be paid by that Constituent Authority and all such amounts shall be included in the precepts which the Joint Board issue to the Constituent Authorities respectively under Section 284 of the Act stating the sums to be contributed by the Constituent Authorities towards the common fund of the district and in case of default shall be recovered in like manner as the sums to be contributed towards the said common fund.

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*Bury and
 District Order.*

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

Inspection of
 accounts.

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

Auditor's
 report and
 abstract of
 accounts.

Art. XXIII. If at any time hereafter any new district is formed including the whole or any part of a Constituent District or the boundaries of a Constituent District are otherwise altered or a Constituent District is created or included in a municipal borough or any repeal or alteration is made in the law affecting the United District or the Joint Board or a Constituent District or Constituent Authority in matters touching their relation to the United District or the Joint Board then and in every such case the Local Government Board may by order to be published as they shall direct make such provision as to them seems fit for adapting the provisions of this Order to the alteration so made and to the incidents and consequences thereof and every such order shall have effect as if the terms thereof were inserted in this Order.

Power of Local
 Government
 Board to adapt
 provisions of
 Order on
 alterations of
 Constituent
 Districts.

Art. XXIV. In case of difference respecting any matter arising out of the provisions of this Order the difference except in any case otherwise herein provided for shall be referred to and be settled by arbitration in the manner provided by the Act and the provisions of the Act shall with the necessary modifications apply as if the Joint Board or a Constituent Authority as the case may be were a party within the meaning of those provisions.

Settlement
 of differences.

Art. XXV. This Order may be cited as the Bury and District Joint Hospital Order 1903.

Short title.

A.D. 1903.

The SCHEDULE above referred to.

*Bury and
District Order.*

1. Name of District.	2. Name of Urban Sanitary Authority or District Council.	3. Ex-officio Member.		4. Elective Members.
		Number.	Description.	Number.
The Borough of Bury.	The Mayor Aldermen and Burgesses of the Borough of Bury acting by the Council as the Urban Sanitary Authority for the Borough.	1	The Mayor or in the event of his being unwilling to act then the Deputy-Mayor.	6
The Urban District of Radcliffe.	The Urban District Council of Radcliffe.	—	—	3
The Urban District of Ramsbottom.	The Urban District Council of Ramsbottom.	—	—	2
The Urban District of Tottington.	The Urban District Council of Tottington.	—	—	1
The Urban District of Whitefield.	The Urban District Council of Whitefield.	—	—	1
The Rural District of Bury.	The Rural District Council of Bury.	—	—	1

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

(L.S.)

WALTER H. LONG President.
S. B. PROVIS Secretary.

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