

[60 & 61 Vict.] *Local Government Board's* [Ch. cxxxviii.]
Provisional Orders Confirmation (No. 11) Act, 1897.



CHAPTER cxxxviii.

An Act to confirm certain Provisional Orders of the A.D. 1897.
Local Government Board relating to the Boroughs of
Hartlepool Totnes and West Hartlepool.

[6th August 1897.]

WHEREAS the Local Government Board have made the
Provisional Orders set forth in the schedule hereto under the
provisions of the Local Government Act 1888 :

51 & 52 Vict.
c. 41.

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. 11) Act 1897. Short title.

SCHEDULE.

A.D. 1897.

Hartlepool
(Extension)
Order.

BOROUGH OF HARTLEPOOL.

Provisional Order made in pursuance of Sections 54 and 59 of the
Local Government Act 1888.

To the Mayor Aldermen and Burgesses of the Borough of Hartlepool ; —
To the Justices of the Peace for the said Borough ; —
To the School Board for the said Borough ; —
To the Justices of the Peace for the County of Durham in Quarter Sessions
assembled ; —
To the County Council of Durham ; —
To the Rural District Council of Hartlepool ; —
To the Guardians of the Poor of the Hartlepool Union ; —
To the Parish Council of Throston Rural ; —
To the Chairman of the Parish Meeting of Hart ; —
To the Overseers of the Poor of each of the Parishes of Throston and
Throston Rural and of the Township of Hart ; —
And to all others whom it may concern.

51 & 52 Vict.
c. 41.

WHEREAS by Section 54 of the Local Government Act 1888 (which Act is
herein-after referred to as "the Act of 1888") the Local Government Board are
empowered to make a Provisional Order for altering the boundary of any
Borough and by such Order to divide or alter any electoral division ;

And whereas the Borough of Hartlepool in the County of Durham is a Borough
within the meaning of the Act of 1888 and the inhabitants of the Borough are
a body corporate by the name of the Mayor Aldermen and Burgesses of the
Borough of Hartlepool (herein-after referred to as "the Corporation") and act
by the council of the Borough which now consists of the Mayor (who is also a
Councillor) six Aldermen and seventeen other Councillors ;

And whereas the area of the Borough of Hartlepool (herein-after referred to
as "the existing Borough") is coloured pink on the two maps (herein-after referred
to as "the Borough maps") each marked "Map of the Borough of Hartlepool
as extended 1897" and sealed with the official seal of the Local Government
Board ;

And whereas the existing Borough which comprises the Township of Hartle-
pool and the Parishes of Middleton and Throston is an Urban District of which
the Mayor Aldermen and Burgesses acting by the council are the Urban District
Council ;

And whereas the existing Borough is for the purpose of the election of town
councillors divided into four wards one of which is termed the Throston Ward ;

And whereas the existing Borough has a recorder and a separate commission
of the peace and police force ;

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And whereas the Hartlepool Borough Extension Act 1883 and the Hartlepool Headland Protection and Improvement Act 1885 (which Acts are referred to as "the Local Acts") are in force in the existing Borough;

A.D. 1897.

*Hartlepool
(Extension)
Order.*

And whereas by a Provisional Order of the Local Government Board dated the First day of April One thousand eight hundred and eighty-one and confirmed by the Local Government Board's Provisional Orders Confirmation (Bath &c.) Act 1881 as altered by Section 10 of the Hartlepool Borough Extension Act 1883 the Hartlepool Port Sanitary Authority was constituted for part of the Customs Port of Hartlepool and by another Provisional Order of the Local Government Board dated the Twenty-first day of May One thousand eight hundred and eighty-five and confirmed by the Local Government Board's Provisional Orders Confirmation (No. 6) Act 1885 certain powers with respect to the provision maintenance and management of a hospital or hospitals for the reception of cases of infectious disease occurring in the existing Borough the Urban District of West Hartlepool and the Port Sanitary District were conferred upon the said Port Sanitary Authority;

46 & 47 Vict.

c. cxliv.

48 & 49 Vict.

c. xci.

44 Vict. c. xv.

48 & 49 Vict.

c. cxxviii.

And whereas the Public Libraries Acts 1892 and 1893 are in force in the existing Borough;

55 & 56 Vict.

c. 53.

56 Vict. c. 11.

And whereas the Corporation have adopted the provisions of Parts II. and III. of the Public Health Acts Amendment Act 1890 and those provisions are accordingly in force in the existing Borough;

53 & 54 Vict.

c. 59.

And whereas the council of the existing Borough are by virtue of Section 28 of the Hartlepool Borough Extension Act 1883 the Burial Board for the existing Borough;

And whereas the Parish of Throston Rural and the Township of Hart in the County of Durham are contributory places (herein-after together referred to as "the two contributory places") in the Rural District of Hartlepool (herein-after referred to as "the Rural District") of which the Rural District Council of Hartlepool (herein-after referred to as "the Rural District Council") are the District Council;

And whereas the Rural District Council have adopted the provisions of the Infectious Disease (Notification) Act 1889 and those provisions are accordingly in force in the Rural District;

And whereas in pursuance of the Local Government Act 1894 (herein-after referred to as "the Act of 1894") a Parish Council has been established for the Parish of Throston Rural;

56 & 57 Vict.

c. 73.

And whereas by virtue of the Elementary Education Acts 1870 to 1893 the existing Borough is a School District for which a School Board (herein-after referred to as "the existing Borough School Board") has been formed and the said Parish of Throston Rural and the said Township of Hart are School Districts subject to the jurisdiction of the School Attendance Committee appointed by the Guardians of the Poor of the Hartlepool Union;

And whereas the Local Government Board by an Order dated the Fourteenth day of August One thousand eight hundred and eighty-eight determined that two county councillors of the County of Durham should be apportioned to the existing Borough and the existing Borough has accordingly been divided into two electoral divisions termed the Hartlepool (Number One) Electoral Division and the Hartlepool (Number Two) Electoral Division;

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A.D. 1897.

—
Hartlepool
(Extension)
Order.

51 & 52 Vict.
c. 41.

And whereas the Parish of Throston Rural and the Township of Hart are included in the Greatham Electoral Division of the County of Durham :

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 54 and 59 of the Act of 1888 and by any other enactments in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the following provisions shall take effect :—

Commence-
ment of Order.

Art. I. This Order shall except so far as is otherwise herein expressly provided or as there may be anything in the subject-matter or context inconsistent therewith come into operation on the Ninth day of November One thousand eight hundred and ninety-seven (which date is herein-after referred to as “the commencement of this Order”) :

Date of
operation of
Order for
parish burgess
lists &c.
51 Vict. c. 10.

Provided that for the purposes of the parish burgess lists and burgess roll and other lists to be made under the Municipal Corporations Act 1882 and the Acts amending the same of the lists of county electors and the county register to be made in pursuance of the County Electors Act 1888 and any Act amending that Act of the lists of parochial electors and any other lists or register to be made in pursuance of the Act of 1894 and of all proceedings preliminary or relating to any municipal election to be held on the next ordinary day of election this Order shall operate from the date of the Act of Parliament confirming the same.

Definitions.

Art. II. In this Order—

- (1.) The expression “the Borough” means the Borough as extended by this Order.
- (2.) The expression “the added areas” means the parts of the Rural District added to the existing Borough by this Order.

Extension of
Borough.

Art. III. The boundary of the existing Borough shall be altered so as to include in addition to the area of the existing Borough the following parts of the Rural District viz.—

- (a.) The part of the Parish of Throston Rural which is coloured blue on the Borough maps ;
- (b.) The part of the Township of Hart which is coloured brown on the Borough maps ;

and the altered boundary shall be that shown by the red line on the Borough maps and the whole of the area included within such altered boundary shall for the purposes of the Municipal Corporations Act 1882 and for all other purposes be the Borough.

45 & 46 Vict.
c. 50.

Deposit of
maps.

Art. IV.—(1.) One of the Borough maps shall be deposited in the office of the Local Government Board and the other shall be deposited by the town clerk of the Borough at his office within fourteen days after the date of this Order Copies of the Borough map deposited with the town clerk certified by him to be true shall be sent within one month after the date of the Act of Parliament confirming this Order to the clerk to the County Council of Durham to the clerk to the Rural District Council and to the Board of Agriculture.

Copies of map
to be evidence.

(2.) Copies of or extracts from the Borough map deposited with the town clerk certified by him to be true shall be received in all courts of justice and

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elsewhere as primâ facie evidence of the contents of such map so far as it relates to the boundaries of the Borough and such map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the Borough and any such person shall be entitled to a copy of or extract from such map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Council of the Borough for every such copy or extract All sums received under this Article shall be carried to the credit of the borough fund.

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Hartlepool
(Extension)
Order.

Art. V.—(1.) The powers and duties of the recorder of the existing Borough of the justices of the peace appointed for the existing Borough and of the clerk to such justices and of the police constables and other peace officers of the existing Borough shall extend to and apply throughout the Borough.

Jurisdiction of
 justices &c.
 extended.

(2.) Every person committing an offence in the added areas prior to the commencement of this Order shall be tried adjudicated on and dealt with as if this Order had not been made.

Art. VI. For the purposes of the parish burgess lists and burgess roll and other lists to be made under the Municipal Corporations Act 1882 and the Acts amending the same and of all matters in relation thereto the added areas shall be deemed to have always been part of the Borough and the town clerk of the existing Borough shall be the town clerk of the Borough and anything required to be done in connexion with the purposes aforesaid before the date of the Act of Parliament confirming this Order may be done as soon as practicable after such date and if so done shall have full force and effect and if any difficulty arise in making out revising or otherwise dealing with such lists roll and register or the lists of county electors and the county register or the lists and registers of parochial electors the Local Government Board may make such Order as shall appear to them to be necessary to remove any such difficulty and to give effect to the provisions of this Order and may vary so far as shall be necessary the provisions in force with regard to such lists roll and registers.

Parish burgess
 lists &c.

Art. VII. Subject to the provisions of the Municipal Corporations Act 1882 and any Act amending the same as to the alteration of wards the Borough shall for the purposes of the election of councillors continue to be divided into four wards and the added areas shall be included in the Throston Ward and the councillors representing that ward who will not go out of office on the First day of November One thousand eight hundred and ninety-seven shall be deemed to represent the altered ward.

Alteration of
 wards.

Art. VIII. All byelaws and regulations and any list of tolls and table of fees made by the Corporation which at the commencement of this Order are in force in the existing Borough shall thenceforth apply to the Borough until or except in so far as any such byelaws or regulations or list of tolls or table of fees may be altered or repealed and any byelaws and regulations made by the Rural District Council or their predecessors shall on that date cease to be in force or have any effect within the added areas but without prejudice to anything duly done thereunder Provided that any proceedings which might have been taken by the Rural District Council against any person for any offence against such last mentioned byelaws and regulations committed before the commencement of this Order may so far as such offence was committed in any part of the added areas be

Byelaws.

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A.D. 1897. taken by the Corporation as if those byelaws or regulations had remained in force and the Corporation had been substituted therein for the Rural District Council.

Hartlepool
(Extension)
Order.

Town clerk and
 other officers
 continued.

Art. IX.—(1.) The town clerk and all other officers and servants of the Corporation of the existing Borough who hold office at the commencement of this Order shall continue to be the town clerk and officers and servants of the Corporation of the Borough and shall hold their offices by the same tenure as at that date.

(2.) The auditors who shall be in office at the commencement of this Order shall continue in office and shall be the Borough Auditors until the next ordinary day of election of Borough Auditors.

Compensation
 to existing
 officers.

Art. X. Every officer who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary shall be entitled to have compensation paid to him by the Corporation for such pecuniary loss and in determining such compensation regard shall be had to the conditions and other circumstances required by sub-section (1) of Section 120 of the Act of 1888 to be had in regard in cases of compensation under that section and the compensation shall not exceed the limit therein mentioned and shall be paid in the case of any such officer whose office or employment relates wholly or partly to sanitary purposes as defined by the Public Health Act 1875 out of the district fund and general district rate of the Borough and in the case of any other such officer out of the borough fund and borough rate of the Borough and the provisions of sub-sections (2) to (7) of that section shall apply with such modifications (if any) as may be required.

Actions &c.
 not to abate.

Art. XI.—(1.) If at the commencement of this Order any action or proceeding or any cause of action or proceeding is pending or existing by or against the Rural District Council in relation exclusively to any part of the added areas the same shall not be in anywise prejudicially affected by reason of the making of this Order but may be continued prosecuted and enforced by or against the Corporation of the Borough.

Saving for
 contracts &c.

(2.) Anything duly done or suffered and all contracts deeds bonds agreements and other instruments (subsisting at the commencement of this Order) entered into or made by the Rural District Council or their predecessors in relation exclusively to any part of the added areas shall be of as full force and effect against or in favour of the Corporation of the Borough and may be continued and enforced as fully and effectually as if instead of the Rural District Council or their predecessors as the case may be the Corporation had done or suffered the same or been a party thereto and the Rural District Council shall on the date aforesaid deliver to the town clerk of the Borough any such contract deed bond agreement or other instrument.

Corporation
 property and
 liabilities.

Art. XII. All property vested in the Corporation at the commencement of this Order for the benefit of the existing Borough shall be held by the Corporation for the benefit of the Borough and the Corporation shall hold enjoy and exercise for the benefit of the Borough all the powers which at the date aforesaid are exerciseable by or vested in the Corporation for the benefit of the existing Borough and all liabilities which on the date aforesaid attached to the

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Corporation in respect of the existing Borough shall attach to them in respect of the Borough.

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(Extension)
Order.

Art. XIII.—(1.) All property and liabilities which immediately before the commencement of this Order are vested in or attached to the Rural District Council in relation exclusively to any part of the added areas shall be transferred to vested in and attach to the Corporation as Urban District Council and any property or liabilities vested in or attached to the Rural District Council in relation to the added areas conjointly with any other area shall be a matter for adjustment under Section 62 of the Act of 1888 and the provisions of that section shall apply.

Property &c. of
Rural District
Council.

(2.) The Rural District Council shall cease to exercise any powers or duties within any part of the added areas.

Cesser of
jurisdiction of
Rural District
Council.

(3.) Any arrears of rates made for the purposes of the Public Health Act 1875 or the Highway Acts and which remain due at the commencement of this Order in respect of any hereditaments in the added areas may be collected and recovered by the Overseers as if this Order had not been made and when collected and recovered shall be applied towards the discharge of any precept of the Rural District Council which at that date shall be in force and not satisfied and the balance if any shall be paid to the Corporation.

Arrears of
sanitary and
highway
rates.

Art. XIV. So much of any sums borrowed by the Corporation as will at the commencement of this Order be owing and charged upon the district fund and general district rates of the existing Borough shall be charged upon the district fund and general district rates of the Borough and so much of any sums borrowed by the Corporation as will on that date be owing and charged upon the borough fund and borough rates of the existing Borough shall be charged upon the borough fund and borough rates of the Borough and all such sums shall together with the interest to accrue due thereon be repaid by the Corporation within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

Mortgage debt,
of Corporation.

Art. XV. On and after the commencement of this Order the Council of the Borough shall be the Burial Board for the Borough and shall have within the Borough (to the exclusion of any other Burial Authority) all the powers duties and liabilities of a Burial Board under the Burial Acts 1852 to 1871.

Council to be
Burial Board.

Art. XVI. For a period of twenty-five years from the commencement of this Order and no longer the borough rates levied upon any rateable hereditament in the added areas shall not during any year exceed in the aggregate a rate of sixpence in the pound.

Differential
rating in added
areas.

Art. XVII. The unrepealed provisions of the Local Acts and of any other Local Act and of the Confirming Acts above recited so far as they respectively relate to the Provisional Orders above recited and of any other Provisional Order affecting the existing Borough or the Corporation as the same respectively are in force within the existing Borough at the commencement of this Order shall subject to any alteration made therein by this Order extend and apply to the Borough and any reference therein to the existing Borough and the Corporation thereof shall be deemed to refer to the Borough and the Corporation thereof.

Local Acts and
Provisional
Orders.

[Ch. cxxxviii.] *Local Government Board's* [60 & 61 VICT.]
Provisional Orders Confirmation (No. 11) Act, 1897.

- A.D. 1897. Art. XVIII.—(1.) The provisions of Parts II. and III. of the Public Health Acts Amendment Act 1890 and of the Public Libraries Acts 1892 and 1893 shall be in force within and apply to the Borough as if the same had been adopted therein.
- Hartlepool (Extension) Order.* (2.) The provisions of the Infectious Disease (Notification) Act 1889 shall cease to be in force in any part of the added areas.
- Adoptive Acts.
- Alteration of School Districts &c. Art. XIX. For the purposes of the Elementary Education Acts 1870 to 1893:—
- (1.) The members of the School Board for the existing Borough who shall be in office at the commencement of this Order shall be deemed to have been elected as and shall be the School Board for the Borough.
- (2.) Any byelaws in force in the existing Borough at the commencement of this Order shall thenceforth apply to the Borough until revoked or altered.
- (3.) Any byelaws made by the School Attendance Committee of the Hartlepool Union shall cease to operate in any part of the added areas.
- Electoral Divisions. Art. XX. Subject to the provisions of Section 54 of the Act of 1888 the following provisions shall take effect:—
- (1.) The above-recited Order of the Local Government Board dated the Fourteenth day of August One thousand eight hundred and eighty-eight shall from and after the commencement of this Order operate as if the Borough of Hartlepool mentioned therein were the Borough and not the existing Borough.
- (2.) The added areas shall cease to form part of the Greatham Electoral Division and shall be included in the Hartlepool (No. 1) Electoral Division.
- (3.) The persons who immediately prior to the commencement of this Order are the county councillors of the County of Durham representing the existing Greatham and Hartlepool (No. 1) Electoral Divisions shall from and after that date represent those divisions as hereby altered as if they had originally been elected to represent the altered divisions.
- Alteration of Parishes. Art. XXI.—(1.) The added areas shall cease to form parts of the Parishes of which they now respectively form part and shall be amalgamated with the Parish of Throston.
- Parish Council. (2.) The Parish Council of Throston Rural shall continue and shall be deemed to have been elected for and shall be the Parish Council of the Parish of Throston Rural as diminished by this or any other Order confirmed during the present Session of Parliament and the said Parish Council shall cease to exercise any powers or duties within any part of the added areas.
- Guardians. (3.) The persons who at the commencement of this Order are the Guardians of the Poor of the Hartlepool Union representing the Parish of Throston shall represent that Parish as extended by this Order as if they had been originally elected to represent the extended Parish.
- Ecclesiastical divisions and charities. Art. XXII.—(1.) Nothing in this Order shall affect the ecclesiastical divisions of any Parish or shall prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment which now is applicable for the benefit of any of the existing Parishes affected by this Order.
- Valuation lists. (2.) Until new valuation lists are made the portions of the valuation lists of the Parish of Throston Rural and of the Township of Hart which relate to

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hereditaments in the added areas shall be deemed to form part of the valuation list of the Parish of Throston.

*Hartlepool
(Extension)
Order.*

(3.) For the purposes of the registers of persons entitled to vote at an election of Members of Parliament of the register of county and parochial electors and of jury lists the Parishes affected by this Order shall be deemed to continue unaltered until the new lists and registers come into operation :

*Saving for
existing
registers of
parliamentary
voters &c.*

Provided that for the purposes of any election under the Act of 1894 to be held for any area affected by this Order and of the holding of Parish Meetings in any Parish affected by this Order the County Council of Durham shall as soon as practicable after the commencement of this Order cause the registers of parochial electors to be altered to give effect to the alteration made by this Order.

(4.)—(a.) Every person who has acquired or who on or before the commencement of this Order shall acquire a settlement in any existing Parish affected by this Order shall be deemed to have acquired a settlement in the Parish comprising the area in which the acts or circumstances conferring such settlement shall have been done or occurred or if such acts or circumstances shall have been done or occurred in more than one Parish such settlement shall be in the Parish comprising the place of residence of such person at the time of acquiring such settlement.

*Settlement of
paupers.*

(b.) Any person who shall have acquired a status of irremovability from any existing Parish affected by this Order shall be deemed to have acquired a status of irremovability from the Parish comprising the area in which he shall reside at the commencement of this Order or (if he shall then be in receipt of relief) from the Parish comprising the area in which he was residing at the time of becoming chargeable.

*Irremovability
of paupers.*

(5.) Notwithstanding the alteration in the areas of Parishes effected by this Order all contribution orders made by the Guardians of the Poor of the Hartlepool Union and all precepts made by the Rural District Council before the commencement of this Order shall be as valid in law as if this Order had not been made.

*Saving for
contribution
orders and
precepts.*

(6.) All arrears of rates other than those mentioned in subdivision (3) of Article XIII. of this Order due at the commencement of this Order in the added areas shall be collected and recovered by the Overseers of the existing Parishes comprising those areas as if this Order had not been made.

*Arrears of
rates.*

Art. XXIII. This Order may be cited as the Borough of Hartlepool (Extension) Order 1897.

Short title.

Given under the Seal of Office of the Local Government Board this
 Eighth day of May One thousand eight hundred and ninety-seven.

(L.S.)

HENRY CHAPLIN President.
 HUGH OWEN Secretary.

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Provisional Orders Confirmation (No. 11) Act, 1897.

A.D. 1897.

BOROUGH OF TOTNES.

*Totnes
Order.*

*Provisional Order made in pursuance of Sections 54 and 59 of the
Local Government Act 1888.*

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

To the Justices of the Peace for the said Borough ; —

To the School Board for the said Borough ; —

To the Justices of the Peace for the County of Devon in Quarter Sessions
assembled ; —

To the County Council of Devon ; —

To the Guardians of the Poor of the Totnes Union ; —

To the Rural District Council of Totnes ; —

To the Parish Council of Dartington ; —

To the Chairman of the Parish Meeting of Little Hempstone ; —

To the Overseers of the Poor of each of the Parishes of Dartington Little
Hempstone and Totnes ; —

And to all others whom it may concern.

51 & 52 Vict.
c. 41.

WHEREAS by Section 54 of the Local Government Act 1888 (which Act is
herein-after referred to as "the Act of 1888") the Local Government Board are
empowered to make a Provisional Order for altering the boundary of any Borough
and by such Order to divide or alter any electoral division ;

And whereas the Borough of Totnes is a Borough within the meaning of the
Act of 1888 and the inhabitants of the Borough are a body corporate by the
name of the Mayor Aldermen and Burgesses of the Borough of Totnes (herein-
after referred to as "the Corporation") and act by the Council of the Borough
which now consists of the Mayor (who is also an Alderman) three other
Aldermen and twelve Councillors ;

And whereas the area of the Borough of Totnes (herein-after referred to
as "the existing Borough") is coloured pink on the two maps (herein-after
referred to as "the Borough maps") each marked "Map of the Borough
of Totnes as extended 1897" and sealed with the official seal of the Local
Government Board ;

And whereas the existing Borough which comprises the Parish of Totnes is
an Urban District of which the Mayor Aldermen and Burgesses acting by the
Council are the Urban District Council ;

And whereas the existing Borough has a separate commission of the peace ;

8 & 9 Vict.
c. cxxxiv.

And whereas the provisions of a Local Act passed in the eighth and ninth
years of the reign of Her present Majesty intituled "An Act for improving the
" markets in the Borough and Town of Totnes in the County of Devon and for
" better supplying the Borough with water" (herein-after referred to as "the
Local Act") are in force in the existing Borough ;

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And whereas by Section 22 of the Local Act the Corporation were empowered to borrow on the security of the improvement rate by that Act authorised to be made and of the markets market-house market and other tolls rents and stallages and waterworks and water rents sums amounting in the whole to twelve thousand pounds ;

A.D. 1897.

*Totnes
Order.*

And whereas at the date hereof the sum of eleven thousand seven hundred and fifty pounds is due and owing in respect of moneys borrowed under the Local Act and the Corporation have purchased certain properties for the purposes of the Local Act subject to mortgages amounting in the whole to the sum of one thousand five hundred pounds ;

And whereas by a Provisional Order of the Local Government Board dated the Fourteenth day of June One thousand eight hundred and seventy-five and confirmed by the Local Government Board's Provisional Orders Confirmation (Leyton &c.) Act 1875 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act") it was ordered as follows :—

38 & 39 Vict.
c. exciii.

- (1.) All the expenses incurred or payable under the Sanitary Acts by the Corporation as the Urban Sanitary Authority of the Borough should be defrayed out of the borough rate or fund of the Borough ;
- (2.) The said Urban Sanitary Authority should exercise all the powers under the Local Act of making and levying the rates by that Act authorised to be made for the purpose of defraying so much of the moneys borrowed under the Local Act as shall be due and owing together with the interest from time to time accruing thereon ; and
- (3.) The sum owing in respect of moneys borrowed by the Corporation for the construction of works of sewerage in the Borough together with the interest from time to time accruing thereon should remain and be charged upon and payable out of the borough rate or fund of the Borough ;

And whereas the Corporation have adopted the provisions of—

- (a) the Baths and Wash-houses Acts 1846 to 1882 ;
- (b) the Infectious Disease (Notification) Act 1889 ;
- (c) the Infectious Disease (Prevention) Act 1890 ; and
- (d) Parts II. III. and V. of the Public Health Acts Amendment Act 1890 ;

9 & 10 Vict.
c. 74.
45 & 46 Vict.
c. 30.
52 & 53 Vict.
c. 72.
53 & 54 Vict.
c. 34.
53 & 54 Vict.
c. 59.

and those provisions are accordingly in force in the existing Borough ;

And whereas the Council of the existing Borough are under the Burial Acts 1852 to 1885 the Burial Board for the existing Borough ;

And whereas the Parishes of Dartington and Little Hempstone in the County of Devon are contributory places (herein-after together referred to as "the two contributory places") in the Rural District of Totnes (herein-after referred to as "the Rural District") of which the Rural District Council of Totnes (herein-after referred to as "the Rural District Council") are the District Council ;

And whereas in pursuance of the Local Government Act 1894 (herein-after referred to as "the Act of 1894") a Parish Council has been established for the Parish of Dartington ;

56 & 57 Vict.
c. 73.

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A.D. 1897.

*Totnes
Order.*

And whereas the existing Borough and each of the said two Parishes is a School District the existing Borough being subject to the jurisdiction of the School Board of that Borough and the said two Parishes being subject to the jurisdiction of the School Attendance Committee appointed by the Guardians of the Poor of the Totnes Union ;

And whereas the existing Borough is an electoral division of the County of Devon ;

And whereas the Parish of Dartington is included in the Harberton Electoral Division and the Parish of Little Hempstone is included in the Stoke Gabriel Electoral Division of the County of Devon :

51 & 52 Vict.
c. 41.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 54 and 59 of the Act of 1888 and by any other enactments in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the following provisions shall take effect :—

Commence-
ment of Order.

Art. I. This Order shall except so far as is otherwise herein expressly provided or as there may be anything in the subject-matter or context inconsistent therewith come into operation on the Ninth day of November One thousand eight hundred and ninety-seven (which date is herein-after referred to as "the commencement of this Order") :

Date of opera-
tion of Order
for parish
burgess lists
&c.
51 Vict. c. 10.

Provided that for the purposes of the parish burgess lists and burgess roll and other lists to be made under the Municipal Corporations Act 1882 and the Acts amending the same of the lists of county electors and the county register to be made in pursuance of the County Electors Act 1888 and any Act amending that Act of the lists of parochial electors and any other lists or register to be made in pursuance of the Act of 1894 and of all proceedings preliminary or relating to any municipal election to be held on the next ordinary day of election this Order shall operate from the date of the Act of Parliament confirming the same.

Definitions.

Art. II. In this Order—

- (1.) The expression "the Borough" means the Borough as extended by this Order.
- (2.) The expression "the added areas" means the parts of the Rural District added to the existing Borough by this Order.

Extension of
Borough.

Art. III. The boundary of the existing Borough shall be altered so as to include in addition to the area of the existing Borough the following parts of the Rural District viz:—

- (a.) The part of the Parish of Dartington which is coloured yellow on the Borough maps ;
- (b.) The part of the Parish of Little Hempstone which is coloured green on the Borough maps ;

and the altered boundary shall be that shown by the red line on the Borough maps and the whole of the area included within such altered boundary shall for the purposes of the Municipal Corporations Act 1882 and for all other purposes be the Borough.

45 & 46 Vict.
c. 50.

Deposit of
maps.

Art. IV.—(1.) One of the Borough maps shall be deposited in the office of the Local Government Board and the other shall be deposited by the town clerk of the Borough at his office within fourteen days after the date of this Order

[60 & 61 VICT.] *Local Government Board's* [Ch. cxxxviii.]
Provisional Orders Confirmation (No. 11) Act, 1897.

Copies of the Borough map deposited with the town clerk certified by him to be true shall be sent within one month after the date of the Act of Parliament confirming this Order to the clerk to the County Council of Devon to the clerk to the Rural District Council and to the Board of Agriculture.

A.D. 1897.

*Totnes
Order.*

(2.) Copies of or extracts from the Borough map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as *prima facie* evidence of the contents of such map so far as it relates to the boundaries of the Borough and such map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the Borough and any such person shall be entitled to a copy of or extract from such map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Council of the Borough for every such copy or extract. All sums received under this Article shall be carried to the credit of the borough fund.

Copies of map
to be evidence.

Art. V.—(1.) The powers and duties of the justices of the peace appointed for the existing Borough and of the clerk to such justices shall extend to and apply throughout the Borough.

Jurisdiction of
justices &c.
extended.

(2.) Every person committing an offence in the added areas prior to the commencement of this Order shall be tried adjudicated on and dealt with as if this Order had not been made.

Art. VI. For the purposes of the parish burgess lists and burgess roll and other lists to be made under the Municipal Corporations Act 1882 and the Acts amending the same and of all matters in relation thereto the added areas shall be deemed to have always been part of the Borough and the town clerk of the existing Borough shall be the town clerk of the Borough and anything required to be done in connexion with the purposes aforesaid before the date of the Act of Parliament confirming this Order may be done as soon as practicable after such date and if so done shall have full force and effect and if any difficulty arise in making out revising or otherwise dealing with such lists roll and register or the lists of county electors and the county register or the lists and registers of parochial electors the Local Government Board may make such Order as shall appear to them to be necessary to remove any such difficulty and to give effect to the provisions of this Order and may vary so far as shall be necessary the provisions in force with regard to such lists roll and registers.

Parish burgess
lists &c.

Art. VII. The councillors of the Borough who will not go out of office on the First day of November One thousand eight hundred and ninety-seven shall be deemed from and after the commencement of this Order to represent the Borough.

Councillors
of Borough.

Art. VIII. All byelaws and regulations and any list of tolls and table of fees made by the Corporation which at the commencement of this Order are in force in the existing Borough shall thenceforth apply to the Borough until or except in so far as any such byelaws or regulations or list of tolls or table of fees may be altered or repealed and any byelaws and regulations made by the Rural District Council or their predecessors shall on that date cease to be in force or have any effect within the added areas but without prejudice to anything duly done thereunder. Provided that any proceedings which might have been taken

Byelaws.

[Ch. cxxxviii.] *Local Government Board's* [60 & 61 VICT.]
Provisional Orders Confirmation (No. 11) Act, 1897.

A.D. 1897. by the Rural District Council against any person for any offence against such byelaws and regulations committed before the commencement of this Order may so far as such offence was committed in any part of the added areas be taken by the Corporation as if those byelaws or regulations had remained in force and the Corporation had been substituted therein for the Rural District Council.

Totnes Order.

Alteration of school districts &c.

Art. IX.—(1.) The members of the School Board for the existing Borough who shall be in office at the commencement of this Order shall be deemed to have been elected as and shall be the School Board for the Borough.

(2.) All byelaws made under the Acts relating to public elementary education in force in the existing Borough at the commencement of this Order shall thenceforth apply to the Borough until revoked or altered in accordance with the provisions of the Elementary Education Acts 1870 to 1893 and from and after that date any byelaws made by the School Attendance Committee of the Totnes Union shall cease to operate in any part of the added areas.

Town clerk and other officers continued.

Art. X.—(1.) The town clerk and all other officers and servants of the Corporation of the existing Borough who hold office at the commencement of this Order shall continue to be the town clerk and officers and servants of the Corporation of the Borough and shall hold their offices by the same tenure as at that date.

(2.) The auditors who shall be in office at the commencement of this Order shall continue in office and shall be the Borough Auditors until the next ordinary day of election of Borough Auditors.

Compensation to existing officers.

Art. XI. Every officer who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary shall be entitled to have compensation paid to him by the Corporation for such pecuniary loss and in determining such compensation regard shall be had to the conditions and other circumstances required by sub-section (1) of Section 120 of the Act of 1888 to be had in regard in cases of compensation under that section and the compensation shall not exceed the limit therein mentioned and shall be paid in the case of any such officer whose office or employment relates wholly or partly to sanitary purposes as defined by the Public Health Act 1875 out of the district fund and general district rate of the Borough and in the case of any other such officer out of the borough fund and borough rate of the Borough and the provisions of sub-sections (2) to (7) of that section shall apply with such modifications (if any) as may be required.

Actions &c. not to abate.

Art. XII.—(1.) If at the commencement of this Order any action or proceeding or any cause of action or proceeding is pending or existing by or against the Rural District Council in relation exclusively to any part of the added areas the same shall not be in anywise prejudicially affected by reason of the making of this Order but may be continued prosecuted and enforced by or against the Corporation of the Borough.

Saving for contracts &c.

(2.) Anything duly done or suffered and all contracts deeds bonds agreements and other instruments (subsisting at the commencement of this Order) entered into or made by the Rural District Council or their predecessors in relation exclusively to any part of the added areas shall be of as full force

[60 & 61 VICT.] *Local Government Board's* [Ch. cxxxviii.]
Provisional Orders Confirmation (No. 11) Act, 1897.

and effect against or in favour of the Corporation of the Borough and may be continued and enforced as fully and effectually as if instead of the Rural District Council or their predecessors as the case may be the Corporation had done or suffered the same or been a party thereto and the Rural District Council shall on the date aforesaid deliver to the town clerk of the Borough any such contract deed bond agreement or other instrument.

A.D. 1897.

*Totnes
Order.*

Art. XIII. Subject to the provisions of this Order all property vested in the Corporation at the commencement of this Order for the benefit of the existing Borough shall be held by the Corporation for the benefit of the Borough and the Corporation shall hold enjoy and exercise for the benefit of the Borough all the powers which at the date aforesaid are exercisable by or vested in the Corporation for the benefit of the existing Borough and all liabilities which on the date aforesaid attached to the Corporation in respect of the existing Borough shall attach to them in respect of the Borough.

Corporation
property and
liabilities.

Art. XIV.—(1.) All property and liabilities which immediately before the commencement of this Order are vested in or attached to the Rural District Council in relation exclusively to any part of the added areas shall be transferred to vested in and attach to the Corporation as Urban District Council and any property or liabilities vested in or attached to the Rural District Council in relation to the added areas conjointly with any other area shall be a matter for adjustment under Section 62 of the Act of 1888 and the provisions of that section shall apply.

Property &c. of
Rural District
Council.

(2.) The Rural District Council shall cease to exercise any powers or duties within any part of the added areas:

Cesser of
jurisdiction of
Rural District
Council.

Provided that any arrears of rates made for the purposes of the Public Health Act 1875 or the Highway Acts and which remain due at the commencement of this Order in respect of any hereditaments in the added areas may be collected and recovered by the Overseers as if this Order had not been made and when collected and recovered shall be applied towards the discharge of any precept of the Rural District Council which at that date shall be in force and not satisfied and the balance if any shall be paid to the Corporation.

Art. XV. On and after the commencement of this Order the Council of the Borough shall be the Burial Board for the Borough and shall have within the Borough (to the exclusion of any other Burial Authority) all the powers duties and liabilities of a Burial Board under the Burial Acts 1852 to 1885.

Council to be
Burial Board.

Art. XVI. For a period of ten years from the commencement of this Order and no longer the owners or occupiers (as the case may be) of lands houses and other rateable hereditaments in the added areas shall be assessed to the general district rate at a rate in the pound less by sixpence than the rate in the pound at which owners or occupiers are assessed to the general district rate in the area of the existing Borough.

Differential
rating in added
areas.

Art. XVII.—(1.) Sections 22 to 36 and 145 to 184 and 187 of the Local Act and so much of Sections 185 and 186 of the Local Act as relates to the Totnes Improvement Rate and the Confirming Act so far as it relates to the Order shall be wholly repealed except so far as the same may have been acted upon and except so far as it may be necessary to continue the same as regards mortgages created under the Local Act and existing at the commencement of this Order

Partial repeal
and alteration
of Local Act
and Confirming
Act.

[Ch. cxxxviii.] *Local Government Board's* [60 & 61 VICT.]
Provisional Orders Confirmation (No. 11) Act, 1897.

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and for the purpose of enabling the Corporation to collect and recover improvement rates due thereunder at the commencement of this Order.

(2.) Section 199 of the Local Act shall be altered by the substitution of the words "district fund" for the words "improvement rate."

(3.) The accounts required to be kept by Sections 185 and 186 of the Local Act as hereby altered shall be kept as part of the district fund account and shall be audited and examined and published in like manner as the accounts of the Corporation acting as the Urban District Council under the Public Health Act 1875.

Altering mode
of defraying
expenses under
Local Act
and Public
Health Act
1875.

Art. XVIII.—(1.) The expenses incurred or payable or to be incurred or become payable by the Corporation in the execution of the Local Act and of the Public Health Act 1875 shall notwithstanding any of the exceptions mentioned in Section 207 of the last-mentioned Act and except so far as the same may be defrayed out of rates made before the commencement of this Order be defrayed out of a district fund to be established and a general district rate to be levied under that Act subject to the provisions of that Act with respect to the mode of defraying in certain cases the repair of highways.

(2.) The Corporation shall carry to the credit of the district fund all moneys received by them under or by virtue of the Local Act.

Alteration of
charge of
mortgages.

(3.) All mortgages and other securities which before the commencement of this Order shall have been charged upon the improvement rates or the revenue arising from the market undertaking or the water undertaking for the repayment of the said sum of eleven thousand seven hundred and fifty pounds and all mortgages and other securities which before the commencement of this Order shall have been charged on the borough fund and borough rate of the Borough for the repayment of moneys borrowed by the Corporation acting as an Urban Sanitary Authority or an Urban District Council shall be paid and satisfied out of the district fund and general district rates of the Borough instead of such improvement rates revenues borough fund or borough rates as the case may be.

Saving for
existing
mortgages.

(4.) Nothing in this Order contained shall injuriously affect any mortgage or other security mentioned in subdivision (3) of this Article or the rights and powers of persons entitled under any such mortgage or other security to enforce the same as if this Order had not been made.

Debt and
borrowing
under Local
Act.

Art. XIX.—(1.) 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 district fund and general district rate of the Borough such sum or sums as may be necessary for the purposes of the Local Act including the repayment of the outstanding balances of the said sums of eleven thousand seven hundred and fifty pounds and one thousand five hundred pounds.

(2.) 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.

(3.)—(a.) The moneys borrowed by virtue of this Order other than moneys borrowed for the repayment of the said sums of eleven thousand seven hundred and fifty pounds and one thousand five hundred pounds shall be repaid within

[60 & 61 VICT.] *Local Government Board's* [Ch. cxxxviii.]
Provisional Orders Confirmation (No. 11) Act, 1897.

such period not exceeding fifty years as the Corporation with the sanction of the Local Government Board shall determine. A.D. 1897.

(b.) The said sums of eleven thousand seven hundred and fifty pounds and one thousand five hundred pounds and any moneys borrowed to repay those sums shall be repaid or provision shall be made for their repayment within a period of thirty years from the commencement of this Order.

*Totnes
Order.*

(c.) The period so determined and sanctioned and the period mentioned in paragraph (b.) of this subdivision are herein-after severally referred to as "the prescribed period" and shall be the prescribed period for the purposes of the Local Loans Act 1875.

(4.) The Corporation shall repay or make provision for the repayment of the said sums of eleven thousand seven hundred and fifty pounds and one thousand five hundred pounds and the moneys borrowed by virtue of this Order 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.

(5.) Subject to the provisions of subdivisions (11) to (15) of this Article any sinking fund established for the repayment of the said sums of eleven thousand seven hundred and fifty pounds and one thousand five hundred pounds and the moneys borrowed by virtue of this Order 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.

(6.) 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 debt 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.

(7.) 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.

(8.) 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.

[Ch. cxxxviii.] *Local Government Board's* [60 & 61 VICT.]
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(9.)—(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.

(10.) 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.

(11.) If it appears to the Corporation at any time that the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably 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.

(12.) If the Corporation desire to accelerate the repayment of the said sums of eleven thousand seven hundred and fifty pounds and one thousand five hundred pounds or any moneys borrowed under this Order they may increase the amounts payable to the sinking fund.

(13.) 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.

(14.) 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 debt 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 Local Government Board shall otherwise direct.

(15.) 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.

(16.) 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

[60 & 61 VICT.] *Local Government Board's* [Ch. cxxxviii.]
Provisional Orders Confirmation (No. 11) Act, 1897.

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 :

A.D. 1897.

*Totnes
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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.

(17.)—(a.) The town clerk of the Borough shall within twenty-one days after the Thirty-first day of March in each year if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of this Order 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 such 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 such 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.

(b.) 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.

(18.) 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

[Ch. cxxxviii.] *Local Government Board's* [60 & 61 VICT.]
Provisional Orders Confirmation (No. 11) Act, 1897.

A.D. 1897. 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.

Totnes Order.

(19.) Any mortgagee 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 due to such mortgagee or in the case of a joint application by two or more mortgagees to such mortgagees collectively to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

(20.) 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.

Special provisions as to sewerage and sewage disposal works.

Art. XX. It shall be the duty of the Corporation within six months after the date of the Act of Parliament confirming this Order to proceed to carry out and execute such works for the sewerage and disposal of the sewage of the Borough as may be approved by the Local Government Board and in the event of the Corporation not proceeding with such works within such period as aforesaid or not proceeding with the same with due diligence the requirements of this Article may be enforced in manner provided by Section 299 of the Public Health Act 1875 as if this Article were an Order of the Local Government Board limiting the time for the performance by the Corporation of their duty in that behalf and the Corporation had not performed the duty hereby imposed within the time limited in the Order.

Adoptive Acts.

Art. XXI. The provisions of the Baths and Washhouses Acts 1846 to 1882 of the Infectious Disease (Notification) Act 1889 of the Infectious Disease (Prevention) Act 1890 and of Parts II. III. and V. of the Public Health Acts Amendment Act 1890 shall be in force within and apply to the Borough as if the same had been adopted therein.

Electoral Divisions.

Art. XXII. Subject to the provisions of Section 54 of the Act of 1888—

(1.) The added areas shall be included in the Borough of Totnes Electoral Division of the County of Devon and the Harberton and Stoke Gabriel Electoral Divisions shall be diminished accordingly.

(2.) The person who immediately prior to the commencement of this Order is the county councillor of the County of Devon representing the existing Borough shall from and after that date represent that division as hereby altered as if he had originally been elected to represent the altered division.

Alteration of Parishes.

Art. XXIII.—(1.) The added areas shall cease to form parts of the Parishes of which they now respectively form part and shall be amalgamated with the Parish of Totnes.

Parish Council.

(2.) The Parish Council of Dartington shall continue and shall be deemed to have been elected for and shall be the Parish Council of the Parish of Dartington as diminished by this Order and the said Parish Council shall cease to exercise any powers or duties within any part of the added areas.

Guardians.

(3.) The persons who at the commencement of this Order are the Guardians of the Poor of the Totnes Union representing the Parish of Totnes shall represent that Parish as extended by this Order as if they had been originally elected to represent the extended Parish.

[60 & 61 VICT.] *Local Government Board's* [Ch. cxxxviii.]
Provisional Orders Confirmation (No. 11) Act, 1897.

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*Totnes
Order.*

Art. XXIV.—(1.) Nothing in this Order shall affect the ecclesiastical divisions of any Parish or shall prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment which now is applicable for the benefit of any of the existing Parishes affected by this Order.

Ecclesiastical
divisions and
charities.

(2.) Until new valuation lists are made the portions of the valuation lists of the Parishes of Dartington and Little Hempstone which relate to hereditaments in the added areas shall be deemed to form part of the valuation list of the Parish of Totnes.

Valuation
lists.

(3.) For the purposes of the registers of persons entitled to vote at an election of Members of Parliament of the register of county and parochial electors and of jury lists the Parishes affected by this Order shall be deemed to continue unaltered until the new lists and registers come into operation:

Saving for
existing
registers of
parliamentary
voters &c.

Provided that for the purposes of any election under the Act of 1894 to be held in any area affected by this Order and of the holding of Parish meetings in the Parishes of Dartington and Little Hempstone the County Council of Devon shall as soon as practicable after the commencement of this Order cause the registers of parochial electors to be altered to give effect to the alterations made by this Order.

(4.)—(a.) Every person who has acquired or who on or before the commencement of this Order shall acquire a settlement in any existing Parish affected by this Order shall be deemed to have acquired a settlement in the Parish comprising the area in which the acts or circumstances conferring such settlement shall have been done or occurred or if such acts or circumstances shall have been done or occurred in more than one Parish such settlement shall be in the Parish comprising the place of residence of such person at the time of acquiring such settlement.

Settlement
of paupers.

(b.) Any person who shall have acquired a status of irremovability from any existing Parish affected by this Order shall be deemed to have acquired a status of irremovability from the Parish comprising the area in which he shall reside at the commencement of this Order or (if he shall then be in receipt of relief) from the Parish comprising the area in which he was residing at the time of becoming chargeable.

Irremovability
of paupers.

(5.) Notwithstanding the alteration in the areas of Parishes effected by this Order all contribution orders made by the Guardians of the Poor of the Totnes Union and all precepts made by the Rural District Council before the commencement of this Order shall be as valid in law as if this Order had not been made.

Saving for
contribution
orders and
precepts.

(6.) All arrears of rates due at the commencement of this Order other than those mentioned in subdivision (2) of Article XIV. of this Order in the added areas shall be collected and recovered by the Overseers of the existing Parishes comprising those areas as if this Order had not been made.

Arrears of
rates.

Art. XXV. This Order may be cited as the Borough of Totnes (Extension) Order 1897.

Short title.

Given under the Seal of Office of the Local Government Board this
Eighth day of May One thousand eight hundred and ninety-seven.

(L.S.)

HENRY CHAPLIN President.

HUGH OWEN Secretary.

A.D. 1897.

BOROUGH OF WEST HARTLEPOOL.

*West
Hartlepool
(Extension)
Order.*

*Provisional Order made in pursuance of Sections 54 and 59 of the
Local Government Act 1888.*

To the Mayor Aldermen and Burgesses of the Borough of West Hartlepool ; —

To the Justices of the Peace for the said Borough ; —

To the School Board for the said Borough ; —

To the Justices of the Peace for the County of Durham in Quarter Sessions assembled ; —

To the County Council of Durham ; —

To the Rural District Council of Hartlepool ; —

To the Guardians of the Poor of the Hartlepool Union ; —

To the Parish Council of Throston Rural ; —

To the Overseers of the Poor of each of the Parishes of Throston Rural and West Hartlepool ; —

And to all others whom it may concern.

51 & 52 Vict.
c. 41.

WHEREAS by Section 54 of the Local Government Act 1888 (which Act is herein-after referred to as "the Act of 1888") the Local Government Board are empowered to make a Provisional Order for altering the boundary of any Borough ;

And whereas the Borough of West Hartlepool in the County of Durham is a Borough within the meaning of the Act of 1888 and the inhabitants of the Borough are a body corporate by the name of the Mayor Aldermen and Burgesses of the Borough of West Hartlepool (herein-after referred to as "the Corporation") and act by the Council of the Borough which now consists of the Mayor (who is also a Councillor) six Aldermen and seventeen other Councillors ;

And whereas the area of the Borough of West Hartlepool (herein-after referred to as "the existing Borough") is coloured pink on the two maps (herein-after referred to as "the Borough maps") each marked "Map of the Borough of West Hartlepool as extended 1897" and sealed with the official seal of the Local Government Board ;

And whereas the existing Borough which comprises the Parishes of Seaton Carew and West Hartlepool is an Urban District of which the Mayor Aldermen and Burgesses acting by the Council are the Urban District Council ;

And whereas the existing Borough is for the purposes of the election of town councillors divided into six wards two of which are termed respectively the North West Ward and the South West Ward ;

And whereas the existing Borough has a separate commission of the peace ;

And whereas the unrepealed provisions of the Local Act mentioned in the Schedule to this Order and of the Confirmation Acts mentioned in the said Schedule so far as the latter Acts relate to the Provisional Orders mentioned in that Schedule (all of which Acts are herein-after together referred to as "the scheduled Acts") are in force in the existing Borough ;

[60 & 61 Vict.] *Local Government Board's* [Ch. cxxxviii.]
Provisional Orders Confirmation (No. 11) Act, 1897.

A.D. 1897.

And whereas the Public Libraries Acts 1892 and 1893 are in force in the existing Borough ;

And whereas the Corporation have adopted the provisions of—

(a) the Infectious Disease (Notification) Act 1889 ;

(b) the Infectious Disease (Prevention) Act 1890 ; and

(c) the Public Health Acts Amendment Act 1890 ;

and those provisions are accordingly in force in the existing Borough ;

And whereas the Parish of Throston Rural is a contributory place (herein-after referred to as "the contributory place") within the Rural District of Hartlepool (herein-after referred to as "the Rural District") and adjoins the existing Borough and the Rural District Council of Hartlepool (herein-after referred to as "the Rural District Council") is the District Council for the Rural District ;

And whereas a Parish Council has in pursuance of the Local Government Act 1894 (herein-after referred to as "the Act of 1894") been elected for the said Parish of Throston Rural ;

And whereas by virtue of the Elementary Education Acts 1870 to 1893 the existing Borough is a School District for which a School Board (herein-after referred to as "the existing Borough School Board") has been formed and the said Parish of Throston Rural is a School District and subject to the jurisdiction of the School Attendance Committee appointed by the Guardians of the Poor of the Hartlepool Union ;

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 54 and 59 of the Act of 1888 and by any other enactments in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the following provisions shall take effect :—

Art. I. This Order shall except so far as is otherwise herein expressly provided or as there may be anything in the subject-matter or context inconsistent therewith come into operation on the Ninth day of November One thousand eight hundred and ninety-seven (which date is herein-after referred to as "the commencement of this Order") :

Provided that for the purposes of the parish burgess lists and burgess roll and other lists to be made under the Municipal Corporations Act 1882 and the Acts amending the same of the lists of county electors and the county register to be made in pursuance of the County Electors Act 1888 and any Act amending that Act of the lists or register of parochial electors and any other lists or register to be made in pursuance of the Act of 1894 and of all proceedings preliminary or relating to any municipal election to be held on the next ordinary day of election of councillors this Order shall operate from the date of the Act of Parliament confirming the same.

Art. II. In this Order—

(1.) The expression "the Borough" means the Borough as extended by this Order ;

(2.) The expression "the added area" means the part of the Rural District added to the existing Borough by this Order.

*West
Hartlepool
(Extension)
Order.*

55 & 56 Vict.
c. 53.
56 Vict. c. 11.
52 & 53 Vict.
c. 72.
53 & 54 Vict.
c. 34.
53 & 54 Vict.
c. 59.

56 & 57 Vict.
c. 78.

51 & 52 Vict.
c. 41.

Commence-
ment of Order.

Date of
operation of
Order for
parish burgess
lists &c.
51 Vict. c. 10.

Definitions.

[Ch. cxxxviii.] *Local Government Board's* [60 & 61 VICT.]
Provisional Orders Confirmation (No. 11) Act, 1897.

A.D. 1897.

*West
Hartlepool
(Extension)
Order.*

Extension of
Borough.

45 & 46 Vict.
c. 50.

Deposit of
maps.

Art. III. The boundary of the existing Borough shall be altered so as to include in addition to the area of the existing Borough the part of the Rural District (being a portion of the contributory place) which is coloured blue on the Borough maps and the altered boundary shall be that shown by the red line on the Borough maps and the whole of the area included within such altered boundary shall for the purposes of the Municipal Corporations Act 1882 and for all other purposes be the Borough.

Art. IV.—(1.) One of the Borough maps and one of the Ward maps referred to in Article VIII. of this Order shall be deposited in the office of the Local Government Board and the other shall be deposited by the town clerk of the Borough at his office within fourteen days after the date of this Order. Copies of the Borough map deposited with the town clerk certified by him to be true shall be sent within one month after the date of the Act of Parliament confirming this Order to the clerk to the County Council of the County of Durham to the clerk to the Rural District Council and to the Board of Agriculture and a copy of the said Ward map so certified shall be sent within the said date to the Board of Agriculture.

Copies of map
to be evidence.

(2.) Copies of or extracts from the Borough map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as *prima facie* evidence of the contents of such map so far as it relates to the boundaries of the Borough and such map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the Borough and any such person shall be entitled to a copy of or extract from such map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Council of the Borough for every such copy or extract. All sums received under this Article shall be carried to the credit of the borough fund.

Jurisdiction of
justices &c.
extended.

Art. V.—(1.) The powers and duties of the justices of the peace appointed for the existing Borough and of the clerk to such justices shall extend to and apply throughout the Borough.

(2.) Every person committing an offence in the added area prior to the commencement of this Order shall be tried adjudicated on and dealt with as if this Order had not been made.

Parish burgess
lists &c.

Art. VI. For the purposes of the parish burgess lists and burgess roll and other lists to be made under the Municipal Corporations Act 1882 and the Acts amending the same and of all matters in relation thereto the added area shall be deemed to have always been part of the Borough and the town clerk of the existing Borough shall be the town clerk of the Borough and anything required to be done in connexion with the purposes aforesaid before the date of the Act of Parliament confirming this Order may be done as soon as practicable after such date and if so done shall have full force and effect and if any difficulty arise in making out revising or otherwise dealing with such lists and roll or the lists of county electors and the county register or the lists and registers of parochial electors the Local Government Board may make such Order as shall appear to them to be necessary to remove any such difficulty and to give effect to the provisions of this Order and may vary so far as shall be necessary the provisions in force with regard to such lists roll and registers.

Art. VII. The number of Councillors of the Borough shall be increased from eighteen to twenty-four and the number of Aldermen of the Borough shall be increased from six to eight.

Art. VIII. Subject as regards any future alteration of wards to the provisions of the Municipal Corporations Act 1882 and any Act amending the same as to the alteration of wards the following provisions shall have effect :—

- (1.) For the purposes of the election of town councillors the Borough shall be divided into eight wards.
- (2.) The North-west and South-west Wards of the existing Borough shall be abolished and the area comprising those wards and the added area shall be divided into four wards to be termed respectively the North Ward the Park Ward the West Ward and the South-west Ward.
- (3.) Each of the said four new wards shall comprise the portion of the Borough indicated by a separate colour and distinguished by the name of the ward on the maps each marked "Map of the new Wards of the Borough of West Hartlepool 1897" and sealed with the official seal of the Local Government Board.
- (4.) Three Councillors of the Borough shall be assigned to each of the said four new wards.
- (5.) The remaining four wards into which the existing Borough is divided and the number of Councillors assigned to those wards shall be unaltered.
- (6.) Notwithstanding anything in the Municipal Corporations Act 1882 to the contrary all the Councillors representing the existing North-west Ward shall go out of office on the First day of November One thousand eight hundred and ninety-seven but such Councillors shall be eligible for election as Councillors on that date.

Art. IX.—(1.) The Councillors representing the existing South-west Ward who will not go out of office on the First day of November One thousand eight hundred and ninety-seven shall be deemed to represent the new South-west Ward and shall retire at the same date as if they had been originally elected for the last-mentioned ward.

First election
of Councillors
and Aldermen.

(2.) The first election of three Councillors for the North Ward the Park Ward and the West Ward and of the third Councillor for the new South-west Ward shall be held on the First day of November One thousand eight hundred and ninety-seven and the Mayor of the existing Borough or such other person as he shall appoint shall be the returning officer at the election for each of such wards.

(3.) The first election of the two additional Aldermen shall take place on the Ninth day of November One thousand eight hundred and ninety-seven.

Art. X.—(1.) The Councillors so elected in the year One thousand eight hundred and ninety-seven for the North Ward the Park Ward and the West Ward shall retire as follows :—

Retirement of
Councillors
elected for the
new wards
and of the
additional
Aldermen.

- (a.) The Councillor for each ward who is elected by the smallest number of votes on the First day of November One thousand eight hundred and ninety-eight.
- (b.) The Councillor for each ward who is elected by the largest number of votes on the First day of November One thousand nine hundred.
- (c.) The other Councillor for each ward on the First day of November One thousand eight hundred and ninety-nine.

[Ch. cxxxviii.] *Local Government Board's* [60 & 61 Vict.]
Provisional Orders Confirmation (No. 11) Act, 1897.

A.D. 1897.

*West
Hartlepool
(Extension)
Order.*

(2.) The two additional Aldermen elected in the year One thousand eight hundred and ninety-seven shall retire as follows :—

(a.) The one elected by the smallest number of votes on the Ninth day of November One thousand eight hundred and ninety-nine.

(b.) The other on the Ninth day of November One thousand nine hundred and two.

(3.) If for any reason it is doubtful which of the Councillors or Aldermen as the case may be ought to retire on the dates specified in this Article the Council of the Borough shall on the Ninth day of November One thousand eight hundred and ninety-seven or at the next following quarterly meeting and not later by a majority of votes or in case of an equality of votes by the casting vote of the chairman determine which of the Councillors or Aldermen as the case may be shall go out of office on the dates so specified respectively.

Byelaws.

Art. XI. All byelaws and regulations and any list of tolls and table of fees made by the Corporation which at the commencement of this Order are in force in the existing Borough shall thenceforth apply to the Borough until or except in so far as any such byelaws or regulations or list of tolls or table of fees may be altered or repealed and any byelaws and regulations made by the Rural District Council or their predecessors which on that date are in force within the added area shall cease to be in force or to have any effect therein but without prejudice to anything duly done thereunder Provided that any proceedings which might have been taken by the Rural District Council against any person for any offence against such last-mentioned byelaws and regulations committed before the commencement of this Order may be taken by the Corporation as if those byelaws and regulations had remained in force and the Corporation had been substituted therein for the Rural District Council.

Town clerk
and other
officers
continued.

Art. XII.—(1.) The town clerk and all other officers and servants of the Corporation of the existing Borough who hold office at the commencement of this Order shall continue to be the town clerk and officers and servants of the Corporation of the Borough and shall hold their offices by the same tenure as at that date.

(2.) The auditors who shall be in office at the commencement of this Order shall continue in office and shall be the Borough Auditors until the next ordinary day of election of Borough Auditors.

Compensation
to existing
officers.

Art. XIII. Every officer and servant who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary shall be entitled to have compensation paid to him by the Corporation for such pecuniary loss and in determining such compensation regard shall be had to the conditions and other circumstances required by sub-section (1) of Section 120 of the Act of 1888 to be had in regard in cases of compensation under that section and the compensation shall not exceed the limit therein mentioned and shall be paid in the case of any such officer whose office or employment relates wholly or partly to sanitary purposes as defined by the Public Health Act 1875 out of the improvement rate of the Borough and in the case of any other such officer out of the borough fund and borough rate of the Borough and the provisions of sub-sections (2) to (7) of that section shall apply with such modifications (if any) as may be required.

[60 & 61 VICT.] *Local Government Board's* [Ch. cxxxviii.]
Provisional Orders Confirmation (No. 11) Act, 1897.

A.D. 1897.

Art. XIV.—(1.) If at the commencement of this Order any action or proceeding or any cause of action or proceeding is pending or existing by or against the Rural District Council in relation exclusively to any part of the added area the same shall not be in anywise prejudicially affected by reason of the making of this Order but may be continued prosecuted and enforced by or against the Corporation of the Borough.

*West
Hartlepool
(Extension)
Order.*

*Actions &c.
not to abate.*

(2.) Anything duly done or suffered and all contracts deeds bonds agreements and other instruments (subsisting at the commencement of this Order) entered into or made by the Rural District Council or their predecessors in relation exclusively to any part of the added area shall subject to the provisions of this Order be of as full force and effect against or in favour of the Corporation of the Borough and may be continued and enforced as fully and effectually as if instead of the Rural District Council or their predecessors the Corporation had done or suffered the same or been a party thereto and the Rural District Council shall at the commencement of this Order deliver to the town clerk of the Borough any such contract deed bond agreement or other instrument.

*Saving for
contracts &c.*

Art. XV. All property vested in the Corporation at the commencement of this Order for the benefit of the existing Borough shall be held by the Corporation for the benefit of the Borough and the Corporation shall hold enjoy and exercise for the benefit of the Borough all the powers which at the commencement of this Order are exerciseable by or vested in the Corporation for the benefit of the existing Borough and all liabilities which on the date aforesaid attached to the Corporation in respect of the existing Borough shall attach to them in respect of the Borough.

*Corporation
property and
liabilities.*

Art. XVI.—(1.) All property and liabilities which immediately before the commencement of this Order are vested in or attached to the Rural District Council in relation exclusively to any part of the added area shall be transferred to vested in and attach to the Corporation as Urban District Council and any property or liabilities vested in or attached to the Rural District Council in relation to the added area conjointly with any other area shall be a matter for adjustment under Section 62 of the Act of 1888 and the provisions of that section shall apply.

*Property &c. of
Rural District
Council.*

(2.) The Rural District Council shall cease to exercise any powers or duties within any part of the added area.

*Cesser of
jurisdiction of
Rural District
Council.*

(3.) All arrears of rates made by the overseers of the Parish of Throston Rural for the purposes of the Public Health Act 1875 or the Highway Acts and which remain due at the commencement of this Order in respect of any hereditaments in the added area may be collected and recovered as if this Order had not been made and when collected and recovered shall be applied towards the discharge of any precept of the Rural District Council which at that date shall be in force and not satisfied and the balances if any shall be paid to the Corporation.

*Arrears of
sanitary and
highway rates.*

Art. XVII. So much of any sums borrowed by the Corporation and charged upon the improvement rates of the existing Borough as will at the commencement of this Order be owing shall be charged upon the improvement rates of the Borough and so much of any sums borrowed by the Corporation and charged upon the highway rates of the existing Borough as will at the commencement of this Order be owing shall be charged upon the highway rates of the

*Mortgage debts
of Corporation.*

[Ch. cxxxviii.] *Local Government Board's* [60 & 61 VICT.]
Provisional Orders Confirmation (No. 11) Act, 1897.

A.D. 1897. Borough and so much of any sums borrowed by the Corporation and charged upon the borough fund and borough rates of the existing Borough as will on that date be owing shall be charged upon the borough fund and borough rates of the Borough and all such sums shall together with the interest to accrue due thereon be repaid by the Corporation within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

*West
Hartlepool
(Extension)
Order.*

Differential
rating in added
area.

Art. XVIII. For a period of twenty years from the commencement of this Order if the Agricultural Rates Act 1896 shall so long be continued the occupier of any agricultural land as defined by that Act situate in the added area and of any building so situate and used only for the cultivation of the said land shall for the purposes of any improvement rate or of any highway rate leviable by the Corporation in pursuance of the West Hartlepool Extension and Improvement Act 1870 as amended by the Local Government Board's Provisional Order Confirmation (No. 2) Act 1883 be assessed in respect of such land or building at an amount not exceeding in any one year fivepence in the pound on the rateable value of such land or building and in the event of the discontinuance of the Agricultural Rates Act 1896 during the said period shall be assessed in respect of such land or building to any such rate in the proportion of one-fourth part only of the rateable value of such land or building.

Local Acts and
Provisional
Orders.

Art. XIX. The unrepealed provisions of the scheduled Acts and of any other Local Act or Provisional Order affecting the existing Borough or the Corporation as the same respectively are in force within the existing Borough at the commencement of this Order shall extend and apply to the Borough and any reference therein to the Improvement Act District of West Hartlepool or the Commissioners thereof or to the existing Borough and the Corporation thereof shall be deemed to refer to the Borough and the Corporation thereof.

Adoptive Acts.

Art. XX. The provisions of the Infectious Disease (Notification) Act 1889 the Infectious Disease (Prevention) Act 1890 the Public Health Acts Amendment Act 1890 and the Public Libraries Acts 1892 and 1893 shall be in force within and apply to the Borough as if the same had been adopted therein.

Alteration of
school districts.

Art. XXI. For the purposes of the Elementary Education Acts 1870 to 1893—

- (1.) The members of the existing Borough School Board who shall be in office at the commencement of this Order shall be deemed to have been elected and shall be the School Board for the Borough.
- (2.) Any byelaws in force in the existing Borough at the commencement of this Order shall thenceforth apply to the Borough until revoked or altered.
- (3.) Any byelaws made by the School Attendance Committee of the Hartlepool Union shall cease to operate in any part of the added area.

Alteration of
Parishes.

Art. XXII.—(1.) The added area shall cease to form part of the Parish of Throston Rural and shall be amalgamated with the Parish of West Hartlepool.

Parish
Council.

(2.) The Parish Council of Throston Rural shall continue and shall be deemed to have been elected for and shall be the Parish Council of the Parish of Throston Rural as diminished by this or any other Order confirmed during the present Session of Parliament and the said Parish Council shall cease to exercise any powers or duties within any part of the added area.

[60 & 61 Vict.] *Local Government Board's* [Ch. cxxxviii.]
Provisional Orders Confirmation (No. 11) Act, 1897.

A.D. 1897.

*West
Hartlepool
(Extension)
Order.*
Guardians.

(3.) The persons who at the commencement of this Order are the Guardians of the Poor of the Hartlepool Union representing the Parish of West Hartlepool shall represent that Parish as extended by this Order as if they had been originally elected to represent the extended Parish.

Art. XXIII.—(1.) Nothing in this Order shall affect the ecclesiastical divisions of any Parish or shall prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment which now is applicable for the benefit of any of the existing Parishes affected by this Order.

Ecclesiastical
divisions and
charities.

(2.) Until new valuation lists are made the portions of the valuation list of the Parish of Throston Rural which relate to hereditaments in the added area shall be deemed to form parts of the valuation list of the Parish of West Hartlepool.

Valuation lists.

(3.) For the purposes of the registers of persons entitled to vote at an election of Members of Parliament of the register of county and parochial electors and of jury lists the Parishes affected by this Order shall be deemed to continue unaltered until the new lists and registers come into operation :

Saving for
existing lists of
parliamentary
voters &c.

Provided that for the purposes of any election under the Act of 1894 to be held for any area affected by this Order and of the holding of Parish Meetings in the Parish of Throston Rural the County Council of Durham shall as soon as practicable after the commencement of this Order cause the register of parochial electors to be altered to give effect to the alterations made by this Order.

(4.)—(a.) Every person who has acquired or who on or before the commencement of this Order shall acquire a settlement in any existing Parish affected by this Order shall be deemed to have acquired a settlement in the Parish comprising the area in which the acts or circumstances conferring such settlement shall have been done or occurred or if such acts or circumstances shall have been done or occurred in more than one Parish such settlement shall be in the Parish comprising the place of residence of such person at the time of acquiring such settlement.

Settlement of
paupers.

(b.) Any person who shall have acquired a status of irremovability from any existing Parish affected by this Order shall be deemed to have acquired a status of irremovability from the Parish comprising the area in which he shall reside at the commencement of this Order or (if he shall then be in receipt of relief) from the Parish comprising the area in which he was residing at the time of becoming chargeable.

Irremovability
of paupers.

(5.) Notwithstanding the alteration in the areas of Parishes effected by this Order all contribution orders made by the Guardians of the Poor of the Hartlepool Union and all precepts made by the Rural District Council before the commencement of this Order shall be as valid in law as if this Order had not been made.

Saving for
contribution
orders and
precepts.

(6.) All arrears of rates other than those mentioned in subdivision (3) of Article XVI. of this Order due at the commencement of this Order in the added area shall be collected and recovered by the overseers of the Parish of Throston Rural as if this Order had not been made.

Arrears of
rates.

Art. XXIV. This Order may be cited as the Borough of West Hartlepool (Extension) Order 1897.

Short title.

[Ch. cxxxviii.] *Local Government Board's* [60 & 61 Vict.]
Provisional Orders Confirmation (No. 11) Act, 1897.

A.D. 1897.

The SCHEDULE above referred to.

*West
Hartlepool
(Extension)
Order.*

PART I.—LOCAL ACT.

Session and Chapter.	Title or Short Title.
33 & 34 Vict. c. cxiii. -	The West Hartlepool Extension and Improvement Act 1870.

PART II.—CONFIRMATION ACTS.

Session and Chapter.	Short Title.	Order relating to West Hartlepool thereby confirmed.
41 & 42 Vict. c. clxii. -	The Local Government Board's Provisional Orders Confirmation (Bournemouth &c.) Act 1878.	Order dated 7th May 1878.
43 & 44 Vict. c. xxxvi. -	The Local Government Board's Provisional Orders Confirmation (Abingdon &c.) Act 1880.	Order dated 29th April 1880.
46 & 47 Vict. c. ccxxiv. -	The Local Government Board's Provisional Order Confirmation (No. 2) Act 1883.	Order dated 3rd March 1883.
57 & 58 Vict. c. cxlix. -	The Electric Lighting Orders Confirmation (No. 1) Act 1894.	West Hartlepool Electric Lighting Order 1894.

[60 & 61 VICT.] *Local Government Board's* [Ch. cxxxviii.]
Provisional Orders Confirmation (No. 11) Act, 1897.

PART III.—CONFIRMATION ACTS AND LOCAL ACT AFFECTING THE
HARTLEPOOL PORT SANITARY AUTHORITY.

A.D. 1897.

*West
Hartlepool
(Extension)
Order.*

Session and Chapter.	Short Title.	Order or part of Act affecting West Hartlepool.
44 Vict. c. xv. - -	The Local Government Board's Provisional Orders Confirmation (Bath &c.) Act 1881.	Order dated 1st April 1881 relating to the Port of Hartlepool.
46 & 47 Vict. c. cxliv. -	The Hartlepool Borough Extension Act 1883.	Section 10.
48 & 49 Vict. c. cxxviii. -	The Local Government Board's Provisional Orders Confirmation (No. 6) Act 1885.	Order dated 21st May 1885 relating to the Hartlepool Joint Hospital.

Given under the Seal of Office of the Local Government Board this
Eighth day of May One thousand eight hundred and ninety-
seven.

(L.S.)

HENRY CHAPLIN President.
HUGH OWEN Secretary.

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