



CHAPTER lxii.

An Act to confirm certain Provisional Orders of the Local Government Board relating to the Boroughs of Birkenhead and Stockton-on-Tees, the Local Government Districts of Cleckheaton, Pickering, Rawmarsh, and Wallasey, and the Wirral Joint Hospital District. [28th June 1888.]

A.D. 1888.

WHEREAS 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, and that the provisions herein contained should be enacted with reference to two of such Orders :

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, from and after the dates therein respectively mentioned, have full validity and force.

Orders in
schedule
confirmed.

2. The Urban Sanitary Authorities for the Local Government Districts of Cleckheaton and Rawmarsh shall not under the powers of this Act, or of the Orders relating to those Districts hereby confirmed, without the consent of the Local Government Board, purchase or acquire in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district, ten or more houses which after the passing of this Act have been, or on the fifteenth day of December last were, occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

Special pro-
visions as to
houses of
labouring
class.

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A.D. 1888. — For the purposes of this section, the expression “labouring class” includes mechanics, artizans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages, but working at some trade or handicraft without employing others except members of their own family, and persons other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them.

Short title. **3.** This Act may be cited as the Local Government Board's Provisional Orders Confirmation (No. 4) Act, 1888.

SCHEDULE.

BOROUGH OF BIRKENHEAD.

A.D. 1888.

*Provisional Order for altering the Birkenhead Corporation
Act, 1881.*

*Birkenhead
Order.*

To the Mayor, Aldermen, and Burgesses of the Borough of Birkenhead, in the County of Chester, being the Urban Sanitary Authority for that Borough; —

And to all others whom it may concern.

WHEREAS the Borough of Birkenhead, in the County of Chester (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 Birkenhead Corporation Act, 1881 (herein-after referred to as "the Local Act"), is in force in the Borough;

And whereas by Section 6 of the Local Act the Markets and Fairs Clauses Act, 1847, was incorporated with the Local Act;

And whereas by Section 133 of the Local Act the Corporation were empowered (inter alia) to provide and maintain slaughter-houses, with or without fittings and conveniences, and to demand and receive tolls, stallages, and rents from persons using the slaughter-houses;

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 6 of the Local Act shall be altered so as to provide that so much of Section 42 of the Markets and Fairs Clauses Act, 1847, as empowers the Corporation to make byelaws with respect to slaughter-houses shall be no longer incorporated with the Local Act.

Art. II. Section 133 of the Local Act shall be altered so as to empower the Corporation—

- (1.) To permit the use of the slaughter-houses which have been, or may hereafter be, provided by them under the Local Act, or some part or parts thereof, as a market for the sale of the flesh of animals (whether killed in such slaughter-houses or elsewhere), and to demand and receive from persons so using the slaughter-houses such tolls, stallages, and rents as the Local Government Board may from time to time approve.
- (2.) To make byelaws with respect to the management of and the charges for the use of any slaughter-houses so provided or to be provided.

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Art. III. The provisions of Sections 134 to 137 (both inclusive) of the Local Act shall apply to the tolls, stallages, and rents mentioned in subdivision (1.) and to the charges mentioned in subdivision (2.) of Article II. of this Order, and the provisions of sub-sections (1.) and (2.) of Section 337 of the Local Act shall apply to the byelaws from time to time made under Section 133 of the Local Act as hereby altered.

Given under the Seal of Office of the Local Government Board, this
Twenty-third day of April, One thousand eight hundred and
eighty-eight.

(L.S.)

CHAS. T. RITCHIE, President.
HUGH OWEN, Secretary.

Cleckheaton
Order.

LOCAL GOVERNMENT DISTRICT OF CLECKHEATON.
Provisional Order for altering the Cleckheaton Local Board
Act, 1870.

To the Cleckheaton Local Board, being the Sanitary Authority for the
Urban Sanitary District of Cleckheaton, in the West Riding of the
County of York ;—

And to all others whom it may concern.

WHEREAS the Local Government District of Cleckheaton, in the West
Riding of the County of York (herein-after referred to as "the District"), is an
Urban Sanitary District, of which the Cleckheaton Local Board (herein-after
referred to as "the Local Board"), are the Urban Sanitary Authority, and the
Cleckheaton Local Board Act, 1870 (herein-after referred to as "the Local Act"),
is in force in the District ;

And whereas by Section 17 of the Local Act the Local Board were empowered,
in and upon the lands described in Schedule A. to that Act, to erect, maintain,
enlarge, and discontinue gasworks for the manufacture and supply of gas, with
all necessary conveniences, houses, buildings, roads, and approaches, and to do
all such acts as they might think proper for manufacturing and storing gas ; but
it was thereby provided that the Local Board should not erect or use any works
for the manufacture of gas on any lands other than the lands described in the
said Schedule A. or lands adjoining thereto, nor store gas (except on such
scheduled lands and lands situate not more than two hundred yards therefrom)
within three hundred yards of any dwelling-house existing at the time of the
acquisition by the Local Board of the lands for such storage without the consent,
in writing, of the owner, lessee, and occupier of every such dwelling-house ;

And whereas by Section 18 of the Local Act the Local Board were empowered,
for the purpose of their gas undertaking, to take and hold by agreement, but
not otherwise, in addition to the lands described in Schedule A. to that Act, any
lands and hereditaments not exceeding in the whole five acres ;

And whereas by Section 32 of the Local Act the Local Board were empowered
to borrow all such sums as they might from time to time think requisite for
any of the purposes of the Local Act, not exceeding in the whole forty thousand
pounds, and after having paid off, otherwise than by the sinking fund, any
moneys so borrowed, to re-borrow the amount so paid off ;

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And whereas by Section 33 of the Local Act the sections of the Commissioners Clauses Act, 1847, with respect to mortgages were made applicable to the mortgages to be made by the Local Board under the Local Act; and it was provided that, for the purposes of that Act, the sum to be set apart yearly by the Local Board as a sinking fund should be a sum equal to one-fiftieth part of the moneys borrowed by the Local Board under the Local Act :

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, herein-after referred to as "the commencement of this Order," the following provisions shall take effect; viz.,—

Art. I. The Local Act shall be altered so as to provide that, notwithstanding anything in Section 17 of the Local Act contained to the contrary, it shall be lawful for the Local Board, on the lands described in the schedule hereto, if and when the same shall be acquired by them, or on any part thereof, to erect, construct, maintain, and from time to time alter, remove, or enlarge retorts, gas-holders, receivers, purifiers, meters, apparatus, and works for the purposes of their gas undertaking, and all proper roads and approaches and conveniences connected therewith, and to make, manufacture, and store in and on the same land gas, coke, coal-tar, asphaltum, ammoniacal liquor, sulphate of ammonia, oil, and all other refuse or residual products arising from, remaining, produced by, or obtained from the manufacture of gas, or the materials used therein, and may sell and dispose of the same respectively at the works and elsewhere.

Art. II. Section 18 of the Local Act shall be altered by the insertion therein of the words "seven acres" in lieu of the words "five acres."

Art. III. Section 32 of the Local Act shall be altered so as to enable the Local Board, with the sanction of the Local Government Board, and subject to the provisions of this Order, to borrow, in addition to the sum of forty thousand pounds mentioned in that section, and upon security of the gas rates and other rates, rents, and revenue under the Local Act, and of the district fund and general district rates of the District, or upon any of such securities, either together or separately, any sum or sums, not exceeding in the whole the sum of thirty-five thousand pounds, for the purposes of their gas undertaking; and for the purpose of raising money under this Article the provisions of the Local Loans Act, 1875 (including the power of creating debenture stock), shall be available to the Local Board.

Art. IV. So much of Section 32 as relates to the re-borrowing of money and Sections 33 and 35 of the Local Act shall be repealed except so far as the same may have been acted upon; and except that, as regards existing mortgages, the provisions of Sections 75, 76, 77, 78, 79, 82, 83, and 85 to 88 (both inclusive) of the Commissioners Clauses Act, 1847, shall continue in force.

Art. V. The Local Act shall be further altered so as to provide that the provisions of Sections 236 to 239, both inclusive, of the Public Health Act, 1875, shall apply to all money borrowed or re-borrowed after the commencement of this Order under the Local Act, and the Local Act as hereby altered.

Art. VI. The Local Act shall be further altered so as to provide as follows :—

(1) The Local Board shall, in order to provide for the repayment of the moneys borrowed before the commencement of this Order annually pay

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Order.*

into a sinking fund a sum equal to one-fiftieth part of the amount of the moneys so borrowed ; the first payment to such sinking fund to be made on or before the Twenty-fifth day of March, One thousand eight hundred and eighty-nine.

- (2.) Any sum which, at the commencement of this Order, is standing to the credit of the sinking fund established under Section 33 of the Local Act shall be forthwith carried to the credit of the sinking fund to be established under subdivision (1) of this Article.
- (3.) The moneys borrowed under the powers of borrowing conferred by Article III. of this Order shall be repaid within such period, not exceeding fifty years, as the Local Board, with the sanction of the Local Government Board, shall determine, and the period so determined and sanctioned shall be deemed to be the prescribed period within the meaning of the Local Loans Act, 1875, and is herein-after referred to as "the prescribed period."
- (4.) The Local Board shall repay the moneys borrowed under the powers conferred by Article III. of this Order, other than money borrowed under the provisions of the Local Loans Act, 1875, either by equal annual instalments of principal, or of principal and interest, or by setting apart in every year as a sinking fund such a sum or sums as will, according to a reasonable calculation for the time being, with accumulations in the way of compound interest, be sufficient, after payment of all expenses, to pay off the money so borrowed within the prescribed period.
- (5.) The Local Board may at any time apply the whole or any part of either of the sinking funds mentioned in subdivisions (1) and (4) of this Article in or towards the discharge of the money for the repayment of which such fund is established : Provided that, as regards the sinking fund mentioned in subdivision (4) of this Article, the Local Board pay into the fund each year, and accumulate until the whole of the money borrowed is discharged, a sum equivalent to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied.
- (6.) Pending the application of the sinking funds mentioned in subdivisions (1) and (4) of this Article in repayment of debt, the Local Board shall invest the same, and the dividends, interest, and annual income thereof in the purchase of Exchequer bills or other Government securities, or in securities in which trustees are by law for the time being authorised to invest, or in mortgages, debentures, debenture stock, or other securities issued by any Local Authority, as defined by Section 34 of the Local Loans Act, 1875, other than the Local Board, the Local Board being at liberty from time to time to vary and transpose such investments.

Art. VII. The Local Act shall be further altered so as to provide as follows:—

- (1.) The Local Board may re-borrow moneys paid off otherwise than by instalments or by means of a sinking fund upon all or any of the securities mentioned in Article III. of this Order, for the purpose of discharging any loans contracted under the Local Act or that Article, other than loans raised under the Local Loans Act, 1875 : Provided that the money borrowed for such purpose shall be repaid in the manner provided by subdivisions (3) and (4) of Article VI. of this Order, and the time for repay-

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ment of the money so borrowed, if the same be borrowed for the purpose of discharging any loan contracted under Article III. of this Order, shall not, except with the sanction of the Local Government Board, extend beyond the unexpired portion of the prescribed period, or if the same be borrowed for the purpose of discharging any loan contracted under the Local Act shall be such period as may be determined by the Local Government Board.

A.D. 1888.
—
*Cleckheaton
Order.*
—

(2.) The clerk to the Local Board shall, within twenty-one days after the expiration of each year ending on the Twenty-fifth day of March in which any sum is required to be paid as an instalment or to be set apart for a sinking fund in respect of moneys borrowed under the provisions of the Local Act, or the Local Act as hereby altered, 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 paid as instalments, and the amounts which have been invested or applied for the purpose of such 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 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 any wilful default in making such return, such clerk shall be liable to a penalty not exceeding twenty pounds, which shall be paid to the Local Government Board, and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act, 1875, in a summary manner, may be recovered by parties aggrieved within the meaning of that Act.

(3.) If it appears to the Local Government Board by that return, or otherwise, that the Local Board have failed to pay any instalment required to be paid, or to set apart any sum required for any sinking fund, or have applied any portion of the moneys set apart for any sinking fund, or of the sums accumulated by way of interest, to any purposes 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 by way of instalment, or be set apart and invested or applied as part of the sinking fund, and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of Her Majesty's High Court of Justice.

The SCHEDULE above referred to.

1. All that close or parcel of land formerly called the Lower Town Field, and containing by admeasurement 2a. Or. 28p. or thereabouts.

2. All that close or parcel of land adjoining the above described land on the north, formerly called the Town Field, and containing by admeasurement 1a. 3r. 26p. or thereabouts.

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—
Cleckheaton
Order.
—

All which closes or parcels of land are now known as the Little Flatts, and are situate in the Township of Cleckheaton, in the West Riding of the County of York, and are bounded on the north by White Chapel Lane, on the east partly by the said lane and partly by property formerly belonging or reputed to belong to Thomas Brooke, on the south by property formerly belonging or reputed to belong to Alexander Dixon, deceased, and on the west by the Lancashire and Yorkshire Railway.

Given under the Seal of Office of the Local Government Board,
this First day of May, One thousand eight hundred and eighty-eight.

(L.S.)

CHAS. T. RITCHIE, President.
HUGH OWEN, Secretary.

Pickering
Order.
—

LOCAL GOVERNMENT DISTRICT OF PICKERING.

Provisional Order for altering the area of the Local Government
District of Pickering.

To the Pickering Local Board, being the Sanitary Authority for the Urban Sanitary District of Pickering, in the North Riding of the County of York ; —

To the Guardians of the Poor of the Pickering Union, in the same Riding, being the Sanitary Authority for the Rural Sanitary District of that Union ; —

To the Highway Board for the Highway District of Pickering Lythe West ; —

And to all others whom it may concern.

WHEREAS the Local Government District of Pickering, in the North Riding of the County of York (herein-after called "the Urban District"), is an Urban Sanitary District, of which the Pickering Local Board are the Urban Sanitary Authority ;

And whereas the portions of the Urban District which are herein-after described immediately adjoin the Rural Sanitary District of the Pickering Union, in the same Riding (herein-after referred to as "the Rural District") ;

And whereas the portions of the Rural District which are herein-after described immediately adjoin the Urban District ;

And whereas the Townships of Newton and Pickering Marshes (except the portions thereof which are at present included in the Urban District) are respectively Highway Parishes in the Pickering Lythe West Highway District :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 270 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby declare that, from and after the date when this Order shall come into operation,—

(a.) All those portions of the Urban District which now form part of the Townships of Pickering Marshes and Newton shall be included in, and form part of, the Rural District.

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(b.) All those portions of the Rural District which now form part of the Township of Pickering shall be included in, and form part of, the Urban District.

A.D. 1888.
—
*Pickering
Order.*
—

And We hereby Order as follows ; viz.,—

Art. I. This Order shall come into operation on the Twenty-ninth day of September, One thousand eight hundred and eighty-eight.

Art. II. The number of members to be elected for the Urban District, as hereby altered, shall, subject to the provisions of Rule 2 of Schedule II. to the Public Health Act, 1875, be the same as before the date of this Order.

Art. III. All those portions of the Townships of Pickering Marshes and Newton respectively which will, by virtue of this Order, be included in the Rural District, shall be amalgamated with the said Highway Parishes of Pickering Marshes and Newton respectively.

Provided that nothing in this Order contained shall affect or prejudice any right to exemption from highway rates, to which any part of the Township of Pickering Marshes may hitherto have been entitled.

Given under the Seal of Office of the Local Government Board, this
Twenty-third day of April, One thousand eight hundred and
eighty-eight.

(L.S.)

CHAS. T. RITCHIE, President.
HUGH OWEN, Secretary.

LOCAL GOVERNMENT DISTRICT OF RAWMARSH.

*Rawmarsh
Order.*
—

*Provisional Order for altering the Rawmarsh Local Board
Act, 1879.*

To the Rawmarsh Local Board, being the Sanitary Authority for the Urban Sanitary District of Rawmarsh, in the West Riding of the County of York ; —

And to all others whom it may concern.

WHEREAS the Local Government District of Rawmarsh, in the West Riding of the County of York (herein-after referred to as "the District"), is an Urban Sanitary District, of which the Rawmarsh Local Board (herein-after referred to as "the Local Board") are the Urban Sanitary Authority, and the Rawmarsh Local Board Act, 1879 (herein-after referred to as "the Local Act"), is in force in the District ;

And whereas by virtue of Sections 6 and 7 of the Local Act all the mains, pipes, apparatus, and things for or in connexion with the supply of gas which belonged to the Mayor, Aldermen, and Burgesses of the Borough of Rotherham (herein-after referred to as "the Corporation") within the District, and all the rights, powers, and privileges of the Corporation for or connected with the supply of gas within the District, were transferred to and became vested in the Local Board on the Twenty-sixth day of October, One thousand eight hundred and eighty ;

And whereas by Section 9 of the Local Act it was enacted that the Local Board might for the purposes of that Act enter upon, take, and use the lands

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A.D. 1888.

*Rawmarsh
Order.*

secondly described in the schedule to that Act, or any part or parts thereof, and that upon the whole or any part or parts of the lands respectively described in the said schedule the Local Board might from time to time, after the expiration of nine years from the vesting in them of the mains, pipes, apparatus, and things aforesaid then belonging to the Corporation, or at any earlier period with the consent of the Corporation under their common seal, make and maintain gasworks, and works, buildings, and conveniences connected therewith, and alter and improve, enlarge, extend, and renew or discontinue the same respectively; and might, after the expiration of the period of ten years from such vesting, but not before, make and store gas, and manufacture, convert, and store the residual products arising in the manufacture of gas; but it was provided that, except the said lands, no lands should be used by the Local Board for the purpose of manufacturing gas or residual products as aforesaid;

And whereas by Section 10 of the Local Act the Local Board were empowered, upon the lands described in the schedule to that Act, to erect wharves, landing-places, cranes, and lifts, and houses for their officers and workpeople and their families;

And whereas by Section 15 of the Local Act it was (inter alia) enacted that, for the purposes of the application of the Gasworks Clauses Act, 1871, the land on which alone the Local Board should manufacture gas or any residual products should be the lands described in the schedule to that Act;

And whereas by Section 20 of the Local Act the Local Board were empowered, for the purposes of their water and gas undertakings, or either of them, to purchase by agreement, in addition to any other lands which they are authorised to purchase and to hold, any lands not exceeding in the whole at any one time five acres, but it was provided that no lands should be used by the Local Board for the manufacture of gas, or the manufacture, conversion, or utilization of residual products arising in the manufacture of gas, except the lands described in the schedule to that Act:

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. The Local Act shall be altered so as to provide that the land described in the schedule hereto shall, for the purposes of Sections 9, 10, 15, and 20 of the Local Act, be substituted for the lands secondly described in the schedule to that Act:

Provided that nothing in this Order contained shall enable the Local Board to acquire the land mentioned in the schedule hereto otherwise than by agreement.

Art. II. Section 10 of the Local Act shall be altered by the insertion therein of the words "erect and construct railway sidings, landing-places, cranes, lifts, offices, and houses" in lieu of the words "erect wharves, landing-places, cranes, and lifts, and houses."

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The SCHEDULE above referred to.

A.D. 1888.

*Rawmarsh
Order.*

All that piece of land situate in the Parish of Rawmarsh, in the West Riding of the County of York, containing by admeasurement 2a. 2r. 27p. or thereabouts, and bounded on or towards the north by an occupation road adjoining the lands belonging or reputed to belong to the Parkgate Iron Company, Limited, on the south by lands belonging or reputed to belong to Hugh Hoyland and Emily Gichard, on the east by lands belonging or reputed to belong to the Midland Railway Company, and on the west partly by the road leading from Rotherham to Rawmarsh and partly by lands belonging or reputed to belong to Robert John Bentley and others.

Given under the Seal of Office of the Local Government Board, this
Fourth day of May, One thousand eight hundred and eighty-
eight.

(L.S.)

CHAS T. RITCHIE, President.
HUGH OWEN, Secretary.

BOROUGH OF STOCKTON-ON-TEES.

*Stockton-on-
Tees Order.*

Provisional Order for altering a Local Act.

To the Mayor, Aldermen, and Burgesses of the Borough of Stockton-on-Tees, in the County of Durham, being the Urban Sanitary Authority for that Borough;—

And to all others whom it may concern.

WHEREAS the Borough of Stockton-on-Tees, in the County of Durham (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 Stockton-on-Tees (Quay and Markets) Act, 1878 (herein-after referred to as "the Local Act"), as altered by a 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, is in force in the Borough;

And whereas by Section 12 of the Local Act it is enacted that on the expiration of ten years from the passing of that Act the powers by that Act conferred upon the Corporation for constructing the quay and other works by that Act authorised shall cease to be exercised except as to so much of the same as shall then be completed:

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, Section 12 of the Local Act shall be altered

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A.D. 1888. by the insertion therein of the words "fifteen years" in lieu of the words "ten years."

—
*Stockton-on-
Tees Order.*
—

Given under the Seal of Office of the Local Government Board, this
Thirtieth day of April, One thousand eight hundred and
eighty-eight.

(L.S.)

CHAS. T. RITCHIE, President.
HUGH OWEN, Secretary.

*Wallasey
Order.*
—

LOCAL GOVERNMENT DISTRICT OF WALLASEY.

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

To the Wallasey Local Board, being the Sanitary Authority for the Urban
Sanitary District of Wallasey, in the County of Chester ; —

And to all others whom it may concern.

WHEREAS the Local Government District of Wallasey, in the County of
Chester (herein-after referred to as "the District"), is an Urban Sanitary
District, of which the Wallasey Local Board (herein-after referred to as "the
Local Board") are the Urban Sanitary Authority, and the Wallasey Improve-
ment Act, 1845 (herein-after referred to as "the Local Act"), as partially
repealed and altered by the Provisional Orders herein-after mentioned, is in
force in the District ;

And whereas the Local Act has been partially repealed and altered by the
following Provisional Orders ; viz.,

- (1.) A Provisional Order of the General Board of Health dated the Ninth
day of November, One thousand eight hundred and fifty-two, and duly
confirmed by the Public Health Supplemental Act, 1853 (No. 1) (which
Order and Act are herein-after respectively referred to as "the Order"
and "the Confirming Act") ;
- (2.) A Provisional Order of one of Her Majesty's Principal Secretaries of
State dated the Ninth day of May, One thousand eight hundred and
seventy, and duly confirmed by the Local Government Supplemental Act,
1870 ;
- (3.) A Provisional Order of the Local Government Board dated the Fifth 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 ;

And whereas by Section 327 of the Local Act it was enacted that in that Act
the words "hackney carriage" should include any coach, omnibus, chariot, car,
fly, cabriolet, sociable, lorry, or such like carriage ;

And whereas by Article 17 of the Order it was ordered that the sections of
the Town Police Clauses Act, 1847, with respect (inter alia) to hackney carriages
should be incorporated with so much of the Local Act as remained unrepealed
by the Order, and with the Public Health Act, 1848, as applied to the Town of
Wallasey by the Order and the Confirming Act :

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

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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 so as to provide as follows :—

A.D. 1888.

*Wallasey
Order.*

Art. I.—(1.) The terms “hackney coaches,” “hackney carriages,” “hackney carriage,” “carriages,” or “carriage,” whenever used in such of the provisions of the Town Police Clauses Act, 1847, incorporated with the Local Act by the Order, as are referred to in subdivision (2) of this Article, shall, anything in Section 38 of the Town Police Clauses Act, 1847, notwithstanding, be deemed to include every omnibus ; and such provisions shall apply to the owners and drivers of every omnibus ; and the provisions of Section 39 of the last-mentioned Act shall apply to omnibus licenses.

(2.) The following are the provisions of the Town Police Clauses Act, 1847, to which reference is made in subdivision (1) of this Article, viz., Sections 37, 40 to 52, both inclusive, 54, 58, and 60 to 67, both inclusive, and so much of Section 68 as enables the Local Board from time to time to make byelaws for all or any of the following purposes ; that is to say,—

For regulating the conduct of the proprietors and drivers of hackney carriages plying within the prescribed distance in their several employments, and determining whether such drivers shall wear any and what badges :

For regulating the manner in which the number of each carriage, corresponding with the number of its license, shall be displayed :

For regulating the number of persons to be carried by such hackney carriages, and in what manner such number is to be shown on such carriage :

For fixing the stands for such hackney carriages :

For securing the safe custody and re-delivery of any property accidentally left in hackney carriages, and fixing the charges to be made in respect thereof.

Provided that the expression “within the prescribed distance” in Sections 37, 45, 46, 51, and 68 of the Town Police Clauses Act, 1847, shall, for the purposes of the Local Act, as hereby altered, mean within the District, and whenever the word “driver” or “drivers” occurs in any of the sections of the Town Police Clauses Act, 1847, mentioned in this Article, it shall be deemed to include every conductor of any omnibus.

Provided further, that, for the purposes of Sections 54, 58, and 66 of the Town Police Clauses Act, 1847, as incorporated with the Local Act by the Order, the fare, according to the statement of fares exhibited on any omnibus, shall be deemed to be the fare allowed by the special Act, or the fare authorised by a byelaw under the special Act.

Provided also, that nothing in this Order contained shall empower the Local Board to fix the site of the stand of any omnibus in any railway station, or in any yard adjoining or connected therewith, except with the consent of the railway company owning such site.

(3.) A license granted to a driver or conductor under the Local Act, as hereby altered, shall only authorise the holder thereof to act as driver or conductor of the class or description of carriage specified in such license, and shall be in force for one year only from the date thereof, or until the next general licensing meeting, in case any annual licensing day be appointed, and shall be subject to

[Ch. lxii.] *Local Government Board's Provisional [51 & 52 VICT.]
Orders Confirmation (No. 4) Act, 1888.*

A.D. 1888. the power of suspension or revocation provided for by Section 50 of the Town
Police Clauses Act, 1847.

—
Wallasey
Order.
—

Art. II. The Local Board may make byelaws for all or any of the following purposes; viz,—

(1.) To provide for the exhibition on some conspicuous part of any omnibus of a statement, in legible letters and figures, of fares to be demanded and received from the persons using, or carried for hire in, such omnibus:

(2.) To prevent within the District—

(a.) The owner, driver, or conductor of any omnibus, or any other person on their behalf, by touting, calling out, or otherwise, from importuning any person to use, or to be carried for hire in, such omnibus, to the annoyance of such person, or of any other person,

(b.) The blowing of, or playing upon, horns or other musical instruments, or the ringing of bells, by the driver or conductor of any omnibus, or by any person travelling on or using any such omnibus:

(3.) To fix the points within the District at which any omnibus shall or may take up and set down passengers.

Art. III.—(1.) For the purposes of the Local Act, as altered by this Order, the term “omnibus” shall mean every omnibus, char-à-banc, waggonette, stage-coach, and other carriage, plying or standing for hire by, or used to carry, passengers at separate fares to or from any part of the District (except tramway cars and carriages licensed by the Local Board under the provisions of the Tramways Act, 1870, or of any Provisional Order made thereunder and confirmed by Parliament), but nothing in this Order contained shall affect any omnibus bringing into the District passengers carried at separate fares, but not plying or standing for hire in the District, or the owner, driver, and conductor of any such last-mentioned omnibus.

(2.) The provisions contained in the Public Health Act, 1875, with respect to byelaws, and the penalties which may be imposed thereby, and the recovery and application of penalties, shall apply to all byelaws made, altered, or repealed by the Local Board under the provisions of the Local Act as hereby altered, or of this Order, and to all penalties imposed thereby, and to all penalties imposed by any of the sections of the Town Police Clauses Act, 1847, mentioned in Article I. of this Order, so far as they are by this Order rendered applicable to omnibuses, and their owners, drivers, and conductors.

Art. IV. So much of Section 327 of the Local Act as provides that the expressions “hackney carriage” and “carriage” shall include “omnibus” shall be repealed.

Given under the Seal of Office of the Local Government Board, this
Thirtieth day of April, One thousand eight hundred and
eighty-eight.

(L.S.)

CHAS. T. RITCHIE, President,
HUGH OWEN, Secretary.

[51 & 52 VICT.] *Local Government Board's Provisional [Ch. lxii.]
Orders Confirmation (No. 4) Act, 1888.*

WIRRAL JOINT HOSPITAL DISTRICT.

A.D. 1888.

*Provisional Order for forming a United District under Section 279
of the Public Health Act, 1875.*

—
*Wirral
Order.*
—

To the Guardians of the Poor of the Wirral Union, in the County of Chester, being the Sanitary Authority for the Rural Sanitary District of that Union ; —

To the Bromborough Local Board, being the Sanitary Authority for the Urban Sanitary District of Bromborough, in the said County ; —

To the Higher Bebington Local Board, being the Sanitary Authority for the Urban Sanitary District of Higher Bebington, in the said County ; —

To the Lower Bebington Local Board, being the Sanitary Authority for the Urban Sanitary District of Lower Bebington, in the said County ; —

To the Neston and Parkgate Local Board, being the Sanitary Authority for the Urban Sanitary District of Neston and Parkgate, in the said County ; —

And to all others whom it may concern.

WHEREAS the several Sanitary Authorities named in column 2 of Schedules A. and B. to this Order are the Local Authorities within the meaning of the Public Health Act, 1875, for the several Urban Sanitary Districts and the Rural Sanitary District named in column 1 of those Schedules ;

And whereas Price's Candle Company, Limited, are owners of that portion of the Local Government District of Bromborough (herein-after referred to as "the excepted area") which is coloured red on a map marked "A," sealed with the official seal of the Local Government Board, and deposited in their office, copies of which map, sealed in like manner, are deposited in the offices of the Bromborough Local Board and with the said company, and the said company have provided a hospital for the reception of cases of infectious disease occurring in the excepted area :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 279 of the Public Health Act, 1875, and by any other Statutes in that behalf, do hereby Order that the several Urban Sanitary Districts named in column 1 of the said Schedule A., and the Rural Sanitary District named in column 1 of the said Schedule B. (which Urban Sanitary Districts and Rural Sanitary District are herein-after referred to as "the Constituent Districts"), shall be formed into a United District, to be called the Wirral Joint Hospital District, for the purposes of the provision, maintenance, and management, for the use of the inhabitants of the Constituent Districts, of a hospital or hospitals for the reception of cases of infectious diseases.

And We do further Order as follows ; viz.,—

Art. I. This Order shall come into operation on the date of the Act of Parliament confirming the same (herein-after referred to as "the commencement of this Order").

Art. II. The Joint Board, which shall be the governing body of the said United District, shall consist of two ex-officio and eleven elective members, and shall be called the Wirral Joint Hospital Board (herein-after referred to as "the Joint Board").

[Ch. lxii.] *Local Government Board's Provisional [51 & 52 VICT.]
Orders Confirmation (No. 4) Act, 1888.*

A.D. 1888.

—
Wirral
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—

Art. III. The ex-officio members shall be the persons described in column 3 of the Schedules hereto, and the elective members shall be elected by the several Sanitary Authorities mentioned in column 2 of the said Schedules (herein-after referred to as "the Constituent Authorities").

Art. IV. The number of members of the Joint Board to be elected by each of the Constituent Authorities shall be that set opposite to the name of each of such Authorities in column 4 of the said Schedules, and the said members shall be chosen by the members of each of the Constituent Authorities from among the members of its own body.

Art. V. The provisions of Rules 5 and 64 of Schedule II. to the Public Health Act, 1875, shall, mutatis mutandis, apply to members of the Joint Board.

Art. VI. The first election of members of the Joint Board shall take place at a meeting of each of the Constituent Authorities, to be held within six weeks from the commencement of this Order, or within such further time as the Local Government Board may, by Order, allow, and fourteen days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authorities by the clerks to such Authorities respectively.

Art. VII. The clerk to each of the Constituent Authorities shall notify in writing to the Local Government Board, within seven days after such first election shall have taken place, the names and addresses of the persons elected by such Authority as members of the Joint Board.

Art. VIII. An elective member of the Joint Board shall continue in office until the expiration of the period for which he was elected a member of the Joint Board, or until he dies, or resigns, or becomes disqualified, or ceases to be a member of the Constituent Authority as a member of which he was qualified to be elected, or until he becomes an ex-officio member of the Joint Board, whichever shall first happen :

Provided always, that an elective member shall not continue in office for a longer period than three years without re-election, and a member who ceases to hold office by reason of the expiration of his period of office, or by reason of his resignation, or disqualification, or ceasing to be a member of such Constituent Authority, shall, subject to the provisions of Article V. of this Order, be re-eligible as a member of the Joint Board, provided that at the time of re-election he is qualified to be so re-elected.

Art. IX. Any vacancy occurring in the Joint Board by death, resignation, disqualification, or otherwise, shall be filled up by the Constituent Authority in whose representation the vacancy happens at a meeting to be held within six weeks of such vacancy occurring, or within such further period as the Local Government Board may, by Order, determine, and fourteen days' previous notice in writing of such meeting shall be given or sent to each member of the Constituent Authority by the clerk to such Authority.

Art. X. The time and place of holding the first meeting of the Joint Board shall be fixed by the Local Government Board, and the subsequent ordinary meetings of the Joint Board shall be held at such times and places as the Joint Board may appoint ; and at all meetings of the Joint Board five members shall constitute a quorum.

[51 & 52 VICT.] *Local Government Board's Provisional [Ch. lxii.]
Orders Confirmation (No. 4) Act, 1888.*

Provided that an extraordinary meeting shall be summoned by the clerk to the Joint Board when a requisition for that purpose is addressed to him by the chairman, or any three members, of the Joint Board.

A.D. 1888.

*Wirral
Order.*

Such requisition shall be in writing or in print, or partly in writing and partly in print, and no business other than that specified in the requisition shall be transacted at such extraordinary meeting.

Notices of all meetings of the Joint Board shall be delivered or sent by post so as to reach the last known place of abode or business in England of each member of the Joint Board four clear days before the day of meeting, or at such earlier time as the Joint Board may from time to time direct.

Art. XI. The Joint Board shall, at their first meeting, or at an adjournment thereof, and from time to time thereafter as occasion shall require, appoint a chairman (who shall, subject to the provisions of Articles V. and VIII. of this Order, continue chairman for such period not exceeding three years as may be determined by the Joint Board at the time of his appointment), a treasurer, and a clerk, and they may from time to time appoint one or more medical officers who shall be legally qualified medical practitioners, and such other officers and servants as they think requisite. They may pay their treasurer, clerk, medical officers, and other officers and servants such reasonable remuneration as they shall deem expedient; and every such treasurer, clerk, medical officer, and other officer and servant shall be removable by the Joint Board at their pleasure.

Art. XII. The purposes for which the United District is formed are the provision, maintenance, and management of a hospital or hospitals for the reception of cases of infectious diseases, for the use of the inhabitants of the Constituent Districts.

Art. XIII. Persons shall be admitted into a hospital provided by the Joint Board in any of the following modes, and not otherwise, except with the consent of the Constituent Authorities; viz.,—

- a. By an order of the Joint Board or any of the Constituent Authorities.
- b. By an order of a Medical Officer of Health of any of the Constituent Authorities.
- c. By an order of a Medical Officer appointed by the Joint Board.
- d. By an order of a Justice made under the provisions of the Public Health Act, 1875.

Provided, that if the Guardians of the Poor of the Wirral Union and the Joint Board agree for the reception into the hospital of persons in the receipt of relief from the said Guardians, any such person may be admitted into the hospital in such manner as such agreement shall prescribe.

Art. XIV. For the purposes of this Order the following sections of the Public Health Act, 1875, the Public Health (Officers) Act, 1884, and the Public Health (Members and Officers) Act, 1885, shall apply, and the Joint Board shall have, exercise, perform, and be subject to, all the powers, rights, duties, capacities, liabilities, and obligations of an Urban Sanitary Authority under the same sections, so far as the same are applicable; viz.,—

Of the Public Health Act, 1875:—

Sections 122 and 123, 131 and 132, relating to Infectious Diseases and Hospitals.

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A.D. 1888.

*Wirral
Order.*

Section 141, relating to the provision and fitting up of a mortuary, to the making of byelaws with respect to the same, and to the provision for the decent and economical interment of any dead body received into such mortuary.

Sections 173 and 174 (except Sub-section 3), relating to Contracts.

Sections 175, 176, and 177, relating to Purchase of Lands.

Sections 179 to 181, both inclusive, relating to Arbitration.

Sections 192 to 197, Section 200, and Sections 203 to 206, all inclusive, relating to Officers and Conduct of Business of Local Authorities.

Sections 245, 247 (as amended by the District Auditors Act, 1879), 249, and 250, relating to Audit.

Sections 251, 253, and 254, and Sections 258 to 267, both inclusive, and Section 269, as amended by the Summary Jurisdiction Act, 1884, relating to Legal Proceedings.

Sections 306 to 309, both inclusive, relating to Miscellaneous Provisions.

Of the Public Health (Officers) Act, 1884:—

Section 2.

Of the Public Health (Members and Officers) Act, 1885:—

Section 2.

Art. XV. A copy of Section 132 of the Public Health Act, 1875, shall be hung up in a conspicuous place at the principal entrance of the hospital or hospitals, and in each of the wards of the hospital or hospitals.

Art. XVI. Until a hospital provided by the Joint Board is ready for the reception of patients, nothing in this Order shall take away, abridge, or prejudicially affect any power vested in either of the Constituent Authorities with regard to the provision of a hospital or hospitals for the use of the inhabitants of their District.

Art. XVII. All the expenses incurred by the Joint Board shall be defrayed out of a common fund, to which shall be paid the sums received from the several Constituent Authorities in respect of the cost of maintenance of patients as herein-after provided, and the sums recovered by the Joint Board from, or repaid to the Joint Board by or for, patients.

The common fund, so far as the same shall not be provided by such payments thereto as aforesaid, shall be contributed by the Constituent Districts respectively in proportion to the amounts which, at the time of issuing the precepts of the Joint Board for the payment of the contributions, would be raised in the Constituent Districts respectively by a rate in the nature of a general district rate in the said Urban Sanitary Districts, and by a rate to defray special expenses in the said Rural Sanitary District at an equal rate in the pound; and the contributions of the said Rural Sanitary Authority towards such common fund shall be deemed to be "special expenses" within the meaning of the Public Health Act, 1875, and shall be raised accordingly:

Provided that if and so long only as the hospital belonging to Price's Candle Company, Limited, shall be continued in such a state of efficiency as to furnish, to the satisfaction of the Joint Board, or in case of dispute of the Local Government Board, good and sufficient hospital accommodation for the excepted area, the Local Government District of Bromborough, exclusive of the excepted area, shall be deemed to be the Constituent District upon which the contribution of

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that Local Government District to the common fund shall be calculated; and the Bromborough Local Board shall divide their District into two parts, one to consist of the excepted area, and the other part to consist of the remainder of their District, and shall from time to time make separate assessments upon the last-mentioned part for the purpose of raising the sums necessary to pay their contributions to the common fund.

A.D. 1888.

*Wirral
Order.*

Art. XVIII. The cost of maintenance of patients, to be paid by the several Constituent Authorities from whose Districts the patients respectively have been received into the hospital, shall be ascertained as follows; viz.,—

- (1.) Within ten days after Lady-day and Michaelmas-day in each year, the Joint Board shall ascertain the average weekly cost per patient of the maintenance of patients who have been in the hospital during the previous half year.
- (2.) The cost of maintenance of patients shall include all the expenses incurred in and about the maintenance and care of the patients in the hospital, and in and about their medical treatment, except so far as the same shall be included in the salary of the medical officer or medical officers, and in and about the clothing, conveyance to and from the hospital, and burials and funerals, of patients; and shall also include the remuneration and rations of nurses.

The clerk to the Joint Board shall, within fourteen days after Lady-day and Michaelmas-day in each year, transmit to the clerk of each Constituent Authority an account showing, in respect of the patients received into the hospital from the District of such Authority, after deducting any sums recovered by the Joint Board from, or repaid to, the Joint Board by or for such patients,

- (a) the name of each patient,
- (b) the number of weeks (and for the purposes of this Order any period less than seven days shall be calculated as one week) during such half year each patient has remained in the hospital,
- and (c) the amount (calculated according to such weekly average) due from such Authority.

The amount shown by such account to be due shall be paid by the Constituent Authority from whose District such patients shall be received into the hospital, and shall be included in the precepts which the Joint Board issue to the Constituent Authorities respectively under Section 284 of the Public Health Act, 1875, stating the sums to be contributed by the Constituent Authorities towards the common fund of the District; and, in case of default, shall be recovered in like manner as the sums to be contributed towards such common fund.

Art. XIX. The accounts of the Joint Board shall at all reasonable times be open to inspection and transcription by any member of either of the Constituent Authorities, or by any officer of either of the Constituent Authorities authorised by them for that purpose, without payment.

Art. XX. A copy of the Auditor's Report and of the abstract of the accounts of the Joint Board, when duly audited, shall be sent by the Joint Board to each of the Constituent Authorities.

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Orders Confirmation (No. 4) Act, 1888.*

A.D. 1888.

*Wirral
Order.*

Art. XXI. If at any time all or any part of the District of the Constituent Authority mentioned in Schedule B. hereto becomes an Urban Sanitary District, then and in every such case the Local Government Board may, by Order, to be published as they shall direct, make such provision as to them seems fit for adapting the provisions of this Order to the alteration so made, and to the incidents and consequences thereof, and every such Order shall have effect as if the terms thereof were inserted in this Order.

Art. XXII. If at any time any difference arises between the Joint Board on the one hand and any Constituent Authority or Authorities on the other hand, or between the Constituent Authorities, respecting any matter arising out of the provisions of this Order, the same shall be referred to and be settled by arbitration in the manner provided by the Public Health Act, 1875, except in any case otherwise herein provided for.

The SCHEDULES above referred to.

SCHEDULE A.

URBAN SANITARY DISTRICTS.

1.	2.	3.		4.
Name of District.	Name of Sanitary Authority.	Ex-officio Member.		Elective Members.
		Number.	Description.	Number.
The Local Government District of Bromborough.	The Bromborough Local Board.	—	- - -	1
The Local Government District of Higher Bebington.	The Higher Bebington Local Board.	—	- - -	1
The Local Government District of Lower Bebington.	The Lower Bebington Local Board.	1	The Chairman of the Local Board.	1
The Local Government District of Neston and Parkgate.	The Neston and Parkgate Local Board.	—	- - -	1

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Orders Confirmation (No. 4) Act, 1888.

SCHEDULE B.

A.D. 1888.

RURAL SANITARY DISTRICT.

Wirral
Order.

1.	2.	3.		4.
Name of District.	Name of Sanitary Authority.	Ex-officio Member.		Elective Members.
		Number.	Description.	Number.
The Rural Sanitary District of the Wirral Union.	The Guardians of the Poor of the Wirral Union, acting as the Rural Sanitary Authority.	1	The Chairman of the Board of Guardians acting as the Rural Sanitary Authority, or in case of his being also the Chairman of any of the Urban Sanitary Districts mentioned in Schedule A., then the Vice-Chairman of the Board of Guardians acting as the Rural Sanitary Authority.	7

Given under the Seal of Office of the Local Government Board, this
 First day of May, One thousand eight hundred and eighty-eight.

(L.S.)

CHAS. T. RITCHIE, President.
 HUGH OWEN, Secretary.

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