



## CHAPTER lxxxvi.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Borough of Aberavon, the Local Government District of Ashton-in-Makerfield, the City of Canterbury, the Local Government District of Cleator Moor, the Borough of Congleton, the Local Government District of Horncastle, the City of Lincoln, the Local Government District of Littlehampton, the Improvement Act District of Llandudno, the Local Government Districts of Ossett-cum-Gawthorpe and Oswaldtwistle, the City of Saint Alban (two), and the Borough of Sunderland. A.D. 1880.

[2nd August 1880.]

**W**HEREAS the Local Government Board have, as regards the boroughs, districts, and cities herein mentioned, made the Provisional Orders set forth in the schedule hereto, under the provisions of the Public Health Act, 1875 :

38 & 39 Vict.  
c. 55.

And whereas it is requisite that the said Orders should be confirmed by Parliament, and that the provision herein contained should be enacted with reference to one of such Orders :

Be it therefore enacted by the Queen'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, from and after the passing of this Act, have full validity and force. The Orders in schedule confirmed.

2. So much of Article III. of the Provisional Order relating to the Improvement Act District of Llandudno, and hereby confirmed, as provides that the Commissioners, who but for that Order would have retired in the month of July one thousand eight hundred and Special provision with reference to the Llandudno Order.

[Ch. lxxxvi.]      *Local Government Board's*      [43 & 44 VICT.]  
*Provisional Orders Confirmation (Aberavon, &c.) Act, 1880.*

A.D. 1880.      eighty, shall go out of office on the fifteenth day of April one thousand eight hundred and eighty-one, shall be altered so as to provide that the Commissioners, who in accordance with the provisions of the Local Act referred to in that Order were required to go out of office on the fifteenth day of July one thousand eight hundred and eighty, shall be reinstated in office as from the passing of this Act, and shall go out of office on the fifteenth day of April one thousand eight hundred and eighty-one.

Short title.      **3.** This Act may be cited as the Local Government Board's Provisional Orders Confirmation (Aberavon, &c.) Act, 1880.

**SCHEDULE.**

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A.D. 1880.

**BOROUGH OF ABERAVON.**

*Aberavon  
Order.*

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*Provisional Order for altering the Aberavon Local Board Act, 1866.*

To the Mayor, Aldermen, and Burgesses of the Borough of Aberavon, in the County of Glamorgan, being the Urban Sanitary Authority for that Borough; —

And to all others whom it may concern.

WHEREAS the Borough of Aberavon, in the County of Glamorgan, is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after called “the Corporation”), are the Urban Sanitary Authority, and the Aberavon Local Board Act, 1866 (herein-after called “the Local Act”), is in force in the said District;

And whereas by Section 35 of the Local Act it is enacted that the Corporation may, from time to time, under the authority of that Act, in addition to any moneys they had borrowed or were authorised to borrow under the Public Health Acts, borrow at interest on mortgage of the rates and income of the Corporation under that Act, and of the charges and rates authorised to be made or collected under the Public Health Acts, or of any such securities, either together or separately, all such sums as they might from time to time think requisite, for all or any of the purposes of that Act, not exceeding five thousand pounds;

And whereas by Section 303 of the Public Health Act, 1875, the Local Government Board are empowered, on the application of the Sanitary Authority of any Sanitary District, by Provisional Order, wholly or partially, to repeal, alter, or amend any Local Act, other than an Act for the conservancy of rivers, which is in force in any area comprising the whole or part of any such District, and not conferring powers or privileges on any persons or person for their or his own pecuniary benefit, which relates to the same subject-matters as the Public Health Act, 1875;

And whereas the Local Government Board by a Provisional Order, dated the Twenty-second day of May, One thousand eight hundred and seventy-six, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (Aberavon, &c.) Act, 1876, ordered that, from and after the Twenty-ninth day of September next following the date of the Act of Parliament confirming that Order, Section 35 of the Local Act should be altered so as to enable the Corporation, subject to the sanction of the Local Government Board, to borrow the sum of seven thousand five hundred pounds, in lieu of the sum of five thousand pounds therein mentioned, such sum of seven thousand five hundred pounds to be applied in the manner directed by the Local Act with respect to the said sum of five thousand pounds, and to be subject to all the other provisions therein contained applicable to such last-mentioned sum;



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*Aberavon  
Order.*

And whereas the Local Act is a Local Act within the meaning of the above-recited Section of the Public Health Act, 1875, and the Corporation have applied to the Local Government Board to further alter and amend the Local Act in the manner herein-after mentioned ;

And whereas the Local Government Board, upon receipt of such application, directed Local Inquiry to be held on the subject, which Inquiry was held, after due public notice, and report has been made to them thereon :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall take effect ; viz.,—

Art. I. Section 35 of the Local Act shall be further altered and amended so as to enable the Corporation, subject to the sanction of the Local Government Board, to borrow the sum of seven thousand five hundred pounds, in addition to the sum of seven thousand five hundred pounds, which by the Local Act as amended by the above-recited Provisional Order the Corporation are entitled to borrow, such further sum of seven thousand five hundred pounds to be applied in the manner directed by the Local Act with respect to the sum of five thousand pounds, and, except as herein-after provided, to be subject to all the other provisions therein contained applicable to such last-mentioned sum.

Art. II. The provisions of Sub-sections 4 and 5 of Section 234 of the Public Health Act, 1875, shall apply to the sum of seven thousand five hundred pounds, or any part thereof, which the Corporation may borrow or re-borrow under the Local Act as hereby altered and amended.

Art. III. If the said last-mentioned sum of seven thousand five hundred pounds, or any part thereof, is re-borrowed under the powers of the Local Act as hereby altered and amended, the sum so re-borrowed shall be repaid within the period within which the original loan in respect of which such money is re-borrowed would have been required to be repaid, and no such re-borrowing shall affect the obligation of the Local Board as to any sinking fund to be set aside, nor unless the re-borrowing be effected at a different rate of interest, the amount of any instalment to be paid in respect of such original loan.

Art. IV. The Local Act shall be further altered, and shall provide as follows :

- (a.) The Treasurer to the Corporation shall, within twenty-one days after the expiration of each year during which any sum is required to be paid as an instalment or to be set apart for a sinking fund, in respect of moneys borrowed under the powers of borrowing conferred by this Order, or in respect of moneys re-borrowed for the payment of moneys so borrowed, transmit to the Local Government Board a return in such form as may be prescribed by that Board, and verified by statutory declaration, if so required by them, showing the amounts which have been paid as instalments or invested or applied for the purposes of such sinking fund during the year next preceding the making of such return, and the description of

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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 interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year.

A.D 1880.

—  
*Aberavon*  
*Order.*  
—

- (b.) If it appears to the Local Government Board, by that return or otherwise, that the Corporation have failed to pay any instalment required to be paid, or to set apart any sum required for any sinking fund, or have applied any portion of the money set apart for any sinking fund, or of the sums accumulated by way of interest, to any purposes other than those authorised, they may by Order, direct that a sum not exceeding double the amount in respect of which default has been made shall be paid by way of instalment or set apart and invested or applied as part of the sinking fund; and any such Order shall be enforceable by writ of Mandamus, to be obtained by the Local Government Board out of Her Majesty's High Court of Justice.

Given under the Seal of Office of the Local Government Board, this  
Seventeenth day of April, in the year One thousand eight hundred  
and eighty.

G. SOLATER-BOOTH, President.

JOHN LAMBERT, Secretary.

(L.S.)

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LOCAL GOVERNMENT DISTRICT OF  
ASHTON-IN-MAKERFIELD.

*Ashton-in-*  
*Makerfield*  
*Order.*  
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*Provisional Order for altering the Ashton-in-Makerfield Local Board Act, 1875.*

To the Ashton-in-Makerfield Local Board, being the Sanitary Authority for the Urban Sanitary District of Ashton-in-Makerfield, in the County of Lancaster;—

And to all others whom it may concern.

WHEREAS the Local Government District of Ashton-in-Makerfield, in the County of Lancaster, is an Urban Sanitary District, of which the Ashton-in-Makerfield Local Board, herein-after referred to as "the Local Board," are the Urban Sanitary Authority, and the Ashton-in-Makerfield Local Board Act, 1875, herein-after referred to as "the Local Act," is in force in the said District;

And whereas by Section 60 of the Local Act the Local Board are empowered from time to time, in addition to any moneys they are authorised to borrow under the Public Health Acts, to borrow at interest, on mortgage of the gas undertaking and the gas rates and other rates, rents, and revenue under the Local Act, in respect of the gas undertaking, and also on mortgage of the waterworks undertaking, and the rents, rates, and charges to be taken, levied, and made for the supply of water under the Local Act, and also on mortgage of the general district fund and general district rates leviable by the Local Board



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A.D. 1880.

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*Ashton-in-*  
*Makerfield*  
*Order.*  
—

under the Public Health Acts, or of any such securities, either together or separately, all such sums as they may from time to time think requisite for any of the purposes of the Local Act, not exceeding in respect of the gas undertaking twelve thousand pounds, and in respect of the waterworks undertaking twenty-five thousand pounds, and after having paid off, otherwise than by instalments or by the sinking fund, any money so borrowed, to re-borrow the amount so paid off, and so from time to time;

And whereas by Section 303 of the Public Health Act, 1875, the Local Government Board are empowered, on the application of the Sanitary Authority of any Sanitary District, by Provisional Order, wholly or partially to repeal, alter, or amend any Local Act, other than an Act for the conservancy of rivers, which is in force in any area comprising the whole or part of any such District, and not conferring powers or privileges on any persons or person for their or his own pecuniary benefit, which relates to the same subject-matters as the Public Health Act, 1875;

And whereas the Local Act is a Local Act within the meaning of the above-recited section of the Public Health Act, 1875, and the Local Board applied to the Local Government Board to alter and amend the same, and the Local Government Board, on receipt of such application, directed Local Inquiry to be held on the subject, which inquiry was held, after due public notice, and report has been made to them thereon:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the Statutes 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 following provisions shall take effect, viz.:

Art. I. Section 60 of the Local Act shall be altered and amended, so as to enable the Local Board, subject to the sanction of the Local Government Board, to borrow, in addition to the sums which they are already authorised to borrow under the provisions of the Local Act, on mortgage of the gas undertaking and the gas rates and other rates, rents, and revenues under the Local Act in respect of the gas undertaking, and also on mortgage of the waterworks undertaking and the rents, rates, and charges to be taken, levied, and made for the supply of water under the Local Act, and also on mortgage of the general district fund and general district rates leviable by the Local Board under the Public Health Acts, or of any such securities, either together or separately, such sums as they may from time to time think requisite, not exceeding, in respect of the gas undertaking, two thousand pounds, and, in respect of the waterworks undertaking, ten thousand pounds.

Art. II. Sections 62 and 63 of the Local Act shall not be applicable to any sums which, after the commencement of this Order, may be borrowed under Section 60 as hereby altered and amended, but the provisions of Sub-sections (1), (4), and (5) of Section 234, and of Sections 236, 237, and 238 of the Public Health Act, 1875, shall apply to the borrowing and repayment of such sums as if they were borrowed under the provisions of that Act and not of the Local Act.

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*Provisional Orders Confirmation (Aberavon, &c.) Act, 1880.*

Art. III. So much of Section 60 of the Local Act as relates to re-borrowing shall be altered and amended so as to provide that any sums which may be re-borrowed under that Section as hereby altered and amended shall be repaid within the period within which the original loan in respect of which such money is re-borrowed would have been required to be repaid; and that no such re-borrowing shall affect the obligation of the Local Board with respect to any sinking fund to be set aside, nor, unless the re-borrowing be effected at a different rate of interest, the amount of any instalment to be paid under the provisions of this Order.

A.D. 1880.

*Ashton-in-Makerfield*  
*Order.*

Art. IV. Sections 61, 64, 65, 69, 70, 72, 73, 74, and 78 of the Local Act shall apply to all sums borrowed by the said Local Board under Section 60 of the Local Act as hereby altered and amended.

Art. V. The Local Act shall be further altered, and shall provide that—

(a.) The Clerk to the Local Board shall, within twenty-one days after the expiration of each year during which any sum is required to be paid as an instalment, or to be set apart for a sinking fund, in respect of moneys borrowed after the commencement of this Order, under the provisions of the Local Act as hereby altered and amended, or in respect of moneys re-borrowed for the repayment of moneys so borrowed, transmit to the Local Government Board a return, in such form as may be prescribed by that Board, and verified by statutory declaration, if so required by them, showing the amounts which have been paid as instalments, and the amounts which have been invested or applied for the purposes of such sinking fund, during the year next preceding the making of such return, 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 interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year.

(b.) If it appears to the Local Government Board, by that return or otherwise, that the Local Board have failed to pay any instalment required to be paid, or to set apart any sum required for any sinking fund, or have applied any portion of the moneys set apart for any sinking fund, or of the sums accumulated by way of interest, to any purposes other than those authorised, they may, by Order, direct that a sum not exceeding double the amount in respect of which default has been made shall be paid by way of instalment, or be set apart and invested, or applied as part of the sinking fund; and any such Order shall be enforceable by writ of Mandamus, to be obtained by the Local Government Board out of Her Majesty's High Court of Justice.

Given under the Seal of Office of the Local Government Board,  
this Second day of April, in the year one thousand eight  
hundred and eighty.

G. SCLATER-BOOTH, President.

JOHN LAMBERT, Secretary.

(L.S.)



A.D. 1880.

CITY OF CANTERBURY.

*Canterbury  
Order.*

(2.)

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

To the Mayor, Aldermen, and Citizens of the City of Canterbury, being  
the Urban Sanitary Authority for that City ; —

And to all others whom it may concern.

WHEREAS the City of Canterbury is an Urban Sanitary District, of which the Mayor, Aldermen, and Citizens, acting by the Council (herein-after referred to as "the Mayor and Commonalty"), are the Urban Sanitary Authority, and an Act passed in the fifth year of the reign of His late Majesty King George the Fourth, intituled "An Act for erecting a market house for the sale of corn, hops, and other agricultural produce in the City of Canterbury and County of the same City, for improving and enlarging the market places for the sale of provisions in the said City and County, and for regulating and maintaining the said markets" (herein-after referred to as "the Local Act"), is in force in the said City, so far as the same has not been repealed by the Provisional Order herein-after mentioned ;

And whereas in the Local Act it is recited that a market for supplying the inhabitants of the said City, and the neighbourhood thereof, with meat, fish, poultry, vegetables, fruit, and other provisions hath been and continues to be holden in certain market places situated in the said City ;

And whereas by Section 17 of the Local Act it is enacted that any person who shall on any market day or on any other day after the market place called the Flesh Shambles shall be improved, enlarged, and opened as a public market place, sell or expose to sale at any time within the said City and County (except in the said market places) any meat, fish, poultry, butter, vegetables, fruit, or other provisions, shall for every such offence, on conviction, forfeit and pay any sum not exceeding forty shillings ; provided nevertheless, that nothing therein contained shall extend to prevent or hinder any person from selling or exposing to sale any meat, fish, poultry, vegetables, and other marketable commodities, matters, or things whatsoever in his or her own dwelling-house or shop or premises in any part of the said City and County ;

And whereas by Section 18 of the Local Act the Mayor and Commonalty, and their successors, are required to have, hold, and keep the markets for (inter alia) fish, thenceforth for ever in the said market places, on every day of the week except Sunday ;

And whereas by a Provisional Order of one of Her Majesty's Principal Secretaries of State, dated the second day of March, one thousand eight hundred and sixty-six, and duly confirmed by the Local Government Supplemental Act, 1866 (inter alia), the portion of the Local Act fixing the days upon which the several markets were to be held was repealed ;



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And whereas the market place in which under the Local Act the market for fish was held and kept is no longer required for that purpose ;

And whereas by Section 303 of the Public Health Act, 1875, the Local Government Board are empowered on the application of the Sanitary Authority of any Sanitary District, by Provisional Order, wholly or partially to repeal, alter, or amend any Local Act, other than an Act for the conservancy of rivers, which is in force in any area comprising the whole or part of any such District, and not conferring powers or privileges on any persons or person for their or his own pecuniary benefit, which relates to the same subject-matters as the Public Health Act, 1875 ;

And whereas the Local Act is a Local Act within the meaning of the above-recited section of the Public Health Act, 1875, and the Mayor and Commonalty applied to the Local Government Board to alter and amend the same, and the Local Government Board, on receipt of such application, directed Local Inquiry to be held on the subject, which Inquiry was held, after due public notice, and report has been made to them thereon :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall take effect ; viz.—

Art. I. Section 17 of the Local Act, so far as it operates to prohibit or prevent the sale or exposure for sale of fish elsewhere than in a market place, shall be repealed, except so far as the same may have been acted upon.

Art. II. So much of Section 18 of the Local Act as requires a market for fish to be held and kept by the Mayor and Commonalty, and their successors, shall also be repealed, except so far as the same may have been acted upon, and in lieu thereof it shall be provided that the Mayor and Commonalty may, under and subject to the provisions of the Statute of the fifth and sixth years of the reign of King William the Fourth, chapter seventy-six, intituled “ An Act to provide for the regulation of Municipal Corporations in England and Wales,” and the Acts amending the same as regards the sale, leasing, exchange, or other disposition of corporate property, and the application of moneys arising therefrom, and with the consent of the Board of Treasury, sell, lease, exchange, or otherwise dispose of the market place in which under the Local Act the market for fish was held and kept.

Given under the Seal of Office of the Local Government Board, this  
Twelfth day of April, in the year One thousand eight hundred  
and eighty.

(L.S.) -

G. SCLATER-BOOTH, President.  
JOHN LAMBERT, Secretary.

A.D. 1880.  
Canterbury  
Order.  
(2.)

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*Provisional Orders Confirmation (Aberdeen, &c.) Act, 1880.*

A.D. 1880. LOCAL GOVERNMENT DISTRICT OF CLEATOR MOOR.

*Cleator Moor  
Order.*

*Provisional Order for extending the Local Government District of Cleator Moor,  
and for other purposes.*

To the Cleator Moor Local Board, being the Sanitary Authority for the Urban Sanitary District of Cleator Moor, in the County of Cumberland;—

To the Guardians of the Poor of the Whitehaven Union, in the same County, being the Sanitary Authority for the Rural Sanitary District of that Union;—

And to all others whom it may concern.

WHEREAS the Local Government District of Cleator Moor, in the County of Cumberland, which comprises part of the Parish of Cleator, is an Urban Sanitary District, of which the Cleator Moor Local Board are the Urban Sanitary Authority;

And whereas the Cleator Moor Local Board have incurred certain debts for the construction of sewers and markets, for the erection of offices in their District, for the execution of works for supplying their District with water, and for other permanent works, of which the sum of sixteen thousand eight hundred and eight pounds now remains unpaid;

And whereas the remainder of the said Parish of Cleator is comprised in the Rural Sanitary District of the Whitehaven Union, in the said County, and immediately adjoins the Local Government District of Cleator Moor;

And whereas by Section 270 of the Public Health Act, 1875, it is enacted that the Local Government Board may, by Provisional Order, declare the whole or any portion of a Rural Sanitary District immediately adjoining a Local Government District to be included in such last-mentioned District, and that thereupon the included area shall, for the purposes of that Act, be deemed to form part of the District in which it is included by such Order;

And whereas by Section 275 of the said Public Health Act, 1875, it is enacted that every Order made by the Local Government Board under Part VIII. of that Act, which includes Section 270 above recited, shall specify the day on which such Order shall come into operation (in that Act and in this Order referred to as "the commencement of the Order"); that from and after the commencement of the Order all the powers, rights, duties, capacities, liabilities, obligations, and property which under that Act are exerciseable by or attaching to or vested in the Sanitary Authority having, under that Act, jurisdiction in any District or part of a District which is by such Order included in some other District, shall (so far as the same relate to the District or part of a District so included) pass to and vest in the Sanitary Authority of such other District; that any Order made in pursuance of that part of the Act may, if necessary, provide for the settlement of any differences, or the adjustment of any accounts or ap-

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portionment of any liabilities arising between districts, parishes, or other places in consequence of the exercise of any powers conferred by that part of the Act, and may direct the persons by whom and to whom any moneys found to be due are to be paid, and the mode of raising such moneys; and that where any Local Government District is diminished or increased in extent under that part of the Act, the Order shall prescribe the number of members to be elected for the District when altered.

A.D. 1880.  
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*Cleator Moor*  
*Order.*  
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And whereas the Cleator Moor Local Board have applied to the Local Government Board to issue a Provisional Order to include in the Local Government District of Cleator Moor that portion of the said Parish of Cleator which is comprised in the Rural Sanitary District of the Whitehaven Union; and the Local Government Board accordingly directed Local Inquiry to be held on the subject, which Inquiry was held, after due public notice, and report has been made to them thereon:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the Statutes in that behalf, do hereby Declare that all that part of the Parish of Cleator which is comprised in the Rural Sanitary District of the Whitehaven Union shall be included in, and shall, for the purposes of the Public Health Act, 1875, be deemed to form part of, the Local Government District of Cleator Moor.

And We do hereby Order as follows, viz. :—

Art. 1. This Order shall come into operation on the Twenty-ninth day of September, One thousand eight hundred and eighty.

Art. 2. The number of members constituting the Local Board for the Local Government District of Cleator Moor, as hereby altered, shall, subject to the provisions of Rule 2 of Schedule II. to the Public Health Act, 1875, be the same as before the date of this Order.

Art. 3. The said Local Board shall, from time to time, levy and make such rates, in the nature of general district rates, upon the part of their District which constituted the Local Government District of Cleator Moor immediately before the commencement of this Order, as shall be sufficient to defray, in the manner provided by Section 234 of the Public Health Act, 1875, the said sum of sixteen thousand eight hundred and eight pounds, or so much thereof as shall be owing at the commencement of this Order, and the interest due or to become due thereon, within the periods for which the loans, in respect of which the said sum is owing, were originally sanctioned.

Given under the Seal of Office of the Local Government Board, this  
Nineteenth day of April, in the year One thousand eight  
hundred and eighty.

(L.S.)

G. SCLATER-BOOTH, President.  
JOHN LAMBERT, Secretary.



A.D. 1880.

BOROUGH OF CONGLETON.

*Congleton  
Order.*

*Provisional Order for altering the mode of defraying the Expenses of an Urban  
Sanitary Authority.*

To the Mayor, Aldermen, and Burgesses of the Borough of Congleton, in  
the County of Chester, being the Urban Sanitary Authority for that  
Borough ; —

And to all others whom it may concern.

WHEREAS by Section 208 of the Public Health Act, 1875, it is enacted  
that where at the time of the passing of that Act the expenses incurred by an  
Urban Sanitary Authority for sanitary purposes are payable otherwise than  
in the manner provided by the Local Government Acts, the Local Government  
Board may, on the application of such Authority, or of any ten persons rated  
to the relief of the poor within the District, declare, by Provisional Order, that  
the expenses of such Authority incurred in the execution of that Act shall be  
defrayed out of a district fund and general district rate to be levied by them  
under that Act, subject to the provisions of that Act with respect to the mode  
of defraying in certain cases the expenses of the repair of highways ;

And whereas the Borough of Congleton, in the County of Chester, is an  
Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting  
by the Council, are the Urban Sanitary Authority ;

And whereas the expenses incurred by the said Council, acting as such  
Urban Sanitary Authority, for sanitary purposes were, at the time of the passing  
of the above-recited Act, payable otherwise than in the manner provided by the  
Local Government Acts, and the Local Government Board have received an  
application from more than ten persons who are rated to the relief of the Poor  
within the said Urban Sanitary District, praying them to declare, by Provisional  
Order, that the expenses of such Authority, incurred in the execution of the  
above-recited Act, shall be defrayed as mentioned in Section 208 of that Act.

And whereas upon receipt of such application the Local Government Board  
directed Local Inquiry to be held on the subject, which Inquiry was held,  
after due public notice, and report has been made to them thereon :

Now therefore, We, the Local Government Board, in pursuance of the  
powers given to Us by the Statutes in that behalf, do hereby Order that,  
from and after the Twenty-ninth day of September, One thousand eight hundred  
and eighty, all the expenses of the Urban Sanitary Authority for the Urban  
Sanitary District of the Borough of Congleton, incurred in the execution of  
the Public Health Act, 1875, shall be defrayed out of a district fund and

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general district rate to be levied by them under that Act, subject to the provisions of that Act with respect to the mode of defraying in certain cases the expenses of the repair of highways.

A.D. 1880.

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*Congleton*  
*Order*  
—

Given under the Seal of Office of the Local Government Board, this  
Fifth day of April, in the year One thousand eight hundred and  
eighty.

(L.S.)

G. SCLATER-BOOTH, President.  
JOHN LAMBERT, Secretary.

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LOCAL GOVERNMENT DISTRICT OF HORNCastle.

*Horncastle*  
*Order.*  
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*Provisional Order for altering and amending the Horncastle Gas Act, 1876.*

To the Horncastle Local Board, being the Sanitary Authority for the  
Urban Sanitary District of Horncastle, in the County of Lincoln ;—

And to all others whom it may concern.

WHEREAS the Local Government District of Horncastle, in the County of Lincoln (herein-after called "the District"), is an Urban Sanitary District, of which the Horncastle Local Board (herein-after called "the Local Board"), are the Urban Sanitary Authority, and the Horncastle Gas Act, 1876 (herein-after called "the Local Act"), is in force in the District ;

And whereas by Section 3 of the Local Act it is enacted that the Gasworks Clauses Act, 1847 (except the provisions thereof with respect to the amount of profit to be derived by the undertakers when the gasworks are carried on for their benefit), and the Gasworks Clauses Act, 1871, shall (so far as the same respectively are applicable to the purposes of and are not inconsistent with the provisions of the Local Act) be incorporated with that Act ;

And whereas by Section 31 of the Local Act it is enacted that the Local Board shall keep a separate account of all their receipts, credits, payments, and liabilities in and about the execution of the Local Act, so far as it relates to the supply of gas, and from or on account of the receipts for gas supplied under that Act, to be called "the gas account," which account shall be subject to the same provisions as to audit, examination, report, inspection, copies, and extracts, and production of vouchers, as other accounts of the Local Board ;

And whereas by Section 32 of the Local Act it is enacted that all moneys from time to time received by the Local Board by way of revenue under the Local Act, in respect of their gas undertaking, shall be applied for the following purposes :

First, in payment of the expenses properly chargeable to revenue of conducting, managing, and maintaining the gasworks and works connected therewith respectively ;

Secondly, in payment of the interest on the moneys borrowed under the authority of that Act, and from time to time owing ;



[Ch. lxxxvi.] *Local Government Board's* [43 & 44 VICT.]  
*Provisional Orders Confirmation (Aberavon, &c.) Act, 1880.*

A.D. 1880.

—  
*Horncastle*  
*Order.*  
—

Thirdly, in making provision for the repayment of moneys borrowed under the authority of that Act in respect of such undertaking, in accordance with the provisions in that behalf of that Act ;

and that the balance (if any) shall be applied in equal moieties in reducing to the consumer the price of gas, and in increasing the district fund.

And whereas by Section 303 of the Public Health Act, 1875, the Local Government Board are empowered, on the application of the Sanitary Authority of any Sanitary District, by Provisional Order, wholly or partially to repeal, alter, or amend any Local Act, other than an Act for the conservancy of rivers, which is in force in any area comprising the whole or part of any such District, and not conferring powers or privileges on any persons or person for their or his own pecuniary benefit, which relates to the same subject-matters as the Public Health Act, 1875 ;

And whereas the Local Act is a Local Act within the meaning of the above-recited section of the Public Health Act, 1875, and the Local Board have applied to the Local Government Board to alter and amend the same, and the Local Government Board accordingly directed Local Inquiry to be held on the subject, which Inquiry was held, after due public notice, and report has been made to them thereon :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the Statutes 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 following provisions shall take effect, viz. :

Art. I. Section 3 of the Local Act shall be altered so that the provisions of Section 38 of the Gasworks Clauses Act, 1847, and of Section 35 of the Gasworks Clauses Act, 1871, shall be no longer incorporated with the Local Act, and so that it shall be provided that the gas account mentioned in Section 31 of the Local Act shall be made up to the twenty-fifth day of March in each year : Provided that the account to be so made up to the twenty-fifth day of March, one thousand eight hundred and eighty-one, shall be made up for the period from the first day of January, one thousand eight hundred and eighty, to the twenty-fifth day of March, one thousand eight hundred and eighty-one.

Art. II. Section 32 of the Local Act shall be altered and amended so as to provide as follows ; viz. :

- (1.) The Local Board shall, after applying the moneys from time to time received by the Local Board by way of revenue under the Local Act in respect of their gas undertaking, for the purposes first, secondly, and thirdly therein mentioned, apply the moneys so received by way of revenue in providing a reserve fund, by setting aside such sums as they from time to time think reasonable, and investing the same, and the resulting income thereof, in any securities in which trustees for the time being are authorised to invest, or in nominal debentures or debenture stock issued under the Local Loans Act, 1875, by any Local Authority other than the Local Board, and accumulating the same at compound interest, but so that the reserve fund thus formed shall not at any time exceed two thousand pounds.



[43 & 44 VICT.]      *Local Government Board's*      [Ch. lxxxvi.]  
*Provisional Orders Confirmation (Aberavon, &c.) Act, 1880.*

- (2.) The Local Board shall, after applying such moneys in manner aforesaid, apply any balance of such moneys remaining in any year, and, when the reserve fund amounts to two thousand pounds, the annual proceeds of such fund, in equal moieties in reducing to the consumers the price of gas, and in increasing the district fund.
- (3.) The Local Board shall set aside as part of such reserve fund any moneys which, prior to the commencement of this Order, shall be standing to their credit in respect of profits from their gas undertaking.
- (4.) The reserve fund aforesaid shall be applicable to meet any extraordinary claim or demand at any time arising against the Local Board in respect of their gas undertaking, or any expenses incurred by the Local Board in carrying out any extensions of such undertaking, and if such fund shall be at any time reduced below two thousand pounds, it may thereafter be again restored to that sum, and so from time to time as often as such reduction shall happen.

A.D. 1880.

—  
*Horncastle*  
*Order.*  
—

Art. III. The Local Act shall be further amended, so as to provide as follows :

- (1.) Except as regards contracts for the supply of coal for the purposes of the gas undertaking, all the provisions of Section 174 of the Public Health Act, 1875, shall apply to all contracts made by the Local Board under or for the purposes of the Local Act.
- (2.) As regards contracts for the supply of coal for the purposes of the gas undertaking, the following provisions shall take effect ; viz.
- (a.) The Local Board shall from time to time, as may be necessary, by advertisement or notice in some one or more newspaper circulating in the District, and by circulars to coal owners, or in one way or the other, call for tenders for the supply of coal.
- (b.) If the Local Board decide to accept any such tender, and enter particulars thereof, together with a resolution accepting the same, on their minutes, and cause a copy of such resolution or a memorandum of acceptance, signed by their clerk or chairman for the time being, to be endorsed on the said tender, such tender and acceptance shall form a contract which shall be binding on the Local Board and the person or persons or Company making the tender, and the executors, administrators, or assigns of such person or persons, and the successors or assigns of such Company, to all intents and purposes.

Given under the Seal of Office of the Local Government Board, this  
Twelfth day of April, in the year One thousand eight hundred  
and eighty.

(L.S.)

G. SCLATER-BOOTH, President.  
JOHN LAMBERT, Secretary.

A.D. 1880.

CITY OF LINCOLN.

*Lincoln*  
*Order.*  
(2.)

*Provisional Order for altering the Lincoln Waterworks Act, 1871.*

To the Mayor, Aldermen, and Citizens of the City of Lincoln, being the Urban Sanitary Authority for that City; —

And to all others whom it may concern.

WHEREAS the City of Lincoln is an Urban Sanitary District, of which the Mayor, Aldermen, and Citizens, acting by the Council (herein-after referred to as "the Urban Sanitary Authority"), are the Urban Sanitary Authority, and the Lincoln Waterworks Act, 1871 (herein-after referred to as "the Local Act"), is in force in the said City;

And whereas by Section 71 of the Local Act the Urban Sanitary Authority (in the Local Act called "the Local Board") are empowered from time to time, under the authority and for the purposes of the Local Act, in addition to any moneys they are authorised to borrow under the Public Health Acts, to borrow at interest, on mortgage of the water undertaking defined by Section 56 of the Local Act, when vested in them, and of the water rates and of the general district rates, and any other rates and charges leviable by them under the Public Health Acts, or of any such securities, either together or separately, all such sums as they may from time to time think requisite for the purpose of defraying all the costs, charges, and expenses mentioned and referred to in the last section of the Local Act, and in effecting the purchase of the said undertaking under the provisions of the Local Act, and of the agreement in the schedule thereto, and of constructing any new waterworks which may be undertaken by the Urban Sanitary Authority, whether authorised by the Local Act, or by the Public Health Acts, and of otherwise carrying the Local Act, as regards objects the expenditure on which ought to be defrayed out of capital, into execution, not exceeding in the whole eighty-five thousand pounds.

And whereas by Section 80 of the Local Act it is enacted that in order to form a sinking fund to be applied in paying off and discharging the principal money borrowed by the Urban Sanitary Authority on mortgage for the purposes of the Local Act, the Urban Sanitary Authority shall every year appropriate and set apart out of the funds standing to the credit of the water account, and in the event of a deficiency in those funds, then out of the general district rate, a sum equal to one fiftieth part of the sums borrowed on the security of such funds or rates until the whole of the money so borrowed is paid off; and may from time to time pay off such proportion of the principal moneys so borrowed as shall be equal to such fiftieth part so to be annually appropriated and set apart as aforesaid, or may from time to time cause such sinking fund to be invested in the purchase of exchequer bills or other government securities, and to be increased by accumulation, in the way of compound interest or otherwise,



[43 & 44 VICT.]      *Local Government Board's*      [Ch. lxxxvi.]  
*Provisional Orders Confirmation (Aberavon, &c.) Act, 1880.*

until the same shall be of a sufficient amount to pay the principal debt to which such sinking fund shall be applicable, or some part thereof which the Urban Sanitary Authority shall think ought then to be paid off.

A.D. 1880.

Lincoln  
Order.  
(2.)

And whereas by Section 303 of the Public Health Act, 1875, the Local Government Board are empowered on the application of the Sanitary Authority of any Sanitary District, by Provisional Order, wholly or partially to repeal, alter, or amend any Local Act, other than an Act for the conservancy of rivers, which is in force in any area comprising the whole or part of any such District, and not conferring powers or privileges on any persons or person for their or his own pecuniary benefit, which relates to the same subject-matters as the Public Health Act, 1875;

And whereas the Local Act is a Local Act within the meaning of the above-recited section of the Public Health Act, 1875, and the Urban Sanitary Authority applied to the Local Government Board to alter and amend the same, and the Local Government Board, on receipt of such application, directed Local Inquiry to be held on the subject, which Inquiry was held, after due public notice, and report has been made to them thereon:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the Statutes 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 following provisions shall take effect; viz.—

Art. I. Section 71 of the Local Act shall be altered and amended so as to enable the Urban Sanitary Authority, subject to the sanction of the Local Government Board, to borrow under the provisions thereof, and for the purposes of the water undertaking defined by Section 56 of the Local Act, and of any new waterworks undertaken by the Urban Sanitary Authority, and for any other purposes connected with the waterworks of the Urban Sanitary Authority, any sum or sums not exceeding in the whole the sum of fifty thousand pounds, in addition to the sum of eighty-five thousand pounds therein mentioned.

Art. II. Section 80 of the Local Act shall be altered and amended so as to enable the Urban Sanitary Authority to repay moneys borrowed before or after the commencement of this Order either by equal annual instalments of principal or of principal and interest combined within the period of fifty years from the time of borrowing the same, or by means of a sinking fund as mentioned in that section.

Art. III. Sections 72, 74, 75, 77, 78, 79, 80 (as hereby altered and amended), and 81 of the Local Act, shall apply to all sums borrowed by the Urban Sanitary Authority under Section 71 of the Local Act as hereby altered and amended.

Provided that "The Public Health Act, 1875," shall be deemed to be substituted for "The Local Government Act, 1858," in Section 74 of the Local Act, and the mortgages created and issued under the Local Act as hereby altered and amended shall be designated "Lincoln Corporation Waterworks Bonds," anything in Section 72 of the Local Act to the contrary notwithstanding: Provided further, that any money re-borrowed under the provisions



[Ch. lxxxvi.] *Local Government Board's* [43 & 44 VICT.]  
*Provisional Orders Confirmation (Aberawon, &c.) Act, 1880.*

A.D. 1880. of Section 79 of the Local Act shall be repaid within the period within which  
the original loan in respect of which such money is re-borrowed would have  
been required to be repaid, and that no such re-borrowing shall affect the  
obligation of the Urban Sanitary Authority with respect to any sinking fund to  
be set aside, nor unless the re-borrowing be effected at a different rate of interest,  
the amount of any instalment to be paid under the provisions of this Order.

—  
*Lincoln*  
*Order.*  
(2.)  
—

Art. IV. The Local Act shall be further altered, and shall provide that—

(a.) The Treasurer of the Urban Sanitary Authority shall, within twenty-one days after the expiration of each year during which any sum is required to be paid as an instalment, or to be set apart for a sinking fund, in respect of moneys borrowed before or after the commencement of this Order under the provisions of the Local Act as hereby altered and amended, or in respect of moneys re-borrowed for the repayment of moneys so borrowed, transmit to the Local Government Board a return, in such form as may be prescribed by that Board, and verified by statutory declaration, if so required by them, showing the amounts which have been paid as instalments, and the amounts which have been invested or applied for the purposes of such sinking fund during the year next preceding the making of such return, 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 interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year.

(b.) If it appears to the Local Government Board, by that return or otherwise, that the Local Board have failed to pay any instalment required to be paid, or to set apart any sum required for any sinking fund, or have applied any portion of the money set apart for any sinking fund, or of the sums accumulated by way of interest, to any purposes other than those authorised, they may, by Order, direct that a sum not exceeding double the amount in respect of which default has been made shall be paid by way of instalment, or be set apart and invested or applied as part of the sinking fund; and any such Order shall be enforceable by writ of Mandamus, to be obtained by the Local Government Board out of Her Majesty's High Court of Justice.

Given under the Seal of Office of the Local Government Board,  
this Fifteenth day of April, in the year One thousand eight  
hundred and eighty.

(L.S.)

G. SOLATER-BOOTH, President.  
JOHN LAMBERT, Secretary.

LOCAL GOVERNMENT DISTRICT OF LITTLEHAMPTON.      A.D. 1880.

*Provisional Order for diminishing the Local Government District of  
Littlehampton.*

*Little-  
hampton  
Order.*

To the Littlehampton Local Board, being the Sanitary Authority for the  
Urban Sanitary District of Littlehampton, in the County of  
Sussex; —

To the Guardians of the Poor of the East Preston Union, in the same  
County, being the Sanitary Authority for the Rural Sanitary  
District of that Union; —

And to all others whom it may concern.

WHEREAS by Section 270 of the Public Health Act, 1875, it is enacted  
that the Local Government Board may, by Provisional Order, declare any  
portion of a Local Government District immediately adjoining a Rural Sanitary  
District to be included in such Rural Sanitary District, and that thereupon the  
included area shall, for the purposes of that Act, be deemed to form part of the  
District in which it is included by such Order;

And whereas by Section 275 of the last-mentioned Act, it is enacted that  
every Order made by the Local Government Board under Part VIII. of that  
Act, which includes Section 270 above mentioned, shall specify the day on which  
such Order shall come into operation; and that where any Local Government  
District is diminished or increased in extent under that part of the Act, the  
Order shall prescribe the number of members to be elected for the District  
when altered;

And whereas the Local Government District of Littlehampton, in the County  
of Sussex, comprises certain detached parts of the Parish of Little-  
hampton, known as "Bailiff's Court" and "Short Mere," which immediately  
adjoin the Rural Sanitary District of the East Preston Union, in the said  
County;

And whereas the Local Government Board proposed to declare by Provisional  
Order that the parts of the said Local Government District which are composed  
of the said detached parts of the Parish of Littlehampton should be included in  
the said Rural Sanitary District, and directed local Inquiry to be held on the  
subject, which Inquiry was held, after due public notice, and report has been  
made to them thereon:

Now therefore, We, the Local Government Board, in pursuance of the powers  
given to Us by the Statutes in that behalf, do hereby Declare that all those parts  
of the Local Government District of Littlehampton which immediately adjoin  
the Rural Sanitary District of the East Preston Union, and which are composed  
of the detached parts of the Parish of Littlehampton known as "Bailiff's Court"  
and "Short Mere," shall be included in, and shall, for the purposes of the  
Public Health Act, 1875, be deemed to form part of such Rural Sanitary  
District.

[Ch. lxxxvi.]      *Local Government Board's*      [43 & 44 VICT.]  
*Provisional Orders Confirmation (Aberavon, &c.) Act, 1880.*

A.D. 1880.      And We do hereby Order as follows ; viz. :—

*Little-  
hampton  
Order.*

I. This Order shall come into operation on the Twenty-fifth day of March, One thousand eight hundred and eighty-one.

II. From and after the said Twenty-fifth day of March, the number of members to be elected for the Local Government District of Littlehampton shall, subject to the provisions of Rule 2 of Schedule II. of the Public Health Act, 1875, be the same as before the date of this Order.

Given under the Seal of Office of the Local Government Board, this  
Ninth day of April, in the year One thousand eight hundred  
and eighty.

(L.S.)

G. SCLATER-BOOTH, President.  
JOHN LAMBERT, Secretary.

*Llandudno  
Order.*

IMPROVEMENT ACT DISTRICT OF LLANDUDNO.

*Provisional Order for partially repealing and altering the Llandudno  
Improvement Act, 1854.*

To the Llandudno Improvement Commissioners, being the Sanitary  
Authority for the Urban Sanitary District of Llandudno, in the  
County of Carnarvon ; —

And to all others whom it may concern.

WHEREAS the Improvement Act District of Llandudno, in the County  
of Carnarvon, is an Urban Sanitary District, of which the Llandudno Improve-  
ment Commissioners are the Urban Sanitary Authority, and the Llandudno  
Improvement Act, 1854 (herein-after called "the Local Act"), as amended by  
the Llandudno Improvement Act, 1876, is in force in the said District ;

And whereas by Section 4 of the Local Act it is enacted that the Com-  
missioners Clauses Act, 1847 (except so much of Section 21 as relates to the  
giving notice by advertisement of the annual meeting for election of Commis-  
sioners), shall be incorporated with and form part of that Act ;

And whereas by Section 9 of the Local Act it is further enacted, with  
reference to every election of Commissioners, that every adult male owner of  
property within the limits of that Act, which limits were extended by the said  
Llandudno Improvement Act, 1876, and every adult male person who and every  
corporation or company which shall be rated to the rates to be made under the  
provisions of that Act in respect of any property within the town of Llandudno  
and the said limits, and who shall, seven days at least before the day of election  
of the Commissioners, have paid all the said rates which shall have become payable  
by him or them in respect of such property at any time previously to the  
commencement of the third month before such election, shall be entitled to vote  
at every election of Commissioners under that Act ;



[43 & 44 VICT.]      *Local Government Board's*      [Ch. lxxxvi.]  
*Provisional Orders Confirmation (Aberavon, &c.) Act, 1880.*

And whereas by Section 10 of the Local Act it is further enacted that any corporation or company by that Act authorised to vote at any election of Commissioners shall, for the purposes of such voting, be considered as one owner, and shall vote by proxy ;

A.D. 1880.

*Llandudno*  
*Order.*

And whereas by Section 11 of the Local Act it is also enacted that the Commissioners acting under the powers of that Act shall hold their first general meeting at some convenient place within the said Town of Llandudno, between the hours of ten of the clock in the forenoon and four of the clock in the afternoon on the third Thursday in the month next following the passing of that Act, and shall then and there proceed to put that Act into execution ; and that every annual meeting for the election of Commissioners shall take place on the third Thursday in July in each succeeding year ;

And whereas by Section 303 of the Public Health Act, 1875, the Local Government Board are empowered, on the application of the Sanitary Authority of any Sanitary District, by Provisional Order, wholly or partially, to repeal, alter, or amend any Local Act, other than an Act for the conservancy of rivers, which is in force in any area comprising the whole or part of any such District, and not conferring powers or privileges on any persons or person for their or his own pecuniary benefit, which relates to the same subject-matters as the Public Health Act, 1875 ;

And whereas the Local Act is a Local Act within the meaning of the above-recited section of the Public Health Act, 1875, and the said Commissioners have applied to the Local Government Board to partially repeal, alter, and amend the same, as herein-after mentioned ;

And whereas the Local Government Board, upon receipt of such application directed Local Inquiry to be held on the subject, which Inquiry was held, after due public notice, and report has been made to them thereon :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the Statutes 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 following provisions shall take effect ; viz.,—

Art. I. Section 4 of the Local Act shall be altered so that the provisions contained in Sections 8 to 10 and Sections 12 to 16, both inclusive, of the Commissioners Clauses Act, 1847, with respect to the qualification of Commissioners, and in Sections 17 to 35, both inclusive, of that Act, with respect to the election and rotation of the Commissioners, shall be no longer incorporated with the Local Act.

Provided that, notwithstanding such alteration in Section 4, the Commissioners who shall be acting or be entitled to act as such at the commencement of this Order shall, unless they die, resign, or become disqualified, continue in office until the times herein-after appointed for their retirement.

Art. II. Sections 9, 10, and 11 of the Local Act shall be wholly repealed, except so far as the same may have been acted upon.

Art. III. The Commissioners who, but for this Order, would have retired in the month of July one thousand eight hundred and eighty, shall go out of office

[Ch. lxxxvi.] *Local Government Board's* [43 & 44 VICT.]  
*Provisional Orders Confirmation (Aberavon, &c.) Act, 1880.*

A.D. 1880. on the Fifteenth day of April, one thousand eight hundred and eighty-one; the  
*Llandudno*  
*Order.*  
Commissioners who, but for this Order, would have retired in the month of July, one thousand eight hundred and eighty-one, shall go out of office on the Fifteenth day of April, one thousand eight hundred and eighty-two; and the Commissioners who, but for this Order, would have retired in the month of July, one thousand eight hundred and eighty-two, shall go out of office on the Fifteenth day of April, one thousand eight hundred and eighty-three; and before each of the dates on which the said Commissioners shall go out of office a number of persons equal to the number of retiring Commissioners shall be elected in the manner provided by the Public Health Act, 1875, with regard to the election of members of a Local Board to fill the vacancies caused by such retirement.

Art. IV. Subject as aforesaid, Rules 5 to 70, both inclusive, of Schedule II. to the Public Health Act, 1875, shall, from and after the commencement of this Order, apply to the disqualification, nomination, election, continuance in; and retirement from, office of the Commissioners, and to the filling up of casual vacancies, as if the Commissioners were a Local Board within the meaning of that Act: Provided that the election of Commissioners in the month of April, one thousand eight hundred and eighty-one, shall not, for the purposes of the provisions contained in Rules 31, 32, and 34, be deemed to be the first election for the District.

Given under the Seal of Office of the Local Government Board,  
this Third day of April, in the year One thousand eight  
hundred and eighty.

G. SCLATER-BOOTH, President.

JOHN LAMBERT, Secretary.

(L.S.)

*Ossett-cum-*  
*Gawthorpe*  
*Order.*

LOCAL GOVERNMENT DISTRICT OF  
OSSETT-CUM-GAWTHORPE.

*Provisional Order for altering the Ossett-cum-Gawthorpe Local Board*  
*Act, 1875.*

To the Ossett-cum-Gawthorpe Local Board, being the Sanitary Authority  
for the Urban Sanitary District of Ossett-cum-Gawthorpe, in the  
West Riding of the County of York;—

And to all others whom it may concern.

WHEREAS the Local Government District of Ossett-cum-Gawthorpe, in  
the West Riding of the County of York, is an Urban Sanitary District, of  
which the Ossett-cum-Gawthorpe Local Board, herein-after referred to as "the



[43 & 44 VICT.]      *Local Government Board's*      [Ch. lxxxvi.]  
*Provisional Orders Confirmation (Aberavon, &c.) Act, 1880.*

Local Board," are the Urban Sanitary Authority, and the Ossett-cum-Gawthorpe Local Board Act, 1875, herein-after referred to as "the Local Act," is in force in the said District ;

A.D. 1880.

—  
*Ossett-cum-  
Gawthorpe  
Order.*  
—

And whereas by Section 53 of the Local Act the Local Board are empowered from time to time, with the consent of the Local Government Board, to borrow at interest such sums as they may from time to time think requisite for all or any of the purposes of that Act, not exceeding in the whole,—

With respect to the Water Undertaking, twenty thousand five hundred pounds ;

With respect to the Sewerage Undertaking, twenty-four thousand five hundred pounds ; and

With respect to the Street Improvements, five thousand pounds ;  
and to secure the repayment of the sums so borrowed by mortgage of the general district rates and of the district fund under the Local Government Acts, or of the water undertaking, or of the sewerage undertaking, or of any rents or rates, or of any one or more of such securities, separately or collectively, as they may from time to time think fit ;

And whereas by Section 83 of the Local Act it is enacted that the costs, charges, and expenses relating to the contract set forth in the Schedule to that Act, and preliminary to and of and incidental to the preparing of and applying for and obtaining and passing of that Act, shall be charged on the general district rates, and paid by the Local Board, and that such costs shall include the costs incurred by the Local Board in or with the object of complying with the provisions of the Act of the Session of Parliament held in the thirty-fifth and thirty-sixth years of the reign of Her present Majesty, chapter ninety-one, with respect to the Bill for that Act, and all matters relating thereto, as taxed and ascertained by the Taxing Officer of the House of Lords or of the House of Commons ;

And whereas by Section 303 of the Public Health Act, 1875, the Local Government Board are empowered, on the application of the Sanitary Authority of any Sanitary District, by Provisional Order, wholly or partially, to repeal, alter, or amend any Local Act, other than an Act for the conservancy of rivers, which is in force in any area comprising the whole or part of any such District and not conferring powers or privileges on any persons or person for their or his own pecuniary benefit, which relates to the same subject-matters as the Public Health Act, 1875 ;

And whereas the Local Act is a Local Act within the meaning of the above-recited section of the Public Health Act, 1875, and the Local Board have applied to the Local Government Board to alter and amend the same ;

And whereas the Local Government Board, on receipt of such application, directed local Inquiry to be held on the subject, which Inquiry was held, after due public notice, and report has been made to them thereon :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the Statutes in that behalf, do hereby Order that, from



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*Provisional Orders Confirmation (Aberavon, &c.) Act, 1880.*

A.D. 1880.

Ossett-cum-  
Gawthorpe  
Order.

and after the date of the Act of Parliament confirming this Order (herein-after referred to as "the commencement of this Order") the following provisions shall take effect; viz.,

Art. I. Section 53 of the Local Act shall be altered and amended, so as to enable the Local Board from time to time, with the consent of the Local Government Board, to borrow,—

(a.) For the purposes of the sewerage undertaking therein mentioned, any sum or sums not exceeding in the whole the sum of five thousand five hundred pounds, in addition to the sum of twenty-four thousand five hundred pounds thereby authorised to be borrowed for those purposes;

(b.) Such sum of money as may be necessary to defray so much of the costs, charges, and expenses mentioned in Section 83 of the Local Act as have, in the opinion of the Local Government Board, been properly incurred;

and to secure the repayment of the sums so borrowed by mortgage of the general district rates and of the district fund under the Public Health Act, 1875, or of the water undertaking or of the sewerage undertaking, or of any rents or rates, or of any one or more of such securities, separately or collectively, as they may from time to time think fit.

And in calculating the amount which the Local Board may borrow in their capacity of an Urban Sanitary Authority, the amounts which they may borrow under the Local Act as hereby altered and amended shall not be reckoned.

Art. II. Section 58 of the Local Act shall not be applicable to any sums which, after the commencement of this Order, may be borrowed under Section 53 of that Act as hereby altered and amended, but the provisions of Sub-sections (1), (4), and (5) of Section 234 of the Public Health Act, 1875, shall apply to the borrowing and repayment of such sums as if they were borrowed under the provisions of that Act and not of the Local Act, anything in the Local Act to the contrary notwithstanding.

Art. III. Sections 54, 59, 60, 61, 62, 63, and 65 of the Local Act shall apply to all sums borrowed by the Local Board under Section 53 of the Local Act as hereby altered and amended.

Provided that "the Public Health Act, 1875," shall be deemed to be substituted for "the Local Government Acts" in Section 59 of the Local Act, and that any money re-borrowed under the provisions of Section 62 of the Local Act shall be repaid within the period within which the original loan in respect of which such money is re-borrowed would have been required to be repaid, and that no such re-borrowing shall affect the obligation of the Local Board with respect to any sinking fund to be set aside, nor, unless the re-borrowing be effected at a different rate of interest, the amount of any instalment to be paid under the provisions of this Order.

Art. IV. Section 83 of the Local Act shall be altered, and shall provide that so much of the costs, charges, and expenses therein mentioned as have, in the

[43 & 44 VICT.]      *Local Government Board's*      [Ch. lxxxvi.]  
*Provisional Orders Confirmation (Aberavon, &c.) Act, 1880.*

opinion of the Local Government Board, been properly incurred, may be paid by the Local Board out of moneys to be borrowed by them under Section 53 of the Local Act as hereby altered and amended.

A.D. 1880.

—  
*Ossett-cum-Gawthorpe*  
*Order.*  
—

Given under the Seal of Office of the Local Government Board, this  
Twenty-second day of April, in the year One thousand eight  
hundred and eighty.

(L.S.)

G. SCLATER-BOOTH, President.  
JOHN LAMBERT, Secretary.

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LOCAL GOVERNMENT DISTRICT OF OSWALDTWISTLE.

*Oswald-*  
*twistle*  
*Order.*  
—

*Provisional Order for altering and amending the Oswaldtwistle*  
*Local Board Act, 1869.*

To the Oswaldtwistle Local Board, being the Sanitary Authority for the  
Urban Sanitary District of Oswaldtwistle, in the County of  
Lancaster : —

And to all others whom it may concern.

WHEREAS the Local Government District of Oswaldtwistle, in the County of Lancaster (herein-after called "the District"), is an Urban Sanitary District, of which the Oswaldtwistle Local Board (herein-after called "the Local Board"), are the Urban Sanitary Authority, and the Oswaldtwistle Local Board Act, 1869 (herein-after called "the Local Act"), is in force in the said District ;

And whereas by Section 54 of the Local Act the Local Board are empowered from time to time in addition to any moneys they are authorised to borrow under the Public Health Acts to borrow at interest on mortgage of the gas-works, lands, and property to be acquired by them under the Local Act, and of the improvement rates, and of the gas rates, and other rates, rents, and revenue thereunder, and of the general district rates leviable by the Local Board under the Public Health Acts or of any such securities, either together or separately, all such sums as they may from time to time think requisite for any of the purposes of the Local Act, not exceeding in the whole twenty thousand pounds, and after having paid off otherwise than by the sinking fund any moneys so borrowed, to re-borrow the amount so paid off, and so from time to time ;

And whereas by Section 55 of the Local Act it is enacted that the Sections of the Commissioners Clauses Act, 1847, with respect to mortgages to be executed by the Commissioners shall be incorporated with and form part of the Local Act, and shall be applicable to the mortgages to be made by the Local Board under the Local Act, and that for the purposes of the Local Act the



[Ch. lxxxvi.] *Local Government Board's* [43 & 44 VICT.]  
*Provisional Orders Confirmation (Aberavon, &c.) Act, 1880.*

A.D. 1880. expression "the Commissioners" in those provisions shall mean the Local Board, and that the sum to be set apart yearly by the Local Board as a sinking fund shall be a sum equal to one-fiftieth part of the moneys borrowed by the Local Board under the Local Act;

—  
*Oswald-  
twistle  
Order.*  
—

And whereas the Local Board have from time to time borrowed moneys for the purposes of the Local Act amounting in all to the sum of twenty-seven thousand one hundred and five pounds, being seven thousand one hundred and five pounds in excess of the total amount authorised to be borrowed under the Local Act, and the moneys so borrowed have been raised by means of mortgages purporting to have been made by virtue of the powers of the Local Act;

And whereas, of the said sum of twenty-seven thousand one hundred and five pounds, mortgages to the extent of three thousand four hundred and twenty-five pounds have from time to time been paid off by the operation of the sinking fund required to be set apart under Section 55 of the Local Act, and the sums now owing on mortgages purporting to have been made by virtue of the powers of the Local Act amount in all to the sum of twenty-three thousand six hundred and eighty pounds;

And whereas on the twenty-fifth day of March last the amounts which had been set apart by the Local Board as a sinking fund in respect of moneys borrowed under the Local Act were less by the sum of One thousand and twenty-two pounds than the amounts which should have been so set apart in accordance with the provisions of Section 55 of the Local Act;

And whereas by Section 303 of the Public Health Act, 1875, the Local Government Board are empowered, on the application of the Sanitary Authority of any Sanitary District, by Provisional Order, wholly or partially to repeal, alter, or amend any Local Act, other than an Act for the conservancy of rivers, which is in force in any area comprising the whole or part of any such District, and not conferring powers or privileges on any persons or person for their or his own pecuniary benefit, which relates to the same subject-matters as the Public Health Act, 1875;

And whereas the Local Act is a Local Act within the meaning of the above-recited section of the Public Health Act, 1875, and the Local Board have applied to the Local Government Board to alter and amend the same;

And whereas the Local Government Board on receipt of such application directed Local Inquiry to be held on the subject, which Inquiry was held, after due public notice and report has been made to them thereon:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the Statutes in that behalf, do hereby Order that from and after the date of the Act of Parliament confirming this Order (herein referred to as "the commencement of this Order") the following provisions shall take effect, viz.:

Art. I. Section 54 of the Local Act shall be altered and amended in such a manner,

- (1.) That the total amount thereby authorised to be borrowed for the purposes of the Local Act shall be deemed to have been twenty-eight thousand pounds and not twenty thousand pounds as provided in that section;



[43 & 44 VICT.]      *Local Government Board's*      [Ch. lxxxvi.]  
*Provisional Orders Confirmation (Aberavon, &c.) Act, 1880.*

(2.) That so much of the said sum of twenty-seven thousand one hundred and five pounds, borrowed as herein-before recited, as has been borrowed in excess of the amounts authorised to be borrowed under the Local Act shall be deemed to have been authorised to be so borrowed by that Act; and

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—  
*Oswald-  
twistle  
Order.*  
—

(3.) That such of the mortgages existing at the commencement of this Order for securing the said sum of twenty-three thousand six hundred and eighty pounds, as have been made by the Local Board in excess of their borrowing powers under the Local Act shall, to all intents and purposes, be as valid as if they had been authorised to be made under the Local Act:

Provided that all moneys borrowed after the commencement of this Order under the Local Act, as altered and amended by this Order, shall be borrowed subject to the sanction of the Local Government Board, and shall be repaid within such period not exceeding fifty years from the date of borrowing thereof as the Local Board, with the sanction of the Local Government Board, may determine:

Provided also that, subject as aforesaid, the provisions of Subsections (4) and (5) of Section 234 of the Public Health Act, 1875, shall apply to all moneys so borrowed after the commencement of this Order.

Art. II. Section 55 of the Local Act shall be altered and amended so as to provide that the Local Board, in addition to the other sums required to be set apart by them under the Local Act as altered and amended by this Order, shall, before the expiration of one year from the commencement of this Order, set apart as a sinking fund the sum of five hundred and eleven pounds, being a moiety of the said sum of one thousand and twenty-two pounds, which should have been set apart by them as herein-before recited; and shall, before the expiration of two years from the commencement of this Order, set apart as a sinking fund the further sum of five hundred and eleven pounds, being the remaining moiety of the said sum of one thousand and twenty-two pounds.

All moneys set apart by the Local Board under the foregoing provisions shall be invested and applied in the same manner as other moneys set apart in accordance with Section 55 of the Local Act are required to be invested and applied.

Art. III. The Local Act shall be further altered and amended so as to provide as follows:

(a.) The Clerk to the Local Board shall, within twenty-one days after the expiration of each year during which any sum is required to be paid as an instalment, or to be set apart for a sinking fund under this Order or the Local Act, in respect of moneys borrowed under this Order or the Local Act, whether before or after the commencement of this Order, or in respect of moneys re-borrowed for the repayment of moneys so borrowed, transmit to the Local Government Board a return in such form as may be prescribed by that Board, and verified by statutory declaration, if so required by them, showing the amounts

[Ch. lxxxvi.] *Local Government Board's* [43 & 44 VICT.]  
*Provisional Orders Confirmation (Aberavon, &c.) Act, 1880.*

A.D. 1880.

*Oswald-  
twistle  
Order.*

which have been paid as instalments, and the amounts which have been invested or applied for the purposes of such sinking fund during the year next preceding the making of such return, 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 interest, has been applied during the same period, and the total amounts (if any) remaining invested at the end of the year.

- (b.) If it appears to the Local Government Board, by that return or otherwise, that the Local Board have failed to pay any instalment required to be paid, or to set apart any sum required for any sinking fund, or have applied any portion of the money set apart for any sinking fund, or of the sums accumulated by way of interest, to any purposes other than those authorised, they may, by Order, direct that a sum not exceeding double the amount in respect of which default has been made shall be paid by way of instalment, or be set apart and invested, or applied as part of the sinking fund; and any such Order shall be enforceable by writ of Mandamus, to be obtained by the Local Government Board out of Her Majesty's High Court of Justice.

Given under the Seal of Office of the Local Government Board, this  
 Twenty-third day of April, in the year One thousand eight  
 hundred and eighty.

G. SCLATER-BOOTH, President.

JOHN LAMBERT, Secretary.

(L.S.)

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CITY OF SAINT ALBAN.

*Saint Alban  
Order.*

(1.)

*Provisional Order to enable the Urban Sanitary Authority for the City of Saint Alban to put in force the Compulsory Clauses of the Lands Clauses Consolidation Acts, 1845, 1860, and 1869.*

To the Mayor, Aldermen, and Citizens of the City of Saint Alban, in the County of Hertford, being the Urban Sanitary Authority for that City; —

And to all others whom it may concern.

WHEREAS the Mayor, Aldermen, and Citizens of the City of Saint Alban, in the County of Hertford, acting by the Council, as the Urban Sanitary Authority for that City, require to purchase and take the lands described in the Schedule hereto, for the distribution and disposal of the sewage of the said City;



[43 & 44 VICT.]      *Local Government Board's*      [Ch. lxxxvi.]  
*Provisional Orders Confirmation (Aberavon, &c.) Act, 1880.*

And whereas the said Council, as such Urban Sanitary Authority as aforesaid, have made due publication in the newspaper and served the several notices, as required by the Public Health Act, 1875, and have presented a petition to the Local Government Board, stating as required by that Act, and praying, with reference to the said lands, to be allowed to put in force the powers of the Lands Clauses Consolidation Acts, 1845, 1860, and 1869, with respect to the purchase and taking of lands otherwise than by agreement;

A.D. 1880.  
*Saint Alban*  
*Order.*  
(1.)

And whereas the Local Government Board, upon receipt of such petition, directed Local Inquiry to be held as to the propriety of assenting to the prayer thereof, which Inquiry was held, after due public notice, and report has been made to them thereon:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the Statutes in that behalf, do hereby empower the said Council, as such Urban Sanitary Authority as aforesaid, from and after the date of the Act of Parliament confirming this Order, to put in force, with reference to the lands described in the Schedule hereto, the powers of the Lands Clauses Consolidation Acts, 1845, 1860, and 1869, with respect to the purchase and taking of lands otherwise than by agreement, or any of them.

The SCHEDULE above referred to.  
Parish of SAINT STEPHEN, in the County of HERTFORD.

Nos. on deposited Plan.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
15	Arable land	Charles Willes Wilshire.	Thomas Dallow Cartwright.	Thomas Dallow Cartwright.
16	ditto - -	ditto - -	ditto - -	ditto.
17	ditto - -	ditto - -	ditto - -	ditto.
18	ditto - -	ditto - -	ditto - -	ditto.

Given under the Seal of Office of the Local Government Board, this Nineteenth day of April, in the year One thousand eight hundred and eighty.

(L.S.)

G. SOLATER-BOOTH, President.  
JOHN LAMBERT, Secretary.



[Ch. lxxxvi.] *Local Government Board's* [43 & 44 VICT.]  
*Provisional Orders Confirmation (Aberavon, &c.) Act, 1880.*

A.D. 1880.

CITY OF SAINT ALBAN.

*Saint Alban*  
*Order.*  
*(2.)*

*Provisional Order for altering the Saint Alban City Improvement Act, 1879.*

To the Mayor, Aldermen, and Citizens of the City of Saint Alban, in the County of Hertford, being the Urban Sanitary Authority for that City ; —

And to all others whom it may concern.

WHEREAS the City of Saint Alban in the County of Hertford, is an Urban Sanitary District, of which the Mayor, Aldermen, and Citizens, acting by the Council (herein-after called "the Corporation"), are the Urban Sanitary Authority, and the Saint Alban City Improvement Act, 1879 (herein-after referred to as "the Local Act"), is in force in the said City ;

And whereas by Section 22 of the Local Act it is enacted that the costs, charges, and expenses preliminary to and of and incidental to the preparing of and applying for and the obtaining and passing of that Act shall be paid by the Corporation out of the City Fund or City Rate, and that such costs shall include the costs incurred by the Corporation in or with the object of complying with the provisions of the Act of the Session of Parliament held in the thirty-fifth and thirty-sixth years of the reign of Her present Majesty (chapter ninety-one), with respect to the Bill for that Act as taxed and ascertained by the Taxing Officer of the House of Lords or of the House of Commons ;

And whereas by Section 303 of the Public Health Act, 1875, the Local Government Board are empowered, on the application of the Sanitary Authority of any Sanitary District, by Provisional Order, wholly or partially, to repeal, alter, or amend any Local Act, other than an Act for the conservancy of rivers, which is in force in any area comprising the whole or part of any such District, and not conferring powers or privileges on any persons or person for their or his own pecuniary benefit, which relates to the same subject-matters as the Public Health Act, 1875 ;

And whereas the Local Act is a Local Act within the meaning of the above-recited section of the Public Health Act, 1875, and the Corporation have applied to the Local Government Board to alter and amend the same as herein-after mentioned ;

And whereas the Local Government Board, on receipt of such application, directed local Inquiry to be held on the subject, which Inquiry was held, after due public notice, and report has been made to them thereon :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by the Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, the following provisions shall take effect, viz. :

Art. I. The Local Act shall be altered and amended so as to enable the Corporation to borrow, on the security of the City Rate and City Fund, such sum of money as may be necessary to defray so much of the costs, charges, and

[43 & 44 VICT.]      *Local Government Board's*      [Ch. lxxxvi.]  
*Provisional Orders Confirmation (Aberavon, &c.) Act, 1880.*

expenses mentioned in Section 22 of the Local Act as have, in the opinion of the Local Government Board, been properly incurred, and the provisions of Sub-sections (4) and (5) of Section 234, and of Sections 236, 237, 238, and 239 of the Public Health Act, 1875, shall apply to the borrowing and repayment of all moneys so borrowed.

A.D. 1880.

*Saint Alban*  
*Order.*  
(2.)

Provided that all moneys borrowed under the provisions of the Local Act as hereby altered and amended shall be repaid within a period of ten years from the date of borrowing the same.

Provided also, that any moneys re-borrowed for the repayment of the moneys borrowed under the provisions of the Local Act as hereby altered and amended, shall be repaid within the period within which the original loan in respect of which such moneys are re-borrowed would have been required to be repaid; and further, that no such re-borrowing shall affect the obligation of the Corporation with respect to any sinking fund to be set aside, nor unless the re-borrowing be effected at a different rate of interest, the amount of any instalment to be paid under the provisions of the Local Act as hereby altered and amended.

Art. II. Section 22 of the Local Act shall be altered, and shall provide that so much of the costs, charges, and expenses therein mentioned as have, in the opinion of the Local Government Board, been properly incurred, may be paid by the Corporation out of moneys borrowed by them under the Local Act as hereby altered and amended.

Art. III. The Local Act shall be further altered and amended, and shall provide that—

(a.) The Treasurer of the Corporation shall, within twenty-one days after the expiration of each year during which any sum is required to be paid as an instalment, or to be set apart for a sinking fund, in respect of moneys borrowed under the Local Act as hereby altered and amended, transmit to the Local Government Board a return, in such form as may be prescribed by that Board, and verified by statutory declaration, if so required by them, showing the amounts which have been paid as instalments, and the amounts which have been invested or applied for the purposes of such sinking fund, during the year next preceding the making of such return, 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 interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year.

(b.) If it appears to the Local Government Board, by that return or otherwise, that the Corporation have failed to pay any instalment required to be paid, or to set apart any sum required for any sinking fund, or have applied any portion of the money set apart for any sinking fund or of the sums accumulated by way of interest, to any purposes other than those authorised, they may, by Order, direct that a sum not exceeding double the amount in respect of which default has been made shall be paid by way of instalment, or be set apart and invested

[Ch. lxxxvi.]      *Local Government Board's*      [43 & 44 VICT.]  
*Provisional Orders Confirmation (Aberavon, &c.) Act, 1880.*

A.D. 1880.

*Saint Alban*  
*Order.*  
(2.)

or applied as part of the sinking fund; and any such Order shall be enforceable by writ of Mandamus, to be obtained by the Local Government Board out of Her Majesty's High Court of Justice.

Given under the Seal of Office of the Local Government Board, this  
Nineteenth day of April, in the year One thousand eight hundred  
and eighty.

(L.S.)

G. SCLATER-BOOTH, President.  
JOHN LAMBERT, Secretary.

*Sunderland*  
*Order.*

BOROUGH OF SUNDERLAND.

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

To the Mayor, Aldermen, and Burgesses of the Borough of Sunderland,  
in the County of Durham, being the Sanitary Authority for the  
Urban Sanitary District of that Borough;—

And to all others whom it may concern.

WHEREAS the Borough of Sunderland, in the County of Durham, hereinafter referred to as "the Borough," is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council, and hereinafter referred to as "the Corporation," are the Urban Sanitary Authority;

And whereas by Section 81 of the Borough of Sunderland Act, 1851, (hereinafter called "the Act of 1851,") it is enacted that the money to be borrowed on mortgage by the Corporation shall not exceed on the whole the sum of eighty thousand pounds;

And whereas by Section 8 of the Sunderland Corporation Act, 1865, (hereinafter called "the Act of 1865,") it is enacted that whenever after the passing of that Act the Corporation borrow any money they shall repay the same within a period of forty years reckoned from the time of borrowing, and the provisions of that Act relative to a Sinking Fund shall extend and apply, mutatis mutandis, to the providing and application of a Sinking Fund for such repayment;

And whereas by Section 9 of the Act of 1865, it is further enacted that if at any time the Corporation pay off any part of any money due by them on mortgage, otherwise than by means of a Sinking Fund, they may re-borrow the same, and so from time to time;

And whereas by Section 16 of the Act of 1865, it is also enacted that any provision of the Public Health Act, 1848, or of the Local Government Act, 1858, or of the Municipal Corporation Acts, or of any Act amending the same respectively, in any respect expressly inconsistent with any provision of the



[43 & 44 VICT.]      *Local Government Board's*      [Ch. lxxxvi.]  
*Provisional Orders Confirmation (Aberavon, &c.) Act, 1880.*

Act of 1865, shall, so far as the same is so inconsistent, cease to apply to the Borough;

A.D. 1880.

*Sunderland  
Order.*

And whereas by Article 2 of a Provisional Order under the hand of one of Her Majesty's Principal Secretaries of State, dated the Twelfth day of May, One thousand eight hundred and sixty-eight, and duly confirmed by the Local Government Act, 1868 (No. 2) (herein-after called "the Confirmation Act"), it is provided that notwithstanding anything in Section 81 of the Act of 1851, or in any other enactment contained, the total amount of the money borrowed and to be borrowed, and for the time being remaining due, on all or any of the mortgage securities under which the Mayor, Aldermen, and Burgesses of the Borough of Sunderland, whether as a Municipal Corporation or as the Sunderland Local Board of Health, are liable, or which they are authorised to give, other than the bridge and ferry tolls arising under the Wearmouth Bridge Act, 1857, or the Sunderland Ferry Act, 1867, shall not at any time exceed in the whole one year's assessable value of the premises assessable under the Local Government Act, 1858, within their District, including the amount of one hundred thousand pounds, authorised to be raised by them under the powers of the Sunderland Extension and Improvement Act, 1867;

And whereas by Section 297 of the Public Health Act, 1875, it is enacted that any Act confirming any Provisional Order made in pursuance of any of the Sanitary Acts, or of that Act, may be repealed, altered, or amended by any Provisional Order made by the Local Government Board, and confirmed by Parliament;

And whereas by Section 303 of the Public Health Act, 1875, the Local Government Board are empowered, on the application of the Sanitary Authority of any Sanitary District, by Provisional Order, wholly or partially to repeal, alter, or amend any Local Act, other than an Act for the conservancy of rivers, which is in force in any area comprising the whole or part of any such District, and not conferring powers or privileges on any persons or person for their or his own pecuniary benefit, which relates to the same subject-matters as the Public Health Act, 1875;

And whereas the Act of 1851 and the Act of 1865 are Local Acts within the meaning of Section 303 of the Public Health Act, 1875, and the Confirmation Act is an Act for confirming a Provisional Order made in pursuance of the Sanitary Acts, and the Corporation, as such Urban Sanitary Authority as aforesaid, have applied to the Local Government Board to issue a Provisional Order to partially repeal, alter, and amend the said Local Acts and Confirmation Act as herein-after mentioned;

And whereas upon receipt of such application the Local Government Board directed Local Inquiry to be held on the subject thereof, which Inquiry was held, after due public notice, and report has been made to them thereon:

Now, therefore, We, the Local Government Board, in pursuance of the powers given to Us by the several Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order,

[Ch. lxxxvi.]      *Local Government Board's*      [43 & 44 VICT.]  
*Provisional Orders Confirmation (Aberavon, &c.) Act, 1886.*

A.D. 1880.      herein-after referred to as "the commencement of this Order," the following provisions shall take effect; viz.:

*Sunderland  
Order.*

Art. I. Section 81 of the Act of 1851 and the Confirmation Act, so far as it relates to Art. 2 of the above-mentioned Provisional Order, shall be repealed, except so far as the same may have been acted upon.

Art. II. The Act of 1865 shall be altered so as to provide that nothing contained in that Act shall in any way be taken to restrict the powers of the Corporation, as such Urban Sanitary Authority as aforesaid, under the Public Health Act, 1875, with regard to the borrowing of moneys, or to apply to any moneys which may be borrowed by the Corporation in pursuance of such powers, after the commencement of this Order; and the exercise of such powers shall in all respects be subject only to the provisions in that behalf contained in the Public Health Act, 1875.

Given under the Seal of Office of the Local Government Board, this  
Twentieth day of February, in the year One thousand eight  
hundred and eighty.

(L.S.)

G. SCLATER-BOOTH, President.  
JOHN LAMBERT, Secretary.

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