



CHAPTER cxiii.

An Act to confirm certain Provisional Orders of the Local Government Board relating to Croydon (Rural) Jarrow Ramsgate (two) Ripon and West Bromwich (two). A.D. 1899.

[13th July 1899.]

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 certain 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 as altered and 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. The Urban District Council for the Borough of Ramsgate shall not under the powers of the Ramsgate Orders hereby confirmed purchase or acquire either compulsorily or by agreement ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied. Restriction of power to take houses of labouring class.

For the purposes of this section the expression "labouring class" includes mechanics artizans labourers and others working for wages

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A.D. 1899. 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. 11) Act 1899.

SCHEDULE.

A. D. 1899.

RURAL DISTRICT OF CROYDON.

*Croydon
Rural
(Purley)
Order.*

*Provisional Order for dissolving the Special Drainage District
of Purley.*

To the Rural District Council of Croydon ; —

To the Inhabitants of the Parish of Coulsdon in the Rural District of
Croydon ; —

And to all others whom it may concern.

WHEREAS the Special Drainage District of Purley in the Parish of Coulsdon in the County of Surrey is comprised within the Rural District of Croydon and the Rural District Council of Croydon (herein-after referred to as "the District Council") or their predecessors have raised certain loans amounting in the whole to the sum of two thousand six hundred and fifteen pounds for the execution of works for the benefit of the said Special Drainage District of which the sum of one thousand eight hundred and eighteen pounds two shillings and elevenpence now remains unpaid ;

And whereas the District Council have also raised certain loans amounting in the whole to the sum of seven thousand and ninety-six pounds for the execution of works for the benefit of the contributory place of Coulsdon being the part of the said Parish of Coulsdon not included in the said Special Drainage District which sum now remains unpaid :

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 order as follows :—

38 & 39 Vict.
c. 55.

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

Art. II. The said Special Drainage District shall be dissolved and shall be merged in the said Parish of Coulsdon.

Art. III. The payments to be made from time to time by the District Council in respect of the interest on and in repayment of the said sums of one thousand eight hundred and eighteen pounds two shillings and elevenpence and seven thousand and ninety-six pounds or so much thereof as shall be owing on the said Twenty-ninth day of September shall be charged as special expenses upon the whole of the said Parish of Coulsdon.

Art. IV. This Order may be cited as the Croydon Rural (Purley) Order 1899.

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

(L.S.)

HENRY CHAPLIN President.
S. B. PROVIS Secretary.

A.D. 1899.

*Jarrow
Order.*

BOROUGH OF JARROW.

Provisional Order for the alteration of certain Local Acts.

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

And to all others whom it may concern.

WHEREAS the Borough of Jarrow (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 for the Borough within the meaning of the Public Health Act 1875 ;

41 & 42 Vict.
c. cxx.
47 & 48 Vict.
c. cxxxiv.

And whereas the unrepealed provisions of the Jarrow Improvement Act 1878 and the Jarrow Improvement Act 1884 (each of which Acts is herein-after referred to as the Act of the year in which it was passed and which Acts are herein-after together referred to as "the Local Acts") are in force in the district ;

And whereas by Section 41 of the Act of 1878 the Corporation were empowered with the consent of the Local Government Board to establish work maintain regulate and manage a ferry between the Borough and the opposite bank of the River Tyne and to demand tolls and rates for the use thereof and by Section 45 of that Act were further empowered with the like consent to borrow money for the purposes of such Act ;

And whereas by Sections 45 and 53 of the Act of 1884 the Corporation were empowered to improve and maintain the ferry with the works and approaches thereto established by them under the Act of 1878 to erect construct and maintain such other works in connexion therewith as they might think necessary and subject as provided in the last-mentioned section to let the ferry tolls or any part thereof and by Section 60 of the Act of 1884 the Corporation were further empowered with the consent of the Local Government Board to borrow money for the purposes of that Act ;

And whereas in pursuance of the powers conferred upon them by the Local Acts the Corporation have established ferries and in connexion therewith have provided boats landing-places stages and bridges with the requisite approaches and other works buildings and conveniences all which ferries and the matters or things provided in connexion therewith as well as the powers duties and liabilities of the Corporation in relation to such ferries matters and things are herein-after referred to as the ferry undertaking and the Corporation have borrowed moneys for purposes of the ferry undertaking ;

And whereas the Corporation propose to sell the ferry undertaking to the Tyne General Ferry Company (herein-after referred to as "the Company") who are a company incorporated by the Tyne General Ferry Act 1862 and are by Section 27 of that Act empowered with the consent of the Tyne Improvement Commissioners by agreement to take on lease purchase or otherwise acquire any rights of ferry on or across the River Tyne subject to such conditions as may from time to time be prescribed by those Commissioners :

28 & 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

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of Parliament confirming this Order the Local Acts shall be altered so as to provide as follows viz,—

Jarrow Order.

Art. I. The Corporation may sell the ferry undertaking for the consideration referred to in Article II. of this Order and subject to such conditions and stipulations as may seem to them desirable for the protection of the interests of the Borough in connexion with such sale.

Sale of ferry undertaking.

Art. II. The consideration for the sale by the Corporation of the ferry undertaking under Article I. of this Order shall be—

Consideration for sale.

- (a) a sum of money in gross which shall be paid by the Company to the Corporation on or before the completion of the sale; or
- (b) payments of such sums of money from time to time as may be agreed upon between the Corporation and the Company such sums not being less than the amounts required to be paid by the Corporation for the repayment by instalments of the principal and the interest of the loans raised by the Corporation for the purposes of the ferry undertaking.

Art. III. From and after the completion of the sale of the ferry undertaking in pursuance of this Order all powers duties and liabilities conferred upon or attaching to the Corporation in pursuance of the Local Acts in respect of the ferry undertaking except such duties and liabilities as attach to the Corporation under this Order shall cease to be exercisable or to be discharged by the Corporation but without prejudice to the right of the Corporation to enforce and act under any conditions and stipulations subject to which in pursuance of this Order the ferry undertaking may be sold.

Powers of Corporation as to ferries to lapse after sale.

Art. IV. Any moneys received by the Corporation in respect of the sale of the ferry undertaking shall be applied by them towards the repayment of the moneys borrowed by them under the Local Acts for the purposes of such undertaking:

Application of sale moneys from ferry undertaking.

Provided as follows:—

- (a.) Pending such application any moneys so received by the Corporation shall be immediately invested by the Corporation 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 Corporation the Corporation being at liberty from time to time to vary and transpose such investments;
- (b.) The interest arising from such investments shall be applied in payment of the interest payable by the Corporation on the moneys so borrowed;
- (c.) If the amount of the interest arising from such investments is at any time less than the amount of the interest payable by the Corporation as aforesaid the amount so deficient shall be paid out of the borough fund.

Art. V. This Order may be cited as the Jarrow Order 1899.

Short title.

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

(l.s.)

HENRY CHAPLIN President.
 S. B. PROVIS Secretary.

A.D. 1899.

BOROUGH OF RAMSGATE.

*Ramsgate
Order.*
(1.)

*Provisional Order to enable the Urban District Council for the
Borough of Ramsgate to put in force the Compulsory Clauses
of the Lands Clauses Acts.*

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

WHEREAS the Mayor Aldermen and Burgesses of the Borough of Ramsgate acting by the council as the Urban District Council for that Borough (herein-after referred to as "the Corporation") require to purchase and take the lands described in the schedule hereto for the purpose of widening and improving the street called the Harbour Parade in the said Borough :

38 & 39 Vict.
c. 55.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 176 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.,—

Art. I. The Corporation shall be empowered to put in force with reference to the lands described in the schedule hereto subject to the continuance of existing public rights of highway if any and for the purpose aforesaid the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement or any of them :

Provided that the prescribed period for the compulsory purchase of the said lands shall for the purposes of Section 123 of the Lands Clauses Consolidation Act 1845 be two years from the date of the Act of Parliament confirming this Order.

Art. II. This Order may be cited as the Ramsgate Order (No. 1) 1899.

The SCHEDULE above referred to.

Borough of RAMSGATE.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1 and 2	House shop and appurtenances.	Eliza Norris -	William Norris Fennell.	William Norris Fennell.
2	Covered passage -	Eliza Norris Frederick George Lloyd Frank Lloyd Francis Marsden Cobb Edward King Kennard Ernest Syrett the Cor- poration	William Norris Fennell Joseph John Carden Frederick Hyland Herbert Bright Hyland John Mead Linom.	William Norris Fennell Elizabeth Grubb Catherine Hill Joseph John Carden Henry White Frederick Hyland Herbert Bright Hyland John Mead Linom Horace Edmund Brockman Charles Holyer William Thomas Foster.

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
3	House and appurtenances.	Frederick George Lloyd Frank Lloyd.	- - -	Elizabeth Grubb.
4	ditto - -	ditto - -	- - -	Catherine Hill.
5	Common yard -	Eliza Norris Frederick George Lloyd Frank Lloyd Francis Marsden Cobb Edward King Kennard Ernest Syrett the Corporation.	William Norris Fennell Joseph John Carden Frederick Hyland Herbert Bright Hyland John Mead Linom.	William Norris Fennell Elizabeth Grubb Catherine Hill Joseph John Carden Henry White Frederick Hyland Herbert Bright Hyland John Mead Linom Horace Edmund Brockman Charles Holyer William Thomas Foster.
6	House yard and appurtenances.	Edward King Kennard.	- - -	Henry White.
8	House (in ruins) -	Ernest Syrett -	- - -	Unoccupied.
9	House shop out-houses and appurtenances.	James Joseph Roach	- - -	Albert Goodwin
10 and 11	Public-house offices and premises known as "The Royal Hotel."	ditto - -	- - -	James Joseph Roach.
11 and 12	Common passage -	Ernest Syrett James Joseph Roach the Corporation.	- - -	James Joseph Roach the Corporation.
13	Public-house offices and premises known as "The Royal Oak Tap."	Henry Edward Corbin	Henry Dixon -	Henry Dixon.
13 and 14	Public-house offices and premises known as "The Royal Oak Hotel."	ditto - -	- - -	Henry Edward Corbin.
15 and 16	Public-house offices and premises known as "The Castle Hotel."	Tomson and Wotton Limited.	Joseph Neale	Joseph Neale.
16	Common passage -	Henry Edward Corbin Tomson and Wotton Limited Matthew Thomas Gardner.	Joseph Neale Ernest Edward Wastall.	Henry Edward Corbin Joseph Neale Henry Albert Edward Hunter William Flowers Ferridge James Ward Stanley Carpenter.
17 and 18	Public-house offices and premises known as "The Alexandra."	Matthew Thomas Gardner.	Ernest Edward Wastall.	James Ward Stanley Carpenter.
18	Common passage -	Henry Edward Corbin Tomson and Wotton Limited Matthew Thomas Gardner.	Joseph Neale Ernest Edward Wastall.	Henry Edward Corbin Joseph Neale Henry Albert Edward Hunter William Flowers Ferridge James Ward Stanley Carpenter.
19	House shop and appurtenances.	Matthew Thomas Gardner.	William Flowers Ferridge Ernest Edward Wastall.	William Flowers Ferridge.
20	ditto - -	ditto - -	Arthur Hall Ernest Edward Wastall.	Arthur Hall.

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 (1.)

Nos. on deposited Plans.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
21 and 22	Common passage -	Henry Edward Corbin Tomson and Wotton Limited Matthew Thomas Gardner the Corporation.	Joseph Neale Ernest Edward Wastall William Flowers Ferridge Arthur Hall.	Henry Edward Corbin Joseph Neale Henry Albert Edward Hunter William Flowers Ferridge James Ward Stanley Carpenter Nathaniel Miles Arthur Hall the Corporation.
23	ditto - -	ditto - -	ditto - -	ditto.
24	House outhouses and appurtenances.	Matthew Gardner. Thomas	Ernest Edward Wastall.	Nathaniel Miles.
25	Common yard -	ditto - -	ditto - -	Nathaniel Miles James Ward Stanley Carpenter.
26	Watercloset -	ditto - -	ditto - -	James Ward Stanley Carpenter.
27	Forge and store -	ditto - -	ditto - -	ditto.
28	Store - -	ditto - -	ditto - -	William Flower Ferridge.
29	House and appurtenances.	ditto - -	ditto - -	Henry Albert Edward Hunter.
30	Common yard -	Henry Edward Corbin Tomson and Wotton Limited Matthew Thomas Gardner.	Joseph Neale Ernest Edward Wastall.	Henry Edward Corbin Joseph Neale James Ward Stanley Carpenter William Flowers Ferridge Henry Albert Edward Hunter.

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

(L.S.)

HENRY CHAPLIN President
 S. B. PROVIS Secretary.

BOROUGH OF RAMSGATE.

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

A.D. 1899.

*Ramsgate
Order.
(2.)*

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

And to all others whom it may concern.

WHEREAS the Borough of Ramsgate (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 for the Borough within the meaning of the Public Health Act 1875 ;

And whereas the unrepealed provisions of the Ramsgate Local Board Act 1877 (herein-after referred to as "the Local Act") as altered by certain Provisional Orders made by the Local Government Board and duly confirmed by Parliament including the following viz.,—

- | | |
|---|-----------------------------|
| (1.) An Order dated the Twenty-fourth day of May One thousand eight hundred and eighty and confirmed by the Local Government Board's Provisional Orders Confirmation (Eastbourne &c.) Act 1880 ; | 43 & 44 Vict.
c. cxxxii. |
| (2.) An Order dated the Twenty-seventh day of May One thousand eight hundred and eighty and confirmed by the Local Government Board's Provisional Orders Confirmation (Kingston-upon-Hull &c.) Act 1880 ; | 43 & 44 Vict.
c. lxxxiv. |
| (3.) An Order dated the Twentieth day of April One thousand eight hundred and eighty-seven and confirmed by the Local Government Board's Provisional Orders Confirmation (No. 2) Act 1887 ; | 50 & 51 Vict.
c. lxxxiv. |
| (4.) An Order dated the Eleventh day of March One thousand eight hundred and ninety-one and confirmed by the Local Government Board's Provisional Orders Confirmation (No. 3) Act 1891 ; and | 54 Vict. c. xxv. |
| (5.) The Ramsgate Order (No. 1) 1897 confirmed by the Local Government Board's Provisional Orders Confirmation (No. 2) Act 1897 ; | 60 & 61 Vict.
c. lxviii. |

(which Provisional Orders and Confirming Acts are herein-after together referred to as "the Orders" and "the Confirming Acts") are in force in the Borough ;

And whereas by the Local Act provision was made for the transfer to the Ramsgate Local Board (herein-after referred to as "the Local Board") of the gas undertaking mentioned in the Local Act and the Local Board were authorised to supply gas within the limits defined by Section 4 of the Local Act which limits now comprise the area of the Borough and the Parish of Saint Lawrence Extra and are herein-after referred to as "the gas limits" ;

And whereas by Section 46 of the Local Act the Local Board were empowered subject to the provisions of that Act to continue and maintain upon the lands described in the schedule thereto the then existing gasworks and works connected therewith and to do all such acts as they might think proper for making and storing gas and to make and store gas accordingly ;

And whereas by Section 47 of the Local Act the Local Board were empowered in addition to the lands vested in them by reason of the transfer of the gas undertaking from time to time by agreement to purchase any lands and subject to Section 5 of the Gasworks Clauses Act 1871 to hold the same but not at any

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A.D. 1899. one time exceeding six acres for the purposes of the Local Act except the
manufacture of gas or residual products ;

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And whereas by Section 48 of the Local Act it is provided that the price to be charged for gas supplied shall not at any time exceed five shillings per one thousand cubic feet ;

And whereas all the powers rights duties capacities liabilities obligations and property of the Local Board under the Local Act are now exerciseable by or attaching to or vested in the Corporation ;

And whereas by the Ramsgate Order (No. 1) 1897 the Corporation were authorised to construct or erect upon the land described in the schedule thereto and from time to time to alter enlarge or remove such gasholders and other works as might be requisite for the storage of gas and to store gas upon such land ;

And whereas by the Local Act as altered by the Orders the Corporation are empowered to borrow—

(a) in respect of their water undertaking sums not exceeding in the whole the sum of one hundred and thirty thousand pounds ; and

(b) in respect of their gas undertaking sums not exceeding in the whole the sum of one hundred and forty thousand pounds ;

And whereas the Corporation have agreed to purchase and acquire from the Minster Gas Company Limited (a company without statutory powers) the lands described in the schedule hereto together with the existing gasworks on such lands and the apparatus and works connected therewith ;

And whereas it is expedient that the gas limits of the Corporation should be extended that the Corporation should be empowered to continue the manufacture and storage of gas on the land purchased from the Minster Gas Company Limited as aforesaid and that further borrowing powers for gasworks and waterworks purposes should be conferred as herein-after mentioned

38 & 39 Vict.
c. 55.

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 Acts so far as they relate to the Orders shall be altered so that the following provisions shall take effect viz.,—

Extension of
gas limits.

Art. I. The gas limits of the Corporation shall be extended so as to comprise the Parish of Minster in the Rural District of the Isle of Thanet and the provisions of the Local Act as altered by the Orders and this Order relating to the supply of gas shall apply within the gas limits as so extended :

Provided that the maximum price at which gas shall be supplied by the Corporation within the said Parish of Minster shall in no case exceed the maximum price prescribed by Section 48 of the Local Act and shall not exceed the price for the time being charged for gas within the Borough by more than one shilling per thousand cubic feet.

Additional
gas lands and
works.

Art. II. The Corporation may purchase from the Minster Gas Company Limited the lands described in the schedule hereto together with the existing gasworks thereon and all apparatus and works connected therewith and may notwithstanding anything contained in the Local Act on such lands if and when acquired

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by them erect continue maintain improve and enlarge or remove retorts gas-holders mains and pipes apparatus and works for the making and storing of gas and of coke and other residual products and matters producible therefrom and may make and store gas coke and such other products and matters on such lands.

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Art. III. The Corporation may with the sanction of the Local Government Board and subject to the provisions of this Order borrow in addition to the sums authorised to be borrowed by the Local Act as altered by the Orders the following sums namely,—

Additional borrowing powers for water and gas undertakings.

(a.) For the purposes of their water undertaking and on the security of the revenue arising from that undertaking and of the district fund and general district rate of the Borough or upon either of such securities any sum or sums not exceeding in the whole the sum of twenty thousand pounds ;

(b.) For the purposes of their gas undertaking including the purchase of lands apparatus and works under Article II. of this Order and on the security of the revenue arising from their gas undertaking and of the district fund and general district rate of the Borough or upon either of such securities any sum or sums not exceeding in the whole the sum of thirty thousand pounds.

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

Local Loans Act and certain provisions of Public Health Act made applicable.

Art. V. The moneys borrowed by virtue of this Order shall be repaid within such period not exceeding fifty years from the date of borrowing as the Corporation 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.

Period for repayment of borrowed moneys.

Art. VI.—(1.) The Corporation 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.

Mode of repayment.

(2.) Subject to the provisions of Article VII. of this Order if the Corporation 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—

Formation maintenance and application of sinking fund.

(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.

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(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 Corporation the Corporation 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 Corporation towards the equal annual payments to the fund.

(5.) The Corporation 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 Corporation 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 or part of a 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 Corporation.

(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 or management of or otherwise in relation to any sinking fund under this Order shall be paid by the Corporation in addition to the payments provided for by this Order.

Increase
reduction or
discontinuance
of payments to
sinking fund.

Art. VII.—(1.) If it appears to the Corporation 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 Corporation 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 Corporation shall increase the payments to such extent as the Board may direct.

(2.) If the Corporation 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 probable 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 Corporation may reduce the payments to be made to the sinking fund either temporarily or permanently to such an extent as the Board shall approve.

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(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 Corporation may with the consent of the Board discontinue the equal annual payments to such sinking fund until the 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 Corporation with the consent of the Local Government Board may determine.

Surplus of
sinking fund.

Art. VIII. The Corporation shall except as herein-after provided have power to re-borrow for the purpose of paying off 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 Corporation within twelve months before the re-borrowing and which at the time of the repayment it was intended to re-borrow :

Power to
re-borrow.

Provided that the Corporation 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. IX. All moneys from time to time borrowed by virtue of this Order shall be applied by the Corporation 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 Corporation with the approval of the Local Government Board determine.

Application of
borrowed
moneys.

Art. X.—(1.) Any mortgagee of the Corporation 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 due to such mortgagee or in the case of a joint application by two or more mortgagees to such mortgagees collectively to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

Receiver.

(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

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Return as to
provision for
repayment
of debt.

as it thinks fit and may at any time discharge the receiver and otherwise exercise full jurisdiction over him.

Art. XI.—(1.) The town clerk 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 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 thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Board a return in such form as may from time to time be prescribed by the Board and if required by the Board verified by statutory declaration of such town 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 the said town 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 Corporation 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 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 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 Board out of the High Court.

Sale of gas
lands and
works.

Art. XII.—(1.) If the Corporation should at any time after the purchase of the lands described in the schedule hereto decide to discontinue the use of the same for gasworks purposes they may with the consent of the Local Government Board sell the same or any part thereof.

(2.) The proceeds of any such sale shall be applied by the Corporation in such manner as the Local Government Board may approve.

Inquiries and
expenses.

Art. XIII. 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

[62 & 63 VICT.] *Local Government Board's* [Ch. cxiii.]
Provisional Orders Confirmation (No. 11) Act, 1899.

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

A.D. 1899.

*Ramsgate
Order.
(2.)*

Art. XIV.—(1.) Any gas mains or pipes which the council may lay down (not being the repair or renewal of existing works of which the character and position are not altered) in or along any road crossing either over under or on the level of the railway lands or property now belonging to or used or occupied by the South Eastern Railway Company (herein-after called "the Company") shall so far as they affect such railways lands or property be laid down by the council at such times as may be reasonably required by and under the direction and superintendence and to the reasonable satisfaction of the engineer for the time being of the Company and in accordance with plans and sections (when necessary in the opinion of such engineer) previously submitted to and reasonably approved of by him in writing and any such mains or pipes from time to time renewed or repaired by the council shall be renewed and repaired in the same manner and under the like conditions Provided that where any such mains or pipes are required to be laid under or over any level crossing of their railway the Company may if they elect so to do themselves lay the same at the costs charges and expenses of the council.

Provisions for
protection of
South
Eastern
Railway.

(2.) The said mains or pipes shall be so laid down maintained repaired and used by the council as not to impede the free and uninterrupted use of such railway and works.

(3.) Except in any case where the Company elect to themselves lay mains and pipes under sub-division (1) of this Article if any injury shall owing to or by reason of any of the matters aforesaid arise to any such railway works land or property or interruption to such traffic the council shall make full satisfaction in respect thereof to the Company to be recoverable by the Company from the council together with the costs of the recovery of the same by all and the same means as any simple contract debt.

(4.) If the Company at any time or times hereafter require to construct any additional or other works upon their lands or railways or to alter or repair their railways bridges viaducts or works upon across over or under which any of the said mains or pipes of the council may have been constructed or laid the Company may on giving to the council seven days' notice in writing under the hand of their secretary or general manager for the time being and in case of emergency without notice divert support or carry the said mains or pipes across over or under the lands railways bridges or works of the Company at any other point or otherwise deal with the same in as convenient a manner as circumstances will admit and so as not to cause damage to the said mains or pipes or the gas undertaking of the council.

(5.) Any dispute as to the amount of satisfaction to be recovered under sub-division (3) of this Article and any difference which may arise between the council and the Company under this Article shall be determined by arbitration in manner provided by the Public Health Act 1875 and sections one hundred and seventy-nine to one hundred and eighty-one of that Act shall have effect in any such case.

[Ch. cxiii.] *Local Government Board's* [62 & 63 VICT.]
Provisional Orders Confirmation (No. 11) Act, 1899.

A.D. 1899.

*Ramsgate
Order.*
(2.)

Short title.

Art. XV. This Order may be cited as the Ramsgate Order (No. 2) 1899.

The SCHEDULE above referred to.

All those two adjoining pieces of land now in the occupation of the Minster Gas Company containing respectively 880 square yards and 231 square yards or thereabouts situate in the Parish of Minster in the Rural District of the Isle of Thanet and together bounded on the north by land belonging or reputed to belong to John Lynch Odhams on the south by an occupation road known as Augustine Road on the east by land belonging or reputed to belong to James Nash and on the west by land belonging or reputed to belong to Daniel Rogers.

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

(L.S.)

HENRY CHAPLIN President.

S. B. PROVIS Secretary.

CITY OF RIPON.

*Ripon
Order.*

Provisional Order for altering the Ripon Corporation Act 1886.

To the Mayor Aldermen and Citizens of the City of Ripon ; —

And to all others whom it may concern.

WHEREAS the City of Ripon (herein-after referred to as "the City") is an Urban District of which the Mayor Aldermen and Citizens acting by the council (herein-after referred to as "the Corporation") are the Urban District Council and as such council are the local authority for the City within the meaning of the Public Health Act 1875 and the Ripon Corporation Act 1886 (herein-after referred to as "the Local Act") is in force in the City ;

And whereas by Section 42 of the Local Act the Corporation were empowered to demand and take the tolls stallages and rents in respect of their markets and fairs not exceeding those specified in the First Schedule to such 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 Local Act shall be altered so as to provide as follows viz.,—

49 & 50 Vict.
c. lxxvii.

38 & 39 Vict.
c. 55.

Alteration of
tolls for
markets and
fairs.

Art. I. The First Schedule to the Local Act shall be repealed and Section 42 of the Local Act shall be altered so as to empower the Corporation (1) to demand and take in respect of their markets and fairs such tolls stallages and rents as they may appoint not exceeding the tolls stallages and rents set out in the schedule to this Order and (2) to levy such other tolls in respect of their markets as may be sanctioned by the Local Government Board.

Art. II. This Order may be cited as the Ripon Order 1899.

[62 & 63 VICT.] *Local Government Board's* [Ch. cxiii.]
Provisional Orders Confirmation (No. 11) Act, 1899.

The SCHEDULE above referred to.

A.D. 1899.

“ MARKET AND FAIR TOLLS STALLAGES AND RENTS.

*Ripon
Order.*

	s.	d.
“ For every boat-cart or waggon-load of potatoes per day - - - -	0	6
“ For every other cart-load of potatoes per day - - - -	0	4
“ For every sack of potatoes - - - -	0	1
“ For every basket of fruit or vegetables - - - -	0	1
“ For every hamper box bag crate or other receptacle of fruit or vegetables -	0	2
“ For every horse or beast entering the market for sale - - - -	0	3
“ For every goat or pig - - - -	0	2
“ For every pen of sheep - - - -	2	0
“ For every goose turkey or guinea fowl - - - -	0	1
“ For every weigh of wool - - - -	0	6
“ For every basket box hamper or other receptacle containing marketable goods		
“ commodities or articles for which a toll is not previously authorised -	0	3
“ For space occupied by marketable commodities not herein-before mentioned		
“ exposed or intended for sale by auction per square yard - - - -	0	3
“ For every superficial yard or part of a superficial yard of ground used for		
“ any provisions goods wares articles or things whatsoever not coming within		
“ any of the foregoing classifications - - - -	0	3
“ For every butcher's stall per day - - - -	2	0
“ For every stall whereon provisions vegetables fruit poultry rabbits fish or		
“ other articles not being butcher's meat or manufactured goods may be		
“ offered for sale per foot in length per day - - - -	0	1½
“ For every stall whereon manufactured goods may be offered for sale per foot		
“ in length per day - - - -	0	3
“ For every stall fitted with poles in addition to the above tolls per day -	0	6
“ For ground stands per square yard per day - - - -	0	3
“ For timber and stack covers per square yard per day - - - -	0	1
“ For ground occupied for packing by purchasers per square yard - - - -	0	3
“ For every waggon cart or conveyance standing in the market per square		
“ yard - - - -	0	3
“ For space occupied for every show caravan booth tent theatre swing round-		
“ about rifle gallery stall stand or other place or means of amusement or		
“ entertainment per square yard - - - -	0	3

“ The above-mentioned tolls stallages and rents are to be payable as well
“ by the original hirer or user of any stall standing-place or space for a
“ portion of the day in case he shall not occupy the same for the whole day
“ as also by any subsequent hirer or user of the same for the residue or any
“ other portion of the same day but no toll shall be charged to the sellers
“ of butter eggs or poultry except geese turkey and guinea fowls.”

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

(L.S.)

HENRY CHAPLIN President.
S. B. PROVIS Secretary.

A.D. 1899.

BOROUGH OF WEST BROMWICH.

*West
Bromwich
Order.*
(1.)

*Provisional Order for partially repealing and altering the West
Bromwich Corporation (Consolidation of Loans) Act 1889.*

To the Mayor Aldermen and Burgesses of the Borough of West
Bromwich ; —

And to all others whom it may concern.

WHEREAS the Borough of West Bromwich (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 provisions of the West Bromwich
Corporation (Consolidation of Loans) Act 1889 (which Act is herein-after
referred to as "the Local Act") are in force in the Borough ;

52 & 53 Vict.
c. xvi.

And whereas by Section 4 of the Local Act the Corporation are empowered
from time to time by resolution of the council of the Borough to exercise any
statutory borrowing power by creation of redeemable stock to be from time to
time issued in accordance with the provisions of that Act but it is provided
that all stock at any time and from time to time so created shall be created
subject to such terms and conditions as that the same shall form one and the
same class of stock ;

And whereas by Section 7 of the Local Act provision is made for the
establishment of the West Bromwich Corporation Consolidation Loans Fund
(herein-after referred to as "Loans Fund (No. 1)") for the payment of dividends
on Corporation Stock and for redemption and extinction or purchase and extinction
of Corporation Stock ;

And whereas by sub-section (5) of Section 9 of the Local Act provision is
made for payment of the sums therein mentioned into the Loans Fund (No. 1)
if the extinction of any portion of Corporation Stock or any part thereof is
accelerated by the application to such extinction of any part of the Loans Fund
(No. 1) ;

And whereas by sub-section (1) of Section 11 of the Local Act the Corpora-
tion are required to pay into the Loans Fund (No. 1) and to carry to the proper
separate account forming part of the general account of the Loans Fund (No. 1)
all such money being capital or in the nature of capital and not being otherwise
wholly or in part appropriated or made applicable by law or by valid contract as
shall from time to time arise from any sale lease or other disposition of land or
other property of the Corporation on the revenues whereof any Corporation
Stock is charged ;

And whereas it is provided by Section 12 of the Local Act that the Corpora-
tion shall from time to time apply the Loans Fund (No. 1) first in paying
the dividends on all Corporation Stock and next in redeeming Corporation Stock
according to the terms of issue and purchasing for extinction of Corporation
Stock ;

And whereas by Section 15 of the Local Act provision is made with respect
to the application of moneys paid into the Loans Fund (No. 1) not being capital
or in the nature of capital and not being required for making and maintaining
the prescribed accumulations ;

[62 & 63 VICT.] *Local Government Board's* [Ch. cxiii.]
Provisional Orders Confirmation (No. 11) Act, 1899.

And whereas by Section 19 of the Local Act it is provided that money raised by Corporation Stock shall be applied for purposes for which money raiseable under the statutory borrowing power in exercise whereof the stock is issued ought by law to be applied and not otherwise ;

A.D. 1899.

—
*West
 Bromwich
 Order.*
 (1.)

And whereas by Section 57 of the Local Act the Corporation are empowered to lend moneys to certain public bodies and for such purpose to raise such moneys in the manner provided by sub-section (2) of that section and by sub-section (3) (c) thereof it is further provided that all sums received by the Corporation for interest in respect of any moneys lent by them as aforesaid shall be carried to the credit of the borough fund :

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 :—

38 & 39 Vict.
 c. 55.

Art. I.—(1.) Notwithstanding anything contained in the Local Act the Corporation may from time to time exercise any statutory borrowing power by the creation and issue under the powers of the Local Act as altered by this Order of a new class of redeemable Corporation Stock at such price not being lower than ninety-five pounds per centum and bearing such dividend not exceeding two pounds fifteen shillings per centum per annum as the Corporation may by the resolution for such issue determine Provided that all stock at any time and from time to time so created shall be created on and subject to such terms and conditions as that the same shall form one and the same class of stock bearing one and the same rate of dividend and shall become redeemable as herein-after provided after the expiration of the same period from the first creation of the stock.

Creation of
 new class of
 stock.

(2.) After the expiration of such a period from the creation of the stock as the Corporation shall by the resolution creating such stock declare the stock shall be redeemable at par at the option of the Corporation and within such a period (not exceeding sixty years) from the first creation of the stock as the Corporation shall by such resolution declare the whole of the stock shall be redeemed or purchased and extinguished.

(3.) All stock created and issued under this Article shall be charged in the same manner as and rank *pari passu* with stock issued under the Local Act and shall otherwise be subject to the provisions of the Local Act as altered by this Order except so far as such provisions are expressly altered by this Order.

(4.) All stock created and issued under this Article shall be designated by the Corporation as *West Bromwich Corporation Redeemable Stock* with the addition of such particulars (if any) as the Corporation may see fit.

Art. II.—(1.) A separate loans fund to be called the *West Bromwich Corporation Consolidation Loans Fund (No. 2)* (herein-after referred to as "*Loans Fund (No. 2)*") shall be established and formed in respect of any Corporation Stock which may be created and issued by the Corporation under Article I. of this Order and all the provisions of the Local Act as altered by this Order in regard to the *Loans Fund (No. 1)* shall with the necessary adaptations apply to the *Loans Fund (No. 2)* Provided that the Corporation

Loans fund
 for new class
 of stock.

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Provisional Orders Confirmation (No. 11) Act, 1899.

A.D. 1899.

*West
Bromwich
Order.*
(1.)

shall not be empowered to apply any part of the Loans Fund (No. 1) in purchasing or redeeming any stock created in pursuance of Article I. of this Order or any part of the Loans Fund (No. 2) in purchasing or redeeming any stock not created under that Article.

(2.) So long as any moneys are required under the provisions of sub-section (1) of Section 11 of the Local Act as altered by this Order to be paid to the Loans Fund (No. 1) in respect of stock created and issued under the Local Act no moneys shall be required to be paid to the Loans Fund (No. 2) under that sub-section as so altered :

Provided that if any money mentioned in that sub-section shall arise from any sale lease or other disposition of land or other property which shall have been purchased or otherwise acquired by means of money raised by stock created under Article I. of this Order or by means of moneys which shall have been converted into stock so created then the money so arising shall be paid into the Loans Fund (No. 2).

Art. III. Sub-section (5) of Section 9 of the Local Act shall be repealed except so far as the same may have been acted upon and in substitution therefor the following provisions shall have effect viz,—

Maintenance of
loans fund :
increase
reduction and
discontinuance
of contri-
butions.

“(5.)—(a.) If before the expiration of the period which in pursuance of
 “ sub-section (3) of this section is to be adopted as the basis for the
 “ calculation of the payments to the loans fund in respect of an amount
 “ of Corporation Stock and which period is herein-after referred to as
 “ ‘ the prescribed period ’ the Corporation apply a part of the loans fund
 “ in the redemption or purchase and extinction of stock then subject
 “ to the provisions in force governing the payments to be made to
 “ the loans fund in respect of moneys raised by stock for the purpose of
 “ loans to any other local authority a sum equal to the interest which
 “ the part of the loans fund so applied would have produced at the rate
 “ per centum on which the payments to the loans fund are calculated
 “ shall in each year until the expiration of the prescribed period be paid
 “ into the loans fund out of the revenues of the Corporation chargeable
 “ with payment of the contributions to the loans fund in respect of the
 “ amount of stock so redeemed or purchased and extinguished Provided
 “ that if any amount of stock extinguished by application of part of the
 “ loans fund as aforesaid is purchased by the Corporation at a rate
 “ exceeding one hundred pounds sterling for an amount of stock of the
 “ nominal value of one hundred pounds the interest payable into the loans
 “ fund under this section shall be calculated as if only one hundred
 “ pounds sterling had been applied out of the loans fund for each
 “ amount of stock of the nominal value of one hundred pounds which
 “ may have been purchased and the Corporation shall pay into the loans
 “ fund during the year in which such purchase is made an additional
 “ sum or sums equal in amount to the sum or sums paid in excess of the
 “ said rate for the purchase of stock in such year and such additional
 “ sum or sums shall be paid out of the revenues of the Corporation
 “ chargeable with the payment of the contributions to the loans fund in
 “ respect of that amount of stock.

- “(b.) When the Corporation redeem or purchase and extinguish stock by the application of any part of the loans fund the stock so redeemed or purchased and extinguished shall be deemed to be stock issued in respect of such one or more of the statutory borrowing powers exercised by the issue of stock and if in respect of more than one in such portions as the Corporation shall direct. Provided that no larger amount of stock shall be redeemed or purchased and extinguished in respect of any statutory borrowing power than the amount which according to the actual price of redemption or purchase could be redeemed or purchased with the contributions paid into the loans fund in respect of that borrowing power and the accumulations (if any) thereon applicable to the extinction of stock.
- “(6.)—(a.) If it appears to the Corporation at any time that the contributions which are being made to the loans fund will not be sufficient to redeem or to purchase and extinguish the amount of Corporation Stock in respect of which such contributions are made within the prescribed period the amount of such contributions shall be increased to such extent as will be sufficient for that purpose and the amount of any such increased contributions shall be paid out of the revenues of the Corporation chargeable with the payment of the contributions. Provided that if it appears to the Local Government Board that any such increase is necessary the Corporation shall increase the contributions to such extent as the Board may direct.
- “(b.) The Corporation with the consent of the Local Government Board may at any time reduce the contributions to be made to the loans fund as aforesaid either temporarily or permanently in any case in which it appears to the Board that such contributions would if maintained be more than sufficient to redeem or to purchase and extinguish the amount of Corporation Stock in respect of which such contributions are made within the prescribed period.
- “(c.) If the amount in the loans fund at any time is in the opinion of the Local Government Board sufficient with accumulations to redeem or to purchase and extinguish any amount of Corporation Stock within the prescribed period the Corporation with the consent of the Board may discontinue the payment of contributions to the loans fund in respect of such stock.
- “(d.) If it appears to the Corporation at any time that the amount in the loans fund to the credit of any loan together with the probable accumulations thereof will be more than sufficient to provide for the redemption of the amount of stock outstanding in respect of such loan within the prescribed period the Corporation with the consent of the Local Government Board may transfer a part of such amount to an account of the loans fund relating to some other loan or may apply any income from such amount in the loans fund in excess of the amount which will be sufficient to provide for the redemption of the stock as aforesaid towards the payment of dividends upon the stock outstanding in respect of the loan or upon stock outstanding in respect of any other loan.

A.D. 1899.

*West
Bromwich
Order.
(1.)*

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—
*West
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Order.*
(1.)

“(e.) Any surplus of the loans fund remaining after the redemption or purchase
“ and extinction of the whole of the stock to the redemption of which the
“ fund is applicable shall be applied to such purpose or purposes as the
“ Corporation with the consent of the Local Government Board may
“ determine.”

Investment and
accumulation
of capital
receipts.

Art. IV. Sub-section (1) of Section 11 of the Local Act shall be altered
by the addition thereto of the words “ and as shall from time to time arise from
any other source ” and also of the following paragraph viz.,—

“ Any sums paid into the loans fund in pursuance of this sub-section or in
“ pursuance of sub-section (4) of Section 17 of this Act shall (unless the
“ same be forthwith applied in the redemption or purchase and extinction
“ of Corporation Stock) be invested in statutory securities and accumulated
“ as the sums paid into the loans fund in respect of contributions under
“ Section 9 of this Act are required to be invested and accumulated.”

Application
and use of
loans fund.

Art. V. Section 12 of the Local Act shall be repealed except so far as the
same may have been acted upon and in substitution therefor the following
provisions shall have effect viz.,—

“ 12.—(1.) The Corporation shall from time to time apply the loans fund first
“ in paying the dividends on all Corporation Stock and next in redeeming
“ Corporation Stock according to the terms of issue and purchasing
“ Corporation Stock for extinction.

“ (2.) Where the Corporation are authorised by any statutory borrowing
“ power to raise money for any purpose the Corporation instead of
“ exercising the statutory borrowing power by the creation and issue
“ of additional Corporation Stock may exercise the statutory borrowing
“ power wholly or partially by using for such purpose any moneys
“ for the time being forming part of the loans fund and not required
“ for the payment of dividends on Corporation Stock.

“ (3.) The Corporation when exercising the power conferred on them
“ by sub-section (2) of this section shall—

“ (a) withdraw from the loans fund a sum equal to the amount of
“ the statutory borrowing power proposed to be exercised by the
“ use of moneys forming part of the loans fund and shall
“ determine from which account in the loans fund having
“ amounts to its credit the said sum shall be deemed to be
“ withdrawn ;

“ (b) transfer Corporation Stock at par value equal to the sum
“ withdrawn from the loans fund from the last-named account
“ to the account in respect of which the statutory borrowing
“ power is exercised.

“ (4.) The provisions of this Act shall apply (a) to the moneys used
“ from the loans fund as aforesaid as though such moneys had been raised
“ by the issue of further Corporation Stock and (b) to the stock
“ transferred as aforesaid as though it were newly issued stock.

“ (5.) On every transfer of Corporation Stock in pursuance of sub-
“ section (3) of this section when the whole amount of stock standing to

“ the debit of the particular account is not transferred the amounts
 “ payable to the loans fund in respect of the stock not transferred shall
 “ be such as the Local Government Board approve.

A.D. 1899.

*West
 Bromwich
 Order.
 (1.)*

“ (6.) In case the Corporation in pursuance of sub-sections (2) and (3)
 “ of this section use any moneys forming part of the loans fund and
 “ transfer Corporation Stock in respect thereof the loan in respect of
 “ which the moneys were paid into the loans fund shall to the amount
 “ of the stock transferred be deemed to have been paid off as if that
 “ amount of stock had been redeemed or purchased and extinguished out
 “ of the loans fund.

“ (7.) The Corporation shall supply the Local Government Board with
 “ such information as that Board may require in consequence of the
 “ exercise by the Corporation of the powers of this section.”

Art. VI. Section 15 of the Local Act shall be repealed except so far as the
 same may have been acted upon and in substitution therefor the following
 provisions shall have effect viz.,—

Repeal of
 Section 15 of
 Local Act (as
 to application
 of income in
 reduction of
 contributions
 to loans fund)
 and substituted
 provisions.

“ 15.—(1.) Where any money is standing on a separate account in the loans
 “ fund being money paid into the loans fund as rents and profits of land
 “ and other property of the Corporation or being money paid into the
 “ loans fund as interest on cash balances received by the Corporation
 “ or being other money paid into the loans fund but not being capital or
 “ in the nature of capital the Corporation may deal with the same as in
 “ this section provided.

“ (2.) Where any money standing on a separate account in the loans
 “ fund and required by this Act to be invested and accumulated produces
 “ in any year a sum in excess of that which it would have produced
 “ at the rate of interest on which the payments to the loans fund are
 “ calculated the Corporation may if they think fit deal with the excess
 “ so produced in accordance with the provisions of sub-section (3) of
 “ this section.

“ (3.) The Corporation may if they think fit from time to time apply
 “ the money described in sub-section (1) of this section and the excess
 “ referred to in sub-section (2) of this section to either of the purposes
 “ following or partly to one and partly to the other in such proportions
 “ as the Corporation from time to time may consider equitable and
 “ expedient that is to say,—

“ (a.) In reduction of such contributions out of the Corporation
 “ revenues as are payable into the loans fund in respect of
 “ dividends on the portion of Corporation Stock in relation to
 “ which the separate account on which the money or interest
 “ and annual proceeds is or are standing is kept.

“ (b.) In reduction of the contributions out of the Corporation
 “ revenues payable into the loans fund for redemption and
 “ extinction or purchase and extinction of such portion of
 “ stock.”

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A.D. 1899.

West

Bromwich
Order.

(1.)

Application of
money raised
by Corporation
Stock.

Art. VII. Section 19 of the Local Act shall be altered by the addition thereto of the following provision viz.,—

“ Provided that if after the raising of any money by stock it shall be found
“ that any part of such money is not required for the purpose to which it is
“ applicable as aforesaid the Corporation shall pay the money not so
“ required into the loans fund.”

Application of
interest
received from
borrowing
authority.

Art. VIII. Sub-section (3) (c) of Section 57 of the Local Act shall be repealed except so far as it may have been acted upon and in substitution therefor the following provision shall have effect viz.,—

“ (c.) All sums received from the borrowing authority for interest shall be
“ applied towards the payment of interest payable in respect of money so
“ borrowed the balance (if any) being carried to the credit of the borough
“ fund.”

Extinction of
stock where
holder not
forthcoming;
or doubtful.

Art. IX.—(1.) If at the end of the period within which any Corporation Stock is required to be extinguished the Corporation by reason of the holder of any such stock not being forthcoming or by reason of any doubt as to the ownership of any such stock shall not be able to redeem extinguish and cancel such stock as required by the Local Act the Corporation shall invest on statutory securities a sum equal to the nominal value of all such stock as cannot be redeemed as aforesaid such sum to be dealt with as herein-after prescribed and thereupon such stock shall be deemed to have been extinguished.

(2.) If before the end of the period within which any stock is required to be extinguished the Corporation shall have extinguished all the stock except such as cannot be redeemed as aforesaid the Corporation may invest on statutory securities a sum equal to the nominal value of all such stock as cannot be redeemed as aforesaid such sum to be dealt with as herein-after prescribed and thereupon such stock shall be deemed to have been extinguished.

(3.) All sums invested by the Corporation as aforesaid shall unless sold for the purpose of satisfying any claim in respect of the stock represented by the same be kept invested on statutory securities for a period of ten years after which time the Corporation may appropriate the said sums and any accumulations thereon for such purposes as the Board may approve without prejudice nevertheless to the rights of any person to the said sums or any part thereof.

Short title.

Art. X. This Order may be cited as the West Bromwich Order (No. 1) 1899.

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

(L.S.)

HENRY CHAPLIN President.
S. B. PROVIS Secretary.

BOROUGH OF WEST BROMWICH.

A.D. 1899.

*Provisional Order for altering the West Bromwich Improvement
Act 1854.*

*West
Bromwich
Order.
(2.)*

To the Mayor Aldermen and Burgesses of the Borough of West
Bromwich ; —

And to all others whom it may concern.

WHEREAS the Borough of West Bromwich (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 West Bromwich Improvement Act 1854 (herein-after referred to as “the
Local Act”) as altered by certain other Local Acts and by certain Provisional
Orders which were duly confirmed by Parliament but which do not affect the
subject-matter of this Order are in force in the Borough ;

17 & 18 Vict.
c. clxiii.

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

And whereas by Section XLVII. of the Local Act the West Bromwich
Improvement Commissioners (herein-after referred to as “the Commissioners”)
were empowered subject to the provisions contained in that Act and the Acts
incorporated therewith to enter upon take and use the lands mentioned and
described in Schedule (B.) to that Act and upon such land or on any other land
which might be obtained by the Commissioners for that purpose by agreement
with the owners lessees and occupiers thereof to construct markets and market-
places with all necessary buildings and works for the sale of such marketable
commodities as are mentioned or referred to in Schedule (C.) to that Act and
also a market-place for the sale of cattle ;

And whereas by Sections XLVIII. and XLIX. of the Local Act provision was
made with respect to the stallages rents and tolls to be taken in any market or
market-place constructed under the provisions of that Act and the Acts
incorporated therewith ;

And whereas by Section LIII. of the Local Act provision was made for the
application of payments made to the Commissioners in respect of tolls or stallages
of or otherwise arising from the said markets ;

And whereas the Commissioners in pursuance of the provisions of the above-
recited Section XLVII. of the Local Act purchased certain lands and constructed
upon such lands or part thereof certain markets and market-places ;

And whereas the Commissioners constructed a public library upon land
adjoining the land upon which the said markets and market-places were
constructed as aforesaid ;

And whereas all the powers rights duties capacities liabilities obligations and
property vested in or attached to the Commissioners under the Local Act and
the Acts incorporated therewith are now exerciseable by or attaching to or vested
in the Corporation ;

[Ch. cxiii.] *Local Government Board's* [62 & 63 Vict.]
Provisional Orders Confirmation (No. 11) Act, 1899.

- A.D. 1899. And whereas it is expedient that the markets and market-places constructed as aforesaid should be abandoned and that the sites and buildings thereof should be appropriated as herein-after mentioned :
- West Bromwich Order.*
 (2.)
 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 as to provide as follows viz.,—
- Partial repeal. Art. I. The following provisions of the Local Act viz.,—
 So much of Section I. as incorporates the Markets and Fairs Clauses Act 1847 ;
 Sections XLVII. XLVIII. and XLIX
 So much of Section LIII. as relates to the application of payments made in respect of tolls or stallages of or otherwise arising from the markets constructed in pursuance of Section XLVII. of the Local Act; and
 Schedules (B.) (C.) and (D.);
 shall be repealed except so far as the same may have been acted upon :
 Provided that nothing herein contained shall be deemed to alter or affect the repayment of any moneys borrowed for market purposes.
- Abandonment of markets &c. Art. II.—(1.) The markets and market-places constructed by the Corporation as aforesaid shall cease to be used for any of the purposes authorised by the Local Act or for any other purpose of or in connexion with a market or markets.
- Partial appropriation of market site &c. (2.) The Corporation may appropriate the site of the markets and market-places or any part thereof and the buildings erected thereon for the purpose of providing a public library and for that purpose may demolish or rebuild or alter such buildings.
- Partial appropriation of market site library site &c. (3.) The Corporation may appropriate the site of the markets and market-places or any part thereof and the buildings erected thereon and the site of the said existing public library or any part thereof and the buildings erected thereon for the purpose of extending their existing municipal buildings and public offices and may provide on the said sites and the site of the existing municipal buildings and offices a town hall council house or any other building necessary or proper for any purpose of the Borough or the Corporation and its officers and may in such building provide accommodation for the School Board of the Borough and its officers and for any such purpose may demolish or rebuild or alter any existing building.
- Adjustment. Art. III. For the purposes of any adjustment between the Libraries Account the Markets Account and the Municipal Buildings Account which may be consequential upon any action by the Corporation in pursuance of subdivisions (2) and (3) of Article II. of this Order the Corporation shall from time to time credit and debit any of the said accounts with such sum or sums as they may determine to be necessary and proper.
- Borrowing power for purpose of extension of municipal buildings &c. Art. IV. The Corporation may with the sanction of the Local Government Board and subject to the provisions of this Order borrow upon the security of the district fund and general district rate of the Borough such sum or sums not exceeding in the whole the sum of seven thousand five hundred pounds as may be necessary for the purposes of subdivision (3) of Article II. of this Order.

*West
Bromwich
Order.*

(2.)
Local Loans
Act and
certain pro-
visions of
Public Health
Act made
applicable.

Period for re-
payment of
borrowed
moneys.

Mode of
repayment.

Formation
maintenance
and application
of sinking
fund.

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

Art. VI. 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 Corporation 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. VII.—(1.) The Corporation 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 VIII. of this Order if the Corporation 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 any 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 Corporation the Corporation 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 Corporation towards the equal annual payments to the fund.

(5.) The Corporation 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 Corporation 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 or part of a sinking fund so applied if

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(2.)*

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 Corporation.

(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 or management of or otherwise in relation to any sinking fund under this Order shall be paid by the Corporation in addition to the payments provided for by this Order.

Increase
reduction or
discontinuance
to payments
to sinking fund.

Art. VIII.—(1.) If it appears to the Corporation 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 Corporation 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 Corporation shall increase the payments to such extent as the Board may direct.

(2.) If the Corporation 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 probable 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 Corporation may reduce the payments to be made to the sinking fund either temporarily or permanently to such an extent as the 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 Corporation may with the consent of the Board discontinue the equal annual payments to such sinking fund until the Board shall otherwise direct.

Surplus of
sinking fund.

(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 Corporation with the consent of the Local Government Board may determine.

Power to
re-borrow.

Art. IX. The Corporation 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 Corporation within twelve months before the re-borrowing and which at the time of the repayment it was intended to re-borrow :

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 (2.)

Provided that the Corporation 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. X. All moneys from time to time borrowed by virtue of this Order shall be applied by the Corporation 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 Corporation with the approval of the Local Government Board determine.

Application
 of borrowed
 moneys.

Art. XI.—(1.) Any mortgagee of the Corporation 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 due to such mortgagee or in the case of a joint application by two or more mortgagees to such mortgagees collectively to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

Receiver.

(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. XII.—(1.) The town clerk 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 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 thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Board a return in such form as may from time to time be prescribed by the Board and if required by the Board verified by statutory declaration of the said town 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

Return as to
 provision for
 repayment
 of debt.

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(2.)

such return the said town 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 Corporation 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 annual payment or sum is required by this Order or by the 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 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.

Inquiries and
expenses.

Art. XIII. 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 the 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 Board may certify the amount of the costs so incurred and any sum so certified and directed by the Board to be paid by the Corporation shall be a debt due to the Crown from the Corporation.

Short title.

Art. XIV. This Order may be cited as the West Bromwich Order (No. 2) 1899.

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

(l.s.)

HENRY CHAPLIN President.
S. B. PROVIS Secretary.

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