CHAPTER cxxxi.

An Act to confirm certain Provisional Orders of the Local Government Board relating to Bath Manchester Wigan Wombwell the Chester-le-Street Joint Hospital District and the North Staffordshire Joint Small-pox Hospital District. [15th August 1913.] A.D. 1913.

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 Provisional Orders Confirmation (No. 7) Act 1913. Short title.

A.D. 1913.

SCHEDULE.

CITY OF BATH.

Bath Order. *Provisional Order for altering the Bath Act* 1879.

To the Mayor Aldermen and Citizens of the City of Bath;—

And to all others whom it may concern.

WHEREAS the City of Bath (herein-after referred to as "the City") is an Urban Sanitary District of which the Mayor Aldermen and Citizens acting by the Council (herein-after referred to as "the Corporation") are the Urban Sanitary Authority and there are in force in the City the unrepealed provisions of the Bath Act 1879 (herein-after referred to as "the Local Act") as altered by certain Provisional Orders duly confirmed by Parliament which do not affect the subject-matter of this Order;

42 & 43 Vict. c. lxii.

And whereas by Section 5 of the Local Act the lands comprised in the second part of the First Schedule to the Local Act including the land known as the Lower Common were vested in the Corporation and by Sections 21 and 23 of the Local Act the Corporation were empowered to lay out any part of the said lands as a public park or to demise and lease those lands at such rents and subject to such covenants and conditions as they might think fit;

And whereas by Section 25 of the Local Act the Corporation were prohibited from erecting buildings on the said lands except in substitution for buildings existing at the date of the passing of the Local Act which might be removed or for the reasonable enlargement of such buildings and except lodges kiosks greenhouses hothouses or other ornamental buildings of a similar nature;

And whereas the Corporation propose to appropriate for educational purposes that part of the Lower Common which is described in the Schedule to this Order and to divert the footpath which traverses the said part of the Lower Common;

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

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 303 of the Public Health Act 1875

38 & 39 Vict. c. 55.

A.D. 1913.

Bath Order.

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:—

Authorising appropriation of part of Lower Common.

Art. I.—(1) The Corporation may appropriate free from any of the restrictions imposed by the Local Act that part of the Lower Common which is described in the Schedule to this Order for any of the purposes of the Education Acts 1870 to 1911.

Authorising diversion of footpath.

(2) The Corporation may stop up the public footpath shown on the plans herein-after referred to when they have made for public use the new footpath also shown on the said plans Provided that such stopping up shall not take place until two justices shall have certified that the new footpath has been completed to their satisfaction and is open for public use and as from the date of such certificate all rights of way over or along the existing footpath so stopped up shall be extinguished.

The plans above referred to are two plans each of which is sealed with the official seal of the Local Government Board and marked "Plan referred to in the Bath Order 1913" and one of which is deposited in the office of the Local Government Board and the other shall be deposited by the town clerk of the City at his office within fourteen days from the date of this Order.

Short title.

Art. II. This Order may be cited as the Bath Order 1913.

The SCHEDULE above referred to.

All that piece of land situate in the City containing by estimation one acre and two roods or thereabouts and forming part of the land known as the Lower Common which piece of land is coloured pink on the said plans.

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

(L.S.)

John Burns President.
H. C. Monro Secretary.

A.D. 1913.

Manchester Order.

CITY OF MANCHESTER.

Provisional Order for altering certain Local Acts and a Confirming Act.

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;

54 & 55 Vict. c. ccvii. 60 & 61 Vict. c. ccxli. 7 Edw. 7. c. clxv.

And whereas there are in force in the City the unrepealed provisions of the Manchester Corporation Act 1891 and of the Manchester Corporation Act 1897 (which Acts are herein-after together referred to as "the Local Acts" and each of which Acts is herein-after separately referred to as the Act of the year in which it was passed) as altered by the Manchester Order 1907 which was confirmed by the Local Government Board's Provisional Order Confirmation (No. 15) Act 1907 (which Order and Confirming Act are herein-after referred to respectively as "the Order of 1907" and "the Confirming Act of 1907");

And whereas the Corporation were empowered by Section 13 of the Act of 1891 as a part of their waterworks undertaking to supply by agreement within the City water under pressure for the purposes of supplying motive power by hydraulic pressure;

And whereas by Section 40 of the Act of 1891 the Corporation were authorised to borrow money for purposes connected with their waterworks undertaking including the supply of water for hydraulic pressure and by subsection (1) of Section 42 of the Act of 1897 as altered by the Order of 1907 the Corporation were empowered to borrow a further sum not exceeding one hundred and fifty thousand pounds for the supply of water for hydraulic pressure under the powers of the Act of 1891;

And whereas the Corporation have made application to the Local Government Board for the issue of a Provisional Order to alter or amend the Local Acts and the Confirming Act of 1907 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 Acts and the Confirming Act of 1907 so far as it relates to the Order of 1907 shall be altered so that the following provisions shall take effect that is to say:— A.D. 1913. *Manchester Order.*

Art. I. The Act of 1897 as altered by the Order of 1907 shall have effect (A) as if in subsection (1) of Section 42 of the Act of 1897 there were inserted after the words "other than the supply of water for hydraulic pressure)" the words— Additional borrowing powers for supply of water for hydraulic power purposes.

"and such further sums as may from time to time be "required and as may be sanctioned by the Local Government "Board for the supply of water for hydraulic pressure";

(B) as if in paragraph (b) of sub-section (3) of the said Section there were inserted after the words "hydraulic pressure" the words—

"except moneys borrowed with the sanction of the Local "Government Board";

and (C) as if the following words were added to that paragraph namely—

"and all moneys borrowed for the said purposes with the "sanction of the Local Government Board within such period "not exceeding sixty years from the date of the borrowing of "the same as that Board may sanction."

Art. II. This Order may be cited as the Manchester Order 1913. Short title

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

(L.S.) John Burns President.
H. C. Monro Secretary.

BOROUGH OF WIGAN.

Provisional Order for altering the Wigan Corporation Act 1905. *Wigan Order.*

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

And to all others whom it may concern.

WHEREAS the Borough of Wigan (herein-after referred to as "the Borough") is an Urban Sanitary District of which the Mayor Aldermen

A.D. 1913.

Wigan Order.
5 Edw. 7. c. ccxii.

and Burgesses acting by the Council (herein-after referred to as "the Corporation") are the Urban Sanitary Authority and there are in force in the Borough the unrepealed provisions of the Wigan Corporation Act 1905 (herein-after referred to as "the Local Act");

And whereas by Section 74 of the Local Act the agreement dated the Eleventh day of March One thousand nine hundred and five and made between the Corporation of the one part and Thomas Johnson of the other part which is set forth in the Fifth Schedule to the Local Act was confirmed and made binding upon the parties thereto;

And whereas by the said agreement it was provided among other things that the said Thomas Johnson should erect and complete within three years from the date of the commencement of the said agreement a cattle mart and slaughter-houses in accordance with the plans and sections referred to in the agreement;

And whereas the said cattle mart and slaughter-houses have not been erected in accordance with the terms of the agreement;

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

Extension of period for erection of cattle mart &c.

Art. I. Section 74 of the Local Act and the agreement confirmed thereby shall have effect as if the period of three years from the date of the Act of Parliament confirming this Order had been inserted in the said agreement instead of the period of three years from the commencement of the agreement.

Short title.

Art. II. This Order may be cited as the Wigan Order 1913.

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

(L.S.)

John Burns President.
H. C. Monro Secretary.

URBAN DISTRICT OF WOMBWELL.

A.D. 1913.

Wombwell Order.

Provisional Order for partially repealing and altering the Wombwell Local Board Gas Act 1879.

To the Urban District Council of Wombwell; —

And to all others whom it may concern.

WHEREAS the Urban District Council of Wombwell (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 Wombwell (herein-after referred to as "the District") and there are in force in the District the unrepealed provisions of the Wombwell Local Board Gas Act 1879 (herein-after referred to as "the Local Act"); 42 & 43 Vict. c. cxxiv.

And whereas in pursuance of the Local Act the gas undertaking of the Wombwell and Darfield Gas Company became vested in the Wombwell Local Board (who were the predecessors of the Council and are herein-after referred to as "the Local Board") and the Council are empowered to manufacture and supply gas and to purchase land by agreement for the purposes of their gas undertaking but the Council are by the Local Act prohibited from manufacturing gas or residual products except upon the lands described in the First Schedule to the Local Act and from storing gas except upon those lands without the previous consent in writing of the owner lessee and occupier of every dwelling-house situate within three hundred yards of the limits of the site where such gas is intended to be stored;

And whereas the Council have in pursuance of the Local Act purchased by agreement the land described in Part I. of Schedule A. to this Order and have agreed to purchase the land described in Part II. of the said Schedule;

And whereas by Section 15 of the Local Act the Local Board were empowered to borrow with the consent of the Local Government Board such sums as they might think requisite for any of the purposes of the Local Act in addition to the sum of Fourteen thousand pounds which they were by the said section authorised to borrow without that consent and by the said section and by Section 19 of the Local Act provision was made with respect to mortgages and re-borrowing;

And whereas by Section 18 of the Local Act provision was made with respect to the repayment of all moneys borrowed by the Local Board under the Local Act;

And whereas by instruments the dates whereof are set forth in column 1 of Schedule B. to this Order the Local Government Board

A.D. 1913.

Wombwell Order.

have in pursuance of Section 15 of the Local Act consented to the borrowing by the Council of the sums set opposite to those dates in column 2 of the said Schedule and those sums are being or will be repaid by the Council within the periods from the respective dates of borrowing which are shown in column 4 of that Schedule;

And whereas there were outstanding at the Thirty-first day of March One thousand nine hundred and thirteen in respect of the sums already borrowed as aforesaid with the consent of the Local Government Board the amounts specified in column 3 of Schedule B. to this Order opposite to those sums respectively (which outstanding amounts or so much thereof as will be owing at the date of the Act of Parliament confirming this Order are herein-after referred to as "the balances of the existing loans");

And whereas by Section 21 of the Local Act provision is made with regard to the application by the Council of the revenue of their gas undertaking and by Section 22 of the Local Act the Council are required to keep separate accounts of the receipts and expenditure for gas purposes on capital and revenue account;

And whereas the Council have made application to the Local Government Board for the issue of a Provisional Order to partially repeal alter or amend the Local Act 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 Section 303 of the Public Health Act 1875 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 (herein-after referred to as "the commencement of this Order") the Local Act shall be partially repealed and altered so that the following provisions shall take effect that is to say:—

Use of additional lands for gas purposes.

Art. I. Notwithstanding anything in the Local Act the Council may hold and use the land described in Part I. of Schedule A. to this Order for all or any of the purposes of their gas undertaking including the manufacture and storage of gas and residual products as if such land was included in and formed part of the lands described in the First Schedule to the Local Act and the provisions of the Local Act shall apply and have effect accordingly and from and after the purchase of the land described in Part II. of Schedule A. to this Order the Council may hold and use that land for the like purposes and subject to the like conditions and provisions.

Repeal of certain provisions of Local Act.

Art. II. Sections 18 19 21 and 22 of the Local Act and so much of Section 15 of the Local Act as applies the provisions of Section 239 of the Public Health Act 1875 to mortgages under the Local Act shall be repealed Provided that this repeal shall not in relation to such mortgages under the Local Act as are subsisting at the commencement

A.D. 1913.

Wombwell Order.

of this Order affect the operation of the provisions of the Local Act with respect to mortgages.

Period for repayment of existing loans and moneys hereafter borrowed under the Local Act.

Art. III. Notwithstanding anything in the Local Act the several periods specified in Column 4 of Schedule B to this Order shall be and shall be deemed always to have been the periods from the respective dates of borrowing within which the Council are and have been required to repay the several sums set forth in column 2 of the said Schedule and the Local Act shall have and shall be deemed always to have had effect accordingly and all moneys borrowed after the commencement of this Order with the consent of the Local Government Board under Section 15 of the Local Act 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 each of the periods specified as aforesaid or any period so determined and sanctioned as the case requires is herein-after referred to as "the prescribed period" and shall with reference to the repayment of those sums or moneys be the prescribed period for the purposes of this Order and of the Local Loans Act 1875.

Mode of repayment.

Art. IV.—(1) The Council shall repay the balances of the existing loans and all moneys borrowed after the Thirty-first day of March One thousand nine hundred and thirteen with the consent of the Local Government Board under Section 15 of the Local Act (other than moneys borrowed under the provisions of the Local Loans Act 1875) by equal annual instalments of principal or by equal annual instalments of principal and interest combined or by means of a sinking fund or partly by one of those methods and partly by another or the others of them.

Formation maintenance and application of sinking fund.

(2) Subject to the provisions of Article V. of this Order if the Council determine to repay by means of a sinking fund the balances of the existing loans or any moneys borrowed as aforesaid after the Thirty-first day of March One thousand nine hundred and thirteen the sinking fund shall be formed and maintained either—

(*a*) by payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed A sinking fund so formed is herein-after called a non-accumulating sinking fund; or

(*b*) by payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which the sinking fund is formed A sinking fund so formed is herein-after called an accumulating sinking fund.

A.D. 1913.

Wombwell Order.

(3) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in securities in which trustees are by law for the time being authorised to invest or in mortgages bonds debentures debenture stock stock or other securities (not being annuity certificates or securities payable to bearer) duly issued by any local authority as defined by Section 34 of the Local Loans Act 1875 but exclusive in every case of the securities of the Council and the Council shall be at liberty from time to time to vary and transpose the investments.

(4) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Council towards the equal annual payments to the fund.

(5) The Council may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed Provided that in the case of an accumulating sinking fund the Council shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(6)—(*a*) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any deficiency shall be made good by the Council:

(*b*) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any such excess may be applied towards those equal annual payments.

(7) Any expenses connected with the formation maintenance investment application or management of or otherwise in relation to any sinking fund under this Order shall be paid by the Council in addition to the payments provided for by this Order.

Increase reduction or discontinuance of payments to sinking fund.

Art. V.—(1) If it appears to the Council at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period

the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Council to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose Provided that if it appears to the Local Government Board that any such increase is necessary the Council shall increase the payments to such extent as the Board may direct.

(2) If the Council desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(3) If in the opinion of the Local Government Board the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Council may reduce the payments to be made to the sinking fund either temporarily or permanently to such an extent as the Board approve.

(4) If in the opinion of the Local Government Board the amount in any sinking fund at any time together with the accumulations thereon (in the case of an accumulating sinking fund) will probably be sufficient to repay the loan in respect of which it is formed within the prescribed period the Council may with the consent of the Board discontinue the equal annual payments to the sinking fund until the Board otherwise direct.

Surplus of sinking fund.

(5) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Council with the consent of the Local Government Board may determine.

Power to re-borrow.

Art. VI.—(1) The Council shall have power—

(*a*) to borrow for the purpose of paying off any moneys previously borrowed under the Local Act which are intended to be forthwith repaid; or

(*b*) to borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Council in repaying moneys previously borrowed under the Local Act and which at the time of such repayment it was intended to replace by borrowed moneys.

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

A.D. 1913.

Wombwell Order.

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

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

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

(*a*) by instalments or annual payments; or

(*b*) by means of a sinking fund; or

(*c*) out of moneys derived from the sale of land; or

(*d*) out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

Receiver.

Art. VII.—(1) Subject to the provisions of this Article any mortgagee of the Council in respect of a mortgage under the Local Act executed after the commencement of this Order may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver.

(2) The application for the appointment of a receiver shall be made to the High Court and the Court if it thinks fit may appoint a receiver on such terms as it thinks fit and may at any time discharge the receiver and otherwise exercise full jurisdiction over him:

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

Return as to provision for repayment of debt.

Art. VIII.—(1) The clerk to the Council shall within twenty-one days after the Thirty-first day of March in each year if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of this Order or in respect of any money raised for the purposes of the gas undertaking of the Council and at any other time when the Local Government Board may require such a return to be made transmit to the Board a return in such form as may from time to time be prescribed by the Board and if required by the Board verified by statutory declaration of the clerk showing for the year next preceding the making of the return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated

A.D. 1913.

Wombwell Order.

and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of his failing to make the return the clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of that penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Board out of the High Court.

(2) If it appears to the Local Government Board by that return or otherwise that the Council have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether the instalment or annual payment or sum is required by this Order or by the Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than an authorised purpose the Board may by order direct that the sum in their order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as is mentioned in the said order and any such order shall be enforceable by writ of mandamus to be obtained by the Board out of the High Court.

Separate accounts for gas undertaking.

Art. IX. The Council shall keep separate capital and revenue accounts of all receipts credits payments liabilities and transactions in relation to their gas undertaking which accounts shall be distinct from the other accounts of the Council and shall be called respectively "the gas capital account" and "the gas revenue account".

Application of gas revenue.

Art. X.—(1) All moneys from time to time received by the Council by way of revenue from their gas undertaking shall be applied for the following purposes:—

First—In payment of the gas establishment charges (that is to say) of the expenses properly chargeable to revenue of carrying on and maintaining the gasworks and the gas undertaking of the Council:

Secondly—In payment of the interest on the moneys borrowed or re-borrowed for the purposes of the gas undertaking:

Thirdly—In providing for the discharge in accordance with the provisions of this Order of any moneys borrowed or re-borrowed for the purposes of the gas undertaking:

A.D. 1913.

Wombwell Order.

Fourthly—In payment if the Council think fit of the expenses of executing any permanent works authorised by the Local Act as altered by this Order for the purposes of the gas undertaking:

Fifthly—In setting apart if the Council think fit such money as they from time to time think reasonable for the purpose of forming a reserve fund to provide for any extraordinary expenditure in connection with the gas undertaking or to meet the cost of the extension or improvement of the gas undertaking or to make good any deficiency in the revenue of the gas undertaking Provided that the reserve fund shall be accumulated by way of compound interest by investment in the manner specified in sub-division (3) of Article IV. of this Order as to the sinking fund until the reserve fund amounts according to the market price of the investments to the sum of five thousand pounds and that whenever the reserve fund amounts according to the market price of the investments to the sum of five thousand pounds the income therefrom shall be applied in the same manner as money received by the Council by way of revenue from the gas undertaking.

(2) The Council shall carry to the credit of the district fund of the District so much of any balance remaining in any year of the revenue arising from their gas undertaking as may in the opinion of the Council not be required for carrying on the gas undertaking and paying the current expenses connected therewith.

Inquiries and expenses.

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

Short title.

Art. XII. This Order may be cited as the Wombwell Order 1913.

The SCHEDULES above referred to.

SCHEDULE A.

Part I.

All that piece of land containing two roods twelve perches and five square yards or thereabouts situate in the Township and Urban District of Wombwell in the County of the West Riding of Yorkshire and bounded on the north-east by the Great Central Railway on the north-west by the existing gasworks of the Council on the south-west by the Sheffield and South Yorkshire Canal and on the south-east by the land described in Part II. of this Schedule.

Part II.

All that piece of land containing one rood thirty-nine perches or thereabouts situate in the Township and Urban District of Wombwell in the County of the West Riding of Yorkshire and bounded on the north-east by the Great Central Railway on the north-west by the land described in Part I. of this Schedule on the south-west by the Sheffield and South Yorkshire Canal and on the south-east by lands belonging or reputed to belong to Sir Theodore Francis Brinckman Bart.

SCHEDULE B.

Date of Sanction by Local Government Board.	Amount Sanctioned to be Borrowed.	Amount Outstanding at 31st March 1913.	Period for Repayment.
1.	2.	3.	4.
	£	£ s. d.	
21st August 1899 - - - -	5,500	2,930 0 0	29 years.
24th November 1902 - - -	4,841	3,598 1 10	26 years.
30th March 1909 - - - -	1,606	1,450 19 10	24 years.
30th March 1909 - - - -	469	324 5 1	10 years.
10th December 1909 - - -	670	494 4 2	10 years.
10th December 1909 - - -	330	310 17 11	30 years.
24th December 1912 - - -	105	105 0 0	25 years.
8th January 1913 - - - -	1,165	1,165 0 0	25 years.
31st March 1913 - - - -	5,730	5,730 0 0	30 years.

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

(L.S.)

John Burns President.
H. C. Monro Secretary.

A.D. 1913.

Chester-le-Street Order.

CHESTER-LE-STREET JOINT HOSPITAL DISTRICT.

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

To the Urban District Council of Chester-le-Street;—

To the Rural District Council of Chester-le-Street;—

And to all others whom it may concern.

WHEREAS the district councils named in column 2 of the Schedule to this Order are the local authorities within the meaning of the Public Health Act 1875 for the districts named in column 1 of that Schedule:

38 & 39 Vict. c. 55.

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

Definitions.

Art. I. In this Order—

(1) The expression "the appointed day" means the date of the Act of Parliament confirming this Order;

(2) The expression "the Schedule" means the Schedule to this Order;

(3) The expression "the Act" means the Public Health Act 1875;

(4) The expression "Constituent District" means a district named in column 1 of the Schedule and the expression "Constituent Districts" means both the districts so named;

(5) The expression "Constituent Authority" means a district council named in column 2 of the Schedule and the expression "Constituent Authorities" means both the district councils so named;

(6) The expression "the Joint Board" means the governing body of the United District to be formed in pursuance of this Order.

Commencement of Order.

Art. II. This Order shall come into operation from and after the appointed day.

Formation of district.

Art. III. The Constituent Districts shall be formed into a United District to be called the Chester-le-Street Joint Hospital District for

the purposes of the provision maintenance and management for the use of the inhabitants of the Constituent Districts of a hospital or hospitals for the reception of cases of infectious diseases.

Constitution of governing body.

Art. IV. The Joint Board shall consist of two ex-officio and twelve elective members and shall be called the Chester-le-Street Joint Hospital Board.

Ex-officio and elective members.

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

Number and qualification of elective members.

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

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

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

Date of first election.

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

Notification to Local Government Board of members first elected.

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

Tenure of office of members.

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

Provided always that an elective member shall not continue in office for a longer period than three years without re-election and a member who ceases to hold office by reason of the expiration of his period of office or by reason of his resignation or disqualification or ceasing to be a member of the said Constituent Authority shall subject

A.D. 1913.

Chester-le-Street Order.

to the provisions of Article VII. of this Order be re-eligible as a member of the Joint Board if at the time of re-election he is qualified to be so re-elected.

Supply of vacancies.

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

Meetings.

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

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

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

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

Committees.

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

Appointment and remuneration of officers.

Art. XIII. The Joint Board shall at their first meeting or at an adjournment thereof and thereafter as occasion requires appoint a chairman (who shall subject to the provisions of Articles VII. and X. of this Order continue chairman for such period not exceeding three

A.D. 1913.

Chester-le-Street Order.

years as may be determined by the Joint Board at the time of his appointment) a treasurer and a clerk and they may appoint one or more medical officers who shall be registered medical practitioners and such other officers and servants as they think requisite The Joint Board may pay their treasurer clerk medical officers and other officers and servants such reasonable remuneration as they deem expedient and every such treasurer clerk medical officer and other officer and servant shall be removable by the Joint Board at their pleasure.

Mode of admission into hospitals.

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

(*a*) By an order of the Joint Board or of a Constituent Authority;

(*b*) By an order of a medical officer of health of a Constituent Authority;

(*c*) By an order of a medical officer appointed by the Joint Board; or

(*d*) By an order of a justice made under the provisions of Section 124 of the Act with the consent required by that section.

(2) If the board of guardians of the Chester-le-Street Union and the Joint Board agree for the reception into the hospital of persons in the receipt of relief from that board of guardians any such person may be admitted into the hospital in the manner and on the terms prescribed in the agreement.

Powers rights duties &c. of Joint Board.

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

Of the Act:—

Sections 122 123 131 and 132 (as amended by Section 60 of the Public Health Acts Amendment Act 1907) relating to infectious diseases and hospitals. **7 Edw. 7. c. 53.**

Sections 173 and 174 (except subsection 3) relating to contracts.

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

Sections 179 to 181 relating to arbitration.

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

A.D. 1913.

Chester-le-Street Order.

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

Sections 251 253 and 254 and Sections 258 to 262 and 265 to 267 and Section 269 as amended by the Summary Jurisdiction Act 1884 relating to legal proceedings.

Section 298 as to costs of Provisional Orders.

Sections 306 to 309 including miscellaneous provisions.

47 & 48 Vict. c. 74.

Of the Public Health (Officers) Act 1884:—

Section 2.

48 & 49 Vict. c. 53.

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

Section 2.

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

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

Saving hospital powers of Constituent Authorities till hospital provided.

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

Notice of provisions as to recovery of cost of maintenance.

Art. XVIII. A copy of Section 132 of the Act and of Section 60 of the Public Health Acts Amendment Act 1907 shall be exhibited in a conspicuous place at the principal entrance of the hospital or hospitals.

Expenses of Joint Board.

Art. XIX.—(1) All the expenses incurred by the Joint Board shall be defrayed out of a common fund to which shall be paid the sums received from the Constituent Authorities in respect of the cost of maintenance of patients as herein-after provided and the sums recovered by the Joint Board from or repaid to the Joint Board by or for patients.

(2) To the common fund so far as the same is not provided by the aforesaid payments each Constituent Authority shall contribute in the following proportions viz.,—

The Urban District Council of Chester-le-Street	-	One-seventh.
The Rural District Council of Chester-le-Street	-	Six-sevenths.

A.D. 1913.

Chester-le-Street Order.

Calculation and payment of cost of maintenance of patients.

Art. XX.—(1) The cost of maintenance of patients shall be ascertained in accordance with the rules herein-after set forth namely,—

(*a*) Within twenty-one days after the Thirty-first day of March and the Thirtieth day of September in each year the Joint Board shall ascertain the proportionate part of the total cost of the maintenance of the several patients who have been in the hospital during the previous half-year which will represent the average daily cost in respect of each patient:

(*b*) The cost of maintenance of patients shall include all the expenses incurred in and about the maintenance and care of the patients in the hospital and in and about their medical treatment and in and about the clothing conveyance to and from the hospital burials and funerals of patients and shall also include during any day in which a patient has been in the hospital the remuneration and rations of temporary nurses but shall not include the cost of the repairs to the hospital or to the fittings and furniture thereof or the salaries remuneration or rations of the officers or servants other than temporary nurses.

(2) The clerk to the Joint Board shall within twenty-eight days after the Thirty-first day of March and the Thirtieth day of September in each year transmit to the clerk to each Constituent Authority an account showing in respect of each patient received during the previous half-year into the hospital from the district of that authority after deducting any sum recovered by the Joint Board from or repaid to the Joint Board by or for that patient—

(*a*) the name and address of the patient;

(*b*) the number of days in the half-year during which the patient has remained in the hospital; and

(*c*) the amount calculated according to the rules in subdivision (1) of this Article set forth and claimed as being due from the Constituent Authority.

(3) The amount shown by the said account to be due shall be paid by the Constituent Authority from whose district the patient has been received into the hospital and shall be included in any precept which the Joint Board issue to the Constituent Authority under Section 284 of the Act stating the sums to be contributed by the Constituent Authority towards the common fund of the district and in case of default shall be recovered in like manner as the sums to be contributed towards the said common fund.

A.D. 1913.

Chester-le-Street Order.

Inspection of accounts.

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

Auditor's report and abstract of accounts.

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

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

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

Settlement of differences.

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

Short title.

Art. XXV. This Order may be cited as the Chester-le-Street Joint Hospital Order 1913.

A.D. 1913.

Chester-le-Street Order.

The SCHEDULE above referred to.

1.	2.	3.		4.
Name of District.	Name of District Council.	Ex-officio Members.		Elective Members.
		Number.	Description.	Number.
The Urban District of Chester-le-Street.	The Urban District Council of Chester-le-Street.	1	The Chairman of the Urban District Council or in the event of his being unwilling to act or being an ex-officio member elsewhere described in this Schedule then the Vice-Chairman of the Urban District Council.	1
The Rural District of Chester-le-Street.	The Rural District Council of Chester-le-Street.	1	The Chairman of the Rural District Council or in the event of his being unwilling to act or being an ex-officio member elsewhere described in this Schedule then the Vice-Chairman of the Rural District Council.	11

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

(L.S.) John Burns President.
H. C. Monro Secretary.

NORTH STAFFORDSHIRE JOINT SMALL-POX HOSPITAL DISTRICT.

North Staffordshire Order.

Provisional Order for altering certain Confirming Acts.

To the North Staffordshire Joint Small-pox Hospital Board; —

To the County Council of Stafford; —

To the Mayor Aldermen and Burgesses of the Borough of Stoke-on-Trent; —

A.D. 1913.

North Staffordshire Order.

To the Mayor Aldermen and Burgesses of the Borough of Newcastle-under-Lyme ; —

To the Urban District Council of each of the Urban Districts of Audley Kidsgrove Leek Smallthorne and Wolstanton United ; —

To the Rural District Council of each of the Rural Districts of Cheadle Leek Newcastle-under-Lyme and Stoke-upon-Trent ; —

And to all others whom it may concern.

WHEREAS by virtue of the North Staffordshire Joint Small-pox Hospital Orders 1902 and 1904 which were respectively confirmed by the Local Government Board's Provisional Orders Confirmation (No. 14) Act 1902 and the Local Government Board's Provisional Orders Confirmation (No. 14) Act 1904 (each of which Orders is herein-after referred to as the Order of the year in which it was made and all of which Orders and Confirming Acts are herein-after referred to respectively as "the Orders" and "the Confirming Acts") of the North Staffordshire Joint Small-pox Hospital Order 1906 and of the Borough of Stoke-on-Trent Order 1908 which was confirmed by the Local Government Board's Provisional Order Confirmation (No. 3) Act 1908 the Boroughs of Stoke-on-Trent and Newcastle-under-Lyme the Urban Districts of Audley Kidsgrove Leek Smallthorne and Wolstanton United and the Rural Districts of Cheadle Leek Newcastle-under-Lyme and Stoke-upon-Trent constitute the United District called the North Staffordshire Joint Small-pox Hospital District (herein-after referred to as "the United District") of which the governing body is the North Staffordshire Joint Small-pox Hospital Board (herein-after referred to as "the Joint Board") consisting of an ex-officio member and of elected members chosen by the Councils of the said Boroughs and Districts (each of which councils is herein-after referred to as a "Constituent Authority") ;

2 Edw. 7. c. lxxxvi.
4 Edw. 7. c. cxxi.
8 Edw. 7. c. clxiv.

And whereas by the Order of 1902 the purposes for which the United District was formed are expressed to be the provision maintenance and management for the use of the inhabitants of the Constituent Districts of the United District of a hospital or hospitals for the reception of cases of small-pox ;

And whereas it is expedient to make further provision with respect to the use of the hospital or hospitals provided as aforesaid and that the Orders should be altered as herein-after provided :

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

38 & 39 Vict. c. 55.

A.D. 1913

North Staffordshire Order.

the Confirming Acts so far as they relate to the Orders shall be altered as follows:—

Admission into hospital of Joint Board of cases of tuberculosis.

Art. I.—(1) Notwithstanding anything in the Orders the Joint Board may from time to time whenever a hospital provided by the Joint Board in pursuance of the Orders is not required for the reception and treatment of any case of small-pox admit into that hospital cases of tuberculosis.

(2) The admission into a hospital of cases of tuberculosis in pursuance of sub-division (1) of this Article shall be subject to the condition that the arrangements for the reception treatment and discharge of the cases shall subject to the directions of the Joint Board be under the control of the medical officer of the hospital and shall be so framed as to secure that whenever a hospital is required for the reception of any case of small-pox measures shall be immediately taken by the removal from that hospital of all cases of tuberculosis and otherwise to render the hospital available for the reception of cases of small-pox.

(3) The provisions of this Order shall not take away abridge or prejudicially affect any powers vested in any Constituent Authority with regard to cases of tuberculosis other than those which are receiving treatment at a hospital provided by the Joint Board.

Existing Orders made applicable.

Art. II. Except so far as this Order otherwise expressly provides to the contrary the Orders shall in relation to any case of tuberculosis received into a hospital provided by the Joint Board apply with such modifications and adaptations as may be necessary to give effect to this Order.

Short titles.

Art. III. This Order may be cited as the North Staffordshire Joint Small-pox Hospital Order 1913 and the North Staffordshire Joint Small-pox Hospital Orders 1902 to 1906 and this Order may be cited together as the North Staffordshire Joint Small-pox Hospital Orders 1902 to 1913.

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

(L.S.)

John Burns President.
H. C. Monro Secretary.

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