



CHAPTER cxlii.

An Act to confirm certain Provisional Orders of the A.D. 1897.
Local Government Board relating to Bradford (Yorks) —
Heywood Liverpool Nelson and Wigan (two).
[6th August 1897.]

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

38 & 39 Vict.
c. 55.

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

Be it therefore enacted by the Queen's most Excellent Majesty
by and with the advice and consent of the Lords Spiritual and
Temporal and Commons in this present Parliament assembled
and by the authority of the same as follows :—

1. The Orders as 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. The Urban District Council of Heywood and the Urban
Sanitary Authority for the Borough of Wigan shall not under the
provisions of the Order relating to those districts hereby confirmed
purchase or acquire either compulsorily or by agreement ten or
more houses which on the fifteenth day of December last were
occupied either wholly or partially by persons belonging to the
labouring class as tenants or lodgers or except with the consent of
the Local Government Board ten or more houses which were not
so occupied on the said fifteenth day of December but have been
or shall be subsequently so occupied. Special
provision
relating to
the Heywood
and Wigan
Orders as
to houses of
labouring
class.

For the purposes of this section the expression "labouring class"
includes mechanics artizans labourers and others working for

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A.D. 1897. wages hawkers costermongers persons not working for wages but
— working at some trade or handicraft without employing others
except members of their own family and persons other than
domestic servants whose income does not exceed an average of
thirty shillings a week and the families of any of such persons who
may be residing with them.

Short title. **3.** This Act may be cited as the Local Government Board's
Provisional Orders Confirmation (No. 15) Act 1897.

S C H E D U L E.

A.D. 1897.

BOROUGH OF BRADFORD (YORKS).

*Bradford
(Yorks)
Order,*

Provisional Order for partially repealing a Confirming Act.

To the Mayor Aldermen and Burgesses of the Borough of Bradford (Yorks)
being the Urban Sanitary Authority for that Borough ; —

And to all others whom it may concern.

WHEREAS the Borough of Bradford (Yorks) (herein-after referred to as " the Borough ") is an Urban Sanitary District of which the Mayor Aldermen and Burgesses acting by the council (herein-after referred to as " the Corporation ") are the Urban Sanitary Authority ;

And whereas by a Provisional Order of one of Her Majesty's Principal Secretaries of State dated the Twentieth day of April One thousand eight hundred and sixty-eight and duly confirmed by the Local Government Act 1868 (No. 2) (which Order and Act are herein-after respectively referred to as " the Order " and " the Confirming Act ") the Corporation acting as the Local Board of Health for the Borough were authorised to borrow for the execution of works of a permanent nature such sums as they might from time to time be authorised by sanction of a Secretary of State to borrow up to an amount which when added to the amounts of the loans then sanctioned should not exceed in the whole two years' assessable value of the premises assessable under the Local Government Act 1858 within the Borough ;

31 & 32 Vict.
c. lxxxiv.

And whereas in the years 1870 and 1871 the Corporation were authorised to borrow under the Order for certain works of a permanent nature the sums mentioned in column 2 of the First Schedule hereto amounting together to the sum of two hundred and eighty thousand pounds ;

And whereas the Corporation have borrowed in respect of the said sum of two hundred and eighty thousand pounds the sum of two hundred and seventy-one thousand five hundred and thirty-one pounds six shillings and elevenpence of which amount the sum of five thousand and seventeen pounds six shillings and tenpence remained unexpended on the Twenty-seventh day of April One thousand eight hundred and ninety-six ;

And whereas in the year one thousand eight hundred and seventy the Corporation were authorised to borrow under the Order the sums mentioned in column 6 of the Second Schedule hereto amounting together to the sum of two hundred and fifty-six thousand four hundred and twenty-nine pounds for the repayment of the then outstanding balances of the loans mentioned in column 2 of the Second Schedule hereto :

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

38 & 39 Vict.
c. 55.

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Provisional Orders Confirmation (No. 15) Act, 1897.

A.D. 1897. of Parliament confirming this Order the following provisions shall have effect
viz.,—

Bradford
(Yorks)
Order.

Art. I. So much of the Confirming Act as relates to the Order shall be repealed except so far as it may have been acted upon so that the Order shall except as aforesaid and except for the purposes of this Order cease to have any effect:

Provided that nothing in this Article contained shall be deemed to alter or affect the repayment of any money borrowed under the Order up to the date of the Act confirming this Order.

Art. II. The above-mentioned sum of five thousand and seventeen pounds six shillings and tenpence or so much thereof as shall not have been applied before the date of the Act confirming this Order towards the repayment of loans raised under the Order shall be so applied within the period of six months from that date and such application shall be in addition to and not in substitution for any other provision for repayment of those loans except to such extent and on such terms as the Local Government Board may approve.

Art. III. The moneys borrowed by virtue of the Order shall be repaid within the periods mentioned in column 3 of the First Schedule hereto and column 7 of the Second Schedule hereto respectively which periods are herein-after referred to as "the prescribed period."

Art. IV.—(1.) The Corporation shall repay the moneys borrowed by virtue of the 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.

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

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

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

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

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Provisional Orders Confirmation (No. 15) Act, 1897.

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

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(Yorks)
Order.

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

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

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

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

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

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

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

(4.) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be sufficient to repay the loan in respect of which it is formed within the prescribed period the Corporation may with the

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consent of that Board discontinue the equal annual payments to such sinking fund until the Local Government Board shall otherwise direct.

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

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

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

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

Art. VII.—(1.) The town clerk 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 respect of any money borrowed or re-borrowed under the Order or under 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 the said town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

(2.) If it appears to the Local Government Board by that return or otherwise that the Corporation have failed to pay any instalment or annual payment

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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 the Order or this Order or by the Local Government Board in virtue hereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the Local Government Board may by Order direct that the sum in such Order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such Order mentioned and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

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

Art. IX. This Order may be cited as the Bradford (Yorks) Order 1897.

The SCHEDULES above referred to.

FIRST SCHEDULE.

1. Date of Sanction.	2. Amount sanctioned.	3. Period for Repayment.	4. Purpose of Loan.
1870. July 18th -	£ 180000	50	Main Sewerage and Street Improvements.
November 4th -	50000	20	Street Paving and Improvements.
1871. November 30th -	50000	50	Main Sewerage Extension.
Total -	280000	—	—

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SECOND SCHEDULE.

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ORIGINAL LOAN.				SUBSEQUENT SANCTION.		7.
1.	2.	3.	4.	5.	6.	Period for Repayment.
Date of Sanction.	Amount sanctioned.	Period allowed for Repayment.	Purpose of Loan.	Date of Sanction.	Amount sanctioned.	
1861. Sept. 14th	£ 20000	Years. 30	Works of Sewer- age.	1870. Nov. 23rd	£ 16000	Years. 41
1864. Jan. 5th -	100000	"	Land for Street Improvements.	"	80000	43
"	10000	"	Main Sewerage Works.	"	8000	43
1865. Sept. 30th	100000	"	Works of Street Improvement.	"	83334	45
Nov. 6th -	30000	"	Works of Sewer- age.	"	24095	45
1867. August 4th	50000	"	Works of Street Improvement.	"	45000	47
Total -	310000	—	—	—	256429	—

Given under the Seal of Office of the Local Government Board this
Seventh day of May One thousand eight hundred and ninety-seven.
(L.S.) HENRY CHAPLIN President.
 HUGH OWEN Secretary.

Heywood
Order.

BOROUGH OF HEYWOOD.

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

To the Mayor Aldermen and Burgesses of the Borough of Heywood ; —
And to all others whom it may concern.

WHEREAS the Borough of Heywood (herein-after referred to as "the
Borough") is an Urban District of which the Mayor Aldermen and Burgesses
acting by the council (herein-after referred to as "the Corporation") are the
Urban District Council and as such council are the local authority for the
Borough within the meaning of the Public Health Act 1875 ;

And whereas the unrepealed provisions of the Heywood Gas Amendment
Act 1856 the Heywood Improvement Act 1867 and the Heywood Corporation
Act 1883 (which Acts are herein-after together referred to as "the Local Acts"
and each of which Acts is herein-after referred to as the Act of the year in
which it was passed) as altered by a Provisional Order of the Local Government

19 Vict. c. xiii.
30 Vict. c. lxiv.
46 & 47 Vict.
c. xxi.

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Board dated the Twenty-ninth day of May One thousand eight hundred and eighty-eight and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 11) Act 1888 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act") and by certain other Provisional Orders duly confirmed by Parliament but which do not affect the subject-matter of this Order are in force in the Borough;

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Order.*

51 & 52 Vict.
c. cxxxi.

And whereas by Section 38 of the Act of 1856 the Heywood Gaslight and Coke Company (herein-after called "the Company") were authorised to purchase the lands mentioned in the schedule to that Act and such other lands as might be requisite for the purposes of their undertaking subject to the condition that the Company should not hold at any one time more than eight acres of land;

And whereas by Section 39 of the Act of 1856 the Company were (inter alia) precluded from manufacturing gas on any lands other than the lands mentioned in the schedule to that Act;

And whereas in pursuance of Section 32 of the Act of 1867 the undertaking of the Company was vested in the Heywood Local Board (who were the predecessors of the Corporation) and it was enacted that thenceforth the Local Board might (subject to the provisions of that Act) use exercise and enjoy all the powers rights privileges and authorities vested in the Company under the Company's Acts including the Act of 1856;

And whereas by Section 58 of the Act of 1867 the Heywood Local Board were authorised to purchase and hold certain lands therein referred to and to use such lands for the purposes of their gas undertaking but the Local Board were precluded from manufacturing or storing gas on any lands other than those thereby authorised to be purchased and the lands specified in Schedule (F.) to that Act;

And whereas under the Acts of 1867 and 1883 as altered by the Order the Corporation were empowered to borrow and have borrowed money for the purposes of their gas undertaking;

And whereas the lands authorised to be purchased by Section 58 of the Act of 1867 for the purposes of the gas undertaking were found to be unsuitable and it is expedient that the Corporation be authorised to acquire and use in lieu thereof the lands mentioned in the Schedule to this Order (herein-after referred to as "the Schedule") for the manufacture and storage of gas thereon:

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act 1875 do hereby order that from and after the date of the Act of Parliament confirming this Order the Local Acts and the Confirming Act so far as it relates to the Order shall be altered so that the following provisions shall take effect viz.,—

38 & 39 Vict.
c. 55.

Art. I. Notwithstanding anything in the Local Acts to the contrary the Corporation may purchase by agreement but not otherwise the lands described in the Schedule and may erect construct enlarge and maintain thereon works for the manufacture and storage of gas and the residual products of such manufacture and may use the same for the purposes of their gas undertaking in lieu of the lands authorised to be acquired by Section 58 of the Act of 1867.

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

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revenue arising from their gas undertaking and of the district fund and general district rate of the Borough or upon either of such securities such further sums not exceeding in the whole the sum of twenty thousand pounds as may from time to time be necessary for the purposes of their gas undertaking.

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

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

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

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

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

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

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

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

(5.) The Corporation may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of

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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 or the part of the sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

A.D. 1897.

*Heywood
Order.*

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

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

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

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

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

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

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

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Order.*

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

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

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

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

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

Art. IX.—(1.) 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.

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

Art. X.—(1.) 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 or in respect of any money raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may from time to time be prescribed by that Board and if required by that Board verified by statutory declaration of 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

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applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of his failing to make such return the said 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.

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*Heywood
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(2.) If it appears to the Local Government Board by that return or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Order or by the Local Government Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the Local Government Board may by Order direct that the sum in such Order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such Order mentioned and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

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

Art. XII. This Order may be cited as the Heywood Order 1897.

The SCHEDULE above referred to.

PART I.

All those plots of land situate in the Borough and containing by admeasurement six acres and two roods or thereabouts which are coloured blue and yellow on the two plans each marked "Plan of the gas lands 1897" and sealed with the official seal of the Local Government Board one of which is deposited in the office of the Local Government Board and the other of which shall be deposited by the town clerk at his office within fourteen days from the date of this Order.

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

(I.S.)

HENRY CHAPLIN President.

HUGH OWEN Secretary.

[Ch. cxlii.] *Local Government Board's* [60 & 61 VICT.]
Provisional Orders Confirmation (No. 15) Act, 1897.

A.D. 1897.

CITY OF LIVERPOOL.

Liverpool
Order.
 (2.)

Provisional Order for altering certain Local Acts.

To the Mayor Aldermen and Citizens of the City of Liverpool ; —
 And to all others whom it may concern.

9 & 10 Vict.
 c. cxxvii.
 17 & 18 Vict.
 c. xv
 45 Vict. c. lv.
 52 & 53 Vict.
 c. lxxv.

WHEREAS the City of Liverpool (herein-after referred to as "the City") is an Urban Sanitary District of which the Mayor Aldermen and Citizens acting by the council (herein-after referred to as "the Corporation") are the Urban Sanitary Authority and the unrepealed provisions of the Liverpool Sanitary Act 1846 the Liverpool Sanitary Amendment Act 1854 the Liverpool Improvement Act 1882 and the Liverpool Corporation Act 1889 (each of which Acts is herein-after referred to as the Act of the year in which it was passed and all which Acts are herein-after together referred to as "the Local Acts") as extended by the City of Liverpool Order 1895 confirmed by the Local Government Board's Provisional Order Confirmation (No. 10) Act 1895 Session 2 and as altered by certain other Local Acts and Provisional Orders duly confirmed by Parliament but which do not affect the subject-matter of this Order are in force in the City ;

And whereas it is expedient that certain provisions of the Local Acts relating to the width and construction of new streets and passages within the City which restrict or are inconsistent or in any manner interfere with the due making and enforcing by the Corporation of byelaws as to such matters under the Public Health Acts should be repealed or altered :

38 & 39 Vict.
 c. 55.

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

Art. I.—(1.) Notwithstanding the following provisions of the Local Acts that is to say :—

9 & 10 Vict.
 c. cxxvii.

Of the Act of 1846 :—

Section 45 except so far as the same relates to the height of any dwelling-house which may be built in any new street ;

Section 50 except so far as the same provides that it shall not be lawful to erect or build or suffer to be inhabited any house having the principal or only entrance in any back street whether the same be a carriageway or not ;

17 & 18 Vict.
 c. xv.

Of the Act of 1854 :—

Section 14 ;

52 & 53 Vict.
 c. lxxv.

Of the Act of 1889 :—

Sections 14 and 17 ;

the Corporation may forthwith under and in accordance with the provisions of the Public Health Act 1875 and any Act amending or extending that Act make byelaws with respect to any of the matters to which those provisions relate.

[60 & 61 VICT.] *Local Government Board's* [Ch. cxlii.]
Provisional Orders Confirmation (No. 15) Act, 1897.

(2.) On the expiration of one year from the commencement of this Order or of such longer period not exceeding two years from the commencement of this Order as the Local Government Board may determine the provisions of the Local Acts mentioned in sub-division (1) of this Article shall be repealed except so far as the same may have been acted upon :

A.D. 1897.
 ———
Liverpool
Order.
 (2.)

Provided that if before the expiration of such period as aforesaid any byelaws made by the Corporation with regard to the subject-matters of the said provisions of the Local Acts shall come into operation those provisions of the Local Acts shall except as aforesaid be repealed without waiting for the expiration of the said period.

(3.) Wherever in the unrepealed provisions of the Local Acts reference is made to the provisions of the Local Acts repealed by this Article the same shall except where otherwise expressly provided to the contrary be deemed to refer to the byelaws for the time being in force relating to matters similar to those dealt with in such repealed provisions.

Art. II. Section 49 of the Act of 1846 and Section 47 of the Act of 1882 shall not apply to any new street or any part thereof formed or laid out in accordance with any byelaws made by the Corporation under the provisions of the Public Health Act 1875 and any Act amending or extending that Act.

9 & 10 Vict.
 c. cxxvii.
 45 Vict. c. lv.

Art. III. This Order may be cited as the Liverpool Order (No. 2) 1897.

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

(I.S.)

HENRY CHAPLIN President.
 HUGH OWEN Secretary.

BOROUGH OF NELSON.

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

Nelson
Order.

To the Mayor Aldermen and Burgesses of the Borough of Nelson ; —
 And to all others whom it may concern.

WHEREAS the Borough of Nelson (herein-after referred to as "the Borough") is an Urban District of which the Mayor Aldermen and Burgesses acting by the Council (herein-after referred to as "the Corporation") are the Urban District Council and as such Council are the Local Authority within the meaning of the Public Health Act 1875 for the Borough ;

And whereas the unrepealed provisions of the Nelson Water and Gas Act 1866 the Nelson Local Board Act 1879 (herein-after referred to as "the Act of 1879") the Nelson Improvement Act 1836 and the Nelson Local Board Act 1888 (which Acts are herein-after collectively referred to as "the Local Acts") as altered by the Provisional Orders herein-after recited and by certain other Provisional Orders which do not affect the subject-matter of this Order are in force in the Borough ;

29 Vict.
 c. lxxvi.
 42 & 43 Vict.
 c. lxxxix.
 50 Vict.
 c. xxxviii.
 51 & 52 Vict.
 c. cxlvi.

[Ch. cxlii.] *Local Government Board's* [60 & 61 VICT.]
Provisional Orders Confirmation (No. 15) Act, 1897.

A.D. 1897. And whereas by Section 33 of the Act of 1879 the Nelson Local Board
—
Nelson
Order. (herein-after referred to as "the Local Board") were authorised to erect maintain
alter enlarge and improve a public market and market place on the land therein
referred to and such market and market place have been provided ;

53 & 54 Vict.
c. clxxix.

And whereas by Section 48 of the Act of 1879 as altered by a Provisional Order
dated the Second day of June One thousand eight hundred and ninety and duly
confirmed by the Local Government Board's Provisional Orders Confirmation
(No. 10) Act 1890 (which Order and Act are herein-after respectively referred
to as "the Order of 1890" and "the Confirming Act of 1890") the Local Board
were authorised to borrow for market purposes sums amounting in the whole to
the sum of twelve thousand pounds ;

And whereas under the Local Acts the Local Board had power to borrow
money for the purposes of their gas undertaking ;

And whereas all the properties powers rights duties liabilities and obligations
of the Local Board are now vested in the Corporation ;

59 Vict. c. xii.

And whereas by Article II. of the Nelson Order 1895 which was duly confirmed
by the Local Government Board's Provisional Orders Confirmation (No. 18)
Act 1895 (which Act is herein-after referred to as "the Confirming Act of 1895")
the Corporation were authorised to borrow the sum of twenty thousand pounds
for the purposes of their gas undertaking in addition to any sums which they
were authorised to borrow under the Local Acts ;

And whereas by Article VI. of the Nelson Order 1895 moneys borrowed by
virtue of Article II. of that Order were required to be repaid within a period not
exceeding thirty years from the date of borrowing ;

And whereas the Corporation have borrowed for market purposes the sum of
twelve thousand pounds and for the purposes of their gas undertaking the sum
of one hundred and six thousand pounds including two sums of one thousand
three hundred and ten pounds and eighteen thousand two hundred and fifty-
eight pounds respectively borrowed under Article II. of the Nelson Order
1895 ;

And whereas the Corporation have purchased the land described in the
Schedule hereto for the extension of their markets :

38 & 39 Vict. 7
c. 55.

Now therefore We the Local Government Board in pursuance of the powers
given to Us by Sections 297 and 303 of the Public Health Act 1875 and by any
other Statutes in that behalf do hereby order that from and after the date of
the Act of Parliament confirming this Order (herein-after referred to as "the
commencement of this Order") the Local Acts and the Confirming Act of 1890
and the Confirming Act of 1895 so far as those Acts relate to the Order of 1890
and the Nelson Order 1895 respectively shall be altered so that the following
provisions shall have effect viz.—

Art. I. The Corporation shall be deemed to have been authorised to purchase
the land described in the Schedule to this Order for the purposes of their market
and market undertaking and that land shall be held by the Corporation for the
purposes of Section 33 of the Act of 1879 in addition to the land mentioned in
that section.

Art. II. The Corporation may with the sanction of the Local Government
Board and subject to the provisions of this Order borrow (a) on the security of

[60 & 61 VICT.] *Local Government Board's* [Ch. cxlii.]
Provisional Orders Confirmation (No. 15) Act, 1897.

the revenue of their market undertaking and of the district fund and general district rate of the Borough such sum or sums not exceeding in the whole the sum of five thousand pounds as may from time to time be necessary for the purposes of their market undertaking and (b) on the security of the revenue of their gas undertaking and of the district fund and general district rate of the Borough such sums as may from time to time be authorised by the Local Government Board for the purposes of their gas undertaking in addition to the sums which they are now authorised to borrow for those purposes or either of them.

A.D. 1897.

*Nelson
Order.*

Art. III.—(1.) Any moneys borrowed under the powers of borrowing conferred by this Order shall be repaid within such period not exceeding fifty years from the date of borrowing as the Corporation with the sanction of the Local Government Board shall in each case determine and the period so determined and sanctioned shall in each case be deemed to be the prescribed period within the meaning of the Local Loans Act 1875 and the Nelson Order 1895.

(2.) The provisions of Articles V. VII. VIII. IX. XI. and XII. of the Nelson Order 1895 shall apply to all moneys borrowed under the powers conferred by this Order.

(3.) The said sums of one thousand three hundred and ten pounds and eighteen thousand two hundred and fifty-eight pounds already borrowed under the powers of Article II. of the Nelson Order 1895 shall be repaid within twenty and twenty-three years respectively from the date of borrowing.

(4.) Article VI. of the Nelson Order 1895 shall be altered so as to provide that moneys borrowed after the commencement of this Order under the powers of borrowing conferred by Article II. of the Nelson Order 1895 shall be repaid within such period not exceeding thirty years from the date of borrowing as the Corporation with the sanction of the Local Government Board shall in each case determine.

Art. IV. The Confirming Act of 1890 so far as it relates to subdivisions (8) and (9) of Article I. of the Order of 1890 and the Confirming Act of 1895 so far as it relates to Article X. of the Nelson Order 1895 shall be repealed except so far as they may have been acted upon.

Art. V.—(1.) The treasurer 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 the Order of 1890 the Nelson Order 1895 or this Order or in respect of any money raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may from time to time be prescribed by that Board and if required by that Board verified by statutory declaration of such treasurer 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

[Ch. cxlii.] *Local Government Board's* [60 & 61 Vict.]
Provisional Orders Confirmation (No. 15) Act, 1897.

A.D. 1897. 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 treasurer 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.

*Nelson
Order.*

(2.) If it appears to the Local Government Board by that return or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by the Order of 1890 the Nelson Order 1895 or this Order or by the Local Government Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the Local Government Board may by Order direct that the sum in such Order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such Order mentioned and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

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

Art. VII. This Order may be cited as the Nelson Order 1897 the Order of 1890 may be cited as the Nelson Order 1890 and those Orders together with the Nelson Order 1895 may be cited together as the Nelson Orders 1890 to 1897.

The SCHEDULE above referred to.

All that piece or parcel of land situate within the Borough of Nelson in the County of Lancaster and containing in the whole by admeasurement 519 square yards or thereabouts which is coloured red on a map sealed with the official seal of the Local Government Board and deposited in their office a duplicate whereof sealed in like manner shall be deposited at the Town Hall Nelson within fourteen days from the date of this Order.

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

(L.S.)

HENRY CHAPLIN President.

HUGH OWEN Secretary.

BOROUGH OF WIGAN.

A.D. 1897.

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

*Wigan
(Stock)
Order.*

To the Mayor Aldermen and Burgesses of the Borough of Wigan ; —
And to all others whom it may concern.

WHEREAS the Borough of Wigan (herein-after referred to as "the Borough") is an Urban Sanitary District of which the Mayor Aldermen and Burgesses acting by the council (herein-after referred to as "the Corporation") are the Urban Sanitary Authority ;

And whereas the unrepealed provisions of the Wigan Waterworks Act 1853 the Wigan Waterworks Act 1860 the Wigan Improvement Act 1874 the Wigan Improvement Act 1880 the Wigan District (Mines and Sewers) Act 1883 the Wigan Corporation Act 1889 and the Wigan Corporation Act 1893 as altered by the Provisional Orders the dates whereof are mentioned in column 1 of the Schedule A hereto herein-after referred to as "Schedule A" (each of which Acts and Orders is herein-after referred to as the Act or Order of the year in which it was passed or confirmed and which Acts and Orders are herein-after referred to as "the Local Acts" and "Orders") are in force in the Borough ;

16 & 17 Vict.
c. lxvii.
23 & 24 Vict.
c. clxxxvi.
37 & 38 Vict.
c. cxxiv.
43 & 44 Vict.
c. cxxvii.
46 Vict.
c. xxxv.
52 & 53 Vict.
c. cc.
56 & 57 Vict.
c. clxxxii.

And whereas by Section 8 of the Act of 1889 the Corporation are empowered to exercise any statutory borrowing power as defined by that Act by the creation and issue of redeemable stock (herein-after referred to as "Corporation Stock") ;

And whereas by Section 11 of the Act of 1889 the Corporation are required to establish the Wigan Corporation Consolidated Loans Fund (herein-after referred to as "the loans fund") for payment of dividends on and for redemption and extinction or purchase and extinction of all Corporation Stock ;

And whereas by sub-section (3) of Section 13 of the Act of 1889 provision is made as to the amounts of the several contributions to be paid each year into the loans fund for the redemption and extinction or purchase and extinction of Corporation Stock and by sub-section (5) of the same section provision is made for payment of the sums therein mentioned into the loans fund if the extinction of any portion of Corporation Stock or any part thereof is accelerated by the application to such extinction of any part of the loans fund ;

And whereas the sums specified in column 9 of the Schedule B hereto (herein-after referred to as "Schedule B") are the amounts of Corporation Stock outstanding on the Thirty-first day of March One thousand eight hundred and ninety-seven in respect of the sums mentioned in column 6 of Schedule B which had been borrowed under the authority of the Public Acts Local Acts and Orders mentioned in column 2 of that Schedule and raised by or converted into Corporation Stock ;

And whereas the Acts and Orders mentioned in column 2 of Schedule B provide for the repayment within varying periods of the sums raised by the issue of Corporation Stock and the contributions to the loans fund for the redemption and extinction or purchase and extinction of the amounts of stock mentioned in column 9 of Schedule B are consequently calculated upon the basis of varying periods and it is expedient that an equated period should be made applicable to all the sums mentioned in the said column 9 of Parts I. II. III. and IV. of Schedule B :

[Ch. cxlii.] *Local Government Board's* [60 & 61 VICT.]
Provisional Orders Confirmation (No. 15) Act, 1897.

A.D. 1897.

Wigan
(Stock)
Order.
 38 & 39 Vict.
 c. 55.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Act of 1889 shall be partially repealed and altered so as to provide as follows:—

Art. I. Provision shall be made for the purchase or redemption of the amounts of stock mentioned in column 9 of Parts I. II. III. and IV. of Schedule B within the periods mentioned in column 11 and set opposite such parts respectively and such periods shall be deemed to be the periods within which under the statutory borrowing power the money represented by the said amounts of stock respectively are to be repaid.

Art. II. Sub-section (3) of Section 13 of the Act of 1889 shall be repealed except so far as it may have been acted upon and in lieu thereof the following provision shall be inserted:—

“ (3.) The amounts of those several contributions (subject to any payment
 “ in reduction thereof authorised by this part of this Act) shall be such
 “ amounts as will with accumulations at compound interest at a rate not
 “ exceeding three pounds per centum per annum be sufficient after
 “ payment of all expenses to purchase the amount of stock at par within
 “ the time within which under the statutory borrowing power the money
 “ represented by the stock is to be repaid.”

Art. III. Sub-section (5) of Section 13 of the Act of 1889 shall be repealed except so far as it may have been acted upon and in lieu thereof the following provisions shall be inserted viz.,—

“ (5.) If before the expiration of the period prescribed by sub-section (3)
 “ of this section as the basis for the calculation of the payments to the
 “ loans fund in respect of any portion of stock the Corporation apply in
 “ the redemption or purchase and extinction of stock to that or any less
 “ amount any part of the loans fund then a sum equal to the interest
 “ which the part of the loans fund so applied would have produced at the
 “ rate per centum on which the payments to the loans fund are calculated
 “ shall in each year until the expiration of the period prescribed as
 “ aforesaid be paid into the loans fund out of the revenues of the
 “ Corporation chargeable with payment of the contributions to the loans
 “ fund in respect of the amount of stock so redeemed or purchased and
 “ extinguished.

“ (6.)—(a.) If it appears to the Corporation at any time that the contributions
 “ which are being made to the loans fund will not be sufficient to redeem
 “ the amount of stock in respect of which such contributions are made
 “ within the time prescribed by sub-section (3) of this section as the basis
 “ for the calculation of the payments to the loans fund in respect of such
 “ stock the amount of such contributions shall be increased to such extent
 “ as will be sufficient for that purpose and the amount of any such increased
 “ contributions shall be paid out of the revenues of the Corporation
 “ chargeable with the payment of the contributions Provided that if it
 “ appears to the Local Government Board that any such increase is
 “ necessary the Corporation shall increase the contributions to such
 “ extent as the Board may direct.

“ (b.) The Corporation with the consent of the Local Government Board
 “ shall at any time have power to reduce the contributions to be made to

[60 & 61 VICT.] *Local Government Board's* [Ch. cxlii.]
Provisional Orders Confirmation (No. 15) Act, 1897.

“ the loans fund as aforesaid either temporarily or permanently in any
“ case in which it appears to that Board that such contributions would
“ if maintained be more than sufficient to redeem the amount of stock
“ in respect of which such contributions are made within the period
“ prescribed as aforesaid.

A.D. 1897.

*Wigan
(Stock)
Order.*

“(c.) If the amount in the loans fund at any time is in the opinion of the
“ Local Government Board sufficient with accumulations to redeem any
“ amount of stock within the period or periods prescribed as aforesaid the
“ Corporation with the consent of that Board may discontinue the
“ payment of contributions to the loans fund in respect of such stock.”

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

Art. V. Each of the Orders mentioned in Schedule A may be cited by the short title therein mentioned in that behalf this Order may be cited as the Wigan (Stock) Order 1897 and all the said Orders may be cited together as the Wigan Orders 1873 to 1897.

The **SCHEDULES** above referred to.

SCHEDULE A.

Date of Order. 1.	Short Title of Confirming Act. 2.	Short Title of Order. 3.
12th June 1872	The Local Government Board's Provisional Orders Confirmation Act 1873 (36 Vict. c. i.)	The Wigan Order 1873.
11th August 1879	The Tramways Orders Confirmation Act 1879 (42 & 43 Vict. c. exciii.)	The Wigan Tramways Order 1879.
20th May 1885	The Local Government Board's Provisional Orders Confirmation (No. 5) Act 1885 (48 & 49 Vict. c. clxii.)	The Wigan Order 1885.
14th May 1888	The Local Government Board's Provisional Orders Confirmation (No. 7) Act 1888 (51 & 52 Vict. c. cxxi.)	The Wigan Order 1888.
27th April 1892	The Local Government Board's Provisional Orders Confirmation (No. 4) Act 1892 (55 & 56 Vict. c. lxxi.)	The Wigan Order 1892.
22nd February 1893	The Local Government Board's Provisional Orders Confirmation (No. 2) Act 1893 (56 & 57 Vict. c. cix.)	The Wigan Order 1893.
30th March 1894	The Local Government Board's Provisional Orders Confirmation (No. 4) Act 1894 (57 Vict. c. xxii.)	The Wigan Order 1894.

[Ch. cxlii.] *Local Government Board's* [60 & 61 Vict.]
Provisional Orders Confirmation (No. 15) Act, 1897.

A.D. 1897.

Wigan
(Stock)
Order.

SCHEDULE B.

Fund.	Authority for Borrowing.	Purpose.	Borrowing Power Sanctioned.	Amount Borrowed.		Mortgage Debt paid off.	Remaining on Mortgage.	Amount of Corporation Stock issued.	Amount in Loans Fund for Redemption of Stock.	Periods fixed by this Order in which provision for redemption of Stock is to be made.
				Borrowed on Mortgage and not converted into Stock.	Raised by or converted into Corporation Stock.					
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.
Gas	PART I. Acts of 1874 and 1880 and Sanctions of 25th August 1876 31st October 1877 3rd July 1879 11th March 1882 and 1st September 1885 under those Acts. Sanction of 1st September 1885 under the Order of 1885. Sanction of 11th November 1892 under the Order of 1888. Sanction of 5th January 1894 under the Order of 1893.	Gasworks	£ 220000	£ s. d. 32535 11 5	£ s. d. 175498 12 6 11905 16 1	£ s. d. 26157 2 8	£ s. d. 6438 8 0	£ s. d. 200313 15 7 12808 0 0 23853 2 8 30662 0 0 20000 0 0 293136 18 3	£ s. d. 14943 8 3 486 0 7 3348 9 8 4473 5 10 1251 0 11 25002 5 3 *2206 16 4	35 years from 31st March 1897.
Water	PART II. Public Health Act 1848 Act of 1863 Sanction of 25th July 1866 under Local Government Act 1858 Local Government Supplemental Act 1859 and Acts of 1860 and 1880. Sanction of 18th January 1893 under the Order of 1892. Sanction of 31st July 1894 under the Order of 1894. Do.	Waterworks	167730	35820 17 0	181909 3 0	31049 7 6	4771 8 6	12235 0 0 3100 5 9 400 0 0 154258 16 9	£ s. d. 1078 10 9 132 5 6 30 4 5 5115 13 11 *497 10 3	57 years from 31st March 1897.
Borough	PART III. Order of 1879 Act of 1893	Tramways Do.	31700 30000	— —	31700 0 20000 0 0	— —	— —	32399 0 0 20000 0 0 52399 0 0	£ s. d. 2249 0 11 853 7 9 3702 8 8 *253 8 2	27 years from 31st March 1897.

* These amounts include Sale Proceeds Premiums or Unexpended Amounts.

[60 & 61 VICT.]

Local Government Board's
Provisional Orders Confirmation (No. 15) Act, 1897.

[Ch. cxlii.]

A.D. 1897.

Wigan
(Stock)
Order.

SCHEDULE B.—continued.

Fund.	Authority for Borrowing.	Purpose.	Borrowing Power Sanctioned.	Amount Borrowed.		Mortgage Debt paid off.	Remaining on Mortgage.	Amount of Corporation Stock issued.	Amount in Loans Fund for Redemption of Stock.	Periods fixed by this Order in which Provision for Redemption of Stock is to be made.	
				Borrowed on Mortgage and not converted into Stock.	Raised by or converted into Corporation Stock.						
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	
PART IV.											
District	Act of 1880	Baths	£	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.		
	Sanction of 18th March 1879 under the Public Health Act 1875.	Farm	10000	325 0 0	8775 0 0	325 0 0	—	9052 0 0	240 19 4		
	Order of 1873 and Act of 1874	Market	14400	995 0 0	13405 0 0	395 0 0	600 0 0	14764 4 0	487 10 9		
	Act of 1889	Do.	50000	6570 0 0	37960 0 0	1570 0 0	5000 0 0	42771 8 0	1512 12 9		
	Public Health Act 1848 Local Government Supplemental Act 1859 Act of 1874 and Sanction of 18th March 1879 under the Public Health Act 1875.	Do.	5000	—	2400 0 0	—	—	2440 0 0	40 0 6		
	Act of 1883	Do.	94502	20418 0 0	2100 0 0	—	—	2100 0 0	33 6 7		
	Sanction of 14th July 1893 under the Public Health Act 1875.	Sewerage	—	970 0 0	970 0 0	—	—	970 0 0	12 12 9		
	Do.	Do.	—	2460 0 0	2460 0 0	—	—	2460 0 0	216 6 7		
	Do.	Do.	—	140 0 0	140 0 0	—	—	140 0 0	5 19 7		
	Acts of 1874 and 1880	Do.	8994	20418 0 0	69831 0 0	12118 9 6	8299 10 6	72961 0 0	2181 2 1		
	Act of 1889	Do.	2150	4693 0 0	4693 0 0	—	—	4745 0 0	59 13 10		
	Sanction of 19th February 1895 under the Housing of Working Classes Act 1890.	Park	10100	1635 0 0	7355 0 0	335 0 0	1300 0 0	7355 0 0	359 19 5		
	Sanction of 26th February 1895 under the Housing of Working Classes Act 1890.	Insanitary Houses	18000	—	2150 0 0	—	—	—	2150 0 0	38 13 11	
	Order of 1873 and Acts of 1874 and 1880.	Insanitary Areas	12678	10100 0 0	10100 0 0	—	—	—	10100 0 0	430 19 3	
	Carried forward	Do.	1250	1475 0 0	16055 0 0	475 0 0	1000 0 0	—	16511 8 0	424 12 10	
	Streets	52196	18000 0 0	18000 0 0	—	—	—	18397 0 0	1617 15 6		
			12637 0 0	12637 0 0	—	—	—	12637 0 0	227 8 7		
			1250 0 0	1250 0 0	—	—	—	1250 0 0	94 8 9		
			1875 3 3	43703 11 0	1875 3 3	—	—	46721 0 0	1469 13 0		
			—	300 8 0	—	—	—	307 0 0	5 0 19		
			—	917 13 9	—	—	—	937 0 0	12 4 1		
			—	5399 4 0	—	—	—	5450 6 11	80 18 9		
			—	—	—	—	—	274219 7 5	9551 19 8		

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Provisional Orders Confirmation (No. 15) Act, 1897.

A.D. 1897.

Wigan
(Stock)
Order.

SCHEDULE B.—continued.

Fund.	Authority for Borrowing.	Purpose.	Borrowing Power sanctioned.	Amount Borrowed.		Mortgage Debt. paid off.	Remaining on Mortgage.	Amount of Corporation Stock issued.	Amount in Loans Fund for Redemption of Stock.	Periods fixed by this Order in which Provision for Redemption of Stock is to be made.	
				Borrowed on Mortgage and not converted into Stock.	Raised by or converted into Corporation Stock.						
1.	2.	3.	4.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	10.	11.	
District	PART IV,—cont.										
	Brought forward	-	-	-	-	-	-	274219 7 5	9551 19 8	50 years from 31st March 1897.	
	Act of 1889	-	20000	-	19288 0 0	-	-	19713 0 0	1733 9 8		
	Sanction of 21st December 1892 under the Public Health Act 1875.	-	19500	-	19500 0 0	-	-	19930 0 0	4483 1 0		
	Sanction of August 1886 under the Public Health Act 1875.	-	1600	-	1600 0 0	-	-	1600 0 0	121 10 8		
	Sanction of July 1886 under the Public Health Act 1875.	-	8370	4815 0 0	3545 0 0	2315 0 0	2500 0 0	3545 0 0	949 12 4		
	Sanction of 11th September 1888 under the Public Health Act 1875.	-	5500	-	5500 0 0	-	-	5621 0 0	494 5 11		
		Sanatorium	1200	-	1200 0 0	-	-	1204 0 0	44 13 2		
			300	-	300 0 0	-	-	307 0 0	112 0 8		
	Sanction of 29th May 1893 under the Public Health Act 1875.	Do	2500	-	2500 0 0	-	-	1300 17 7	383 9 8		
	Sanction of 14th July 1893 under the Public Health Act 1875.	Do.	150	-	150 0 0	-	-	1377 0 0	196 19 3		
								328817 5 0	18071 2 0		
									*3433 4 6		
	District	PART V.—Loans represented by Stock but not affected by the Order in regard to the periods in which provision for Redemption is to be made.									
Sanction of 11th February 1893 under the Housing of the Working Classes Act 1890.		Lodging Houses	2000	-	2000 0 0	-	-	2044 0 0	2044 0 0		-
Act of 1880		Private Improvements	20000	-	15000 0 0	-	-	10124 0 0	257 19 7	-	
								5110 0 0	66 10 5	-	
									*32 18 5	-	

* These amounts include Sale Proceeds Premiums or Unexpended Amounts.

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Provisional Orders Confirmation (No. 15) Act, 1897.

Given under the Seal of Office of the Local Government Board this A.D. 1897.
 Fifth day of May One thousand eight hundred and ninety-seven. *Wigan*
 (L.S.) HENRY CHAPLIN President. (*Stock*)
 HUGH OWEN Secretary. Order.

BOROUGH OF WIGAN.

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

*Wigan
 Order.*

To the Mayor Aldermen and Burgesses of the Borough of Wigan ; —
 To the Mayor Aldermen and Citizens of the City of Manchester ; —
 And to all others whom it may concern.

WHEREAS the Borough of Wigan (herein-after referred to as "the Borough") is an Urban Sanitary District of which the Mayor Aldermen and Burgesses acting by the Council (herein-after referred to as "the Corporation") are the Urban Sanitary Authority and the unrepealed provisions of the Wigan Waterworks Act 1853 the Wigan Waterworks Act 1860 the Wigan Improvement Act 1874 and of the Wigan Improvement Act 1880 (which Acts are herein-after together referred to as "the Local Acts" and each of which Acts is herein-after referred to as the Act of the year in which it was passed) as altered by certain Local Acts and by certain Provisional Orders of the Local Government Board duly confirmed by Parliament are in force in the Borough ;

16 & 17 Vict.
 c. lxvii.
 23 & 24 Vict.
 c. clxxxvi.
 37 & 38 Vict.
 c. cxxiv.
 43 & 44 Vict.
 c. cxxvii.

And whereas by the Wigan Order 1896 (herein-after referred to as "the Order of 1896") which was duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 19) Act 1896 (herein-after referred to as "the Confirming Act") the Local Acts of 1853 and 1874 were altered so as to enable the Corporation to require proper and sufficient waterclosets and waste-waterclosets in buildings in the Borough and by Article VIII. of that Order provision was made for an appeal by any person deeming himself aggrieved by any requirement of the Corporation under the provisions of that Order which are specified in that Article and it is expedient that the right of appeal should be modified as herein provided ;

59 & 60 Vict.
 c. cxi.

And whereas an increased supply of water to the Borough is required and by Section 81 of the Manchester Corporation Waterworks Act 1879 (herein-after referred to as "the Manchester Act") the Mayor Aldermen and Citizens of the City of Manchester acting by the council (herein-after referred to as "the Manchester Corporation") are empowered to supply in bulk to (inter alia) the Corporation such daily quantity of water as the Corporation may from time to time require and agree thereafter to take upon the terms therein mentioned ;

42 Vict.
 c. cxxxvi.

And whereas terms have been arranged between the Corporation and the Manchester Corporation whereby the Manchester Corporation have agreed in pursuance of and subject to the several terms and conditions contained in Section 81 of the Manchester Act and to the provisions of that Agreement to supply water in bulk to the Corporation who have agreed to purchase and take the same from the aqueduct of the Manchester Corporation from Lake

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A.D. 1897. Thirlmere at a point which is outside of the Borough and is situate in the Township of Anderton in the County of Lancaster ;

*Wigan
Order.*

And whereas it is expedient that the Corporation should be empowered to execute the works necessary for obtaining such supply of water from the Manchester Corporation and to borrow the moneys required for that purpose :

38 & 39 Vict.
c. 55.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Local Acts and the Confirming Act so far as it relates to the Order of 1896 shall be altered so that the following provisions shall take effect :—

Art. I. The Confirming Act shall be altered by the addition to subdivision (1) of Article VIII. of the Order of 1896 of the following proviso viz.—

“ Provided nevertheless that the right of appeal subsequent to the service of
 “ a demand for payment shall be restricted to the ground of the
 “ reasonableness of the amount of the expenses and that the appellant
 “ shall be precluded from raising at that stage any other question.”

Art. II.—(1.) Subject to the approval by the Local Government Board of any agreement which may be entered into between the Manchester Corporation and the Corporation as aforesaid the Corporation may for the purpose of obtaining a supply of water from the Manchester Corporation in manner herein-before mentioned and conveying the same to the Borough construct lay down erect and maintain in accordance with the plans and sections sealed by the Local Government Board the aqueducts conduits and lines of pipes shown on the said plans and sections together with all proper mains pipes culverts sluices meter houses meters reservoirs tanks cisterns engines machinery buildings works and conveniences connected with or auxiliary to the said works and may for the purposes of or in connexion with those works purchase by agreement (but not otherwise) and with the approval of the Local Government Board any lands which may be required for those purposes.

(2.) In constructing the works shown on the said plans and sections the Corporation may deviate from the lines thereof to any extent not exceeding the limits of deviation shown on those plans and where on any road no such limits are shown the boundaries of such road shall be deemed to be such limits and may also deviate from the levels shown on the said sections to any extent not exceeding three feet upwards and to any extent downwards Provided that no conduit or line of pipes shall be laid above the surface of the ground unless so shown on the sections and then only to the extent shown.

(3.) In carrying out the provisions of subdivision (1) of this Article the Corporation shall have the powers of a Local Authority under Section 54 of the Public Health Act 1875 in respect to the carrying of water-mains within or without the Borough and any notices already given or to be given by the Corporation in connexion with the works to be so carried out shall so far as they are in accordance with the provisions of Section 32 of the Public Health Act 1875 be valid and sufficient and the Corporation shall be subject to the restrictions imposed by Sections 327 to 329 and 332 of the same Act.

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A.D. 1897.

Wigan
Order.

For the protection of the
Lancashire and
Yorkshire
Railway Com-
pany.

(4.) The provisions of Section 308 of the Public Health Act 1875 shall apply as if the powers conferred by this Article were powers conferred by that Act.

(5.)—(a.) In constructing or laying the aqueducts conduits or lines of pipes by this Article authorised over the railway of the Lancashire and Yorkshire Railway Company (herein-after referred to as "the Company") and in effecting the maintenance repairs and renewals of such aqueducts conduits or lines of pipes the same and all works connected therewith shall be done under the superintendence and to the reasonable satisfaction of the principal engineer of the Company and according to plans sections and specifications to be submitted to and reasonably approved by him before any such works are commenced.

(b.) If the said engineer shall fail to superintend at the time specified in a notice to be given by the Corporation to the Company of their intention to commence the said works (such time being not less than fourteen days from the giving of the notice) such works may be executed without his superintendence and if the said engineer shall fail to express his disapproval of any plans sections and specifications within fourteen days after they shall have been submitted to him he shall be deemed to have approved of the same.

(c.) If any question shall arise between the Corporation and the Company in regard to any of the requirements of the said engineer the same shall be determined by arbitration as herein-after provided.

(d.) The provisions of this subdivision shall not apply to the execution of any work required to avoid an accident or being otherwise a work of emergency.

(6.) All works referred to in subdivision (5) of this Article shall be executed by and in all things at the expense of the Corporation and so as not to cause any injury to the railway of the Company or interruption to the passage or conduct of the traffic over such railway and if any such injury shall arise to such railway or interruption to such traffic the Corporation shall make compensation to the Company in respect of such injury or interruption the amount of such compensation to be recoverable from the Corporation by the Company by all and the same means as any simple contract debt is recoverable.

(7.) Notwithstanding the foregoing provisions of this Article the Corporation shall construct the piers for carrying the said aqueducts conduits and lines of pipes and the trough herein-after referred to over the railway of the Company in such situations as shall be reasonably required by the said engineer and shall lay the same at a level throughout the whole width of the Company's land of 14 ft. 6 ins. at the least above the level of the rails measured to the underside of the said trough.

(8.) The said aqueducts conduits and lines of pipes where they cross over the said railway and for ten yards on each side thereof shall be carried in an iron trough such trough being made watertight and so constructed as to carry away all water which may at any time escape from the said aqueducts conduits and lines of pipes clear of the railway works and property of the Company.

(9.) The Corporation shall not (except with the previous consent of the Company under their common seal) purchase or acquire any lands or property of the Company but the Corporation may purchase and take and the Company shall sell and grant accordingly an easement or right of using so much of the lands of the Company as may be necessary for the crossing of the said aqueducts conduits and lines of pipes over or through the Company's railway and property.

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A.D. 1897.

*Wigan
Order.*

(10.) If at any times hereafter the Company require to make any alterations of or to widen their said railway or to increase the railway accommodation at the place where the said aqueducts conduits and lines of pipes cross the railway and property of the Company the Corporation shall at their own cost make such alterations of the said aqueducts conduits and lines of pipes and the works connected therewith as may be required by the Company to enable them to carry out such alteration or widening of the railway or to provide such increased accommodation and the provisions of this article shall so far as applicable extend and apply to the execution and carrying out by the Corporation of any such alterations of the said aqueducts conduits and lines of pipes and works connected therewith.

(11.) Any difference which may arise between the Corporation and the Company with respect to any matter in this article contained shall unless otherwise agreed be determined on the application of either party by an engineer to be appointed by the President of the Institution of Civil Engineers.

Art. III. The works constructed under the authority of this Order shall for all purposes be deemed to form part of the existing water undertaking of the Corporation.

Art. IV. The Corporation may with the sanction of the Local Government Board and subject to the provisions of this Order borrow on the security of the revenue of their water undertaking and of the district fund and general district rate of the Borough such sums not exceeding in the whole the sum of fifteen thousand pounds as may from time to time be necessary for the purposes of defraying any expenditure of the Corporation in pursuance of this Order.

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

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

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

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

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

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(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.

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

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

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

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

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

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

Art. VIII.—(1.) If it appears to the Corporation at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Corporation to make such increased payments to the sinking fund as will cause the sinking fund to be

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sufficient for that purpose. Provided that if it appears to the Local Government Board that any such increase is necessary the Corporation shall increase the payments to such extent as the Board may direct.

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

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

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

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

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

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

Art. X.—(1.) The treasurer 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 or in respect of any money raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may from time to time be prescribed by that Board and if required by that Board verified by statutory declaration of such treasurer showing for the year next preceding the making of such return or

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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 treasurer 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.

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(2.) If it appears to the Local Government Board by that return or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Order or by the Local Government Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the Local Government Board may by Order direct that the sum in such Order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such Order mentioned and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

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

Art. XII.—(1.) 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.

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

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

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A.D. 1897. paid by the Corporation and the Local Government Board may certify the amount
Wigan of the costs so incurred and any sum so certified and directed by that Board to be
Order. paid by the Corporation shall be a debt due to the Crown from the Corporation.

Art. XIV. This Order may be cited as the Wigan Order 1897.

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.

Printed by EYRE and SPOTTISWOODE,

FOR

T. DIGBY PICOTT, Esq., C.B., the Queen's Printer of Acts of Parliament.

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