

Tame and Rea Main Sewerage District for the purposes mentioned in the Order of 1877.

And whereas the Birmingham Tame and Rea District Drainage Board being the Joint Board for the said United District and hereinafter referred to as the Joint Board now consists of certain elective and ex-officio members, one elective member being chosen by the District Council of Smethwick.

And whereas by an Order of a Joint Committee appointed by the respective Councils of the counties of Stafford and Worcester, and the county borough of Birmingham, made pursuant to the provisions of the Local Government Acts 1888 and 1894, and known as "The King's Norton Joint Committee Order 1894" it was provided that that part of the parish of Harborne outside the county borough of Birmingham (being the Local Government District of Smethwick) should be called and known by the name of the parish of Smethwick.

And whereas by another Order of a Joint Committee appointed by the respective Councils before mentioned and made pursuant to the powers given by the last-mentioned Acts and known as "The King's Norton Joint Committee Amendment Order, 1896," the name of the Harborne School Board was changed to that of the Smethwick School Board.

And whereas it is intended that arrangements shall be made for the consolidation of the Police Force of the borough of Smethwick when constituted by charter with the Police Force of the county of Stafford.

And whereas the parish of Smethwick for Poor Law purposes is part of and is situate in the King's Norton Poor Law Union, which Union comprises parishes situate in the counties of Stafford and Worcester, and the county borough of Birmingham.

And whereas the Public Libraries Acts, 1892 and 1893, are in force within the district of the District Council.

And whereas the following Acts have been adopted by and are in force within the district of the District Council, namely, "The Infectious Disease (Notification) Act, 1889," "The Infectious Disease (Prevention) Act, 1890," "The Public Health Acts Amendment Act, 1890," and "The Private Street Works Act, 1892."

And whereas the District Council is the Urban Sanitary Authority for the said District of Smethwick, and such Urban Sanitary Authority, and the Guardians of the Poor of the King's Norton Union in the county of Worcester, and the Burial Board and the School Board are Local Authorities within the meaning of Part XI of the Municipal Corporations Acts, 1882 and 1885.

And whereas this Scheme was, before being settled by the Committee of Council, referred for consideration to Her Majesty's Principal Secretary of State for the Home Department, to the Local Government Board, and to the Committee of the Lords of the Privy Council on Education (hereinafter referred to as the Education Department).

And whereas it is expedient that a Scheme should be made and settled containing the provisions hereinafter set forth.

Now therefore pursuant to the Municipal Corporations Acts, 1882 and 1885, and every other power enabling them in that behalf the said Committee of Council have settled a scheme containing the provisions herein and do hereby direct, order and declare as follows:—

Preliminary Provisions.

This Scheme may be cited for all purposes as the Borough of Smethwick Scheme, 1899.

The Mayor, Aldermen, and Burgesses of the Borough of Smethwick are in this Scheme referred to as the Corporation.

Borough and Municipal Borough mean the Borough of Smethwick.

The term "property" in this Scheme means and includes all property, real and personal, and all things in action, and all rights of common and 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.

Commencement of Scheme.

This Scheme when confirmed shall be deemed to have come into operation on the day of the first meeting of the Council of the Municipal Borough created by the said Charter and this Scheme shall be construed and applied as if it had been dated and confirmed by Parliament or Order in Council on the day before the day of the said first meeting and everything thereunder shall be done and had accordingly. This date is hereinafter referred to as "the commencement of this Scheme." So far as may be necessary this Scheme shall operate retrospectively.

Sanitary Authority.

The Municipal Borough created by the said Charter shall from and after the commencement of this Scheme and thenceforward be placed within the jurisdiction of the Mayor, Aldermen, and Burgesses of the borough of Smethwick acting by the Council of the borough as the Sanitary Authority of the said borough.

Urban District Council Abolished.

The District Council and their powers, duties, rights, obligations, liabilities, and privileges shall continue and be deemed to have continued 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 District Council shall from the date of the grant of the Charter until the commencement of this Scheme be deemed to have been 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 shall be deemed to have been as valid and effectual as if no such Charter had been granted. From and after the commencement of this Scheme the District Council and their district shall be abolished and shall thenceforth be dissolved and cease to exist.

Transfer of Jurisdiction, Property, &c., of Urban District Council.

All the jurisdiction, powers, duties and property vested in or possessed by the District Council, or by 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 District Council, or any of their members as such (and not otherwise dealt with or transferred by or under any part of this Scheme) shall vest in the Mayor, Aldermen and Burgesses of the borough of Smethwick and shall be held and applied for the municipal and public purposes of the said borough.