



## CHAPTER lxii.

An Act to confirm certain Provisional Orders of the                      A.D. 1904.  
Local Government Board relating to Ashton-in-Maker-  
field Brighton Manchester Nelson Scarborough and  
Sunderland.                      [24th June 1904.]

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

38 & 39 Vict.  
c. 55.

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

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

1. The Orders set out in the schedule hereto shall be and the  
same are hereby confirmed and all the provisions thereof shall have  
full validity and force.                      Orders  
in schedule  
confirmed.

2. This Act may be cited as the Local Government Board's  
Provisional Orders Confirmation (No. 1) Act 1904.                      Short title.

A.D. 1904.

SCHEDULE.

URBAN DISTRICT OF ASHTON-IN-MAKERFIELD.

*Ashton-in-Makerfield Order.*

*Provisional Order for altering a Confirming Act.*

To the Urban District Council of Ashton-in-Makerfield ;—

And to all others whom it may concern.

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

38 Vict.  
c. xxxviii.

43 & 44 Vict.  
c. lxxxvi.

56 & 57 Vict.  
c. cxvii.

62 & 63 Vict.  
c. cx.

And whereas there are in force in the District the unrepealed provisions of the Ashton-in-Makerfield Local Board Act 1875 (herein-after referred to as "the Local Act") as altered by the Ashton-in-Makerfield Order 1880 which was confirmed by the Local Government Board's Provisional Orders Confirmation (Aberavon &c.) Act 1880 the Ashton-in-Makerfield Order 1893 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 9) Act 1893 (herein-after referred to as "the Confirming Act") the Ashton-in-Makerfield Order 1899 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 5) Act 1899 (each of which Orders is herein-after referred to as the Order of the year in which it was made) and the Ashton-in-Makerfield Order 1883 which was confirmed by Parliament but which does not affect the subject-matter of this Order ;

And whereas by the Local Act as altered by the Order of 1880 the predecessors of the Council were empowered to borrow for the purposes of their water undertaking sums amounting in the whole to the sum of thirty-five thousand pounds ;

And whereas by Article II. (2) of the Order of 1893 the predecessors of the Council were empowered with the sanction of the Local Government Board to borrow in addition to the amounts then authorised to be borrowed for the purposes of their water undertaking such sums not exceeding in the whole the sum of five thousand pounds as might be necessary for those purposes ;

And whereas it is expedient that the Council be empowered to borrow further moneys for the said purposes :

38 & 39 Vict.  
c. 55.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 297 of the Public Health Act 1875 and by any

*Provisional Orders Confirmation (No. 1) Act, 1904.*

other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Confirming Act so far as it relates to the Order of 1893 shall be altered so as to provide as follows viz.,—

A.D. 1904.

*Ashton-in-Makerfield Order.*

Art. I. Subdivision (2) of Article II. of the Order of 1893 shall have effect as if the words "ten thousand pounds" were substituted therein for the words "five thousand pounds."

Increase of borrowing powers for purposes of water undertaking.

Art. II. The provisions of Articles IV. to IX. of the Order of 1899 shall apply and have effect as if the additional borrowing power conferred by Article I. of this Order had been conferred prior to the date of that Order and Article X. of the Order of 1899 shall apply to the costs of any local inquiry held with reference to the purposes of this Order.

Application of provisions of Order of 1899.

Art. III. This Order may be cited as the Ashton-in-Makerfield Order 1904 and may be cited together with the Ashton-in-Makerfield Orders 1880 to 1899 as the Ashton-in-Makerfield Orders 1880 to 1904.

Short titles.

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

(L.S.)

WALTER H. LONG President.

S. B. PROVIS Secretary.

## BOROUGH OF BRIGHTON.

*Provisional Order for altering a Confirming Act.**Brighton Pavilion Order.*

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

And to all others whom it may concern.

WHEREAS the Borough of Brighton (herein-after referred to as "the Borough") is an Urban Sanitary District of which the Mayor Aldermen and Burgesses acting by the council (herein-after referred to as "the Corporation") are the Urban Sanitary Authority ;

And whereas there are in force in the Borough the unrepealed provisions of the Brighton Pavilion Act 1850 the Brighton Pavilion Act 1867 and the Brighton Pavilion Act 1876 (herein-after referred to as "the Pavilion Acts") as altered by the Brighton Pavilion Order 1891 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act 1891 and the Brighton Pavilion Order 1894 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 11) Act 1894 (herein-after referred to as "the Confirming Act") ;

13 Vict. c. v.

30 Vict. c. xxii.

39 Vict.

c. xxxiv.

54 &amp; 55 Vict.

c. lxx.

57 &amp; 58 Vict.

c. cxxiii.

And whereas by Article II. of the Brighton Pavilion Order 1894 the Corporation were empowered with the sanction of the Local Government Board to borrow for all or any of the purposes of the Brighton Pavilion Acts 1850 to 1894 sums not exceeding the sum of five thousand pounds in

[Ch. lxii.] *Local Government Board's* [4 EDW. 7.]  
*Provisional Orders Confirmation (No. 1) Act, 1904.*

A.D. 1904.

*Brighton Pavilion Order.*

addition to the sums authorised to be borrowed by the Pavilion Acts and the Brighton Pavilion Order 1891 ;

And whereas it is expedient that the Corporation should be empowered to borrow further moneys for the said purposes :

38 & 39 Vict.  
c. 55.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 297 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Confirming Act so far as it relates to the Brighton Pavilion Order 1894 shall be altered so as to provide as follows viz.,—

Increase of borrowing powers for purposes of Pavilion Acts.

Art. I. Article II. of the Brighton Pavilion Order 1894 shall have effect as if the words "thirty-five thousand pounds" were substituted therein for the words "five thousand pounds."

Short titles.

Art. II. This Order may be cited as the Brighton Pavilion Order 1904 and the Brighton Pavilion Acts 1850 to 1894 and this Order may for all purposes be cited together as the Brighton Pavilion Acts 1850 to 1904.

Given under the Seal of Office of the Local Government Board this  
 Twenty-fifth day of February One thousand nine hundred  
 and four.

(L.S.)

WALTER H. LONG President.

S. B. PROVIS Secretary.

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CITY OF MANCHESTER.

*Manchester Order.*

*Provisional Order for altering certain Confirming Acts.*

To the Lord Mayor Aldermen and Citizens of the City of Manchester;—

And to all others whom it may concern.

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

38 & 39 Vict.  
c. clxi.

And whereas the unrepealed provisions of the Manchester Corporation Waterworks and Improvement Act 1875 (herein-after referred to as "the Local Act") as altered by the Manchester Order 1880 which was confirmed by the Local Government Board's Provisional Orders Confirmation (Abingdon &c.) Act 1880 by the Manchester Order 1884 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act 1884 by the Manchester Order 1893 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 12) Act 1893 by the Manchester Order (No. 1) 1899 which was confirmed by the Local Government Board's Provisional

43 & 44 Vict.  
c. xxxvi.  
47 & 48 Vict.  
c. ccxv.

56 & 57 Vict.  
c. cxxx.

62 Vict.  
c. xxviii.

[4 EDW. 7.] *Local Government Board's* [Ch. lxii.]  
*Provisional Orders Confirmation (No. 1) Act, 1904.*

Orders Confirmation (No. 1) Act 1899 (each of which Orders and Confirming Acts is herein-after referred to as the Order or the Confirming Act of the year in which it was made or passed as the case may be) and by certain other Local Acts and Provisional Orders which do not affect the subject-matter of this Order are in force in the City;

A.D. 1904.  
—  
*Manchester  
Order.*

And whereas by Section 57 of the Local Act as altered by the Order of 1880 and by the Order of 1884 the Corporation were empowered to borrow for the purposes of their gas undertaking the sum of seven hundred thousand pounds;

And whereas by Article IX. of the Order of 1893 as altered by Article I. of the Order of 1899 the Local Act the Confirming Act of 1880 so far as it related to the Order of 1880 and the Confirming Act of 1884 so far as it related to the Order of 1884 were altered so as to enable the Corporation with the sanction of the Local Government Board and subject to the provisions of the Order of 1893 to borrow on the security of the city rate of the City the sum of one million pounds in addition to the said sum of seven hundred thousand pounds for the purposes of their gas undertaking and it is expedient to increase the amount which may be borrowed by the Corporation for such purposes:

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 297 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Confirming Act of 1893 so far as it relates to the Order of 1893 and the Confirming Act of 1899 so far as it relates to the Order of 1899 shall be altered as herein-after provided that is to say,—

38 & 39 Vict.  
c. 55.

Art. I. Article IX. of the Order of 1893 and Article I. of the Order of 1899 shall apply and have effect as if the total amount thereby authorised to be borrowed were the sum of two million pounds.

Increase of  
borrowing  
powers.

Art. II. This Order may be cited as the Manchester Order 1904 and this Order and the Manchester Orders 1880 to 1899 including the Order which in this Order and in the Order of 1899 is referred to as the Manchester Order 1893 that is to say a Provisional Order dated the Eighteenth day of May One thousand eight hundred and ninety-three and partially repealing and altering certain Local Acts and Confirming Acts relating to the City may be cited together as the Manchester Orders 1880 to 1904.

Short titles.

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

(L.S.)

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

A.D. 1904.

BOROUGH OF NELSON.

*Nelson  
Order.*

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

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

WHEREAS the Borough of Nelson (herein-after referred to as "the Borough") is an Urban District of which the Mayor Aldermen and Burgesses acting by the council (herein-after referred to as "the Corporation") are the Urban District Council and as such council are the local authority within the meaning of the Public Health Act 1875;

42 & 43 Vict.  
c. lxxxix.

And whereas the unrepealed provisions of the Nelson Local Board Act 1879 (herein-after referred to as "the Local Act") as altered by the Provisional Orders herein-after recited and by certain other Provisional Orders which do not affect the subject-matter of this Order are in force in the Borough;

And whereas by Section 33 of the Local Act the Nelson Local Board (herein-after referred to as "the Local Board") were authorised to erect maintain alter enlarge and improve a public market and market place on the land therein referred to and such market and market place have been provided;

53 & 54 Vict.  
c. clxxix.

And whereas by Section 48 of the Local Act as altered by the Nelson Order 1890 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 10) Act 1890 the Local Board were authorised to borrow for market purposes sums amounting in the whole to the sum of twelve thousand pounds;

And whereas all the properties powers rights duties liabilities and obligations of the Local Board are now vested in the Corporation;

60 & 61 Vict.  
c. cxlii.

And whereas by Article II. of the Nelson Order 1897 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 15) Act 1897 (which Order and Act are herein-after respectively referred to as "the Order of 1897" and "the Confirming Act of 1897") the Corporation were authorised with the sanction of the Local Government Board to borrow the sum of five thousand pounds for the purposes of their market undertaking in addition to the said sum of twelve thousand pounds;

And whereas the Corporation have purchased the land described in the schedule hereto for market purposes and it is expedient that such provision as is herein-after set forth should be made with respect to that land and that the Corporation should be empowered to borrow further moneys for the purposes of their market undertaking:

38 & 39 Vict.  
c. 55.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after

the date of the Act of Parliament confirming this Order the Local Act and the Confirming Act of 1897 so far as the latter Act relates to the Order of 1897 shall be altered so that the following provisions shall have effect that is to say,—

A.D. 1904.

Nelson  
Order.

Art. I. The Corporation shall be deemed to have been authorised to purchase the land described in the schedule to this Order for the purposes of their market and market undertaking and that land shall be held by the Corporation for the purposes of Section 33 of the Local Act in addition to the land mentioned in that section and the land described in the schedule to the Order of 1897 and referred to in Article I. of that Order.

Authorisation  
of purchase  
of land.

Art. II. Article II. and Article III. of the Order of 1897 shall have effect as if in the former Article the words "fifteen thousand pounds" were substituted for the words "five thousand pounds" and as if in subdivision (1) of the latter Article the words "sixty years" were substituted for the words "fifty years."

Further borrow-  
ing powers for  
market purposes  
and period for  
repayment of  
borrowed  
moneys.

Art. III. This Order may be cited as the Nelson Order 1904 and the Nelson Orders 1890 to 1897 and this Order may be cited together as the Nelson Orders 1890 to 1904.

Short titles.

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The SCHEDULE above referred to.

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All that piece or parcel of land copyhold of the Manor of Ightenlull situate within the Borough of Nelson in the County of Lancaster bounded by Every Street Wellington Street Back Every Street and Albion Street containing in the whole by admeasurement 791 square yards or thereabouts and coloured red on a map which is sealed with the official seal of the Local Government Board and deposited in their office and a duplicate whereof sealed in like manner shall be deposited in the Town Hall Nelson within fourteen days from the date of this Order.

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

(L.S.)

WALTER H. LONG President.

S. B. PROVIS Secretary.

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BOROUGH OF SCARBOROUGH.

*Provisional Order for altering the Scarborough Corporation  
Act 1900.*

Scarborough  
Order.

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

And to all others whom it may concern.

WHEREAS the Borough of Scarborough (herein-after referred to as "the Borough") is an Urban District of which the Mayor Aldermen and Burgesses acting by the council (herein-after referred to as "the Corporation") are the

[Ch. lxii.] *Local Government Board's* [4 EDW. 7.]  
*Provisional Orders Confirmation (No. 1) Act, 1904.*

A.D. 1904.

*Scarborough  
Order.*

63 & 64 Vict.  
c. cclxxix.

Urban District Council and as such council are the local authority within the meaning of the Public Health Act 1875 ;

And whereas the provisions of the Scarborough Corporation Act 1900 (herein-after referred to as " the Local Act ") are in force in the Borough ;

And whereas by sub-section (1) of Section 5 of the Local Act the Corporation were empowered to make and maintain a carriage road or approach to the marine drive and works and conveniences connected therewith ;

And whereas by Section 66 of the Local Act the Corporation were empowered to borrow any sum or sums of money not exceeding in the whole the sum of thirteen thousand pounds for the construction of the new carriage road including the purchase of land therefor ;

And whereas it is expedient that the Corporation should be empowered to borrow further moneys for the said purpose ;

And whereas by the Local Act provision is made as to the repayment of principal moneys borrowed or to be borrowed by the Corporation under any statutory borrowing power including borrowing powers under that Act and not raised by the issue of Corporation Stock and by Section 76 of the Local Act it is provided that the said principal moneys shall be repaid within the periods respectively prescribed by the statutory borrowing powers and in the Local Act referred to as the prescribed periods :

38 & 39 Vict.  
c. 55.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Local Act shall be altered so that the following provisions shall take effect viz.,—

Additional  
borrowing  
powers for  
work described  
in s. 5 (1) of  
the Local Act  
and subsidiary  
works.

Art. I.—(1) In addition to the sums already authorised to be borrowed for the purchase of land for and for the construction in pursuance of the Local Act of the carriage road and works and conveniences connected therewith the Corporation may with the sanction of the Local Government Board and subject to the provisions of this Order borrow any sum not exceeding four thousand pounds for those purposes.

(2) For the repayment of all moneys to be borrowed in pursuance of this Order and for the payment of interest thereon the district fund and general district rate are hereby primarily made chargeable and the provisions of the Local Act shall apply and have effect accordingly.

Period for re-  
payment of  
borrowed  
moneys.

Art. II. The moneys borrowed under this Order shall be repaid within such period not exceeding sixty years from the date of borrowing as the Corporation with the sanction of the Local Government Board determine and the period so determined and sanctioned shall with reference to the moneys to be repaid be the prescribed period for the purposes of the Local Act.

Inquiries and  
expenses.

Art. III. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of the Local Act or this Order the costs incurred by that Board in relation to such inquiry (including such reasonable sum not exceeding three guineas a day as the Board may determine for the services of any inspector or officer of the Board engaged in such



inquiry) shall be paid by the Corporation and the Board may certify the amount of the costs so incurred and any sum so certified and directed by the Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

A.D. 1904.

—  
*Scarborough  
Order.*

Art. IV. This Order may be cited as the Scarborough Order 1904.

Short title.

Given under the Seal of Office of the Local Government Board this  
Twenty-seventh day of February One thousand nine hundred  
and four.

(L.S.)

WALTER H. LONG President.

S. B. PROVIS Secretary.

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## BOROUGH OF SUNDERLAND.

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

*Sunderland  
Order.*

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

And to all others whom it may concern.

WHEREAS the Borough of Sunderland (herein-after referred to as "the Borough") is an Urban Sanitary District of which the Mayor Aldermen and Burgesses acting by the council (herein-after referred to as "the Corporation") are the Urban Sanitary Authority and the unrepealed provisions of the Borough of Sunderland Act 1851 (herein-after referred to as "the Local Act") as altered by another Local Act and by the Sunderland Order 1902 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 9) Act 1902 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act") and by certain other Provisional Orders of the Local Government Board which were duly confirmed by Parliament but which do not affect the subject-matter of this Order are in force in the Borough;

14 & 15 Vict.  
c. lxvii.2 Edw. 7.  
c. lxxxiii.

And whereas by subdivision (1) of Article I. of the Order the Corporation were for the provision of additional accommodation for purposes connected with the business and administrative requirements of the Corporation and for other public or local purposes including meetings and assemblies authorised to purchase and acquire by agreement the lands and premises described in the Schedule to the Order and with the approval of the Local Government Board any other lands and premises and by subdivision (3) of the said Article the Corporation were further authorised to provide maintain use and improve on the said lands and premises any building or accommodation necessary or proper for such of the purposes mentioned in the said subdivision (1) as the Corporation might think fit and also for any such purpose to demolish rebuild adapt alter or improve any existing building

[Ch. lxii.] *Local Government Board's* [4 EDW. 7.]  
*Provisional Orders Confirmation (No. 1) Act, 1904.*

A.D. 1904. on the said lands and to provide maintain adapt alter or improve such  
*Sunderland* conveniences apparatus fittings or furniture as they might think fit for or  
*Order.* in connexion with any such building or accommodation provided maintained  
used or improved by them as aforesaid ;

And whereas by subdivision (1) of Article II. of the Order the Corpora-  
tion were empowered to borrow with the sanction of the Local Government  
Board such sums not exceeding in the whole the sum of fifty thousand pounds  
as might be necessary for the purpose of defraying any expenses under  
subdivision (1) of Article I. of the Order which might be properly chargeable  
to capital ;

And whereas it is expedient that the Confirming Act so far as it relates  
to the Order should be altered so as to confer power to borrow for the purpose  
of defraying any expenses under subdivision (3) of Article I. of the Order :

38 & 39 Vict. Now therefore We the Local Government Board in pursuance of the  
c. 55. powers given to Us by Section 297 of the Public Health Act 1875 and by  
any other Statutes in that behalf do hereby order that from and after the  
date of the Act of Parliament confirming this Order the Confirming Act  
so far as it relates to the Order shall be altered as is herein-after provided  
that is to say,—

Making borrow-  
ing powers ap-  
plicable to new  
matters.

Art. I. Subdivision (1) of Article II. of the Order shall have effect  
as if the words and figure "subdivision (1) of" were omitted from the said  
subdivision.

Short titles.

Art. II. This Order may be cited as the Sunderland Order 1904 and  
this Order and the Sunderland Order 1902 may be cited together as the  
Sunderland Orders 1902 and 1904.

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

(L.S.)

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

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