

[9 EDW. 7.]

Local Government Board's [Ch. cxviii.]
Provisional Orders Confirmation (No. 2) Act, 1909.



CHAPTER cxviii.

An Act to confirm certain Provisional Orders of the A.D. 1909.
Local Government Board relating to Derby Oswald-
twistle Wallasey and Walsall. [16th August 1909.]

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

38 & 39 Vict.
c. 55.

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

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 Short title.
Provisional Orders Confirmation (No. 2) Act 1909.

A.D. 1909.

SCHEDULE.

BOROUGH OF DERBY.

*Derby Order. Provisional Order for altering the Derby Corporation Act 1877
and the Local Government Board's Provisional Orders
Confirmation (No. 14) Act 1896.*

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

And to all others whom it may concern.

WHEREAS the Borough of Derby (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
40 & 41 Vict. provisions of the Derby Corporation Act 1877 (herein-after referred to
c. cxviii. as "the Local Act") as altered by the Derby Order 1896 (herein-after
59 & 60 Vict. referred to as "the Order") which was duly confirmed by the Local
c. cviii. Government Board's Provisional Orders Confirmation (No. 14) Act 1896
(herein-after referred to as "the Confirming Act") are in force in the
Borough;

And whereas by Section 65 of the Local Act the Corporation were
empowered with the sanction of the Local Government Board to borrow
any sum not exceeding twenty thousand pounds and by Section 66 of
the Local Act it was enacted that the moneys so borrowed by the Cor-
poration should be applied only for certain purposes including the
enlargement and improvement from time to time of the markets
market-hall and slaughter-houses and purposes connected therewith;

And whereas by Article II. of the Order the Corporation were
empowered with the sanction of the Local Government Board and
subject to the provisions of the Order to borrow such further sums not
exceeding in the whole the sum of ten thousand pounds as might be
necessary for the enlargement and improvement from time to time of
the markets market-hall and slaughter-houses and purposes connected
therewith;

And whereas the Corporation have made application to the Local
Government Board for the issue of a Provisional Order to alter or amend

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the Local Act as altered as aforesaid to the extent and in the manner herein-after set forth: A.D. 1909.
Derby Order.

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 shall be altered as follows that is to say:— 38 & 39 Vict.
c. 55.

Art. I. The Local Act as altered by the Order and the Confirming Act so far as it relates to the Order shall have effect as if in Article II. of the Order the words "twenty thousand pounds" were substituted for the words "ten thousand pounds". Increase of borrowing powers for purposes of markets &c.

Art II. This Order may be cited as the Derby Order 1909 and the Order and this Order may be cited together as the Derby Orders 1896 and 1909. Short titles.

Given under the Seal of Office of the Local Government Board
 this Twenty-third day of March One thousand nine hundred
 and nine.

(L.S.)

JOHN BURNS President.
 S. B. PROVIS Secretary.

URBAN DISTRICT OF OSWALDTWISTLE.

Provisional Order for altering the Oswaldtwistle Local Board Act 1869 the Local Government Board's Provisional Orders Confirmation (Aberavon &c.) Act 1880 the Local Government Board's Provisional Orders Confirmation (No. 2) Act 1888 the Local Government Board's Provisional Orders Confirmation Act 1892 and the Local Government Board's Provisional Orders Confirmation (No. 2) Act 1898. Oswaldtwistle Order.

To the Urban District Council of Oswaldtwistle;—

And to all others whom it may concern.

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

And whereas the unrepealed provisions of the Oswaldtwistle Local Board Act 1869 (herein-after referred to as "the Local Act") as altered by the Oswaldtwistle Order 1880 which was confirmed by the 32 & 33 Vict.
c. lxvi.

Oswaldtwistle Order.

43 & 44 Vict. c. lxxxvi. Local Government Board's Provisional Orders Confirmation (Aberavon &c.) Act 1880 the Oswaldtwistle Order 1888 which was confirmed by
 51 & 52 Vict. c. xl. the Local Government Board's Provisional Orders Confirmation (No. 2) Act 1888 the Oswaldtwistle Order 1892 which was confirmed by the
 55 & 56 Vict. c. lxxviii. Local Government Board's Provisional Orders Confirmation Act 1892 and the Oswaldtwistle Order 1898 which was confirmed by the Local
 61 Vict. c. xxxii. Government Board's Provisional Orders Confirmation (No. 2) Act 1898 (all which Provisional Orders and Confirming Acts are herein-after referred to respectively as "the Orders" and "the Confirming Acts") are in force in the District;

And whereas by the Local Act and the Orders the Council or their predecessors were empowered to borrow for purposes of the Local Act including gas purposes sums amounting in the whole to the sum of fifty thousand pounds;

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

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 Acts so far as they respectively relate to the Orders shall be altered so as to provide as follows that is to say:—

Additional borrowing powers for gas undertaking.

Art. I. Subject to the provisions of this Order the Council may with the sanction of the Local Government Board borrow for the purposes of their gas undertaking and upon the security of the gas rates gas rents and other revenue arising from that undertaking the improvement rate and the district fund and general district rate of the district or upon any of those securities either together or separately additional sums not exceeding in the whole the sum of twenty thousand pounds.

Period for repayment 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 Council with the sanction of the Local Government Board in each case 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 Loans Act 1875 and of Articles IV. V. and VI. of the Oswaldtwistle Order 1898 as applied by this Order.

Repayment &c. of borrowed money.

Art. III. Article II. and Articles IV. to X. of the Oswaldtwistle Order 1898 shall apply as if the said Articles were herein re-enacted.

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A.D. 1909. 1883 by the Wallasey Order 1895 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 1) Act 1895 by the Wallasey Order 1897 (herein-after referred to as "the Order of 1897") which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 2) Act 1897 by the Wallasey Order 1899 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 4) Act 1899 by the Wallasey Order 1900 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act 1900 by the Wallasey Order 1902 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 3) Act 1902 by the Wallasey Order 1905 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act 1905 and by the Wallasey Order 1907 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 7) Act 1907 (all which Provisional Orders and Confirming Acts are herein-after referred to respectively as "the Orders" and "the Confirming Acts") and by certain Local Acts and Provisional Orders which do not affect the subject-matter of this Order ;

Wallasey Order.
 58 & 59 Vict. c. xl.
 60 & 61 Vict. c. lxxviii.
 62 & 63 Vict. c. cxlv.
 63 & 64 Vict. c. clxxvii.
 2 Edw. 7. c. lxxx.
 5 Edw. 7. c. cvi.
 7 Edw. 7. c. clvii.

And whereas by the Act of 1872 and the Orders the Council or their predecessors were empowered to borrow for purposes of their ferry undertaking sums amounting in the whole to the sum of four hundred and eight thousand and eight hundred pounds in addition to the sums previously authorised for those purposes ;

And whereas it is expedient that the Council be empowered to borrow further moneys for purposes of and in connexion with their ferry undertaking and the Council have made application to the Local Government Board for the issue of a Provisional Order to repeal alter or amend the Local Acts and the Confirming Acts to the extent and in the manner herein-after set forth :

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Local Acts and the Confirming Acts so far as they respectively relate to the Orders shall be altered so as to provide as follows that is so say :—

38 & 39 Vict. c. 55.

Additional borrowing powers for ferry undertaking.

Art. I.—(1) Subject to the provisions of this Order the Council may with the sanction of the Local Government Board borrow for any of the purposes of their ferry undertaking such sums as may from time to time be necessary in addition to the said sum of four hundred and eight thousand and eight hundred pounds.

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(2) Notwithstanding anything contained in Section 63 of the Act of 1901 the moneys which under subdivision (1) of this Article the Council may be authorised to borrow may be borrowed upon the security of the Wallasey Ferries Account and of the district fund and general district rate of the district or upon either of those securities.

Wallasey Order.

Security for additional borrowing powers.

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 Council with the sanction of the Local Government Board in each case 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 Loans Act 1875 and of Articles IV. V. and VI. of the Order of 1897 as applied by this Order.

Period for repayment of borrowed moneys.

Art. III. Article II. and Articles IV. to X. of the Order of 1897 shall apply as if the said Articles were herein re-enacted and in terms made applicable to the moneys borrowed under this Order and otherwise to the purposes of this Order.

Repayment &c. of borrowed money.

Art. IV. This Order may be cited as the Wallasey Order 1909 and the Wallasey Orders 1852 to 1907 and this Order may be cited together as the Wallasey Orders 1852 to 1909.

Short titles.

Given under the Seal of Office of the Local Government Board this Twenty-fourth day of April One thousand nine hundred and nine.

(L.S.)

JOHN BURNS President.
S. B. PROVIS Secretary.

BOROUGH OF WALSALL.

Provisional Order for altering the Walsall Improvement and Market Act 1848.

Walsall Order.

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

And to all others whom it may concern.

WHEREAS the Borough of Walsall (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 Walsall Improvement and Market Act 1848 (herein-after

11 & 12 Vict. c. clxi.

A.D. 1909.

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*Walsall
Order.*

13 Vict. c. xv.
39 & 40 Vict.
c. cxix.

referred to as "the Local Act") as amended by the Walsall Improvement and Market Amendment Act 1850 and the Walsall Gas Purchase and Borough Extension Act 1876 are in force in the Borough;

10 & 11 Vict.
c. 89.

And whereas by virtue of Section 26 of the Local Act and Section 16 of the Walsall Gas Purchase and Borough Extension Act 1876 the provisions of the Town Police Clauses Act 1847 are in force in the Borough and by Section 13 of that Act the Corporation are empowered to purchase or rent any buildings or land and convert those buildings into or build on that land offices and other places for the purposes of the Local Act with all proper conveniences thereto and to repair from time to time and furnish and fit up the same;

And whereas it is expedient that the Corporation should be empowered to purchase and acquire the lands and premises described in the Schedule to this Order and to provide maintain use and improve accommodation for purposes connected with the business and administrative requirements of the Corporation and for other public and local purposes and to borrow money for the objects aforesaid and the Corporation have accordingly made application to the Local Government Board for the issue of a Provisional Order to repeal alter or amend the Local Act to the extent and in the manner herein-after set forth;

58 & 59 Vict.
c. lxxxviii.

And whereas by the Walsall Order 1895 (herein-after referred to as "the Order of 1895") which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act 1895 provision was made for the raising and repayment of moneys which the Corporation by the Order of 1895 were authorised to borrow and with respect to the costs of local inquiries:

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 that is to say:—

Purchase of
lands and
premises.

Art. I.—(1) The Local Act shall have effect so as to empower the Corporation to purchase and acquire by agreement the lands and premises described in the schedule hereto and known as the Bloxwich Music Hall property 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 and for the purpose of the said purchase and acquisition and for any other purpose of this Order to enable the Corporation and any other body authority or person to make such agreements and to do such things as are necessary or expedient for the transfer to and vesting in the Corporation of every estate and interest in those

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lands and premises and for the purchase release redemption or extinction or other dealing with any rights covenants conditions payments charges incumbrances or trusts affecting the said lands and premises.

A.D. 1909.

Walsall
Order.

(2) The provisions of the Public Health Act 1875 and of the incorporated enactments with respect to the purchase of lands by agreement for the purposes of that Act shall apply as if the said provisions and incorporated enactments were herein re-enacted and in terms made applicable to the purposes of this Order.

(3) From and after the purchase and acquisition of the said lands and premises the Corporation may provide maintain use and improve on those lands and premises any building or accommodation necessary or proper for such of the purposes mentioned in subdivision (1) of this Article as the Corporation think fit and may for any such purpose demolish rebuild adapt alter or improve any existing building on the said lands or comprised in the said premises and may further provide maintain adapt alter or improve such conveniences apparatus fittings or furniture as they think fit for or in connexion with any such building or accommodation provided maintained used or improved by them as aforesaid.

Provision
maintenance
use and im-
provement of
buildings.

(4) The Corporation may authorise upon such terms and subject to such conditions and regulations and for such public or local purposes as they deem expedient the use of any lands buildings or accommodation acquired or provided by them in pursuance of this Article and may also let the same for any such purposes for such reasonable sum by way of rent and otherwise upon such terms and subject to such conditions and regulations as they think fit.

Authorisa-
tion of use
and letting of
lands and
buildings.

Art. II.—(1) The expenses of the Corporation in the execution of this Order shall be defrayed out of the district fund and general district rate of the Borough and the Corporation shall carry to the account of the said district fund and shall apply as part of that fund all moneys arising from the use or letting of the said lands or buildings under Article I. of this Order.

Expenses ap-
plication of
revenue and
borrowing
powers.

(2) The Corporation may with the sanction of the Local Government Board and subject to the provisions of this Order borrow upon the security of the district fund and general district rate of the Borough such sums not exceeding in the whole the sum of two thousand pounds as may be necessary for the purpose of defraying any such expenses under this Order as are properly chargeable to capital.

Art. III. 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

Period for
repayment of
moneys bor-
rowed under
this Order.

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A.D. 1909. reference to the moneys to be repaid be the prescribed period for the purposes of the Local Loans Act 1875 and of the provisions of the Order of 1895 as applied by Article IV. of this Order.
Walsall Order.

Application of provisions of Order of 1895 to purposes of this Order. Art. IV. The provisions of Article III. and of Articles V. to IX. XVII. and XVIII. of the Order of 1895 shall have effect as if the said Articles were herein re-enacted and in terms made applicable according as the subject matter of the said Articles and the circumstances allow or require to the money borrowed under this Order and to any local inquiry held with reference to any purpose of this Order.

Short title. Art. V. This Order may be cited as the Walsall Order 1909.

The SCHEDULE above referred to.

A piece of land situate at Bloxwich in the Borough bounded on the east by High Street on the south by Wolverhampton Road on the west by Bloxwich Park and on the north by the Bloxwich National Schools and containing in the whole 1228 square yards or thereabouts together with the building known as the Bloxwich Music Hall and all other erections upon the said piece of land erected and built.

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

(L.S.)

JOHN BURNS President.
S. B. PROVIS Secretary.

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