

And whereas it was by the said Order and confirming Act of 1891, provided that any doubt or difference arising in relation to the last recited provision should on the application of any of the School Boards interested stand referred to and be determined by the Education Department.

And whereas it was by the said confirming Act of 1891 also provided that the loans raised by each of the three School Boards therein mentioned (the Harborne School Board being one of such School Boards) and remaining unpaid on the ninth day of November, one thousand eight hundred and ninety-one, and the interest accruing thereon should be apportioned between the City School Board and each of the three School Boards respectively in the same proportions as the rateable value of the portion of the added area taken from each School Board District bore to the rateable value of the whole of such School Board District.

And that so much of the loans as should be apportioned to the City School Board and the interest accruing thereon should be charged on the School Fund and the local rate for the time being chargeable with the expenses of the City School Board and that all such sums should be repaid (or provisions made for their repayment) by the City School Board within the respective periods (if any) for which the loans were originally sanctioned.

And whereas it was by the said confirming Act of 1891 also provided that as regarded the annual charge for maintenance of the existing schools in the parts of the districts of *inter alia* the Harborne School Board not added to the city, the City School Board should contribute such an amount (if any) annually as might be agreed upon between them and the Harborne School Board or in default of agreement as might be determined by the Education Department.

And whereas by an agreement dated the second day of September, one thousand eight hundred and ninety-three, and made between the School Board for the city of Birmingham therein and hereinafter called the Birmingham School Board (but referred to in the Order of 1891 and the confirming Act of 1891 as "the City School Board") of the one part, and the School Board for the extra municipal part of the parish of Harborne, in the county of Stafford therein called the Harborne School Board (but now known as the Smethwick School Board) of the other part.

It was agreed that the Harborne School Board should remain indebted to the various mortgagees with whom loans had been contracted by them, but that the amounts of the principal and interest of such loans should be apportioned, and the Birmingham School Board did thereby become responsible for and agree to pay to the Harborne School Board (now the Smethwick School Board) the same proportion of the principal of the said loans and of the half-yearly payments of interest from time to time accruing due thereon as the rateable value of the added district as valued on the ninth day of November, one thousand eight hundred and ninety-one, bore to the rateable value of the whole of the district of the Harborne School Board, as such last-mentioned district existed immediately before the passing of the confirming Act of 1891, and that such payments should be made by the Birmingham School Board to the Harborne School Board (now the Smethwick School Board) half-yearly on the first day of December and the first day of June in each year;

And it was by the said agreement further provided that so much of the loans apportioned to be paid by and for which the Birmingham School

Board did thereby become responsible and the payments to be made in respect thereof should be and the same were thereby charged on the School Fund and Local Rate for the time being of the Birmingham School Board;

And that the proportion of the loans and interest to be paid as aforesaid calculated on the basis before mentioned was equal to one-fifth of the whole of the outstanding loans of the Harborne School Board and of the interest due on the ninth day of November, one thousand eight hundred and ninety-one, and thereafter to become due;

And whereas it was by the said agreement further provided that the annual contribution to be made by the Birmingham School Board to the Harborne School Board (now the Smethwick School Board) in respect of the annual charge for the maintenance of schools in that part of the district of the Harborne School Board which was not added to the city of Birmingham should be a sum bearing the same proportion to the total annual cost to the rates for the maintenance of all the Board Schools in the School District of Harborne (such School District of Harborne meaning that part of the District of the Harborne School Board not added to the city of Birmingham) existing on the ninth day of November, one thousand eight hundred and ninety-one, as the net produce of a penny rate in the part of the city of Birmingham formerly constituting the Local Government District of Harborne bears to the total net produce of a penny rate in the said part of the city together with the said School District of Harborne less a sum bearing the same proportion to the annual cost to the rates for the maintenance of the Board School in High-street Harborne existing on the ninth day of November, one thousand eight hundred and ninety-one, as the net produce of a penny rate in the School District of Harborne bears to the total net produce of a penny rate in the said School District together with the said part of the city and also that the cost to the rates for the maintenance of each school should be that shown in the Form IXB submitted to the Education Department for such school for the school year last ended before the twenty-ninth day of September in question, and also that the net produce of a penny rate shall be calculated from the produce of the school rate last collected before the twenty-ninth day of September in question.

And that nothing in the said agreement contained should prevent the said School Boards parties thereto from agreeing to substitute a fixed annual payment for the varying annual payments calculated according to the said agreement.

And whereas by a Provisional Order of the Local Government Board dated the fifth day of June, one thousand eight hundred and seventy-seven, as altered and confirmed by "The Local Government Board's Provisional Orders Confirmation (Joint Boards) Act, 1877," by another Provisional Order of the Local Government Board dated the tenth day of May, one thousand eight hundred and eighty-one, as confirmed by "The Local Government Board's Provisional Orders Confirmation Birmingham Tame and Rea, &c. Act 1881," and by another Provisional Order of the Local Government Board, dated the twelfth day of May, one thousand eight hundred and ninety-six, as confirmed by the Local Government Board's Provisional Orders Confirmation (No. 12) Act, 1896, certain Urban Districts (including amongst others the then existing city of Birmingham and the Local Government District of Smethwick) and certain parts of Rural Districts were formed into a United District termed the Birmingham