



CHAPTER clxi.

An Act to confirm certain Provisional Orders of the Local Government Board relating to Guildford New Sarum and the County of Wilts. A.D. 1904.
[15th August 1904.]

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

51 & 52 Vict.
c. 41.

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

Be it therefore enacted by the 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 as altered and set out in the schedule hereto shall be and the same are hereby confirmed and all the provisions thereof shall have full validity and force. Orders
in schedule
confirmed.

2. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 11) Act 1904. Short title.

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SCHEDULE.

BOROUGH OF GUILDFORD.

*Guildford
Order.*

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

- To the Mayor Aldermen and Burgesses of the Borough of Guildford ;—
- To the Court of Quarter Sessions for the said Borough ;—
- To the Justices of the Peace for the said Borough ;—
- To the Justices of the Peace for the County of Surrey in Quarter Sessions assembled ;—
- To the County Council of Surrey ;—
- To the Rural District Council of Guildford ;—
- To the Guardians of the Poor of the Guildford Union ;—
- To the Parish Councils of Artington Stoke-next-Guildford and Worplesdon ;—
- To the Overseers of the Poor of each of the Parishes of Artington Holy Trinity Guildford Saint Mary's Guildford Saint Nicolas Stoke Within Stoke-next-Guildford The Friary and Worplesdon ;—
- To the Joint Committee appointed by the Council of the Borough of Guildford and the Parish Council of Artington and exercising the powers and duties of the authority under the Burial Acts 1852 to 1900 ;—
- To the Joint Committee appointed by the Council of the Borough of Guildford and the Parish Council of Stoke-next-Guildford and exercising the powers and duties of the authority under the Burial Acts 1852 to 1900 ;—

And to all others whom it may concern.

51 & 52 Vict.
c. 41.

WHEREAS by Section 54 of the Local Government Act 1888 the Local Government Board are empowered to make a Provisional Order for altering the boundary of any Borough and by such Order to divide or alter any electoral division ;

And whereas the Borough of Guildford is a Borough within the meaning of the Local Government Act 1888 and the inhabitants are a body corporate by the name of the Mayor Aldermen and Burgesses of the Borough of Guildford and act by the Council of the said Borough which now consists of

the Mayor (who is also a Councillor) four Aldermen and eleven other Councillors ;

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And whereas the said Borough is for the purposes of the election of Councillors divided into four wards ;

And whereas the said Borough is an Urban District of which the Mayor Aldermen and Burgesses acting by the Council are the Urban District Council ;

And whereas the said Borough has a separate court of quarter sessions commission of the peace police force recorder and coroner ;

And whereas in pursuance of the Education Act 1902 the Council of the said Borough are the local education authority for the purposes of Part III. of that Act and the County Council of Surrey are the local education authority for the other purposes of that Act ;

2 Edw. 7. c. 42.

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

And whereas the Urban District Council have adopted the provisions of—

The Public Health Acts Amendment Act 1890 ; and

The Private Street Works Act 1892 ;

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

and those provisions are accordingly in force in the said Borough ;

And whereas the Parishes of Artington Stoke - next - Guildford and Worplesdon are contributory places in the Rural District of Guildford and are subject to the jurisdiction of the Rural District Council of Guildford ;

And whereas the said Rural District Council have adopted the provisions of Part III. of the Public Health Acts Amendment Act 1890 which are applicable to Rural Districts and those provisions are accordingly in force in the said Rural District ;

53 & 54 Vict.
c. 59.

And whereas the Lighting and Watching Act 1833 has been adopted in parts of the said Parishes of Artington and Stoke-next-Guildford ;

3 & 4 Will. IV.
c. 90.

And whereas the said Borough comprises the Parishes of Holy Trinity Guildford Saint Mary's Guildford Saint Nicolas Stoke Within and The Friary and those parishes and the said Parishes of Artington Stoke-next-Guildford and Worplesdon are included in the Guildford Union and two Guardians are elected for the said Parish of Saint Nicolas one Rural District Councillor is elected for the said Parish of Artington three Rural District Councillors are elected for the said Parish of Stoke-next-Guildford and two Rural District Councillors are elected for the said Parish of Worplesdon ;

And whereas the said Parishes of Artington Stoke-next-Guildford and Worplesdon are Rural Parishes within the meaning of the Local Government Act 1894 for which Parish Councils have been established ;

[Ch. clxi.] *Local Government Board's* [4 EDW. 7.]
Provisional Orders Confirmation (No. 11) Act, 1904.

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And whereas in pursuance of the Education Act 1902 the said Parishes of Artington Stoke-next-Guildford and Worplesdon form part of the area of the County Council of Surrey as the local education authority ;

15 & 16 Vict.
c. 85.
63 & 64 Vict.
c. 15.

And whereas by virtue of sub-section (2) of Section 53 of the Local Government Act 1894 the powers and duties of the authority under the Burial Acts 1852 to 1900 for an area now comprised in the said Parishes of Artington Holy Trinity Guildford Saint Mary's Guildford and Saint Nicolas and for an area now comprised in the Parishes of Stoke-next-Guildford and Stoke Within were transferred to the Council of the said Borough and the Parish Council of Artington in the one case and to the Council of the said Borough and the Parish Council of Stoke-next-Guildford in the other case and the said powers and duties are in each case exercised by a Joint Committee appointed in pursuance of the said sub-section ;

And whereas the number of County Councillors for the County of Surrey is fifty-nine of which number two are apportioned to the said Borough and the said Borough has accordingly been divided into two electoral divisions termed respectively the Guildford No. 1 Electoral Division and the Guildford No. 2 Electoral Division and the said Parishes of Artington and Worplesdon are included in the Worplesdon Electoral Division and the said Parish of Stoke-next-Guildford is included in the Ripley Electoral Division of the said County :

51 & 52 Vict.
c. 41.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 54 and 59 of the Local Government Act 1888 and by any other enactments in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the following provisions shall take effect :—

Definitions.

Art. I. In this Order—

- (1) The expression "the commencement of this Order" means the Ninth day of November One thousand nine hundred and four ;
- (2) The expression "the existing Borough" means the Borough of Guildford as it existed immediately prior to the commencement of this Order ;
- (3) The expression "the Borough" means the existing Borough as extended by this Order ;
- (4) The expression "the Corporation" means the Mayor Aldermen and Burgesses of the existing Borough or of the Borough (as the context may require) acting by the Council ;
- (5) The expressions "the Rural District" and "the Rural Council" mean respectively the Rural District of Guildford and the Rural District Council of that district ;
- (6) The expressions "the County" and "the County Council" mean respectively the Administrative County of Surrey and the County Council of that County ;
- (7) The expression "the Guildford and Artington Burial Committee" means the Joint Committee appointed as aforesaid for the

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purposes of the Burial Acts 1852 to 1900 by the Council of the existing Borough and the Parish Council of Artington the expression "the Guildford and Artington Burial Area" means the area within the jurisdiction of the Guildford and Artington Burial Committee and comprised in the Parishes of Artington Holy Trinity Guildford Saint Mary's Guildford and Saint Nicolas the expression "the Guildford and Stoke-next-Guildford Burial Committee" means the Joint Committee appointed as aforesaid for the purposes of the Burial Acts 1852 to 1900 by the Council of the existing Borough and the Parish Council of Stoke-next-Guildford and the expression "the Guildford and Stoke-next-Guildford Burial Area" means the area within the jurisdiction of the Guildford and Stoke-next-Guildford Burial Committee and comprised in the Parishes of Stoke-next-Guildford and Stoke Within the expression "the Burial Committees" means the Guildford and Artington Burial Committee and the Guildford and Stoke-next-Guildford Burial Committee and the expression "the Burial Areas" means the Guildford and Artington Burial Area and the Guildford and Stoke-next-Guildford Burial Area ;

- (8) The expression "the Borough maps" means the two maps each marked "Map of the Borough of Guildford as extended 1904" and signed by James Tynte Agg-Gardner Esquire M.P. the Chairman of the Committee of the House of Commons to whom the Bill for the Act to confirm this Order was referred ;
- (9) The expression "the Ward maps" means the two maps each marked "Map of the Wards of the Borough of Guildford as extended 1904" and signed by James Tynte Agg-Gardner Esquire M.P. the Chairman of the Committee of the House of Commons to whom the Bill for the Act to confirm this Order was referred ;
- (10) The expression "the added areas" means the parts of the Rural District added to the existing Borough by this Order ;
- (11) The expressions "the added part of Artington" and "the added part of Stoke-next-Guildford" mean respectively the parts of the Parishes of Artington and Stoke-next-Guildford which are respectively coloured yellow and blue on the Borough maps ;
- (12) The expressions "the Act of 1888" and "the Act of 1894" mean respectively the Local Government Act 1888 and the Local Government Act 1894 ;
- (13) The expression "the Municipal Corporations Acts" means the Municipal Corporations Act 1882 and the Acts amending and extending the same and the expression "the Public Health Acts" means the Public Health Act 1875 and the Acts amending and extending the same ;

[Ch. clxi.] *Local Government Board's* [4 EDW. 7.]
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(14) The expression "the Local Act" means the Local Act mentioned in Part I. of the schedule to this Order; and

(15) The expressions "the Confirmation Acts" and "the Provisional Orders" mean respectively the Confirmation Acts and the Provisional Orders mentioned in Part II. of the schedule to this Order.

Commence-
ment of Order.

Art. II. This Order shall except so far as is otherwise herein expressly provided and so far as there may be anything in the subject-matter or context inconsistent therewith come into operation on the Ninth day of November One thousand nine hundred and four:

Date of opera-
tion of Order
for parish
burgess lists
&c.
51 Vict. c. 10.

Provided that for the purposes of the parish burgess lists and burgess roll and other lists to be made for the Borough under the Municipal Corporations Acts of the lists of county electors and the county register to be made for the County in pursuance of the County Electors Act 1888 or any Act amending that Act of the lists and registers of parochial electors and any other lists or registers to be made in pursuance of the Act of 1894 and of all proceedings preliminary or relating to any municipal election to be held on the ordinary day of election in the year one thousand nine hundred and four this Order shall operate from the date of the Act of Parliament confirming this Order.

Extension of
Borough.

Art. III.—(1) The boundary of the existing Borough the area whereof is coloured pink on the Borough maps shall be altered so as to include in addition to that area so much of the Rural District as comprises the added part of Artington and the added part of Stoke-next-Guildford.

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

Deposit of
maps.

Art. IV.—(1) One of the Borough maps and one of the Ward maps shall be deposited in the office of the Local Government Board and the other shall be deposited by the town clerk of the existing Borough at his office. Copies of the Borough map deposited with the town clerk certified by him to be true shall be sent within one month after the date of the Act of Parliament confirming this Order to the clerk of the County Council to the clerk to the Rural Council to the Board of Inland Revenue and to the Board of Agriculture and Fisheries and a copy of the Ward map so certified shall be sent within the said period to the Board of Agriculture and Fisheries.

Copies of map
to be evidence.

(2) Copies of or extracts from the Borough map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as *prima facie* evidence of the contents of such map so far as relates to the boundary of the Borough and such map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the Borough and any such person shall be entitled to a copy of or extract from

such map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation. All fees so received shall be carried to the credit of the borough fund.

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Order.

Art. V. The powers and duties of the quarter sessions recorder clerk of the peace and coroner of the existing Borough of the justices of the peace appointed for the existing Borough of the clerk to such justices and of the police constables and other peace officers of the existing Borough shall extend to and apply throughout the Borough :

Powers and
duties of
justices &c
extended.

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

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

Art. VI.—(1) For the purposes of the parish burgess lists and burgess roll and other lists to be made under the Municipal Corporations Acts and all matters in relation thereto the added areas shall be deemed to have always been part of the Borough and the town clerk of the existing Borough shall be the town clerk of the Borough.

Parish burgess
lists &c.

(2) In making out revising or otherwise dealing with the said lists and roll or the lists of county electors and the county register to be made for the County in pursuance of the County Electors Act 1888 or any Act amending that Act or the lists and registers of parochial electors effect shall be given so far as the circumstances require or allow to the provisions of this Order.

(3) Where any difficulty in giving effect to the provisions of this Order can be obviated or removed by any alteration in or re-arrangement of or any other action affecting the said lists roll and registers such alteration re-arrangement or action so far as the same may be necessary for giving effect to the said provisions shall be made or taken by the town clerk or the clerk of the County Council as the case may require and the Overseers of the Poor shall render such assistance as may be requisite for the purpose of such alteration re-arrangement or action by the town clerk or clerk of the County Council as the case may be and such alteration re-arrangement or action shall be deemed to be authorised by the provisions in force with respect to such lists roll and registers.

(4) Where in the opinion of the Local Government Board the circumstances so require the Local Government Board may make such order as appears to them to be necessary to give effect to the provisions of this Order and may vary so far as is requisite the provisions in force with regard to such lists roll and registers.

Art VII. The number of Councillors of the Borough shall be increased from twelve to eighteen and the number of Aldermen of the Borough shall be increased from four to six.

Number of
Councillors
and Aldermen.

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

Division into
wards.

(1) For the purposes of the election of Councillors the Borough shall be divided into six wards which shall be termed respectively the No. 1 or Holy Trinity Ward the No. 2 or Saint Nicolas Ward the No. 3 or Friary Ward the No. 4 or Stoke Ward the No. 5 or Christ Church Ward and the No. 6 or Stoughton Ward:

Boundaries of
wards.

(2) Each of the said wards shall comprise that portion of the Borough which is indicated by a separate colour and distinguished by the name of the ward on the ward maps:

(3) Three Councillors shall be assigned to each of the said wards.

Special provi-
sions for first
election of
Councillors
in 1904.

Art. IX. For the purposes of the election of a town council for the Borough in pursuance of the Municipal Corporations Acts in the month of November One thousand nine hundred and four the following provisions shall apply:—

(a) The town clerk and the Mayor of the existing Borough or such other persons as the Local Government Board shall appoint shall perform the duties devolving upon the town clerk and Mayor respectively under the Municipal Corporations Acts and the Mayor of the existing Borough shall be the returning officer at the election for all the wards. Provided that the Mayor of the existing Borough may appoint some other person to act as returning officer at the election for any of the wards:

(b) Eighteen Councillors of the Borough shall be elected on the First day of November One thousand nine hundred and four and six Aldermen of the Borough shall be elected on the Ninth day of November One thousand nine hundred and four:

(c) Notwithstanding anything in the Municipal Corporations Acts to the contrary all the Councillors of the existing Borough who shall be in office on the First day of November One thousand nine hundred and four shall go out of office on that date and all the Aldermen of the existing Borough who shall be in office on the Eighth day of November One thousand nine hundred and four shall go out of office on that date and all such Councillors and Aldermen shall be eligible for election as Councillors on the First day of November One thousand nine hundred and four.

Retirement of
Councillors
and Aldermen
elected in 1904.

Art. X.—(1.) The Councillors elected for the Borough in the year One thousand nine hundred and four in pursuance of this Order shall retire as follows:—

(a) The Councillor for each ward who is elected by the smallest number of votes on the First day of November One thousand nine hundred and five:

(b) The Councillor for each ward who is elected by the largest number of votes on the First day of November One thousand nine hundred and seven :

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(c) The other Councillor for each ward on the First day of November One thousand nine hundred and six.

(2) The Aldermen elected for the Borough in the year One thousand nine hundred and four shall retire as follows :—

(a) The three Aldermen elected by the smallest number of votes on the Ninth day of November One thousand nine hundred and seven :

(b) The other three Aldermen on the Ninth day of November One thousand nine hundred and ten.

Provided that if for any reason it is doubtful which of the Councillors or Aldermen as the case may be ought to retire on the dates above specified the Council of the Borough shall on the Ninth day of November One thousand nine hundred and four or at the next following quarterly meeting and not later by a majority of votes or in case of an equality of votes by the casting vote of the chairman determine which of the Councillors or Aldermen as the case may be shall go out of office on the dates above specified respectively.

Art. XI. Subject to the provisions of this Order the unrepealed provisions of the Local Act and of the Confirmation Acts so far as the last-mentioned Acts respectively relate to the Provisional Orders and of any other Local Act or Provisional Order duly confirmed by Parliament affecting the existing Borough or the Corporation as the same respectively are in force within the existing Borough at the commencement of this Order shall extend and apply to the Borough and any reference therein to the existing Borough and the Corporation shall be deemed to refer to the Borough and the Corporation thereof :

Local Act and
Orders.

Provided that until the Corporation shall have purchased in pursuance of sub-section 4 of Section 38 of the Woking Water and Gas Act 1899 the portion of the water undertaking of the Woking Water and Gas Company which the Corporation are thereby empowered to purchase—

(a) Nothing in this Order contained shall extend the limits of the Corporation for the supply of water so as to include any area within the limits of the said Company for the supply of water ;
and

(b) Nothing in this Order contained shall affect the limits of the said Company for the supply of water nor the powers rights and liabilities of the said Company with respect to the supply of water under the Woking Water and Gas Acts 1881 1885 and 1889.

Art. XII. So much of any sums borrowed by the Corporation as will at the commencement of this Order be owing and charged upon the district fund and general district rate of the existing Borough shall by virtue of this Order be charged upon the district fund and general district rate of the Borough

Mortgage debts
of Corporation.

A.D. 1904. and so much of any sums borrowed by the Corporation as will at the commencement of this Order be owing and charged upon the borough fund and borough rate of the existing Borough shall by virtue of this Order be charged upon the borough fund and borough rate of the Borough and all such sums shall together with the interest to accrue due thereon be repaid by the Corporation within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

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Order.

Byelaws &c.

Art. XIII.—(1) All byelaws and regulations and every list of tolls and table of fees and payments and scale of charges made by the Corporation which at the commencement of this Order are in force in the existing Borough shall thenceforth apply to the Borough until or except in so far as any such byelaws or regulations or list of tolls or table of fees and payments or scale of charges may be altered or repealed.

(2) All byelaws and regulations made by the Rural Council or their predecessors and in force immediately before the commencement of this Order in any part of the added areas shall on that date cease to be in force except as regards any work commenced before that date or any work for which plans shall either have been approved by the Rural Council before that date or shall have been sent to the surveyor or clerk to the Rural Council one month at least before that date and shall not have been disapproved by that council. As regards any such work as aforesaid the byelaws in force immediately before the commencement of this Order shall continue to apply until the completion of such work in like manner and with the like effect as if such byelaws had been made by the Corporation and as if the Corporation and the Borough were referred to therein instead of the Rural Council and the Rural District respectively. Provided that any proceedings which might have been taken by the Rural Council against any person for any offence committed before the commencement of this Order against any byelaws and regulations made by the Rural Council or their predecessors and in force on that date in any part of the added areas may be taken by the Corporation as if those byelaws and regulations had remained in force and the Corporation had been substituted therein for the Rural Council.

Art. XIV. For the purposes and subject to the provisions of the Education Acts 1870 to 1902—

Transfer of
public elemen-
tary schools &c.
to Corporation.

(1) All public elementary schools (including the sites and schoolhouses) provided by the local education authority and situate within any part of the added areas with the furniture and fittings of the schoolhouses shall by virtue of this Order vest in and be transferred to the Corporation as the local education authority for all the estate and interest therein of the County Council as the local education authority and all contracts debts and liabilities which at the commencement of this Order are existing or are owing by or attach to the County Council in respect exclusively of the said public elementary schools furniture or fittings or with respect to

the officers teachers and servants of the said public elementary schools shall by virtue of this Order enure to and be carried into effect by and be discharged and satisfied by the Corporation as the local education authority :

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—
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Order.

Provided that Section 68 of the Act of 1894 shall apply with respect to any adjustment required for the purposes of the foregoing provisions of this Article :

- (2) The liability for repayment of so much of any loan raised exclusively in respect of any such public elementary school (including the site and schoolhouse) and any such furniture or fittings transferred to and vested in the Corporation by virtue of this Order as will be owing at the commencement of this Order and the liability for the payment of interest on that part of the said loan shall by virtue of this Order attach and be transferred to the Corporation as the local education authority and so much of any such loan as will be owing at the commencement of this Order shall be charged on the borough fund and borough rate of the Borough and shall be repaid by the Corporation within the period if any for which that part of the loan was originally sanctioned or within which the said part of the loan is otherwise required to be repaid or is made repayable :

Mortgage debts
in respect of
transferred
schools.

- (3) Any byelaws in force in the existing Borough at the commencement of this Order shall thenceforth apply to the Borough until revoked or altered and from and after that date any such byelaws then in force in the added areas shall cease to be so in force.

Education
byelaws.

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

Town clerk and
other officers
continued.

(2) The auditors who are in office at the commencement of this Order shall continue in office and shall for the purposes of the Municipal Corporations Acts be the borough auditors until the next ordinary day of election of borough auditors for the said purposes.

Borough
auditors.

Art. XVI.—(1) Every officer and servant who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary and for whose compensation no other provision is made by any enactment for the time being in force and applicable to his case shall be entitled to have compensation paid to him by the Corporation for such pecuniary loss and in determining such compensation regard shall be had to the conditions and other circumstances required by sub-section (1) of Section 120 of the Act of 1888 to be had in regard in cases of compensation under that section and the compensation shall not exceed the limit therein

Compensation
to existing
officers.

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mentioned and subject to the provisions of this Order shall be paid in the case of any such officer or servant whose office or employment relates wholly or partly to sanitary purposes as defined by the Public Health Act 1875 out of the district fund and general district rate of the Borough and in the case of any other such officer or servant out of the borough fund and borough rate of the Borough and the provisions of sub-sections (2) to (7) of the said Section 120 shall apply with such modifications (if any) as may be required Provided that the non-acceptance of any office shall not be a bar to the right of any officer to compensation.

(2) For the purposes of subdivision (1) of this Article any such officer or servant whose services are dispensed with by the Corporation because his services are not required and not on account of misconduct or whose salary is reduced on the ground that his duties have been diminished in consequence hereof in either case within five years from the commencement of this Order shall be deemed to have suffered a direct pecuniary loss in consequence of this Order.

Actions &c.
 not to abate.

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

Saving for
 contracts &c.

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

Corporation
 property &c.

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

Property &c.
 of Rural
 Council.

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

(1) All property and liabilities which immediately before the commencement of this Order are vested in or attach to the Rural Council in relation exclusively to any part of the added areas shall by virtue of this Order vest in and be transferred and

attach to the Corporation as Urban District Council and any property and liabilities vested in or attached to the Rural Council in relation to any part of the added areas conjointly with any other area shall be a matter for adjustment under Section 62 of the Act of 1888 :

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Order.

- (2) The Rural Council shall cease to exercise any powers or have any duties within any part of the added areas : Cesser of jurisdiction of Rural Council.
- (3) All arrears of rates made by any Overseers of the Poor for the purposes of the Public Health Acts or for highway expenses or for the purposes of the Lighting and Watching Act 1833 which at the commencement of this Order are due or owing in respect of hereditaments in the added areas may be collected and recovered as if this Order had not been made and when collected and recovered shall be applied in the case of rates made for the purposes of the Public Health Acts or for highway expenses towards the discharge of any precept of the Rural Council which at that date shall be in force and not satisfied or in the case of rates made in either of the Parishes of Artington and Stoke-next-Guildford for the purposes of the Lighting and Watching Act 1833 towards defraying any expenses incurred by the Parish Council of the parish under the last-mentioned Act and the balances if any shall be paid to the Corporation and in the case of any balances so paid in relation to the Parish of Artington shall if necessary be a matter for adjustment under Section 62 of the Act of 1888 : Arrears of rates &c.
- (4) Any balances in the hands of the Overseers of the Parishes of Artington and Stoke-next-Guildford at the commencement of this Order shall be a matter for adjustment under Section 62 of the Act of 1888 : Adjustment of balances.
- (5) For the purposes of the application of Section 62 of the Act of 1888 to any adjustment which may become necessary in consequence of this Order that section shall have effect as if in sub-sections (5) (6) and (7) thereof the expression "Council" included any authority affected by this Order or by anything done in pursuance of this Order and as if in the case of any such authority not otherwise empowered to borrow under any Act or on any security or in any manner mentioned in the said sub-section (6) that sub-section empowered the authority to borrow under any Act relating to and conferring on the authority a power to borrow on the security of all or any of the funds rates and revenues of the authority and in the manner provided by the said Act but without the consent of any other authority and subject to the requirement that all money so borrowed shall be repaid within such period as the Local Government Board may sanction. Adaptation of provisions as to adjustment.

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*Guildford
Order.*Council to be
Burial Board
for the
Borough.Abolition of
Burial Com-
mittees.Mortgage debts
of Burial Areas.Saving rights
of burial.Electoral
Divisions and
County
Councillors.

Art. XX.—(1) The Council of the Borough shall be the Burial Board for the Borough and shall have within the Borough to the exclusion of any other burial authority all the powers rights duties and liabilities of a burial board under the Burial Acts 1852 to 1900.

(2) Subject to the provisions of subdivision (3) of this Article and to any other adjustment which may be made between the Corporation and the Parish Council of Artington in relation to the property and liabilities of the Guildford and Artington Burial Area or between the Corporation and the Parish Council of Worplesdon in relation to the property and liabilities of the Guildford and Stoke-next-Guildford Burial Area any property and liabilities of the Burial Areas shall by virtue of this Order vest in and be transferred and attach to the Council of the Borough as the Burial Board of the Borough and the Burial Committees shall be abolished and cease to exist.

(3) The liability for the repayment of any moneys borrowed for the purposes of the Burial Acts 1852 to 1900 in respect of either of the Burial Areas and for the payment of interest on such moneys shall be a matter for adjustment under Section 62 of the Act of 1888 between the Corporation and the Parish Council of Artington in the case of the Guildford and Artington Burial Area and between the Corporation and the Parish Council of Worplesdon in the case of the Guildford and Stoke-next-Guildford Burial Area:

Provided that nothing herein contained shall prejudice or affect any mortgage or other security which may have been given in respect of any moneys so borrowed or the rights or powers of the persons entitled under such mortgage or other security to enforce the same as if this Order had not been made.

(4) Nothing in this Order shall prejudice or affect any right of burial which any parishioner or inhabitant of the Parish of Artington as altered by this Order or of the part of the existing Parish of Stoke-next-Guildford amalgamated by this Order with the Parish of Worplesdon may have acquired prior to the commencement of this Order in relation to any burial ground provided for either of the Burial Areas or any exclusive right of burial or any right of one or more burials or any right of placing any monument tablet or gravestone or any similar right which any person may have acquired prior to the commencement of this Order in relation to such burial ground.

(5) Subject to the provisions of the Burial Act 1900 all fees payments and sums fixed and settled and receivable by the Burial Committees immediately prior to the commencement of this Order shall thenceforth be receivable by the Council of the Borough acting as a Burial Board until or except in so far as any such fees payments or sums may be altered or varied in pursuance of the statutory provisions in that behalf.

Art. XXI. Subject to the provisions of Section 54 of the Act of 1888 the following provisions shall from and after the commencement of this Order have effect:—

(1)—(a) The existing Guildford No. 1 and Guildford No. 2 Electoral Divisions shall be abolished and the added part of Stoke-next-

Guildford shall cease to form part of the Ripley Electoral Division the added part of Artington shall cease to form part of the Worplesdon Electoral Division and the Borough shall be divided into two electoral divisions which shall be termed respectively the Guildford No. 1 Electoral Division and the Guildford No. 2 Electoral Division :

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—
Guildford
Order.

(b) The Guildford No. 1 Electoral Division shall comprise the No. 1 or Holy Trinity Ward the No. 2 or Saint Nicolas Ward and the No. 3 or Friary Ward as constituted by this Order and the Guildford No. 2 Electoral Division shall comprise the No. 4 or Stoke Ward the No. 5 or Christ Church Ward and the No. 6 or Stoughton Ward as constituted by this Order :

(c) The persons who immediately prior to the commencement of this Order are the County Councillors respectively representing the existing Guildford No. 1 and the existing Guildford No. 2 Electoral Divisions shall hold office for the period for which they would have remained in office if this Order had not been made and shall be deemed to have been elected respectively for the Guildford No. 1 Electoral Division and the Guildford No. 2 Electoral Division as hereby constituted :

(2)—(a) The part of the Parish of Stoke-next-Guildford which is amalgamated with the Parish of Worplesdon by this Order shall be included in the Worplesdon Electoral Division of the County and the Ripley Electoral Division of the County shall be diminished accordingly :

(b) The persons who immediately prior to the commencement of this Order are the County Councillors respectively representing the Worplesdon and Ripley Electoral Divisions of the County shall from and after that date respectively represent the Worplesdon and Ripley Electoral Divisions as hereby altered as if they had been originally elected to represent those divisions as hereby altered.

Art. XXII. The provisions of the Public Health Acts Amendment Act 1890 and of the Private Street Works Act 1892 shall be in force within and apply to the Borough as if the same had been adopted therein. Adoptive Acts.

Art. XXIII. Subject to the provisions of any order which the Local Government Board may hereafter make the provisions of any order heretofore made by the Local Government Board and conferring upon the Council of the existing Borough any of the matters mentioned in Section 33 of the Act of 1894 and in such order shall be deemed to have effect as if any reference in the said provisions to a parish wholly comprised within the existing Borough extended and applied to any parish wholly comprised within the Borough. Powers of
Town Council
under Sec-
tion 33 of Act
of 1894.

Art. XXIV.—(1) At the commencement of this Order such members if any of the police force of the County as shall be determined by agreement County police.

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—
 Guildford
 Order.

to be made as soon as practicable after the date of the Act of Parliament confirming this Order between the Standing Joint Committee of the County and the Watch Committee of the existing Borough or in default of such agreement as shall be determined by a Secretary of State shall be transferred to and become part of the police force of the Borough and any member of the county police force so transferred shall hold office upon the same tenure and upon the same terms and conditions as if this Order had not been made and while he performs the same or similar duties his remuneration emoluments and allowances and the pension (if any) to which he is entitled shall not be less than they would have been if this Order had not been made.

58 & 54 Vict.
 c. 45.

(2) The provisions of Section 15 (2) of the Police Act 1890 shall extend and apply to and in relation to any member of the police force transferred under the powers of this Article as if such member had removed with the written sanction of the Chief Constable of the County.

County police
 stations.

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

Compensation
 to existing
 county officers.

(4) Every clerk to justices and county coroner and every officer or servant of or paid by the County Council or of or paid by the Standing Joint Committee of the County who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary shall be entitled to have compensation paid to him by the Corporation for such pecuniary loss and in determining such compensation regard shall be had to the conditions and other circumstances required by sub-section (1) of Section 120 of the Act of 1888 to be had in regard in cases of compensation under that section and the compensation shall not exceed the limit therein mentioned and shall be paid out of the borough fund and the provisions of sub-sections (2) to (7) of that section shall apply with the necessary modifications and any such officer or servant whose services are dispensed with or whose salary shall be reduced by the County Council or the Standing Joint Committee within five years from the commencement of this Order because his services are not required or his duties are diminished in consequence thereof and not on the ground of misconduct shall be deemed to have suffered a direct pecuniary loss in consequence of this Order.

Alteration of
 parishes.

Art. XXV.—(1) The added areas shall be separated from the parishes to which they now respectively belong and—

(a) The added part of Artington shall be amalgamated with the Parish of Saint Nicolas :

Provisional Orders Confirmation (No. 11) Act, 1904.

(b) The added part of Stoke-next-Guildford shall form a new parish to be called the Parish of Stoke : A.D. 1904.

(c) The remaining part of the Parish of Stoke-next-Guildford shall be amalgamated with the Parish of Worplesdon :

Guildford
Order.

(d) The said new Parish of Stoke shall be included in the Guildford Union and all orders in force in that Union shall be in force within and apply to such new parish.

(2) The name of the Parish of Stoke Within shall be altered and that parish shall be called and known as the Parish of Christ Church.

(3)—(a) Subject to the provisions of this Order the Parish Council of Stoke-next-Guildford shall cease to exist and any powers and duties transferred by the Act of 1894 to that Parish Council or to the Parish Council of Artington or to the Parish Meeting of the Parishes of Stoke-next-Guildford and Artington shall so far as regards the added part of Stoke-next-Guildford or the added part of Artington be vested in exercisable by and imposed on the persons and authorities in whom they would be vested or by whom they would be exercisable or on whom they would be imposed if each of the added parts had been included in a parish in an Urban District on the appointed day within the meaning of the Act of 1894 and all property or liabilities held or incurred as far as regards the added part of Stoke-next-Guildford or the added part of Artington for the purpose or by virtue of such powers or duties shall by virtue of this Order pass to and vest in or attach to the persons and authorities aforesaid. Any property or liabilities of the said Parish Councils held or incurred so far as regards the added part of Stoke-next-Guildford or the added part of Artington otherwise than by virtue or for the purposes of such powers or duties shall by virtue of this Order vest in and be transferred and attach to the Corporation.

Transfer of
powers duties
liabilities &c. of
Parish Council
and Parish
Meeting.

(b) Any property or liabilities held or incurred by the Parish Council of Stoke-next-Guildford shall so far as regards the part of the Parish of Stoke-next-Guildford which is by this Order amalgamated with the Parish of Worplesdon by virtue of this Order vest in and be transferred and attach to the Parish Council of Worplesdon.

(4) The Parish Councils of Artington and Worplesdon shall be deemed to have been elected and shall be the Parish Councils for those parishes respectively as altered by this Order.

Art. XXVI.—(1) Subject to the provisions of Section 60 of the Act of 1894 three Guardians shall be assigned to the Parish of Stoke as constituted by this Order.

Guardians and
Rural District
Councillors.

(2) The persons who at the commencement of this Order are holding the offices of Rural District Councillor and Guardian of the Poor for the Parish of Stoke-next-Guildford shall cease to act as members of the Rural Council

[Ch. clxi.] *Local Government Board's* [4 EDW. 7.]
Provisional Orders Confirmation (No. 11) Act, 1904.

A.D. 1904. but shall be deemed to have been elected and shall represent the new Parish
—
Guildford of Stoke upon the Board of Guardians of the Guildford Union until the date
Order. on which they would have retired if this Order had not been made.

(3) The persons who at the commencement of this Order are holding the offices of Rural District Councillor and Guardian of the Poor for the Parishes of Artington and Worplesdon and the persons who on that date are holding the office of Guardian of the Poor for the Parish of Saint Nicolas respectively shall be deemed to have been elected and shall represent those parishes as altered by this Order as if they had been originally elected to represent those altered parishes respectively.

Ecclesiastical
divisions and
charities.

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

Valuation lists.

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

- (1) The portion of the valuation list of the existing Parish of Stoke-next-Guildford which relates to hereditaments in the added part of Stoke-next-Guildford shall be deemed to form the valuation list of the new Parish of Stoke :
- (2) The remaining portion of the valuation list of the said existing Parish of Stoke-next-Guildford shall be deemed to form part of the valuation list of the Parish of Worplesdon :
- (3) The portion of the valuation list of the existing Parish of Artington which relates to hereditaments in the added part of Artington shall be deemed to form part of the valuation list of the Parish of Saint Nicolas :
- (4) The remaining portion of the valuation list of the existing Parish of Artington shall be deemed to be the valuation list of that parish as altered by this Order.

County rate
basis.

Art. XXIX.—(1) Subject to any future revision the basis or standard of county rate for the County shall be deemed to be altered as follows :—

- (a) By the omission therefrom of the reference therein to the total annual value of the property in the existing Parish of Stoke-next-Guildford :
- (b) By the deduction from the amount appearing therein as the total annual value of the property in the existing Parish of Artington of such a sum as will represent the annual value of the property in the added part of Artington :
- (c) By the insertion therein of a reference to the total annual value of the property in the new Parish of Stoke :

(d) By the addition to the amount appearing therein as the total annual value of the property in the Parishes of Saint Nicolas and Worplesdon of such a sum as will represent the total annual value of the property in the added part of Artington or in the part of the Parish of Stoke-next-Guildford included by this Order in the Parish of Worplesdon as the case may be.

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Order.

(2) For the purposes of this Article the total annual value of the property in the new Parish of Stoke shall be such a sum as will represent the total annual value of the property in the added part of Stoke-next-Guildford and the sum which will represent the annual value of the property in the added part of Artington or the added part of Stoke-next-Guildford or in the part of the Parish of Stoke-next-Guildford included by this Order in the Parish of Worplesdon shall in each case be the amount which in relation to the amount appearing in the basis or standard of county rate as the total annual value of the existing parish is in the same proportion as the assessable value of the property in the affected part of the existing parish bears to the total assessable value of property in the existing parish.

(3) For the purposes of this Article assessable value means one-half of the rateable value according to the valuation list for the time being in force of the agricultural land together with the rateable value according to such list of the buildings and other hereditaments not being agricultural land in the existing parish or in the added part or area as the case may require.

Art. XXX. For the purposes of the registers of persons entitled to vote at an election of Members of Parliament of the registers of parochial electors and of jury lists the parishes affected by this Order shall be deemed to continue unaltered until the new registers and lists come into operation :

Saving for
existing lists of
parliamentary
voters &c.

Provided that for the purposes of any election under the Act of 1894 to be held for any area affected by this Order and of the holding of any Parish Meetings in any parish affected by this Order the town clerk or the clerk of the County Council as the case may require shall if and when necessary cause the register of parochial electors to be altered in such manner as may be requisite to give effect to the provisions of this Order.

Art. XXXI.—(1) Every person who has acquired or who on or before the commencement of this Order shall acquire a settlement in any existing parish affected by this Order shall be deemed to have acquired a settlement in the parish comprising the area in which the acts or circumstances conferring such settlement shall have been done or occurred or if such acts or circumstances shall have been done or occurred in more than one parish such settlement shall be in the parish comprising the place of residence of such person at the time of acquiring such settlement.

Settlement of
paupers.

(2) Any person who shall have acquired a status of irremovability from any existing parish affected by this Order shall be deemed to have acquired a status of irremovability from the parish comprising the area in which he shall

Irremovability
of paupers.

A.D. 1904.

Guildford
Order.

reside at the commencement of this Order or (if he shall then be in receipt of relief) from the parish comprising the area in which he was residing at the time of becoming chargeable.

Residence of
paupers.

(3) For all purposes of settlement and removal residence prior to the commencement of this Order in any area affected by this Order shall be deemed to have been residence in the parish which will comprise the area.

Saving for
contribution
orders and
precepts.

Art. XXXII. Notwithstanding the alteration in the areas of parishes effected by this Order all contribution orders made by the Guardians of the Poor of the Guildford Union and all precepts made by the Rural Council before the commencement of this Order shall be as valid in law as if this Order had not been made.

Arrears of
rates.

Art. XXXIII.—(1) All arrears of rates made by the Overseers of the Poor and due or owing at the commencement of this Order in respect of hereditaments in the added part of Artington shall be collected and recovered by the Overseers of the Poor of the existing parish of Artington as if this Order had not been made.

(2) All arrears of rates made by the Overseers of the Poor of the Parish of Stoke-next-Guildford and due or owing at the commencement of this Order shall be collected by the Overseers of the Poor of the new Parish of Stoke.

Appointment
of Overseers
for new Parish.

Art. XXXIV. Overseers of the Poor shall be appointed for the new Parish of Stoke as soon as practicable after the commencement of this Order but until such appointments are made the Overseers of the Poor of the existing Parish of Stoke-next-Guildford shall act as Overseers for that new parish.

Audit of
accounts of
Stoke-next-
Guildford
Parish Council.

Art. XXXV. The accounts of the Parish Council of Stoke-next-Guildford and of its committees and officers and of the Burial Committees and their officers if any shall be made up to the commencement of this Order and shall be audited by the District Auditor in like manner and with the like incidents and consequences as if this Order had not been made :

Provided that the audit may be held as soon as practicable after the commencement of this Order any statutory provision or regulation as to the time of holding the audit of such accounts to the contrary notwithstanding and that any sum certified by the District Auditor at such audit to be due from any person shall be paid to the treasurer of the borough and may if necessary form the subject of an adjustment in accordance with the provisions of Section 62 of the Act of 1888.

Short title.

Art. XXXVI. This Order may be cited as the Guildford (Extension) Order 1904.

The SCHEDULE above referred to.

A.D. 1904.

*Guildford
Order.*

PART I.—LOCAL ACT.

| Session and Chapter. | Short Title. |
|---------------------------|-------------------------------------|
| 49 & 50 Vict. c. cvii. | The Guildford Corporation Act 1885. |

PART II.—CONFIRMATION ACTS.

| Session and Chapter. | Short Title. | Order thereby confirmed. |
|----------------------------|----------------------------------------------------------------------------------|----------------------------------------|
| 28 & 29 Vict. c. cviii. | Local Government Supplemental Act 1865 (No. 5). | Order dated 15th day of April 1865. |
| 39 & 40 Vict. c. cci. | Local Government Board's Provisional Orders Confirmation (Bath &c.) Act 1876. | Order dated 16th day of June 1876. |

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

(L.S.)

WALTER H. LONG President.

S. B. PROVIS Secretary.

CITY OF NEW SARUM.

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

*New Sarum
Order.*

To the Mayor Aldermen and Citizens of the City of New Sarum ; —

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

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

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

To the County Council of Wilts ; —

To the Rural District Council of Salisbury ; —

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

To the Parish Councils of Britford East Harnham Fisherton Anger
Without Laverstoke and Ford Milford Without Stratford under the
Castle and West Harnham ; —To the Overseers of the Poor of each of the Parishes of Britford East
Harnham Fisherton Anger Without Laverstoke and Ford Milford
Without Stratford under the Castle and West Harnham ; —

[Ch. clxi.] *Local Government Board's* [4 Edw. 7.]
Provisional Orders Confirmation (No. 11) Act, 1904.

A.D. 1904.
 ———
*New Sarum
 Order.*

To the Joint Committee appointed by the Council of the City of New Sarum and the Parish Council of Milford Without and exercising the powers and duties of the authority under the Burial Acts 1852 to 1900 ;—

To the Joint Committee appointed by the Council of the City of New Sarum and the Parish Council of Fisherton Anger Without and exercising the powers and duties of the authority under the Burial Acts 1852 to 1900 ;—

And to all others whom it may concern.

51 & 52 Vict.
 c. 41.

WHEREAS by Section 54 of the Local Government Act 1888 the Local Government Board are empowered to make a Provisional Order for altering the boundary of any Borough and by such Order to divide or alter any electoral division ;

And whereas the City of New Sarum is a Borough within the meaning of the Local Government Act 1888 and the inhabitants are a body corporate by the name of the Mayor Aldermen and Citizens of the City of New Sarum and act by the Council of the said City which now consists of the Mayor (who is also a Councillor) six Aldermen and seventeen other Councillors ;

And whereas the said City is for the purpose of the election of Councillors divided into three wards named respectively the St. Martin's Ward the St. Thomas's Ward and the St. Edmund's Ward ;

And whereas the said City is an Urban District of which the Mayor Aldermen and Citizens acting by the Council are the Urban District Council ;

And whereas the said City has a separate court of quarter sessions commission of the peace police force recorder and coroner ;

2 Edw. 7. c. 42.

And whereas in pursuance of the Education Act 1902 the Council of the said City are the local education authority for the purposes of Part III. of that Act and the County Council of Wilts are the local education authority for the other purposes of that Act ;

15 & 16 Vict.
 c. 69.

And whereas by a Provisional Order of the General Board of Health dated the Fourteenth day of May One thousand eight hundred and fifty-two and confirmed by the Public Health Supplemental Act 1852 (No. 2) the Public Health Act 1848 except as therein mentioned was applied to the said City and a Local Act in force in that City was partially repealed and altered ;

And whereas the Urban District Council have adopted the provisions of—

53 & 54 Vict.
 c. 34.

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

53 & 54 Vict.
 c. 59.

(b) Part III. of the Public Health Acts Amendment Act 1890 ; and

54 & 55 Vict.
 c. 22.

(c) The Museums and Gymnasiums Act 1891 ;

9 & 10 Vict. c. 74.
 10 & 11 Vict. c. 61.
 41 & 42 Vict. c. 14.
 45 & 46 Vict. c. 80.
 59 & 60 Vict. c. 59.
 52 & 63 Vict. c. 29.
 55 & 56 Vict. c. 53.
 56 Vict. c. 11.
 1 Edw. 7. c. 19.

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

And whereas the Baths and Washhouses Acts 1846 to 1899 and the Public Libraries Acts 1892 to 1901 are in force in the said City ;

And whereas the Parishes of Britford East Harnham Fisherton Anger Without Laverstoke and Ford Milford Without Stratford under the Castle and West Harnham are contributory places in the Rural District of Salisbury and are subject to the jurisdiction of the Rural District Council of Salisbury ;

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*New Sarum
Order.*

And whereas the said Rural District Council have adopted the provisions of the Infectious Diseases (Prevention) Act 1890 and those provisions are accordingly in force in the said Rural District ;

And whereas the Lighting and Watching Act 1833 has been adopted in the said Parishes of East Harnham Fisherton Anger Without and Milford Without ;

3 & 4 Will. IV.
c. 90.

And whereas the said Parishes of Britford East Harnham Fisherton Anger Without Laverstoke and Ford Milford Without Stratford under the Castle and West Harnham are included in the Salisbury Union and one Rural District Councillor is elected for each of the said Parishes of Britford East Harnham Laverstoke and Ford Stratford under the Castle and West Harnham and two Rural District Councillors are elected for each of the said Parishes of Fisherton Anger Without and Milford Without ;

And whereas the said Parishes of Britford East Harnham Fisherton Anger Without Laverstoke and Ford Milford Without Stratford under the Castle and West Harnham are Rural Parishes within the meaning of the Local Government Act 1894 for which Parish Councils have been established ;

And whereas in pursuance of the Education Act 1902 the said Parishes of Britford East Harnham Fisherton Anger Without Laverstoke and Ford Milford Without Stratford under the Castle and West Harnham form part of the area of the County Council of Wilts as the local education authority ;

And whereas by virtue of sub-section (2) of Section 53 of the Local Government Act 1894 the powers and duties of the authority under the Burial Acts 1852 to 1900 for an area now comprised in the said Parish of Milford Without and the Parishes of Milford Within Saint Edmund Saint Martin and Saint Thomas and for an area now comprised in the said Parish of Fisherton Anger Without and the Parish of Fisherton Anger Within were transferred to the Council of the said City and the Parish Council of Milford Without in the one case and to the Council of the said City and the Parish Council of Fisherton Anger Without in the other case and the said powers and duties are in each case exercised by a Joint Committee appointed in pursuance of the said sub-section ;

15 & 16 Vict.
c. 85.
63 & 64 Vict.
c. 15.

And whereas the number of County Councillors for the County of Wilts is fifty-nine of which number three are apportioned to the said City and the said City has accordingly been divided into three electoral divisions termed respectively the New Sarum St. Edmund Electoral Division the New Sarum St. Martin Electoral Division and the New Sarum St. Thomas Electoral Division the said Parishes of Britford East Harnham and West Harnham are included in the Britford Electoral Division and the said Parishes of Fisherton Anger Without Laverstoke and Ford Milford Without and Stratford

A.D. 1904.

New Sarum
Order.51 & 52 Vict.
c. 41.

under the Castle are included in the Fisherton Electoral Division of the said County:

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 54 and 59 of the Local Government Act 1888 and by any other enactments in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the following provisions shall take effect:—

Definitions.

Art. I. In this Order—

- (1) The expression "the commencement of this Order" means the Ninth day of November One thousand nine hundred and four;
- (2) The expression "the existing City" means the City of New Sarum as it existed immediately prior to the commencement of this Order;
- (3) The expression "the City" means the existing City as extended by this Order;
- (4) The expression "the Corporation" means the Mayor Aldermen and Citizens of the existing City or of the City (as the context may require) acting by the Council;
- (5) The expressions "the Rural District" and "the Rural Council" mean respectively the Rural District of Salisbury and the Rural District Council of that district;
- (6) The expressions "the County" and "the County Council" mean respectively the Administrative County of Wilts and the County Council of that County;
- (7) The expression "the Salisbury and Milford Without Burial Committee" means the Joint Committee appointed as aforesaid for the purposes of the Burial Acts 1852 to 1900 by the Council of the existing City and the Parish Council of Milford Without the expression "the Salisbury and Milford Without Burial Area" means the area within the jurisdiction of the Salisbury and Milford Without Burial Committee and comprised in the Parishes of Milford Without Milford Within Saint Edmund Saint Martin and Saint Thomas the expression "the Burial Committees" means the Salisbury and Milford Without Burial Committee and the Joint Committee appointed as aforesaid for the purposes of the Burial Acts 1852 to 1900 by the Council of the existing City and the Parish Council of Fisherton Anger Without;
- (8) The expression "the City maps" means the two maps each marked "Map of the City of New Sarum as extended 1904" and sealed with the official seal of the Local Government Board;
- (9) The expression "the Ward maps" means the two maps each marked "Map of the Wards of the City of New Sarum as extended 1904" and sealed with the official seal of the Local Government Board;

- (10) The expression "the added areas" means the parts of the Rural District which are added to the existing City by this Order ;
- (11) The expressions "the added part of Britford" "the added part of East Harnham" "the added part of Milford Without" and "the added part of Stratford under the Castle" mean respectively the parts of the Parishes of Britford East Harnham Milford Without and Stratford under the Castle which are respectively coloured light brown green blue and purple on the City maps ;
- (12) The expressions "the Act of 1888" and "the Act of 1894" mean respectively the Local Government Act 1888 and the Local Government Act 1894 ;
- (13) The expression "the Municipal Corporations Acts" means the Municipal Corporations Act 1882 and the Acts amending and extending the same and the expression "the Public Health Acts" means the Public Health Act 1875 and the Acts amending and extending the same ; and
- (14) The expressions "the Confirmation Act" and "the Order" mean respectively the Public Health Supplemental Act 1852 (No. 2) and the above-recited Provisional Order of the General Board of Health thereby confirmed.

A.D. 1904.

New Sarum
Order.

Art. II. This Order shall except so far as is otherwise herein expressly provided and so far as there may be anything in the subject-matter or context inconsistent therewith come into operation on the Ninth day of November One thousand nine hundred and four ;

Commence-
ment of Order.

Provided that for the purposes of the parish burgess lists and burgess roll and other lists to be made for the City under the Municipal Corporations Acts of the lists of county electors and the county register to be made for the County in pursuance of the County Electors Act 1888 or any Act amending that Act of the lists and registers of parochial electors and any other lists or registers to be made in pursuance of the Act of 1894 of all proceedings preliminary or relating to any municipal election to be held on the ordinary day of election in the year one thousand nine hundred and four and of the revision of the basis or standard of county rate this Order shall operate from the date of the Act of Parliament confirming this Order.

Date of opera-
tion of Order
for parish bur-
gess lists &c.
51 Vict. c. 10.

Art. III.—(1) The boundary of the existing City the area whereof is coloured pink on the City maps shall be altered so as to include in addition to that area so much of the Rural District as comprises the Parish of Fisherton Anger Without (the area whereof is coloured yellow on the City maps) the added part of Britford the added part of East Harnham the added part of Milford Without and the added part of Stratford under the Castle.

Extension of
City.

(2) The boundary of the City shall be that shown by the red line on the City maps and the whole of the area within such boundary shall for the purposes of the Municipal Corporations Acts and subject to the provisions of this Order for all other purposes be the City.

A.D. 1904.

*New Sarum
Order.*Deposit of
maps.

Art. IV.—(1) One of the City maps and one of the Ward maps shall be deposited in the office of the Local Government Board and the other shall be deposited by the town clerk of the existing City at his office within fourteen days after the date of this Order. Copies of the City map deposited with the town clerk certified by him to be true shall be sent within one month after the date of the Act of Parliament confirming this Order to the clerk of the County Council to the clerk to the Rural Council to the Board of Inland Revenue and to the Board of Agriculture and Fisheries and a copy of the Ward map so certified shall be sent within the said period to the Board of Agriculture and Fisheries.

Copies of map
to be evidence.

(2) Copies of or extracts from the City map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as *prima facie* evidence of the contents of such map so far as relates to the boundary of the City and such map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the City and any such person shall be entitled to a copy of or extract from such map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation. All fees so received shall be carried to the credit of the city fund.

Powers and
duties of
justices &c.
extended.

Art. V. The powers and duties of the quarter sessions recorder clerk of the peace and coroner of the existing City of the justices of the peace appointed for the existing City of the clerk to such justices and of the police constables and other peace officers of the existing City shall extend to and apply throughout the City:

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

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

Parish burgess
lists &c.

Art. VI.—(1) For the purposes of the parish burgess lists and burgess roll and other lists to be made under the Municipal Corporations Acts and all matters in relation thereto the added areas shall be deemed to have always been part of the City and the town clerk of the existing City shall be the town clerk of the City.

(2) In making out revising or otherwise dealing with the said lists and roll or the lists of county electors and the county register to be made for the County in pursuance of the County Electors Act 1888 or any Act amending that Act or the lists and registers of parochial electors effect shall be given so far as the circumstances require or allow to the provisions of this Order.

(3) Where any difficulty in giving effect to the provisions of this Order can be obviated or removed by any alteration in or re-arrangement of or any

other action affecting the said lists roll and registers such alteration re-arrangement or action so far as the same may be necessary for giving effect to the said provisions shall be made or taken by the town clerk or the clerk of the County Council as the case may require and the Overseers of the Poor shall render such assistance as may be requisite for the purpose of such alteration re-arrangement or action by the town clerk or clerk of the County Council as the case may be and such alteration re-arrangement or action shall be deemed to be authorised by the provisions in force with respect to such lists roll and registers.

A.D. 1904.

—
New Sarum
Order.

(4) Where in the opinion of the Local Government Board the circumstances so require the Local Government Board may make such order as appears to them to be necessary to give effect to the provisions of this Order and may vary so far as is requisite the provisions in force with regard to such lists roll and registers.

Art. VII. The number of Councillors of the City shall be increased from eighteen to twenty-one and the number of Aldermen of the City shall be increased from six to seven.

Number of
Councillors
and Aldermen.

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

(1) For the purposes of the election of Councillors the City shall be divided into seven wards which shall be termed respectively the St. Mark Ward the St. Edmund Ward the St. Martin Ward the St. Paul Ward the Milford Ward the St. Thomas Ward and the Fisherton Ward :

Division into
wards.

(2) Each of the said wards shall comprise that portion of the City which is indicated by a separate colour and distinguished by the name of the ward on the ward maps :

Boundaries of
wards.

(3) Three Councillors shall be assigned to each of the said wards.

Art. IX. For the purposes of the election of a town council for the City in pursuance of the Municipal Corporations Acts in the month of November One thousand nine hundred and four the following provisions shall apply:—

Special provi-
sions for first
election of
Councillors
in 1904.

(a) The town clerk and the Mayor of the existing City or such other persons as the Local Government Board shall appoint shall perform the duties devolving upon the town clerk and Mayor respectively under the Municipal Corporations Acts and the Mayor of the existing City shall be the returning officer at the election for all the wards Provided that the Mayor of the existing City may appoint some other person to act as returning officer at the election for any of the wards :

(b) Twenty-one Councillors of the City shall be elected on the First day of November One thousand nine hundred and four and seven Aldermen of the City shall be elected on the Ninth day of November One thousand nine hundred and four :

[Ch. clxi.] *Local Government Board's* [4 EDW. 7.]
Provisional Orders Confirmation (No. 11) Act, 1904.

A.D. 1904.

New Sarum
Order.

(c) Notwithstanding anything in the Municipal Corporations Acts to the contrary all the Councillors of the existing City who shall be in office on the First day of November One thousand nine hundred and four shall go out of office on that date and all the Aldermen of the existing City who shall be in office on the Eighth day of November One thousand nine hundred and four shall go out of office on that date and all such Councillors and Aldermen shall be eligible for election as Councillors on the First day of November One thousand nine hundred and four.

Retirement of
 Councillors
 and Aldermen
 elected in 1904.

Art. X.—(1) The Councillors elected for the City in the year one thousand nine hundred and four in pursuance of this Order shall retire as follows :—

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

(2) The Aldermen elected for the City in the year one thousand nine hundred and four shall retire as follows :—

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

Provided that if for any reason it is doubtful which of the Councillors or Aldermen as the case may be ought to retire on the dates above specified the Council of the City shall on the Ninth day of November One thousand nine hundred and four or at the next following quarterly meeting and not later by a majority of votes or in case of an equality of votes by the casting vote of the chairman determine which of the Councillors or Aldermen as the case may be shall go out of office on the dates above specified respectively.

Confirmation
 Act Order and
 Local Act.

Art. XI. The unrepealed provisions of the Confirmation Act so far as it applies to the Order and of the Local Act mentioned in the Order as the said provisions are in force within the existing City at the commencement of this Order shall extend and apply to the City and any reference in those provisions to the existing City and the Corporation shall be deemed to refer to the City and the Corporation of the City.

Mortgage debts
 of Corporation.

Art. XII. So much of any sums borrowed by the Corporation as will at the commencement of this Order be owing and charged upon the district fund and general district rate of the existing City shall by virtue of this Order be charged upon the district fund and general district rate of the City and so much of any sums borrowed by the Corporation as will at the commencement of this Order be owing and charged upon the city fund and city rate

of the existing City shall by virtue of this Order be charged upon the city fund and city rate of the City and all such sums shall together with the interest to accrue due thereon be repaid by the Corporation within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

A.D. 1904.

—
New Sarum
Order.

Art. XIII.—(1) All byelaws and regulations and every list of tolls and table of fees and payments and scale of charges made by the Corporation which at the commencement of this Order are in force in the existing City shall thenceforth apply to the City until or except in so far as any such byelaws or regulations or list of tolls or table of fees and payments or scale of charges may be altered or repealed.

Byelaws &c.

(2) All byelaws and regulations made by the Rural Council or their predecessors and in force immediately before the commencement of this Order in any part of the added areas shall on that date cease to be in force except as regards any work commenced before that date or any work for which plans shall either have been approved by the Rural Council before that date or shall have been sent to the surveyor or clerk to the Rural Council one month at least before that date and shall not have been disapproved by that council. As regards any such work as aforesaid the byelaws in force immediately before the commencement of this Order shall continue to apply until the completion of such work in like manner and with the like effect as if such byelaws had been made by the Corporation and as if the Corporation and the City were referred to therein instead of the Rural Council and the Rural District respectively. Provided that any proceedings which might have been taken by the Rural Council against any person for any offence committed before the commencement of this Order against any byelaws and regulations made by the Rural Council or their predecessors and in force on that date in any part of the added areas may be taken by the Corporation as if those byelaws and regulations had remained in force and the Corporation had been substituted therein for the Rural Council.

(3) For the purposes and subject to the provisions of the Education Acts 1870 to 1902—

Education
byelaws.

(a) Any byelaws in force in the existing City at the commencement of this Order shall thenceforth apply to the City until revoked or altered and from and after that date any such byelaws then in force in the added areas shall cease to be so in force:

(b) Any byelaws in force in the existing Parishes of Britford Laverstoke and Ford and West Harnham respectively at the commencement of this Order shall thenceforth apply to any area by this Order annexed to any of those parishes and any byelaws previously in force shall cease to be in force in any such area.

Art. XIV.—(1) The town clerk and all other officers and servants of the Corporation of the existing City who hold office at the commencement

Town clerk and
other officers
continued.

A.D. 1904.

*New Sarum
Order.*

of this Order shall continue to be the town clerk and officers and servants of the Corporation of the City and shall hold their offices by the same tenure as at that date.

City auditors.

(2) The auditors who are in office at the commencement of this Order shall continue in office and shall for the purposes of the Municipal Corporations Acts be the city auditors until the next ordinary day of election of city auditors for the said purposes.

Compensation
to existing
officers.

Art. XV.—(1) Every officer and servant who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary and for whose compensation no other provision is made by any enactment for the time being in force and applicable to his case shall be entitled to have compensation paid to him by the Corporation for such pecuniary loss and in determining such compensation regard shall be had to the conditions and other circumstances required by sub-section (1) of Section 120 of the Act of 1888 to be had in regard in cases of compensation under that section and the compensation shall not exceed the limit therein mentioned and subject to the provisions of this Order shall be paid in the case of any such officer or servant whose office or employment relates wholly or partly to sanitary purposes as defined by the Public Health Act 1875 out of the district fund and general district rate of the City and in the case of any other such officer or servant out of the city fund and city rate of the City and the provisions of sub-sections (2) to (7) of the said Section 120 shall apply with such modifications (if any) as may be required. Provided that the non-acceptance of any office shall not be a bar to the right of any officer to compensation.

(2) For the purposes of subdivision (1) of this Article any such officer or servant whose services are dispensed with by the Corporation because his services are not required and not on account of misconduct or whose salary is reduced on the ground that his duties have been diminished in consequence hereof in either case within five years from the commencement of this Order shall be deemed to have suffered a direct pecuniary loss in consequence of this Order.

Actions &c.
not to abate.

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

Saving for
contracts &c.

(2) Anything duly done or suffered and all contracts deeds bonds agreements and other instruments (subsisting at the commencement of this Order) entered into or made by the Rural Council or their predecessors in relation exclusively to any part of the added areas shall be of as full force and effect against or in favour of the Corporation of the City and may be continued

and enforced as fully and effectually as if instead of the Rural Council or their predecessors the Corporation had done or suffered the same or been a party thereto.

A.D. 1904.

New Sarum
Order.

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

Corporation
property &c.

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

(1) All property and liabilities which immediately before the commencement of this Order are vested in or attach to the Rural Council in relation exclusively to any part of the added areas shall by virtue of this Order vest in and be transferred and attach to the Corporation as Urban District Council and any property and liabilities vested in or attached to the Rural Council in relation to any part of the added areas conjointly with any other area shall be a matter for adjustment under Section 62 of the Act of 1888 :

Property &c.
of Rural
Council.

(2) The Rural Council shall cease to exercise any powers or have any duties within any part of the added areas :

Cesser of juris-
diction of Rural
Council.

(3) All arrears of rates made by any Overseers of the Poor for the purposes of the Public Health Acts or for highway expenses or for the purposes of the Lighting and Watching Act 1833 which at the commencement of this Order are due or owing in respect of hereditaments in the added areas may be collected and recovered as if this Order had not been made and when collected and recovered shall be applied in the case of rates made for the purposes of the Public Health Acts or for highway expenses towards the discharge of any precept of the Rural Council which at that date shall be in force and not satisfied and the balances if any shall be paid to the Corporation or in the case of rates made in either of the Parishes of East Harnham Fisherton Anger Without and Milford Without for the purposes of the Lighting and Watching Act 1833 shall be paid to the Corporation and any moneys so paid in respect of lighting rates made in either of the Parishes of East Harnham and Milford Without shall if necessary be a matter for adjustment under Section 62 of the Act of 1888 :

Arrears of
rates &c.

(4) Any balances in the hands of the Overseers of the Parishes of Britford East Harnham Milford Without and Stratford under

Adjustment of
balances.

A.D. 1904.

*New Sarum
Order.*Adaptation of
provisions as
to adjustment.

the Castle at the commencement of this Order shall be a matter for adjustment under Section 62 of the Act of 1888 :

- (5) For the purposes of the application of Section 62 of the Act of 1888 to any adjustment which may become necessary in consequence of this Order that section shall have effect as if in sub-sections (5) (6) and (7) thereof the expression "Council" included any authority affected by this Order or by anything done in pursuance of this Order and as if in the case of any such authority not otherwise empowered to borrow under any Act or on any security or in any manner mentioned in the said sub-section (6) that sub-section empowered the authority to borrow under any Act relating to and conferring on the authority a power to borrow on the security of all or any of the funds rates and revenues of the authority and in the manner provided by the said Act but without the consent of any other authority and subject to the requirement that all money so borrowed shall be repaid within such period as the Local Government Board may sanction.

Council to be
Burial Board
for City.

Art. XIX.—(1) The Council of the City shall be the Burial Board for the City and shall have within the City to the exclusion of any other burial authority all the powers rights duties and liabilities of a burial board under the Burial Acts 1852 to 1900.

Abolition of
Burial Com-
mittees.

(2) Subject to the provisions of subdivision (3) of this Article and to any other adjustment which may be made between the Corporation and the Parish Council of Laverstoke and Ford in relation to the property and liabilities of the Salisbury and Milford Without Burial Area any property and liabilities of the Burial Areas shall by virtue of this Order vest in and be transferred and attach to the Council of the City as the Burial Board of the City and the Burial Committees shall be abolished and cease to exist.

Mortgage debts
of Burial Areas.

(3) The liability for the repayment of any moneys borrowed for the purposes of the Burial Acts 1852 to 1900 in respect of the Salisbury and Milford Without Burial Area and for the payment of interest on such moneys shall be a matter for adjustment under Section 62 of the Act of 1888 between the Corporation and the Parish Council of Laverstoke and Ford :

Provided that nothing herein contained shall prejudice or affect any mortgage or other security which may have been given in respect of any moneys so borrowed or the rights or powers of the persons entitled under such mortgage or other security to enforce the same as if this Order had not been made.

Saving rights
of burial.

(4) Nothing in this Order shall prejudice or affect any right of burial which any parishioner or inhabitant of the part of the existing Parish of Milford Without amalgamated by this Order with the Parish of Laverstoke and Ford may have acquired prior to the commencement of this Order in relation to any burial ground provided for the Salisbury and Milford Without

Burial Area or any exclusive right of burial or any right of one or more burials or any right of placing any monument tablet or gravestone or any similar right which any person may have acquired prior to the commencement of this Order in relation to such burial ground.

A.D. 1904.

New Sarum
Order.

(5) Subject to the provisions of the Burial Act 1900 all fees payments and sums fixed and settled and receivable by the Burial Committees immediately prior to the commencement of this Order shall thenceforth be receivable by the Council of the City acting as a Burial Board until or except in so far as any such fees payments or sums may be altered or varied in pursuance of the statutory provisions in that behalf.

Art. XX. Subject to the provisions of Section 54 of the Act of 1888 the following provisions shall from and after the commencement of this Order have effect:—

Electoral
Divisions and
County Coun-
cillors.

(1) The existing New Sarum Saint Edmund New Sarum Saint Martin and New Sarum Saint Thomas Electoral Divisions shall be abolished the Parish of Fisherton Anger Without the added part of Milford Without and the added part of Stratford under the Castle shall cease to form part of the Fisherton Electoral Division the added part of Britford and the added part of East Harnham shall cease to form part of the Britford Electoral Division and the City shall be divided into three electoral divisions which shall be termed respectively the New Sarum St. Edmund Electoral Division the New Sarum St. Martin Electoral Division and the New Sarum St. Thomas Electoral Division :

(2) The New Sarum St. Edmund Electoral Division shall comprise the St. Mark Ward the St. Edmund Ward and the Milford Ward as constituted by this Order the New Sarum St. Martin Electoral Division shall comprise the St. Thomas Ward and the St. Martin Ward as constituted by this Order and the New Sarum St. Thomas Electoral Division shall comprise the St. Paul Ward and the Fisherton Ward as constituted by this Order :

(3) The persons who immediately prior to the commencement of this Order are the County Councillors respectively representing the existing New Sarum St. Edmund the existing New Sarum St. Martin and the existing New Sarum St. Thomas Electoral Divisions shall hold office for the period for which they would have remained in office if this Order had not been made and shall be deemed to have been elected respectively for the New Sarum St. Edmund Electoral Division the New Sarum St. Martin Electoral Division and the New Sarum St. Thomas Electoral Division as hereby constituted.

Art. XXI. The provisions of the Infectious Disease (Prevention) Act 1890 of Part III. of the Public Health Acts Amendment Act 1890 of the Museum and Gymnasiums Act 1891 of the Baths and Washhouses Acts 1846

Adoptive Acts.

A.D. 1904. to 1899 and of the Public Libraries Acts 1892 to 1901 shall be in force within and apply to the City as if the same had been adopted therein.

New Sarum Order.

Differential rating in added areas.

Art. XXII. The total amount for each year of the rate on each pound of assessable value of any property situate in the added areas and included in any general district rate shall for a period of twenty-three years from the commencement of this Order be less by threepence farthing than the total amount for the year of the rate on each pound of the assessable value of property of the like kind situate in that part of the area of the existing City which comprises the Parishes of Fisherton Anger Within and Milford Within and included in the said general district rate as levied in the said part of the existing City.

For the purposes of this Article the expression "assessable value" means in relation to any such property as aforesaid the net annual value or the reduced estimate of the net annual value on which or the one-fourth part of the net annual value in the proportion of which a person rated in the general district rate is in pursuance of the Public Health Act 1875 liable to be assessed in respect of such property.

County police.

Art. XXIII.—(1) At the commencement of this Order such members if any of the police force of the County as shall be determined by agreement to be made as soon as practicable after the date of the Act of Parliament confirming this Order between the Standing Joint Committee of the County and the Watch Committee of the existing City or in default of such agreement as shall be determined by a Secretary of State shall be transferred to and become part of the police force of the City and any member of the county police force so transferred shall hold office upon the same tenure and upon the same terms and conditions as if this Order had not been made and while he performs the same or similar duties his remuneration emoluments and allowances and the pension (if any) to which he is entitled shall not be less than they would have been if this Order had not been made.

53 & 54 Vict. c. 45.

(2) The provisions of Section 15 (2) of the Police Act 1890 shall extend and apply to and in relation to any member of the police force transferred under the powers of this Article as if such member had removed with the written sanction of the Chief Constable of the County.

County police stations.

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

Compensation to existing county officers.

(4) Every clerk to justices and county coroner and every officer or servant of or paid by the County Council or of or paid by the Standing

Joint Committee of the County who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary shall be entitled to have compensation paid to him by the Corporation for such pecuniary loss and in determining such compensation regard shall be had to the conditions and other circumstances required by sub-section (1) of Section 120 of the Act of 1888 to be had in regard in cases of compensation under that section and the compensation shall not exceed the limit therein mentioned and shall be paid out of the city fund and the provisions of sub-sections (2) to (7) of that section shall apply with the necessary modifications.

A.D. 1904.

New Sarum
Order.

(5) For the purposes of subdivision (4) of this Article any such officer or servant whose services are dispensed with by the County Council or the Standing Joint Committee of the County because his services are not required and not on account of misconduct or whose salary is reduced on the ground that his duties have been diminished in consequence hereof in either case within five years from the commencement of this Order shall be deemed to have suffered a direct pecuniary loss in consequence of this Order.

Art. XXIV.—(1) The added part of Britford the added part of East Harnham the added part of Milford Without and the added part of Stratford under the Castle shall be separated from the parishes to which they now respectively belong and—

Alteration of
parishes.

- (a) The added part of Britford and the added part of East Harnham shall be amalgamated and shall form a new parish to be called the Parish of Harnham :
- (b) The added part of Milford Without and the added part of Stratford under the Castle shall be amalgamated and shall form a new parish to be called the Parish of Milford :
- (c) The remaining part of the Parish of Milford Without shall be amalgamated with the Parish of Laverstoke and Ford :
- (d) The part of the Parish of East Harnham which is coloured dark red on the City maps shall be amalgamated with the Parish of Britford :
- (e) The part of the Parish of East Harnham which is coloured dark brown on the City maps shall be amalgamated with the Parish of West Harnham :
- (f) The said new Parishes of Harnham and Milford shall be included in the Salisbury Union and all orders in force in that Union shall be in force within and apply to such new parishes respectively.

(2)—(a) Subject to the provisions of this Order the Parish Councils of East Harnham Fisherton Anger Without and Milford Without shall respectively cease to exist and any powers and duties transferred by the Act of 1894 to those Parish Councils or to the Parish Councils of Britford and

Transfer of
powers duties
liabilities &c. of
Parish Coun-
cils and Parish
Meeting.

A.D. 1904.
 New Sarum
 Order.

Stratford under the Castle or to the Parish Meetings of the Parishes of Britford East Harnham Fisherton Anger Without Milford Without and Stratford under the Castle shall so far as regards the Parish of Fisherton Anger Without the added part of Britford the added part of East Harnham the added part of Milford Without or the added part of Stratford under the Castle be vested in exerciseable by and imposed on the persons and authorities in whom they would be vested or by whom they would be exerciseable or on whom they would be imposed if each of the added areas had been included in a parish in an Urban District on the appointed day within the meaning of the Act of 1894 and all property or liabilities held or incurred as far as regards the Parish of Fisherton Anger Without the added part of Britford the added part of East Harnham the added part of Milford Without or the added part of Stratford under the Castle for the purpose or by virtue of such powers or duties shall by virtue of this Order pass to and vest in or attach to the persons and authorities aforesaid Any property or liabilities of the said Parish Councils held or incurred so far as regards the Parish of Fisherton Anger Without the added part of Britford the added part of East Harnham the added part of Milford Without or the added part of Stratford under the Castle otherwise than by virtue or for the purposes of such powers or duties shall by virtue of this Order vest in and be transferred and attach to the Corporation.

(b) Any property or liabilities held or incurred by the Parish Councils of East Harnham and Milford Without so far as regards the parts of those parishes which are by this Order amalgamated with the Parish of Britford the Parish of West Harnham or the Parish of Laverstoke and Ford as the case may be shall by virtue of this Order vest in and be transferred and attach to the Parish Council of the parish with which the part is amalgamated.

(3) The Parish Councils of Britford Laverstoke and Ford Stratford under the Castle and West Harnham shall be deemed to have been elected and shall be the Parish Councils for those parishes respectively as altered by this Order.

(4) The accounts of the Parish Councils of East Harnham Fisherton Anger Without and Milford Without and of their committees and officers and of the Burial Committees and their officers if any shall be made up to the commencement of this Order and shall be audited by the District Auditor in like manner and with the like incidents and consequences as if this Order had not been made:

Provided that the audit may be held as soon as practicable after the commencement of this Order any statutory provision or regulation as to the time of holding the audit of such accounts to the contrary notwithstanding and that any sum certified by the District Auditor at such audit to be due from any person shall be paid to the treasurer of the City and may if necessary form the subject of an adjustment in accordance with the provisions of Section 62 of the Act of 1888.

Provisional Orders Confirmation (No. 11) Act, 1904.

Art. XXV.—(1) Subject to the provisions of Section 60 of the Act of 1894 one Guardian shall be assigned to the Parish of Harnham and two Guardians shall be assigned to the Parish of Milford as constituted by this Order.

A.D. 1904.

New Sarum
Order.Guardians and
Rural District
Councillors.

(2) The persons who at the commencement of this Order are holding the offices of Rural District Councillor and Guardian of the Poor for the Parish of Fisherton Anger Without shall cease to act as members of the Rural Council.

(3) The person who at the commencement of this Order is holding the offices of Rural District Councillor and Guardian of the Poor for the Parish of East Harnham and the persons who on the said date are holding the said offices for the Parish of Milford Without shall cease to act as members of the Rural Council but shall be deemed to have been elected and shall represent in the case of the person holding the said offices for the Parish of East Harnham the new Parish of Harnham and in the case of the persons holding the said offices for the Parish of Milford Without the new Parish of Milford upon the Board of Guardians of the Salisbury Union until the date on which they would have retired if this Order had not been made.

(4) The persons who at the commencement of this Order are holding the offices of Rural District Councillor and Guardian of the Poor for the Parishes of Britford Laverstoke and Ford Stratford under the Castle and West Harnham respectively shall be deemed to have been elected and shall represent those parishes as altered by this Order as if they had been originally elected to represent those altered parishes respectively.

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

Ecclesiastical
divisions and
charities.

Art. XXVII. Until new valuation lists are in force the portions of the valuation lists of any existing parishes affected by this Order which respectively relate to hereditaments in any part of those parishes amalgamated with or included in any other parish by this Order shall be deemed to form part of the valuation list of the parish with which the part is amalgamated or in which it is so included.

Valuation lists.

Art. XXVIII.—(1) Subject to any future revision the basis or standard of county rate for the County shall be deemed to be altered as follows:—

County rate
basis.

(a) By the omission therefrom of the amount appearing therein as the total annual value of the property in the existing Parishes of East Harnham and Milford Without:

(b) By the deduction from the amount appearing therein as the total annual value of the property in the existing Parishes of Britford and Stratford under the Castle of such a sum as will represent the annual value of the property in the added part of Britford or the added part of Stratford under the Castle as the case may be:

[Ch. clxi.] *Local Government Board's* [4 EDW. 7.]
Provisional Orders Confirmation (No. 11) Act, 1904.

A.D. 1904.
—
*New Sarum
Order.*

(c) By the insertion therein of the total annual value of the property in the new Parishes of Harnham and Milford :

(d) By the addition to the amount appearing therein as the total annual value of the property in the Parishes of Britford Laverstoke and Ford and West Harnham of such a sum as will represent the total annual value of the property in the part of the Parish of East Harnham or the part of the Parish of Milford Without as the case may be included by this Order in the parish.

(2) For the purposes of this Article the total annual value of the property in the new Parish of Harnham shall be such a sum as will represent the total annual value of the property in the added part of Britford and the added part of East Harnham and the total annual value of the property in the new Parish of Milford shall be such a sum as will represent the total annual value of the property in the added part of Milford Without and the added part of Stratford under the Castle and the sum which will represent the annual value of the property in the added part of Britford or the added part of East Harnham or the added part of Milford Without or the added part of Stratford under the Castle or in any of the areas included by this Order in the Parishes of Britford Laverstoke and Ford and West Harnham shall in each case be the amount which in relation to the amount appearing in the basis or standard of county rate as the total annual value of the existing parish is in the same proportion as the assessable value of the property in the added part or included area bears to the total assessable value of property in the existing parish.

(3) For the purposes of this Article assessable value means one-half of the rateable value according to the valuation list for the time being in force of the agricultural land together with the rateable value according to such list of the buildings and other hereditaments not being agricultural land in the existing parish or in the added part or area as the case may require.

Saving for
existing lists of
parliamentary
voters &c.

Art. XXIX. For the purposes of the registers of persons entitled to vote at an election of Members of Parliament of the registers of parochial electors and of jury lists the parishes affected by this Order shall be deemed to continue unaltered until the new registers and lists come into operation :

Provided that for the purposes of any election under the Act of 1894 to be held for any area affected by this Order and of the holding of any Parish Meetings in any parish affected by this Order the town clerk or the clerk of the County Council as the case may require shall if and when necessary cause the register of parochial electors to be altered in such manner as may be requisite to give effect to the provisions of this Order.

Settlement of
paupers.

Art. XXX.—(1) Every person who has acquired or who on or before the commencement of this Order shall acquire a settlement in any existing parish affected by this Order shall be deemed to have acquired a settlement in the parish comprising the area in which the acts or circumstances conferring such settlement shall have been done or occurred or if such acts or

circumstances shall have been done or occurred in more than one parish such settlement shall be in the parish comprising the place of residence of such person at the time of acquiring such settlement.

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Order.

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

Irremovability
of paupers.

(3) For all purposes of settlement and removal residence prior to the commencement of this Order in any area affected by this Order shall be deemed to have been residence in the parish which will comprise the area.

Residence of
paupers.

Art. XXXI. Notwithstanding the alteration in the areas of parishes effected by this Order all contribution orders made by the Guardians of the Poor of the Salisbury Union and all precepts made by the Rural Council before the commencement of this Order shall be as valid in law as if this Order had not been made.

Saving for
contribution
orders and
precepts.

Art. XXXII. All arrears of rates made by the Overseers of the Poor and due or owing at the commencement of this Order in respect of hereditaments in any area affected by this Order shall be collected and recovered by the Overseers of the Poor of the parish which will in pursuance of this Order comprise the area.

Arrears of
rates.

Art. XXXIII. Overseers of the Poor shall be appointed for the new Parishes of Harnham and Milford as soon as practicable after the commencement of this Order and until such appointments are made the Overseers of the Poor of the existing Parish of East Harnham shall act as the Overseers of the Poor of the new Parish of Harnham and the Overseers of the Poor of the existing Parish of Milford Without shall act as the Overseers of the Poor of the new Parish of Milford.

Appointment
of Overseers
for new
parishes.

Art. XXXIV. This Order may be cited as the New Sarum (Extension) Order 1904.

Short title.

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

(L.S.)

WALTER H. LONG President.

S. B. PROVIS Secretary.

A.D. 1904.

COUNTY OF WILTS.

*County of
Wilts Order.*

*Provisional Order to enable the County Council of Wilts to put
in force the Compulsory Clauses of the Lands Clauses Acts.*

To the County Council of Wilts ; —

And to all others whom it may concern.

WHEREAS the County Council of Wilts (herein-after referred to as "the Council") require to purchase and take the lands described in the schedule hereto for the purpose of the extension of their existing offices at Trowbridge :

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 176 of the Public Health Act 1875 by Section 65 of the Local Government Act 1888 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the following provisions shall have effect viz.,—

38 & 39 Vict.
c. 55.
51 & 52 Vict.
c. 41.

Art. I. The Council shall be empowered to put in force with reference to the lands described in the schedule hereto and for the purpose aforesaid the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement or any of them.

Art. II. This Order may be cited as the County of Wilts Order 1904.

The SCHEDULE above referred to.

Parish of TROWBRIDGE in the County of WILTS.

| Nos. on deposited Plans. | Description of Lands. | Owners or reputed Owners. | Occupiers. |
|--------------------------|----------------------------------------------------------------------------|-----------------------------------------------------------|--------------------------------------------------------------------------------------|
| 3 | Dwelling-house offices green-house stable outbuildings garden and passage. | The Wiltshire Working Men's Conservative Benefit Society. | The Wiltshire Working Men's Conservative Benefit Society and William Nelson Ledbury. |
| 4 | Easements or rights of light and air to storehouses stables and yard. | Usher's Wiltshire Brewery Company Limited. | Usher's Wiltshire Brewery Company Limited. |
| 5 | Easements or rights of light and air to brewery offices and yard. | Ditto - - - - | Ditto. |

Given under the Seal of Office of the Local Government Board this
Thirtieth day of April One thousand nine hundred and four.

(L.S.)

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

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