



CHAPTER xi.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Boroughs of Bangor and Bradford (Yorkshire), and the Local Government District of Tyldesley-with-Shakerley. [25th September 1886.] A.D. 1886.

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

38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Orders should be confirmed by Parliament, and that the provisions 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 as set out in the schedule hereto shall be and the same are hereby confirmed, and all the provisions thereof shall, from and after the dates therein respectively mentioned, have full validity and force. The Orders in schedule confirmed.

2. The Urban Sanitary Authority for the Borough of Bradford shall not under the powers of this Act or of the Order relating to that borough hereby confirmed, without the consent of the Local Government Board, purchase or acquire in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district, ten or more houses which, after the passing of this Act have been, or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers. Special provision as to houses of labouring class.

For the purposes of this section, the expression "labouring class" includes mechanics, artizans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages, but

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Short title. 3. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 8) Act, 1886.

S C H E D U L E.

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BOROUGH OF BANGOR.

*Bangor
Order.*

Provisional Order for altering the Bangor Local Board Act, 1878.

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

And to all others whom it may concern.

WHEREAS part of the Parish of Bangor, in the County of Carnarvon, was formerly a Local Government District, subject to the jurisdiction of the Bangor Local Board (herein-after referred to as "the Local Board"), and the Bangor Local Board Act, 1878 (herein-after referred to as "the Local Act"), was in force in the said Local Government District, that District being referred to in the Local Act as the District of Bangor ;

And whereas by Section 6 of the Local Act the undertaking of the Bangor Water and Gas Company, under and by virtue of the Bangor Water and Gas Act, 1854 (herein-after referred to as "the Undertaking"), was vested in the Local Board, and by Section 10 of that Act it was (inter alia) enacted that the mortgage debt of the Company at the passing of the Local Act, and the interest thereon, as from the First day of January, One thousand eight hundred and seventy-eight, should continue to be a first charge on the undertaking in the hands of the Local Board, and should further be a charge on the district fund and general district rates in priority to all charges thereon created subsequently to the passing of that Act ; and that, subject to the provisions of the Local Act, all debts, liabilities, and obligations of the Company (including the mortgage debt aforesaid) should be paid, discharged, or satisfied by the Local Board ;

And whereas by Section 15 of the Local Act it was enacted that the Local Board should, by way of consideration for the transfer to them of the undertaking, issue to the holders of the stock in the capital of the Company perpetual annuities of the total amount of two thousand six hundred and fifty pounds ;

And whereas by Section 31 of the Local Act the Local Board were empowered to redeem any annuity at a price to be agreed on between them and the annuitant, not exceeding twenty-five years purchase, any annuity so redeemed to be extinguished ;

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And whereas by Section 33 of the Local Act the Local Board were required to make provision for the extinction of all the said annuities and of the said mortgage debt of the Company within sixty years from the Fourth day of July, One thousand eight hundred and eighty-one ;

And whereas by Section 57 of the Local Act the Local Board were empowered to borrow money for the purposes therein mentioned, including the payment off of the mortgage debt of the Company and the redemption of the said annuities ;

And whereas by Section 61 of the Local Act the sections of the Commissioners Clauses Act, 1847, with respect to mortgages were made applicable to mortgages to be made by the Local Board under the Local Act, and provision was made for the payment off of such mortgages within sixty years ;

And whereas by Royal Charter dated the Tenth day of August, One thousand eight hundred and eighty-three, the District of Bangor was, with other parts of the Parish of Bangor, created a municipal borough by the name of "the Borough of Bangor" (herein-after referred to as "the Borough"); and by virtue of Section 310 of the Public Health Act, 1875, all the powers, rights, duties, capacities, liabilities, obligations, and property exerciseable by, attaching to, or vested in the Local Board under the Public Health Act, 1875, or under the Local Act for purposes the same as or similar to those of the Public Health Act, 1875, passed to, and became exerciseable by, and vested in, the Mayor, Aldermen, and Burgesses of the Borough, acting by the Council (herein-after referred to as "the Corporation") ;

And whereas by a Provisional Order of the Local Government Board dated the Twenty-ninth day of April, One thousand eight hundred and eighty-five, (herein-after referred to as "the Order"), and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 3) Act, 1885, Section 3 of the Local Act was altered by the insertion of the words "the Borough of Bangor" in lieu of the words "the District of Bangor," and Section 57 of the Local Act was altered so as to confer upon the Corporation additional borrowing powers:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order (herein-after referred to as "the commencement of this Order"), the following provisions shall take effect ; viz,—

Art. I. Sections 33 and 61 of the Local Act shall be repealed except so far as the same may have been acted upon ; and except that, as regards existing mortgages, the provisions of Sections 75, 76, 77, 78, 79, 82, 83, and 85 to 88 (both inclusive) of the Commissioners Clauses Act, 1847, shall continue in force:

Art. II. The Local Act shall be altered so as to provide as follows ; viz,—

- (1.) The provisions of Sections 236 to 239, both inclusive, of the Public Health Act, 1875, shall apply to all money borrowed or re-borrowed under the Local Act as altered by the Order after the commencement of this Order, except money already borrowed, or hereafter to be borrowed, under the provisions of the Local Loans Act, 1875.

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(2.) The moneys already borrowed, or hereafter to be borrowed, under the powers of borrowing conferred by the Local Act as altered by the Order, shall be repaid within the following periods ; viz.,—

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(a.) All moneys already borrowed, or hereafter to be borrowed, for paying off the mortgage debt of the Company and for redeeming the said annuities, within a period not exceeding sixty years from the Fourth day of July, One thousand eight hundred and eighty-one.

(b.) All moneys already borrowed for any other purposes of the Local Act, within a period not exceeding sixty years from the respective dates of borrowing thereof.

(c.) All moneys to be borrowed after the commencement of this Order under the powers of the Local Act as altered by the Order, except moneys borrowed for paying off the mortgage debt of the Company, or for redeeming the said annuities, within such period, not exceeding sixty years, as the Corporation, with the sanction of the Local Government Board, may, in each case, determine.

(d.) The periods herein-before mentioned shall be the prescribed periods for the purposes of the Local Loans Act, 1875, as regards any moneys already borrowed or hereafter to be borrowed under the provisions of that Act.

(3.) The Corporation in order to repay the moneys already borrowed, or hereafter to be borrowed, under the powers of borrowing conferred by the Local Act as altered by the Order, and to provide for the extinction of the said annuities within sixty years from the Fourth day of July, One thousand eight hundred and eighty-one, shall, except as regards moneys borrowed under the provisions of the Local Loans Act, 1875, annually pay into a sinking fund such a sum or sums as will, together with the sum of one thousand six hundred and eighty-five pounds, required to be paid into the sinking fund under Article III. of this Order, according to a reasonable calculation for the time being, with accumulations in the way of compound interest, be sufficient, after payment of all expenses, to pay off the moneys so borrowed within the respective periods prescribed by subdivision (2.) of this Article and to extinguish the said annuities as aforesaid, and shall invest such sinking fund and the income thereof in the purchase of Exchequer bills or other Government securities, or in any securities in which trustees are by law for the time being authorised to invest, or in mortgages, debentures, debenture stock, or other securities issued by any Local Authority, as defined by Section 34 of the Local Loans Act, 1875, other than the Corporation, the Corporation being at liberty from time to time to vary and transpose such investments. The first payment into such sinking fund shall, as regards payments in respect of moneys already borrowed, and of the said annuities, be made on or before the Fourth day of July, One thousand eight hundred and eighty-seven, and, as regards payments in respect of moneys hereafter to be borrowed, shall be made within one year from the date of borrowing. The Corporation may at any time apply the whole or any part of such sinking fund in extinction of any of the said annuities, or in or towards the discharge of the borrowed money for the repayment of which the fund is established: Provided that the Corporation pay into the fund each year, and accumulate, until provision has been made for the extinction of

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the whole of the said annuities and the whole of the money borrowed is discharged, a sum equivalent to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied.

Provided also, that if the Corporation should at any time hereafter be desirous of repaying the moneys already borrowed, or hereafter to be borrowed, under the powers of borrowing conferred by the Local Act as altered by the Order, by means of annual or other instalments instead of by a sinking fund, then it shall be lawful for the Corporation, with the sanction of the Local Government Board, to make provision for the payment of such moneys by instalments, and to suspend, partially or wholly, for such time as the Local Government Board may see fit, the payments into the sinking fund: Provided also, that in case any such annual instalment should be less in any year than the amount which under this Article should be paid into the sinking fund in that year, together with the accumulations which would have accrued to the fund during the year, such deficiency shall be paid by the Corporation into the sinking fund, anything herein-before contained notwithstanding.

- (4.) The first payment to be made into any sinking fund for the repayment of loans borrowed under the provisions of the Local Loans Act, 1875, shall be made within one year from the date of borrowing.
- (5.) Any sum or sums which at the commencement of this Order is or are standing to the credit of any sinking fund established under Section 33 or Section 61 of the Local Act shall be forthwith carried to the credit of the sinking fund to be established under subdivision (3.) of this Article.

Art. III. The Local Act shall be further altered so as to provide that the Corporation shall, within twelve calendar months from and after the commencement of this Order, or within such further time as the Local Government Board shall allow, pay into the sinking fund, and invest, a sum of one thousand six hundred and eighty-five pounds, being the amount which should be in the sinking funds under the Local Act on the Fourth day of July, One thousand eight hundred and eighty-six.

Given under the Seal of Office of the Local Government Board, this
Fourth day of June, One thousand eight hundred and eighty-six.

(L.S.)

JAMES STANSFELD, President.
HUGH OWEN, Secretary.

BOROUGH OF BRADFORD (YORKS).

A.D. 1886.

Provisional Order for altering certain Local Acts.

Bradford
(Yorks)
Order.
(1.)

To the Mayor, Aldermen, and Burgesses of the Borough of Bradford, in the West Riding of the County of York, being the Urban Sanitary Authority for that Borough;—

And to all others whom it may concern.

WHEREAS the Borough of Bradford, in the West Riding of the County of York (herein-after referred to as "the Borough"), is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as "the Corporation"), are the Urban Sanitary Authority, and the Bradford Waterworks and Improvement Act, 1868 (herein-after referred to as "the Act of 1868"), and the Bradford Waterworks and Improvement Act, 1885 (herein-after referred to as "the Act of 1885"), are in force in the Borough;

And whereas by Section 27 of the Act of 1868 it is enacted that Sections 69 and 70 of the Towns Improvement Act, 1847, incorporated with the Bradford Improvement Act, 1850, shall extend and apply to the projections from or at any buildings therein defined;

And whereas by Section 5 of the Act of 1885 the Corporation are empowered to make, construct, and maintain the waterworks therein mentioned;

And whereas by Section 40 of the Act of 1885 provision is made for the preventing of the publication of offensive bills or papers;

And whereas by Section 47 of the Act of 1885 the Corporation are (inter alia) empowered to borrow the sum of four hundred and fifty thousand pounds for the purpose of waterworks:

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order (herein-after referred to as "the commencement of this Order"), the following provisions shall take effect; viz.,—

Art. I. Section 27 of the Act of 1868 shall be altered so as to provide that Sections 69 and 70 of the Towns Improvement Act, 1847, as incorporated with that section, shall extend and apply to every board or projection of any description extending over any street in the Borough, or any part of such street, whenever any such board or projection is dangerous to the public or an obstruction to the safe and convenient passage along any such street.

Art. II. Section 5 of the Act of 1885 shall be altered so as to enable the Corporation, in addition to the works mentioned therein,—

(a.) To make and maintain an aqueduct, conduit, or main to connect the high and low level services of the Corporation water supply, situate in the Townships of Horton, Clayton, and Manningham, in the Parish of Bradford, commencing at the gate of the existing Brayshaw Reservoir, and terminating near the western extremity of the land belonging to the Corporation which surrounds the Heaton Reservoir;

(b.) To erect on land belonging to the Corporation, at the western side of the Heaton Reservoir, the necessary engines, pumps, engine house, boiler house,

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chimney, and other works for passing water between such high and low level services ;

- (c.) To acquire by agreement a piece of land, containing five hundred square yards or thereabouts, lying on the north-west side of Park View Road, and adjoining the lands belonging to the Corporation at the Heaton Reservoir ;
- (d.) To acquire by agreement a piece of land, containing two hundred and seventy square yards or thereabouts, lying to the east of a road known as Heaton Syke, and to the west of the Heaton Reservoir.

The proviso to the said Section 5 shall apply to the construction of the work mentioned in subdivision (a.) of this Article.

Art. III. Section 40 of the Act of 1885 shall be altered so as to extend and apply to, and include, any person hawking in any street, or at any house or building in the Borough, any written or printed matter of an obscene or indecent character, or referring to any disease of a loathsome or secret kind or to any cure for such disease, whether such written or printed matter be on any open paper, or other substance, or in a book, or enclosed within a cover or wrapper.

Art. IV. Section 47 of the Act of 1885 shall be altered so as to provide as follows ; viz.,—

- (1.) The Corporation may, in addition to the moneys which they are thereby authorised to borrow for the purpose of waterworks, from time to time borrow, upon the security of the borough fund and borough rate, such sum or sums of money, not exceeding in the whole the sum of thirty-one thousand pounds, as may be required for making the works authorised by Article II. of this Order.
- (2.) For the purpose of raising money under this Article the provisions of the Local Loans Act, 1875 (including the power of creating debenture stock), shall be available to the Corporation, and Sections 236 to 239, both inclusive, of the Public Health Act, 1875, shall apply to all money raised and borrowed under this Article, other than money borrowed under the provisions of the Local Loans Act, 1875.
- (3.) The moneys borrowed under the powers conferred by this Article shall be repaid within a period of thirty years from the date of borrowing thereof, which period shall be deemed to be the "prescribed period" within the meaning of the Local Loans Act, 1875, and is herein-after referred to as "the prescribed period."
- (4.) The Corporation shall repay the moneys borrowed under the powers conferred by this Article, other than money borrowed under the provisions of the Local Loans Act, 1875, either by equal annual instalments of principal, or of principal and interest, or by setting apart in every year as a sinking fund such a sum or sums as will, according to a reasonable calculation for the time being, with accumulations in the way of compound interest, be sufficient, after payment of all expenses, to pay off the money so borrowed within the prescribed period, and shall invest the same in the purchase of Exchequer bills or other Government securities, or in securities in which trustees are by law for the time being authorised to invest, or in mortgages, debentures, debenture stock, or other securities issued by any Local Authority, as defined by Section 34 of the Local Loans Act, 1875, other than the Corporation, the Corporation being at liberty from time to time to vary and transpose such investments.

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- (5.) The Corporation may at any time apply the whole or any part of such sinking fund in or towards the discharge of the money for the repayment of which the fund is established: Provided that the Corporation pay into the fund each year, and accumulate until the whole of the money borrowed is discharged, a sum equivalent to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied.
- (6.) The Corporation may re-borrow moneys borrowed under the powers conferred by this Article and paid off otherwise than by instalments, or by means of a sinking fund upon the security mentioned in subdivision (1) of this Article, for the purpose of discharging any loans contracted under that subdivision, other than loans contracted under the Local Loans Act, 1875: Provided that the money borrowed for such purpose shall be repaid in the manner provided by subdivisions (3) and (4) of this Article, and the time for repayment of the money so borrowed shall not extend beyond the unexpired portion of the prescribed period.
- (7.) The town clerk of the Borough shall, within twenty-one days after the expiration of each year ending on the Twenty-fifth day of March in 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 provisions of this Article, 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, for the year next preceding the making of such return, the amounts which have been paid as instalments, and the amounts which have been invested or applied for the purpose of such sinking fund, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of interest has been applied during the same period, and the total amount (if any) remaining invested at the end of the year; and in the event of any wilful default in making such return, such clerk shall be liable to a penalty not exceeding twenty pounds, which shall be paid to the Local Government Board, and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act, 1875, in a summary manner may be recovered by parties aggrieved within the meaning of that Act.
- (8.) 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 moneys set apart for any sinking fund, or of the sums accumulated by way of interest, to any purposes other than those authorised, the Local Government Board may, by Order, direct that the sum in such Order mentioned, 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.

Art. V. The Act of 1885 shall be further altered so as to provide as follows; viz,—

- (1.) The Corporation may from time to time by resolution determine that any sum or sums which the Bradford School Board (herein-after referred to as

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"the School Board") are or may be by law authorised to borrow or re-borrow upon the security of any rates or funds, and which the School Board may be desirous of borrowing from the Corporation, shall be lent by the Corporation accordingly.

(2.) Any sum or sums which the Corporation shall resolve to lend to the School Board as aforesaid may be raised by borrowing or re-borrowing the same on mortgage of the borough fund and borough rate; and the provisions of Sections 236 to 239, both inclusive, of the Public Health Act, 1875, shall apply to all money raised and borrowed under this subdivision.

(3.) The following provisions shall apply to moneys raised under subdivision (2) of this Article and to the payments of interest and principal in respect thereof:—

(a.) The sum shall be lent by the Corporation to the School Board for a period not exceeding that for which the School Board is authorised to borrow or re-borrow the same, and with a provision for repayment by annual instalments.

(b.) The sum shall be repaid by the Corporation within a period to expire not more than one year after that for which the same was lent by them to the School Board.

(c.) All sums received for interest shall be applied towards the payment of interest payable in respect of moneys raised under subdivision (2) of this Article, the balance (if any) being carried to the credit of the borough fund.

(d.) All sums received for principal shall be applied towards the repayment of the principal payable in respect of moneys raised under subdivision (2) of this Article, and until so applied shall be invested in the manner prescribed by subdivision (4) of Article IV. of this Order, the Corporation being at liberty from time to time to vary and transpose such investments.

(e.) The interest derived from such investments shall be applied to making good any loss or deficiency of or in the principal so invested that may arise by depreciation of the investments or otherwise, and if not required for this purpose shall be applied as if the same had been received for interest on the moneys lent by the Corporation.

(f.) If any sum payable to the Corporation for principal shall not be received within six months of the time appointed for the payment thereof, a like sum shall be set apart out of the borough fund, and applied or invested in place thereof by the Corporation; and if after such application or investment the sum, or any part thereof, shall be received by the Corporation, the same shall be carried to the credit of the borough fund.

(4.) The town clerk shall, within twenty-one days after the expiration of each year ending on the Twenty-fifth day of March in which any sum is payable to the Corporation in respect of moneys lent by them under the provisions of this Article, 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, for the year next preceding the making of such return, the amounts which have been received from the School Board for principal, the amounts which have been applied directly

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towards the repayment of the principal payable in respect of moneys raised under this Article, and the amounts which have been invested, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the investment has been applied during the same period, and the total amount (if any) remaining invested at the end of the year; and in the event of any wilful default in making such return, such clerk shall be liable to a penalty not exceeding twenty pounds, which shall be paid to the Local Government Board, and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act, 1875, in a summary manner, may be recovered by parties aggrieved within the meaning of that Act.

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- (5.) If it appears to the Local Government Board by that return, or otherwise, that the Local Board have failed to apply or invest, as required by this Article, any sum by this Article required to be applied or invested, or have misapplied any of the investments or the produce of the sale thereof, the Local Government Board may, by Order, direct that the sum in such Order mentioned, not exceeding double the amount in respect of which such default or misapplication has occurred, shall be applied directly towards repayment of principal, or be invested, 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
 Fourth day of June, One thousand eight hundred and eighty-six.

(L.S.)

JAMES STANSFELD, President.
 HUGH OWEN, Secretary.

LOCAL GOVERNMENT DISTRICT OF TYLDESLEY.
 WITH-SHAKERLEY.

Tyldesley-
with-
Shakerley
Order.
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Provisional Order for altering a Local Act and a Confirming Act.

To the Tyldesley-with-Shakerley Local Board, being the Sanitary Authority for the Urban Sanitary District of Tyldesley-with-Shakerley, in the County of Lancaster; —

And to all others whom it may concern.

WHEREAS the Local Government District of Tyldesley-with-Shakerley, in the County of Lancaster (herein-after referred to as "the District"), is an Urban Sanitary District, of which the Tyldesley-with-Shakerley Local Board (herein-after referred to as "the Local Board"), are the Urban Sanitary Authority, and the Tyldesley-with-Shakerley Local Board (Gas) Act, 1865 (herein-after referred to as "the Local Act"), as altered by a Provisional Order of the Local Government Board dated the Seventh day of May, One thousand eight hundred and seventy-eight, which was duly confirmed by the Local Government Board's Provisional Orders Confirmation (Bournemouth, &c.) Act, 1878 (which Order

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and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), is in force in the District ;

And whereas by the Local Act, as altered by the Order, the Local Board are (inter alia) empowered to make, supply, and sell gas within the limits therein prescribed, herein-after referred to as "the gas limits" ;

And whereas by Section 35 of the Local Act the Local Board were empowered from time to time, in addition to any money which they had borrowed or were authorised to borrow independently of that Act, to borrow at interest on the credit of the income of the Local Board arising in respect of the gasworks and gas supply under that Act, and of rates leviable under the Public Health Acts, or of either of those securities, such sums of money, not exceeding in the whole twenty thousand pounds, as they might from time to time think requisite for the purposes of that Act ;

And whereas by Article 8 of the Order, Section 35 of the Local Act was altered so as to enable the Local Board, subject to the sanction of the Local Government Board, from time to time to borrow, under the provisions thereof, a further sum or sums not exceeding in the whole forty thousand pounds, in addition to the said sum of twenty thousand pounds ;

And whereas the Local Board had, up to the Twenty-fifth day of March, One thousand eight hundred and eighty-six, borrowed, under the authority of the Local Act, the said sum of twenty thousand pounds, and under the Local Act, as altered by the Order, with the sanction of the Local Government Board, the sums of thirteen thousand five hundred and fifty pounds, and eleven thousand one hundred and fifty-nine pounds, which three sums amounted together to the sum of forty-four thousand seven hundred and nine pounds ;

And whereas the Local Board had, prior to the Twenty-sixth day of March, One thousand eight hundred and eighty-six, repaid on account of the said sum of forty-four thousand seven hundred and nine pounds, the sum of seven thousand eight hundred pounds by means of sinking funds, leaving the sum of thirty-six thousand nine hundred and nine pounds outstanding at that date under the Local Act and the Order ;

And whereas on or before the Twenty-fifth day of March, One thousand eight hundred and eighty-six, there should have been applied in repayment or have been standing to the credit of the sinking funds for the redemption of the said sum of forty-four thousand seven hundred and nine pounds, the sum of three thousand seven hundred and sixty pounds in addition to the said sum of seven thousand eight hundred pounds :

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

Art. I. The Local Act, as altered by the Order, shall be further altered in such manner that it shall be lawful for the Local Board to make, purchase, or hire, and to sell or let on hire, within the gas limits, gas engines, gas cooking ovens, stoves, ranges, meters, burners, or other fittings or apparatus used in the supply or consumption of gas for lighting, heating, motive power, or for other purposes.

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Art. II. Sections 35 and 42 of the Local Act shall be further altered so as to enable the Local Board, subject to the sanction of the Local Government Board, to borrow under the provisions thereof any sum or sums of money, not exceeding two thousand pounds (in addition to the sums which by the Local Act, or by the Order, the Local Board was empowered to borrow), as a working capital for their gas undertaking.

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Tyldesley-
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Art. III. Sections 37 and 38 of the Local Act, and the Confirming Act so far as it relates to the following parts of the Order, that is to say, the proviso to Article 8, Article 9, so much of Article 11 as refers to Section 38 of the Local Act, and Articles 13 and 14, shall be repealed so that the said parts of the Order shall cease to be of force, except so far as the same may have been acted upon.

Art. IV. The Local Act shall be further altered so as to provide as follows:—

(a.) For the purpose of raising money under Section 35 as altered by the Order, and this Order, the provisions of the Local Loans Act, 1875 (including the power of creating debenture stock), shall be available to the Local Board, and Sections 236 to 239, both inclusive, of the Public Health Act, 1875, shall apply to all money so raised, other than money borrowed under the provisions of the Local Loans Act, 1875.

(b.) The moneys borrowed as aforesaid shall be repaid within the following periods; viz.,—

The sum of three thousand seven hundred and sixty pounds, part of the said outstanding sum of thirty-six thousand nine hundred and nine pounds, within a period of four years from the Twenty-fifth day of March, One thousand eight hundred and eighty-six;

The sum of thirty-three thousand one hundred and forty-nine pounds, being the balance of the said sum of thirty-six thousand nine hundred and nine pounds, within thirty-four years from the Twenty-fifth day of March, One thousand eight hundred and eighty-six;

The moneys hereafter to be borrowed under Section 35, as altered by the Order and this Order, within such period, not exceeding sixty years, as the Local Board, with the sanction of the Local Government Board, may have determined or shall determine;

and such periods respectively shall be deemed to be the "prescribed periods" within the meaning of the Local Loans Act, 1875, and are herein-after referred to as "the prescribed periods."

(c.) The Local Board shall repay the said sums of three thousand seven hundred and sixty pounds, and thirty-three thousand one hundred and forty-nine pounds, and the moneys to be borrowed as aforesaid, other than money borrowed under the provisions of the Local Loans Act, 1875, either by equal annual instalments of principal, or of principal and interest, or by setting apart in every year as a sinking fund such a sum or sums as will, according to a reasonable calculation for the time being, with accumulations in the way of compound interest, be sufficient, after payment of all expenses, to pay off the moneys so borrowed within the prescribed period, and shall invest the same in the purchase of Exchequer bills or other Government securities, or in securities in which trustees are by law for the time being authorised to invest, or in mortgages, debentures, debenture stock, or other securities issued by any Local Authority, as defined by Section 34 of the Local Loans

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Act, 1875, other than the Local Board; the Local Board being at liberty from time to time to vary and transpose such investments.

- (d.) The Local Board may at any time apply the whole or any part of such sinking fund in or towards the discharge of the money for the repayment of which the fund is established: Provided that the Local Board pay into the fund each year, and accumulate until the whole of the money borrowed is discharged, a sum equivalent to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied.
- (e.) The Local Board may re-borrow moneys paid off otherwise than by instalments, or by means of a sinking fund, or in accordance with Section 42, "seventhly," upon any or either of the securities mentioned in Section 35, for the purpose of discharging any loans contracted under the Local Act, as altered by the Order, and this Order, other than loans contracted under the Local Loans Act, 1875: Provided that the money borrowed for such purpose shall be repaid in the manner provided by this Article, and the time for repayment of the money so borrowed shall not extend beyond the unexpired portion of the prescribed periods.

Art. V. The Local Act shall be further altered so as to provide as follows:—

- (a.) The clerk to the Local Board shall, within twenty-one days after the expiration of each year ending on the Twenty-fifth day of March in which any sum is required to be paid as an instalment or to be set apart for a sinking fund in respect of the said sums of three thousand seven hundred and sixty pounds and thirty-three thousand one hundred and forty-nine pounds, and in respect of the moneys to be borrowed as aforesaid, 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, for the year next preceding the making of such return, the amounts which have been paid as instalments, and the amounts which have been invested or applied for the purpose of such sinking fund, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of interest has been applied during the same period, and the total amount (if any) remaining invested at the end of the year; and in the event of any wilful default in making such return, such clerk shall be liable to a penalty not exceeding twenty pounds, which shall be paid to the Local Government Board, and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act, 1875, in a summary manner, may be recovered by parties aggrieved within the meaning of that Act.
- (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, the Local Government Board may, by Order, direct that the sum in such Order mentioned, 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

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shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of Her Majesty's High Court of Justice. A.D. 1886.

Given under the Seal of Office of the Local Government Board, this
Fifth day of June, One thousand eight hundred and eighty-six.

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(L.S.)

JAMES STANSFELD, President.
HUGH OWEN, Secretary.

LONDON: Printed by EYRE and SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1886.