

and was governed by a Local Board of Health constituted pursuant to and under the provisions of "The Public Health Act, 1848," but such Local Board of Health has now become an Urban District Council by virtue of the provisions of "The Local Government Act, 1894."

And whereas by "The Smethwick Local Board (Gas) Act, 1876" (hereinafter referred to as the Act of 1876) the Urban District Council of Smethwick (then known as the Local Board of Health for the district of the Hamlet of Smethwick, in the county of Stafford) and hereinafter referred to as the Local Board were empowered to acquire and have since acquired from the Corporation of Birmingham such portion of the Gas Undertaking of the Corporation as was within the district of the Local Board, and were also empowered to acquire the lands referred to in the Act of 1876, and to erect and maintain gasworks thereon and for such purposes were authorized to borrow such moneys as they might require for the purchase of such portion of the said Gas Undertaking, and in addition thereto such further moneys not exceeding fifty thousand pounds as they might from time to time require for the other purposes of the Act of 1876, and to secure the same by mortgage of the Gas Undertaking and the revenue of the same and the District Fund and General District Rates.

And whereas by a Provisional Order of the Local Government Board, dated the fourth day of May, one thousand eight hundred and eighty-two, and confirmed by "The Local Government Board's Provisional Orders Confirmation (No. 3) Act 1882," which Order and Act are hereinafter respectively referred to as the Order of 1882 and the confirming Act of 1882, the Act of 1876 was amended so as to enable the then Local Board now the Urban District Council of Smethwick, hereinafter referred to as the District Council, subject to the sanction of the Local Government Board, to borrow under the provisions of the Act of 1876 a sum not exceeding £75,000 in addition to the sum of £50,000 therein mentioned.

And whereas by another Provisional Order of the Local Government Board dated the twenty-fourth day of April, one thousand eight hundred and ninety-three, and confirmed by "The Local Government Board's Provisional Orders Confirmation (No. 9) Act, 1893," which Order and Act are hereinafter respectively referred to as the Order of 1893 and the confirming Act of 1893 the Act of 1876 was amended and so much of the confirming Act of 1882 as related to the Order of 1882 (except so far as the same had been acted upon) was repealed and such amendment and repeal enabled the then Local Board now the District Council with the sanction of the Local Government Board, to borrow on the security of the revenue arising from their Gas Undertaking and of the District Fund and General District Rate the respective sums of £6,000 and £14,328.

And whereas under and in pursuance of the Act of 1876 and of the respective Orders and confirming Act of 1882 and 1893, the District Council then the Local Board have borrowed the sum of £169,381 2s. 0d., the repayment whereof with interest is charged upon the Gas Undertaking and the revenue of the same and the District Fund and General District Rates.

And whereas £9,409 19s. 5d. part of the said sum of £169,381 2s. 0d., so charged as lastly mentioned, has been repaid.

And whereas a Sinking Fund has been formed for the payment of such of the moneys borrowed upon the Gas Undertaking of the District Council

as are not payable by yearly or half-yearly instalments and the amount now invested in such Sinking Fund is £22,459 19s. 9d.

And whereas the District Council has whilst acting as a Local Board of Health and since it has become a District Council, pursuant to and under the provisions of "The Public Health Act, 1875," borrowed various sums of money of which the sum of £135,751 now remains outstanding and unpaid.

And whereas a Sinking Fund has been formed for the repayment of the last-mentioned moneys and the District Council have now invested therein the sum or £21,728 15s. 7d.

And whereas it is expedient that provision be made for the continuance, transfer and vesting of the Gas Undertaking of the District Council and other property, rights, powers and privileges conferred by or acquired under the Act of 1876, and the respective Orders and confirming Acts of 1882 and 1893 as by this Scheme mentioned.

And whereas by an Order of Her Majesty in Council dated the nineteenth day of May, one thousand eight hundred and eighty-four, made pursuant to the provisions of "The Burial Act, 1857," it was ordered that the Local Board of Health for the Hamlet of Smethwick (now the District Council) should be the Burial Board for the district of such Local Board.

And whereas the Local Board, in their capacity as Burial Board for the district of Smethwick, borrowed sums amounting to £9,500, which sums are still unpaid, but a Sinking Fund has been formed for the repayment thereof, and there is now invested in such sinking fund the sum of £1,436 2s. 7d.

And whereas the district of Smethwick was formerly part of the parish of Harborne, and such parish was divided into two Local Government Districts, namely, the Local Government District of Harborne, and the Local Government District of Smethwick.

And whereas under and by virtue of "The Elementary Education Act, 1870," and the various Acts amending the same, a School Board was formed for the parish of Harborne (which then included the district of Smethwick), and the two Local Government Districts of Harborne and Smethwick became one School Board District and the School Board for such district was known as "The Harborne School Board."

And whereas by a Provisional Order of the Local Government Board dated the fifteenth day of May, one thousand eight hundred and ninety-one, and confirmed by "The Local Government Board's Provisional Order Confirmation (No. 13) Act, 1891," which Order and Act are hereinafter respectively referred to as the Order of 1891, and the confirming Act of 1891, it was provided *inter alia* that the boundary of the then existing city of Birmingham should be altered and extended so as to include amongst other places the Local Government District of Harborne and that the city so extended should be a School district and that the Harborne School Board should cease to have jurisdiction in any part of the added areas (one of such added areas being the Local Government District of Harborne) and that the school sites and buildings, furniture and fittings of the School Boards within the added areas should vest in the City School Board and that all contracts, debts, liabilities and engagements which on the ninth day of November, one thousand eight hundred and ninety-one, were existing or owing in respect of any such school sites, buildings, furniture or fittings should enure to and be discharged and satisfied by the City School Board.