

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 authorise 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 by Order, dated the 23rd day of January, 1873, and made under the provisions of the Elementary Education Act, 1870, the Lords of the Committee of the Privy Council on Education (in this scheme referred to as “ the Education Department ”), formed a United School District by uniting the three adjoining school districts or parishes of Lady Saint Mary, Wareham, Saint Martin, Wareham, and the Holy Trinity, Wareham (such United School District being named the District of Wareham), and have caused a School Board to be formed for the said district.

“ And whereas it is proposed by the said Charter to include in the proposed borough part only of each of the said three parishes respectively, and it is expedient to make such provisions with respect to the continuance of the present School Board for the District of Wareham, and such other provisions in relation to the said district, as are in this scheme contained.

“ And whereas the Mayor, Capital Burgesses, and Assistants of the Borough of Wareham and the Local Board of the said District, and the School Board for the United District of Wareham, are Local Authorities within the meaning of Part XI of the Municipal Corporations Act, 1882 ; as amended by the School Boards Act, 1885 ;

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

“ And whereas it is expedient, right, and just that a scheme should be settled pursuant to Part XI of the Municipal Corporations Act, 1882, as amended by the School Boards Act, 1885, 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 Wareham Scheme, 1886.

“ 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 Mayor, Capital Burgesses, and Assistants of the Borough of Wareham 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.’ The Local Board of the said Local Government District of Wareham is herein referred to as the Local Board.

“ 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.

“ 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. Immediately from and after the commencement of this scheme the Local Board shall be, and the same is hereby, abolished, and shall thenceforth be dissolved and cease to exist, together with all its jurisdiction, powers, and authority whatsoever.

“ 7. All property of any kind whatsoever 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, which property is 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 shall immediately from and after the commencement of this Scheme vest in the following persons (to be designated the Trustees of Municipal Charities in the Borough of Wareham), viz., Stephen White Bennett, Freeland Filliter, Woodruffe Daniel, Thomas Randall, Thomas Lean Skewes, Frederick Marshallsay, and Cornelius Selby jointly, to be by them applied in the manner in which and the purposes for which such property, or the income thereof, was before and at the passing of that Act applicable.

“ 8. 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.

“ 9. All property other than that in paragraphs 7 and 8 hereof referred to, 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.

“ 10. 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 9 may extend to satisfy such liabilities, and no further.

“ 11. 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 9 may extend to satisfy such liabilities, penalties, and forfeitures, and no further.

“ 12. All debts, arrears of rates, or other sums which immediately before the commencement of this Scheme were due or owing to or by the Local Board may be recovered, levied, and enforced by or against the New Corporation as nearly as may be in the same manner and by the same methods as they could have been recovered,