

Corporations Act, 1883, and the area of the said place is co-extensive with the area of the municipal borough proposed to be created by the said charter :

“And whereas by the Municipal Corporations Act, 1883, it is enacted that nothing in that Act shall prevent the application to any place of any charter applying the Municipal Corporations Acts which Her Majesty may be pleased to grant, or affect anything done in pursuance of those Acts or any scheme thereunder, and shall not affect the operation of any such charter, thing, or scheme, save that nothing in the said Acts or scheme shall authorize the establishment or continuance of any Court for the trial of civil actions, and that nothing in that Act shall affect the right to the benefit of any charity, or shall alter or confer any power of altering the defined charitable purposes (if any) to which any property was by law applicable at the passing of that Act :

“And whereas the Bailiff and Burgesses of the borough of Bishop's Castle are a Local Authority within the meaning of Part XI of the Municipal Corporations Act, 1882 :

“And whereas the said Bailiff and Burgesses are a body corporate under and by virtue of certain Royal or other charters :

“And whereas the area of the proposed borough is within the district of the Guardians of the Clun Union as the Rural Sanitary Authority of the said Union, and whereas the said Guardians as such Rural Sanitary Authority are a Local Authority within the meaning of Part XI of the Municipal Corporations Act, 1882, and it is expedient that all property and liabilities vested in or attaching to such Rural Sanitary Authority, so far as the same relate to the area of the proposed borough, should be transferred to the New Corporation in manner provided by this scheme :

“And whereas it is expedient, right, and just that a Scheme should be settled pursuant to part XI of the Municipal Corporations Act, 1882, containing the provisions hereinafter contained.

“Now, therefore, the said Committee of Council have settled a scheme containing the provisions herein, and do hereby order and declare as follows :—

“1. This Scheme may be cited for all purposes as the Borough of Bishop's Castle Scheme, 1885.

“2. This Scheme shall come into operation on the day of the first meeting of the Council of the municipal borough, created by the charter above referred to, or at the date of its confirmation by Parliament or Order in Council, whichever is later. This date is herein mentioned as the ‘commencement of this Scheme.’

“3. The Bailiff and Burgesses of the Borough of Bishop's Castle are herein referred to as the ‘Old Corporation.’ The Corporation of the municipal borough created by the charter above mentioned is herein referred to as the ‘New Corporation.’

“4. The municipal borough created by the charter above referred to shall be and is hereby placed immediately on, from, and after the day of the first meeting of the Council of the municipal borough aforesaid within the jurisdiction of the Council of the said municipal borough as the Sanitary Authority, and shall no longer be within the jurisdiction, authority, or district of the Rural Sanitary Authority of the Clun Union.

“5. Immediately from and after the commencement of this Scheme the Old Corporation shall be, and the same is hereby abolished, and shall thenceforth be dissolved and cease to exist, together with

all the franchises, rights, privileges, powers, jurisdiction, authority, and exemptions of the said Old Corporation, and its members and officers as such of what kind soever they may be, which have no pecuniary value.

“6. All property (not being property within the meaning of the second sub-section of section 4 of the Municipal Corporations Act, 1883, applicable to charity or applicable to defined charitable purposes at the passing of that Act), possessed by, or vested in, the Old Corporation, or any person or body in trust for it, or any of its members as such, or applicable for the benefit or under the direction of the Old Corporation, or any of its members as such, shall vest in the New Corporation, and (save as is hereinafter expressly directed) shall by the New Corporation be held and applied exclusively for the municipal purposes of the municipal borough created as aforesaid and the public benefit of the inhabitants of the said borough.

“7. All market property possessed by or vested in the Old Corporation and all liabilities attaching to the Old Corporation in respect of the same shall immediately from and after the commencement of this Scheme vest in and attach to the Mayor, Aldermen, and Burgesses of the said Municipal Borough, acting by the Council as the Sanitary Authority.

“8. All liabilities which immediately before the commencement of this Scheme attached to and were enforceable against the Old Corporation, or the property thereof, shall attach to and be enforceable against the New Corporation so far only as the property vested in it under paragraph 6 may extend to satisfy such liabilities, and no further.

“9. Any investigation, legal proceeding, or remedy in respect of any debt, liability, penalty, or forfeiture due to or incurred by or on behalf of the Old Corporation before the commencement of this Scheme may be continued, prosecuted, or enforced by the New Corporation or against the New Corporation so far only as the property vested in it under paragraph 6 may extend to satisfy such liabilities, and no further.

“10. Any sewers, drains, culverts, pipes, or other sanitary works situate within the area of the proposed borough being the property of the Rural Sanitary Authority of the Clun Union, and used by them for the purpose of the drainage, water-supply, or cleansing of the said area, and any liabilities attaching to the said Rural Sanitary Authority in respect of the said area shall immediately from and after the commencement of this Scheme vest in and attach to the Mayor, Aldermen, and Burgesses of the said Municipal Borough acting by the Council as the Sanitary Authority.

“11. The term property in this Scheme means and includes all property, real and personal, and all things in action, and all rights of common or commonable rights, and rights to toll, and all franchises, privileges, and rights which have any pecuniary value, and all charters, records, deeds, books, and documents, and all rights and all claims to relief and all rights to avoid contracts or otherwise and includes any estate or interest, legal or equitable, in or in respect of any property so defined.

“12. The term market property in this Scheme means and includes rights to market tolls and all franchises, liberties, privileges, and rights relating to markets and all lands and premises used for the purpose of markets.

“13. The Mayor of the Borough created by the charter shall for the time being by virtue of his office have the right now enjoyed by the Bailiff