CHAPTER cxviii.

An Act to confirm a Provisional Order of the Minister of Health relating to Hertford. [4th August 1920.]

A.D. 1920.

WHEREAS the Minister of Health has made the Provisional Order 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 Order 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 Order as altered and set out in the schedule hereto shall be and the same is hereby confirmed and all the provisions thereof shall have full validity and force. Order in schedule confirmed.

2. This Act may be cited as the Ministry of Health Provisional Order Confirmation (Hertford Extension) Act 1920. Short title.

[*Price* 1*s*. 6*d*. *Net*.]

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SCHEDULE.

BOROUGH OF HERTFORD.

Hertford Order. *Provisional Order made in pursuance of the Local Government Act* 1888 *for extending a Borough.*

To the Mayor Aldermen and Burgesses of the Borough of Hertford;—
To the Justices of the Peace for the said Borough;—
To the Justices of the Peace for the County of Hertford in Quarter Sessions assembled;—
To the County Council of Hertford;—
To the Rural District Council of Hertford;—
To the Guardians of the Poor of the Hertford Union;—
To the Parish Councils of Bengeo Rural and Little Amwell;—
To the Chairman of the Parish Meeting of each of the Parishes of Bramfield Saint Andrew Rural and Saint John Rural;—
To the Overseers of the Poor of each of the Parishes of Bengeo Rural Bramfield Hertford Little Amwell Saint Andrew Rural and Saint John Rural;
And to all others whom it may concern.

51 & 52 Vict. c. 41. WHEREAS by virtue of Section 54 of the Local Government Act 1888 the Minister of Health is 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 Hertford in the County of Hertford is a Borough within the meaning of the Local Government Act 1888 which contained according to the census of 1881 a population of less than ten thousand and Section 39 of that Act accordingly applies to the said Borough;

And whereas the Borough is a Borough with a population of less than ten thousand calculated according to the census of 1901 and the County Council of Hertford are accordingly the local education authority for the Borough within the meaning of Section 1 of the Education Act 1902;

And whereas the inhabitants of the said Borough are a body corporate by the name of the Mayor Aldermen and Burgesses of the Borough of Hertford and act by the Council of the said Borough which now consists of the Mayor (who is also a Councillor) five Aldermen and fourteen other Councillors and the said Borough is for the

purpose of the election of Councillors divided into two wards termed respectively the Town Ward and the Bengeo Ward;

And whereas the said Borough is co-extensive with the Parish of Hertford and is an Urban District of which the Mayor Aldermen and Burgesses acting by the Council are the Urban District Council;

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

And whereas the unrepealed provisions of the Local Acts specified in Part I. of the Schedule to this Order and of the Confirmation Acts specified in Part II. of the said Schedule so far as the last-mentioned Acts relate to the Orders specified in that Schedule are in force in the said Borough;

And whereas 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 Baths and Washhouses Acts 1846 to 1899; 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. 29.

(*d*) The Public Libraries Acts 1892 to 1919; and 55 & 56 Vict. c. 53. 56 Vict. c. 11. 1 Edw. 7. c. 19.

(*e*) The Museums and Gymnasiums Act 1891; 9 & 10 Geo. 5. c. 93. 54 & 55 Vict. c. 22.

are in force in the said Borough;

And whereas the Parishes of Bengeo Rural Little Amwell Saint Andrew Rural and Saint John Rural in the County of Hertford immediately adjoin the said Borough and the Parish of Bramfield in the said County immediately adjoins the Parish of Saint Andrew Rural and all those parishes are contributory places in the Rural District of Hertford and are subject to the jurisdiction of the Rural District Council of Hertford and one Rural District Councillor is elected for each of the said Parishes;

And whereas the provisions of the Infectious Disease (Prevention) Act 1890 and the provisions of Part III. of the Public Health Acts Amendment Act 1890 which are applicable to Rural Districts are in force in the said Rural District;

And whereas the Parishes of Bengeo Rural Bramfield Hertford Little Amwell Saint Andrew Rural and Saint John Rural are included in the Hertford Union and the Parish of Hertford is for the purpose of the election of Guardians divided into two wards which are respectively co-extensive with and bear the same names as the municipal wards of the said Borough and ten Guardians are elected for the Town Ward and three Guardians are elected for the Bengeo Ward and the Rural District Councillors elected for the Parishes of Bengeo Rural Bramfield Little Amwell Saint Andrew Rural and Saint John Rural are the representatives of the said Parishes on the said Board of Guardians;

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56 & 57 Vict. c. 73.

And whereas the Parishes of Bengeo Rural and Little Amwell are Rural Parishes within the meaning of the Local Government Act 1894 for which Parish Councils have been established;

And whereas two County Councillors for the County of Hertford are apportioned to the said Borough and the said Borough has accordingly been divided into two electoral divisions which are named respectively the Hertford (All Saints) Electoral Division and the Hertford (Saint Andrew) Electoral Division and the Parishes of Bengeo Rural Little Amwell Saint Andrew Rural and Saint John Rural are included in the Bengeo Electoral Division and the Parish of Bramfield is included in the Watton at Stone Electoral Division of the said County:

51 & 52 Vict. c. 41.

Now therefore the Minister of Health in pursuance of the powers given to him by Sections 54 and 59 of the Local Government Act 1888 and by any other enactments in that behalf hereby orders 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 twenty;

(2) The expression "the existing Borough" means the Borough of Hertford 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 Minister" means the Minister of Health;

(5) 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;

(6) The expressions "the County" and "the County Council" mean respectively the Administrative County of Hertford and the County Council of that County;

(7) The expressions "the Rural District" and "the Rural Council" mean respectively the Rural District of Hertford and the Rural District Council of that District;

(8) The expression "the Borough maps" means the two maps each marked "Map of the Borough of Hertford as extended 1920" and sealed with the official seal of the Minister;

(9) The expression "the Ward maps" means the two maps each marked "Map of the Wards of the Borough of Hertford as extended 1920" and sealed with the official seal of the Minister;

(10) The expression "the added areas" means the parts of the Rural District added to the existing Borough by this Order;

(11) The expressions "the added part of Bengeo Rural" "the added part of Bramfield" "the added part of Saint Andrew Rural" and "the added part of Saint John Rural" mean respectively the parts of those Parishes which are respectively coloured yellow dark blue brown and light blue on the Borough maps the expression "the added parts of Little Amwell" means the parts of that Parish which are coloured purple on the Borough maps and the expression "the Bramfield excluded part of Saint Andrew Rural" means the part of the Parish of Saint Andrew Rural which is coloured green on the Borough maps;

(12) The expressions "the existing Parish of Bengeo Rural" "the existing Parish of Bramfield" "the existing Parish of Hertford" "the existing Parish of Little Amwell" "the existing Parish of Saint Andrew Rural" and "the existing Parish of Saint John Rural" mean in each case the Parish as it existed immediately prior to the commencement of this Order and the expressions "the Parish of Bengeo Rural" "the Parish of Bramfield" "the Parish of Hertford" "the Parish of Little Amwell" "the Parish of Saint Andrew Rural" and "the Parish of Saint John Rural" 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;

(15) The expression "the Act of 1907" means the Public Health Acts Amendment Act 1907;

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(16) The expression "the Confirming Act of 1892" means the Local Government Board's Provisional Orders Confirmation (No. 10) Act 1892.

Commencement of 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 twenty:

Date of operation of Order for elections &c.

Provided that for the purposes of 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 twenty and of the revision of the basis or standard of the county rate of the County this Order shall operate from the date of the Act of Parliament confirming this Order.

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 Rural District as comprises the added part of Bengeo Rural the added part of Bramfield the added parts of Little Amwell the added part of Saint Andrew Rural and the added part of Saint John Rural.

(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.

Deposit of maps.

Art. IV.—(1) One of the Borough maps and one of the Ward maps shall be deposited in the office of the Minister 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 Rural Council to the Registrar-General to the Board of Inland Revenue to the Commissioners of Customs and Excise to the Postmaster-General to the Board of Trade to the Minister of Transport to the Minister of Agriculture and Fisheries and to the Electricity Commissioners and copies of the Ward map so deposited and certified in like manner shall be sent within the said period to the Registrar-General to the Minister of Agriculture and Fisheries and to the Registration Officer of the Parliamentary County of Hertford.

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 primâ facie evidence of the contents of the map so far as it relates to the boundaries 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 justices of the peace appointed for the existing Borough and of the clerk to those justices shall extend to and apply throughout the Borough:

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.

Qualification of members of county and borough councils. 4 & 5 Geo. 5. c. 21.

Art. VI. For the purposes of the application to the Borough of the provisions of the County and Borough Councils (Qualification) Act 1914 the added areas shall be deemed to have always formed part of the Borough.

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 into wards.

(1) For the purposes of the election of Councillors the Borough shall be divided into three wards which shall be named respectively the Bengeo Ward the All Saints Ward and the Saint Andrew's Ward:

Boundaries of wards.

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

(3) Three Councillors shall be assigned to the said Bengeo Ward six Councillors shall be assigned to the said All Saints Ward and six Councillors shall be assigned to the said Saint Andrew's Ward.

Provisions for election of Councillors and Aldermen in 1920.

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

(*a*) The town clerk and the Mayor of the existing Borough or such other persons as the Minister 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 Borough shall be the returning officer at the election for all the wards Provided that the Mayor of the existing Borough may appoint some other person to act as returning officer at the election for any of the wards:

(*b*) Fifteen Councillors of the Borough shall be elected on the First day of November One thousand nine hundred and twenty and five Aldermen of the Borough shall be elected on the Ninth day of November One thousand nine hundred and twenty:

(*c*) Notwithstanding anything in the Municipal Corporations Acts to the contrary all the Councillors of the existing Borough who shall be in office on the First day of November One thousand nine hundred and twenty shall go out of office on that date and all the Aldermen of the existing Borough who shall be in office on the Eighth day of November One thousand nine hundred and twenty shall go out of office on that date and all the said Councillors and Aldermen shall if otherwise qualified be eligible for election as Councillors of the Borough on the First day of November One thousand nine hundred and twenty.

Retirement of Councillors and Aldermen elected in 1920.

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

(*a*) The Councillor for the Bengeo Ward and the two Councillors for each of the other wards who are elected by the smallest number of votes shall retire on the First day of November One thousand nine hundred and twenty-one:

(*b*) The Councillor for the Bengeo Ward and the two Councillors for each of the other wards who are elected by the largest number of votes shall retire on the First day of November One thousand nine hundred and twenty-three:

(*c*) The other Councillor for the Bengeo Ward and the other Councillors for each of the other wards shall retire on the First day of November One thousand nine hundred and twenty-two.

(2) The Aldermen elected for the Borough in the year One thousand nine hundred and twenty in pursuance of this Order shall retire as follows:—

(*a*) The two Aldermen elected by the smallest number of votes shall retire on the Ninth day of November One thousand nine hundred and twenty-three:

(*b*) The other three Aldermen shall retire on the Ninth day of November One thousand nine hundred and twenty-six.

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 Borough shall on the Ninth day of November One thousand nine hundred and twenty 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.

Local Acts and Orders.

Art. X.—(1) Subject to the provisions of this Order the unrepealed provisions of the Local Acts and of the Confirmation Acts specified in the Schedule to this Order so far as the last-mentioned Acts respectively relate to the Provisional Orders specified in that Schedule (including Section 4 of the Confirming Act of 1892) and of any other Local Act (including any Local Act passed or to be passed during the present Session of Parliament) or of any other Provisional Order duly confirmed by Parliament and 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.

(2) Notwithstanding the transfer by the Corporation to the North Metropolitan Electrical Power Distribution Company Limited of the undertaking authorised by the Hertford Corporation Electric Lighting Order 1891 the Corporation shall be the undertakers for the purposes of the said Order within the parts of the added areas which are not within the limits defined by that Order and may if they think fit transfer the undertaking within those parts with the consent of and on such terms and conditions as may be approved by the Electricity Commissioners by deed approved by those Commissioners.

Byelaws &c.

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

(1) All byelaws orders 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 orders 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 Rural Council or their predecessors and in force immediately before the commencement of this Order in any part of the added areas and all byelaws made by the County Council under Section 16 of the Act of 1888 and in force immediately

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before the commencement of this Order in any part of the added areas and all orders made by the County Council which are in force therein (so far as the same or similar orders have been or could have been made by the Corporation) shall on that date cease to be in force except as regards any work which has been begun before that date or as regards any work which has not been so begun but for which plans have been approved before that date by the Rural Council or have been sent to the surveyor or clerk to the Rural Council one month at least before that date and have not 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 Rural Council and the Rural District respectively Provided that any proceedings which if this Order had not been made might have been taken by the Rural Council 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 immediately before the commencement of this Order 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.

Town clerk and other officers continued.

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

Borough auditors.

(2) The auditors of the existing Borough 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.

Compensation to existing officers.

Art. XIII.—(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 or 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 subsection (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 Provided that the non-acceptance of any office shall not be a bar to the right of any officer to compensation.

(2) For the purposes of subdivision (1) of this Article any clerk to justices or officer or servant to whom that subdivision applies and 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 of this Order and not on the ground of misconduct shall be deemed to have suffered a direct pecuniary loss in consequence of this Order.

(3) No person shall be entitled to claim or receive both compensation for any direct pecuniary loss by abolition of office or diminution or loss of fees or salary and a superannuation or retiring allowance in respect of the same period of service and the same pecuniary loss.

Actions &c. not to abate.

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

Saving for contracts &c.

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

Corporation property &c.

Art. XV. Subject to the provisions of this Order all property vested in the Corporation at the commencement of this Order for the

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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 exerciseable by or vested in the Corporation for the benefit of the existing Borough and all liabilities which on the date aforesaid attach to the Corporation in respect of the existing Borough shall from and after that date attach to them in respect of the Borough.

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

Property &c. of Rural Council.

(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 be transferred to and vest in 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:

Cesser of jurisdiction of Rural Council.

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

Arrears of rates &c.

(3) All arrears of rates made by any Overseers of the Poor for the purposes of the Public Health Acts or for highway expenses 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 towards the discharge of any precept of the Rural Council which at that date shall be in force and not satisfied and the balances (if any) shall be paid to the Corporation:

Adjustment of balances.

(4) Any balances in the hands of the Overseers of the existing Parishes of Bengeo Rural Bramfield Little Amwell Saint Andrew Rural and Saint John Rural at or immediately before the commencement of this Order and any sum collected after the commencement of this Order by any Overseers of the Poor in respect of any rate made before that date and levied upon any rateable hereditament in the added areas or in the Bramfield excluded part of Saint Andrew Rural shall be a matter for adjustment under Section 62 of the Act of 1888:

Adaptation of provisions as to adjustment.

(5) 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 subsections (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 subsection (6) that subsection 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 Minister may sanction:

(6) 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 so far as it relates to the alteration of the area of any existing parish that section shall have effect—

(A) As if the Overseers of the Parishes of Bengeo Rural Bramfield Hertford Little Amwell Saint Andrew Rural and Saint John Rural were within the meaning of the said section as applied by this Article authorities affected by this Order;

(B) As if the poor rate or any other rate leviable in pursuance of the said section as applied by this Article were substituted for any fund mentioned in the section; and

(C) As if for subsections (6) and (7) of the said section there were substituted the subsections hereunto appended that is to say:—

"(6) If it is necessary for the purpose of giving "effect to any agreement or award for an adjustment "that a separate rate shall be levied in part of a "parish only the agreement or award may authorise "the making of such a separate rate as if it were "a poor rate and as if the part of the parish on "which it is to be levied were a whole parish."

"(7) Any capital sum paid for the purposes of any "adjustment or in pursuance of any order or award "of an arbitrator shall be applied by such person "in such manner and for such purpose as the "Minister of Health may authorise or direct."

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Mortgage debts of Corporation.

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

(1) 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:

(2) All borrowed moneys to which this Article applies 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:

(3) Nothing in this Order shall prejudicially affect any mortgage or other security which has been given in respect of any sum borrowed as aforesaid or the powers of any person entitled under any such mortgage or other security to enforce the same as if this Order had not been made and where for any such purpose it is necessary to continue the exercise of a power which would have existed but for this Order the power may continue to be exercised as if this Order had not been made and the general district rate of the Borough or the borough rate of the Borough as the case may be shall for any such purpose be levied and have effect in substitution for the rate which would have been leviable if this Order had not been made.

Adoptive Acts.

Art. XVIII. 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 Public Libraries Acts 1892 to 1919 and the Museums and Gymnasiums Act 1891 shall be in force in and apply to the Borough as if the same had been adopted for the Borough.

Art. XIX. Subject to the provisions of any order which the Minister or the Secretary of State may make after the commencement of this Order—

Powers under Section 33 of Act of 1894.

(1) The provisions of any order heretofore made under Section 33 of the Act of 1894 shall be deemed to have effect as if

any reference in those provisions to the existing Borough or to the existing Parish of Hertford or to any Parish wholly comprised in the existing Borough extended and applied to the Borough or to the Parish of Hertford as the case may be:

Powers under Public Health Acts Amendment Act 1907. 7 Edw. 7. c. 53.

(2) The provisions of any order made by the Local Government Board by the Minister or by the Secretary of State before the commencement of this Order and declaring to be in force in the existing Borough any Parts or Sections of the Act of 1907 shall have and shall be deemed always to have had effect as if any reference in those provisions to the existing Borough extended and applied to the Borough and as if the said Parts and Sections were accordingly declared to be in force in the Borough.

Education byelaws.

Art. XX.—(1) For the purposes of and subject to the provisions of the Education Acts 1870 to 1919 any byelaws in force in the existing Borough immediately before the commencement of this Order shall from and after that date apply to the Borough until revoked or altered and from and after that date any byelaws then in force in any part of the added areas shall cease to be in force.

Expenses of County Council in relation to schools.

(2) Without prejudice to the power of the County Council to cancel or vary any charge or allocation made under subsection (1) of Section 18 of the Education Act 1902 any expenses charged under that subsection before the commencement of this Order on the existing Parish of Hertford shall be charged on the Parish of Hertford.

Electoral Divisions.

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

(1) The Bengeo Electoral Division of the County shall be altered by the exclusion therefrom of the added part of Bengeo Rural the added parts of Little Amwell the added part of Saint Andrew Rural the Bramfield excluded part of Saint Andrew Rural and the added part of Saint John Rural:

(2) The Watton at Stone Electoral Division of the County shall be altered by the exclusion therefrom of the added part of Bramfield and by the addition thereto of the Bramfield excluded part of Saint Andrew Rural:

(3) The existing Hertford (All Saints) Electoral Division and the existing Hertford (Saint Andrew) Electoral Division of the County shall be abolished and the area comprised in the Borough shall be formed into two new electoral divisions which shall be named respectively the Hertford

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(All Saints) Electoral Division and the Hertford (Saint Andrew) Electoral Division of the County:

(4) The Hertford (All Saints) Electoral Division of the County as hereby constituted shall comprise the All Saints Ward of the Borough and so much of the Saint Andrew's Ward of the Borough as is situate to the south of the River Lee:

(5) The Hertford (Saint Andrew) Electoral Division of the County as hereby constituted shall comprise the Bengeo Ward of the Borough and the remainder of the Saint Andrew's Ward of the Borough:

(6) The persons who immediately before the commencement of this Order are the County Councillors representing the Bengeo Electoral Division and the Watton at Stone Electoral Division of the County shall continue respectively to represent the same electoral divisions as if they had been originally elected to represent those electoral divisions as altered by this Order and the persons who immediately before the commencement of this Order are the County Councillors representing the existing Hertford (All Saints) Electoral Division and the existing Hertford (Saint Andrew) Electoral Division of the County shall respectively represent the Hertford (All Saints) Electoral Division and the Hertford (Saint Andrew) Electoral Division of the County constituted by this Order as if they had been originally elected to represent those Electoral Divisions until the date upon which they would have retired if this Order had not been made.

Parochial alterations.

Art. XXII.—(1) The added part of Bengeo Rural the added part of Bramfield the added parts of Little Amwell the added part of Saint Andrew Rural and the added part of Saint John Rural shall be separated from the existing parish to which they respectively belong and shall be amalgamated with the existing Parish of Hertford.

(2) The Bramfield excluded part of Saint Andrew Rural shall be separated from the existing Parish of Saint Andrew Rural and shall be amalgamated with the existing Parish of Bramfield as altered by subdivision (1) of this Article.

Rural District Councillors and Guardians.

Art. XXIII. Subject to the provisions of Section 60 of the Act of 1894 the following provisions shall have effect:—

(1)—(*a*) The Parish of Hertford shall for the purposes of the election of Guardians be divided into three wards which

shall respectively be co-terminous in area with and bear the same names as the wards into which the Borough is divided by Article VII of this Order for the purposes of the election of Councillors;

(*b*) Three Guardians shall be elected for the Bengeo Ward and five Guardians shall be elected for each of the other two wards;

(*c*) The Board of Guardians of the Hertford Union shall at their meeting held next before the commencement of this Order choose from among the thirteen persons who are holding the office of Guardian of the Poor for the Wards of the existing Parish of Hertford three persons to represent on the said Board of Guardians the Bengeo Ward and five persons to represent on the said Board of Guardians each of the other wards of the Parish of Hertford The persons chosen to represent the wards of the Parish of Hertford in pursuance of this subdivision shall be deemed to have been elected as Guardians for those wards respectively and shall continue in office until the date on which they would have retired if this Order had not been made:

(2) The persons who at the commencement of this Order are holding the offices of Rural District Councillor and Guardian of the Poor for each of the existing Parishes of Bengeo Rural Bramfield Little Amwell Saint Andrew Rural and Saint John Rural respectively shall be deemed to have been elected for and shall represent the Parishes of Bengeo Rural Bramfield Little Amwell Saint Andrew Rural and Saint John Rural respectively until the date on which they would have retired if this Order had not been made.

Parish Councils.

Art. XXIV.—(1) Any powers and duties transferred by the Act of 1894 to the Parish Councils of the existing Parish of Bengeo Rural or of the existing Parish of Little Amwell or to the Parish Meetings of the existing Parishes of Bramfield Saint Andrew Rural or Saint John Rural shall so far as regards the added part of Bengeo Rural the added parts of Little Amwell the added part of Bramfield the added part of Saint Andrew Rural or the added part of Saint John Rural as the case may be be vested in and imposed on the persons and authorities in or on whom they would be vested or imposed if the added part in each case had been included in a parish in the existing Borough 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 part in each case for the purpose or by virtue of the said powers and duties shall by virtue of this Order be transferred to and vest in the persons

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and authorities aforesaid Any property or liabilities of the said Parish Councils or Parish Meetings held or incurred otherwise than by virtue or for the purposes of the powers or duties aforesaid shall so far as regards the added part in each case by virtue of this Order be transferred to and vest in the Corporation.

(2) The Parish Councils of the existing Parish of Bengeo Rural and of the existing Parish of Little Amwell shall in each case be deemed to have been elected and shall be the Parish Council for the Parish of Bengeo Rural or for the Parish of Little Amwell as the case may be.

Valuation lists.

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

(1) The portions of the valuation lists of the existing Parishes of Bengeo Rural Bramfield Little Amwell Saint Andrew Rural and Saint John Rural which respectively relate to hereditaments in the added part of Bengeo Rural the added part of Bramfield the added parts of Little Amwell the added part of Saint Andrew Rural and the added part of Saint John Rural shall be deemed to form part of the valuation list of the Parish of Hertford:

(2) The remaining portion of the valuation list of the existing Parish of Bramfield and the portion of the valuation list of the existing Parish of Saint Andrew Rural which relates to hereditaments in the Bramfield excluded part of that Parish shall be the valuation list of the Parish of Bramfield:

(3) The remaining portions of the valuation lists of the existing Parishes of Bengeo Rural Little Amwell Saint Andrew Rural and Saint John Rural shall be deemed respectively to be the valuation lists of the Parishes of Bengeo Rural Little Amwell Saint Andrew Rural and Saint John Rural.

County rate basis.

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

(*a*) By the deduction from the amount appearing therein as the total annual value of the property in the existing Parish of Saint Andrew Rural of such a sum as will represent the aggregate of the annual value of the property in the parts of the parish which are included by this Order in the Parish of Bramfield and the Parish of Hertford respectively;

(*b*) By the deduction from the amount appearing therein as the total annual value of the property in the existing Parish

of Bramfield of such a sum as will represent the annual value of the property in the part of the parish which is included by this Order in the Parish of Hertford and by the addition of such a sum as will represent the annual value of the property in the part of the existing Parish of Saint Andrew Rural which is included by this Order in the Parish of Bramfield;

(c) By the deduction from the amount appearing therein as the total annual value of the property in the existing Parishes of Bengeo Rural Little Amwell and Saint John Rural of such a sum in each case as will represent the annual value of the property in the part of the parish which is included by this Order in the Parish of Hertford and by the addition of those sums together with the total of the sums which will represent in each case the annual value of the property in the parts of the existing Parish of Bramfield and of the existing Parish of Saint Andrew Rural which are included by this Order in the Parish of Hertford to the amount appearing therein as the total annual value of the property in the existing Parish of Hertford.

(2) For the purposes of this Article the annual value of the property in the part of a parish which is included by this Order in another parish shall be the amount which bears the same relation to the total annual value of the existing parish as the assessable value of the property in the included 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 parish or in the part included in another parish as the case may require.

Saving for existing jury lists.

Art. XXVII. For the purposes of the jury lists the parishes affected by this Order shall be deemed to continue unaltered until the next lists after the commencement of this Order come into force.

Settlement and removal of the poor.

Art. XXVIII. 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 any of the existing Parishes of Hertford Bengeo Rural Bramfield Little Amwell Saint Andrew Rural and Saint John Rural by reason of any residence completed or in the

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course of completion or of any act or thing done or in the course of being done or of any status condition right or privilege acquired or created or in the course of acquisition or creation—

(i) in the existing Parish of Hertford; or

(ii) in the added part of Bengeo Rural; or

(iii) in the added part of Bramfield; or

(iv) in the added parts of Little Amwell; or

(v) in the added part of Saint Andrew Rural; or

(vi) in the added part of Saint John Rural; or

(vii) in that part of the existing Parish of Bengeo Rural which by virtue of this Order will form the Parish of Bengeo Rural; or

(viii) in that part of the existing Parish of Bramfield which by virtue of this Order will be included in the Parish of Bramfield; or

(ix) in that part of the existing Parish of Saint Andrew Rural which by virtue of this Order will be included in the Parish of Bramfield; or

(x) in that part of the existing Parish of Little Amwell which by virtue of this Order will form the Parish of Little Amwell; or

(xi) in that part of the existing Parish of Saint Andrew Rural which by virtue of this Order will form the Parish of Saint Andrew Rural; or

(xii) in that part of the existing Parish of Saint John Rural which by virtue of this Order will form the Parish of Saint John Rural

shall be deemed to have acquired or to be in the course of acquiring in the first second third fourth fifth and sixth cases a settlement in the Parish of Hertford in the seventh case a settlement in the Parish of Bengeo Rural in the eight and ninth cases a settlement in the Parish of Bramfield in the tenth case a settlement in the Parish of Little Amwell in the eleventh case a settlement in the Parish of Saint Andrew Rural and in the twelfth case a settlement in the Parish of Saint John Rural and in each case as if the existing parish or 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 Hertford Union by reason of residence in any of the areas mentioned in paragraphs (i) to (xii) of subdivision (1) of this Article shall be deemed to have acquired or to be in the course of acquiring the like status by reason of residence in the parish in which by virtue of subdivision (1) of this Article he is to be deemed to have acquired or to be in the course of acquiring a settlement.

Limiting time for completion of sewerage works.

Art. XXIX. It shall be the duty of the Corporation to construct in accordance with plans to be approved by the Minister works of sewerage for the purpose of effectually sewering the added parts of Little Amwell and the added part of Saint John Rural and of connecting the sewers so made with the sewers of the Corporation within the period of two years after the commencement of this Order and in the event of the Corporation not constructing the same within the said period of two years the requirements of this Article may be enforced in the manner provided by Section 299 of the Public Health Act 1875 as if this Article were an order of the Minister 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.

Saving for contribution orders and precepts.

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

Arrears of rates.

Art. XXXI. All sums in respect 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 areas or in the Bramfield excluded part of Saint Andrew Rural shall be collected and recovered by the Overseers of the Poor of the Parish in which the hereditament is now situated as if this Order had not been made.

Registration of electors.

Art. XXXII.—(1) For the purposes of the register of local government electors of the Borough prepared next after the commencement of this Order in pursuance of the Representation of the People Act 1918 and of all matters connected with incidental to or consequent upon those purposes the added areas shall be deemed to have formed part of the Borough as from the first day of the qualifying period for that register.

8 Geo. 5. c. 64.

(2) In the preparation of the autumn register for the year one thousand nine hundred and twenty in pursuance of the Representation

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of the People Act 1918 so far as it relates to areas affected by this Order it shall be competent to the registration officer to frame the register in separate parts for each area which will constitute a registration unit from and after the commencement of this Order instead of in separate parts for each area constituting a registration unit before the commencement of this Order.

(3) If the register of local government electors for any local government electoral area affected by this Order and in force at the commencement of this Order is not so framed as to show the persons entitled to vote at an election to be held for any parish ward or other electoral division of the area the town clerk in the case of an election for a parish ward or electoral division within the Borough and the registration officer of the parliamentary county in the case of an election for a parish ward or electoral division outside the Borough shall make such alteration or re-arrangement of the register as may be necessary for the purposes of such election It shall be the duty of the overseers to render such assistance as may be required by the said town clerk or registration officer for the purpose of such alteration or re-arrangement.

(4) Where in the opinion of the Minister the circumstances so require the Minister may make such order as appears to him 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 lists and registers of electors.

Borrowing powers for purposes of Order.

Art. XXXIII. For the purposes of defraying any expenses under this Order which in the opinion of the Minister are properly chargeable to capital the Corporation may borrow according and subject to the provisions and restrictions of the Public Health Act 1875 and may mortgage the borough fund and borough rate or district fund and general district rate of the Borough for the purpose of securing the repayment of any moneys so borrowed and the interest thereon Provided that all such moneys shall be repaid within such period not exceeding thirty years from the date of borrowing the same as the Corporation with the sanction of the Minister determine.

Ecclesiastical divisions and charities.

Art. XXXIV. 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.

Short title.

Art. XXXV. This Order may be cited as the Hertford (Extension) Order 1920.

The SCHEDULE above referred to.

Part I.—Local Acts.

Session and Chapter.	Title.
8 Geo. 3. c. lviii. - -	An Act for taking down the present Shire House in the Market Place of the Town of Hertford in the County of Hertford and for building a new one on a more extensive and commodious plot in the Market Place of the said Town.
28 Geo. 3. c. lxxv. - -	An Act for paving the Footways and cleansing lighting and watching the Streets and other Public Passages and Places within the Borough of Hertford and removing and preventing Obstructions Nuisances and Annoyances therein.
9 Geo. 4. c. xxxviii. - -	An Act to amend and extend the Provisions of an Act for paving and improving the Streets and other Public Passages and Places within the Borough of Hertford.

Part II.—Confirmation Acts.

Session and Chapter.	Short Title.	Order thereby confirmed.
54 & 55 Vict. c. lxiv.	The Electric Lighting Orders Confirmation (No. 7) Act 1891.	The Corporation of Hertford Electric Lighting Order 1891.
55 & 56 Vict. c. ccxxii.	The Local Government Board's Provisional Orders Confirmation (No. 10) Act 1892.	The Borough of Hertford Order 1892.
7 Edw. 7. c. clix.	The Local Government Board's Provisional Orders Confirmation (No. 9) Act 1907.	The Hertford Order 1907.

Given under the Official Seal of the Minister of Health this First day of May One thousand nine hundred and twenty.

(L.S.)

F. J. Willis
Assistant Secretary Ministry of Health.

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