



CHAPTER lxxiii.

An Act to confirm certain Provisional Orders of the A.D. 1897.
Local Government Board relating to the Counties of —
Buckingham and Stafford. [15th July 1897.]

WHEREAS the Local Government Board have made the
Provisional Orders set forth in the schedule hereto under
the provisions of the Local Government Act 1888 :

51 & 52 Vict.
c. 41.

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 Orders in
same are hereby confirmed and all the provisions thereof shall have schedule
full validity and force. confirmed.

2. This Act may be cited as the Local Government Board's Short title.
Provisional Orders Confirmation (No. 8) Act 1897.

A.D. 1897.

SCHEDULE.

*Buckingham
Order.*

COUNTY OF BUCKINGHAM.

*Provisional Order under Section 10 of the Local Government
Act 1888.*

To the County Council of Buckingham ; —

To the Trustees of the Newport Pagnell Bridges acting in the execution
of the Local Act 49 Geo. 3. c. 144 ; —

And to all others whom it may concern.

51 & 52 Vict.
c. 41.

WHEREAS by Section 10 of the Local Government Act 1888 (herein-after
referred to as "the Act") it is enacted as follows :—

" After the passing of this Act it shall be lawful for the Local Government
" Board to make from time to time a Provisional Order for transferring to
" County Councils—

" (a) any such powers duties and liabilities of Her Majesty's Privy
" Council a Secretary of State the Board of Trade the Local Govern-
" ment Board or the Education Department or any other Government
" department as are conferred by or in pursuance of any statute and
" appear to relate to matters arising within the county and to be of an
" administrative character : also

" (b) any such powers duties and liabilities arising within the county
" of any commissioners of sewers conservators or other public body
" corporate or unincorporate (not being the corporation of a municipal
" borough or an urban or rural authority or a school board and not
" being a board of guardians) as are conferred by or in pursuance of
" any statute ;

" and such order shall make such exceptions and modifications as appear
" to be expedient and also such provisions as appear necessary or proper
" for carrying into effect such transfer and for that purpose may transfer
" any power vested in Her Majesty in Council :

" (2) Provided that before any such Order is made the draft thereof shall
" be approved if it relates to the powers duties or liabilities of a Secretary
" of State or the Board of Trade or any other Government department by
" such Secretary of State Board or department and approved if it affects
" the powers duties or liabilities of any commissioners conservators or
" body corporate or unincorporate by such commissioners conservators or
" body and every such Provisional Order shall be of no effect until it is
" confirmed by Parliament.

* * * * *

" (4) The Act of Parliament confirming any Provisional Order made
" under this section shall be a public general Act."

[60 & 61 VICT.] *Local Government Board's* [Ch. lxxiii.]
Provisional Orders Confirmation (No. 8) Act, 1897.

And whereas by Section 6 of the Act it is enacted that a County Council shall have power to purchase or take over on terms to be agreed on existing bridges not being county bridges and to erect new bridges and to maintain repair and improve any bridges so purchased taken over or erected;

And whereas in pursuance of a Local Act passed in the forty-ninth year of the reign of His late Majesty King George the Third and intituled "An Act for taking down and rebuilding certain parts of North Bridge and Tickford Bridge in the Parishes of Newport Pagnell and Lathbury in the County of Buckingham and for widening and making more commodious the said bridges and the approaches thereto" (herein-after referred to as "the Bridge Act") certain persons and their successors elected and appointed in manner therein directed (herein-after referred to as "the Bridge Trustees") were appointed Trustees for carrying that Act into execution;

And whereas in pursuance of the Bridge Act the Bridge Trustees erected three bridges (herein-after referred to as "the three bridges") one called the North Bridge over the main channel of the River Ouse one over a channel through which part of the River Ouse flows in time of flood and the third called the Tickford Bridge over the River Lovatt and have from time to time repaired and maintained the three bridges and their approaches;

And whereas all moneys borrowed by the Bridge Trustees under the Local Act have been repaid and the tolls by the Bridge Act authorised have for a long period ceased to be demanded and taken;

And whereas by Section 40 of the Bridge Act the feoffees of Newport Pagnell Town Lands under certain indentures of lease and re-lease dated respectively the Twenty-third and Twenty-fourth days of March One thousand seven hundred and ninety-two therein mentioned and their successors were required to pay the rents and profits of property mentioned in that section to the Bridge Trustees yearly and every year to be applied for and towards the support and repairs of Tickford Bridge;

And whereas by Section 41 of the Bridge Act the said feoffees and their successors were required to pay not less than one full fourth part of the rents and profits of the several estates in that section mentioned to the Bridge Trustees yearly and every year for and towards the repairs and maintenance of the three bridges;

And whereas the Bridge Trustees purchased for the purposes of the Bridge Act the properties mentioned in the Schedule to this Order and are possessed of the sum of six hundred and seventy-nine pounds nineteen shillings and threepence two and three-quarters per cent. consolidated stock and certain sums standing to their credit in the books of the bank of Messrs. Barclay and Company Limited at Newport Pagnell aforesaid;

And whereas it has been agreed between the Bridge Trustees and the County Council of Buckingham (which council is herein-after referred to as "the County Council") that the County Council shall take over the three bridges as county bridges pursuant to Section 6 of the Act and that all the property of the Bridge Trustees shall be transferred to and be vested in the County Council;

And whereas in order to carry out the purposes aforesaid it is expedient that this Provisional Order be made under Section 10 of the Act and the draft of this

A.D. 1897.
Buckingham
Order.

49 Geo. III.
c. 144.

[Ch. lxxiii.] *Local Government Board's* [60 & 61 VICT.]
Provisional Orders Confirmation (No. 8) Act, 1897.

A.D. 1897. Provisional Order has in accordance with that section been approved by the
Buckingham Bridge Trustees :
Order.

51 & 52 Vict.
c. 41.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 10 of the Act and by any other enactments 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. This Order shall except so far as is otherwise herein expressly provided and so far as there may be anything in the subject-matter or context inconsistent therewith come into operation on the Thirtieth day of September One thousand eight hundred and ninety-seven (herein-after referred to as “the date of transfer”).

Art. II. The three bridges and their approaches the properties mentioned in the Schedule to this Order the said sum of six hundred and seventy-nine pounds nineteen shillings and threepence consolidated stock and the sums standing to the credit of the Bridge Trustees as aforesaid together with all other property (if any) belonging to or vested in the Bridge Trustees shall on the date of transfer and by virtue of this Order be transferred to and be vested in the County Council and shall be held by that council in all respects as if such transfer had been made to that council by sub-section viii. of Section 3 and Section 64 of the Act.

Art. III. From and after the date of transfer the three bridges shall notwithstanding anything in the Bridge Act to the contrary be deemed to be county bridges vested in the County Council and shall be free from all tolls.

Art. IV.—(1.) The Bridge Trustees shall so far as possible before the date of transfer discharge their liabilities including the costs charges and expenses of the County Council and themselves of and incidental to the preparation and confirmation of this Order or otherwise in relation thereto as taxed by the taxing officer of the House of Lords or of the House of Commons.

(2.) The Bridge Trustees shall on the date of transfer be abolished and cease to exist.

Art. V. The County Council shall out of the moneys transferred to them as aforesaid discharge the remaining liabilities (if any) of the Bridge Trustees at the date of transfer.

Art. VI.—(1.) The Bridge Act save and except Sections 40 and 41 thereof shall be wholly repealed.

(2.) Subject to any scheme made by the Charity Commissioners under the Charitable Trusts Acts 1853 to 1891 any moneys payable under Section 40 or Section 41 of the Bridge Act to the Bridge Trustees shall after the date of transfer be paid to the County Council and shall be carried by them to the credit of the County Fund.

Art. VII. This Order may be cited as the County of Buckingham (Tickford and North Bridges) Order 1897.

[60 & 61 VICT.] *Local Government Board's* [Ch. lxxiii.]
Provisional Orders Confirmation (No. 8) Act, 1897.

The SCHEDULE above referred to.

A.D. 1897.

*Buckingham
Order.*

1. All that messuage tenement or dwelling-house with the yard workshop and garden situate and being on the south-east side of Tickford Street Newport Pagnell and now or lately in the occupation of John Mitchell.

2. All those five cottages or tenements situate on the south-west side of Tickford Street aforesaid and now or lately in the respective occupations of John Miller John Roberts Kisby Rainbow George Parsons and Samuel Hickford.

3. All that piece or plot of garden ground being at the back of the above-mentioned cottages divided into plots and in the respective occupations of John Miller John Roberts Kilsby Rainbow George Parsons and Samuel Hickford.

4. All that slip of land leading from Tickford Street to premises belonging to the Bridge Trustees and to other premises belonging to David Cook and others and for which a quit-rent of six shillings per annum is paid by the said David Cook for the right of passing over the same.

5. All that small piece of garden ground adjoining the last-mentioned slip of ground and now or lately in the occupation of George Edward Burgess.

6. All that piece of garden ground or yard adjoining Tickford Bridge on the north-east side now used as a timber yard now or lately in the occupation of Edward David Mitchell together with the passage way to the river.

7. All that piece of ground or yard adjoining Tickford Bridge on the south-east side now in the occupation of John Mitchell together with the passage way to the river.

Given under the Seal of Office of the Local Government Board this
Fifth day of May One thousand eight hundred and ninety-seven.

(L.S.)

HENRY CHAPLIN President.

HUGH OWEN Secretary.

COUNTY OF STAFFORD.

*Stafford
Order.*

*Provisional Order under Section 10 of the Local Government
Act 1888.*

To the County Council of Derby ;—
To the County Council of Stafford ;—
To the Rocester Bridge Commissioners ;—
And to all others whom it may concern.

WHEREAS by Section 10 of the Local Government Act 1888 (herein after referred to as "the Act") it is enacted as follows :—

51 & 52 Vict.
c. 41.

"After the passing of this Act it shall be lawful for the Local Government Board to make from time to time a Provisional Order for transferring to County Councils—

"(a) any such powers duties and liabilities of Her Majesty's Privy Council a Secretary of State the Board of Trade the Local Government Board or the Education Department or any other Government

[Ch. lxxiii.] *Local Government Board's* [60 & 61 VICT.]
Provisional Orders Confirmation (No. 8) Act, 1897.

A.D. 1897.
 —
Stafford
Order.

“ department as are conferred by or in pursuance of any statute and
 “ appear to relate to matters arising within the county and to be of an
 “ administrative character: also
 “ (b) any such powers duties and liabilities arising within the county
 “ of any commissioners of sewers conservators or other public body
 “ corporate or unincorporate (not being the corporation of a municipal
 “ borough or an urban or rural authority or a school board and not
 “ being a board of guardians) as are conferred by or in pursuance of
 “ any statute ;
 “ and such order shall make such exceptions and modifications as appear
 “ to be expedient and also such provisions as appear necessary or proper
 “ for carrying into effect such transfer and for that purpose may transfer
 “ any power vested in Her Majesty in Council :
 “ (2) Provided that before any such Order is made the draft thereof shall
 “ be approved if it relates to the powers duties or liabilities of a Secretary
 “ of State or the Board of Trade or any other Government department by
 “ such Secretary of State Board or department and approved if it affects
 “ the powers duties or liabilities of any commissioners conservators or
 “ body corporate or unincorporate by such commissioners conservators or
 “ body and every such Provisional Order shall be of no effect until it is
 “ confirmed by Parliament.

* * * * *

“ (4) The Act of Parliament confirming any Provisional Order made
 “ under this section shall be a public general Act.”

And whereas by Section 6 of the Act it is enacted that a County Council shall have power to purchase or take over on terms to be agreed on existing bridges not being county bridges and to erect new bridges and to maintain repair and improve any bridges so purchased taken over or erected ;

1 & 2 Vict.
 c. lxxv.

And whereas in pursuance of an Act passed in the first and second years of the reign of Her present Majesty Queen Victoria intituled “ An Act for building
 “ a bridge over the River Dove at Rocester in the County of Stafford ” (herein-
 after referred to as “ the Bridge Act ”) a bridge (herein-after referred to as
 “ the bridge ”) with proper approaches thereto was constructed over the
 River Dove near Rocester in the County of Stafford by certain commissioners
 known as the Rocester Bridge Commissioners (herein-after referred to as
 “ the Bridge Commissioners ”) and appointed under the Bridge Act and has
 been from time to time repaired and maintained by them and the Bridge
 Commissioners were empowered to demand and take tolls for persons animals
 and carriages passing on the said bridge or through the toll gates or toll bars
 erected in accordance with the provisions of the Bridge Act ;

And whereas by Section 9 of the Bridge Act it was enacted that after
 the bridge should have been completed the same should be a public
 bridge and that all persons with or without horses carts cattle or carriages
 should have free liberty upon payment of the tolls by that Act granted to pass
 over the same without any interruption whatsoever but that such bridge should
 not be deemed or taken to be a county bridge so as to subject the Counties of

[60 & 61 VICT.] *Local Government Board's* [Ch. lxxiii.]
Provisional Orders Confirmation (No. 8) Act, 1897.

Stafford and Derby or either of them to repair the same or any of the approaches by that Act authorised to be made to such bridge ;

A.D. 1897.

*Stafford
Order.*

And whereas the Bridge Commissioners in or about the year One thousand eight hundred and thirty-nine borrowed from the Exchequer Loan Commissioners in accordance with the provisions of Section 53 of the Bridge Act the sum of three thousand pounds which sum together with interest thereon was by a mortgage dated the Seventeenth day of December One thousand eight hundred and thirty-nine charged upon the credit of the tolls dues and duties by the Bridge Act granted or authorised ;

And whereas at the time of the execution of the said mortgage each of the persons (herein-after referred to as "the Guarantors") whose names are set out in the first column of the Schedule to this Order (herein-after referred to as "the Schedule") entered into a bond dated the Seventeenth day of December One thousand eight hundred and thirty-nine in the amount set opposite his name in the second column of the Schedule to guarantee the payment of the interest and instalments of principal as they became due under the said mortgage to the Exchequer Loan Commissioners ;

And whereas certain of the Guarantors paid to the Exchequer Loan Commissioners in accordance with the terms of their bonds and in part discharge of the principal and interest under the said mortgage the sums set opposite to their names in the third column of the Schedule the last payment by any of the Guarantors having been made prior to the year One thousand eight hundred and sixty ;

And whereas the whole of the principal moneys together with all interest thereon due under the said mortgage was fully discharged on or about the Twenty-third day of August One thousand eight hundred and ninety and the said mortgage was thereupon cancelled by the Public Works Loans Board (the successors in office of the Exchequer Loan Commissioners) and was delivered up to the Bridge Commissioners and the bonds of the Guarantors were also delivered up to the Bridge Commissioners ;

And whereas the sum of two hundred and fifty-two pounds fourteen shillings and elevenpence is now standing to the credit of the Bridge Commissioners in the books of the Burton Union Bank at Uttoxeter ;

And whereas the tolls dues and duties granted and authorised by the Bridge Act were insufficient to provide for the repair and maintenance of the bridge and its approaches and it will be to the advantage of the Counties of Derby and Stafford and it has been agreed between the Bridge Commissioners and the County Councils of Derby and Stafford (each of which councils is herein-after respectively referred to as "the Derby Council" and "the Stafford Council") that the bridge and its approaches and appurtenances and all other property of the Bridge Commissioners be dealt with as herein-after set forth that the said tolls dues and duties be abolished and that the bridge become a county bridge belonging to and vested in the Stafford Council ;

And whereas in order to carry out the purposes aforesaid it is expedient that this Provisional Order be made under Section 10 of the Act and the draft of

[Ch. lxxiii.] *Local Government Board's* [60 & 61 VICT.]
Provisional Orders Confirmation (No. 8) Act, 1897.

A.D. 1897. this Provisional Order has in accordance with that section been approved by
the Bridge Commissioners:

—
Stafford
Order.

51 & 52 Vict.
c. 41.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 10 of the Act and by any other enactments 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. This Order shall except so far as otherwise herein expressly provided and so far as there may be anything in the subject-matter or context inconsistent therewith come into operation on the Thirtieth day of September One thousand eight hundred and ninety-seven (herein-after referred to as “the date of transfer”).

Art. II. The bridge together with all lands roads approaches (which roads and approaches measure longitudinally one hundred and twelve yards on the Rocester or western side of the River Dove and ninety yards on the eastern side of that river) toll houses buildings and other appurtenances thereto belonging and all lamps lamp-posts toll and other gates implements chattels and things used in connection with the bridge roads approaches and premises vested in belonging to or in possession of the Bridge Commissioners shall on the date of transfer and by virtue of this Order be transferred to and be vested in the Stafford Council and be held by that council in all respects as if such transfer had been made to that council by sub-section viii. of Section 3 and Section 64 of the Act.

Art. III. From and after the date of transfer the bridge shall notwithstanding anything in the Bridge Act to the contrary be deemed to be a county bridge vested in the Stafford Council and shall be free from all tolls dues and duties.

Art. IV. The Derby Council and the Stafford Council shall on the date of transfer pay to the Bridge Commissioners the sum of one thousand and six hundred pounds which sum shall be contributed by those councils in equal shares and shall be accepted in full discharge of all claims of the Bridge Commissioners in respect of the bridge and the other property mentioned in Article II. of this Order and the said sum of one thousand and six hundred pounds together with the sum of two hundred and forty-four pounds six shillings and fivepence and any other moneys which may be due to or standing to the credit of the Bridge Commissioners on the date of transfer shall be paid and applied by the Bridge Commissioners as herein-after provided.

Art. V.—(1.) The Bridge Commissioners shall within six months after the date of transfer apply the said sums of one thousand and six hundred pounds and two hundred and forty-four pounds six shillings and fivepence and any other moneys in their possession or which may be standing to their credit on the date of transfer after paying or allowing for the reasonable costs incurred by them in applying the said sums and in winding up the affairs of the Bridge Commissioners in the following manner viz.,—

First in payment of compensation to the officers of the Bridge Commissioners such compensation not to exceed in any case four years salary of the officer; and

Secondly in payment to each of the Guarantors who paid to the Exchequer Loan Commissioners sums in excess of the amount guaranteed by him

[60 & 61 VICT.] *Local Government Board's* [Ch. lxxiii.]
Provisional Orders Confirmation (No. 8) Act, 1897.

the amount of such excess and the balance shall be applied in payment to each of the Guarantors of such equal dividend or proportionate part as such balance will allow in respect of so much of the sums mentioned in the third column of the Schedule as shall not have been repaid as lastly herein-before provided and all such payments as aforesaid shall be made to the persons mentioned in the first column of the Schedule or to their successors in title or in default of proof of title to the satisfaction of the Bridge Commissioners shall be made into court under and in pursuance of the Trustee Relief Acts :

A.D. 1897.

*Stafford
Order.*

Provided that nothing in this Order contained shall be deemed to confer upon the persons mentioned in the first column of the Schedule or their successors in title any right to demand or recover payment of the sums mentioned in the third column of the Schedule or of any part of those sums or of any dividend in respect of those sums or any lien or right of action against the Bridge Commissioners in respect of the sums paid to them under this Order or in their hands as herein-before mentioned :

Provided also that in the event of the Bridge Commissioners being unable for reasons which may appear to the Local Government Board to be sufficient to pay and apply the moneys mentioned in subdivision (1) of this Article in accordance with the provisions of this Article within the said period of six months from the date of transfer the Local Government Board may extend the said period for such further period as they may think fit.

(2.) From and after the expiration of the said period of six months or the expiration of the further period fixed by the Local Government Board as the case may be the provisions of the Bridge Act shall be wholly repealed except so far as the same may have been acted upon and the Bridge Commissioners shall be abolished and cease to exist.

Art. VI.—(1.) The purposes of this Order which shall include the payment of the costs charges and expenses of the Derby Council and the Stafford Council preliminary to and of and incidental to the agreement between those councils and the Bridge Commissioners and the sum of sixty pounds agreed to be paid by those councils to the Commissioners under paragraph 8 of that agreement and shall include the costs charges and expenses of those councils of and incidental to the preparation and confirmation of this Order or otherwise in regard thereto as sanctioned by the Local Government Board shall be deemed to be purposes of the Act for which the Derby Council and the Stafford Council may with the consent of the Local Government Board borrow money under and in accordance with the provisions of Section 69 of the Act.

(2.) The treasurer of the County of Derby or of the County of Stafford as the case may be 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 respect of moneys borrowed under the Act for the purposes of this Order by the Derby Council or the Stafford Council as the case may be 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

[Ch. lxxiii.] *Local Government Board's* [60 & 61 VICT.]
Provisional Orders Confirmation (No. 8) Act, 1897.

A.D. 1897. prescribed by that Board and if required by that Board verified by statutory
 Stafford declaration of such treasurer showing for the year next preceding the making of
 Order. 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 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.

(3.) If it appears to the Local Government Board by that return or otherwise that the Derby Council or the Stafford Council as the case may be 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 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. VII. 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 County Council concerned in such inquiry and in such proportions as the Local Government Board may direct 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 either of the County Councils shall be a debt due to the Crown from such council.

Art. VIII. This Order may be cited as the Rocester Bridge Order 1897.

[60 & 61 VICT.] *Local Government Board's* [Ch. lxxiii.]
Provisional Orders Confirmation (No. 8) Act, 1897.

The SCHEDULE above referred to.

A.D. 1897.
Stafford
Order.

| 1. | 2. | 3. |
|--|--------------------|----------------|
| Names of Guarantors. | Amount guaranteed. | Amount paid. |
| | £ s. d. | £ s. d. |
| The Earl of Shrewsbury - - | 500 0 0 | 489 14 2 |
| Lord Vernon - - - | 500 0 0 | 564 13 7 |
| William Blount - - - | 300 0 0 | 343 1 5 |
| Reverend C. F. Broughton - - | 300 0 0 | 178 1 5 |
| John Mee Matthew - - - | 200 0 0 | — |
| Reverend J. P. Jones - - - | 300 0 0 | 158 11 5 |
| Henry Arnold - - - | 300 0 0 | 296 11 5 |
| Robert Blurton - - - | 200 0 0 | 172 4 5 |
| Thomas Arnold - - - | 200 0 0 | — |
| William Smith - - - | 200 0 0 | 229 14 5 |
| | 3,000 0 0 | 2,432 12 3 |

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

(L.S.)

HENRY CHAPLIN President.
S. B. PROVIS Assistant Secretary.

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