

**CHAPTER cvii.**

An Act to confirm certain Provisional Orders of the Local Government Board relating to Durham and Framwelgate Hanley and Southport. A.D. 1905.

[4th August 1905.]

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

51 & 52 Vict.
c. 41.

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

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

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

2. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 11) Act 1905. Short title.

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A.D. 1905.

SCHEDULE.

CITY OF DURHAM AND FRAMWELGATE.

*Durham and
Framwelgate
Order.*

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

To the Mayor Aldermen and Citizens of the City of Durham and
Framwelgate;—

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

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

To the County Council of Durham;—

To the Rural District Council of Durham;—

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

To the Parish Councils of Framwellgate Moor Neville's Cross and Saint
Oswald's;—

To the Overseers of the Poor of each of the Parishes of Crossgate
Framwellgate Framwellgate Moor and Neville's Cross;—

To the Burial Board for the Parish of Saint Nicholas;—

To the Joint Committee appointed by the Council of the City of Durham
and Framwelgate and the Parish Councils of Framwellgate Moor
and Saint Oswald's and exercising the powers and duties of the
authority under the Burial Acts 1852 to 1900;—

And to all others whom it may concern.

51 & 52 Viet.
c. 47.

WHEREAS by Section 54 of the Local Government Act 1888 the Local
Government Board are empowered to make a Provisional Order for altering
the boundary of any Borough and by such Order to divide or alter any
electoral division;

And whereas the City of Durham and Framwelgate is a Borough
within the meaning of the Local Government Act 1888 and the inhabitants
are a body corporate by the name of the Mayor Aldermen and Citizens of the
City of Durham and Framwelgate and act by the Council of the said City
which now consists of the Mayor (who is also a Councillor) six Aldermen and
seventeen other Councillors;

And whereas the said City is for the purposes of the election of
Councillors divided into three wards known as the North Ward the South
Ward and the Saint Nicholas Ward;

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

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Framwelgate;—

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

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

To the County Council of Durham;—

To the Rural District Council of Durham;—

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

To the Parish Councils of Framwellgate Moor Neville's Cross and Saint
Oswald's;—

To the Overseers of the Poor of each of the Parishes of Crossgate
Framwellgate Framwellgate Moor and Neville's Cross;—

To the Burial Board for the Parish of Saint Nicholas;—

To the Joint Committee appointed by the Council of the City of Durham
and Framwelgate and the Parish Councils of Framwellgate Moor
and Saint Oswald's and exercising the powers and duties of the
authority under the Burial Acts 1852 to 1900;—

And to all others whom it may concern.

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WHEREAS by Section 54 of the Local Government Act 1888 the Local
Government Board are empowered to make a Provisional Order for altering
the boundary of any Borough and by such Order to divide or alter any
electoral division;

And whereas the City of Durham and Framwelgate is a Borough
within the meaning of the Local Government Act 1888 and the inhabitants
are a body corporate by the name of the Mayor Aldermen and Citizens of the
City of Durham and Framwelgate and act by the Council of the said City
which now consists of the Mayor (who is also a Councillor) six Aldermen and
seventeen other Councillors;

And whereas the said City is for the purposes of the election of
Councillors divided into three wards known as the North Ward the South
Ward and the Saint Nicholas Ward;

And whereas the said City is an Urban District of which the Mayor Aldermen and Citizens acting by the Council are the Urban District Council;

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—
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Order.

And whereas the said City has a separate commission of the peace police force and recorder;

And whereas in pursuance of the Education Act 1902 the Council of the said City are the local education authority for the purposes of Part III. of that Act and the County Council of Durham are the local education authority for the other purposes of that Act;

2 Edw. 7. c. 42.

And whereas the unrepealed provisions of the Local Acts mentioned in the schedule to this Order are in force in the said City;

And whereas the Urban District Council have adopted the provisions of—

(a) The Infectious Disease (Prevention) Act 1890;

53 & 54 Vict.
c. 34.

(b) The Public Health Acts Amendment Act 1890;

53 & 54 Vict.
c. 59.

(c) The Museums and Gymnasiums Act 1891; and

54 & 55 Vict.
c. 22.

(d) The Private Street Works Act 1892;

55 & 56 Vict.
c. 57.

and those provisions are accordingly in force in the said City;

And whereas the Baths and Washhouses Acts 1846 to 1899 are in force in the said City;

9 & 10 Vict. c. 74.
10 & 11 Vict. c. 61.
41 & 42 Vict. c. 14.
45 & 46 Vict. c. 30.
59 & 60 Vict. c. 59.
62 & 63 Vict. c. 39.

And whereas the Parishes of Framwellgate Moor and Neville's Cross are contributory places in the Rural District of Durham and are subject to the jurisdiction of the Rural District Council of Durham;

And whereas the said Rural District Council have adopted the provisions of—

(a) The Infectious Disease (Prevention) Act 1890;

(b) Part III. of the Public Health Acts Amendment Act 1890 which are applicable to Rural Districts;

and those provisions are accordingly in force in the said Rural District;

And whereas the Lighting and Watching Act 1833 has been adopted in part of the said Parish of Neville's Cross;

3 & 4 Will. 4.
c. 90.

And whereas the said City includes the Parishes of Crossgate Elvet Framwellgate and Saint Nicholas and those parishes and the said Parishes of Framwellgate Moor and Neville's Cross are included in the Durham Union and two Guardians are elected for each of the said Parishes of Crossgate and Framwellgate one Rural District Councillor is elected for the said Parish of Neville's Cross and two Rural District Councillors are elected for the said Parish of Framwellgate Moor;

And whereas the said Parishes of Framwellgate Moor and Neville's Cross are Rural Parishes within the meaning of the Local Government Act 1894 for which Parish Councils have been established;

56 & 57 Vict.
c. 73.

And whereas in pursuance of the Education Act 1902 the said Parishes of Framwellgate Moor and Neville's Cross form part of the area of the County Council of Durham as the local education authority;

And whereas the said City is an Urban District of which the Mayor Aldermen and Citizens acting by the Council are the Urban District Council;

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Order.*

And whereas the said City has a separate commission of the peace police force and recorder;

And whereas in pursuance of the Education Act 1902 the Council of the said City are the local education authority for the purposes of Part III. of that Act and the County Council of Durham are the local education authority for the other purposes of that Act;

2 Edw. 7. c. 42.

And whereas the unrepealed provisions of the Local Acts mentioned in the schedule to this Order are in force in the said City;

And whereas the Urban District Council have adopted the provisions of—

(a) The Infectious Disease (Prevention) Act 1890;

53 & 54 Vict.
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(b) The Public Health Acts Amendment Act 1890;

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(c) The Museums and Gymnasiums Act 1891; and

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c. 22.

(d) The Private Street Works Act 1892;

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and those provisions are accordingly in force in the said City;

And whereas the Baths and Washhouses Acts 1846 to 1899 are in force in the said City;

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45 & 46 Vict. c. 30.
59 & 60 Vict. c. 59.
62 & 63 Vict. c. 39.

And whereas the Parishes of Framwellgate Moor and Neville's Cross are contributory places in the Rural District of Durham and are subject to the jurisdiction of the Rural District Council of Durham;

And whereas the said Rural District Council have adopted the provisions of—

(a) The Infectious Disease (Prevention) Act 1890;

(b) Part III. of the Public Health Acts Amendment Act 1890 which are applicable to Rural Districts;

and those provisions are accordingly in force in the said Rural District;

And whereas the Lighting and Watching Act 1833 has been adopted in part of the said Parish of Neville's Cross;

3 & 4 Will. 4.
c. 90.

And whereas the said City includes the Parishes of Crossgate Elvet Framwellgate and Saint Nicholas and those parishes and the said Parishes of Framwellgate Moor and Neville's Cross are included in the Durham Union and two Guardians are elected for each of the said Parishes of Crossgate and Framwellgate one Rural District Councillor is elected for the said Parish of Neville's Cross and two Rural District Councillors are elected for the said Parish of Framwellgate Moor;

And whereas the said Parishes of Framwellgate Moor and Neville's Cross are Rural Parishes within the meaning of the Local Government Act 1894 for which Parish Councils have been established;

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And whereas in pursuance of the Education Act 1902 the said Parishes of Framwellgate Moor and Neville's Cross form part of the area of the County Council of Durham as the local education authority;

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Framwellgate
Order.*15 & 16 Vict.
c. 85.
63 & 64 Vict.
c. 15.

And whereas the Burial Board for the Parish of Saint Nicholas are the authority under the Burial Acts 1852 to 1900 for that parish and by virtue of sub-section (2) of Section 53 of the Local Government Act 1894 the powers and duties of the authority under the Burial Acts 1852 to 1900 for an area now comprised in the said Parishes of Elvet and Saint Oswald's and part of the said Parish of Framwellgate Moor were transferred to the Council of the said City and the Parish Councils of Framwellgate Moor and Saint Oswald's and the said powers and duties are exercised by a Joint Committee appointed in pursuance of the said sub-section ;

And whereas the number of County Councillors for the County of Durham is sixty-nine of which number two are apportioned to the said City and the said City has accordingly been divided into two electoral divisions termed respectively the Durham No. 1 Electoral Division and the Durham No. 2 Electoral Division and the said Parishes of Framwellgate Moor and Neville's Cross are included in the Elvet Electoral Division of the said County :

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

51 & 52 Vict.
c. 41.

Definitions.

Art. I. In this Order—

- (1) The expression "the commencement of this Order" means the Ninth day of November One thousand nine hundred and five ;
- (2) The expression "the existing City" means the City of Durham and Framwellgate as it existed immediately prior to the commencement of this Order ;
- (3) The expression "the City" means the existing City as extended by this Order ;
- (4) The expression "the Corporation" means as the context requires the Mayor Aldermen and Citizens of the existing City or of the City acting by the Council ;
- (5) The expressions "the Rural District" and "the Rural Council" mean respectively the Rural District of Durham and the Rural District Council of that district ;
- (6) The expressions "the County" and "the County Council" mean respectively the Administrative County of Durham and the County Council of that County ;
- (7) The expression "the Saint Nicholas Burial Board" means the Burial Board for the Parish of Saint Nicholas the expression "the Joint Burial Committee" means the Joint Committee appointed as aforesaid for the purposes of the Burial Acts 1852 to 1900 by the Council of the existing City and the Parish Councils of Framwellgate Moor and Saint Oswald's

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*Durham and
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And whereas the number of County Councillors for the County of Durham is sixty-nine of which number two are apportioned to the said City and the said City has accordingly been divided into two electoral divisions termed respectively the Durham No. 1 Electoral Division and the Durham No. 2 Electoral Division and the said Parishes of Framwellgate Moor and Neville's Cross are included in the Elvet Electoral Division of the said County :

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

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- (5) The expressions "the Rural District" and "the Rural Council" mean respectively the Rural District of Durham and the Rural District Council of that district ;
- (6) The expressions "the County" and "the County Council" mean respectively the Administrative County of Durham and the County Council of that County ;
- (7) The expression "the Saint Nicholas Burial Board" means the Burial Board for the Parish of Saint Nicholas the expression "the Joint Burial Committee" means the Joint Committee appointed as aforesaid for the purposes of the Burial Acts 1852 to 1900 by the Council of the existing City and the Parish Councils of Framwellgate Moor and Saint Oswald's

and the expression "the Joint Burial Area" means the area within the jurisdiction of the Joint Burial Committee and comprised in the Parishes of Elvet and Saint Oswald's and part of the Parish of Framwellgate Moor;

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Order.

- (8) The expression "the City maps" means the two maps each marked "Map of the City of Durham as extended 1905" and sealed with the official seal of the Local Government Board;
- (9) The expression "the Ward maps" means the two maps each marked "Map of the Wards of the City of Durham as extended 1905" and sealed with the official seal of the Local Government Board;
- (10) The expression "the added areas" means the parts of the Rural District added to the existing City by this Order;
- (11) The expressions "the added parts of Framwellgate Moor" and "the added part of Neville's Cross" mean respectively those parts of the existing Parish of Framwellgate Moor and that part of the existing Parish of Neville's Cross which are respectively coloured blue and brown on the City maps;
- (12) The expressions "the existing Parish of Crossgate" "the existing Parish of Framwellgate" "the existing Parish of Framwellgate Moor" and "the existing Parish of Neville's Cross" mean in each case the parish as it existed immediately prior to the commencement of this Order and the expressions "the Parish of Crossgate" "the Parish of Framwellgate" "the Parish of Framwellgate Moor" and "the Parish of Neville's Cross" mean in each case the parish as altered by this Order;
- (13) The expressions "the Act of 1888" and "the Act of 1894" mean respectively the Local Government Act 1888 and the Local Government Act 1894;
- (14) The expression "the Municipal Corporations Acts" means the Municipal Corporations Act 1882 and the Acts amending and extending the same and the expression "the Public Health Acts" means the Public Health Act 1875 and the Acts amending and extending the same.

Art. II. This Order shall except so far as is otherwise herein expressly provided and so far as there may be anything in the subject-matter or context inconsistent therewith come into operation on the Ninth day of November One thousand nine hundred and five:

Commence-
ment of Order.

Provided that for the purposes of the parish burgess lists and burgess roll and other lists to be made for the City under the Municipal Corporations Acts of the lists of county electors and the county register to be made for the County in pursuance of the County Electors Act 1888 or any Act amending that Act of the lists and registers of parochial electors and any other lists or registers to be made in pursuance of the Act of 1894 and of all proceedings

Date of opera-
tion of Order
for parish bur-
gess lists &c.

51 Vict. c. 10.

and the expression "the Joint Burial Area" means the area within the jurisdiction of the Joint Burial Committee and comprised in the Parishes of Elvet and Saint Oswald's and part of the Parish of Framwellgate Moor;

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—
Durham and
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Order.

- (8) The expression "the City maps" means the two maps each marked "Map of the City of Durham as extended 1905" and sealed with the official seal of the Local Government Board;
- (9) The expression "the Ward maps" means the two maps each marked "Map of the Wards of the City of Durham as extended 1905" and sealed with the official seal of the Local Government Board;
- (10) The expression "the added areas" means the parts of the Rural District added to the existing City by this Order;
- (11) The expressions "the added parts of Framwellgate Moor" and "the added part of Neville's Cross" mean respectively those parts of the existing Parish of Framwellgate Moor and that part of the existing Parish of Neville's Cross which are respectively coloured blue and brown on the City maps;
- (12) The expressions "the existing Parish of Crossgate" "the existing Parish of Framwellgate" "the existing Parish of Framwellgate Moor" and "the existing Parish of Neville's Cross" mean in each case the parish as it existed immediately prior to the commencement of this Order and the expressions "the Parish of Crossgate" "the Parish of Framwellgate" "the Parish of Framwellgate Moor" and "the Parish of Neville's Cross" mean in each case the parish as altered by this Order;
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Date of opera-
tion of Order
for parish bur-
gess lists &c.

51 Vict. c. 10.

A.D. 1905. preliminary or relating to any municipal election to be held on the ordinary day of election in the year one thousand nine hundred and five and the revision of the basis or standard of county rate this Order shall operate from the date of the Act of Parliament confirming this Order.

—
Durham and
Framwellgate
Order.

Extension of
City.

Art. III.—(1) The boundary of the existing City the area whereof is coloured pink on the City maps shall be altered so as to include in addition to that area so much of the Rural District as comprises the added parts of Framwellgate Moor and the added part of Neville's Cross.

(2) The boundary of the City shall be that shown by the red line on the City maps and the whole of the area within that boundary shall for the purposes of the Municipal Corporations Acts and for all other purposes be the City.

Deposit of
maps.

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

(2) Copies of or extracts from the City map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as *prima facie* evidence of the contents of the map so far as relates to the boundary of the City and the map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the City and any such person shall be entitled to a copy of or extract from the map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation. All fees so received shall be carried to the credit of the city fund.

Powers and
duties of
justices &c.
extended.

Art. V. The powers and duties of the justices of the peace appointed for the existing City of the clerk to those justices and of the police constables and other peace officers of the existing City shall extend to and apply throughout the City and the recorder of the existing City shall act in that capacity for the City :

Provided that every person committing an offence in any part of the added areas prior to the commencement of this Order shall be tried adjudicated on and dealt with as if this Order had not been made :

Provided also that every proceeding which prior to the commencement of this Order has been begun by or before any justice or justices in relation to any matter arising in or concerning any part of the added areas may be carried on continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this Order had not been made.

A.D. 1905. preliminary or relating to any municipal election to be held on the ordinary day of election in the year one thousand nine hundred and five and the revision of the basis or standard of county rate this Order shall operate from the date of the Act of Parliament confirming this Order.

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(2) Copies of or extracts from the City map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as *prima facie* evidence of the contents of the map so far as relates to the boundary of the City and the map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the City and any such person shall be entitled to a copy of or extract from the map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation. All fees so received shall be carried to the credit of the city fund.

Powers and
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Provided that every person committing an offence in any part of the added areas prior to the commencement of this Order shall be tried adjudicated on and dealt with as if this Order had not been made :

Provided also that every proceeding which prior to the commencement of this Order has been begun by or before any justice or justices in relation to any matter arising in or concerning any part of the added areas may be carried on continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this Order had not been made.

Art. VI.—(1) For the purposes of the parish burgess lists and burgess roll and other lists to be made under the Municipal Corporations Acts and all matters in relation thereto the added areas shall be deemed to have always been part of the City and the town clerk of the existing City shall be the town clerk of the City.

A.D. 1905.

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*Durham and
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Order.*Parish burgess
lists &c.

(2) In making out revising or otherwise dealing with the said lists and roll or the lists of county electors and the county register to be made for the County in pursuance of the County Electors Act 1888 or any Act amending that Act or the lists and registers of parochial electors effect shall be given so far as the circumstances require or allow to the provisions of this Order.

(3) Where any difficulty in giving effect to the provisions of this Order can be obviated or removed by any alteration in or re-arrangement of or any other action affecting the said lists roll and registers that alteration re-arrangement or action so far as the same may be necessary for giving effect to the said provisions shall be made or taken by the town clerk or the clerk of the County Council as the case may require and the Overseers of the Poor shall render such assistance as may be requisite for the purpose of the said alteration re-arrangement or action by the town clerk or clerk of the County Council as the case may be and that alteration re-arrangement or action shall be deemed to be authorised by the provisions in force with respect to the said lists roll and registers.

(4) Where in the opinion of the Local Government Board the circumstances so require the Local Government Board may make such order as appears to them to be necessary to give effect to the provisions of this Order and may vary so far as is requisite the provisions in force with regard to the said lists roll and registers.

Art. VII. Subject to the provisions of the Municipal Corporations Acts with respect to the alteration of wards the following provisions shall have effect:—

(1) For the purposes of the election of Councillors the City shall be divided into six wards which shall be termed respectively the Framwelgate Ward the Gilesgate Ward the Saint Nicholas Ward the Elvet Ward the Crossgate Ward and the Neville's Cross Ward:

Division into
wards.

(2) Each of the said wards shall comprise that portion of the City which is indicated by a separate colour and distinguished by the name of the ward on the ward maps:

Boundaries of
wards.

(3) Three Councillors shall be assigned to each of the said wards.

Art. VIII. For the purposes of the election of a town council for the City in pursuance of the Municipal Corporations Acts in the month of November One thousand nine hundred and five the following provisions shall apply:—

Special provi-
sions for first
election of
Councillors
in 1905.

(a) The town clerk and the Mayor of the existing City or such other persons as the Local Government Board shall appoint shall perform the duties devolving upon the town clerk and Mayor

Art. VI.—(1) For the purposes of the parish burgess lists and burgess roll and other lists to be made under the Municipal Corporations Acts and all matters in relation thereto the added areas shall be deemed to have always been part of the City and the town clerk of the existing City shall be the town clerk of the City.

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—
*Durham and
Framwelgate
Order.*Parish burgess
lists &c.

(2) In making out revising or otherwise dealing with the said lists and roll or the lists of county electors and the county register to be made for the County in pursuance of the County Electors Act 1888 or any Act amending that Act or the lists and registers of parochial electors effect shall be given so far as the circumstances require or allow to the provisions of this Order.

(3) Where any difficulty in giving effect to the provisions of this Order can be obviated or removed by any alteration in or re-arrangement of or any other action affecting the said lists roll and registers that alteration re-arrangement or action so far as the same may be necessary for giving effect to the said provisions shall be made or taken by the town clerk or the clerk of the County Council as the case may require and the Overseers of the Poor shall render such assistance as may be requisite for the purpose of the said alteration re-arrangement or action by the town clerk or clerk of the County Council as the case may be and that alteration re-arrangement or action shall be deemed to be authorised by the provisions in force with respect to the said lists roll and registers.

(4) Where in the opinion of the Local Government Board the circumstances so require the Local Government Board may make such order as appears to them to be necessary to give effect to the provisions of this Order and may vary so far as is requisite the provisions in force with regard to the said lists roll and registers.

Art. VII. Subject to the provisions of the Municipal Corporations Acts with respect to the alteration of wards the following provisions shall have effect:—

(1) For the purposes of the election of Councillors the City shall be divided into six wards which shall be termed respectively the Framwelgate Ward the Gilesgate Ward the Saint Nicholas Ward the Elvet Ward the Crossgate Ward and the Neville's Cross Ward:

Division into
wards.

(2) Each of the said wards shall comprise that portion of the City which is indicated by a separate colour and distinguished by the name of the ward on the ward maps:

Boundaries of
wards.

(3) Three Councillors shall be assigned to each of the said wards.

Art. VIII. For the purposes of the election of a town council for the City in pursuance of the Municipal Corporations Acts in the month of November One thousand nine hundred and five the following provisions shall apply:—

Special provi-
sions for first
election of
Councillors
in 1905.

(a) The town clerk and the Mayor of the existing City or such other persons as the Local Government Board shall appoint shall perform the duties devolving upon the town clerk and Mayor

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respectively under the Municipal Corporations Acts and the Mayor of the existing City shall be the returning officer at the election for all the wards. Provided that the Mayor of the existing City may appoint some other person to act as returning officer at the election for any of the wards :

- (b) Eighteen Councillors of the City shall be elected on the First day of November One thousand nine hundred and five and six Aldermen of the City shall be elected on the Ninth day of November One thousand nine hundred and five :
- (c) Notwithstanding anything in the Municipal Corporations Acts to the contrary all the Councillors of the existing City who shall be in office on the First day of November One thousand nine hundred and five shall go out of office on that date and all the Aldermen of the existing City who shall be in office on the Eighth day of November One thousand nine hundred and five shall go out of office on that date and all the said Councillors and Aldermen shall be eligible for election as Councillors on the First day of November One thousand nine hundred and five.

Retirement of
Councillors
and Aldermen
elected in 1905.

Art. IX.—(1) The Councillors elected for the City in the year One thousand nine hundred and five in pursuance of this Order shall retire as follows :—

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

(2) The Aldermen elected for the City in the year one thousand nine hundred and five shall retire as follows :—

- (a) The three Aldermen elected by the smallest number of votes on the Ninth day of November One thousand nine hundred and eight :
- (b) The other three Aldermen on the Ninth day of November One thousand nine hundred and eleven.

Provided that if for any reason it is doubtful which of the Councillors or Aldermen as the case may be ought to retire on the dates above specified the Council of the City shall on the Ninth day of November One thousand nine hundred and five or at the next following quarterly meeting and not later by a majority of votes or in case of an equality of votes by the casting vote of the chairman determine which of the Councillors or Aldermen as the case may be shall go out of office on the dates above specified respectively.

Repeal of Local
Acts.

Art. X. The unrepealed provisions of the Local Acts mentioned in the schedule to this Order shall be repealed.

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respectively under the Municipal Corporations Acts and the Mayor of the existing City shall be the returning officer at the election for all the wards. Provided that the Mayor of the existing City may appoint some other person to act as returning officer at the election for any of the wards :

- (b) Eighteen Councillors of the City shall be elected on the First day of November One thousand nine hundred and five and six Aldermen of the City shall be elected on the Ninth day of November One thousand nine hundred and five :
- (c) Notwithstanding anything in the Municipal Corporations Acts to the contrary all the Councillors of the existing City who shall be in office on the First day of November One thousand nine hundred and five shall go out of office on that date and all the Aldermen of the existing City who shall be in office on the Eighth day of November One thousand nine hundred and five shall go out of office on that date and all the said Councillors and Aldermen shall be eligible for election as Councillors on the First day of November One thousand nine hundred and five.

Retirement of
Councillors
and Aldermen
elected in 1905.

Art. IX.—(1) The Councillors elected for the City in the year One thousand nine hundred and five in pursuance of this Order shall retire as follows :—

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

(2) The Aldermen elected for the City in the year one thousand nine hundred and five shall retire as follows :—

- (a) The three Aldermen elected by the smallest number of votes on the Ninth day of November One thousand nine hundred and eight :
- (b) The other three Aldermen on the Ninth day of November One thousand nine hundred and eleven.

Provided that if for any reason it is doubtful which of the Councillors or Aldermen as the case may be ought to retire on the dates above specified the Council of the City shall on the Ninth day of November One thousand nine hundred and five or at the next following quarterly meeting and not later by a majority of votes or in case of an equality of votes by the casting vote of the chairman determine which of the Councillors or Aldermen as the case may be shall go out of office on the dates above specified respectively.

Repeal of Local
Acts.

Art. X. The unrepealed provisions of the Local Acts mentioned in the schedule to this Order shall be repealed.

Art. XI.—(1) All byelaws and regulations and every list of tolls and table of fees and payments and scale of charges made by the Corporation which at the commencement of this Order are in force in the existing City shall thenceforth apply to the City until or except in so far as any such byelaws or regulations or list of tolls or table of fees and payments or scale of charges may be altered or repealed.

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—
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Order.
Byelaws &c.

(2) All byelaws and regulations made by the Rural Council or their predecessors and in force immediately before the commencement of this Order in any part of the added areas shall on that date cease to be in force except as regards any work commenced before that date or any work for which plans shall either have been approved by the Rural Council before that date or shall have been sent to the surveyor or clerk to the Rural Council one month at least before that date and shall not have been disapproved by that council. As regards any such work as aforesaid the byelaws in force immediately before the commencement of this Order shall continue to apply until the completion of the work in like manner and with the like effect as if those byelaws had been made by the Corporation and as if the Corporation and the City were referred to therein instead of the Rural Council and the Rural District respectively. Provided that any proceedings which might have been taken by the Rural Council against any person for any offence committed before the commencement of this Order against any byelaws and regulations made by the Rural Council or their predecessors and in force on that date in any part of the added areas may be taken by the Corporation as if those byelaws and regulations had remained in force and the Corporation had been substituted therein for the Rural Council.

Art. XII. For the purposes and subject to the provisions of the Education Acts 1870 to 1902 any byelaws in force in the existing City at the commencement of this Order shall thenceforth apply to the City until revoked or altered and from and after that date any byelaws then in force in the added areas shall cease to be so in force

Education
byelaws.

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

Town clerk and
other officers
continued.

(2) The auditors who are in office at the commencement of this Order shall continue in office and shall for the purposes of the Municipal Corporations Acts be the city auditors until the next ordinary day of election of city auditors for the said purposes.

City auditors.

Art. XIV.—(1) Every clerk to justices and every officer or servant of or paid by the County Council or of or paid by the Standing Joint Committee of the County and every other officer and servant who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of

Compensation
to existing
officers.

Art. XI.—(1) All byelaws and regulations and every list of tolls and table of fees and payments and scale of charges made by the Corporation which at the commencement of this Order are in force in the existing City shall thenceforth apply to the City until or except in so far as any such byelaws or regulations or list of tolls or table of fees and payments or scale of charges may be altered or repealed.

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—
Durham and
Framwelgate
Order.
Byelaws &c.

(2) All byelaws and regulations made by the Rural Council or their predecessors and in force immediately before the commencement of this Order in any part of the added areas shall on that date cease to be in force except as regards any work commenced before that date or any work for which plans shall either have been approved by the Rural Council before that date or shall have been sent to the surveyor or clerk to the Rural Council one month at least before that date and shall not have been disapproved by that council. As regards any such work as aforesaid the byelaws in force immediately before the commencement of this Order shall continue to apply until the completion of the work in like manner and with the like effect as if those byelaws had been made by the Corporation and as if the Corporation and the City were referred to therein instead of the Rural Council and the Rural District respectively. Provided that any proceedings which might have been taken by the Rural Council against any person for any offence committed before the commencement of this Order against any byelaws and regulations made by the Rural Council or their predecessors and in force on that date in any part of the added areas may be taken by the Corporation as if those byelaws and regulations had remained in force and the Corporation had been substituted therein for the Rural Council.

Art. XII. For the purposes and subject to the provisions of the Education Acts 1870 to 1902 any byelaws in force in the existing City at the commencement of this Order shall thenceforth apply to the City until revoked or altered and from and after that date any byelaws then in force in the added areas shall cease to be so in force

Education
byelaws.

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

Town clerk and
other officers
continued.

(2) The auditors who are in office at the commencement of this Order shall continue in office and shall for the purposes of the Municipal Corporations Acts be the city auditors until the next ordinary day of election of city auditors for the said purposes.

City auditors.

Art. XIV.—(1) Every clerk to justices and every officer or servant of or paid by the County Council or of or paid by the Standing Joint Committee of the County and every other officer and servant who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of

Compensation
to existing
officers.

A.D. 1905. fees or salary and for whose compensation no other provision is made by any enactment for the time being in force and applicable to his case shall be entitled to have compensation paid to him by the Corporation for that pecuniary loss and in determining the said compensation regard shall be had to the conditions and other circumstances required by sub-section (1) of Section 120 of the Act of 1888 to be had in regard in cases of compensation under that section and the compensation shall not exceed the limit therein mentioned and shall be paid in the case of any such officer or servant whose office or employment relates wholly or partly to sanitary purposes as defined by the Public Health Act 1875 out of the district fund and general district rate of the City and in every other case out of the city fund and city rate of the City and the provisions of sub-sections (2) to (7) of Section 120 of the Act of 1888 shall apply with the necessary modifications.

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(2) For the purposes of subdivision (1) of this Article any such officer or servant whose services are dispensed with or whose salary is reduced by the County Council or the Standing Joint Committee or any other authority including the Corporation within five years from the commencement of this Order because his services are not required or his duties are diminished in consequence thereof and not on the ground of misconduct shall be deemed to have suffered a direct pecuniary loss in consequence of this Order.

Actions &c.
not to abate.

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

Saving for
contracts &c.

(2) Anything duly done or suffered and all contracts deeds bonds agreements and other instruments (subsisting at the commencement of this Order) entered into or made by the Rural Council or their predecessors in relation exclusively to any part of the added areas shall be of as full force and effect against or in favour of the Corporation of the City and may be continued and enforced as fully and effectually as if instead of the Rural Council or their predecessors the Corporation had done or suffered the same or been a party thereto.

Corporation
property &c.

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

A.D. 1905. fees or salary and for whose compensation no other provision is made by any enactment for the time being in force and applicable to his case shall be entitled to have compensation paid to him by the Corporation for that pecuniary loss and in determining the said compensation regard shall be had to the conditions and other circumstances required by sub-section (1) of Section 120 of the Act of 1888 to be had in regard in cases of compensation under that section and the compensation shall not exceed the limit therein mentioned and shall be paid in the case of any such officer or servant whose office or employment relates wholly or partly to sanitary purposes as defined by the Public Health Act 1875 out of the district fund and general district rate of the City and in every other case out of the city fund and city rate of the City and the provisions of sub-sections (2) to (7) of Section 120 of the Act of 1888 shall apply with the necessary modifications.

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Order.*

(2) For the purposes of subdivision (1) of this Article any such officer or servant whose services are dispensed with or whose salary is reduced by the County Council or the Standing Joint Committee or any other authority including the Corporation within five years from the commencement of this Order because his services are not required or his duties are diminished in consequence thereof and not on the ground of misconduct shall be deemed to have suffered a direct pecuniary loss in consequence of this Order.

*Actions &c.
not to abate.*

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

*Saving for
contracts &c.*

(2) Anything duly done or suffered and all contracts deeds bonds agreements and other instruments (subsisting at the commencement of this Order) entered into or made by the Rural Council or their predecessors in relation exclusively to any part of the added areas shall be of as full force and effect against or in favour of the Corporation of the City and may be continued and enforced as fully and effectually as if instead of the Rural Council or their predecessors the Corporation had done or suffered the same or been a party thereto.

*Corporation
property &c.*

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

Art. XVII. Subject to the provisions of this Order—

A.D. 1905.

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

Durham and Framwellgate Order.

Property &c. of Rural Council.

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

Cesser of jurisdiction of Rural Council.

(3) All arrears of rates made by any Overseers of the Poor for the purposes of the Public Health Acts or for highway expenses or for the purposes of the Lighting and Watching Act 1833 which at the commencement of this Order are due or owing in respect of hereditaments in the added areas may be collected and recovered as if this Order had not been made and when collected and recovered shall be applied in the case of rates made for the purposes of the Public Health Acts or for highway expenses towards the discharge of any precept of the Rural Council which at that date shall be in force and not satisfied or in the case of rates made in the existing Parish of Neville's Cross for the purposes of the Lighting and Watching Act 1833 towards defraying any expenses incurred by the Parish Council of that parish under the last-mentioned Act and the balances if any shall be paid to the Corporation and if necessary any moneys so paid shall in relation to that parish be a matter for adjustment under Section 62 of the Act of 1888 :

Arrears of rates &c.

(4) For the purposes of the application of Section 62 of the Act of 1888 to any adjustment which may become necessary in consequence of this Order that section shall have effect as if in sub-sections (5) (6) and (7) thereof the expression "Council" included any authority affected by this Order or by anything done in pursuance of this Order and as if in the case of any such authority not otherwise empowered to borrow under any Act or on any security or in any manner mentioned in the said sub-section (6) that sub-section empowered the authority to borrow under any Act relating to and conferring on the authority a power to borrow on the security of all or any of the funds rates and revenues of the authority and in the manner provided by the said Act but without the consent of any other authority and subject to the requirement that all money so borrowed shall be repaid within such period as the Local Government Board may sanction.

Adaptation of provisions as to adjustment.

Art. XVII. Subject to the provisions of this Order—

A.D. 1905.

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

Durham and Framwelgate Order.

Property &c. of Rural Council.

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

Cesser of jurisdiction of Rural Council.

(3) All arrears of rates made by any Overseers of the Poor for the purposes of the Public Health Acts or for highway expenses or for the purposes of the Lighting and Watching Act 1833 which at the commencement of this Order are due or owing in respect of hereditaments in the added areas may be collected and recovered as if this Order had not been made and when collected and recovered shall be applied in the case of rates made for the purposes of the Public Health Acts or for highway expenses towards the discharge of any precept of the Rural Council which at that date shall be in force and not satisfied or in the case of rates made in the existing Parish of Neville's Cross for the purposes of the Lighting and Watching Act 1833 towards defraying any expenses incurred by the Parish Council of that parish under the last-mentioned Act and the balances if any shall be paid to the Corporation and if necessary any moneys so paid shall in relation to that parish be a matter for adjustment under Section 62 of the Act of 1888 :

Arrears of rates &c.

(4) For the purposes of the application of Section 62 of the Act of 1888 to any adjustment which may become necessary in consequence of this Order that section shall have effect as if in sub-sections (5) (6) and (7) thereof the expression "Council" included any authority affected by this Order or by anything done in pursuance of this Order and as if in the case of any such authority not otherwise empowered to borrow under any Act or on any security or in any manner mentioned in the said sub-section (6) that sub-section empowered the authority to borrow under any Act relating to and conferring on the authority a power to borrow on the security of all or any of the funds rates and revenues of the authority and in the manner provided by the said Act but without the consent of any other authority and subject to the requirement that all money so borrowed shall be repaid within such period as the Local Government Board may sanction.

Adaptation of provisions as to adjustment.

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*Durham and
Framwellgate
Order.*
Mortgage debts
of Corporation.

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

Council to be
Burial Board
for City.

Art. XIX.—(1) The Corporation shall be the Burial Board for the City and shall have within the City to the exclusion of any other burial authority all the powers duties and liabilities of a burial board under the Burial Acts 1852 to 1900.

Abolition of
St. Nicholas
Burial Board.

(2) All property and liabilities which immediately before the commencement of this Order are vested in or attach to the Saint Nicholas Burial Board shall by virtue of this Order vest in and be transferred and attach to the Corporation as the Burial Board for the City and the Saint Nicholas Burial Board shall be abolished and cease to exist.

Abolition of
Burial Com-
mittee.

(3) Subject to the provisions of subdivision (4) of this Article and to any other adjustment which may be made between the Corporation and the Parish Councils of Framwellgate Moor and Saint Oswald's in relation to the property and liabilities of the Joint Burial Area all property and liabilities of the Joint Burial Area shall by virtue of this Order vest in and be transferred and attach to the Corporation as the Burial Board of the City and the Joint Burial Committee shall be abolished and cease to exist.

Mortgage debts
of Joint Burial
Area.

(4) The liability for the repayment of any moneys borrowed for the purposes of the Burial Acts 1852 to 1900 in respect of the Joint Burial Area and for the payment of interest on those moneys shall be a matter for adjustment under Section 62 of the Act of 1888 between the Corporation the Parish Council of Framwellgate Moor and the Parish Council of Saint Oswald's:

Provided that nothing herein contained shall prejudice or affect any mortgage or other security which may have been given in respect of any moneys so borrowed or the rights or powers of the persons entitled under that mortgage or other security to enforce the same as if this Order had not been made.

Saving rights
of burial.

(5) Nothing in this Order shall prejudice or affect any right of burial which any parishioner or inhabitant of the Parish of Elvet or of the Parish of

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*Durham and
Framwellgate
Order.*
Mortgage debts
of Corporation.

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

Council to be
Burial Board
for City.

Art. XIX.—(1) The Corporation shall be the Burial Board for the City and shall have within the City to the exclusion of any other burial authority all the powers duties and liabilities of a burial board under the Burial Acts 1852 to 1900.

Abolition of
St. Nicholas
Burial Board.

(2) All property and liabilities which immediately before the commencement of this Order are vested in or attach to the Saint Nicholas Burial Board shall by virtue of this Order vest in and be transferred and attach to the Corporation as the Burial Board for the City and the Saint Nicholas Burial Board shall be abolished and cease to exist.

Abolition of
Burial Com-
mittee.

(3) Subject to the provisions of subdivision (4) of this Article and to any other adjustment which may be made between the Corporation and the Parish Councils of Framwellgate Moor and Saint Oswald's in relation to the property and liabilities of the Joint Burial Area all property and liabilities of the Joint Burial Area shall by virtue of this Order vest in and be transferred and attach to the Corporation as the Burial Board of the City and the Joint Burial Committee shall be abolished and cease to exist.

Mortgage debts
of Joint Burial
Area.

(4) The liability for the repayment of any moneys borrowed for the purposes of the Burial Acts 1852 to 1900 in respect of the Joint Burial Area and for the payment of interest on those moneys shall be a matter for adjustment under Section 62 of the Act of 1888 between the Corporation the Parish Council of Framwellgate Moor and the Parish Council of Saint Oswald's:

Provided that nothing herein contained shall prejudice or affect any mortgage or other security which may have been given in respect of any moneys so borrowed or the rights or powers of the persons entitled under that mortgage or other security to enforce the same as if this Order had not been made.

Saving rights
of burial.

(5) Nothing in this Order shall prejudice or affect any right of burial which any parishioner or inhabitant of the Parish of Elvet or of the Parish of

Saint Oswald's or of the part of the Parish of Framwellgate Moor included in the Joint Burial Area may have acquired prior to the commencement of this Order in relation to any burial ground provided for the Joint Burial Area or any exclusive right of burial or any right of one or more burials or any right of placing any monument tablet or gravestone or any similar right which any person may have acquired prior to the commencement of this Order in relation to that burial ground.

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Framwellgate
Order.*

(6) Subject to the provisions of the Burial Act 1900 all fees payments and sums fixed and settled and receivable by the Burial Board for the Parish of Saint Nicholas or by the Joint Burial Committee immediately prior to the commencement of this Order shall thenceforth be receivable by the Corporation acting as a Burial Board until or except in so far as any such fees payments or sums may be altered or varied in pursuance of the statutory provisions in that behalf.

Burial fees &c.

(7) Except so far as is necessary for any purpose of this Article the Burial Acts 1852 to 1900 shall cease to apply and have effect by virtue of any adoption before the commencement of this Order in relation to the Parishes of Framwellgate Moor and Saint Oswald's.

Cesser of
Burial Acts.

Art. XX. The provisions of the Baths and Washhouses Acts 1846 to 1899 the Infectious Disease (Prevention) Act 1890 the Public Health Acts Amendment Act 1890 the Museums and Gymnasiums Act 1891 and the Private Street Works Act 1892 shall be in force within and apply to the City as if the same had been adopted therein.

Adoptive Acts.

Art. XXI. The general district rate to be levied in the added areas shall not in any one year—

Differential
rating.

- (a) during a period of seven years from the commencement of this Order exceed such an amount in the pound as when added to the aggregate amount in the pound of all other rates levied in the added areas for the purpose of defraying expenses of the Corporation will in relation to any hereditament in the added areas make up in respect of each pound of the rateable value of the said hereditament a rate of three shillings and threepence ; or
- (b) during a period of five years from the expiration of the said period of seven years exceed such an amount in the pound as when added to the aggregate amount in the pound of all other rates levied for the purpose of defraying expenses of the Corporation will in relation to any hereditament in the added areas make up in respect of each pound of the rateable value of the said hereditament a rate of three shillings and threepence with the addition of a sum representing half the difference between the last-mentioned rate and the aggregate amount in the pound of all other rates levied in the existing City for the purpose of defraying expenses of the Corporation.

Saint Oswald's or of the part of the Parish of Framwellgate Moor included in the Joint Burial Area may have acquired prior to the commencement of this Order in relation to any burial ground provided for the Joint Burial Area or any exclusive right of burial or any right of one or more burials or any right of placing any monument tablet or gravestone or any similar right which any person may have acquired prior to the commencement of this Order in relation to that burial ground.

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Order.*

(6) Subject to the provisions of the Burial Act 1900 all fees payments and sums fixed and settled and receivable by the Burial Board for the Parish of Saint Nicholas or by the Joint Burial Committee immediately prior to the commencement of this Order shall thenceforth be receivable by the Corporation acting as a Burial Board until or except in so far as any such fees payments or sums may be altered or varied in pursuance of the statutory provisions in that behalf.

Burial fees &c.

(7) Except so far as is necessary for any purpose of this Article the Burial Acts 1852 to 1900 shall cease to apply and have effect by virtue of any adoption before the commencement of this Order in relation to the Parishes of Framwellgate Moor and Saint Oswald's.

Cesser of
Burial Acts.

Art. XX. The provisions of the Baths and Washhouses Acts 1846 to 1899 the Infectious Disease (Prevention) Act 1890 the Public Health Acts Amendment Act 1890 the Museums and Gymnasiums Act 1891 and the Private Street Works Act 1892 shall be in force within and apply to the City as if the same had been adopted therein.

Adoptive Acts.

Art. XXI. The general district rate to be levied in the added areas shall not in any one year—

Differential
rating.

- (a) during a period of seven years from the commencement of this Order exceed such an amount in the pound as when added to the aggregate amount in the pound of all other rates levied in the added areas for the purpose of defraying expenses of the Corporation will in relation to any hereditament in the added areas make up in respect of each pound of the rateable value of the said hereditament a rate of three shillings and threepence ; or
- (b) during a period of five years from the expiration of the said period of seven years exceed such an amount in the pound as when added to the aggregate amount in the pound of all other rates levied for the purpose of defraying expenses of the Corporation will in relation to any hereditament in the added areas make up in respect of each pound of the rateable value of the said hereditament a rate of three shillings and threepence with the addition of a sum representing half the difference between the last-mentioned rate and the aggregate amount in the pound of all other rates levied in the existing City for the purpose of defraying expenses of the Corporation.

A.D. 1905.

*Durham and
Framwellgate
Order.*Limiting time
for execution
of sewage
disposal works.

Art. XXII. The Corporation shall within six months after the commencement of this Order or within such further period as the Local Government Board may on the application of the Corporation by order allow proceed to carry out and execute such works for the disposal of the sewage of the City as are approved by the Local Government Board and in the event of the Corporation not proceeding with the said works within the period of six months or the further period allowed by the Local Government Board or not proceeding with the same with due diligence the requirements of this Article may be enforced in manner provided by Section 299 of the Public Health Act 1875 as if this Article were an order of the Local Government Board limiting the time for the performance by the Corporation of their duty in that behalf and the Corporation had not performed the duty hereby imposed within the time limited by the order.

Electoral
Divisions and
County Coun-
cillors.

Art. XXIII. Subject to the provisions of Section 54 of the Act of 1888 the following provisions shall have effect:—

- (a) The existing Durham No. 1 and Durham No. 2 Electoral Divisions shall be abolished and the added parts of Framwellgate Moor and the added part of Neville's Cross shall cease to form part of the Elvet Electoral Division and the City shall be divided into two electoral divisions which shall be termed respectively the Durham No. 1 Electoral Division and the Durham No. 2 Electoral Division :
- (b) The Durham No. 1 Electoral Division shall comprise the Framwellgate Ward the Crossgate Ward and the Neville's Cross Ward as constituted by this Order and the Durham No. 2 Electoral Division shall comprise the Gilesgate Ward the Saint Nicholas Ward and the Elvet Ward as constituted by this Order :
- (c) The persons who immediately prior to the commencement of this Order are the County Councillors respectively representing the existing Durham No. 1 the existing Durham No. 2 and the existing Elvet Electoral Divisions shall hold office for the period for which they would have remained in office if this Order had not been made and shall be deemed to have been elected respectively for the Durham No. 1 Electoral Division the Durham No. 2 Electoral Division and the Elvet Electoral Division as constituted or altered by this Order.

County police.

Art. XXIV.—(1) At the commencement of this Order such members if any of the police force of the County as shall be determined by an agreement to be made as soon as practicable after the date of the Act of Parliament confirming this Order between the Standing Joint Committee of the County and the Watch Committee of the existing City or in default of any such agreement as shall be determined by a Secretary of State shall be transferred to and become part of the police force of the City and any member of the county police force so transferred shall hold office upon the same tenure and

A.D. 1905.

*Durham and
Framwellgate
Order.*Limiting time
for execution
of sewage
disposal works.

Art. XXII. The Corporation shall within six months after the commencement of this Order or within such further period as the Local Government Board may on the application of the Corporation by order allow proceed to carry out and execute such works for the disposal of the sewage of the City as are approved by the Local Government Board and in the event of the Corporation not proceeding with the said works within the period of six months or the further period allowed by the Local Government Board or not proceeding with the same with due diligence the requirements of this Article may be enforced in manner provided by Section 299 of the Public Health Act 1875 as if this Article were an order of the Local Government Board limiting the time for the performance by the Corporation of their duty in that behalf and the Corporation had not performed the duty hereby imposed within the time limited by the order.

Electoral
Divisions and
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cillors.

Art. XXIII. Subject to the provisions of Section 54 of the Act of 1888 the following provisions shall have effect:—

- (a) The existing Durham No. 1 and Durham No. 2 Electoral Divisions shall be abolished and the added parts of Framwellgate Moor and the added part of Neville's Cross shall cease to form part of the Elvet Electoral Division and the City shall be divided into two electoral divisions which shall be termed respectively the Durham No. 1 Electoral Division and the Durham No. 2 Electoral Division:
- (b) The Durham No. 1 Electoral Division shall comprise the Framwellgate Ward the Crossgate Ward and the Neville's Cross Ward as constituted by this Order and the Durham No. 2 Electoral Division shall comprise the Gilesgate Ward the Saint Nicholas Ward and the Elvet Ward as constituted by this Order:
- (c) The persons who immediately prior to the commencement of this Order are the County Councillors respectively representing the existing Durham No. 1 the existing Durham No. 2 and the existing Elvet Electoral Divisions shall hold office for the period for which they would have remained in office if this Order had not been made and shall be deemed to have been elected respectively for the Durham No. 1 Electoral Division the Durham No. 2 Electoral Division and the Elvet Electoral Division as constituted or altered by this Order.

County police.

Art. XXIV.—(1) At the commencement of this Order such members if any of the police force of the County as shall be determined by an agreement to be made as soon as practicable after the date of the Act of Parliament confirming this Order between the Standing Joint Committee of the County and the Watch Committee of the existing City or in default of any such agreement as shall be determined by a Secretary of State shall be transferred to and become part of the police force of the City and any member of the county police force so transferred shall hold office upon the same tenure and

upon the same terms and conditions as if this Order had not been made and while he performs the same or similar duties his remuneration emoluments and allowances and the pension (if any) to which he is entitled shall not be less than they would have been if this Order had not been made.

A.D. 1905.

Durham and Framwellgate Order.

(2) The provisions of Section 15 (2) of the Police Act 1890 shall extend and apply to and in relation to any member of the police force transferred under the powers of this Article as if that member had removed with the written sanction of the Chief Constable of the County.

53 & 54 Vict.
c. 45.

(3) All the county police stations situate in any part of the added areas with the residences for constables and cells connected therewith and the fittings and furniture thereof respectively shall by virtue of this Order vest in and be transferred to the Corporation as from the commencement of this Order for all the estate and interest therein of the County Council and there shall be paid by the Corporation to the County Council out of the city fund in consideration of the transfer such sum as shall be agreed upon or as in default of agreement shall be settled by arbitration in manner provided by the Act of 1888.

County police stations.

Art. XXV. The added areas shall be separated from the existing parishes to which they now respectively belong and the added parts of Framwellgate Moor shall be amalgamated with the existing Parish of Framwellgate to form the Parish of Framwellgate and the added part of Neville's Cross shall be amalgamated with the existing Parish of Crossgate to form the Parish of Crossgate.

Alteration of parishes.

Art. XXVI.—(1) Any powers and duties transferred by the Act of 1894 to the Parish Council of the existing Parish of Framwellgate Moor or of the existing Parish of Neville's Cross shall so far as regards the added parts of Framwellgate Moor or the added part of Neville's Cross be vested in exerciseable by and imposed on the persons and authorities in whom they would be vested or by whom they would be exerciseable or on whom they would be imposed if the added parts of Framwellgate Moor or the added part of Neville's Cross as the case may be had been included in a parish in an Urban District on the appointed day within the meaning of the Act of 1894 and all property and liabilities held or incurred so far as regards the added parts of Framwellgate Moor or the added part of Neville's Cross for the purpose or by virtue of the said powers and duties shall by virtue of this Order vest in and be transferred and attach to the persons and authorities aforesaid Any property or liabilities of the said Parish Councils held or incurred otherwise than by virtue or for the purposes of the powers or duties aforesaid shall so far as regards the added parts of Framwellgate Moor or the added part of Neville's Cross vest in and be transferred and attach to the Corporation.

Parish Council.

(2) The Parish Council of the existing Parish of Framwellgate Moor shall be deemed to have been elected and shall be the Parish Council for the Parish of Framwellgate Moor.

upon the same terms and conditions as if this Order had not been made and while he performs the same or similar duties his remuneration emoluments and allowances and the pension (if any) to which he is entitled shall not be less than they would have been if this Order had not been made.

A.D. 1905.

*Durham and
Framwellgate
Order.*

(2) The provisions of Section 15 (2) of the Police Act 1890 shall extend and apply to and in relation to any member of the police force transferred under the powers of this Article as if that member had removed with the written sanction of the Chief Constable of the County.

53 & 54 Vict.
c. 45.

(3) All the county police stations situate in any part of the added areas with the residences for constables and cells connected therewith and the fittings and furniture thereof respectively shall by virtue of this Order vest in and be transferred to the Corporation as from the commencement of this Order for all the estate and interest therein of the County Council and there shall be paid by the Corporation to the County Council out of the city fund in consideration of the transfer such sum as shall be agreed upon or as in default of agreement shall be settled by arbitration in manner provided by the Act of 1888.

County police
stations.

Art. XXV. The added areas shall be separated from the existing parishes to which they now respectively belong and the added parts of Framwellgate Moor shall be amalgamated with the existing Parish of Framwellgate to form the Parish of Framwellgate and the added part of Neville's Cross shall be amalgamated with the existing Parish of Crossgate to form the Parish of Crossgate.

Alteration of
parishes.

Art. XXVI.—(1) Any powers and duties transferred by the Act of 1894 to the Parish Council of the existing Parish of Framwellgate Moor or of the existing Parish of Neville's Cross shall so far as regards the added parts of Framwellgate Moor or the added part of Neville's Cross be vested in exerciseable by and imposed on the persons and authorities in whom they would be vested or by whom they would be exerciseable or on whom they would be imposed if the added parts of Framwellgate Moor or the added part of Neville's Cross as the case may be had been included in a parish in an Urban District on the appointed day within the meaning of the Act of 1894 and all property and liabilities held or incurred so far as regards the added parts of Framwellgate Moor or the added part of Neville's Cross for the purpose or by virtue of the said powers and duties shall by virtue of this Order vest in and be transferred and attach to the persons and authorities aforesaid Any property or liabilities of the said Parish Councils held or incurred otherwise than by virtue or for the purposes of the powers or duties aforesaid shall so far as regards the added parts of Framwellgate Moor or the added part of Neville's Cross vest in and be transferred and attach to the Corporation.

Parish Council.

(2) The Parish Council of the existing Parish of Framwellgate Moor shall be deemed to have been elected and shall be the Parish Council for the Parish of Framwellgate Moor.

A.D. 1905.

*Durham and
Framwellgate
Order.*New Parish
Council to be
elected for
Parish of
Neville's Cross.

(3)—(a) The Parish Council of the Parish of Neville's Cross shall cease to exercise any powers or duties within the added part of Neville's Cross.

(b) A new Parish Council shall as soon as may be practicable after the commencement of this Order be elected for the Parish of Neville's Cross and the number of members of the new council shall be such as may be determined by the County Council. The new Parish Council shall be elected in accordance with the rules contained in the Parish Councillors (Small Parishes) First Election Order 1898 as if the Parish of Neville's Cross was a parish having a population of less than three hundred according to the census of one thousand eight hundred and ninety-one subject to the following provisions and to any directions which may hereafter be given by the Local Government Board namely,—

(i) Rule 1 shall be altered so as to provide that the Parish Meeting for the election shall be held on such day as may be fixed by the chairman of the Parish Council of the existing Parish of Neville's Cross ;

(ii) For the purposes of Rules 2 and 3 the chairman of the Parish Council of the existing Parish of Neville's Cross shall be deemed to be the chairman of the Parish Meeting of the Parish of Neville's Cross.

(c) The Parish Councillors first elected in pursuance of paragraph (b) of this subdivision shall come into office on such day (not being more than ten days after the completion of the election) as the Returning Officer may by written notice to each of the Parish Councillors so elected appoint and on the day so appointed the Parish Councillors of the existing Parish of Neville's Cross shall go out of office but until that day the last-mentioned Parish' Councillors shall be deemed to have been elected for and shall act as the Parish Council of the Parish of Neville's Cross.

Guardians and
Rural District
Councillors.

Art. XXVII. The persons who at the commencement of this Order are holding the offices of Rural District Councillor and Guardian of the Poor for the existing Parish of Framwellgate Moor and the existing Parish of Neville's Cross and the persons who on that date are holding the office of Guardian of the Poor for the existing Parish of Framwellgate and the existing Parish of Crossgate respectively shall be deemed to have been elected for and shall represent respectively the Parish of Framwellgate Moor the Parish of Neville's Cross the Parish of Framwellgate and the Parish of Crossgate as if they had been originally elected to represent the last-named parishes respectively.

Ecclesiastical
divisions and
charities.

Art. XXVIII. Nothing in this Order shall affect the ecclesiastical divisions of any parish or shall prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment which now is applicable for the benefit of any of the existing parishes affected by this Order,

A.D. 1905.

*Durham and
Framwellgate
Order.*

New Parish
Council to be
elected for
Parish of
Neville's Cross.

(3)—(a) The Parish Council of the Parish of Neville's Cross shall cease to exercise any powers or duties within the added part of Neville's Cross.

(b) A new Parish Council shall as soon as may be practicable after the commencement of this Order be elected for the Parish of Neville's Cross and the number of members of the new council shall be such as may be determined by the County Council. The new Parish Council shall be elected in accordance with the rules contained in the Parish Councillors (Small Parishes) First Election Order 1898 as if the Parish of Neville's Cross was a parish having a population of less than three hundred according to the census of one thousand eight hundred and ninety-one subject to the following provisions and to any directions which may hereafter be given by the Local Government Board namely,—

(i) Rule 1 shall be altered so as to provide that the Parish Meeting for the election shall be held on such day as may be fixed by the chairman of the Parish Council of the existing Parish of Neville's Cross ;

(ii) For the purposes of Rules 2 and 3 the chairman of the Parish Council of the existing Parish of Neville's Cross shall be deemed to be the chairman of the Parish Meeting of the Parish of Neville's Cross.

(c) The Parish Councillors first elected in pursuance of paragraph (b) of this subdivision shall come into office on such day (not being more than ten days after the completion of the election) as the Returning Officer may by written notice to each of the Parish Councillors so elected appoint and on the day so appointed the Parish Councillors of the existing Parish of Neville's Cross shall go out of office but until that day the last-mentioned Parish' Councillors shall be deemed to have been elected for and shall act as the Parish Council of the Parish of Neville's Cross.

Guardians and
Rural District
Councillors.

Art. XXVII. The persons who at the commencement of this Order are holding the offices of Rural District Councillor and Guardian of the Poor for the existing Parish of Framwellgate Moor and the existing Parish of Neville's Cross and the persons who on that date are holding the office of Guardian of the Poor for the existing Parish of Framwellgate and the existing Parish of Crossgate respectively shall be deemed to have been elected for and shall represent respectively the Parish of Framwellgate Moor the Parish of Neville's Cross the Parish of Framwellgate and the Parish of Crossgate as if they had been originally elected to represent the last-named parishes respectively.

Ecclesiastical
divisions and
charities.

Art. XXVIII. Nothing in this Order shall affect the ecclesiastical divisions of any parish or shall prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment which now is applicable for the benefit of any of the existing parishes affected by this Order,

Art. XXIX. Until new valuation lists are in force—

A.D. 1905.

- (1) The portion of the valuation lists of the existing Parish of Framwellgate Moor which relates to hereditaments in the added parts of Framwellgate Moor shall be deemed to form part of the valuation list of the Parish of Framwellgate :
- (2) The portion of the valuation list of the existing Parish of Neville's Cross which relates to hereditaments in the added part of Neville's Cross shall be deemed to form part of the valuation list of the Parish of Crossgate :
- (3) The remaining portions of the valuation lists of the existing Parish of Framwellgate Moor and of the existing Parish of Neville's Cross shall respectively be deemed to be the valuation lists of the Parish of Framwellgate Moor and the Parish of Neville's Cross.

Durham and Framwellgate Order.
Valuation lists.

Art. XXX.—(1) Subject to any future revision the basis or standard of county rate for the County shall be deemed to be altered as follows:—

County rate basis.

- (a) By the deduction from the amount appearing therein as the total annual value of the property in the existing Parish of Framwellgate Moor and the existing Parish of Neville's Cross of such a sum as will represent the annual value of the property in the added parts of Framwellgate Moor or the added part of Neville's Cross as the case may be :
- (b) By the addition to the amount appearing therein as the total annual value of the property in the existing Parish of Framwellgate and the existing Parish of Crossgate of such a sum as will represent the total annual value of the property in the added parts of Framwellgate Moor or in the added part of Neville's Cross as the case may be.

(2) For the purposes of this Article the sum which will represent the annual value of the property in the added parts of Framwellgate Moor and the added part of Neville's Cross shall in each case be the amount which in relation to the amount appearing in the basis or standard of county rate as the total annual value of the existing parish is in the same proportion as the assessable value of the property in the affected part of the existing parish bears to the total assessable value of property in the existing parish.

(3) For the purposes of this Article assessable value means one-half of the rateable value according to the valuation list for the time being in force of the agricultural land together with the rateable value according to that list of the buildings and other hereditaments not being agricultural land in the existing parishes or in the added parts or added part as the case may require.

Art. XXXI. For the purposes of the registers of persons entitled to vote at an election of Members of Parliament of the registers of parochial

Saving for existing lists of parliamentary voters &c.

Art. XXIX. Until new valuation lists are in force—

A.D. 1905.

- (1) The portion of the valuation lists of the existing Parish of Framwellgate Moor which relates to hereditaments in the added parts of Framwellgate Moor shall be deemed to form part of the valuation list of the Parish of Framwellgate :
- (2) The portion of the valuation list of the existing Parish of Neville's Cross which relates to hereditaments in the added part of Neville's Cross shall be deemed to form part of the valuation list of the Parish of Crossgate :
- (3) The remaining portions of the valuation lists of the existing Parish of Framwellgate Moor and of the existing Parish of Neville's Cross shall respectively be deemed to be the valuation lists of the Parish of Framwellgate Moor and the Parish of Neville's Cross.

Durham and Framwellgate Order.
Valuation lists.

Art. XXX.—(1) Subject to any future revision the basis or standard of county rate for the County shall be deemed to be altered as follows:—

County rate basis.

- (a) By the deduction from the amount appearing therein as the total annual value of the property in the existing Parish of Framwellgate Moor and the existing Parish of Neville's Cross of such a sum as will represent the annual value of the property in the added parts of Framwellgate Moor or the added part of Neville's Cross as the case may be :
- (b) By the addition to the amount appearing therein as the total annual value of the property in the existing Parish of Framwellgate and the existing Parish of Crossgate of such a sum as will represent the total annual value of the property in the added parts of Framwellgate Moor or in the added part of Neville's Cross as the case may be.

(2) For the purposes of this Article the sum which will represent the annual value of the property in the added parts of Framwellgate Moor and the added part of Neville's Cross shall in each case be the amount which in relation to the amount appearing in the basis or standard of county rate as the total annual value of the existing parish is in the same proportion as the assessable value of the property in the affected part of the existing parish bears to the total assessable value of property in the existing parish.

(3) For the purposes of this Article assessable value means one-half of the rateable value according to the valuation list for the time being in force of the agricultural land together with the rateable value according to that list of the buildings and other hereditaments not being agricultural land in the existing parishes or in the added parts or added part as the case may require.

Art. XXXI. For the purposes of the registers of persons entitled to vote at an election of Members of Parliament of the registers of parochial

Saving for existing lists of parliamentary voters &c.

A.D. 1905.

*Durham and
Framwellgate
Order.*

electors and of jury lists the parishes affected by this Order shall be deemed to continue unaltered until the new registers and lists come into operation :

Provided that for the purposes of any election under the Act of 1894 to be held for any area affected by this Order and of the holding of any Parish Meetings in any parish affected by this Order the town clerk or the clerk of the County Council as the case may require shall if and when necessary cause the register of parochial electors to be altered in such manner as may be requisite to give effect to the provisions of this Order.

Settlement and
removal of the
poor.

Art. XXXII. For any purposes connected with the settlement and removal of the poor in relation to cases affected by this Order the following provisions shall have effect that is to say :—

(1) Every person who at the commencement of this Order has acquired or is in the course of acquiring a settlement in the existing Parish of Crossgate or in the existing Parish of Neville's Cross in the existing Parish of Framwellgate or in the existing Parish of Framwellgate Moor by reason of any residence completed or in the course of completion of any act or thing done or in the course of being done of any status condition right or privilege acquired or created or in the course of acquisition or creation—

(i) in the existing Parish of Crossgate ; or

(ii) in that part of the existing Parish of Neville's Cross which by virtue of this Order will form the Parish of Neville's Cross ; or

(iii) in the added part of Neville's Cross ; or

(iv) in the existing Parish of Framwellgate ; or

(v) in that part of the existing Parish of Framwellgate Moor which by virtue of this Order will form the Parish of Framwellgate Moor ; or

(vi) in the added parts of Framwellgate Moor ;

shall be deemed to have acquired or to be in the course of acquiring in the first case a settlement in the Parish of Crossgate in the second case a settlement in the Parish of Neville's Cross in the third case a settlement in the Parish of Crossgate in the fourth case a settlement in the Parish of Framwellgate in the fifth case a settlement in the Parish of Framwellgate Moor and in the sixth case a settlement in the Parish of Framwellgate and in each case as if the existing parish or the specified part the added part or the added parts of the existing Parish were and had always been the Parish or a part of the Parish in which by virtue of this Article the person shall be deemed to have acquired or to be in the course of acquiring a settlement :

A.D. 1905.

*Durham and
Framwellgate
Order.*

electors and of jury lists the parishes affected by this Order shall be deemed to continue unaltered until the new registers and lists come into operation :

Provided that for the purposes of any election under the Act of 1894 to be held for any area affected by this Order and of the holding of any Parish Meetings in any parish affected by this Order the town clerk or the clerk of the County Council as the case may require shall if and when necessary cause the register of parochial electors to be altered in such manner as may be requisite to give effect to the provisions of this Order.

Settlement and
removal of the
poor.

Art. XXXII. For any purposes connected with the settlement and removal of the poor in relation to cases affected by this Order the following provisions shall have effect that is to say :—

(1) Every person who at the commencement of this Order has acquired or is in the course of acquiring a settlement in the existing Parish of Crossgate or in the existing Parish of Neville's Cross in the existing Parish of Framwellgate or in the existing Parish of Framwellgate Moor by reason of any residence completed or in the course of completion of any act or thing done or in the course of being done of any status condition right or privilege acquired or created or in the course of acquisition or creation—

(i) in the existing Parish of Crossgate ; or

(ii) in that part of the existing Parish of Neville's Cross which by virtue of this Order will form the Parish of Neville's Cross ; or

(iii) in the added part of Neville's Cross ; or

(iv) in the existing Parish of Framwellgate ; or

(v) in that part of the existing Parish of Framwellgate Moor which by virtue of this Order will form the Parish of Framwellgate Moor ; or

(vi) in the added parts of Framwellgate Moor ;

shall be deemed to have acquired or to be in the course of acquiring in the first case a settlement in the Parish of Crossgate in the second case a settlement in the Parish of Neville's Cross in the third case a settlement in the Parish of Crossgate in the fourth case a settlement in the Parish of Framwellgate in the fifth case a settlement in the Parish of Framwellgate Moor and in the sixth case a settlement in the Parish of Framwellgate and in each case as if the existing parish or the specified part the added part or the added parts of the existing Parish were and had always been the Parish or a part of the Parish in which by virtue of this Article the person shall be deemed to have acquired or to be in the course of acquiring a settlement :

(2) Every person who at the commencement of this Order has acquired or is in the course of acquiring a status of irremovability from the Durham Union—

A.D. 1905.

Durham and Framwellgate Order.

by reason of residence

(i) in the added parts of Framwellgate Moor; or

(ii) in the added part of Neville's Cross;

or by reason of residence elsewhere

(iii) in the existing Parish of Framwellgate Moor; or

(iv) in the existing Parish of Neville's Cross;

or by reason of residence

(v) in the existing Parish of Framwellgate; or

(vi) in the existing Parish of Crossgate;

shall be deemed to have acquired or to be in course of acquiring the like status by reason of residence in the first case in the Parish of Framwellgate in the second case in the Parish of Crossgate in the third case in the Parish of Framwellgate Moor in the fourth case in the Parish of Neville's Cross in the fifth case in the Parish of Framwellgate and in the sixth case in the Parish of Crossgate.

Art. XXXIII. Notwithstanding the alteration in the areas of parishes effected by this Order all contribution orders made by the Guardians of the Poor of the Durham Union and all precepts made by the Rural Council before the commencement of this Order shall be as valid in law as if this Order had not been made.

Saving for contribution orders and precepts.

Art. XXXIV. All arrears of rates made by the Overseers of the Poor and due or owing at the commencement of this Order in respect of hereditaments in the added parts of Framwellgate Moor or the added part of Neville's Cross shall be collected and recovered by the Overseers of the Poor of the Parish of Framwellgate Moor or of the Parish of Neville's Cross as the case may be as if this Order had not been made.

Arrears of rates.

Art. XXXV. The accounts of the Joint Burial Committee and of their officers if any shall be made up to the commencement of this Order and shall be audited by the District Auditor in like manner and with the like incidents and consequences as if this Order had not been made:

Audit of accounts of Joint Burial Committee.

Provided that the audit may be held as soon as practicable after the commencement of this Order any statutory provision or regulation as to the time of holding the audit of the said accounts to the contrary notwithstanding and that any sum certified by the District Auditor at the said audit to be due from any person shall be paid to the treasurer of the City and may if necessary form the subject of an adjustment in accordance with the provisions of Section 62 of the Act of 1888.

Art. XXXVI. This Order may be cited as the Durham (Extension) Order 1905,

Short title.

(2) Every person who at the commencement of this Order has acquired or is in the course of acquiring a status of irremovability from the Durham Union—

A.D. 1905.

Durham and Framwellgate Order.

by reason of residence

(i) in the added parts of Framwellgate Moor; or

(ii) in the added part of Neville's Cross;

or by reason of residence elsewhere

(iii) in the existing Parish of Framwellgate Moor; or

(iv) in the existing Parish of Neville's Cross;

or by reason of residence

(v) in the existing Parish of Framwellgate; or

(vi) in the existing Parish of Crossgate;

shall be deemed to have acquired or to be in course of acquiring the like status by reason of residence in the first case in the Parish of Framwellgate in the second case in the Parish of Crossgate in the third case in the Parish of Framwellgate Moor in the fourth case in the Parish of Neville's Cross in the fifth case in the Parish of Framwellgate and in the sixth case in the Parish of Crossgate.

Art. XXXIII. Notwithstanding the alteration in the areas of parishes effected by this Order all contribution orders made by the Guardians of the Poor of the Durham Union and all precepts made by the Rural Council before the commencement of this Order shall be as valid in law as if this Order had not been made.

Saving for contribution orders and precepts.

Art. XXXIV. All arrears of rates made by the Overseers of the Poor and due or owing at the commencement of this Order in respect of hereditaments in the added parts of Framwellgate Moor or the added part of Neville's Cross shall be collected and recovered by the Overseers of the Poor of the Parish of Framwellgate Moor or of the Parish of Neville's Cross as the case may be as if this Order had not been made.

Arrears of rates.

Art. XXXV. The accounts of the Joint Burial Committee and of their officers if any shall be made up to the commencement of this Order and shall be audited by the District Auditor in like manner and with the like incidents and consequences as if this Order had not been made:

Audit of accounts of Joint Burial Committee.

Provided that the audit may be held as soon as practicable after the commencement of this Order any statutory provision or regulation as to the time of holding the audit of the said accounts to the contrary notwithstanding and that any sum certified by the District Auditor at the said audit to be due from any person shall be paid to the treasurer of the City and may if necessary form the subject of an adjustment in accordance with the provisions of Section 62 of the Act of 1888.

Art. XXXVI. This Order may be cited as the Durham (Extension) Order 1905,

Short title.

A.D. 1905.

*Durham and
 Framwelgate
 Order.*

The SCHEDULE above referred to.

Session and Chapter.	Title.
30 Geo. III. c. 67.	An Act for paving, cleansing, lighting, watching, and regulating the Streets, Lanes, Ways, and publick Passages and Places, within the City of Durham, and Borough of Framwelgate, and the Suburbs thereof, and Streets thereto adjoining; for removing and preventing Nuisances, Annoyances, Encroachments, and Obstructions therein; for widening and rendering more commodious several of the said Streets, Lanes, Ways, and publick Passages and Places; and for regulating and improving the Markets within the said City and Suburbs.
3 Geo. IV. c. xxvi.	An Act to amend the Powers and Provisions of an Act of His late Majesty, for paving, cleansing, lighting, watching, and regulating the Streets and other Public Places within the City of Durham and Borough of Framwelgate, and Suburbs thereof, and Streets thereto adjoining, and other Purposes relating thereto.

Given under the Seal of Office of the Local Government Board this
 Sixth day of May One thousand nine hundred and five.

(L.S.)

G. W. BALFOUR President.

S. B. PROVIS Secretary.

BOROUGH OF HANLEY.

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

To the Mayor Aldermen and Burgesses of the Borough of Hanley;—
 To the Court of Quarter Sessions for the said Borough;—
 To the Justices of the Peace for the said Borough;—
 To the Justices of the Peace for the County of Stafford in Quarter
 Sessions assembled;—
 To the County Council of Stafford;—
 To the Urban District Council of Smallthorne;—
 To the Guardians of the Poor of the Stoke-upon-Trent and Woolstanton
 and Burslem Unions;—
 To the Overseers of the Poor of the Parishes of Hanley and Milton;—
 To the North Staffordshire Joint Small-pox Hospital Board;—
 To the Hanley Stoke Fenton and Longton Joint Hospital Board;—
 And to all others whom it may concern.

51 & 52 Vict.
c. 41.

WHEREAS by Section 54 of the Local Government Act 1888 the Local Government Board are empowered to make a Provisional Order for altering the boundary of any Borough and by such Order to divide or alter any electoral division;

And whereas the Borough of Hanley is a County Borough within the meaning of the Local Government Act 1888 and the inhabitants are a body

A.D. 1905.

*Durham and
 Framwelgate
 Order.*

The SCHEDULE above referred to.

Session and Chapter.	Title.
30 Geo. III. c. 67.	An Act for paving, cleansing, lighting, watching, and regulating the Streets, Lanes, Ways, and publick Passages and Places, within the City of Durham, and Borough of Framwelgate, and the Suburbs thereof, and Streets thereto adjoining; for removing and preventing Nuisances, Annoyances, Encroachments, and Obstructions therein; for widening and rendering more commodious several of the said Streets, Lanes, Ways, and publick Passages and Places; and for regulating and improving the Markets within the said City and Suburbs.
3 Geo. IV. c. xxvi.	An Act to amend the Powers and Provisions of an Act of His late Majesty, for paving, cleansing, lighting, watching, and regulating the Streets and other Public Places within the City of Durham and Borough of Framwelgate, and Suburbs thereof, and Streets thereto adjoining, and other Purposes relating thereto.

Given under the Seal of Office of the Local Government Board this
 Sixth day of May One thousand nine hundred and five.

(L.S.)

G. W. BALFOUR President.

S. B. PROVIS Secretary.

BOROUGH OF HANLEY.

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

To the Mayor Aldermen and Burgesses of the Borough of Hanley;—
 To the Court of Quarter Sessions for the said Borough;—
 To the Justices of the Peace for the said Borough;—
 To the Justices of the Peace for the County of Stafford in Quarter
 Sessions assembled;—
 To the County Council of Stafford;—
 To the Urban District Council of Smallthorne;—
 To the Guardians of the Poor of the Stoke-upon-Trent and Woolstanton
 and Burslem Unions;—
 To the Overseers of the Poor of the Parishes of Hanley and Milton;—
 To the North Staffordshire Joint Small-pox Hospital Board;—
 To the Hanley Stoke Fenton and Longton Joint Hospital Board;—
 And to all others whom it may concern.

51 & 52 Vict.
c. 41.

WHEREAS by Section 54 of the Local Government Act 1888 the Local Government Board are empowered to make a Provisional Order for altering the boundary of any Borough and by such Order to divide or alter any electoral division;

And whereas the Borough of Hanley is a County Borough within the meaning of the Local Government Act 1888 and the inhabitants are a body

corporate by the name of the Mayor Aldermen and Burgesses of the Borough of Hanley and act by the Council of the said Borough which now consists of the Mayor (who is also an Alderman) five other Aldermen and twenty-four Councillors ;

A.D. 1905.

Hanley Order.

And whereas the said Borough is for the purposes of the election of Councillors divided into eight wards termed respectively the No. 1 or Etruria Ward the No. 2 or Hope Ward the No. 3 or Providence Ward the No. 4 or Northwood Ward the No. 5 or Wellington Ward the No. 6 or Eastwood Ward the No. 7 or Park Ward and the No. 8 or Cauldon Ward ;

And whereas the said Borough is an Urban Sanitary District of which the Mayor Aldermen and Burgesses acting by the Council are the Urban Sanitary Authority ;

And whereas the said Borough has a separate court of quarter sessions commission of the peace police force recorder and coroner ;

And whereas the Council of the said Borough are the Burial Board for the said Borough ;

And whereas in pursuance of the Education Act 1902 the Council of the said County Borough are the local education authority ;

2 Edw. 7. c. 42.

And whereas the unrepealed provisions of the Local Acts mentioned in Part I. of the schedule to this Order and of the Confirmation Acts mentioned in Part II. of the said schedule so far as the said Confirmation Acts relate to the Provisional Orders mentioned in the latter Part are in force in the said Borough ;

And whereas the Urban Sanitary Authority have adopted the provisions of—

The Infectious Disease (Prevention) Act 1890 ;

53 & 54 Vict. c. 34.

The Public Health Acts Amendment Act 1890 ;

53 & 54 Vict. c. 59.

Part III. of the Housing of the Working Classes Act 1890 ; and

53 & 54 Vict. c. 70.

The Museums and Gymnasiums Act 1891 ;

54 & 55 Vict. c. 22.

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

9 & 10 Vict. c. 74.

10 & 11 Vict. c. 81.

41 & 42 Vict. c. 14.

45 & 46 Vict. c. 30.

59 & 60 Vict. c. 59.

62 & 63 Vict. c. 29.

55 & 56 Vict. c. 53.

56 Vict. c. 11.

1 Edw. 7. c. 19.

And whereas the Baths and Washhouses Acts 1846 to 1899 and the Public Libraries Acts 1892 to 1901 are in force in the said Borough ;

And whereas the Urban District of Smallthorne in the County of Stafford immediately adjoins the said Borough and includes the Parish of Milton and is subject to the jurisdiction of the Urban District Council of Smallthorne and the said Urban District is for the purpose of the election of Urban District Councillors divided into three wards of which one termed the Milton Ward is co-extensive with the Parish of Milton ;

And whereas the said Urban District Council have adopted the provisions of—

(a) The Public Health Acts Amendment Act 1890 ; and

53 & 54 Vict. c. 59.

(b) The Private Street Works Act 1892 ;

55 & 56 Vict. c. 57.

and those provisions are accordingly in force in the said Urban District ;

corporate by the name of the Mayor Aldermen and Burgesses of the Borough of Hanley and act by the Council of the said Borough which now consists of the Mayor (who is also an Alderman) five other Aldermen and twenty-four Councillors ;

A.D. 1905.

Hanley Order.

And whereas the said Borough is for the purposes of the election of Councillors divided into eight wards termed respectively the No. 1 or Etruria Ward the No. 2 or Hope Ward the No. 3 or Providence Ward the No. 4 or Northwood Ward the No. 5 or Wellington Ward the No. 6 or Eastwood Ward the No. 7 or Park Ward and the No. 8 or Cauldon Ward ;

And whereas the said Borough is an Urban Sanitary District of which the Mayor Aldermen and Burgesses acting by the Council are the Urban Sanitary Authority ;

And whereas the said Borough has a separate court of quarter sessions commission of the peace police force recorder and coroner ;

And whereas the Council of the said Borough are the Burial Board for the said Borough ;

And whereas in pursuance of the Education Act 1902 the Council of the said County Borough are the local education authority ;

2 Edw. 7. c. 42.

And whereas the unrepealed provisions of the Local Acts mentioned in Part I. of the schedule to this Order and of the Confirmation Acts mentioned in Part II. of the said schedule so far as the said Confirmation Acts relate to the Provisional Orders mentioned in the latter Part are in force in the said Borough ;

And whereas the Urban Sanitary Authority have adopted the provisions of—

The Infectious Disease (Prevention) Act 1890 ;

53 & 54 Vict. c. 34.

The Public Health Acts Amendment Act 1890 ;

53 & 54 Vict. c. 59.

Part III. of the Housing of the Working Classes Act 1890 ; and

53 & 54 Vict. c. 70.

The Museums and Gymnasiums Act 1891 ;

54 & 55 Vict. c. 22.

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

9 & 10 Vict. c. 74.

10 & 11 Vict. c. 81.

41 & 42 Vict. c. 14.

45 & 46 Vict. c. 30.

59 & 60 Vict. c. 59.

62 & 63 Vict. c. 29.

55 & 56 Vict. c. 53.

56 Vict. c. 11.

1 Edw. 7. c. 19.

And whereas the Baths and Washhouses Acts 1846 to 1899 and the Public Libraries Acts 1892 to 1901 are in force in the said Borough ;

And whereas the Urban District of Smallthorne in the County of Stafford immediately adjoins the said Borough and includes the Parish of Milton and is subject to the jurisdiction of the Urban District Council of Smallthorne and the said Urban District is for the purpose of the election of Urban District Councillors divided into three wards of which one termed the Milton Ward is co-extensive with the Parish of Milton ;

And whereas the said Urban District Council have adopted the provisions of—

(a) The Public Health Acts Amendment Act 1890 ; and

53 & 54 Vict. c. 59.

(b) The Private Street Works Act 1892 ;

55 & 56 Vict. c. 57.

and those provisions are accordingly in force in the said Urban District ;

A.D. 1905.
Hanley Order.

And whereas the said Borough is co-extensive with the Parish of Hanley and that parish is included in the Stoke-upon-Trent Union and is for the purpose of the election of Guardians divided into eight wards which are co-extensive with and bear the same names as the municipal wards and one Guardian is elected for each ward ;

And whereas the Parish of Milton is included in the Woolstanton and Burslem Union and one Guardian is elected for that Parish ;

And whereas in pursuance of the Education Act 1902 the said Parish of Milton forms part of the area of the County Council of Stafford as the local education authority ;

And whereas by virtue of the Hanley Stoke Fenton and Longton Joint Hospital Orders 1880 to 1904 which were duly confirmed by Parliament the said Borough is a Constituent District of the Hanley Stoke Fenton and Longton Joint Hospital District and by Article I. (3) of the Hanley Stoke and Fenton Joint Hospital Order 1898 provision was made for contributions to the common fund by the several Constituent Districts in proportion to the number of inhabitants in each Constituent District ;

And whereas by virtue of the North Staffordshire Joint Small-pox Hospital Orders 1902 and 1904 which were duly confirmed by Parliament the said Borough and so much of the said Urban District as is comprised in the Chell and Milton Wards of the said Urban District are Constituent Districts of the North Staffordshire Joint Small-pox Hospital District and by Article XVIII. (3) of the North Staffordshire Joint Small-pox Hospital Order 1902 provision was made for contributions to the common fund by the several Constituent Districts in proportion to the number of inhabitants in each Constituent District ;

And whereas the said Parish of Milton is included in the Bucknall Electoral Division of the said County :

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

51 & 52 Vict.
c. 41.

Definitions.

Art. I. In this Order—

- (1) The expression "the commencement of this Order" means the Ninth day of November One thousand nine hundred and five ;
- (2) The expression "the existing Borough" means the Borough of Hanley as it existed immediately prior to the commencement of this Order ;
- (3) The expression "the Borough" means the existing Borough as extended by this Order ;
- (4) The expression "the Corporation" means as the context requires the Mayor Aldermen and Burgesses of the existing Borough or of the Borough acting by the Council ;

A.D. 1905.
Hanley Order.

And whereas the said Borough is co-extensive with the Parish of Hanley and that parish is included in the Stoke-upon-Trent Union and is for the purpose of the election of Guardians divided into eight wards which are co-extensive with and bear the same names as the municipal wards and one Guardian is elected for each ward ;

And whereas the Parish of Milton is included in the Woolstanton and Burslem Union and one Guardian is elected for that Parish ;

And whereas in pursuance of the Education Act 1902 the said Parish of Milton forms part of the area of the County Council of Stafford as the local education authority ;

And whereas by virtue of the Hanley Stoke Fenton and Longton Joint Hospital Orders 1880 to 1904 which were duly confirmed by Parliament the said Borough is a Constituent District of the Hanley Stoke Fenton and Longton Joint Hospital District and by Article I. (3) of the Hanley Stoke and Fenton Joint Hospital Order 1898 provision was made for contributions to the common fund by the several Constituent Districts in proportion to the number of inhabitants in each Constituent District ;

And whereas by virtue of the North Staffordshire Joint Small-pox Hospital Orders 1902 and 1904 which were duly confirmed by Parliament the said Borough and so much of the said Urban District as is comprised in the Chell and Milton Wards of the said Urban District are Constituent Districts of the North Staffordshire Joint Small-pox Hospital District and by Article XVIII. (3) of the North Staffordshire Joint Small-pox Hospital Order 1902 provision was made for contributions to the common fund by the several Constituent Districts in proportion to the number of inhabitants in each Constituent District ;

And whereas the said Parish of Milton is included in the Bucknall Electoral Division of the said County :

51 & 52 Vict.
c. 41.

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

Definitions.

Art. I. In this Order—

- (1) The expression "the commencement of this Order" means the Ninth day of November One thousand nine hundred and five ;
- (2) The expression "the existing Borough" means the Borough of Hanley as it existed immediately prior to the commencement of this Order ;
- (3) The expression "the Borough" means the existing Borough as extended by this Order ;
- (4) The expression "the Corporation" means as the context requires the Mayor Aldermen and Burgesses of the existing Borough or of the Borough acting by the Council ;

- (5) The expressions "the Urban District" and "the Urban Council" mean respectively the Urban District of Smallthorne and the Urban District Council of that district; A.D. 1905.
Hanley Order.
- (6) The expressions "the County" and "the County Council" mean respectively the Administrative County of Stafford and the County Council of that County;
- (7) The expression "the Borough maps" means the two maps each marked "Map of the Borough of Hanley as extended 1905" and sealed with the official seal of the Local Government Board;
- (8) The expression "the added area" means the part of the Urban District added to the existing Borough by this Order;
- (9) The expressions "the existing Parish of Hanley" and "the existing Parish of Milton" mean in each case the parish as it existed immediately prior to the commencement of this Order and the expressions "the Parish of Hanley" and the "Parish of Milton" mean in each case the parish as altered by this Order;
- (10) The expressions "the Act of 1888" and "the Act of 1894" mean respectively the Local Government Act 1888 and the Local Government Act 1894;
- (11) The expression "the Municipal Corporations Acts" means the Municipal Corporations Act 1882 and the Acts amending and extending the same and the expression "the Public Health Acts" means the Public Health Act 1875 and the Acts amending and extending the same;
- (12) The expression "the Local Acts" means the Acts mentioned in Part I. of the schedule to this Order and the expressions "the Local Act of 1825" and "the Local Act of 1828" mean such of the Local Acts as in the said Part are described as having been passed in those years respectively;
- (13) The expressions "the Confirmation Acts" and "the Provisional Orders" mean respectively the Confirmation Acts and the Provisional Orders mentioned in Part II. of the schedule to this Order.

Art. II. This Order shall except so far as is otherwise herein expressly provided and so far as there may be anything in the subject-matter or context inconsistent therewith come into operation on the Ninth day of November One thousand nine hundred and five:

Commence-
ment of Order.

Provided that for the purposes of the parish burgess lists and burgess roll and other lists to be made for the Borough under the Municipal Corporations Acts of the lists of county electors and the county register to be made for the County in pursuance of the County Electors Act 1888 or any Act amending that Act of the lists and registers of parochial electors and any other lists or registers to be made in pursuance of the Act of 1894 and of

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

- (5) The expressions "the Urban District" and "the Urban Council" mean respectively the Urban District of Smallthorne and the Urban District Council of that district; A.D. 1905.
Hanley Order.
- (6) The expressions "the County" and "the County Council" mean respectively the Administrative County of Stafford and the County Council of that County;
- (7) The expression "the Borough maps" means the two maps each marked "Map of the Borough of Hanley as extended 1905" and sealed with the official seal of the Local Government Board;
- (8) The expression "the added area" means the part of the Urban District added to the existing Borough by this Order;
- (9) The expressions "the existing Parish of Hanley" and "the existing Parish of Milton" mean in each case the parish as it existed immediately prior to the commencement of this Order and the expressions "the Parish of Hanley" and the "Parish of Milton" mean in each case the parish as altered by this Order;
- (10) The expressions "the Act of 1888" and "the Act of 1894" mean respectively the Local Government Act 1888 and the Local Government Act 1894;
- (11) The expression "the Municipal Corporations Acts" means the Municipal Corporations Act 1882 and the Acts amending and extending the same and the expression "the Public Health Acts" means the Public Health Act 1875 and the Acts amending and extending the same;
- (12) The expression "the Local Acts" means the Acts mentioned in Part I. of the schedule to this Order and the expressions "the Local Act of 1825" and "the Local Act of 1828" mean such of the Local Acts as in the said Part are described as having been passed in those years respectively;
- (13) The expressions "the Confirmation Acts" and "the Provisional Orders" mean respectively the Confirmation Acts and the Provisional Orders mentioned in Part II. of the schedule to this Order.

Art. II. This Order shall except so far as is otherwise herein expressly provided and so far as there may be anything in the subject-matter or context inconsistent therewith come into operation on the Ninth day of November One thousand nine hundred and five:

Commence-
ment of Order.

Provided that for the purposes of the parish burgess lists and burgess roll and other lists to be made for the Borough under the Municipal Corporations Acts of the lists of county electors and the county register to be made for the County in pursuance of the County Electors Act 1888 or any Act amending that Act of the lists and registers of parochial electors and any other lists or registers to be made in pursuance of the Act of 1894 and of

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

A.D. 1905. all proceedings preliminary or relating to any municipal election to be held on the ordinary day of election in the year one thousand nine hundred and five and of the revision of the basis or standard of county rate this Order shall operate from the date of the Act of Parliament confirming this Order:

Hanley Order.

Date of operation for grants from Local Taxation Account. 53 & 54 Vict. c. 60.

Provided also that for the purposes of Sections 20 22 23 24 and 26 of the Act of 1888 and for the purposes of the Local Taxation (Customs and Excise) Act 1890 the Borough shall be deemed not to have been altered until after the Thirty-first day of March One thousand nine hundred and six.

Extension of Borough.

Art. III.—(1) The boundary of the existing Borough the area whereof is coloured pink on the Borough maps shall be altered so as to include in addition to that area so much of the Urban District as is coloured blue and yellow on the Borough Maps.

(2) The boundary of the Borough shall be that shown by the red line on the Borough maps and the whole of the area within that boundary shall for the purposes of the Municipal Corporations Acts and for all other purposes be the Borough and shall for the purposes of the Act of 1888 and for all other purposes be the County Borough.

Deposit of maps.

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

Copies of map to be evidence.

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

Powers and duties of justices &c. extended.

Art. V. The powers and duties of the quarter sessions recorder clerk of the peace and coroner of the existing Borough of the justices of the peace appointed for the existing Borough of the clerk to those justices and of the police constables and other peace officers of the existing Borough shall extend to and apply throughout the Borough:

Provided that every person committing an offence in any part of the added area prior to the commencement of this Order shall be tried adjudicated on and dealt with as if this Order had not been made:

Provided also that every proceeding which prior to the commencement of this Order has been begun by or before any justice or justices in relation

A.D. 1905. all proceedings preliminary or relating to any municipal election to be held on the ordinary day of election in the year one thousand nine hundred and five and of the revision of the basis or standard of county rate this Order shall operate from the date of the Act of Parliament confirming this Order:

Hanley Order.
Date of operation for grants from Local Taxation Account. 53 & 54 Vict. c. 60.

Provided also that for the purposes of Sections 20 22 23 24 and 26 of the Act of 1888 and for the purposes of the Local Taxation (Customs and Excise) Act 1890 the Borough shall be deemed not to have been altered until after the Thirty-first day of March One thousand nine hundred and six.

Extension of Borough.

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(2) The boundary of the Borough shall be that shown by the red line on the Borough maps and the whole of the area within that boundary shall for the purposes of the Municipal Corporations Acts and for all other purposes be the Borough and shall for the purposes of the Act of 1888 and for all other purposes be the County Borough.

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Copies of map to be evidence.

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

Powers and duties of justices &c. extended.

Art. V. The powers and duties of the quarter sessions recorder clerk of the peace and coroner of the existing Borough of the justices of the peace appointed for the existing Borough of the clerk to those justices and of the police constables and other peace officers of the existing Borough shall extend to and apply throughout the Borough:

Provided that every person committing an offence in any part of the added area prior to the commencement of this Order shall be tried adjudicated on and dealt with as if this Order had not been made:

Provided also that every proceeding which prior to the commencement of this Order has been begun by or before any justice or justices in relation

to any matter arising in or concerning any part of the added area may be carried on continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this Order had not been made.

A.D. 1905.

Hanley Order.

Art. VI.—(1) For the purposes of the parish burgess lists and burgess roll and other lists to be made under the Municipal Corporations Acts and all matters in relation thereto the added area shall be deemed to have always been part of the Borough and the town clerk of the existing Borough shall be the town clerk of the Borough.

Parish burgess
lists &c.

(2) In making out revising or otherwise dealing with the said lists and roll or the lists of county electors and the county register to be made for the County in pursuance of the County Electors Act 1888 or any Act amending that Act or the lists and registers of parochial electors effect shall be given so far as the circumstances require or allow to the provisions of this Order.

(3) Where any difficulty in giving effect to the provisions of this Order can be obviated or removed by any alteration in or re-arrangement of or any other action affecting the said lists roll and registers that alteration re-arrangement or action so far as the same may be necessary for giving effect to the said provisions shall be made or taken by the town clerk or the clerk of the County Council as the case may require and the Overseers of the Poor shall render such assistance as may be requisite for the purpose of the said alteration re-arrangement or action by the town clerk or clerk of the County Council as the case may be and that alteration re-arrangement or action shall be deemed to be authorised by the provisions in force with respect to the said lists roll and registers.

(4) Where in the opinion of the Local Government Board the circumstances so require the Local Government Board may make such order as appears to them to be necessary to give effect to the provisions of this Order and may vary so far as is requisite the provisions in force with regard to the said lists roll and registers.

Art. VII. Subject to the provisions of the Municipal Corporations Acts with respect to the alteration of wards the following provisions shall have effect:—

Division in
wards.

- (1) For the purposes of the election of Councillors the Borough shall continue to be divided into eight wards:
- (2) The portion of the added area which is coloured blue on the Borough maps shall be included in the No. 3 or Providence Ward and the portion of the added area which is coloured yellow on the Borough maps shall be included in the No. 4 or Northwood Ward:
- (3) The Councillors representing the No. 3 or Providence Ward and the No. 4 or Northwood Ward respectively who will not go out of office on the First day of November One thousand nine hundred and five shall be deemed from and after the commencement of this Order to represent those wards as altered by this Article.

to any matter arising in or concerning any part of the added area may be carried on continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this Order had not been made.

A.D. 1905.

Hanley Order.

Art. VI.—(1) For the purposes of the parish burgess lists and burgess roll and other lists to be made under the Municipal Corporations Acts and all matters in relation thereto the added area shall be deemed to have always been part of the Borough and the town clerk of the existing Borough shall be the town clerk of the Borough.

Parish burgess
lists &c.

(2) In making out revising or otherwise dealing with the said lists and roll or the lists of county electors and the county register to be made for the County in pursuance of the County Electors Act 1888 or any Act amending that Act or the lists and registers of parochial electors effect shall be given so far as the circumstances require or allow to the provisions of this Order.

(3) Where any difficulty in giving effect to the provisions of this Order can be obviated or removed by any alteration in or re-arrangement of or any other action affecting the said lists roll and registers that alteration re-arrangement or action so far as the same may be necessary for giving effect to the said provisions shall be made or taken by the town clerk or the clerk of the County Council as the case may require and the Overseers of the Poor shall render such assistance as may be requisite for the purpose of the said alteration re-arrangement or action by the town clerk or clerk of the County Council as the case may be and that alteration re-arrangement or action shall be deemed to be authorised by the provisions in force with respect to the said lists roll and registers.

(4) Where in the opinion of the Local Government Board the circumstances so require the Local Government Board may make such order as appears to them to be necessary to give effect to the provisions of this Order and may vary so far as is requisite the provisions in force with regard to the said lists roll and registers.

Art. VII. Subject to the provisions of the Municipal Corporations Acts with respect to the alteration of wards the following provisions shall have effect:—

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wards.

- (1) For the purposes of the election of Councillors the Borough shall continue to be divided into eight wards:
- (2) The portion of the added area which is coloured blue on the Borough maps shall be included in the No. 3 or Providence Ward and the portion of the added area which is coloured yellow on the Borough maps shall be included in the No. 4 or Northwood Ward:
- (3) The Councillors representing the No. 3 or Providence Ward and the No. 4 or Northwood Ward respectively who will not go out of office on the First day of November One thousand nine hundred and five shall be deemed from and after the commencement of this Order to represent those wards as altered by this Article.

Provisional Orders Confirmation (No. 11) Act, 1905.

A.D. 1905.

Hanley Order.

Local Acts and Orders.

Art. VIII.—(1) Sections 1 to 25 and 39 to 72 of the Local Act of 1825 and the Local Act of 1828 shall be repealed.

(2) The unrepealed provisions of the Local Act of 1825 shall remain in force in and apply only to the area in which they are in force or to which they apply at the commencement of this Order.

(3) Subject to the provisions of this Order the unrepealed provisions of the Local Acts other than the Local Act of 1825 and of the Confirmation Acts so far as the last-mentioned Acts respectively relate to the Provisional Orders and of any other Local Act or Provisional Order duly confirmed by Parliament affecting the existing Borough or the Corporation as the same respectively are in force within the existing Borough at the commencement of this Order shall extend and apply to the Borough and any reference therein to the existing Borough and the Corporation shall be deemed to refer to the Borough and the Corporation thereof.

Adaptation of Hanley Stoke Fenton and Longton Joint Hospital Orders and of North Staffordshire Joint Small-pox Hospital Orders.

Art. IX. The Acts confirming the Hanley Stoke Fenton and Longton Joint Hospital Orders 1880 to 1904 and the North Staffordshire Joint Small-pox Hospital Orders 1902 and 1904 so far as the said Acts relate to those Orders shall be adapted and modified so that in relation to the said Acts and Orders the following provisions shall have effect that is to say:—

- (a) The added area shall form part of the Hanley Stoke Fenton and Longton Joint Hospital District:
- (b) References to the Borough shall be substituted for references to the existing Borough:
- (c) For the purposes of Article I. (3) of the Hanley Stoke and Fenton Joint Hospital Order 1898 and of Article XVIII. (3) of the North Staffordshire Joint Small-pox Hospital Order 1902 the number of inhabitants in the Borough as required to be ascertained after the commencement of this Order from the census of the year One thousand nine hundred and one shall be deemed to be sixty-two thousand seven hundred and thirty-seven:
- (d) For the purposes of Article XVIII. (3) of the North Staffordshire Joint Small-pox Hospital Order 1902 the number of inhabitants in the Milton Ward of the Urban District as required to be ascertained after the commencement of this Order from the same census shall be deemed to be one thousand six hundred and forty-seven.

Byelaws &c.

Art. X.—(1) All byelaws and regulations and every list of tolls and table of fees and payments and scale of charges made by the Corporation which at the commencement of this Order are in force in the existing Borough shall thenceforth apply to the Borough until or except in so far as any such byelaws or regulations or list of tolls or table of fees and payments or scale of charges may be altered or repealed.

A.D. 1905.

Hanley Order.

Local Acts and Orders.

Art. VIII.—(1) Sections 1 to 25 and 39 to 72 of the Local Act of 1825 and the Local Act of 1828 shall be repealed.

(2) The unrepealed provisions of the Local Act of 1825 shall remain in force in and apply only to the area in which they are in force or to which they apply at the commencement of this Order.

(3) Subject to the provisions of this Order the unrepealed provisions of the Local Acts other than the Local Act of 1825 and of the Confirmation Acts so far as the last-mentioned Acts respectively relate to the Provisional Orders and of any other Local Act or Provisional Order duly confirmed by Parliament affecting the existing Borough or the Corporation as the same respectively are in force within the existing Borough at the commencement of this Order shall extend and apply to the Borough and any reference therein to the existing Borough and the Corporation shall be deemed to refer to the Borough and the Corporation thereof.

Adaptation of Hanley Stoke Fenton and Longton Joint Hospital Orders and of North Staffordshire Joint Small-pox Hospital Orders.

Art. IX. The Acts confirming the Hanley Stoke Fenton and Longton Joint Hospital Orders 1880 to 1904 and the North Staffordshire Joint Small-pox Hospital Orders 1902 and 1904 so far as the said Acts relate to those Orders shall be adapted and modified so that in relation to the said Acts and Orders the following provisions shall have effect that is to say:—

- (a) The added area shall form part of the Hanley Stoke Fenton and Longton Joint Hospital District:
- (b) References to the Borough shall be substituted for references to the existing Borough:
- (c) For the purposes of Article I. (3) of the Hanley Stoke and Fenton Joint Hospital Order 1898 and of Article XVIII. (3) of the North Staffordshire Joint Small-pox Hospital Order 1902 the number of inhabitants in the Borough as required to be ascertained after the commencement of this Order from the census of the year One thousand nine hundred and one shall be deemed to be sixty-two thousand seven hundred and thirty-seven:
- (d) For the purposes of Article XVIII. (3) of the North Staffordshire Joint Small-pox Hospital Order 1902 the number of inhabitants in the Milton Ward of the Urban District as required to be ascertained after the commencement of this Order from the same census shall be deemed to be one thousand six hundred and forty-seven.

Byelaws &c.

Art. X.—(1) All byelaws and regulations and every list of tolls and table of fees and payments and scale of charges made by the Corporation which at the commencement of this Order are in force in the existing Borough shall thenceforth apply to the Borough until or except in so far as any such byelaws or regulations or list of tolls or table of fees and payments or scale of charges may be altered or repealed.

(2) All byelaws and regulations made by the County Council or the Urban Council or their predecessors and in force immediately before the commencement of this Order in any part of the added area shall on that date cease to be in force except as regards any work commenced before that date or any work for which plans shall either have been approved by the Urban Council before that date or shall have been sent to the surveyor or clerk to the Urban Council one month at least before that date and shall not have been disapproved by that council. As regards any such work as aforesaid the byelaws in force immediately before the commencement of this Order shall continue to apply until the completion of the work in like manner and with the like effect as if those byelaws had been made by the Corporation and as if the Corporation and the Borough were referred to therein instead of the Urban Council and the Urban District respectively. Provided that any proceedings which might have been taken by the Urban Council against any person for any offence committed before the commencement of this Order against any byelaws and regulations made by the Urban Council or their predecessors and in force on that date in any part of the added area may be taken by the Corporation as if those byelaws and regulations had remained in force and the Corporation had been substituted therein for the Urban Council.

A.D. 1905.
Hanley Order.

(3) For the purposes of and subject to the provisions of the Education Acts 1870 to 1902 any byelaws in force in the existing Borough at the commencement of this Order shall thenceforth apply to the Borough until revoked or altered and from and after that date any byelaws then in force in the added area shall cease to be in force therein.

Education byelaws.

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

Town clerk and other officers continued.

(2) The auditors who are in office at the commencement of this Order shall continue in office and shall for the purposes of the Municipal Corporations Acts be the borough auditors until the next ordinary day of election of borough auditors for the said purposes.

Borough auditors.

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

Actions &c. not to abate.

(2) Anything duly done or suffered and all contracts deeds bonds agreements and other instruments (subsisting at the commencement of this Order) entered into or made by the Urban Council or their predecessors in

Saving for contracts &c.

(2) All byelaws and regulations made by the County Council or the Urban Council or their predecessors and in force immediately before the commencement of this Order in any part of the added area shall on that date cease to be in force except as regards any work commenced before that date or any work for which plans shall either have been approved by the Urban Council before that date or shall have been sent to the surveyor or clerk to the Urban Council one month at least before that date and shall not have been disapproved by that council. As regards any such work as aforesaid the byelaws in force immediately before the commencement of this Order shall continue to apply until the completion of the work in like manner and with the like effect as if those byelaws had been made by the Corporation and as if the Corporation and the Borough were referred to therein instead of the Urban Council and the Urban District respectively. Provided that any proceedings which might have been taken by the Urban Council against any person for any offence committed before the commencement of this Order against any byelaws and regulations made by the Urban Council or their predecessors and in force on that date in any part of the added area may be taken by the Corporation as if those byelaws and regulations had remained in force and the Corporation had been substituted therein for the Urban Council.

A.D. 1905.
Hanley Order.

(3) For the purposes of and subject to the provisions of the Education Acts 1870 to 1902 any byelaws in force in the existing Borough at the commencement of this Order shall thenceforth apply to the Borough until revoked or altered and from and after that date any byelaws then in force in the added area shall cease to be in force therein.

Education byelaws.

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Town clerk and other officers continued.

(2) The auditors who are in office at the commencement of this Order shall continue in office and shall for the purposes of the Municipal Corporations Acts be the borough auditors until the next ordinary day of election of borough auditors for the said purposes.

Borough auditors.

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Saving for contracts &c.

A.D. 1905.
Hanley Order.

relation exclusively to any part of the added area shall be of as full force and effect against or in favour of the Corporation of the Borough and may be continued and enforced as fully and effectually as if instead of the Urban Council or their predecessors the Corporation had done or suffered the same or been a party thereto.

Corporation
property &c.

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

Property &c. of
Urban Council.

Art. XIV. Subject to the provisions of this Order—

(1) All property and liabilities which immediately before the commencement of this Order are vested in or attach to the Urban Council in relation exclusively to any part of the added area shall by virtue of this Order vest in and be transferred and attach to the Corporation as Urban Sanitary Authority and any property and liabilities vested in or attached to the Urban Council in relation to any part of the added area conjointly with any other area shall be a matter for adjustment under Section 62 of the Act of 1888 :

Cesser of juris-
diction of Urban
Council.

(2) The Urban Council shall cease to exercise any powers or have any duties within any part of the added area :

Arrears of
rates &c.

(3) All arrears of rates made by the Urban Council and all other payments which at the commencement of this Order are due or owing to that Council in respect of hereditaments in the added area may be collected and recovered as if this Order had not been made :

Adaptation of
provisions as to
adjustment.

(4) For the purposes of the application of Section 62 of the Act of 1888 to any adjustment which may become necessary in consequence of this Order that section shall have effect as if in sub-sections (5) (6) and (7) thereof the expression "Council" included any authority affected by this Order or by anything done in pursuance of this Order and as if in the case of any such authority not otherwise empowered to borrow under any Act or on any security or in any manner mentioned in the said sub-section (6) that sub-section empowered the authority to borrow under any Act relating to and conferring on the authority a power to borrow on the security of all or any of the funds rates and revenues of the authority and in the

A.D. 1905.
Hanley Order.

relation exclusively to any part of the added area shall be of as full force and effect against or in favour of the Corporation of the Borough and may be continued and enforced as fully and effectually as if instead of the Urban Council or their predecessors the Corporation had done or suffered the same or been a party thereto.

Corporation
property &c.

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

Property &c. of
Urban Council.

Art. XIV. Subject to the provisions of this Order—

(1) All property and liabilities which immediately before the commencement of this Order are vested in or attach to the Urban Council in relation exclusively to any part of the added area shall by virtue of this Order vest in and be transferred and attach to the Corporation as Urban Sanitary Authority and any property and liabilities vested in or attached to the Urban Council in relation to any part of the added area conjointly with any other area shall be a matter for adjustment under Section 62 of the Act of 1888 :

Cesser of juris-
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(2) The Urban Council shall cease to exercise any powers or have any duties within any part of the added area :

Arrears of
rates &c.

(3) All arrears of rates made by the Urban Council and all other payments which at the commencement of this Order are due or owing to that Council in respect of hereditaments in the added area may be collected and recovered as if this Order had not been made :

Adaptation of
provisions as to
adjustment.

(4) For the purposes of the application of Section 62 of the Act of 1888 to any adjustment which may become necessary in consequence of this Order that section shall have effect as if in sub-sections (5) (6) and (7) thereof the expression "Council" included any authority affected by this Order or by anything done in pursuance of this Order and as if in the case of any such authority not otherwise empowered to borrow under any Act or on any security or in any manner mentioned in the said sub-section (6) that sub-section empowered the authority to borrow under any Act relating to and conferring on the authority a power to borrow on the security of all or any of the funds rates and revenues of the authority and in the

manner provided by the said Act but without the consent of any other authority and subject to the requirement that all money so borrowed shall be repaid within such period as the Local Government Board may sanction :

A.D. 1905.

Hanley Order

Provided that where the authority affected by this Order or by anything done in pursuance of this Order are the Board of Guardians of a Poor Law Union Section 62 of the Act of 1888 shall apply with respect to any necessary adjustment with the modifications specified in the First Schedule to the Poor Law (Dissolution of School Districts and Adjustments) Act 1903.

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

Mortgage debts
of Corporation.

Art. XVI. The Council of the Borough shall be the Burial Board for the Borough and shall have within the Borough to the exclusion of any other burial authority all the powers duties and liabilities of a burial board under the Burial Acts 1852 to 1900.

Council to be
Burial Board
for the
Borough.

Art. XVII.—(1) Subject to the provisions of Section 54 of the Act of 1888 the Bucknall Electoral Division as diminished by the inclusion in the Borough of the added area shall continue to be an Electoral Division of the County and the person who immediately prior to the commencement of this Order is the County Councillor representing that division shall be deemed from and after that date to represent the division as so diminished.

Electoral
Divisions and
County
Councillors.

(2) No County Alderman or County Councillor in office immediately before the commencement of this Order shall be deemed to lose his qualification by reason of the inclusion of the added area in the Borough by this Order.

Art. XVIII.—(1) The provisions of the Baths and Washhouses Acts 1846 to 1899 the Infectious Disease (Prevention) Act 1890 the Public Health Acts Amendment Act 1890 Part III. of the Housing of the Working Classes Act 1890 the Museums and Gymnasiums Act 1891 and the Public Libraries Acts 1892 to 1901 shall be in force within and apply to the Borough as if the same had been adopted therein.

Adoptive Acts.

manner provided by the said Act but without the consent of any other authority and subject to the requirement that all money so borrowed shall be repaid within such period as the Local Government Board may sanction :

A.D. 1905.

Hanley Order

Provided that where the authority affected by this Order or by anything done in pursuance of this Order are the Board of Guardians of a Poor Law Union Section 62 of the Act of 1888 shall apply with respect to any necessary adjustment with the modifications specified in the First Schedule to the Poor Law (Dissolution of School Districts and Adjustments) Act 1903.

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

Mortgage debts
of Corporation.

Art. XVI. The Council of the Borough shall be the Burial Board for the Borough and shall have within the Borough to the exclusion of any other burial authority all the powers duties and liabilities of a burial board under the Burial Acts 1852 to 1900.

Council to be
Burial Board
for the
Borough.

Art. XVII.—(1) Subject to the provisions of Section 54 of the Act of 1888 the Bucknall Electoral Division as diminished by the inclusion in the Borough of the added area shall continue to be an Electoral Division of the County and the person who immediately prior to the commencement of this Order is the County Councillor representing that division shall be deemed from and after that date to represent the division as so diminished.

Electoral
Divisions and
County
Councillors.

(2) No County Alderman or County Councillor in office immediately before the commencement of this Order shall be deemed to lose his qualification by reason of the inclusion of the added area in the Borough by this Order.

Art. XVIII.—(1) The provisions of the Baths and Washhouses Acts 1846 to 1899 the Infectious Disease (Prevention) Act 1890 the Public Health Acts Amendment Act 1890 Part III. of the Housing of the Working Classes Act 1890 the Museums and Gymnasiums Act 1891 and the Public Libraries Acts 1892 to 1901 shall be in force within and apply to the Borough as if the same had been adopted therein.

Adoptive Acts.

A.D. 1905.
Hanley Order.

(2) The provisions of the Private Street Works Act 1892 shall cease to be in force in the added area :

Provided that nothing in this subdivision shall—

- (a) Affect the operation prior to the commencement of this Order of any such provisions or anything duly done or suffered under any such provisions ; or
- (b) Affect any right privilege obligation or liability acquired accrued or incurred under any such provisions ; or
- (c) Affect any penalty forfeiture or punishment incurred in respect of any offence committed against any such provisions ; or
- (d) Affect any investigation legal proceeding or remedy in respect of any such right privilege obligation liability penalty forfeiture or punishment as aforesaid.

Powers conferred on Urban Council under Section 33 of Act of 1894.

Art. XIX.—Subject to the provisions of any order which the Local Government Board may hereafter make—

- (1) Any order heretofore made by the Local Government Board and conferring upon the Council of the existing Borough any of the matters mentioned in Section 33 of the Act of 1894 and in such order shall be deemed to have effect as if any reference in the said order to the existing Parish of Hanley extended and applied to the Parish of Hanley :
- (2) The Orders made by the Local Government Board in pursuance of Section 33 of the Act of 1894 dated respectively the Twenty-second day of June and the Seventeenth day of September One thousand nine hundred and four and the Sixteenth day of March One thousand nine hundred and five and conferring upon the Urban Council the powers duties and liabilities in the Orders mentioned shall be deemed to have effect as if any reference in those Orders to the Urban District applied to that District as diminished by this Order and any reference to the existing Parish of Milton or to a parish wholly comprised in the Urban District applied to the Parish of Milton.

Differential rating of added area.

Art. XX. The general district rate to be levied in the added area shall not in any one year during a period of twelve years from the commencement of this Order exceed such an amount in the pound as when added to the borough rate and any other rate levied for the purpose of defraying any expenses of the Corporation will in respect of the assessment of any hereditament in the added area make up a total rate of three shillings and fivepence in each pound of the rateable value of the said hereditament.

County police.

Art. XXI.—(1) At the commencement of this Order such members if any of the police force of the County as shall be determined by an agreement to be made as soon as practicable after the date of the Act of Parliament confirming this Order between the Standing Joint Committee of the County and the Watch Committee of the existing Borough or in default of any such

A.D. 1905.
Hanley Order.

(2) The provisions of the Private Street Works Act 1892 shall cease to be in force in the added area :

Provided that nothing in this subdivision shall—

- (a) Affect the operation prior to the commencement of this Order of any such provisions or anything duly done or suffered under any such provisions ; or
- (b) Affect any right privilege obligation or liability acquired accrued or incurred under any such provisions ; or
- (c) Affect any penalty forfeiture or punishment incurred in respect of any offence committed against any such provisions ; or
- (d) Affect any investigation legal proceeding or remedy in respect of any such right privilege obligation liability penalty forfeiture or punishment as aforesaid.

Powers conferred on Urban Council under Section 33 of Act of 1894.

Art. XIX.—Subject to the provisions of any order which the Local Government Board may hereafter make—

- (1) Any order heretofore made by the Local Government Board and conferring upon the Council of the existing Borough any of the matters mentioned in Section 33 of the Act of 1894 and in such order shall be deemed to have effect as if any reference in the said order to the existing Parish of Hanley extended and applied to the Parish of Hanley :
- (2) The Orders made by the Local Government Board in pursuance of Section 33 of the Act of 1894 dated respectively the Twenty-second day of June and the Seventeenth day of September One thousand nine hundred and four and the Sixteenth day of March One thousand nine hundred and five and conferring upon the Urban Council the powers duties and liabilities in the Orders mentioned shall be deemed to have effect as if any reference in those Orders to the Urban District applied to that District as diminished by this Order and any reference to the existing Parish of Milton or to a parish wholly comprised in the Urban District applied to the Parish of Milton.

Differential rating of added area.

Art. XX. The general district rate to be levied in the added area shall not in any one year during a period of twelve years from the commencement of this Order exceed such an amount in the pound as when added to the borough rate and any other rate levied for the purpose of defraying any expenses of the Corporation will in respect of the assessment of any hereditament in the added area make up a total rate of three shillings and fivepence in each pound of the rateable value of the said hereditament.

County police.

Art. XXI.—(1) At the commencement of this Order such members if any of the police force of the County as shall be determined by an agreement to be made as soon as practicable after the date of the Act of Parliament confirming this Order between the Standing Joint Committee of the County and the Watch Committee of the existing Borough or in default of any such

agreement as shall be determined by a Secretary of State shall be transferred to and become part of the police force of the Borough and any member of the county police force so transferred shall hold office upon the same tenure and upon the same terms and conditions as if this Order had not been made and while he performs the same or similar duties his remuneration emoluments and allowances and the pension (if any) to which he is entitled shall not be less than they would have been if this Order had not been made.

A.D. 1905.

Hanley Order.

(2) The provisions of Section 15 (2) of the Police Act 1890 shall extend and apply to and in relation to any member of the police force transferred under the powers of this Article as if that member had removed with the written sanction of the Chief Constable of the County.

53 & 54 Vict.
c. 45.

(3) All the county police stations situate in any part of the added area with the residences for constables and cells connected therewith and the fittings and furniture thereof respectively shall by virtue of this Order vest in and be transferred to the Corporation as from the commencement of this Order for all the estate and interest therein of the County Council and there shall be paid by the Corporation to the County Council out of the borough fund in consideration of the transfer such sum as shall be agreed upon or as in default of agreement shall be settled by arbitration in manner provided by the Act of 1888.

County police
stations.

Art. XXII.—(1) Every clerk to justices and county coroner and every officer or servant of or paid by the County Council or of or paid by the Standing Joint Committee of the County and every other officer and servant who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary and for whose compensation no other provision is made by any enactment for the time being in force and applicable to his case shall be entitled to have compensation paid to him by the Corporation for that pecuniary loss and in determining the said compensation regard shall be had to the conditions and other circumstances required by sub-section (1) of Section 120 of the Act of 1888 to be had in regard in cases of compensation under that section and the compensation shall not exceed the limit therein mentioned and shall be paid in the case of any such officer or servant whose office or employment relates wholly or partly to sanitary purposes as defined by the Public Health Act 1875 out of the district fund and general district rate of the Borough and in every other case out of the borough fund and borough rate of the Borough and the provisions of sub-sections (2) to (7) of Section 120 of the Act of 1888 shall apply with the necessary modifications.

Compensation
to existing
officers.

(2) For the purposes of subdivision (1) of this Article any such officer or servant whose services are dispensed with or whose salary is reduced by the County Council or the Standing Joint Committee or any other authority including the Corporation within five years from the commencement of this Order because his services are not required or his duties are

agreement as shall be determined by a Secretary of State shall be transferred to and become part of the police force of the Borough and any member of the county police force so transferred shall hold office upon the same tenure and upon the same terms and conditions as if this Order had not been made and while he performs the same or similar duties his remuneration emoluments and allowances and the pension (if any) to which he is entitled shall not be less than they would have been if this Order had not been made.

A.D. 1905.

Hanley Order.

(2) The provisions of Section 15 (2) of the Police Act 1890 shall extend and apply to and in relation to any member of the police force transferred under the powers of this Article as if that member had removed with the written sanction of the Chief Constable of the County.

53 & 54 Vict.
c. 45.

(3) All the county police stations situate in any part of the added area with the residences for constables and cells connected therewith and the fittings and furniture thereof respectively shall by virtue of this Order vest in and be transferred to the Corporation as from the commencement of this Order for all the estate and interest therein of the County Council and there shall be paid by the Corporation to the County Council out of the borough fund in consideration of the transfer such sum as shall be agreed upon or as in default of agreement shall be settled by arbitration in manner provided by the Act of 1888.

County police
stations.

Art. XXII.—(1) Every clerk to justices and county coroner and every officer or servant of or paid by the County Council or of or paid by the Standing Joint Committee of the County and every other officer and servant who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary and for whose compensation no other provision is made by any enactment for the time being in force and applicable to his case shall be entitled to have compensation paid to him by the Corporation for that pecuniary loss and in determining the said compensation regard shall be had to the conditions and other circumstances required by sub-section (1) of Section 120 of the Act of 1888 to be had in regard in cases of compensation under that section and the compensation shall not exceed the limit therein mentioned and shall be paid in the case of any such officer or servant whose office or employment relates wholly or partly to sanitary purposes as defined by the Public Health Act 1875 out of the district fund and general district rate of the Borough and in every other case out of the borough fund and borough rate of the Borough and the provisions of sub-sections (2) to (7) of Section 120 of the Act of 1888 shall apply with the necessary modifications.

Compensation
to existing
officers.

(2) For the purposes of subdivision (1) of this Article any such officer or servant whose services are dispensed with or whose salary is reduced by the County Council or the Standing Joint Committee or any other authority including the Corporation within five years from the commencement of this Order because his services are not required or his duties are

A.D. 1905. diminished in consequence thereof and not on the ground of misconduct shall be deemed to have suffered a direct pecuniary loss in consequence of this Order.

Hanley Order.

Adjustment of financial relations between County and County Boroughs.

Art. XXIII.—(1) In any case where the extension of the Borough by this Order shall affect the distribution of the proceeds of the local taxation licences of the estate duty and of the Local Taxation (Customs and Excise) duties between the County and the Borough or between the County or the Borough on the one hand and any other County Borough on the other hand or any financial relations or questions between those areas or any adjustment which has been made in regard to the said distribution and financial relations or questions equitable adjustments may be made between the areas interested.

(2) Any such adjustment may be made by an agreement between the Council of the County and the Councils of the County Boroughs affected before the Thirtieth day of September One thousand nine hundred and six and in default of any such agreement by the Local Government Board or if that Board think fit by an arbitrator appointed by them.

(3) For the purposes of the said adjustments the provisions of the Act of 1888 relating to adjustments between Administrative Counties and County Boroughs shall apply with the necessary modifications and the Local Government Board or an arbitrator appointed by them as the case may be shall be substituted in those provisions for the Commissioners appointed under the Act of 1888 and notwithstanding anything in the provisions of this Order or of the Act of 1888 any such adjustment and the determination of any matter incidental or in relation thereto or consequent thereon shall when made by the Local Government Board be deemed to be made by them otherwise than as arbitrators and any arbitrator appointed by them shall be deemed to be an arbitrator within the meaning of Section 62 of the Act of 1888 and the provisions of the Act of 1888 shall apply accordingly :

Provided—

(a) that in lieu of sub-section (6) of Section 61 of the Act of 1888 sub-sections (1) and (5) of Section 87 of the Act of 1888 shall apply to any inquiries which may be directed by the Local Government Board under this Article and to the costs of those inquiries ; and

(b) that sub-section (6) of Section 32 of the Act of 1888 shall apply to any agreement or award made under this Article.

Alteration of parishes.

Art. XXIV. The added area shall be separated from the existing Parish of Milton and shall be amalgamated with the existing Parish of Hanley to form the Parish of Hanley and for the purpose of the election of Guardians of the Poor for that Parish the portion of the added area which is coloured blue on the Borough maps shall be included in the No. 3 or Providence Ward and the portion of the added area which is coloured yellow on the Borough maps shall be included in the No. 4 or Northwood Ward of the Parish of Hanley.

A.D. 1905. diminished in consequence thereof and not on the ground of misconduct shall be deemed to have suffered a direct pecuniary loss in consequence of this Order.

Hanley Order.

Adjustment of financial relations between County and County Boroughs.

Art. XXIII.—(1) In any case where the extension of the Borough by this Order shall affect the distribution of the proceeds of the local taxation licences of the estate duty and of the Local Taxation (Customs and Excise) duties between the County and the Borough or between the County or the Borough on the one hand and any other County Borough on the other hand or any financial relations or questions between those areas or any adjustment which has been made in regard to the said distribution and financial relations or questions equitable adjustments may be made between the areas interested.

(2) Any such adjustment may be made by an agreement between the Council of the County and the Councils of the County Boroughs affected before the Thirtieth day of September One thousand nine hundred and six and in default of any such agreement by the Local Government Board or if that Board think fit by an arbitrator appointed by them.

(3) For the purposes of the said adjustments the provisions of the Act of 1888 relating to adjustments between Administrative Counties and County Boroughs shall apply with the necessary modifications and the Local Government Board or an arbitrator appointed by them as the case may be shall be substituted in those provisions for the Commissioners appointed under the Act of 1888 and notwithstanding anything in the provisions of this Order or of the Act of 1888 any such adjustment and the determination of any matter incidental or in relation thereto or consequent thereon shall when made by the Local Government Board be deemed to be made by them otherwise than as arbitrators and any arbitrator appointed by them shall be deemed to be an arbitrator within the meaning of Section 62 of the Act of 1888 and the provisions of the Act of 1888 shall apply accordingly :

Provided—

(a) that in lieu of sub-section (6) of Section 61 of the Act of 1888 sub-sections (1) and (5) of Section 87 of the Act of 1888 shall apply to any inquiries which may be directed by the Local Government Board under this Article and to the costs of those inquiries ; and

(b) that sub-section (6) of Section 32 of the Act of 1888 shall apply to any agreement or award made under this Article.

Alteration of parishes.

Art. XXIV. The added area shall be separated from the existing Parish of Milton and shall be amalgamated with the existing Parish of Hanley to form the Parish of Hanley and for the purpose of the election of Guardians of the Poor for that Parish the portion of the added area which is coloured blue on the Borough maps shall be included in the No. 3 or Providence Ward and the portion of the added area which is coloured yellow on the Borough maps shall be included in the No. 4 or Northwood Ward of the Parish of Hanley.

Art. XXV.—(1) The person who at the commencement of this Order represents the existing Parish of Milton on the Board of Guardians of the Woolstanton and Burslem Union shall continue to represent that Parish as altered by this Order as if he had been originally elected to represent the altered Parish.

A.D. 1905.

Hanley Order.
Guardians.

(2) The persons who at the commencement of this Order respectively represent the No. 3 or Providence Ward and the No. 4 or Northwood Ward of the existing Parish of Hanley on the Board of Guardians of the Stoke-upon-Trent Union shall continue to represent those Wards as extended by this Order as if they had been originally elected to represent the extended wards.

(3) Every person who at the commencement of this Order holds the office of Urban District Councillor and represents the Milton Ward on the Urban Council shall be deemed to have been elected for and shall represent that ward as altered by this Order as if he had been originally elected to represent the altered ward.

Urban District
Councillors.

Art. XXVI. Nothing in this Order shall affect the ecclesiastical divisions of any parish and subject to the provisions of subdivision (1) of Article XIX. this Order shall not prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment which now is applicable for the benefit of any of the existing parishes affected by this Order.

Ecclesiastical
divisions and
charities.

Art. XXVII. Until new valuation lists are in force the portion of the valuation list of the existing Parish of Milton which relates to hereditaments in the added area shall be deemed to form part of the valuation list of the Parish of Hanley and the remaining portion of the valuation list of the existing Parish of Milton shall be deemed to be the valuation list of the parish of Milton.

Valuation lists.

Art. XXVIII.—(1) Subject to any future revision the basis or standard of county rate for the County shall be deemed to be altered by the deduction from the amount appearing in that basis or standard as the total annual value of the property in the existing Parish of Milton of such a sum as will represent the annual value of the property in the added area.

County rate
basis.

(2) For the purposes of this Article the sum which will represent the annual value of the property in the added area shall be the amount which in relation to the amount appearing in the basis or standard of county rate as the total annual value of the existing Parish of Milton is in the same proportion as the assessable value of the property in the added area bears to the total assessable value of property in the existing Parish of Milton.

(3) For the purposes of this Article assessable value means one-half of the rateable value according to the valuation list for the time being in force of the agricultural land together with the rateable value according to that list of the buildings and other hereditaments not being agricultural land in the existing parish or in the added area as the case may require.

Art. XXV.—(1) The person who at the commencement of this Order represents the existing Parish of Milton on the Board of Guardians of the Woolstanton and Burslem Union shall continue to represent that Parish as altered by this Order as if he had been originally elected to represent the altered Parish.

A.D. 1905.

Hanley Order.
Guardians.

(2) The persons who at the commencement of this Order respectively represent the No. 3 or Providence Ward and the No. 4 or Northwood Ward of the existing Parish of Hanley on the Board of Guardians of the Stoke-upon-Trent Union shall continue to represent those Wards as extended by this Order as if they had been originally elected to represent the extended wards.

(3) Every person who at the commencement of this Order holds the office of Urban District Councillor and represents the Milton Ward on the Urban Council shall be deemed to have been elected for and shall represent that ward as altered by this Order as if he had been originally elected to represent the altered ward.

Urban District
Councillors.

Art. XXVI. Nothing in this Order shall affect the ecclesiastical divisions of any parish and subject to the provisions of subdivision (1) of Article XIX. this Order shall not prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment which now is applicable for the benefit of any of the existing parishes affected by this Order.

Ecclesiastical
divisions and
charities.

Art. XXVII. Until new valuation lists are in force the portion of the valuation list of the existing Parish of Milton which relates to hereditaments in the added area shall be deemed to form part of the valuation list of the Parish of Hanley and the remaining portion of the valuation list of the existing Parish of Milton shall be deemed to be the valuation list of the parish of Milton.

Valuation lists.

Art. XXVIII.—(1) Subject to any future revision the basis or standard of county rate for the County shall be deemed to be altered by the deduction from the amount appearing in that basis or standard as the total annual value of the property in the existing Parish of Milton of such a sum as will represent the annual value of the property in the added area.

County rate
basis.

(2) For the purposes of this Article the sum which will represent the annual value of the property in the added area shall be the amount which in relation to the amount appearing in the basis or standard of county rate as the total annual value of the existing Parish of Milton is in the same proportion as the assessable value of the property in the added area bears to the total assessable value of property in the existing Parish of Milton.

(3) For the purposes of this Article assessable value means one-half of the rateable value according to the valuation list for the time being in force of the agricultural land together with the rateable value according to that list of the buildings and other hereditaments not being agricultural land in the existing parish or in the added area as the case may require.

A.D. 1905.

*Hanley Order.*Saving for
existing lists of
parliamentary
voters &c.

Art. XXIX. For the purposes of the registers of persons entitled to vote at an election of Members of Parliament of the registers of parochial electors and of jury lists the parishes affected by this Order shall be deemed to continue unaltered until the new registers and lists come into operation :

Provided that for the purposes of any election under the Act of 1894 to be held for any area affected by this Order the town clerk or the clerk of the County Council as the case may require shall if and when necessary cause the register of parochial electors to be altered in such manner as may be requisite to give effect to the provisions of this Order.

Settlement and
removal of the
poor.

Art. XXX. For any purposes connected with the settlement and removal of the poor in relation to cases affected by this Order the following provisions shall have effect that is to say :—

(1) Every person who at the commencement of this Order has acquired or is in the course of acquiring a settlement in the existing Parish of Hanley or in the existing Parish of Milton by reason of any residence completed or in the course of completion of any act or thing done or in the course of being done of any status condition right or privilege acquired or created or in the course of acquisition or creation—

(i) in the existing Parish of Hanley ; or

(ii) in that part of the existing Parish of Milton which by virtue of this Order will form the Parish of Milton ; or

(iii) in that part of the existing Parish of Milton which by virtue of this Order will form part of the Parish of Hanley ;

shall be deemed to have acquired or to be in the course of acquiring in the first case a settlement in the Parish of Hanley in the second case a settlement in the Parish of Milton and in the third case a settlement in the Parish of Hanley and as if in the first case the existing parish and in the second and third cases the specified part of the existing parish were and had always been the parish or a part of the parish in which by virtue of this Article the person shall be deemed to have acquired or to be in the course of acquiring a settlement.

(2) Every person who at the commencement of this Order has acquired or is in the course of acquiring a status of irremovability from the Stoke-upon-Trent Union by reason of residence—

(i) in the existing Parish of Hanley ;

or a status of irremovability from the Woolstanton and Burslem Union by reason of residence—

(ii) in that part of the existing Parish of Milton which by virtue of this Order will form the Parish of Milton ; or

(iii) in that part of the existing Parish of Milton which by virtue of this Order will form part of the Parish of Hanley ;

shall be deemed to have acquired or to be in course of acquiring in the first case a status of irremovability from the Stoke-

A.D. 1905.

*Hanley Order.*Saving for
existing lists of
parliamentary
voters &c.

Art. XXIX. For the purposes of the registers of persons entitled to vote at an election of Members of Parliament of the registers of parochial electors and of jury lists the parishes affected by this Order shall be deemed to continue unaltered until the new registers and lists come into operation :

Provided that for the purposes of any election under the Act of 1894 to be held for any area affected by this Order the town clerk or the clerk of the County Council as the case may require shall if and when necessary cause the register of parochial electors to be altered in such manner as may be requisite to give effect to the provisions of this Order.

Settlement and
removal of the
poor.

Art. XXX. For any purposes connected with the settlement and removal of the poor in relation to cases affected by this Order the following provisions shall have effect that is to say :—

(1) Every person who at the commencement of this Order has acquired or is in the course of acquiring a settlement in the existing Parish of Hanley or in the existing Parish of Milton by reason of any residence completed or in the course of completion of any act or thing done or in the course of being done of any status condition right or privilege acquired or created or in the course of acquisition or creation—

(i) in the existing Parish of Hanley ; or

(ii) in that part of the existing Parish of Milton which by virtue of this Order will form the Parish of Milton ; or

(iii) in that part of the existing Parish of Milton which by virtue of this Order will form part of the Parish of Hanley ;

shall be deemed to have acquired or to be in the course of acquiring in the first case a settlement in the Parish of Hanley in the second case a settlement in the Parish of Milton and in the third case a settlement in the Parish of Hanley and as if in the first case the existing parish and in the second and third cases the specified part of the existing parish were and had always been the parish or a part of the parish in which by virtue of this Article the person shall be deemed to have acquired or to be in the course of acquiring a settlement.

(2) Every person who at the commencement of this Order has acquired or is in the course of acquiring a status of irremovability from the Stoke-upon-Trent Union by reason of residence—

(i) in the existing Parish of Hanley ;

or a status of irremovability from the Woolstanton and Burslem Union by reason of residence—

(ii) in that part of the existing Parish of Milton which by virtue of this Order will form the Parish of Milton ; or

(iii) in that part of the existing Parish of Milton which by virtue of this Order will form part of the Parish of Hanley ;

shall be deemed to have acquired or to be in course of acquiring in the first case a status of irremovability from the Stoke-

upon-Trent Union in the second case a status of irremovability from the Woolstanton and Burslem Union and in the third case a status of irremovability from the Stoke-upon-Trent Union.

A.D. 1905.

Hanley Order.

Art. XXXI. Notwithstanding the alteration in the areas of parishes effected by this Order all contribution orders made by the Guardians of the Poor of the Stoke-upon-Trent or Woolstanton and Burslem Unions before the commencement of this Order shall be as valid in law as if this Order had not been made.

Saving for contribution orders and precepts.

Art. XXXII. All arrears of rates made by the Overseers of the Poor and due or owing at the commencement of this Order in respect of hereditaments in the added area shall be collected and recovered by the Overseers of the Poor of the Parish of Milton as if this Order had not been made.

Arrears of rates.

Art. XXXIII. This Order may be cited as the Hanley (Extension) Order 1905.

Short title.

The SCHEDULE above referred to.

PART I.—LOCAL ACTS.

Session and Chapter.	Year in which passed.	Title.
53 Geo. III. c. 115.	1813	An Act for establishing and regulating the Market and for enlarging and improving the Market Place at Hauley in the County of Stafford.
6 Geo. IV. c. lxxiii.	1825	An Act for watching and lighting the Townships or Vills of Hanley and Shelton in the Parish of Stoke-upon-Trent in the County of Stafford.
9 Geo. IV. c. xxviii.	1828	An Act for explaining and amending an Act passed in the Sixth year of His present Majesty's reign for watching and lighting the Townships or Vills of Hauley and Shelton in the Parish of Stoke-upon-Trent in the County of Stafford.
20 & 21 Vict. c. x.	1857	An Act to amend the Charter of Incorporation granted to the Borough of Hanley in the County of Stafford.

PART II.—CONFIRMATION ACTS.

Session and Chapter.	Short Title.	Order thereby confirmed.
25 & 26 Vict. c. xxv.	Local Government Supplemental Act 1862	Order dated 26th day of April 1862.
54 Vict. c. xlix.	Electric Lighting Orders Confirmation (No. 1) Act 1891.	The Hanley Electric Lighting Order 1891.

Given under the Seal of Office of the Local Government Board this
Eighth day of May One thousand nine hundred and five.

(L.S.)

G. W. BALFOUR President.

S. B. PROVIS Secretary.

upon-Trent Union in the second case a status of irremovability from the Woolstanton and Burslem Union and in the third case a status of irremovability from the Stoke-upon-Trent Union.

A.D. 1905.

Hanley Order.

Art. XXXI. Notwithstanding the alteration in the areas of parishes effected by this Order all contribution orders made by the Guardians of the Poor of the Stoke-upon-Trent or Woolstanton and Burslem Unions before the commencement of this Order shall be as valid in law as if this Order had not been made.

Saving for contribution orders and precepts.

Art. XXXII. All arrears of rates made by the Overseers of the Poor and due or owing at the commencement of this Order in respect of hereditaments in the added area shall be collected and recovered by the Overseers of the Poor of the Parish of Milton as if this Order had not been made.

Arrears of rates.

Art. XXXIII. This Order may be cited as the Hanley (Extension) Order 1905.

Short title.

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25 & 26 Vict. c. xxv.	Local Government Supplemental Act 1862	Order dated 26th day of April 1862.
54 Vict. c. xlix.	Electric Lighting Orders Confirmation (No. 1) Act 1891.	The Hanley Electric Lighting Order 1891.

Given under the Seal of Office of the Local Government Board this Eighth day of May One thousand nine hundred and five.

(L.S.)

G. W. BALFOUR President.

S. B. PROVIS Secretary.

A.D. 1905.

BOROUGH OF SOUTHPORT.

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

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

To the County Council of the County Palatine of Lancaster;—

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

And to all others whom it may concern.

51 & 52 Vict.
c. 41.

WHEREAS by Section 54 of the Local Government Act 1888 (which Act is herein-after referred to as "the Act") the Local Government Board are empowered to make a Provisional Order for constituting any Borough having a population of not less than fifty thousand into a County Borough;

And whereas the Borough of Southport (herein-after referred to as "the Borough") in the County Palatine of Lancaster is a Borough within the meaning of the Act and has a population exceeding fifty thousand and is subject to the jurisdiction of the Mayor Aldermen and Burgesses of the Borough of Southport acting by the council (herein-after referred to as "the Corporation");

4 Edw. 7.
c. CCXXXV.

And whereas by virtue of an Order of the Local Government Board dated the Fourteenth day of August One thousand eight hundred and eighty-eight as altered by divers orders made by the Local Government Board by divers Provisional Orders made by the Local Government Board and duly confirmed by Parliament and by the Manchester Corporation (General Powers) Act 1904 the number of County Councillors for the Administrative County of Lancaster (herein-after referred to as "the Administrative County") is ninety-nine of which number two are apportioned to the Borough and the Borough accordingly comprises two electoral divisions of the Administrative County;

38 & 39 Vict.
c. CXXXVI.

And whereas the unrepealed provisions of the Southport Improvement Act 1875 are in force in the Borough:

51 & 52 Vict.
c. 41.

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

Commence-
ment of Order.

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

Provided that for the purposes of Sections 20 22 23 24 and 26 of the Act and for the purposes of the Local Taxation (Customs and Excise) Act

A.D. 1905.

BOROUGH OF SOUTHPORT.

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

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

To the County Council of the County Palatine of Lancaster;—

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

And to all others whom it may concern.

51 & 52 Vict.
c. 41.

WHEREAS by Section 54 of the Local Government Act 1888 (which Act is herein-after referred to as "the Act") the Local Government Board are empowered to make a Provisional Order for constituting any Borough having a population of not less than fifty thousand into a County Borough;

And whereas the Borough of Southport (herein-after referred to as "the Borough") in the County Palatine of Lancaster is a Borough within the meaning of the Act and has a population exceeding fifty thousand and is subject to the jurisdiction of the Mayor Aldermen and Burgesses of the Borough of Southport acting by the council (herein-after referred to as "the Corporation");

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And whereas the unrepealed provisions of the Southport Improvement Act 1875 are in force in the Borough:

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c. 41.

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

Commence-
ment of Order.

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

Provided that for the purposes of Sections 20 22 23 24 and 26 of the Act and for the purposes of the Local Taxation (Customs and Excise) Act

1890 the Borough shall be deemed not to have been constituted a County Borough until after the Thirty-first day of March One thousand nine hundred and six.

A.D. 1905.

—
Southport
Order.

Art. II. The Borough shall be constituted a County Borough and all the provisions of the Act respecting County Boroughs shall apply to the Borough as if the Borough had been named in the Third Schedule to the Act and as if Lancaster had been specified in that schedule as the County in which the Borough should be deemed for the purposes of the Act to be situate :

Constitution
of County
Borough.

Provided that for the purposes of the said provisions and subject to the provisions of Article I. of this Order "the appointed day" shall be deemed to mean the First day of October One thousand nine hundred and five.

Art. III. — (1) An equitable adjustment shall be made respecting the distribution of the proceeds of the local taxation licences of the Estate duty and of the Local Taxation (Customs and Excise) duties and respecting all other financial relations or questions between the Administrative County and the Borough and in any case where the constitution of the County Borough by this Order affects the distribution of the said proceeds between the Administrative County on the one hand and any other County Borough on the other hand or any financial relations or questions between those areas or any adjustment which has been made in regard to such distribution and financial relations or questions equitable adjustments may be made between the areas interested.

Adjustment
between
new County
Borough and
the County or
the County and
other County
Boroughs.

(2) Any such adjustment between the Administrative County and the Borough shall be made by agreement between the Council of the Administrative County and the Council of the Borough within twelve months from the commencement of this Order and any such adjustment which may be necessary between the Administrative County on the one hand and any County Borough other than the Borough on the other hand may be made by agreement between the Council of the Administrative County and the Council of such other County Borough within the same period. In default of agreement between the parties concerned in the case of any such adjustment as aforesaid the adjustment may be made by the Local Government Board or if that Board think fit by an arbitrator appointed by them.

(3) For the purpose of any such adjustment as aforesaid the provisions of the Act relating to adjustments between Administrative Counties and County Boroughs shall apply with the necessary modifications and the Local Government Board or an arbitrator appointed by them as the case may be shall be substituted in such provisions for the Commissioners appointed under the Act and notwithstanding anything in the provisions of this Order or of the Act any such adjustment and the determination of any matter incidental or in relation thereto or consequent thereon shall when made by the Local Government Board be deemed to be made by them otherwise than as arbitrators and any arbitrator appointed by them shall be deemed

1890 the Borough shall be deemed not to have been constituted a County Borough until after the Thirty-first day of March One thousand nine hundred and six.

A.D. 1905.

—
Southport
Order.

Art. II. The Borough shall be constituted a County Borough and all the provisions of the Act respecting County Boroughs shall apply to the Borough as if the Borough had been named in the Third Schedule to the Act and as if Lancaster had been specified in that schedule as the County in which the Borough should be deemed for the purposes of the Act to be situate :

Constitution
of County
Borough.

Provided that for the purposes of the said provisions and subject to the provisions of Article I. of this Order "the appointed day" shall be deemed to mean the First day of October One thousand nine hundred and five.

Art. III. — (1) An equitable adjustment shall be made respecting the distribution of the proceeds of the local taxation licences of the Estate duty and of the Local Taxation (Customs and Excise) duties and respecting all other financial relations or questions between the Administrative County and the Borough and in any case where the constitution of the County Borough by this Order affects the distribution of the said proceeds between the Administrative County on the one hand and any other County Borough on the other hand or any financial relations or questions between those areas or any adjustment which has been made in regard to such distribution and financial relations or questions equitable adjustments may be made between the areas interested.

Adjustment
between
new County
Borough and
the County or
the County and
other County
Boroughs.

(2) Any such adjustment between the Administrative County and the Borough shall be made by agreement between the Council of the Administrative County and the Council of the Borough within twelve months from the commencement of this Order and any such adjustment which may be necessary between the Administrative County on the one hand and any County Borough other than the Borough on the other hand may be made by agreement between the Council of the Administrative County and the Council of such other County Borough within the same period. In default of agreement between the parties concerned in the case of any such adjustment as aforesaid the adjustment may be made by the Local Government Board or if that Board think fit by an arbitrator appointed by them.

(3) For the purpose of any such adjustment as aforesaid the provisions of the Act relating to adjustments between Administrative Counties and County Boroughs shall apply with the necessary modifications and the Local Government Board or an arbitrator appointed by them as the case may be shall be substituted in such provisions for the Commissioners appointed under the Act and notwithstanding anything in the provisions of this Order or of the Act any such adjustment and the determination of any matter incidental or in relation thereto or consequent thereon shall when made by the Local Government Board be deemed to be made by them otherwise than as arbitrators and any arbitrator appointed by them shall be deemed

A.D. 1905. to be an arbitrator within the meaning of Section 62 of the Act and the provisions of the Act shall apply accordingly:

*Southport
Order.*

Provided—

(a) that in lieu of sub-section (6) of Section 61 of the Act sub-sections (1) and (5) of Section 87 of the Act shall apply to any inquiries which may be directed by the Local Government Board under this Article and to the costs of such inquiries; and

(b) that sub-section (6) of Section 32 of the Act shall apply to any agreement or any award made under this Article.

*Alteration
in County
Councillors
and County
Aldermen.*

Art. IV.—(1) The two County Councillors representing the electoral divisions of the Borough who are in office at the commencement of this Order shall go out of office on that date and their places shall not be filled up.

(2) Subject to the provisions of Section 54 of the Act the number of County Councillors for the Administrative County shall be reduced from ninety-nine to ninety-seven and the said Order dated the Fourteenth day of August One thousand eight hundred and eighty-eight as altered as aforesaid shall be further altered and shall have effect accordingly and any casual vacancy occurring in the office of County Councillor for either of the electoral divisions of the Borough between the date of the Act of Parliament confirming this Order and the commencement of this Order shall not be filled up.

(3) Save as aforesaid no other County Councillor shall be deemed to lose his qualification or to vacate his office by reason of the constitution of the County Borough.

*Compensation
to existing
officers.*

Art. V. The provisions of Section 120 of the Act shall apply to every officer who by virtue of this Order or of anything done in pursuance or in consequence thereof shall suffer any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary with the substitution of "borough fund and borough rate" in sub-section (8) for "county fund as a payment for general county purposes" and with such other modifications as are necessary to make those provisions applicable to such officer and to the Corporation.

*Transfer of
liabilities of
Corporation in
respect of
certain roads.*

Art. VI.—(1) Notwithstanding anything in the Southport Improvement Act 1875 the liability of the Corporation to maintain and repair such of the highways roads and lanes mentioned in Section 11 of that Act as are not now or do not now form parts of main roads shall by virtue of this Order be transferred and attach to the Rural District Council of West Lancashire.

(2) The liability of the Corporation in pursuance of their agreement with the Lancashire and Yorkshire Railway Company to maintain and repair the approaches to and road over the bridge belonging to that Railway Company situate in the Township of North Meols and constructed over that part of the main road leading from Southport to Preston which crosses the West Lancashire Railway of the Company shall by virtue of this Order be transferred and attach to the County Council of the Administrative County.

A.D. 1905. to be an arbitrator within the meaning of Section 62 of the Act and the provisions of the Act shall apply accordingly:

*Southport
Order.*

Provided—

(a) that in lieu of sub-section (6) of Section 61 of the Act sub-sections (1) and (5) of Section 87 of the Act shall apply to any inquiries which may be directed by the Local Government Board under this Article and to the costs of such inquiries; and

(b) that sub-section (6) of Section 32 of the Act shall apply to any agreement or any award made under this Article.

*Alteration
in County
Councillors
and County
Aldermen.*

Art. IV.—(1) The two County Councillors representing the electoral divisions of the Borough who are in office at the commencement of this Order shall go out of office on that date and their places shall not be filled up.

(2) Subject to the provisions of Section 54 of the Act the number of County Councillors for the Administrative County shall be reduced from ninety-nine to ninety-seven and the said Order dated the Fourteenth day of August One thousand eight hundred and eighty-eight as altered as aforesaid shall be further altered and shall have effect accordingly and any casual vacancy occurring in the office of County Councillor for either of the electoral divisions of the Borough between the date of the Act of Parliament confirming this Order and the commencement of this Order shall not be filled up.

(3) Save as aforesaid no other County Councillor shall be deemed to lose his qualification or to vacate his office by reason of the constitution of the County Borough.

*Compensation
to existing
officers.*

Art. V. The provisions of Section 120 of the Act shall apply to every officer who by virtue of this Order or of anything done in pursuance or in consequence thereof shall suffer any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary with the substitution of "borough fund and borough rate" in sub-section (8) for "county fund as a payment for general county purposes" and with such other modifications as are necessary to make those provisions applicable to such officer and to the Corporation.

*Transfer of
liabilities of
Corporation in
respect of
certain roads.*

Art. VI.—(1) Notwithstanding anything in the Southport Improvement Act 1875 the liability of the Corporation to maintain and repair such of the highways roads and lanes mentioned in Section 11 of that Act as are not now or do not now form parts of main roads shall by virtue of this Order be transferred and attach to the Rural District Council of West Lancashire.

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A.D. 1905.

—
Southport
Order.

(3) The Corporation shall pay to the County Council the sum of six hundred and fifty pounds as compensation for their taking over the liability to which subdivision (2) of this Article relates as aforesaid and the payment shall be made on the First day of October One thousand nine hundred and five.

(4) The liability of the Corporation in pursuance of the agreement described in subdivision (2) of this Article to maintain and repair the roadways and footways of the approaches to the level crossing at or near Banks Railway Station connecting Guinea Hall Lane with Hoole Lane or of any bridge hereafter to be substituted for that level crossing including the sewers and drains (if any) which have been constructed under the said roadways and footways and which are vested in a Local Authority or Highway Authority shall by virtue of this Order be transferred and attach to the Rural District Council of West Lancashire.

(5) Any financial relations or questions arising out of or affected by the transfer in pursuance of subdivision (4) of this Article shall be matters for adjustment under Section 62 of the Act.

Art. VII. This Order may be cited as the County Borough of Southport Short title.
Order 1905.

Given under the Seal of Office of the Local Government Board this
Twenty-eighth day of April One thousand nine hundred and five.

(L.S.)

G. W. BALFOUR President.

S. B. PROVIS Secretary.

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A.D. 1905.

—
Southport
Order.

(4) The liability of the Corporation in pursuance of the agreement described in subdivision (2) of this Article to maintain and repair the roadways and footways of the approaches to the level crossing at or near Banks Railway Station connecting Guinea Hall Lane with Hoole Lane or of any bridge hereafter to be substituted for that level crossing including the sewers and drains (if any) which have been constructed under the said roadways and footways and which are vested in a Local Authority or Highway Authority shall by virtue of this Order be transferred and attach to the Rural District Council of West Lancashire.

(5) Any financial relations or questions arising out of or affected by the transfer in pursuance of subdivision (4) of this Article shall be matters for adjustment under Section 62 of the Act.

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