

the Mayor and Free Burgesses of the Borough of Fowey;

And whereas the said Petition for a Charter was referred to the Committee of Council, and it was proposed by the Charter to create the said town of Fowey a Municipal Borough and to incorporate the inhabitants thereof and to extend the Municipal Corporation Acts to the Municipal Borough to be created by the Charter;

And whereas the parish of Fowey has a Parish Council having eleven members, and is a constituent part of the Rural District of St. Austell, in the county of Cornwall;

And whereas the Parish Council are the Burial Authority for the Parish of Fowey;

And whereas the Rural District Council of St. Austell have adopted "The Infectious Disease (Prevention) Act, 1890," and it is expedient that the provisions of that Act should be in force within the Borough as if it had been adopted by the Council of the Borough;

And whereas by an Order made by the Local Government Board, dated the 12th October, 1877, sections 39, 42, 44, 45, 47, 49 and 50, 157 and 158 of the Public Health Act, 1875, are in force in the Parish of Fowey;

And whereas by an Order made by the Secretary of State, dated the 11th October, 1909, Part VIII of the Public Health Acts Amendment Act, 1907, was declared to be in force in the Parish of Fowey;

And whereas by an Order made by the Local Government Board, dated the 20th December, 1909, sections 20-26 and 28-33 of Part II, sections 34-47 and 49 of Part III, sections 52-60, 62, 63, 64, 66 and 67 of Part IV, the whole of Part V, and section 95 of Part X of the Public Health Acts Amendment Act, 1907, are in force in the Parish of Fowey;

And whereas by an Order made by the Local Government Board, dated the 16th December, 1908, certain sections of the Towns Improvement Clauses Act, 1847, relating to the naming and numbering of streets are in force in the Parish of Fowey;

And whereas under sanctions of the Local Government Board, by virtue of the Public Health Act, 1875, the sum of £10,297 has been borrowed by the Rural District Council in respect of the water supply to the Parish of Fowey, and has been charged upon that parish as a separate contributory area, and of that sum of £10,297 the sum of £5,184 18s. 0d. is still outstanding and unpaid;

And whereas under sanctions of the Court of Quarter Sessions of the County of Cornwall and of the Local Government Board, by virtue of the Highways Acts, 1835 to 1885, and the Public Health Act, 1875, the total sum of £1,285 has been borrowed by the Rural District Council for permanent works of which sum the amount of £512, part of the said sum of £1,285, the repayment whereof is charged generally upon the rates of the whole of the Rural District of St. Austell, is still outstanding and unpaid;

And whereas with the approval of the Lords Commissioners of the Treasury the predecessors of the Parish Council, as the Burial Authority for the parish, borrowed the sum of £250 for cemetery purposes, which loan has been entirely repaid;

And whereas under a sanction of the Local Government Board the Parish Council have borrowed the sum of £207 for the erection of a fire-engine house, of which loan the sum of £134 is still outstanding and unpaid;

And whereas it is expedient that the County Council of the Administrative County of Cornwall should retain in and for the Borough of Fowey all the powers, duties and liabilities in relation to the several matters set out in section 39 of the Local Government Act, 1888, which have heretofore been exercisable by or attached to the said County Council;

And whereas this Scheme was, before being settled by the Committee of Council referred for consideration to His Majesty's Principal Secretary of State for the Home Department to the Local Government Board and to the Board of Trade;

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.

1. This Scheme may be cited for all purposes as "the Borough of Fowey Scheme, 1913."

COMMENCEMENT OF SCHEME.

2. This Scheme, when confirmed, shall 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.

3. 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 Fowey acting by the Council of the Borough as the Sanitary Authority of the said Borough, and shall thenceforth no longer be within the jurisdiction authority or district of the Rural District Council of St. Austell and all such powers as were exercisable by the said Rural District Council within the area of the said Borough under the provisions of the Infectious Disease (Prevention) Act, 1890, shall be transferred to and exercisable by the Council of the said Municipal Borough as if the said Act had been adopted by the said Council, and the said Act shall be deemed to have been adopted by the Council accordingly.

BURIAL BOARD.

4. From and after the commencement of this Scheme the Corporation shall be the Burial Board of the Borough, and the Burial Ground