

and other property vested in the Parish Council shall vest in the Corporation, to be held, maintained and managed as if it were a cemetery acquired and constructed under the powers of the Public Health (Interments) Act, 1879, and all liabilities shall be attached to the Corporation, and everything in connection with the said Board shall be done, had and construed accordingly, and the provisions of the Public Health (Interments) Act, 1879, shall be applicable to the said Burial Ground. All fees, payments and sums at present receivable by the Parish Council shall be receivable by the Corporation until any bye-laws, regulations and table of fees or charges are made by them under the Public Health Act, 1875, or any Act incorporated therewith.

PARISH COUNCIL ABOLISHED.

5. From and after the commencement of this Scheme the Parish Council and Parish Meeting of the Parish of Fowey shall cease to exist, and any powers and duties transferred by "The Local Government Act, 1894," to such Parish Council or Parish Meeting shall be vested in, exercisable by, and imposed on the persons and authorities in whom they would be vested or by whom they would be exercisable or on whom they would be imposed if such parish had been included in an urban district on the appointed day within the meaning of that Act, and all property held for the purpose, or by virtue of such powers and duties, and all debts and liabilities incurred by virtue of such powers and duties shall pass to and vest in the persons and authorities aforesaid. Any property and liabilities of the said Parish Council not held or incurred by virtue of such powers and duties shall be transferred and attached to the Mayor, Aldermen, and Burgesses of the Municipal Borough created by the Charter above referred to: Provided that so much of the said property as consists of or is held for the purposes of a market shall be held by the said Mayor, Aldermen, and Burgesses, subject to the provisions of the Public Health Act, 1875.

TRANSFER OF JURISDICTION, PROPERTY, &c., OF THE RURAL DISTRICT COUNCIL, SO FAR AS REGARDS THE PARISH OF FOWEY.

6. From and after the commencement of this Scheme all rights, liabilities, obligations, and property which are attached to or vested in the Rural District Council of St. Austell, in relation exclusively to the Parish of Fowey, shall be transferred to and shall attach to and vest in the Mayor, Aldermen, and Burgesses of the Borough of Fowey, and any rights, liabilities, obligations, and property which are attached to or vested in the said Rural District Council, in relation to the Parish of Fowey conjointly with the remainder of the Rural District of St. Austell, shall remain so vested or attaching, and shall be a matter for adjustment as in this Scheme provided, or failing any such provision subject to such adjustment as may be made by agreement, or in default thereof fixed by an Arbitrator appointed by the parties, or in case of difference as to such appointment nominated by the Local Government Board, and the provisions of section 62 of "The Local Government Act, 1888," shall apply *mutatis mutandis* as if this Scheme were a Scheme within the meaning of that Act. Until the commencement of this Scheme the powers, rights, duties, capacities,

liabilities, obligations, and property of the said Rural District Council of St. Austell shall continue to be exercisable by, attached to, and vested in the said Rural District Council.

7. The representatives of the parish of Fowey on the Rural District Council of St. Austell shall cease to act as Rural District Councillors of the said Rural District, but they shall continue to act as Members of the Board of Guardians of the St. Austell Union as though they had been elected as Guardians for the said parish, and they shall remain in office until the date on which they would have retired if this Scheme had not been made.

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 Parish Council or the Rural District Council in respect of the Parish of Fowey before the commencement of this Scheme may be continued, prosecuted, or enforced by or against the Mayor, Aldermen, and Burgesses of the Borough of Fowey.

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 and commonable rights and rights to toll, and all franchises, privileges, and rights which have any pecuniary value, and all charters, deeds, records, 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.

10. 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 Cornwall, 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 manner as if it were not a Borough.

BYELAWS.

11. The Byelaws and Regulations made by the Rural District Council with respect to new streets and buildings, nuisances, slaughter-houses, common lodging-houses, and dairies, cowsheds and milk shops, and in force within the Parish of Fowey at the commencement of this Scheme shall apply to the Borough, but shall, with the exception of the Regulations with respect to dairies, cowsheds and milk shops cease to have effect from and after the expiration of one year from the commencement of this Scheme.

12. The Byelaws for the good rule and government of the Administrative County of Cornwall, so far as they are in force in the Parish of Fowey, shall continue in force and be enforced within the Municipal Borough of Fowey for a period of two years from the commencement of this Scheme, or until other Byelaws for good rule and government made by the Corporation shall have come into force, whichever shall first occur.

13. From and after the commencement of this Scheme the said Orders made by the Local Government Board and dated respec-