



### CHAPTER lxviii.

An Act to confirm certain Provisional Orders of the Local Government Board relating to Buxton Kingston-upon-Hull Plymouth Ramsgate (two) Southampton Southend-on-Sea Wallasey and West Ham.      A.D. 1897.  
[15th July 1897.]

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

38 & 39 Vict.  
c. 55.

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

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

1. The Orders as altered and set out in the schedule hereto shall be and the same are hereby confirmed and all the provisions thereof shall have full validity and force.      Orders in schedule confirmed.

2. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 2) Act 1897.      Short title.

A.D. 1897.

SCHEDULE.

*Buxton  
Order.*

URBAN DISTRICT OF BUXTON.

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

To the Urban District Council of Buxton ;—

And to all others whom it may concern.

36 & 37 Vict.  
c. lvi.

WHEREAS the Urban District Council of Buxton (herein-after referred to as "the District Council") are the local authority within the meaning of the Public Health Act 1875 for the Urban District of Buxton (herein-after referred to as "the District") and the unrepealed provisions of the Buxton Local Board Act 1873 (herein-after referred to as "the Local Act") as altered by the Provisional Orders mentioned in the Schedule hereto, but some of which do not affect the subject-matter of this Order are in force in the District ;

And whereas by the Local Act as altered by the Buxton Order 1886 and the Buxton Order 1892 the Buxton Local Board were authorised to borrow for the purposes of their water undertaking sums amounting in the whole to the sum of forty-five thousand pounds and it is expedient that further borrowing powers for such purposes should be given :

38 & 39 Vict.  
c. 55.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Local Act and the Confirming Acts mentioned in the Schedule hereto so far as they respectively relate to the Orders above cited shall be altered so as to provide as follows viz.,—

Art. I. The District Council may with the sanction of the Local Government Board and subject to the provisions of this Order borrow upon the security of the revenue arising from their water undertaking and of the district fund and general district rate of the district or upon either of such securities such sums not exceeding in the whole the sum of ten thousand pounds as may from time to time be necessary for the purposes of their water undertaking in addition to the said sum of forty-five thousand pounds.

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

Art. III. The moneys borrowed by virtue of this Order shall be repaid within such period not exceeding fifty years from the date of borrowing as the District Council with the sanction of the Local Government Board shall determine

[60 & 61 Vict.]      *Local Government Board's*      [Ch. Ixviii.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

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.

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

(2.) Subject to the provisions of Article V. of this Order if the District Council 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 District Council the District Council 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 District Council towards the equal annual payments to the fund.

(5.) The District Council 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 District Council 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 District Council.



[Ch. lxviii.]      *Local Government Board's*      [60 & 61 Vict.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

A.D. 1897.

*Buxton  
Order.*

(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 District Council in addition to the payments provided for by this Order.

Art. V.—(1.) If it appears to the District Council 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 District Council 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 District Council shall increase the payments to such extent as the Board may direct.

(2.) If the District Council 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 District Council 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 District Council 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 District Council with the consent of the Local Government Board may determine.

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

Provided that the District Council shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments or

[60 & 61 VICT.]      *Local Government Board's*      [Ch. lxxviii.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

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 :

A.D. 1897.

*Buxton*  
*Order.*

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. All moneys from time to time borrowed by virtue of this Order shall be applied by the District Council 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 District Council with the approval of the Local Government Board determine.

Art. VIII.—(1.) Any mortgagee of the District Council 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. IX.—(1.) The clerk to the District Council 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 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 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 District Council have failed to pay any instalment or annual payment

[Ch. lxviii.]      *Local Government Board's*      [60 & 61 VICT.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

A.D. 1897.      required to be paid or to appropriate any sum required to be appropriated or to  
*Buxton*      set apart any sum required for any sinking fund (whether such instalment or  
*Order.*      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. X. Where the Local Government Board cause any local inquiry to  
be held with reference to any of the purposes of the Local Act the Orders  
mentioned in the Schedule hereto 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 District Council 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 District Council shall be a debt due to the Crown from the  
District Council.

Art. XI. Each of the Orders relating to Buxton the dates whereof are  
mentioned in column 1 of the Schedule hereto may be cited by the short title  
mentioned in column 3 of that Schedule this Order may be cited as the Buxton  
Order 1897 and all of the said Orders may be cited together as the Buxton  
Orders 1878 to 1897.

The SCHEDULE above referred to.

| 1.              | 2.  | 3.                     |
|-----------------|---|------------------------|
| Date of Order.  | Short Title of Confirming Act.  | Short Title of Order.  |
| 12th March 1878 | The Local Government Board's<br>Provisional Orders Confirmation<br>(Abingdon &c.) Act 1878<br>41 Vict. c. xxxvii.     | The Buxton Order 1878. |
| 12th May 1880 - | The Local Government Board's<br>Provisional Orders Confirmation<br>(Abingdon &c.) Act 1880<br>43 & 44 Vict. c. xxxvi. | The Buxton Order 1880. |
| 10th May 1881 - | The Local Government Board's<br>Provisional Orders Confirmation<br>(Acton &c.) Act 1881 44 & 45<br>Vict. c. clxii.    | The Buxton Order 1881. |



[60 & 61 Vict.]      *Local Government Board's*      [Ch. lxviii.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

| 1.               | 2.  | 3.                     | A.D. 1897.           |
|------------------|---|------------------------|----------------------|
| Date of Order.   | Short Title of Confirming Act.  | Short Title of Order.  | <i>Buxton Order.</i> |
| 4th May 1886 -   | The Local Government Board's Provisional Orders Confirmation (No. 4) Act 1886 49 & 50 Vict. c. lxi.   | The Buxton Order 1886. |                      |
| 12th May 1887 -  | The Local Government Board's Provisional Orders Confirmation (No. 4) Act 1887 50 & 51 Vict. c. cxxii. | The Buxton Order 1887. |                      |
| 2nd April 1892 - | The Local Government Board's Provisional Orders Confirmation Act 1892 55 & 56 Vict. c. lxviii.        | The Buxton Order 1892. |                      |

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

(L.S.)

HENRY CHAPLIN President.  
HUGH OWEN Secretary.

BOROUGH OF KINGSTON-UPON-HULL.

*Provisional Order for altering a Confirming Act.*

*Kingston-upon-Hull Order.*

To the Mayor Aldermen and Burgesses of the Borough of Kingston-upon-Hull ; —

And to all others whom it may concern.

WHEREAS the Borough of Kingston-upon-Hull (herein-after referred to as "the Borough") is an Urban Sanitary District of which the Mayor Aldermen and Burgesses acting by the Council (herein-after referred to as "the Corporation") are the Urban Sanitary Authority and the unrepealed provisions of the Hull Corporation Loans Act 1881 (herein-after referred to as "the Local Act") 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 ;

And whereas by a Provisional Order of the Local Government Board dated the Ninth day of June One thousand eight hundred and ninety and duly confirmed by the Local Government Board's Provisional Order Confirmation (No. 14) Act 1890 (which Order and Act are herein-after respectively referred

[Ch. lxxviii.]      *Local Government Board's*      [60 & 61 Vict.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

A.D. 1897. to as "the Order of 1890" and "the Confirming Act of 1890") the Local Act was altered so as to provide as follows :—

*Kingston-upon-Hull Order.*

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

58 & 59 Vict.  
c. lxxxvii.

And whereas by Article I. of the Kingston-upon-Hull Order 1895 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 6) Act 1895 (which Order and Act are herein-after respectively referred to as "the Order of 1895" and "the Confirming Act of 1895") the Confirming Act of 1890 was altered by the insertion in Article I. of the Order of 1890 after the word "Incorporation" of the words "or the Hull and Goole Port Sanitary Authority":

38 & 39 Vict.  
c. 55.

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 of Parliament confirming this Order the following provisions shall take effect viz.,—

Art. I. The Confirming Act of 1890 shall be altered by the insertion in Article I. of the Order of 1890 as altered by the Order of 1895 of the words "or the Guardians of the Poor of the Sculcoates Union" before the words "or the Hull and Goole Port Sanitary Authority".

Art. II. The Order of 1890 may be cited as the Kingston-upon-Hull Order 1890 this Order may be cited as the Kingston-upon-Hull Order 1897 and the Orders of 1890 and 1895 and this Order may be cited together as the Kingston-upon-Hull Orders 1890 to 1897.

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

(L.S.)

HENRY CHAPLIN President.  
 HUGH OWEN Secretary.

*Plymouth Order.  
 (2.)*

**BOROUGH OF PLYMOUTH.**

*Provisional Order for altering certain Local Acts.*

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

And to all others whom it may concern.

WHEREAS the Borough of Plymouth (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 Plymouth Corporation Water and Markets Act 1867 and of the Plymouth Corporation Act 1887 (each of which Acts is herein-after referred to as the Act of the year

30 & 31 Vict.  
c. cxxviii.  
50 & 51 Vict.  
c. clv.



[60 & 61 VICT.]      *Local Government Board's*      [Ch. lxviii.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

in which it was passed and which Acts are herein-after together referred to as "the Local Acts") are in force in the Borough;

A.D. 1897.

*Plymouth  
Order.  
(2.)*

And whereas by Section 2 of the Act of 1867 the Waterworks Clauses Act 1847 except (inter alia) so much of Section 70 of the Waterworks Clauses Act 1847 as relates to the payment of rates by quarterly payments is incorporated with the Act of 1867 ;

And whereas by Section 24 of the Act of 1867 it is enacted that the rates for a supply of water shall be paid in advance by equal half-yearly payments at Christmas Day and Midsummer Day ;

And whereas by sub-section (3) of Section 35 of the Act of 1887 it is enacted that the amounts of the several contributions payable to the loans fund for the redemption and extinction or purchase and extinction of the several portions of Corporation Stock issued in exercise of the respective statutory borrowing powers of the Corporation and remaining outstanding shall (subject to any payment in reduction thereof authorised by that part of that Act) be the same amounts as would in the same respective cases have been payable towards a sinking fund for discharge or towards payment off by instalments appropriations annual repayments or otherwise of money borrowed under the respective statutory borrowing powers if that money had been raised and remained secured otherwise than by Corporation Stock ;

And whereas the Corporation have issued Corporation Stock to realise the sum of nine thousand and fifty pounds outstanding at the time of such issue in respect of a debt created under a Local Act 5 Geo. IV. c. xlix. and the sum of thirty thousand pounds outstanding at the time of such issue in respect of a debt incurred by the Mayor and Commonalty of the Borough of Plymouth before the year one thousand eight hundred and thirty-five and doubts have arisen as to the liability of the Corporation to provide for the repayment of those debts and it is expedient that the Act of 1887 be altered so as to require the Corporation to pay annually to the loans fund the contribution necessary to provide for the redemption of the stock so issued :

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

38 & 39 Vict.  
c. 55.

Art. I.—(1) Section 2 of the Act of 1867 shall be altered by the omission of the words "and so much of section seventy of that Act as relates to the payment of rates by quarterly payments" and Section 24 of the Act of 1867 shall be wholly repealed except so far as the same may have been acted upon and the whole of Section 70 of the Waterworks Clauses Act 1847 shall be incorporated with the Act of 1867.

(2) The first quarterly payment of rates for the supply of water under the Act of 1867 as hereby altered shall become due and payable on Christmas Day in the year one thousand eight hundred and ninety-seven.

Art. II. Section 35 of the Act of 1887 shall be altered so as to require the Corporation to pay into the loans fund in each year for the redemption and

[Ch. lxviii.]      *Local Government Board's*      [60 & 61 Vict.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

A.D. 1897.

*Plymouth  
Order.*

(2.)

extinction or purchase and extinction of the amount of stock created and issued to raise the said sums of nine thousand and fifty pounds and thirty thousand pounds such an amount as will with any sum or sums already paid into the loans fund in respect of that amount of stock and with accumulations at compound interest be sufficient to redeem the amount of stock at par within a period of forty-seven years from the Thirtieth day of September One thousand eight hundred and ninety-five.

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

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

(L.S.)

HENRY CHAPLIN President.

HUGH OWEN Secretary.

*Ramsgate  
Order.*

BOROUGH OF RAMSGATE.

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

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

And to all others whom it may concern.

WHEREAS the Borough of Ramsgate (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 District Council are the local authority within the meaning of the Public Health Act 1875 for the Borough ;

1 & 2 Vict.  
c. lxx.

43 & 44 Vict.  
c. cxxxii.

43 & 44 Vict.  
c. lxxxiv.

And whereas the unrepealed provisions of a Local Act passed in the first and second years of the reign of Her present Majesty intituled "An Act for better  
" paving lighting watching and improving the Parish of Ramsgate in the County  
" of Kent and for regulating the police thereof" (herein-after referred to as  
" the Local Act ") as altered by a Provisional Order of the Local Government Board dated the Twenty-fourth day of May One thousand eight hundred and eighty and confirmed by the Local Government Board's Provisional Orders Confirmation (Eastbourne &c.) Act 1880 (which Order and Act are herein-after respectively referred to as the Order (No. 1) and the Confirming Act (No. 1)) and by another Provisional Order of the Local Government Board dated the Twenty-seventh day of May One thousand eight hundred and eighty and confirmed by the Local Government Board's Provisional Orders Confirmation (Kingston upon Hull &c.) Act 1880 (which Order and Act are herein-after respectively referred to as the Order (No. 2) and the Confirming Act (No. 2)) are in force in the Borough ;

[60 & 61 VICT.]      *Local Government Board's*      [Ch. lxviii.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

And whereas by virtue of Article II. of the Order (No. 2) any person who in any street in the Borough to the obstruction annoyance or danger of the residents or passengers commits any of the offences therein enumerated is rendered liable to a penalty :

A.D. 1897.

*Ramsgate  
Order.*

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Local Act and the Confirming Acts (No. 1) and (No. 2) so far as they respectively relate to the Orders (No. 1) and (No. 2) shall be altered so that the following provisions shall have effect viz.,—

33 & 39 Vict.  
c. 55.

Art. I.—(1.) The Corporation may from time to time make byelaws forbidding carts waggons drays or other vehicles being allowed to stand in certain streets in the Borough to be named in the byelaws for the purpose of the loading or unloading of goods except during the hours fixed by the byelaws.

(2.) The provisions of Article XXVII. of the Order (No. 2) shall apply to the byelaws to be made under this Order and the penalties to be imposed thereby.

Art. II. Notwithstanding anything contained in Section 113 of the Highway Act 1835 the provisions of Section 72 of that Act and such of the provisions of Sections 103 and 105 of that Act as altered by the Summary Jurisdiction Act 1884 as relate to the prosecution of offences and the recovery of penalties shall apply to and be in force within the Borough.

Art. III. The Local Act may be cited as the Ramsgate Improvement Act 1838 the Order (No. 1) may be cited as the Ramsgate Order (No. 1) 1880 the Order (No. 2) may be cited as the Ramsgate Order (No. 2) 1880 this Order may be cited as the Ramsgate Order 1896 and the said three Orders may be cited together as the Ramsgate Orders 1880 and 1896.

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

(L.S.)

HENRY CHAPLIN President.  
HUGH OWEN Secretary.



A.D. 1897.]

BOROUGH OF RAMSGATE.

*Ramsgate*  
*Order.*  
(1.)

*Provisional Order for altering the Ramsgate Local Board*  
*Act 1877.*

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

And to all others whom it may concern.

40 & 41 Vict.  
c. cxix.

WHEREAS the Borough of Ramsgate (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 Section 303 of the Public Health Act 1875 and the unrepealed provisions of the Ramsgate Local Board Act 1877 (herein-after referred to as "the Local Act") as altered by certain Provisional Orders of the Local Government Board duly confirmed by Parliament but which do not affect the subject-matter of this Order are in force in the Borough ;

And whereas by Section 46 of the Local Act the Ramsgate Local Board (herein-after referred to as "the Local Board") were empowered subject to the provisions of that Act upon the lands described in the Schedule thereto to continue and maintain the then existing gasworks and works connected therewith and to do all such acts as they might think proper for making and storing gas and to make and store gas accordingly ;

And whereas by Section 47 of the Local Act the Local Board were empowered in addition to the lands vested in them by reason of the transfer of the gas undertaking from time to time by agreement to purchase any lands and subject to Section 5 of the Gasworks Clauses Act 1871 to hold the same but not at any one time exceeding six acres for the purposes of the Local Act except the manufacture of gas or residual products ;

And whereas all the powers rights duties capacities liabilities obligations and property of the Local Board under the Local Act are now exerciseable by or attaching to or vested in the Corporation ;

And whereas the Corporation have in pursuance of the powers conferred by Section 47 of the Local Act purchased the land herein-after described and it is expedient that the Corporation should be empowered to store gas upon the said land :

38 & 39 Vict.  
c. 55.

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

Art. I. Notwithstanding anything contained in Section 47 of the Local Act the Corporation may upon the land described in the Schedule hereto construct or erect and from time to time alter enlarge or remove such gasholders and other works as may be requisite for the storage of gas and may store gas upon the said land.

Art. II. This Order may be cited as the Ramsgate Order (No. 1) 1897.

[60 & 61 Vict.]      *Local Government Board's*      [Ch. lxviii.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

The SCHEDULE above referred to.

A.D. 1897.

*Ramsgate*  
*Order.*  
(1.)

All that piece of land being part of Elgar's Field containing by estimation one acre three roods and five poles or thereabouts situate in the Parish of Saint Lawrence Intra in the Borough and which is coloured pink on the two plans each sealed by the Local Government Board and marked "Plan of additional gas lands 1897" one of which is deposited in the office of the Local Government Board and the other of which shall be deposited in the office of the town clerk of the Borough within fourteen days after the date of this Order.

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

(L.S.)

HENRY CHAPLIN President.

HUGH OWEN Secretary.

BOROUGH OF SOUTHAMPTON.

*Southamp-*  
*ton Order.*

*Provisional Order for altering a Confirming Act.*

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

WHEREAS the Borough of Southampton (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 Southampton Corporation Act 1885 (herein-after referred to as "the Local Act") as altered by a Provisional Order of the Local Government Board dated the Twenty-third day of May One thousand eight hundred and eighty-nine and duly confirmed by Parliament and by the Provisional Orders herein-after recited is in force in the Borough ;

48 & 49 Vict.  
c. clxx.

And whereas by Section 27 of the Local Act the Corporation were empowered (in addition to any other moneys which they were authorised to borrow) to borrow (inter alia) for the purposes of their water undertaking sixty thousand pounds ;

And whereas by Article II. of a Provisional Order of the Local Government Board dated the Twelfth day of May One thousand eight hundred and ninety-one and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 11) Act 1891 (which Order and Act are herein-after respectively referred to as "the Order of 1891" and "the Confirming Act of 1891") the Corporation were empowered with the sanction of the Local Government Board and subject to the provisions of the Order of 1891 to borrow on the security of the district fund and general district rate of the Borough and for the purposes of the water undertaking such sums as they might from time to time think requisite not exceeding in the whole the sum of six thousand pounds in addition to the sum authorised by the Local Act to be borrowed for those purposes ;

54 & 55 Vict.  
c. cvii.



[Ch. lxxviii.]      *Local Government Board's*      [60 & 61 VICT.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

A.D. 1897.  
*Southamp-*  
*ton Order.*  
57 Vict.  
c. xxiii.

And whereas by Article III. of the Southampton Order 1894 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 6) Act 1894 (which Order and Act are herein-after respectively referred to as "the Order of 1894" and "the Confirming Act of 1894") the Confirming Act of 1891 was altered by the insertion in Article II. of the Order of 1891 of the words "thirty-nine thousand five hundred pounds" in lieu of the words "six thousand pounds";

And whereas it is expedient that the Corporation should be authorised to borrow further moneys for waterworks purposes:

38 & 39 Vict.  
c. 55.

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 of Parliament confirming this Order the following provisions shall take effect viz,—

Art. I. The Confirming Act of 1894 shall be altered by the insertion in Article III. of the Order of 1894 of the words "sixty-four thousand five hundred pounds" in lieu of the words "thirty-nine thousand five hundred pounds."

Art. II. The Order of 1891 may be cited as the Southampton Order 1891 this Order may be cited as the Southampton Order 1897 and the Orders of 1891 and 1894 and this Order may be cited together as the Southampton Orders 1891 to 1897.

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

(L.C.)

HENRY CHAPLIN President.  
HUGH OWEN Secretary.

*Southend-*  
*on-Sea*  
*Order.*  
(1.)

BOROUGH OF SOUTHEND-ON-SEA.

*Provisional Order for altering the Southend-on-Sea Corporation*  
*Act 1895.*

To the Mayor Aldermen and Burgesses of the Borough of Southend-on-Sea; —

And to all others whom it may concern.

WHEREAS the Borough of Southend-on-Sea (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;

58 & 59 Vict.  
c. clviii.

And whereas the Southend-on-Sea Corporation Act 1895 (herein-after referred to as "the Local Act") is in force in the Borough and by Section 49 of the Local



[60 & 61 VICT.]      *Local Government Board's*      [Ch. lxviii.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

Act the Corporation are empowered to borrow money for the purposes therein mentioned ;

A.D. 1897.

And whereas the Corporation have adopted the provisions of Part V. of the Public Health Acts Amendment Act 1890 and those provisions are accordingly in force in the Borough ;

*Southend-on-Sea Order.*  
(1.)

And whereas by an Order dated the Third day of July One thousand eight hundred and ninety-one and made under the provisions of Part V. of the Public Health Acts Amendment Act 1890 which Order was duly confirmed by Order in Council on the Twenty-sixth day of September One thousand eight hundred and ninety-one the Local Government Board prescribed regulations (herein-after referred to as "the regulations") in regard to the creation issue transfer and redemption of and other dealings with any stock which an Urban Sanitary Authority (having adopted Part V. of the said Act) might create and issue with the consent of the Local Government Board under the regulations in exercise of any statutory borrowing power ;

53 & 54 Vict.  
c. 59.

And whereas expressions in this Order have the same meanings as the like expressions have in the regulations :

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

53 & 59 Vict.  
c. 55.

Art. I. The Corporation may from time to time if they think fit by resolution determine that any sum or sums which the Southend-on-Sea School Board (herein-after referred to as "the borrowing authority") may be by law authorised to borrow or re-borrow upon the security of any rates or funds and which the borrowing authority may be desirous of borrowing from the Corporation shall be lent by the Corporation accordingly.

Art. II. Any sum or sums which the Corporation shall resolve to lend as aforesaid may be raised either by the issue of stock created and issued by the Corporation under and in accordance with the provisions of Part V. of the Public Health Acts Amendment Act 1890 or by borrowing or re-borrowing the same on mortgage of the borough fund and borough rate and the provisions of Sections 236 to 239 of the Public Health Act 1875 shall apply to all money borrowed on mortgage under this Order.

Art. III. The following provisions shall apply to moneys borrowed or raised for the purpose of loans to the borrowing authority :—

- (1.) The sum shall be lent by the Corporation to the borrowing authority for a period not exceeding that for which the borrowing authority is authorised to borrow or re-borrow the same and with a provision for repayment by equal annual instalments of principal or of principal and interest combined.
- (2.) If any sum payable to the Corporation for principal in respect of any sum lent to the borrowing authority shall not be received within six months of the time appointed for the payment thereof a like sum shall be set apart out of the borough fund and if after the application or investment of the sum so set apart or the payment thereof into the stock (redemption) fund the whole or any part thereof shall be received by the Corporation the sum so received shall be carried to the credit of the borough fund.

[Ch. lxviii.]      *Local Government Board's*      [60 & 61 Vict.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

A.D. 1897.

*Southend-  
on-Sea  
Order.*

(1.)

Art. IV. The following provisions shall apply to moneys borrowed for the purpose of loans to the borrowing authority and not raised by the issue of stock :—

(1.) Every sum so borrowed shall be repaid by the Corporation within a period to expire not more than one year after that for which the same was lent by them to the borrowing authority.

(2.) All sums received from the borrowing authority for interest shall be applied towards the payment of interest payable in respect of moneys so borrowed the balance (if any) being carried to the credit of the borough fund.

(3.) All sums received from the borrowing authority for principal (except sums which are to be carried to the credit of the borough fund under the provisions of subdivision (2) of Article III. of this Order) and all sums set apart out of the borough fund under that subdivision shall be applied towards the repayment of the principal payable in respect of moneys so borrowed and until so applied shall be invested in statutory securities the Corporation being at liberty from time to time to vary and transpose such investments. The interest derived from such investments shall be applied in making good any loss or deficiency of or in the principal moneys so invested that may arise by depreciation of the investments or otherwise and if not required for that purpose shall be applied as if the same had been received for interest from the borrowing authority.

Art. V. The following provisions shall apply to moneys raised by the issue of stock for the purpose of loans to the borrowing authority :—

(1.) All sums received from the borrowing authority for interest shall be paid into the stock (dividends) fund :

Provided that if the sums so received shall be in excess of the dividends payable in respect of the proportion of stock issued to raise money to lend to the borrowing authority such excess may be carried to the credit of the borough fund.

(2.) All sums received from the borrowing authority for principal (except sums which are to be carried to the credit of the borough fund under the provisions of subdivision (2) of Article III. of this Order) and all sums set apart out of the borough fund in pursuance of that subdivision shall be paid into the stock (redemption) fund.

Art. VI. If any doubt shall arise as to how much of any sum received by the Corporation from the borrowing authority is to be regarded as principal or interest the question shall be determined by the Local Government Board.

Art. VII.—(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 payable to the Corporation in respect of moneys lent by them to the borrowing authority and raised otherwise than by the issue of stock 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 be prescribed by that Board and verified by statutory declaration if so required by them showing for the year next preceding the making of such return the amounts which have been received.



[60 & 61 VICT.]      *Local Government Board's*      [Ch. lxviii.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

from the borrowing authority for principal the amounts which have been applied directly towards the repayment of the principal payable in respect of moneys raised under this Order and the amounts which have been invested and the description of the securities upon which any investment has been made and the purposes to which any portion of the investment has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of 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.

A.D. 1897.

*Southend-on-Sea  
Order.  
(1.)*

(2.) If it appears to the Local Government Board by that return or otherwise that the Corporation have failed to apply or invest in statutory securities any sum required to be applied or invested or have misapplied any of the investments or the produce of the sale thereof the Local Government Board may by Order direct that the sum in such Order mentioned not exceeding double the amount in respect of which such default or misapplication has occurred shall be applied directly towards repayment of principal or be invested and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

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 Southend-on-Sea Order (No. 1) 1897.

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

(L.S.)

HENRY CHAPLIN President.

HUGH OWEN Secretary.

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URBAN DISTRICT OF WALLASEY.

*Wallasey  
Order.*

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

To the Urban District Council of Wallasey ; —

And to all others whom it may concern.

WHEREAS the Urban District Council of Wallasey (herein-after referred to as "the District Council") are the local authority within the meaning of the



[Ch. lxviii.] *Local Government Board's* [60 & 61 Vict.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

A.D. 1897.

*Wallasey  
Order.*

35 & 36 Vict.  
c. cxxv.

Public Health Act 1875 for the Urban District of Wallasey (herein-after referred to as "the District") and the unrepealed provisions of the Wallasey Improvement Act 1872 (herein-after referred to as "the Local Act") as altered by the Provisional Orders herein-after recited and by certain other Provisional Orders made by the Local Government Board and duly confirmed by Parliament but which last-mentioned Orders do not affect the subject-matter of this Order are in force in the district ;

40 & 41 Vict.  
c. cxxvii.

44 & 45 Vict.  
c. clxii.

46 & 47 Vict.  
c. cxxxvii.

58 & 59 Vict.  
c. xl.

And whereas by Section 17 of the Local Act as altered by the Wallasey Order (No. 1) 1877 which was confirmed by the Local Government Board's Provisional Orders Confirmation (Caistor Union &c.) Act 1877 by the Wallasey Order 1881 which was confirmed by the Local Government Board's Provisional Orders Confirmation (Acton &c.) Act 1881 by the Wallasey Order 1883 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 7) Act 1883 and by the Wallasey Order 1895 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 1) Act 1895 the District Council or their predecessors were empowered to borrow for ferry purposes sums amounting in the whole to the sum of two hundred and fifty-three thousand five hundred pounds ;

And whereas it is expedient that the District Council should be empowered to borrow further moneys for the purposes herein-after mentioned :

38 & 39 Vict.  
c. 55.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Local Act and the Confirming Acts above mentioned so far as they respectively relate to the Orders above mentioned shall be altered so as to provide as follows viz.,—

Art. I. The District Council may with the sanction of the Local Government Board and subject to the provisions of this Order borrow upon the security of the Wallasey Ferries Account and of the district fund and general district rate of the District or upon either of such securities either together or separately such sums not exceeding in the whole the sum of ten thousand and six hundred pounds as may from time to time be necessary for the purposes of a dredger in connexion with their ferry undertaking in addition to the said sum of two hundred and fifty-three thousand five hundred pounds.

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

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

Art. IV.—(1.) The District Council shall repay the moneys borrowed by virtue of this Order other than moneys borrowed under the provisions of the Local

[60 & 61] VICT.]      *Local Government Board's*      [Ch. lxviii.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

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.

A.D. 1897.

*Wallasey  
Order.*

(2.) Subject to the provisions of Article V. of this Order if the District Council 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 District Council the District Council 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 District Council towards the equal annual payments to the fund.

(5.) The District Council 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 District Council 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 District Council.

(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



[Ch. lxviii.]      *Local Government Board's*      [60 & 61 VICT.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

A.D. 1897. shall be paid by the District Council in addition to the payments provided for by this Order.

*Wallasey  
Order.*

Art. V.—(1.) If it appears to the District Council 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 District Council 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 District Council shall increase the payments to such extent as the Board may direct.

(2.) If the District Council 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 District Council 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 District Council 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 District Council with the consent of the Local Government Board may determine.

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

Provided that the District Council 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.



[60 & 61 VICT.]      *Local Government Board's*      [Ch. lxviii.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

Art. VII. All moneys from time to time borrowed by virtue of this Order shall be applied by the District Council 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 District Council with the approval of the Local Government Board determine.

A.D. 1897.

*Wallasey  
Order.*

Art. VIII.—(1.) Any mortgagee of the District Council 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. IX.—(1.) The clerk to the District Council 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 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 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 District Council 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

[Ch. lxviii.]      *Local Government Board's*      [60 & 61 Vict.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

A.D. 1897.      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.

*Wallasey  
Order.*

Art. X. 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 District Council 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 District Council shall be a debt due to the Crown from the District Council.

Art. XI. This Order may be cited as the Wallasey Order 1897 and the Wallasey Orders 1852 to 1896 the Wallasey Order 1895 and this Order may be cited together as the Wallasey Orders 1852 to 1897.

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

(L.S.)

HENRY CHAPLIN President.

HUGH OWEN Secretary.

*West Ham  
Order.*

BOROUGH OF WEST HAM.

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

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

And to all others whom it may concern.

WHEREAS the Borough of West Ham (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 West Ham Corporation (Loans) Act 1888 and the West Ham Corporation Act 1893 (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 Provisional Orders duly confirmed by Parliament but which do not affect the subject-matter of this Order are in force in the Borough ;

And whereas by Section 2 of the Act of 1888 a statutory security and a statutory borrowing power are defined ;



[60 & 61 VICT.]      *Local Government Board's*      [Ch. lxviii.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

And whereas by Section 4 of the Act of 1888 the Corporation were empowered from time to time by resolution of the council of the Borough to exercise any statutory borrowing power by creation of redeemable stock to be from time to time issued in accordance with the provisions of that Act but it was provided that all stock at any time and from time to time so created should be created subject to such terms and conditions as that the same should form one and the same class of stock ;

A.D. 1897.  
—  
*West Ham*  
*Order.*

And whereas by Section 7 of the Act of 1888 provision is made for the establishment of the West Ham Corporation Consolidation Loans Fund (hereinafter referred to as "Loans Fund (No. 1)") for the payment of dividends on Corporation Stock and for redemption and extinction or purchase and extinction of Corporation Stock ;

And whereas by sub-section (3) of Section 9 of the Act of 1888 provision is made as to the amounts of the several contributions to the Loans Fund (No. 1) for redemption and extinction or purchase and extinction of the several portions of Corporation Stock issued in exercise of the respective statutory borrowing powers of the Corporation and remaining outstanding ;

And whereas by sub-section (5) of Section 9 of the Act of 1888 provision is made for payment of the sums therein mentioned into the Loans Fund (No. 1) 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 (No. 1) ;

And whereas by sub-section (1) of Section 11 of the Act of 1888 the Corporation are required to pay into the Loans Fund (No. 1) and to carry to the proper separate account forming part of the general account of the Loans Fund (No. 1) all such money being capital or in the nature of capital and not being otherwise wholly or in part appropriated or made applicable by law or by valid contract as shall from time to time arise from any sale lease or other disposition of land or other property of the Corporation on the revenues whereof any Corporation Stock is charged ;

And whereas by Section 91 of the Act of 1893 it is enacted that notwithstanding anything in the Act of 1888 contained the Corporation may exercise any statutory borrowing power by the creation under the powers of the Act of 1888 of a new class of Corporation Stock redeemable at their option at one and the same period from the first creation of such stock and bearing such rate of dividend as the Corporation shall determine but it is provided that all such stock shall be created on and subject to such terms and conditions as that the same shall form one and the same class of stock bearing one and the same rate of dividend and shall be charged in the same manner as and shall rank *pari passu* with all Corporation Stock created under the Act of 1888 ;

And whereas by Sections 92 93 and 94 of the Act of 1893 the Corporation are empowered to lend money to the School Board for the Borough or the Guardians of the Poor of the West Ham Union and provision is made for the raising of such moneys by the Corporation by creation and issue of Corporation Stock but the Corporation have not exercised the powers conferred by those sections ;



[Ch. lxviii.]      *Local Government Board's*      [60 & 61 Vict.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

A.D. 1897.      And whereas the Loans Fund (No. 1) applies as well to the Corporation  
*West Ham*      Stock created and issued under the Act of 1893 as to Corporation Stock created  
*Order.*      and issued under the Act of 1888 :

38 & 39 Vict.  
c. 55.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby Order that from and after the date of the Act of Parliament confirming this Order the Local Acts shall be altered so that the following provisions shall have effect:—

Art. I.—(1.) Notwithstanding anything contained in the Local Acts the Corporation may from time to time exercise any statutory borrowing power by the creation and issue under the powers of the Act of 1888 as altered by the Act of 1893 and this Order of a new class of redeemable Corporation Stock at such price not being lower than ninety-five pounds per centum and bearing such dividend not exceeding two pounds fifteen shillings per centum per annum as the Corporation may by the resolution for such issue determine. Provided that all stock at any time and from time to time so created shall be created on and subject to such terms and conditions as that the same shall form one and the same class of stock bearing one and the same rate of dividend and shall become redeemable as herein-after provided after the expiration of the same period from the first creation of the stock.

(2.) After the expiration of such a period from the creation of the stock as the Corporation shall by the resolution creating such stock declare the stock shall be redeemable at par at the option of the Corporation and within such a period (not exceeding sixty years) from the first creation of the stock as the Corporation shall by such resolution declare the whole of the stock shall be redeemed or purchased and extinguished.

(3.) All stock created and issued under this Article shall be charged in the same manner as and rank *pari passu* with stock issued under the Act of 1888 or the Act of 1893 and shall otherwise be subject to the provisions of the Act of 1888 as altered by this Order except so far as such provisions are expressly altered by this Order.

Art. II.—(1.) A separate loans fund to be called the West Ham Corporation Consolidation Loans Fund (No. 2) (herein-after referred to as "Loans Fund (No. 2)") shall be established and formed in respect of any stock which may be created and issued by the Corporation under Article I. of this Order and all the provisions of the Act of 1888 as altered by this Order in regard to the Loans Fund (No. 1) shall *mutatis mutandis* apply to the Loans Fund (No. 2). Provided that the Corporation shall not be empowered to apply any part of the Loans Fund (No. 1) in purchasing or redeeming any stock created in pursuance of Article I. of this Order or any part of the Loans Fund (No. 2) in purchasing or redeeming any stock not created under that Article.

(2.) So long as any moneys are required under the provisions of sub-section (1) of Section 11 of the Act of 1888 as altered by this Order to be paid to the Loans Fund (No. 1) in respect of stock created and issued under the Local Acts no moneys shall be required to be paid to the Loans Fund (No. 2) under that sub-section as so altered :

Provided that if any money mentioned in that sub-section shall arise from any sale lease or other disposition of land or other property which shall have

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been purchased or otherwise acquired by means of money raised by stock created under Article I. of this Order or by means of moneys which shall have been converted into stock so created then the money so arising shall be paid into the Loans Fund (No. 2).

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Art. III. Sections 92 93 and 94 of the Act of 1893 shall be wholly repealed.

Art. IV. The Corporation may from time to time if they think fit by resolution determine that any sum or sums which the Guardians of the Poor of the West Ham Union or the West Ham School Board (each of which authorities is herein-after referred to as "the borrowing authority") may be by law authorised to borrow or re-borrow upon the security of any rates or funds and which the borrowing authority may be desirous of borrowing from the Corporation shall be lent by the Corporation accordingly.

Art. V. Any sum or sums which the Corporation shall resolve to lend as aforesaid may be raised either by the issue of Corporation Stock according to the provisions of the Act of 1888 the Act of 1893 or of this Order or by borrowing or re-borrowing the same on mortgage of the borough fund and borough rate and the provisions of Sections 236 to 239 both inclusive of the Public Health Act 1875 shall apply to all money raised by borrowing on mortgage under this Article.

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Art. VI. The following provisions shall apply to moneys borrowed or raised for the purpose of loans to the borrowing authority:—

- (1.) The sum shall be lent by the Corporation to the borrowing authority for a period not exceeding that for which the borrowing authority is authorised to borrow or re-borrow the same and with a provision for repayment by equal annual instalments of principal or of principal and interest combined.
- (2.) If any sum payable to the Corporation for principal in respect of any sum lent to the borrowing authority shall not be received within six months of the time appointed for the payment thereof a like sum shall be set apart out of the borough fund and if after the application or investment of the sum so set apart or the payment thereof into the loans fund as provided by Article VIII. of this Order the whole or any part thereof shall be received by the Corporation the sum so received shall be carried to the credit of the borough fund.

Art. VII. The following provisions shall apply to moneys borrowed for the purpose of loans to the borrowing authority and not raised by the issue of stock:—

- (1.) Every sum so borrowed shall be repaid by the Corporation within a period to expire not more than one year after that for which the same was lent by them to the borrowing authority.
- (2.) All sums received from the borrowing authority for interest shall be applied towards the payment of interest payable in respect of moneys so borrowed the balance (if any) being carried to the credit of the borough fund.
- (3.) All sums received from the borrowing authority for principal (except sums which are to be carried to the credit of the borough fund under the provisions of subdivision (2) of Article VI. of this Order) and all sums set

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apart out of the borough fund under that subdivision shall be applied towards the repayment of the principal payable in respect of moneys so borrowed and until so applied shall be invested in statutory securities the Corporation being at liberty from time to time to vary and transpose such investments The interest derived from such investments shall be applied in making good any loss or deficiency of or in the principal moneys so invested that may arise by depreciation of the investments or otherwise and if not required for that purpose shall be applied as if the same had been received for interest from the borrowing authority.

Art. VIII. The following provisions shall apply to moneys raised by the issue of stock for the purpose of loans to the borrowing authority.

- (1.) All sums received from the borrowing authority for interest shall be paid into the loans fund established in respect of the class of stock to which the stock so issued belongs and shall be applied in paying the dividends on such class of stock.
- (2.) All sums received from the borrowing authority for principal (except sums which are to be carried to the credit of the borough fund under the provisions of subdivision (2) of Article VI. of this Order) and all sums set apart out of the borough fund in pursuance of that subdivision shall be paid into the loans fund established in respect of the said class of stock and shall be applied in the redemption or purchase and extinction of such stock and until so applied shall be invested in statutory securities the Corporation being at liberty from time to time to vary and transpose such investments The interest derived from such investments shall be applied in making good any loss or deficiency of or in the principal moneys so invested that may arise by depreciation of the investments or otherwise.
- (3.) If the sum received as interest from any borrowing authority or derived from such investments as aforesaid is more than is required for the purpose to which the same is to be applied as above mentioned the surplus may be applied in reduction of any contributions payable out of Corporation revenues in respect of dividends on the said class of stock.

Art. IX. If any doubt shall arise as to how much of any sum received by the Corporation from the borrowing authority is to be regarded as principal or interest the question shall be determined by the Local Government Board.

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 payable to the Corporation in respect of moneys lent by them to the borrowing authority and raised otherwise than by the issue of stock 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 be prescribed by that Board and verified by statutory declaration if so required by them showing for the year next preceding the making of such return the amounts which have been received from the borrowing authority for principal the amounts which have been applied directly towards the repayment of the principal payable in respect of moneys raised under Article V. of this Order and the amounts which have been invested and the description of the securities



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upon which any investment has been made and the purposes to which any portion of the investment has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of his failing to make such return such town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

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(2.) If it appears to the Local Government Board by that return or otherwise that the Corporation have failed to apply or invest as required by subdivision (3) of Article VII. of this Order any sum by that subdivision required to be applied or invested or have misapplied any of the investments or the produce of the sale thereof the Local Government Board may by Order direct that the sum in such Order mentioned not exceeding double the amount in respect of which such default or misapplication has occurred shall be applied directly towards repayment of principal or be invested and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

Art. XI. Sub-section (3) of Section 9 of the Act of 1888 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 Act and subject to the provisions  
“ in force governing the payments to be made to the loans fund in respect  
“ of moneys raised by stock for the purpose of loans to any other local  
“ authority) shall be such amounts as will with accumulations at com-  
“ pound 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 statu-  
“ tory borrowing power the money represented by the stock is to be  
“ repaid.”

Art. XII. Sub-section (5) of Section 9 of the Act of 1888 shall be repealed except so far as the same 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 subject to the provisions  
“ in force governing the payments to be made to the loans fund  
“ in respect of moneys raised by stock for the purpose of loans  
“ to any other local authority 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 afore-  
“ said be paid into the loans fund out of the revenues of the Corporation

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“ 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  
 “ 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.

“ (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. XIII. Sub-section (1) of Section 11 of the Act of 1888 shall be altered  
 by the substitution of the words “ be received by them ” in place of the words  
 “ arise from any sale lease or other disposition of land or other property of the  
 “ Corporation on the revenues whereof any Corporation Stock is charged ” and  
 by the addition thereto of the following:—

“ Any sums paid into the loans fund in pursuance of this sub-section or in  
 “ pursuance of sub-section (4) of Section 17 of this Act shall (unless the  
 “ same be forthwith applied in the redemption or purchase and extinction  
 “ of stock) be invested in statutory securities and accumulated as the sums  
 “ paid into the loans fund in respect of contributions under Section 9 are  
 “ required to be invested and accumulated.”

Art. XIV. Section 15 of the Act of 1888 shall be repealed except so far as  
 the same may have been acted upon and in lieu thereof the following  
 provisions shall be inserted viz.,—

“ 15.—(1.) Where any money is standing on a separate account in the loans  
 “ fund being money paid into the loans fund as rents and profits of land  
 “ and other property of the Corporation or being money paid into the  
 “ loans fund as interest on cash balances received by the Corporation  
 “ or being other money paid into the loans fund but not being capital



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“ or in the nature of capital the Corporation may deal with the same as      A.D. 1897.  
“ in this section provided.      —

“ (2.) Where any money standing on a separate account in the loans  
“ fund and required by this Act to be invested and accumulated produces  
“ in any year a sum in excess of that which it would have produced  
“ at the rate of interest on which the payments to the loans fund are  
“ calculated the Corporation may if they think fit deal with the excess  
“ so produced in accordance with the provisions of sub-section (3) of  
“ this section.

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“ (3.) The Corporation may if they think fit from time to time apply  
“ the money described in sub-section (1) of this section and the excess  
“ referred to in sub-section (2) of this section to either of the purposes  
“ following or partly to one and partly to the other in such proportions  
“ as the Corporation from time to time may consider equitable and  
“ expedient that is to say,—

“ (a.) In reduction of such contributions out of the Corporation  
“ revenues as are payable into the loans fund in respect of  
“ dividends on the portion of Corporation Stock in relation to  
“ which the separate account on which the money or interest  
“ and annual proceeds is or are standing is kept.

“ (b.) In reduction of the contributions out of the Corporation  
“ revenues payable into the loans fund for redemption and  
“ extinction or purchase and extinction of such portion of  
“ stock.”

Art. XV. This Order may be cited as the West Ham Order 1897.

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

(L.S.)

HENRY CHAPLIN President.

HUGH OWEN Secretary.

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