

of ninety-six thousand pounds three shillings and ninepence, the repayment whereof is charged upon the improvement rates, rents, tolls, and profits, or some of them, of the urban district of Abergavenny, is still outstanding and unpaid.

And whereas the Urban District Council of Abergavenny are the urban sanitary authority for the said urban district of Abergavenny as extended by the said Local Government Board's Provisional Orders Confirmation (Abergavenny &c.) Act, 1880,—and the said Urban District Council is a local authority within the meaning of Part XI of "The Municipal Corporations Act, 1882."

And whereas it is expedient that the County Council of the administrative county of Monmouth should retain in and for the borough of Abergavenny all the powers duties and liabilities in relation to the several matters set out in section thirty-nine of "The Local Government Act, 1888," which have heretofore been exercisable by or attached to the said County Council.

And whereas this scheme has been referred for consideration to Her Majesty's Principal Secretary of State for the Home Department, and to the Local Government Board.

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 Act, 1882," 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:—

#### *Short Title.*

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

#### *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 Abergavenny, acting by the Council of the Borough as the Sanitary Authority of the said borough.

#### *Urban District Council Abolished.*

The Urban District Council for the Urban District of Abergavenny, 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 said Urban District Council shall from the date of the grant of the said 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 shall be deemed to have been as valid and effectual as if no Charter had been granted. From and after the commencement of this scheme the said Urban District Council shall be abolished.

#### *Transfer of Jurisdiction, Property, &c., of the Urban District Council.*

All the jurisdiction, powers, duties, and property vested in or possessed by the Urban District Council, or by any person or body in trust for them, 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 Abergavenny, and shall be held and applied for the sanitary purposes of the said borough.

All liabilities which immediately before the commencement of this scheme attached to and were enforceable against the Urban District Council, or the property thereof, shall attach to, and be enforceable against the Mayor, Aldermen and Burgesses of the borough of Abergavenny.

Any investigations, legal proceedings, or remedy in respect of any debt, liability, penalty, or forfeiture due to or incurred by or on behalf of the Urban District Council before the commencement of this scheme may be continued, prosecuted, or enforced by or against the Mayor, Aldermen, and Burgesses of the borough of Abergavenny.

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 which have any pecuniary value, and all charters, records, deeds, books and documents, and all rights and 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.

The Improvement Rates authorized by the Abergavenny Improvement Acts shall take the place of and shall be substituted for the rates leviable by the Urban District Council of Abergavenny, and all sums of money payable to from or out of and all liabilities charged upon or attaching to the said Improvement Rates shall be charged upon the said Improvement Rates leviable in the said borough.

The Council of the said borough shall not exercise any of the powers or duties or be subject to the liabilities under any of the Acts relating to the police force or other matters mentioned in section thirty-nine of "The Local Government Act, 1888," but all the powers duties and liabilities in respect of such matters shall be exercised by and attached to the County Council of the Administrative County of Monmouth and the area of the borough shall for all purposes of the Acts relating to the County Police Force or other matters mentioned in the said section form part of the county in like matter as if it were not a borough.

#### *Bye-Laws.*

The Bye-laws and regulations of the Abergavenny Improvement Commissioners and the Bye-laws of the Urban District Council of Abergavenny, and the regulations made by the said Urban District Council as follows, in force at the commencement of this scheme, shall until the same are repealed, revoked, or varied by the Mayor, Aldermen and Burgesses, continue in force and be enforced within the borough in like manner and with the like effect as if the Mayor, Aldermen and Burgesses, acting by the Council, and the borough of Abergavenny were referred to therein instead of the said Improvement Commissioners or