



## CHAPTER xxix.

An Act to confirm certain Provisional Orders of the Local Government Board relating to Clitheroe Goole Halifax Llandudno Plymouth Stratford-upon-Avon Swansea and Wallasey. A.D. 1896.  
[21st May 1896.]

**W**HEREAS the Local Government Board have made the Provisional Orders set forth in the schedule hereto under the provisions of the Public Health Act 1875 :

38 & 39 Vict.  
c. 55.

And whereas it is requisite that the said Orders should be confirmed by Parliament :

Be it therefore enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

1. The Orders set out in the schedule hereto shall be and the same are hereby confirmed and all the provisions thereof shall have full validity and force. Orders in schedule confirmed.

2. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 4) Act 1896. Short title.

A.D. 1896.

SCHEDULE.Clitheroe  
Order.

## BOROUGH OF CLITHEROE.

*Provisional Order for altering the Clitheroe Corporation  
Act of 1878.*

To the Mayor Aldermen and Burgesses of the Borough of Clitheroe ; —  
And to all others whom it may concern.

WHEREAS the Borough of Clitheroe (herein-after referred to as "the Borough") is an Urban District of which the Mayor Aldermen and Burgesses acting by the Council (herein-after referred to as "the Corporation") are the Urban District Council and as such Council are the Local Authority within the meaning of the Public Health Act 1875 and the Clitheroe Corporation Act 1878 (herein-after referred to as "the Local Act") is in force in the Borough ;

41 Vict.  
c. lxxxiv.

And whereas by virtue of Section 21 of the Local Act the Corporation are empowered to redeem the gas and waterworks annuities issued under the Local Act or any of them at a price to be mutually agreed on between them and the annuitant not exceeding twenty-five years purchase of such annuity any annuity so redeemed to be extinguished ;

And whereas by Section 80 of the Local Act the Corporation are required to make provision for the extinction of the gas and water annuities by means of a sinking fund to be in every year appropriated and invested and with the accumulation thereof (if any) from time to time to be applied for that purpose so as in either case to extinguish or be in a position to extinguish the whole annuities within fifty-five years from the passing of the Local Act :

38 & 39 Vict. §  
c. 55.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Local Act shall be altered so that the following provisions shall take effect viz. :—

Art. I. Notwithstanding anything in Section 21 of the Local Act to the contrary the Corporation may apply the sinking fund established under Section 80 of the Local Act in redeeming by agreement but not otherwise any gas or waterworks annuity at a price exceeding twenty-five years purchase and any annuity so redeemed shall be extinguished.

Art. II. This Order may be cited as the Clitheroe Order 1896.

Given under the Seal of Office of the Local Government Board this  
Twenty-sixth day of February One thousand eight hundred and  
ninety-six.

(L.S.)

HENRY CHAPLIN President.  
HUGH OWEN Secretary.



## URBAN DISTRICT OF GOOLE.

A.D. 1896.

*Provisional Order for partially repealing and altering the Goole and District Gas and Water Act 1881.*Goole  
Order.

To the Urban District Council of Goole ; —

And to all others whom it may concern.

WHEREAS the Urban District Council of Goole (herein-after referred to as "the District Council") are the local authority within the meaning of the Public Health Act 1875 for the Urban District of Goole (herein-after referred to as "the district") and the Goole and District Gas and Water Act 1881 (herein-after referred to as "the Local Act") is in force in the district ;

44 & 45 Vict.  
c. lxxx.

And whereas by the Local Act the Goole and District Gas and Water Company (herein-after referred to as "the Company") were incorporated and were authorised to carry on a gas and water undertaking (herein-after referred to as "the undertaking of the Company") ;

And whereas by Section 10 of the Local Act the Goole Local Board (herein-after referred to as "the Local Board") were empowered to subscribe towards the capital of the Company the sum of twenty thousand pounds ;

And whereas by Section 48 of the Local Act the Company were empowered subject to the provisions of that Act to make and maintain the waterworks and works and conveniences connected therewith in that section described but by Section 63 of the Local Act it was enacted that if the waterworks and works connected therewith by that Act authorised were not completed within five years from the Twenty-seventh day of June One thousand eight hundred and eighty-one then on the expiration of that period the powers by that Act granted to the Company for executing the same or otherwise in relation thereto should cease to be exercised except as to so much thereof as was then completed ;

And whereas by Section 99 of the Local Act the Local Board were empowered with the consent of the Local Government Board under the authority of that Act and in addition to any money which they were or might be authorised to borrow under the Public Health Act 1875 from time to time to borrow at interest on mortgage of the general district rate and the revenue to arise from the shares held by them in the capital of the Company and in the case of the purchase by the Local Board of the undertaking of the Company of the revenue to arise from that undertaking and on such securities either together or separately all such sums as might from time to time be required by the Local Board for the purpose of paying any subscription to the capital of the Company to be made by them under the powers of the Local Act and for the purchase of the undertaking of the Company and otherwise for the purposes of that Act ;

And whereas by Sections 102 and 103 of the Local Act provision was made with respect to the re-borrowing and repayment of moneys borrowed by the Local Board under that Act ;

And whereas by Section 105 the Local Board were required to make an annual return to the Local Government Board with respect to moneys borrowed under that Act ;



A.D. 1896.

Goole  
Order.

And whereas by Section 107 of the Local Act the Company were empowered to sell and transfer to the Local Board and the Local Board were empowered with the consent of the Local Government Board to purchase the undertaking of the Company for such price and upon and subject to such terms conditions and stipulations as might be agreed between the Local Board and the Company and it was enacted that the Local Board might after such purchase and transfer manufacture and supply gas and supply water for public and private purposes within the limits of the Local Act and might within those limits have exercise and enjoy all the powers rights privileges and authorities and should be subject to the obligations of the Company under the Local Act in reference to such supply and that all the provisions of the Local Act (except as therein mentioned) and the obligations and liabilities of the Company thereunder should thereupon so far as applicable apply to and be binding upon the Local Board as if they had been named therein instead of the Company ;

And whereas the Local Board with the consent of the Local Government Board subscribed towards the capital of the Company sums amounting in the whole to the sum of fifteen thousand pounds and for that purpose borrowed with the like consent and under the powers of the Local Act the sum of fourteen thousand pounds in the year one thousand eight hundred and eighty-one and the sum of one thousand pounds in the year one thousand eight hundred and eighty-six ;

And whereas the Local Board in pursuance of the first agreement set out in the Fourth Schedule to the Local Act (which was sanctioned and confirmed by Section 109 of that Act) purchased certain sewers and outfalls belonging to the Undertakers of the Navigation of the Rivers of Aire and Calder and with the consent of the Local Government Board borrowed for that purpose under the provisions of the Local Act in the year one thousand eight hundred and eighty-two the sum of two thousand pounds ;

And whereas the Local Board with the consent of the Local Government Board purchased the undertaking of the Company and borrowed for that purpose the sum of seventy-nine thousand one hundred and fifty pounds of which the sum of fifty-seven thousand four hundred pounds is now outstanding :

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Local Act shall be altered so that the following provisions shall have effect viz. :—

Art. I.—(1.) The District Council may upon the lands situate near Rawcliffe Bridge and vested in them for the purposes of their waterworks undertaking sink an additional well and bore-hole and carry out other works incidental thereto.

(2.) The purposes of subdivision (1) of this Article shall be deemed to be purposes of the Local Act for which the District Council may borrow money.

(3.) The period for completion of works prescribed by Section 63 of the Local Act shall not apply to works made in pursuance of subdivision (1) of this Article.

Art. II. Sections 102 103 and 105 of the Local Act shall be repealed except so far as the same may have been acted upon.

Art. III. The District Council shall repay—

- (1.) The outstanding balances of the said sums of fourteen thousand and two thousand pounds within a period of fifty years from the respective dates of borrowing ;
- (2.) The outstanding balance of the said sum of one thousand pounds within a period of forty-five years from the date of borrowing ;
- (3.) The said sum of fifty-seven thousand four hundred pounds within thirty-five years from the Fifth day of July One thousand eight hundred and ninety-four ; and
- (4.) Any other moneys hereafter borrowed under the Local Act within such period not exceeding thirty-five years from the date of borrowing as the District Council with the sanction of the Local Government Board shall determine ;

each of which periods is herein-after referred to as “the prescribed period” and shall be with reference to the moneys to be repaid therein the prescribed period for the purpose of the Local Loans Act 1875.

Art. IV.—(1.) The District Council shall repay the moneys mentioned in Article III. of this Order other than moneys borrowed under the provisions of the Local Loans Act 1875 by equal annual instalments of principal or by equal annual instalments of principal and interest combined or by means of sinking funds or partly by one of these methods and partly by another or the others of them.

(2.) Subject to the provisions of Article V. of this Order any sinking fund established for the repayment of any of the moneys mentioned in Article III. of this Order shall be formed and maintained either—

- (a) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is herein-after called a non-accumulating sinking fund ; or
- (b) By payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is herein-after called an accumulating sinking fund.

(3.) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in securities in which trustees are by law for the time being authorised to invest or in mortgages bonds debentures debenture stock stock or other securities (not being annuity certificates or securities payable to bearer) duly issued by any Local Authority as defined by Section 34 of the Local Loans Act 1875 other than the District Council the District Council being at liberty from time to time to vary and transpose such investments.

(4.) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the District Council towards the equal annual payments to the fund.



A.D. 1896.

Goole  
Order.

(5.) The District Council may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed Provided that in the case of an accumulating sinking fund the District Council shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(6.)—(a.) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any deficiency shall be made good by the District Council.

(b.) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any such excess may be applied towards such equal annual payments.

(7.) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Order shall be paid by the District Council in addition to the payments provided for by this Order.

Art. V.—(1.) If it appears to the District Council at any time that the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the District Council to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose Provided that if it appears to the Local Government Board that any such increase is necessary the District Council shall increase the payments to such extent as the Board may direct.

(2.) If the District Council desire to accelerate the repayment of any loan they may increase the amounts payable to the sinking fund.

(3.) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the District Council may reduce the payments to be made to the sinking fund either temporarily or permanently to such an extent as that Board shall approve.

(4.) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be sufficient to repay the loan in respect of which it is formed within the prescribed period the District Council may with the consent of that Board discontinue the equal annual payments to such sinking fund until the Local Government Board shall otherwise direct.

(5.) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the District Council with the consent of the Local Government Board may determine.

A.D. 1896.

Goole  
Order.

Art. VI. The District Council shall except as herein-after provided have power to re-borrow for the purpose of paying off any of the moneys mentioned in Article III. of this Order or any moneys re-borrowed by virtue of this Order which have not been repaid and are intended to be forthwith repaid or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the District Council within twelve months before the re-borrowing and which at the time of the repayment it was intended to re-borrow :

Provided that the District Council shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments or by means of a sinking fund or out of moneys derived from the sale of land or out of any capital moneys properly applicable to the purpose of such repayment other than moneys borrowed for that purpose Provided also that any moneys re-borrowed shall be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made and shall be repaid within the prescribed period.

Art. VII.—(1.) The clerk to the District Council shall within twenty-one days after the Thirty-first day of March in each year if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of this Order or in respect of any money raised under the Local Act and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may from time to time be prescribed by that Board and if required by that Board verified by statutory declaration of such clerk showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of his failing to make such return such clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

(2.) If it appears to the Local Government Board by that return or otherwise that the District Council have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or



[Ch. xxix.] *Local Government Board's* [59 VICT.]  
*Provisional Orders Confirmation (No. 4) Act, 1896.*

A.D. 1896.

*Goole  
Order.*

annual payment or sum is required by this Order or by the Local Government Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the Local Government Board may by Order direct that the sum in such Order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such Order mentioned and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

Art. VIII. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of the Local Act or this Order the costs incurred by that Board in relation to such inquiry (including such reasonable sum not exceeding three guineas a day as that Board may determine for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the District Council and the Local Government Board may certify the amount of the costs so incurred and any sum so certified and directed by that Board to be paid by the District Council shall be a debt due to the Crown from the District Council.

Art. IX. This Order may be cited as the Goole Order 1896.

Given under the Seal of Office of the Local Government Board this  
Fourteenth day of March One thousand eight hundred and  
ninety-six.

(L.S.)

HENRY CHAPLIN President.  
HUGH OWEN Secretary.

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BOROUGH OF HALIFAX.

*Halifax  
Order.*

*Provisional Order for altering certain Confirming Acts.*

To the Mayor Aldermen and Burgesses of the Borough of Halifax ; —

And to all others whom it may concern.

WHEREAS the Borough of Halifax (herein-after referred to as "the Borough") is an Urban Sanitary District of which the Mayor Aldermen and Burgesses acting by the Council (herein-after referred to as "the Corporation") are the Urban Sanitary Authority and the unrepealed provisions of the Halifax Park and Improvement Act 1858 (herein-after referred to as "the Act of 1858") and of the Halifax Corporation Act 1882 (herein-after referred to as "the Act of 1882") as altered by certain Local Acts and by the Provisional Orders herein-after mentioned and by certain other Provisional Orders of the Local Government Board which do not affect the subject-matter of this Order are in force in the Borough ;

And whereas by Section 115 of the Act of 1858 the Corporation were empowered to borrow all such sums as they might think requisite for the purposes of the baths and bathing-places and public wash-houses not exceeding in the whole seven thousand five hundred pounds ;

21 & 22 Vict.  
c. xci.

45 & 46 Vict.  
c. ccxxxiv.



And whereas by Article II. of a Provisional Order of the Local Government Board dated the Twenty-sixth day of April One thousand eight hundred and eighty-six and confirmed by the Local Government Board's Provisional Orders Confirmation (No. 4) Act 1886 (which Order and Act are herein-after respectively referred to as "the Order of 1886" and "the Confirming Act of 1886") the Act of 1882 was altered so as to provide as follows :—

A.D. 1896.

*Halifax*  
*Order.*49 & 50 Vict.  
c. lxi.

"The Corporation may from time to time by resolution determine that any sum or sums which the Halifax School Board (herein-after referred to as 'the School Board') may be by law authorised to borrow or re-borrow upon the security of any rates or funds and which the School Board may be desirous of borrowing from the Corporation shall be lent by the Corporation accordingly."

And whereas by subdivision (1) of Article I. of another Provisional Order of the Local Government Board dated the Seventh day of May One thousand eight hundred and ninety and confirmed by the Local Government Board's Provisional Orders Confirmation (No. 3) Act 1890 (which Order and Act are herein-after respectively referred to as "the Order of 1890" and "the Confirming Act of 1890") the Act of 1858 was altered so as to enable the Corporation with the sanction of the Local Government Board and subject to the provisions of the Order of 1890 to borrow for the purposes of public baths and open bathing-places and public wash-houses and upon the security therein mentioned the sum of seven thousand five hundred pounds in addition to the sum of seven thousand five hundred pounds mentioned in Section 115 of the Act of 1858 :

53 & 54 Vict.  
c. lxxxii.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 297 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the following provisions shall have effect viz. :—

38 & 39 Vict.  
c. 55.

Art. I. The Confirming Act of 1886 shall be altered by the insertion in Article II. of the Order of 1886 of the words "the Halifax School Board, or the Guardians of the Poor of the Halifax Union (each of which authorities is herein-after referred to as 'the borrowing authority')" in lieu of the words "the Halifax School Board (herein-after referred to as 'the School Board')" and by the insertion throughout the remainder of the Order of 1886 of the words "the borrowing authority" for "the School Board."

Art. II. The Confirming Act of 1890 shall be altered by the insertion in Article I. of the Order of 1890 of the words "nine thousand eight hundred and seventy-four pounds" in lieu of the words "seven thousand five hundred pounds" where those words first occur.

Art. III. Each of the Provisional Orders relating to Halifax the dates whereof are mentioned in column 1 of the Schedule hereto may be cited by the short title mentioned in column 2 of that Schedule this Order may be cited as the Halifax Order 1896 and all of the said Orders may be cited together as the Halifax Orders 1851 to 1896.

[Ch. xxix.] *Local Government Board's* [59 VICT.]  
*Provisional Orders Confirmation (No. 4) Act, 1896.*

A.D. 1896.

The SCHEDULE above referred to.

*Halifax*  
*Order.*

Date of Order.	Short Title of Order.
28th July 1851	The Halifax Order 1851.
10th May 1881	The Halifax Order 1881.
26th April 1886	The Halifax Order 1886.
19th May 1887	The Halifax Order 1887.
23rd May 1889	The Halifax Order 1889.
7th May 1890	The Halifax Order 1890.
13th April 1892	The Halifax Order (No. 2) 1892.
11th May 1892	The Halifax Order (No. 3) 1892.

Given under the Seal of Office of the Local Government Board this  
 Twenty-first day of February One thousand eight hundred and  
 ninety-six.

(i.s.)

HENRY CHAPLIN President.  
 HUGH OWEN Secretary.

*Llandudno*  
*Order.*

URBAN DISTRICT OF LLANDUDNO.

*Provisional Order for altering a Local Act and a*  
*Confirming Act.*

To the Urban District Council of Llandudno ;—

And to all others whom it may concern.

WHEREAS the Urban District Council of Llandudno (herein-after referred  
 to as "the Council") are the local authority within the meaning of the Public  
 Health Act 1875 for the Urban District of Llandudno. (herein-after referred to  
 as "the district") ;

17 & 18 Vict.  
 c. cii.

And whereas the unrepealed provisions of the Llandudno Improvement Act  
 1854 (herein-after referred to as "the Local Act") as altered by certain Local  
 Acts and by certain Provisional Orders of the Local Government Board duly  
 confirmed by Parliament (but which do not affect the subject-matter of this  
 Order) and the Provisional Order herein-after recited are in force in the  
 district ;

And whereas by Section 45 of the Local Act the Llandudno Improvement  
 Commissioners were empowered to build and provide within the district and to  
 maintain and improve a public market place or public market places and market  
 house or market houses ;

58 & 59 Vict.  
 c. lxxxviii.

And whereas by Article VI. of the Llandudno Order 1895 (herein-after referred  
 to as "the Order") and confirmed by the Local Government Board's Provisional  
 Orders Confirmation (No. 8) Act 1895 provision was made for a return to the



Local Government Board with respect to the repayment by the Council of the moneys therein referred to ;

A.D. 1896.

And whereas it is expedient that further borrowing powers should be conferred on the Council for the purposes of their market undertaking :

*Llandudno  
Order.*

Now therefore We the Local Government Board in pursuance of the powers given to Us by Sections 297 and 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Local Act and the Confirming Act so far as it relates to the Order shall be altered as follows :—

38 & 39 Vict.  
c. 55.

Art. I. The Council may with the sanction of the Local Government Board and subject to the provisions of this Order borrow on the security of the revenue arising from their market undertaking and the general improvement rate of the district or upon either of such securities such further sums not exceeding in the whole the sum of two thousand pounds as may from time to time be necessary for the purposes of their market undertaking.

Art. II. For the purpose of raising money by virtue of this Order the provisions of the Local Loans Act 1875 shall be available to the Council and Sections 236 to 238 both inclusive of the Public Health Act 1875 shall apply to all moneys raised and borrowed on mortgage by virtue of this Order.

Art. III. The moneys borrowed by virtue of this Order shall be repaid within such period not exceeding thirty years from the date of borrowing as the Council with the sanction of the Local Government Board shall determine and the period so determined and sanctioned is herein-after referred to as "the prescribed period" and shall be the prescribed period for the purpose of the Local Loans Act 1875.

Art. IV.—(1.) The Council shall repay the moneys borrowed by virtue of this Order other than moneys borrowed under the provisions of the Local Loans Act 1875 by equal annual instalments of principal or by equal annual instalments of principal and interest combined or by means of a sinking fund or partly by one of these methods and partly by another or the others of them.

(2.) Subject to the provisions of Article V. of this Order if the Council determine to repay by means of a sinking fund any moneys borrowed by virtue of this Order such sinking fund shall be formed and maintained either—

(a) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is herein-after called a non-accumulating sinking fund ; or

(b) By payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is herein-after called an accumulating sinking fund.

(3.) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed



A.D. 1896.  
 Llandudno  
 Order.

be immediately invested in securities in which trustees are by law for the time being authorised to invest or in mortgages bonds debentures debenture stock stock or other securities (not being annuity certificates or securities payable to bearer) duly issued by any local authority as defined by Section 34 of the Local Loans Act 1875 other than the Council the Council being at liberty from time to time to vary and transpose such investments.

(4.) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Council towards the equal annual payments to the fund.

(5.) The Council may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed Provided that in the case of an accumulating sinking fund the Council shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(6.)—(a.) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any deficiency shall be made good by the Council.

(b.) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any such excess may be applied towards such equal annual payments.

(7.) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Order shall be paid by the Council in addition to the payments provided for by this Order.

Art. V.—(1.) If it appears to the Council at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Council to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose Provided that if it appears to the Local Government Board that any such increase is necessary the Council shall increase the payments to such extent as the Board may direct.

(2.) If the Council desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(3.) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be more than sufficient to repay within the prescribed



period the moneys for the repayment of which the sinking fund is formed the Council may reduce the payments to be made to the sinking fund either temporarily or permanently to such an extent as that Board shall approve.

(4.) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be sufficient to repay the loan in respect of which it is formed within the prescribed period the Council may with the consent of that Board discontinue the equal annual payments to such sinking fund until the Local Government Board shall otherwise direct.

(5.) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Council with the consent of the Local Government Board may determine.

Art. VI. The Council shall except as herein-after provided have power to re-borrow for the purpose of paying off any moneys borrowed or re-borrowed by virtue of this Order which have not been repaid and are intended to be forthwith repaid or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the Council within twelve months before the re-borrowing and which at the time of the repayment it was intended to re-borrow :

Provided that the Council shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments or by means of a sinking fund or out of moneys derived from the sale of land or out of any capital moneys properly applicable to the purpose of such repayment other than moneys borrowed for that purpose. Provided also that any moneys re-borrowed shall be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made and shall be repaid within the prescribed period.

Art. VII. All moneys from time to time borrowed by virtue of this Order shall be applied by the Council only for the purposes for which the same are respectively authorised to be borrowed excepting that moneys which may have been borrowed in excess of the amount required shall be applied in such manner as the Council with the approval of the Local Government Board determine.

Art. VIII.—(1.) The mortgagees of the Council by virtue of this Order may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver. The amount of arrears to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

(2.) The application for the appointment of a receiver shall be made to the High Court and the Court if it thinks fit may appoint a receiver on such terms as it thinks fit and may at any time discharge the receiver and otherwise exercise full jurisdiction over him.

Art. IX. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of this Order the costs incurred by that Board in relation to such inquiry (including such reasonable sum not exceeding three guineas a day as that Board may determine for the services

A.D. 1896.

*Llandudno*  
*Order.*

of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Council and the Local Government Board may certify the amount of the costs so incurred and any sum so certified and directed by that Board to be paid by the Council shall be a debt due to the Crown from the Council.

Art. X. For the purposes of Article VI. of the Order any sum required to be paid as an instalment or annual payment or to be appropriated or to be paid to any sinking fund in pursuance of this Order shall be deemed to be required to be paid or appropriated by the Order.

Art. XI. This Order may be cited as the Llandudno Order 1896.

Given under the Seal of Office of the Local Government Board this  
Thirtieth day of March One thousand eight hundred and ninety-  
six.

(L.S.)

HENRY CHAPLIN President.

HUGH OWEN Secretary.

*Plymouth*  
*Order.*

## BOROUGH OF PLYMOUTH.

### *Provisional Order for altering a Confirming Act.*

To the Mayor Aldermen and Burgesses of the Borough of Plymouth ; —

And to all others whom it may concern.

WHEREAS the Borough of Plymouth (herein-after referred to as "the Borough") is an Urban Sanitary District of which the Mayor Aldermen and Burgesses acting by the council (herein-after referred to as "the Corporation") are the Urban Sanitary Authority and the unrepealed provisions of the Plymouth Corporation Water and Markets Act 1867 (herein-after referred to as "the Local Act") as altered by the Provisional Order herein-after mentioned and by certain Local Acts and Provisional Orders which do not affect the subject-matter of this Order are in force in the Borough;

And whereas by Article I. of a Provisional Order of the Local Government Board dated the Twenty-second day of May One thousand eight hundred and eighty-three and confirmed by the Local Government Board's Provisional Orders Confirmation (No. 7) Act 1883 (which Order and Act are herein-after respectively referred to as "the Order" and "the Confirming Act") the Local Act was altered so as to enable the Corporation to rebuild the market buildings belonging to them and to improve the roads and approaches to the market place ;

And whereas by subdivision (1) of Article II. of the Order the Local Act was further altered so as to enable the Corporation with the sanction of the Local Government Board for the purposes mentioned in the Order to borrow the sum of thirty-five thousand pounds upon the securities therein mentioned or any of them :

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 297 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act

30 & 31 Vict.  
c. cxxviii.

46 & 47 Vict.  
c. cxxxvii.

38 & 39 Vict.  
c. 55.



of Parliament confirming this Order the following provisions shall have effect  
viz. :—

A.D. 1896.

*Plymouth  
Order.*

1883

Art. I. The Confirming Act shall be altered by the insertion in subdivision (1) of Article II. of the Order of the words "forty-seven thousand pounds" in lieu of the words "thirty-five thousand pounds".

Art. II. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of the Order or this Order the costs incurred by that Board in relation to such inquiry (including such reasonable sum not exceeding three guineas a day as that Board may determine for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Corporation and the Local Government Board may certify the amount of the costs so incurred and any sum so certified and directed by that Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

Art. III. Article III. of the Order shall be altered by the substitution for the words "Lords Commissioners of Her Majesty's Treasury" of the words "Local Government Board" and by the insertion after the words and figures "Municipal Corporations Act 1882" of the words "as altered by Section 72 of the Local Government Act 1888."

45 & 46 Vict.  
c. 50.51 & 52 Vict.  
c. 41.

Art. IV. The Order may be cited as the Plymouth (Markets) Order 1883 this Order may be cited as the Plymouth (Markets) Order 1896 and the Order and this Order may be cited together as the Plymouth (Markets) Orders 1883 and 1896.

Given under the Seal of Office of the Local Government Board this  
Thirtieth day of March One thousand eight hundred and ninety-  
six.

(L.S.)

HENRY CHAPLIN President.  
HUGH OWEN Secretary.

## BOROUGH OF STRATFORD-UPON-AVON.

*Provisional Order for altering the Stratford-upon-Avon  
Borough Act 1879.**Stratford-  
upon-Avon  
Order.*

To the Mayor Aldermen and Burgesses of the Borough of Stratford-upon-  
Avon ; —

And to all others whom it may concern.

WHEREAS the Borough of Stratford-upon-Avon (herein-after referred to as "the Borough") is an Urban District of which the Mayor Aldermen and Burgesses acting by the Council (herein-after referred to as "the Corporation") are the Urban District Council and as such Council are the local authority within the meaning of the Public Health Act 1875 ;

And whereas the Stratford-upon-Avon Borough Act 1879 (herein-after referred to as "the Local Act") as altered by a Provisional Order of the Local Government Board dated the Thirtieth day of April One thousand eight hundred and

42 & 43 Vict.  
c. cxix.

[Ch. xxix.] *Local Government Board's* [59 Vict.]  
*Provisional Orders Confirmation (No. 4) Act, 1896.*

A.D. 1896.

*Stratford-upon-Avon Order.*  
 51 & 52 Vict.  
 c. lxi.

eighty-eight and confirmed by the Local Government Board's Provisional Orders Confirmation (No. 3) Act 1888 is in force in the Borough ;

And whereas by virtue of Section 27 of the Local Act the Corporation are empowered to redeem any annuity granted under Section 16 of the Local Act at a price to be agreed on between them and the annuitant not exceeding twenty-five years purchase of such annuity any annuity so redeemed to be extinguished ;

And whereas by virtue of Section 51 of the Local Act the Corporation are empowered to borrow for the purpose of redeeming the annuities granted as aforesaid such sums as from time to time are required in that behalf not exceeding in the whole the capitalised value thereof at such rate (not exceeding in any case twenty-five years purchase) as may be agreed between the several annuitants and the Corporation :

38 & 39 Vict.  
 c. 55.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the following provisions shall take effect viz. :—

Art. I. Section 27 of the Local Act shall be altered by the omission of the words "not exceeding twenty-five years purchase of such annuity".

Art. II. Section 51 of the Local Act shall be altered by the omission of the words "(not exceeding in any case twenty-five years purchase)".

Art. III. The above-mentioned Provisional Order may be cited as the Stratford-upon-Avon Order 1888 and this Order may be cited as the Stratford-upon-Avon Order 1896 and the two Orders may be cited together as the Stratford-upon-Avon Orders 1888 and 1896.

Given under the Seal of Office of the Local Government Board this  
 Twenty-first day of February One thousand eight hundred and  
 ninety-six.

(L.S.)

HENRY CHAPLIN President.  
 HUGH OWEN Secretary.

*Swansea Order.*

BOROUGH OF SWANSEA.

*Provisional Order for altering the Swansea Corporation Water Act 1892.*

To the Mayor Aldermen and Burgesses of the Borough of Swansea ;—  
 And to all others whom it may concern.

55 & 56 Vict.  
 c. cxxxiii.

WHEREAS the Borough of Swansea (herein-after referred to as "the Borough") is an Urban Sanitary District of which the Mayor Aldermen and Burgesses acting by the Council (herein-after referred to as "the Corporation") are the Urban Sanitary Authority and the Swansea Corporation Water Act 1892 (herein-after referred to as "the Local Act") as altered by the Swansea Order 1895 is in force in the Borough ;

And whereas by Section 31 of the Local Act the Corporation are empowered to borrow money for the purposes therein mentioned and by Section 44 of the



Local Act the Corporation are empowered from time to time by resolution of the Council to exercise any statutory borrowing power by the creation of Swansea Corporation Redeemable Stock (herein-after referred to as "stock") to be from time to time issued in accordance with the provisions of that Act :

A.D. 1896.

Swansea  
Order.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 303 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the Local Act shall be altered so as to provide as follows viz. :—

38 & 39 Vict.  
c. 55.

Art. I. The Corporation may from time to time if they think fit by resolution determine that any sum or sums which the Guardians of the Poor of the Swansea Union or the School Board for the Swansea United School District (each of which authorities is herein-after referred to as "the borrowing authority") may be by law authorised to borrow or re-borrow upon the security of any rates or funds and which the borrowing authority may be desirous of borrowing from the Corporation shall be lent by the Corporation accordingly.

Art. II. Any sum or sums which the Corporation shall resolve to lend as aforesaid may be raised either by the issue of stock according to the provisions of the Local Act or by borrowing or re-borrowing the same on mortgage of the borough fund and borough rate and the provisions of Sections 236 to 238 both inclusive of the Public Health Act 1875 shall apply to all money raised by borrowing on mortgage under this Order.

Art. III. The following provisions shall apply to moneys borrowed or raised for the purpose of loans to the borrowing authority :—

- (1.) The sum shall be lent by the Corporation to the borrowing authority for a period not exceeding that for which the borrowing authority is authorised to borrow or re-borrow the same and with a provision for repayment by equal annual instalments of principal or of principal and interest combined.
- (2.) If any sum payable to the Corporation for principal in respect of any sum lent to the borrowing authority shall not be received within six months of the time appointed for the payment thereof a like sum shall be set apart out of the borough fund and if after the application or investment of the sum so set apart or the payment thereof into the loans fund as provided by Article V. of this Order the whole or any part thereof shall be received by the Corporation the sum so received shall be carried to the credit of the borough fund.

Art. IV. The following provisions shall apply to moneys borrowed for the purpose of loans to the borrowing authority and not raised by the issue of stock :—

- (1.) Every sum so borrowed shall be repaid by the Corporation within a period to expire not more than one year after that for which the same was lent by them to the borrowing authority.
- (2.) All sums received from the borrowing authority for interest shall be applied towards the payment of interest payable in respect of moneys so borrowed the balance (if any) being carried to the credit of the borough fund.
- (3.) All sums received from the borrowing authority for principal (except sums which are to be carried to the credit of the borough fund under the provisions



A.D. 1896.

*Swansea  
Order.*

of subdivision (2) of Article III. of this Order) and all sums set apart out of the borough fund under that subdivision shall be applied towards the repayment of the principal payable in respect of moneys so borrowed and until so applied shall be invested in statutory securities the Corporation being at liberty from time to time to vary and transpose such investments The interest derived from such investments shall be applied in making good any loss or deficiency of or in the principal moneys so invested that may arise by depreciation of the investments or otherwise and if not required for that purpose shall be applied as if the same had been received for interest from the borrowing authority.

Art. V. The following provisions shall apply to moneys raised by the issue of stock for the purpose of loans to the borrowing authority :—

- (1.) All sums received from the borrowing authority for interest shall be paid into the loans fund and shall be applied in paying the dividends on stock.
- (2.) All sums received from the borrowing authority for principal (except sums which are to be carried to the credit of the borough fund under the provisions of subdivision (2) of Article III. of this Order) and all sums set apart out of the borough fund in pursuance of that subdivision shall be paid into the loans fund and shall be applied in the redemption or purchase and extinction of stock and until so applied shall be invested in statutory securities the Corporation being at liberty from time to time to vary and transpose such investments The interest derived from such investments shall be applied in making good any loss or deficiency of or in the principal moneys so invested that may arise by depreciation of the investments or otherwise.
- (3.) If the sum received as interest from the borrowing authority or derived from such investments as aforesaid is more than is required for the purpose to which the same is to be applied as above mentioned the surplus may be applied in reduction of any contributions payable out of Corporation revenues in respect of dividends on stock.

Art. VI. If any doubt shall arise as to how much of any sum received by the Corporation from the borrowing authority is to be regarded as principal or interest the question shall be determined by the Local Government Board.

Art. VII.—(1.) The treasurer of the Borough shall within twenty-one days after the Thirty-first day of March in each year if during the twelve months next preceding the said Thirty-first day of March any sum is payable to the Corporation in respect of moneys lent by them to the borrowing authority and raised otherwise than by the issue of stock and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by statutory declaration if so required by them showing for the year next preceding the making of such return the amounts which have been received from the borrowing authority for principal the amounts which have been applied directly towards the repayment of the principal payable in respect of moneys raised under this Order and the amounts which have been invested and the description of the securities upon which any investment has been made and



A.D. 1896.

—  
Swansea  
Order.

the purposes to which any portion of the investment has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of his failing to make such return such treasurer shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

(2.) If it appears to the Local Government Board by that return or otherwise that the Corporation have failed to apply or invest as required by subdivision (3) of Article IV. of this Order any sum by that subdivision required to be applied or invested or have misapplied any of the investments or the produce of the sale thereof the Local Government Board may by Order direct that the sum in such Order mentioned not exceeding double the amount in respect of which such default or misapplication has occurred shall be applied directly towards repayment of principal or be invested and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

Art. VIII.—(1.) The mortgagees of the Corporation in respect of any moneys borrowed on mortgage under this Order may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver. The amount of arrears to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

(2.) The application for the appointment of a receiver shall be made to the High Court and the Court if it thinks fit may appoint a receiver on such terms as it thinks fit and may at any time discharge the receiver and otherwise exercise full jurisdiction over him.

Art. IX. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of this Order the costs incurred by that Board in relation to such inquiry (including such reasonable sum not exceeding three guineas a day as that Board may determine for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Corporation and the Local Government Board may certify the amount of the costs so incurred and any sum so certified and directed by that Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

Art. X. This Order may be cited as the Swansea Order 1896.

Given under the Seal of Office of the Local Government Board this  
Twenty-fifth day of February One thousand eight hundred and  
ninety-six.

(L.S.)

HENRY CHAPLIN President.  
HUGH OWEN Secretary.

A.D. 1896.

*Wallasey  
Order.*

## URBAN DISTRICT OF WALLASEY.

*Provisional Order for altering a Confirming Act.*

To the Urban District Council of Wallasey ;—

And to all others whom it may concern.

WHEREAS the Urban District Council of Wallasey (herein-after referred to as "the District Council") are the Local Authority within the meaning of the Public Health Act 1875 for the Urban District of Wallasey (herein-after referred to as "the District") ;

21 & 22 Vict.  
c. lxxiii.  
24 Vict. c. iv.  
30 & 31 Vict.  
c. cxxxii.

And whereas the unrepealed provisions of the Wallasey Improvement Act 1858 the Wallasey Improvement Act 1861 and the Wallasey Improvement Act 1867 (which Acts are herein-after together referred to as "the Local Acts" and each of which Acts is herein-after referred to as the Act of the year in which it was passed) as altered by a Provisional Order of the Local Government Board dated the Fourth day of June One thousand eight hundred and seventy-seven and duly confirmed by the Local Government Board's Provisional Orders Confirmation (Caistor Union &c.) Act 1877 (which Order and Act are herein-after respectively referred to as "the Order of 1877" and "the Confirming Act of 1877") by another Provisional Order of the Local Government Board dated the Twenty-second day of May One thousand eight hundred and eighty-three and duly confirmed by the Local Government Board's Provisional Orders Confirmation (No. 7) Act 1883 (which Order and Act are herein-after respectively referred to as "the Order of 1883" and "the Confirming Act of 1883") and by another Provisional Order of the Local Government Board dated the Fifth day of May One thousand eight hundred and ninety-two and confirmed by the Local Government Board's Provisional Orders Confirmation (No. 12) Act 1892 (which Order and Act are herein-after respectively referred to as "the Order of 1892" and "the Confirming Act of 1892") and by certain other Local Acts and Provisional Orders which do not affect the subject-matter of this Order are in force in the District ;

40 & 41 Vict.  
c. ccxxvii.

46 & 47 Vict.  
c. cxxxvii.

55 & 56 Vict.  
c. ccxxxiii.

And whereas by Section 60 of the Act of 1858 Section 3 of the Act of 1861 Section 30 of the Act of 1867 Article II. of the Order of 1877 and Article I. of the Order of 1883 the Wallasey Local Board were empowered to borrow for the purposes of their gas undertaking sums amounting in the whole to the sum of eighty-five thousand pounds ;

And whereas by subdivision (1) of Article II. of the Order of 1892 the Act of 1867 and the Confirming Acts of 1877 and 1883 so far as they respectively related to the Orders of 1877 and 1883 were altered so as to enable the Local Board with the sanction of the Local Government Board and subject to the provisions of the Order of 1892 to borrow on the security of the "Wallasey Lighting Account" as mentioned in the Act of 1858 and of the district fund and general district rates of the District or upon either of such securities such sum or sums as they might from time to time think necessary for the purposes of their gas undertaking not exceeding in the whole the sum of fifty thousand pounds in addition to the said sum of eighty-five thousand pounds :

38 & 39 Vict.  
c. 55.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 297 of the Public Health Act 1875 and by any other



A.D. 1896.

Wallasey  
Order.

Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the following provisions shall take effect :—

Art. I. The Confirming Act of 1892 shall be altered by the insertion in subdivision (1) of Article II. of the Order of 1892 of the words "seventy-two thousand pounds" in lieu of the words "fifty thousand pounds."

Art. II. Each of the Provisional Orders relating to Wallasey the dates whereof are mentioned in column 1 of the Schedule hereto may be cited by the short title mentioned in column 2 of that Schedule this Order may be cited as the Wallasey Order 1896 and all of the said Orders and the Wallasey Order 1894 may be cited together as the Wallasey Orders 1852 to 1896.

The SCHEDULE above referred to.

Date of Order.	Short Title of Order.
9th November 1852 - -	The Wallasey Order 1852.
9th May 1870 - -	The Wallasey Order 1870.
4th June 1877 - -	The Wallasey Order (No. 1) 1877.
5th June 1877 - -	The Wallasey Order (No. 2) 1877.
22nd January 1878 - -	The Wallasey Order 1878.
7th May 1881 - -	The Wallasey Order 1881.
22nd May 1883 - -	The Wallasey Order 1883.
30th April 1888 - -	The Wallasey Order 1888.
5th May 1892 - -	The Wallasey Order 1892.

Given under the Seal of Office of the Local Government Board this Nineteenth day of February One thousand eight hundred and ninety-six.

(L.S.)

HENRY CHAPLIN President.  
HUGH OWEN Secretary.

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