

bearing date the fourth day of June, one thousand eight hundred and eighty-four, and confirmed by the Local Government Boards Provisional Orders Confirmation (No. 6) Act, 1884, power was given to the said Commissioners to make Bye-laws for the purpose of regulating bathing in the sea without machines, and for requiring the proprietors or persons in charge of bathing machines, to provide boats and other apparatus for the preservation of persons from drowning. And power was thereby also given to the Commissioners to erect and maintain on the said pier, shelters for the accommodation of visitors.

"And by the same order power was given to the said Commissioners to erect and maintain in the public pleasure grounds band-stands, and such other erections as might be necessary for the more convenient use and occupation of the said grounds and also to provide and maintain at a reasonable cost or contribute a reasonable sum towards providing and maintaining a band for the performance of music on the said pier and in the said public pleasure grounds.

"And whereas the said Commissioners have duly constructed such shelters on the said pier, and have also erected in the public pleasure grounds certain band-stands and other erections, for the more convenient use and enjoyment of the said grounds.

"And whereas by a Provisional Order under the Seal of the Local Government Board, bearing date the twenty-eighth day of May, one thousand eight hundred and eighty-seven, and confirmed by the Local Government Boards Provisional Orders Confirmation (No. 7) Act, 1887, powers were given to the said Commissioners to make Bye-laws and Regulations, with respect to carriages plying for hire and carrying passengers at separate fares, within the said district.

"And whereas the said Commissioners have recently obtained an Act of Parliament entitled 'The Bournemouth Park Act, 1889,' providing for the acquisition and regulation of certain lands within and near the district of the said Commissioners for the purposes of Public Recreation Grounds.

"And whereas the said Commissioners constitute a local authority within the meaning of Part XI of the Municipal Corporations Act, 1882.

"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 hereinafter set forth and do hereby direct order and declare as follows :

"(1.) This scheme may be cited for all purposes as the 'Borough of Bournemouth Scheme, 1890.'

"(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 the confirmation of this scheme by Parliament or Order in Council, whichever is later, and this date is hereinafter referred to as 'the commencement of this scheme.'

"(3.) The municipal borough created by the said charter shall be placed immediately on from and after the day of the first meeting of the Council of the municipal borough aforesaid and thenceforward shall be within the jurisdiction of the Mayor Aldermen and Burgesses of the borough of Bournemouth acting by the Council of the said municipal borough as the sanitary authority of the said borough.

"(4.) The Bournemouth Commissioners and their powers duties rights obligations liabilities and privileges shall continue to exist until the commencement of this scheme unaffected in any manner whatsoever by the grant of the said charter or the creation of the said borough and the said Commissioners shall from the date of the grant of the charter until such commencement be deemed to have continued and continue to enjoy, be subject to and exercise the said powers duties rights obligations liabilities and privileges as if no such charter had been granted and all their acts from the date of the grant of the said charter until the commencement of this scheme shall be and be deemed to have been as valid and effectual as if no such charter had been granted.

"(5.) Immediately from, and after the commencement of this scheme, the Bournemouth Commissioners shall be, and the same are hereby abolished, and shall thenceforth be dissolved and cease to exist together with such of their powers, rights, privileges, jurisdiction, franchises, exemptions, duties and obligations, as are not by this scheme or otherwise by law or statute transferred to the Mayor, Aldermen, and Burgesses of the borough of Bournemouth.

"(6.) All property possessed by, or vested in the Bournemouth Commissioners, or any person or body in trust for them, or any of their members, as such, or applicable for the benefit or under the direction of the Bournemouth Commissioners or any of their members as such (and not dealt with or transferred by or under any other part of this scheme) shall vest in the Mayor, Aldermen, and Burgesses of the borough of Bournemouth, and shall be held and applied for the municipal and public purposes of the said borough.

"(7.) All liabilities which immediately before the commencement of this Scheme attached to, and were enforceable against the Bournemouth Commissioners, or the property thereof shall attach to, and be enforceable against the Mayor, Aldermen, and Burgesses of the borough of Bournemouth.

"(8.) 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 Bournemouth Commissioners before the commencement of this Scheme, may be continued prosecuted or enforced by or against the Mayor, Aldermen, and Burgesses of the borough of Bournemouth.

"(9.) 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.

"(10.) Nothing contained in this scheme shall prejudice or affect the rights, interest, powers, authorities or privileges transferred to the management of the Board of Trade by the Crown Lands Act, 1866, neither shall anything in this scheme contained extend to take away prejudice diminish or alter any of the estates, rights, privileges, powers or authorities vested in, or enjoyed or exercisable by the Queen's Majesty, Her heirs or successors.

"(11.) All the rights, property, powers, authorities, privileges, duties and liabilities conferred upon, vested in, devolving upon, or exercisable by the Bournemouth Commissioners by for the