



CHAPTER cciii.

An Act to confirm a Provisional Order of the Local Government Board relating to the Borough of Kingston-upon-Hull. A.D. 1890.  
[14th August 1890.]

**W**HEREAS the Local Government Board have made the Provisional Order 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 Order should be confirmed by Parliament:

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 Order set out in the schedule hereto shall be and the same is hereby confirmed, and all the provisions thereof shall have full validity and force. Order in  
schedule  
confirmed.

2. This Act may be cited as the Local Government Board's Provisional Order Confirmation (No. 14) Act, 1890. Short title.

A.D. 1890.

S C H E D U L E.

*Kingston-  
upon-Hull  
Order.*

BOROUGH OF KINGSTON-UPON-HULL.

*Provisional Order for altering the Hull Corporation Loans  
Act, 1881, and a Confirming Act.*

To the Mayor, Aldermen, and Burgesses of the Borough of Kingston-upon-Hull, being the Urban Sanitary Authority for that Borough ;—

And to all others whom it may concern.

44 & 45 Vict.  
c. xciv.

WHEREAS the Borough of Kingston-upon-Hull (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and the Hull Corporation Loans Act, 1881 (herein-after referred to as "the Local Act"), so far as the same has not been repealed or altered, is in force in the Borough ;

And whereas by Section 4 of the Local Act the Corporation were empowered, subject to the provisions of that Act, to create Hull Corporation Stock for all or any of the purposes therein set out ;

51 & 52 Vict.  
c. cxxxi.

And whereas by a Provisional Order of the Local Government Board dated the Twenty-ninth day of May, One thousand eight hundred and eighty-eight (herein-after referred to as "the Order"), and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 11) Act, 1888 (herein-after referred to as "the Confirming Act"), the Local Act was altered so as to enable the Corporation to issue Hull Corporation Redeemable Stock :

38 & 39 Vict.  
c. 55.

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

Art. I. The Corporation may from time to time by resolution determine that any sum or sums which the Kingston-upon-Hull School Board or the Guardians of the Poor of the Kingston-upon-Hull Incorporation (herein-after respectively referred to as "the borrowing authority") may be authorised to borrow or re-borrow upon the security of any rates or funds, and which the borrowing authority may be desirous of borrowing from the Corporation, shall be lent by the Corporation accordingly.

Art. II. Any sum or sums which the Corporation shall resolve to lend as aforesaid shall, if borrowed by the Corporation, be raised by the issue of Hull Corporation Redeemable Stock according to the provisions of the Local Act, as altered by the Order.



[53 & 54 VICT.]      *Local Government Board's*      [Ch. cciii.]  
*Provisional Order Confirmation (No. 14) Act, 1890.*

Art. III.—(1.) When, under the authority of this Order, the Corporation lend any money to the borrowing authority, the consent or sanction of the Local Government Board or of the Education Department, as the case may be, to the borrowing of such money shall be conclusive evidence that at the date of such consent or sanction the borrowing authority had power to borrow such money.

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(2.) Where any sum is lent by the Corporation under this Order to the borrowing authority it shall be lent for a period not exceeding that for which the borrowing authority is authorised to borrow or re-borrow the same, and with a provision for repayment by instalments.

(3.) 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.

Provided that where any money is raised under Article 2 of this Order by the issue of Hull Corporation Redeemable Stock, all sums received for interest and principal, or to be set apart out of the borough fund under paragraph (3) of this Article, shall be paid into the loans fund under the Local Act.

Art. IV. Section 4 of the Local Act shall be deemed to have been altered as from the passing of the Local Act by the insertion of the following provisions; viz.,—

“For raising

“(1.) Any sum required for the payment off or redemption of any Corporation Stock, mortgage, bond, debenture, debenture stock, annuity, rentcharge, or other security granted or created, or redeemable, or payable by them, which sum may include the amount of any payment made to the holder of any such security for his consent, or for compensating him for such payment off or redemption, or for the substitution of Corporation Stock for his security;

“(2.) Any sum payable under Article V. of this Order; and

“(3.) Any sums properly chargeable to capital and paid as commissions, discounts, or expenses in respect of any Corporation Stock.”

Art. V. Section 9 of the Local Act shall be deemed to have authorised as from the passing of the Local Act, and to authorise the Corporation to enter into an arrangement with the holder of any security legally granted, or redeemable, or payable by them for the redemption thereof by payment of such an amount in money or Corporation Stock, or partly in one and partly in the other, as may be mutually agreed upon.

Art. VI. Sections 34 and 35 of the Local Act shall be altered so as to provide that any stock issued for the purposes mentioned in Articles IV. and V. of this Order shall be deemed to have been raised by virtue of the statutory borrowing powers under which the security or stock in respect of which the premium, commission, discount, or expense to be paid out of the moneys raised by such issue of stock was paid or incurred was granted or created, and shall be redeemable accordingly.

[Ch. cciii.]      *Local Government Board's*      [53 & 54 VICT.]  
*Provisional Order Confirmation (No. 14) Act, 1890.*

A.D. 1890.  
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—

Art. VII. Section 44 of the Local Act from its commencement to and including sub-section (1), and so much of the Confirming Act as relates to Article II. of the Order are hereby repealed, except so far as they have been acted upon, and in lieu of the repealed enactments the following provisions shall have effect as if they were inserted before the unrepealed part of the said Section 44 ; viz.,—

“ The treasurer of the Borough shall, within forty-two days after the Twenty-  
“ fifth day of March in each year, transmit to the Local Government Board  
“ an abstract (verified by statutory declaration if so required by that Board)  
“ of the accounts of the Corporation relating to Corporation Stock and the  
“ loans fund in a form prescribed by that Board, which they shall have  
“ power from time to time to alter.”

Art. VIII. Section 46 of the Local Act shall be altered by the omission therefrom of the words “ under any of the Borough Acts be authorised to borrow at any time after the passing of this Act,” and by the insertion in lieu thereof of the words “ for the time being be authorised to borrow, re-borrow, or continue on loan, or, being in the nature of an annuity or rentcharge, to redeem or pay off or continue payment of.”

Given under the Seal of Office of the Local Government Board, this  
Ninth day of June, One thousand eight hundred and ninety.

(L.S.)

CHAS. T. RITCHIE, President.  
HUGH OWEN, Secretary.

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FOR  
T. DIGBY PIGOTT, Esq., the Queen's Printer of Acts of Parliament.

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