



CHAPTER CXV.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Urban Sanitary Districts of Barnsley, Carlisle, Chichester, Neath, Newark, Newbury, and Swansea. [29th June 1893.] A.D. 1893.

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

38 & 39 Vict.
c. 55.

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

Be it therefore enacted by the 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 altered and set out in the schedule hereto shall be and the same are hereby confirmed, and all the provisions thereof shall have full validity and force. Orders in schedule confirmed.

2. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 4) Act, 1893. Short title.

[Ch. cxv.] *Local Government Board's* [56 & 57 VICT.]
Provisional Orders Confirmation (No. 4) Act, 1893.

A.D. 1893.

SCHEDULE.

*Barnsley
Order.*

BOROUGH OF BARN斯LEY.

Provisional Order for altering a Confirming Act.

To the Mayor, Aldermen, and Burgesses of the Borough of Barnsley,
being the Urban Sanitary Authority for that Borough ; —

And to all others whom it may concern.

WHEREAS the Borough of Barnsley (herein-after referred to as "the Borough") is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as "the Corporation"), are the Urban Sanitary Authority, and the unrepealed provisions of the Barnsley Local Board Act, 1862, and the Barnsley Local Board Amendment Act, 1866 (which Acts are herein-after together referred to as "the Local Acts," and each of which Acts is herein-after referred to as the Act of the year in which it was passed), as altered by the Provisional Orders herein-after recited, are in force in the Borough ;

25 Vict.
c. xxxii.
29 & 30 Vict.
c. xxviii.

And whereas by Section 58 of the Act of 1862 the Barnsley Local Board of Health (who were the predecessors of the Corporation, and are herein-after referred to as the Local Board,) were empowered to borrow such sums as they might from time to time think requisite for all or any of the purposes of that Act, not exceeding in the whole the sum of forty-nine thousand nine hundred pounds ;

And whereas by Section 7 of the Act of 1866 the Local Board were empowered to borrow such sums as they might from time to time think requisite for all or any of the purposes of the Local Acts, not exceeding in the whole the sum of fifty thousand pounds in addition to the said sum of forty-nine thousand nine hundred pounds ;

And whereas by a Provisional Order of the Local Government Board dated the Fifteenth day of May, One thousand eight hundred and eighty, and duly confirmed by the Local Government Board's Provisional Orders Confirmation (Alnwick Union, &c.) Act, 1880 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act"), Section 7 of the Act of 1866 was altered so as to enable the Corporation, subject to the sanction of the Local Government Board, to borrow any sum or sums, not exceeding in the whole the sum of twenty thousand pounds, in addition to the said sum of fifty thousand pounds :

43 & 44 Vict.
c. lxxxiii.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 297 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the

38 & 39 Vict.
c. 55.

[56 & 57 VICT.] *Local Government Board's* [Ch. cxv.]
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Act of Parliament confirming this Order, the Confirming Act shall be altered by the insertion in Article I. of the Order of the words "thirty thousand pounds" in lieu of the words "twenty thousand pounds," and the Order shall be read and take effect as if the amount thereby authorised to be borrowed, subject to the sanction of the Local Government Board, had been thirty thousand pounds and not twenty thousand pounds.

A.D. 1893.

*Barnsley
Order.*

Given under the Seal of Office of the Local Government Board, this
Fifteenth day of March, One thousand eight hundred and ninety-
three.

(L.S.)

HENRY H. FOWLER, President.
HUGH OWEN, Secretary.

CITY OF CARLISLE.

*Carlisle
Order.*

*Provisional Order for altering the Carlisle Corporation Act,
1887.*

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

And to all others whom it may concern.

WHEREAS the City of Carlisle (herein-after referred to as "the City") is an Urban Sanitary District, of which the Mayor, Aldermen, and Citizens, acting by the Council (herein-after referred to as "the Corporation"), are the Urban Sanitary Authority, and the Carlisle Corporation Act, 1887 (herein-after referred to as "the Local Act"), is in force in the City ;

50 Vict., Sess. 2,
c. xix.

And whereas by Section 194 of the Local Act the Corporation were empowered to borrow for gasworks purposes such moneys as they might think requisite, not exceeding twenty-five thousand pounds ;

And whereas by sub-section (4) of Section 197 of the Local Act it was enacted that, save as by that Act provided, the Corporation should pay off all moneys borrowed by them on mortgage under that Act by equal yearly or half-yearly instalments of principal, or of principal and interest, or by means of a sinking fund or sinking funds created, invested, and applied in manner provided by Section 15 of the Local Loans Act, 1875 ;

And whereas by sub-section (1) of Section 205 of the Local Act the term statutory security in the provisions of Part XI. of that Act relating to stock includes any mortgage, bond, debenture, debenture stock, Corporation stock, annuity, rent-charge, rent, or other security authorised by or under any Act of Parliament passed or to be passed of any Municipal Corporation in Great Britain, including the Corporation :

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

38 & 39 Vict.
c. 55.

Art. I. The Corporation may, with the sanction of the Local Government Board, and subject to the provisions of this Order, borrow on the security of

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the revenue arising from their gas undertaking and of the city fund and city rate of the City, or upon any of such securities either together or separately, such further sums, not exceeding in the whole the sum of twenty-five thousand pounds, as may from time to time be necessary for the purposes of their gas undertaking.

Art. II. For the purpose of raising money by virtue of this Order, the provisions of the Local Loans Act, 1875, shall be available to the Corporation, and Sections 236 to 238, both inclusive, of the Public Health Act, 1875, shall apply to all moneys raised and borrowed on mortgage by virtue of this Order.

Art. III. The moneys borrowed by virtue of this Order shall be repaid within such period, not exceeding thirty years from the date of borrowing, as the Corporation, with the sanction of the Local Government Board, shall determine; and the period so determined and sanctioned is herein-after referred to as "the prescribed period," and shall be the prescribed period for the purpose of the Local Loans Act, 1875.

Art. IV.—(1.) The Corporation shall repay the moneys borrowed by virtue of this Order (other than moneys borrowed under the provisions of the Local Loans Act, 1875,) by equal annual instalments of principal, or by equal annual instalments of principal and interest combined, or by means of a sinking fund, or partly by one of these methods and partly by another or the others of them.

(2.) Subject to the provisions of Article V. of this Order, if the Corporation determine to repay by means of a sinking fund any moneys borrowed by virtue of this Order, such sinking fund shall be formed and maintained either—

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

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

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

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

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

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*Carlisle
Order.*

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

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

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

Art. V.—(1.) If it appears to the Corporation at any time that the amount in the sinking fund, with the future payments thereto, in accordance with the provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed, it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose : Provided that if it appears to the Local Government Board that any such increase is necessary, the Corporation shall increase the payments to such extent as the Board may direct.

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

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

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

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Order.*

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

Art. VI. The Corporation shall, except as herein-after provided, have power to re-borrow for the purpose of paying off any moneys borrowed or re-borrowed by virtue of this Order which have not been repaid and are intended to be forthwith repaid, or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the Corporation within twelve months before the re-borrowing, and which at the time of the repayment it was intended to re-borrow :

Provided that the Corporation shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments, or by means of a sinking fund, or out of moneys derived from the sale of land, or out of any capital moneys properly applicable to the purpose of such repayment, other than moneys borrowed for that purpose : Provided also, that any moneys so re-borrowed shall be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made, and shall be repaid within the prescribed period.

Art. VII.—(1.) The town clerk of the City shall, within twenty-one days after the Twenty-fifth day of March in each year, if during the twelve months next preceding the said Twenty-fifth day of March any sum is required to be paid as an instalment or annual payment, or to be appropriated, or to be paid to a sinking fund, in pursuance of the provisions of this Order, or in respect of any money raised thereunder, and at any other time when the Local Government Board may require such a return to be made, transmit to the Local Government Board a return, in such form as may from time to time be prescribed by that Board, and, if required by that Board, verified by statutory declaration of the town clerk, showing, for the year next preceding the making of such return, or for such other period as the Board may prescribe, the amounts which have been paid as instalments or annual payments, and the amounts which have been appropriated, and the amounts which have been paid to or invested or applied for the purpose of the sinking fund, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied, during the same period, and the total amount (if any) remaining invested at the end of the year ; and, in the event of his failing to make such return, the town clerk shall for each offence be liable to a penalty not exceeding twenty pounds, to be recovered by action on behalf of the Crown in the High Court ; and, notwithstanding the recovery of such penalty, the making of the return shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.

(2.) If it appears to the Local Government Board by that return, or otherwise, that the Corporation have failed to pay any instalment or annual payment required to be paid, or to appropriate any sum required to be appropriated, or to set apart any sum required for any sinking fund (whether such instalment or

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annual payment or sum is required by this Order, or by the Local Government Board in virtue thereof, to be paid, appropriated, or set apart), or have applied any portion of any sinking fund to any purpose other than 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 or applied as in such Order mentioned; and any such Order shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.

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Order.

Art. VIII. All moneys from time to time borrowed by virtue of this Order shall be applied by the Corporation only for the purposes for which the same are respectively authorised to be borrowed, excepting that moneys which may have been borrowed in excess of the amount required shall be applied in such manner as the Corporation, with the approval of the Local Government Board, determine.

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

Art. X.—(1.) The mortgagees of the Corporation by virtue of this Order may enforce the payment of arrears of interest or of principal, or of principal and interest, by the appointment of a receiver. The amount of arrears to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

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

Art. XI. It shall not be lawful for the Corporation to invest any sinking fund formed in pursuance of sub-section (4) of Section 197 in securities of the Corporation.

Art. XII. The words "other than the Corporation" shall be inserted in sub-section (1) of Section 205 in lieu of the words "including the Corporation."

Given under the Seal of Office of the Local Government Board, this
Twenty-ninth day of March, One thousand eight hundred and
ninety-three.

(L.S.)

HENRY H. FOWLER, President.
HUGH OWEN, Secretary.

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CITY OF CHICHESTER.

*Chichester
Order.*

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

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

And to all others whom it may concern.

WHEREAS at the time of the passing of the Public Health Act, 1875, the
expenses incurred by the Mayor, Aldermen, and Citizens of the City of
Chichester, acting by the Council, as the Urban Sanitary Authority for that City
for sanitary purposes, were defrayed otherwise than in the manner provided by
the Local Government Acts ;

And whereas the Local Government Board have received an application from
the said Urban Sanitary Authority, praying them to declare, by Provisional
Order, that the expenses of the said Urban Sanitary Authority incurred in the
execution of the Public Health Act, 1875, shall be defrayed out of a district
fund and general district rate to be levied by them under that Act :

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 208 of the Public Health Act, 1875, and by any other
Statutes in that behalf, do hereby Order that, from and after the Twenty-ninth
day of September, One thousand eight hundred and ninety-three, all the expenses
of the said Urban Sanitary Authority incurred in the execution of the Public
Health Act, 1875, 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.

Given under the Seal of Office of the Local Government Board, this
Twenty-eighth day of March, One thousand eight hundred and
ninety-three.

(L.S.)

HENRY H. FOWLER, President.
HUGH OWEN, Secretary.

*Neath
Order.*

BOROUGH OF NEATH.

*Provisional Order for altering the Neath Corporation Gas
Act, 1874.*

To the Mayor, Aldermen, and Burgesses of the Borough of Neath, being
the Urban Sanitary Authority for that Borough ; —

And to all others whom it may concern.

37 & 38 Vict.
cap. c.

WHEREAS the Borough of Neath 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 Neath
Corporation Gas Act, 1874 (herein-after referred to as "the Local Act"), is in
force in the Borough ;

And whereas by Section 31 of the Local Act the Corporation were empowered
to borrow, with the sanction of the Local Government Board, such sums of

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money as they might require for the purposes of that Act with respect to gas, not exceeding in the whole twenty thousand pounds, in addition to the amount required for the purchase of the undertaking of the Neath New Gas Company ;

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*Neath
Order.*

And whereas by Section 41 of the Local Act the Corporation were, for the purposes therein mentioned, empowered to appropriate and set apart annually, in equal amounts, such proportion of their revenue arising from the sale of gas, not exceeding one hundred pounds in any one year, as they might think fit, and were required to carry the sums so set apart to the credit of the depreciation fund ; but it was provided that the said depreciation fund should not at any time exceed in the aggregate the sum of one thousand pounds, and that so soon as it should reach that amount such appropriation and setting apart as aforesaid should be suspended until the said fund should from any cause fall below the said sum of one thousand pounds, and that any interest arising from the said depreciation fund should be carried from time to time to the credit of the gas account :

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

38 & 39 Vict.
c. 55.

Art. I. The Corporation may, with the sanction of the Local Government Board, and subject to the provisions of this Order, borrow on the security of the revenue arising from their gas undertaking, and of the borough fund and borough rate of the Borough, or upon any of such securities either together or separately, such further sums, not exceeding in the whole the sum of twenty thousand pounds, as may from time to time be necessary for the purposes of their gas undertaking including the provision of working capital in connexion with that undertaking :

Provided that if any sum shall be included in any borough rate for the purpose of defraying the interest on any money borrowed by virtue of this Order, or for the purpose of making provision for the discharge of any money so borrowed, then the proviso to Section 32 of the Local Act shall apply to so much of such borough rate as is made for the purpose of raising that sum.

Art. II. For the purpose of raising money by virtue of this Order, the provisions of the Local Loans Act, 1875, shall be available to the Corporation, and Sections 236 to 238, both inclusive, of the Public Health Act, 1875, shall apply to all moneys raised and borrowed on mortgage by virtue of this Order.

Art. III. The moneys borrowed by virtue of this Order shall be repaid as follows :—

- (1.) Moneys borrowed for the provision of working capital in connexion with the gas undertaking within such period, not exceeding ten years from the date of borrowing, as the Corporation, with the sanction of the Local Government Board, shall determine ; and
 - (2.) Moneys borrowed for the other purposes of the gas undertaking within such period, not exceeding thirty years from the date of borrowing, as the Corporation, with the sanction of the Local Government Board, shall determine ;
- and the period so determined and sanctioned is in each case herein-after referred to as "the prescribed period," and shall be the prescribed period for the purpose of the Local Loans Act, 1875.

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Order.

Art. IV.—(1.) The Corporation shall repay the moneys borrowed by virtue of this Order (other than moneys borrowed under the provisions of the Local Loans Act, 1875,) by equal annual instalments of principal, or by equal annual instalments of principal and interest combined, or by means of a sinking fund, or partly by one of these methods and partly by another or the others of them.

(2.) Subject to the provisions of Article V. of this Order, if the Corporation determine to repay by means of a sinking fund any moneys borrowed by virtue of this Order, such sinking fund shall be formed and maintained either—

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

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

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

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

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

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

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

(7.) Any expenses connected with the formation, maintenance, investment, application, management, or otherwise of any sinking fund under this Order,

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shall be paid by the Corporation, in addition to the payments provided for by this Order. A.D. 1893.

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Art. V.—(1.) If it appears to the Corporation at any time that the amount in the sinking fund, with the future payments thereto, in accordance with the provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed, it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose: Provided that if it appears to the Local Government Board that any such increase is necessary, the Corporation shall increase the payments to such extent as the Board may direct.

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

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

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

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

Art. VI. The Corporation shall, except as herein-after provided, have power to re-borrow for the purpose of paying off any moneys borrowed or re-borrowed by virtue of this Order which have not been repaid and are intended to be forthwith repaid, or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the Corporation within twelve months before the re-borrowing, and which at the time of the repayment it was intended to re-borrow:

Provided that the Corporation shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments, or by means of a sinking fund, or out of moneys derived from the sale of land, or out of any capital moneys properly applicable to the purpose of such repayment, other than moneys borrowed for that purpose: Provided also, that any moneys re-borrowed shall be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made, and shall be repaid within the prescribed period.

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Neath
Order.

Art. VII.—(1.) The town clerk shall, within twenty-one days after the Twenty-fifth day of March in each year, if during the twelve months next preceding the said Twenty-fifth day of March any sum is required to be paid as an instalment or annual payment, or to be appropriated, or to be paid to a sinking fund, in pursuance of the provisions of this Order, or in respect of any money raised thereunder, and at any other time when the Local Government Board may require such a return to be made, transmit to the Local Government Board a return, in such form as may from time to time be prescribed by that Board, and, if required by the Board, verified by statutory declaration of the town clerk of the Borough, showing for the year next preceding the making of such return, or for such other period as the Board may prescribe, the amounts which have been paid as instalments or annual payments, and the amounts which have been appropriated, and the amounts which have been paid to or invested or applied for the purpose of the sinking fund, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund or investment, or of the sums accumulated by way of compound interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year; and, in the event of his failing to make such return, the town clerk shall for each offence be liable to a penalty not exceeding twenty pounds, to be recovered by action on behalf of the Crown in the High Court; and, notwithstanding the recovery of such penalty, the making of the return shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.

(2.) If it appears to the Local Government Board by that return, or otherwise, that the Corporation have failed to pay any instalment or annual payment required to be paid, or to appropriate any sum required to be appropriated, or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Order, or by the Local Government Board in virtue thereof, to be paid, appropriated, or set apart), or have applied any portion of any sinking fund to any purpose other than 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 or applied as in such Order mentioned; and any such Order shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.

Art. VIII. All moneys from time to time borrowed by virtue of this Order shall be applied by the Corporation only for the purposes for which the same are respectively authorised to be borrowed, excepting that moneys which may have been borrowed in excess of the amount required shall be applied in such manner as the Corporation, with the approval of the Local Government Board, determine.

Art. IX. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of this Order, the costs incurred by that Board in relation to such inquiry (including such reasonable sum, not exceeding three guineas a day, as that Board may determine for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Corporation, and the Local Government Board may certify the amount of the costs

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so incurred, and any sum so certified and directed by that Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation. A.D. 1893.

Art. X.—(1.) The mortgagees of the Corporation by virtue of this Order may enforce the payment of arrears of interest or of principal, or of principal and interest, by the appointment of a receiver. The amount of arrears to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

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

Art. XI. Section 41 of the Local Act shall be altered by the insertion of the words "two hundred pounds" in lieu of the words "one hundred pounds," and of the words "two thousand pounds" in lieu of the words "one thousand pounds."

Given under the Seal of Office of the Local Government Board, this
Twenty-second day of March, One thousand eight hundred and
ninety-three.

(l.s.)

HENRY H. FOWLER, President.
HUGH OWEN, Secretary.

Neath
Order.

BOROUGH OF NEWARK.

*Provisional Order for altering the Newark Corporation
Act, 1891.*

Newark
Order.

To the Mayor, Aldermen, and Burgesses of the Borough of Newark, being
the Urban Sanitary Authority for that Borough ;—

And to all others whom it may concern.

WHEREAS the Borough of Newark 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
Newark Corporation Act, 1891 (herein-after referred to as "the Local Act"),
is in force in the Borough ;

54 & 55 Vict.
c. cxxii.

And whereas by the Local Act the Corporation were empowered to purchase
the water undertaking of the Newark-upon-Trent Waterworks Company, and
by Section 5 of that Act it was enacted that the limits of that Act should be
the parishes, townships, extra-parochial and other places of Newark-upon-Trent,
those parts of the parishes of Averham and Kelham included between the
River Trent and the Newark Navigation, and known as "the Island," and the
parishes of Farndon, Hawton, Balderton, Coddington, and Winthorpe, all in
the County of Nottingham ;

And whereas it is expedient to extend the limits within which the Corporation
may supply water under the Local Act :

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

28 & 29 Vict.
c. 55.

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A.D. 1893.

*Newark
Order.*

Statutes in that behalf, do hereby Order that, from and after the date of the Act of Parliament confirming this Order, Section 5 of the Local Act shall be altered so that the limits of that Act shall be extended so as to include, in addition to the Parishes, parts of Parishes, and Townships in that section mentioned, the contributory places of Farnsfield, Edingley, Halam, Southwell, and Upton, and the parts of the contributory places of Averham and Kelham not now within such limits, all which contributory places and parts of contributory places are in the County of Nottingham, and in the Rural Sanitary District of the Southwell Union :

Provided that if at the expiration of five years from the passing of the Local Act the Corporation shall not have made provision for an adequate supply of water to each of the contributory places and parts of contributory places by this Order included within the limits of the Local Act, the restriction imposed by Section 52 of the Public Health Act, 1875, on the construction of waterworks by the Local Authority (as defined by that Act) shall cease to apply within any of such contributory places or parts of contributory places in respect of which the Corporation shall have failed to make such provision for an adequate supply of water.

Given under the Seal of Office of the Local Government Board, this
Fifth day of April, One thousand eight hundred and ninety-three.

(I.S.)

HENRY H. FOWLER, President.
HUGH OWEN, Secretary.

*Newbury
Order.*

BOROUGH OF NEWBURY.

*Provisional Order for altering the Newbury Borough Extension
Act, 1878.*

To the Mayor, Aldermen, and Burgesses of the Borough of Newbury,
being the Urban Sanitary Authority for that Borough ; —

And to all others whom it may concern.

41 & 42 Vict.
c. clxxxiv.

WHEREAS the Borough of Newbury 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 Newbury Borough Extension Act, 1878 (herein-after referred to as "the Local Act"), as altered by a Provisional Order of the Local Government Board dated the Twelfth day of March, One thousand eight hundred and eighty, and duly confirmed by Parliament, but which does not affect the subject-matter of this Order, is in force in the Borough ;

And whereas by Section 52 of the Local Act the Corporation were empowered to borrow, for the purpose of acquiring the undertaking of the Borough of Newbury Gaslight and Coke Company, and for the other purposes of that Act, twenty-five thousand pounds :

38 & 39 Vict.
c. 55.

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 303 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that, from and after the date of the Act

of Parliament confirming this Order, the Local Act shall be altered so as to provide as follows (that is to say) :—

A.D. 1893.

*Newbury
Order.*

Art. I. The Corporation may, with the sanction of the Local Government Board, and subject to the provisions of this Order, borrow on the security of the revenue arising from their gas undertaking, and of the district fund and general district rate of the Borough, or upon any of such securities either together or separately, such further sums, not exceeding in the whole the sum of ten thousand pounds, as may from time to time be necessary for the purposes of their gas undertaking, including the provision of working capital in connexion with that undertaking.

Art. II. For the purpose of raising money by virtue of this Order, the provisions of the Local Loans Act, 1875, shall be available to the Corporation, and Sections 236 to 238, both inclusive, of the Public Health Act, 1875, shall apply to all moneys raised and borrowed on mortgage by virtue of this Order.

Art. III. The moneys borrowed by virtue of this Order shall be repaid as follows :—

(1.) Moneys borrowed for the provision of working capital in connexion with the gas undertaking within such period, not exceeding ten years from the date of borrowing, as the Corporation, with the sanction of the Local Government Board, shall determine ; and

(2.) Moneys borrowed for the other purposes of the gas undertaking within such period, not exceeding thirty years from the date of borrowing, as the Corporation, with the sanction of the Local Government Board, shall determine ;

and the period so determined and sanctioned is in each case herein-after referred to as "the prescribed period," and shall be the prescribed period for the purpose of the Local Loans Act, 1875.

Art. IV.—(1.) The Corporation shall repay the moneys borrowed by virtue of this Order, other than moneys borrowed under the provisions of the Local Loans Act, 1875, by equal annual instalments of principal, or by equal annual instalments of principal and interest combined, or by means of a sinking fund, or partly by one of these methods and partly by another or the others of them.

(2.) Subject to the provisions of Article V. of this Order, if the Corporation determine to repay by means of a sinking fund any moneys borrowed by virtue of this Order, such sinking fund shall be formed and maintained either—

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

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

(3.) Every sum paid to a sinking fund, and, in the case of an accumulating sinking fund, the interest on the investments of the sinking fund, shall, unless applied in repayment of the loan in respect of which the sinking fund is formed,

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A.D. 1893.
—
Newbury
Order.

be immediately invested in securities in which trustees are by law for the time being authorised to invest, or in mortgages, bonds, debentures, debenture stock, stock, or other securities (not being annuity certificates or securities payable to bearer) duly issued by any Local Authority, as defined by Section 34 of the Local Loans Act, 1875, other than the Corporation, the Corporation being at liberty from time to time to vary and transpose such investments.

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

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

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

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

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

Art. V.—(1.) If it appears to the Corporation at any time that the amount in the sinking fund, with the future payments thereto, in accordance with the provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed, it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose: Provided that if it appears to the Local Government Board that any such increase is necessary, the Corporation shall increase the payments to such extent as the Board may direct.

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

(3.) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will, in the opinion of the Local Government Board, be more than sufficient to repay within the prescribed

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Newbury
Order.

period the moneys for the repayment of which the sinking fund is formed, the Corporation may reduce the payments to be made to the sinking fund, either temporarily or permanently, to such an extent as that Board shall approve.

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

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

Art. VI. The Corporation shall, except as herein-after provided, have power to re-borrow for the purpose of paying off any moneys borrowed or re-borrowed by virtue of this Order, which have not been repaid and are intended to be forthwith repaid, or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the Corporation within twelve months before the re-borrowing, and which at the time of the repayment it was intended to re-borrow :

Provided that the Corporation shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments, or by means of a sinking fund, or out of moneys derived from the sale of land, or out of any capital moneys properly applicable to the purpose of such repayment, other than moneys borrowed for that purpose : Provided also, that any moneys re-borrowed shall be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made, and shall be repaid within the prescribed period.

Art. VII.—(1.) The town clerk shall, within twenty-one days after the First day of January in each year, if during the twelve months next preceding the said First day of January any sum is required to be paid as an instalment or annual payment, or to be appropriated, or to be paid to a sinking fund, in pursuance of the provisions of this Order, or in respect of any money raised thereunder, and at any other time when the Local Government Board may require such a return to be made, transmit to the Local Government Board a return, in such form as may from time to time be prescribed by that Board, and, if required by that Board, verified by statutory declaration of the town clerk, showing, for the year next preceding the making of such return, or for such other period as the Board may prescribe, the amounts which have been paid as instalments or annual payments, and the amounts which have been appropriated, and the amounts which have been paid to or invested or applied for the purpose of the sinking fund, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund or investment, or of the sums accumulated by way of compound interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year ; and, in the event of his failing to make such return, the town clerk

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*Newbury
Order.*

shall for each offence be liable to a penalty not exceeding twenty pounds, to be recovered by action on behalf of the Crown in the High Court; and, notwithstanding the recovery of such penalty, the making of the return shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.

(2.) If it appears to the Local Government Board by that return, or otherwise, that the Corporation have failed to pay any instalment or annual payment required to be paid, or to appropriate any sum required to be appropriated, or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Order, or by the Local Government Board in virtue thereof, to be paid, appropriated, or set apart), or have applied any portion of any sinking fund to any purpose other than 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 or applied as in such Order mentioned; and any such Order shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.

Art. VIII. All moneys from time to time borrowed by virtue of this Order shall be applied by the Corporation only for the purposes for which the same are respectively authorised to be borrowed, excepting that moneys which may have been borrowed in excess of the amount required shall be applied in such manner as the Corporation, with the approval of the Local Government Board, determine.

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

Art. X.—(1.) The mortgagees of the Corporation by virtue of this Order may enforce the payment of arrears of interest or principal, or of principal and interest, by the appointment of a receiver. The amount of arrears to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

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

Given under the Seal of Office of the Local Government Board, this
Thirtieth day of March, One thousand eight hundred and ninety-
three.

(L.S.)

HENRY H. FOWLER, President.
HUGH OWEN, Secretary.

BOROUGH OF SWANSEA.

A.D. 1893.

Provisional Order for altering the Swansea Municipal Corporation Act, 1863.

Swansea
Order.

To the Mayor, Aldermen, and Burgesses of the Borough of Swansea, being the Urban Sanitary Authority for that Borough;—

And to all others whom it may concern.

WHEREAS the Borough of Swansea (herein-after referred to as "the Borough") is an Urban Sanitary District, of which the Mayor, Aldermen, and Burgesses, acting by the Council (herein-after referred to as "the Corporation"), are the Urban Sanitary Authority, and the unrepealed provisions of the Swansea Municipal Corporation Act, 1863 (herein-after referred to as "the Local Act"), as altered by a Provisional Order made by the Local Government Board, and duly confirmed by Parliament, but which does not affect the subject-matter of this Order, are in force in the Borough; 26 Vict. c. xiii.

And whereas by Section 28 of the Local Act the Corporation were empowered to borrow on mortgage, for the purposes of that Act, the sum of ten thousand 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 Local Act shall be altered so that the following provisions shall take effect (that is to say):— 38 & 39 Vict. c. 55.

Art. I. The Corporation may, with the sanction of the Local Government Board, and subject to the provisions of this Order, borrow on the security of the market tolls and other revenue arising from their market undertaking, and of the borough fund and borough rate of the Borough, or upon any of such securities, either together or separately, such sums, not exceeding in the whole the sum of twenty thousand pounds, as may from time to time be necessary for the purposes of the market undertaking.

Art. II. For the purpose of raising money by virtue of this Order, the provisions of the Local Loans Act, 1875, shall be available to the Corporation, and Sections 236 to 238, both inclusive, of the Public Health Act, 1875, shall apply to all moneys raised and borrowed on mortgage by virtue of this Order.

Art. III. The moneys borrowed by virtue of this Order shall be repaid within such period, not exceeding thirty years from the date of borrowing, as the Corporation, with the sanction of the Local Government Board, shall determine; and the period so determined and sanctioned is herein-after referred to as "the prescribed period;" and shall be the prescribed period for the purpose of the Local Loans Act, 1875.

Art. IV.—(1.) The Corporation shall repay the moneys borrowed by virtue of this Order (other than moneys borrowed under the provisions of the Local Loans Act, 1875,) by equal annual instalments of principal, or by equal annual instalments of principal and interest combined, or by means of a sinking fund, or partly by one of these methods and partly by another or the others of them.

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A.D. 1893.

*Swansea
Order.*

(2.) Subject to the provisions of Article V. of this Order, if the Corporation determine to repay by means of a sinking fund any moneys borrowed by virtue of this Order, such sinking fund shall be formed and maintained either—

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

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

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

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

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

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

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

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

Art. V.—(1.) If it appears to the Corporation at any time that the amount in the sinking fund, with the future payments thereto, in accordance with the

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provisions of this Order, together with the accumulations thereon (in the case of an accumulating sinking fund), will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed, it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose: Provided that if it appears to the Local Government Board that any such increase is necessary, the Corporation shall increase the payments to such extent as the Board may direct.

A.D. 1893.
—
*Swansea
Order.*

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

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

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

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

Art. VI. The Corporation shall, except as herein-after provided, have power to re-borrow for the purpose of paying off moneys borrowed or re-borrowed by virtue of this Order, which have not been repaid, and are intended to be forthwith repaid, or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the Corporation within twelve months before the re-borrowing, and which at the time of the repayment it was intended to re-borrow:

Provided that the Corporation shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments, or by means of a sinking fund, or out of moneys derived from the sale of land, or out of any capital moneys properly applicable to the purpose of such repayment, other than moneys borrowed for that purpose:

Provided also, that any moneys re-borrowed shall be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made, and shall be repaid within the prescribed period.

Art. VII.—(1.) The town clerk shall, within twenty-one days after the Twenty-fifth day of March in each year, if during the twelve months next preceding the said Twenty-fifth day of March any sum is required to be paid as an instalment or annual payment, or to be appropriated, or to be paid to a

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Order.

sinking fund, in pursuance of the provisions of this Order, or in respect of any money raised thereunder, and at any other time when the Local Government Board may require such a return to be made, transmit to the Local Government Board a return, in such form as may from time to time be prescribed by that Board, and, if required by that Board, verified by statutory declaration of the town clerk, showing for the year next preceding the making of such return, or for such other period as the Board may prescribe, the amounts which have been paid as instalments or annual payments, and the amounts which have been appropriated, and the amounts which have been paid to or invested or applied for the purpose of the sinking fund, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund or investment, or of the sums accumulated by way of compound interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year; and, in the event of his failing to make such return, the town clerk shall for each offence be liable to a penalty not exceeding twenty pounds, to be recovered by action on behalf of the Crown in the High Court; and, notwithstanding the recovery of such penalty, the making of the return shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.

(2.) If it appears to the Local Government Board by that return, or otherwise, that the Corporation have failed to pay any instalment or annual payment required to be paid, or to appropriate any sum required to be appropriated, or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Order, or by the Local Government Board in virtue thereof, to be paid, appropriated, or set apart), or have applied any portion of any sinking fund to any purpose other than 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 or applied as in such Order mentioned; and any such Order shall be enforceable by writ of mandamus, to be obtained by the Local Government Board out of the High Court.

Art. VIII. All moneys from time to time borrowed by virtue of this Order shall be applied by the Corporation only for the purposes for which the same are respectively authorised to be borrowed, excepting that moneys which may have been borrowed in excess of the amount required shall be applied in such manner as the Corporation, with the approval of the Local Government Board, determine.

Art. IX. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of this Order, the costs incurred by that Board in relation to such inquiry (including such reasonable sum, not exceeding three guineas a day, as that Board may determine for the service of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Corporation, and the Local Government Board may certify the amount of the costs so incurred, and any sum so certified and directed by that Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

Art. X.—(1.) The mortgagees of the Corporation by virtue of this Order may enforce the payment of arrears of interest or of principal, or of principal and

[56 & 57 VICT.] *Local Government Board's* [Ch. cxv.]
Provisional Orders Confirmation (No. 4) Act, 1893.

interest, by the appointment of a receiver. The amount of arrears to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

A.D. 1893.

*Swansea
Order.*

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

Art. XI. The words "and in the event of the same or any part thereof being repaid, to re-borrow the same, and so toties quoties, but so nevertheless that there shall not be owing under this Act any more than the sum of ten thousand pounds in the whole at any one time" shall be omitted from Section 28 of the Local Act.

Given under the Seal of Office of the Local Government Board, this
Seventeenth day of March, One thousand eight hundred and
ninety-three.

(L.S.)

HENRY H. FOWLER, President.
HUGH OWEN, Secretary.

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