CHAPTER cciv.

An Act for enabling the Mayor, Aldermen, and Burgesses of the Borough of Nottingham to purchase Bulwell Forest for the purposes of a Public Park and Cemetery, to construct additional Gasworks, to acquire the undertaking of the Nottingham Waterworks Company; and for other purposes. [11th August 1879.]

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WHEREAS in the parish of Bulwell, in the borough of Nottingham, there are certain common or open lands, known by the name of Bulwell Forest, and it would be of local and public advantage to enable the mayor, aldermen, and burgesses of the borough of Nottingham (in this Act called the Corporation) to purchase the said lands, and upon part thereof to form and maintain a public park or recreation ground for the use of the inhabitants of the said borough and the public, and upon other part thereof to make and maintain a public cemetery:

And whereas the demand for gas for public and private purposes is increasing in the district supplied by the Corporation, and it is expedient that they be authorised to construct additional gasworks:

And whereas it is expedient that the Corporation should for the purposes of experiment be authorised for a limited period to manufacture or provide and to supply light for the purposes in this Act mentioned by means of electricity within the borough, and that all incidental and supplementary powers for this purpose, and other purposes connected therewith (including the supply of heat and of motive power), should be conferred upon the Corporation:

And whereas the Nottingham Waterworks Company under the powers of various Acts are supplying with water the town of Nottingham, and some parishes and places in the county of Nottingham:

And whereas the Corporation and the company have agreed for a purchase by and transfer to the Corporation of the under-

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taking and powers of the company, and it is expedient that such purchase and transfer be authorised upon the terms in this Act expressed:

40 & 41 Vict. c. xxxi.

And whereas it is expedient that the Nottingham Borough Extension Act, 1877, be amended in manner in this Act expressed:

And whereas it is expedient that the Corporation be empowered to raise money for the purposes of this Act:

And whereas the objects aforesaid cannot be effected without the authority of Parliament:

And whereas an estimate has been prepared by the Corporation whereby the expense of the purchase of the undertaking of the company, and the execution of the company's authorised works not yet completed, has been estimated at the sum of nine hundred

38 & 39 Vict. c. 55.

thousand pounds, and the said undertaking consists of permanent works within the meaning of section 234 of the Public Health Act, 1875:

And whereas plans showing the lands which may be taken under the authority of this Act, and a book of reference to those plans containing the names of the owners or reputed owners, lessees or reputed lessees, and of the occupiers of the lands shown on those plans, have been deposited with the clerk of the peace for the county of Nottingham, and with the clerk of the peace for the county of the town of Nottingham, and are in this Act respectively referred to as the deposited plans and book of reference:

And whereas an absolute majority of the whole number of the Council, at a meeting held on the 2nd day of December 1878, after ten clear days notice by public advertisement of such meeting and of the purpose thereof in the Nottingham and Midland Counties Daily Express, a local newspaper published or circulating in the borough, such notice being in addition to the ordinary notices required for summoning such meeting, resolved that the expense in relation to promoting the Bill for this Act should be charged on the borough fund:

And whereas such resolution was published twice in the said Nottingham and Midland Counties Daily Express, and in respect of matters under the control of the Local Government Board has received the approval of that Board, and in respect of other matters has received the approval of one of Her Majesty's Principal Secretaries of State:

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the Council at a further special meeting held on the 6th day of January 1879, in pursuance of a similar notice, being

not less than fourteen days after the deposit of the Bill in Parliament:

And whereas the owners and ratepayers of the borough, by resolution in the manner provided by Schedule III. annexed to the Public Health Act, 1875, consented to the promotion of the Bill for this Act:

May it therefore please Your Majesty that it may be enacted; and be it 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; (that is to say,)

I. Preliminary.

Short title.

1. This Act may be cited as the Nottingham Improvement Act, 1879.

Incorporation of general Acts. 8 & 9 Vict. c. 18. 23 & 24 Vict. c. 106. 32 & 33 Vict. c. 18. 10 & 11 Vict. c. 15. 10 & 11 Vict. c. 65.

2. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869, and the Gasworks Clauses Act, 1847, (except the provisions of that Act with respect to the amount of profit to be received by the undertakers when the gasworks are carried on for their benefit,) and the Cemeteries Clauses Act, 1847; as far as they are applicable for the purposes of and are not varied by or inconsistent with this Act, are incorporated with this Act; and in the construction of those Acts for the purposes of this Act the terms "the promoters of the undertaking," "the undertakers," and "the company" respectively mean the Corporation.

Interpretation of terms.

3. In this Act, unless the context otherwise requires,—

"The borough" means the borough of Nottingham:

"The Corporation" and "the Council" respectively mean the mayor, aldermen, and burgesses and the Council of the borough:

"The borough fund," "the district fund," and "the general district rate" respectively mean the borough fund, the district fund, and the general district rate of the borough:

"The Municipal Corporations Acts" means the Act of the session of the 5th and 6th years of King William IV., chapter 76, "to provide for the regulation of Municipal Corporations in "England and Wales," and all Acts amending the same or otherwise relating to municipal corporations in England:

"The Public Health Acts" means the Public Health Act, 1875, and all Acts for the time being in force amending or extending the same:

"Person" includes a corporation:

The several words and expressions to which by the Acts wholly or partially incorporated with this Act meanings are assigned have

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in this Act the same respective meanings, unless there be something in the subject or context repugnant to such construction: Provided that in this Act or any Act wholly or partially incorporated with this Act, the expression "superior court" or "court of competent jurisdiction," or any other like expression, shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt, and not a debt or demand created by statute.

Act to be executed by Corporation acting by the Council.

4. This Act shall be carried into execution by the Corporation acting by the Council, and according to the Municipal Corporation Acts, the Public Health Acts, and the Acts for the time being affecting the Corporation as a municipal body and a sanitary authority respectively, and with all the rights, powers, privileges, and authorities conferred by those Acts respectively on the Corporation and on the Council and committees of the Council, and the officers, agents, and servants of the Corporation, with respect to matters provided for by or comprised in the Municipal Corporation Acts and Public Health Acts respectively, and (subject to the provisions of this Act) as nearly as may be in all respects as if the powers, duties, and property vested in, imposed on, or enjoyed by the Corporation by or under this Act were vested in, imposed on, or enjoyed by them by or under the Municipal Corporations Acts and Public Health Acts respectively.

Errors, &c. in plans may be corrected.

5. If any omission, mis-statement, or erroneous description shall have been made of any lands required for the purposes of this Act, or of the owners, lessees, or occupiers of any such lands, in the deposited plans or books of reference, the Corporation may, after giving ten days notice to the owners, lessees, and occupiers of the lands affected by such proposed correction, apply to two justices for the correction thereof; and if it shall appear to such justices that such omission, mis-statement, or erroneous description arose from mistake they shall certify the same accordingly, and they shall in such certificate state the particulars of any such omission, and in what respect any such matter shall have been mis-stated or erroneously described; and such certificate shall be deposited with the clerk of the peace for the county in which such lands shall be situated, and such certificate shall be kept by such clerk of the peace along with the other documents to which it relates, and thereupon the deposited plans or books of reference shall be deemed to be corrected according to such certificate, and the Corporation may take any lands or property required by them in accordance with such certificate.

II. Bulwell Park.

Power for Corporation to purchase Bulwell Forest.

6. The Corporation may purchase, take, hold, and use for the purposes by this Act authorised the said common or open lands known as Bulwell Forest, which are delineated on the deposited plans and described in the deposited books of reference; and the compensation to be paid for the same by the Corporation to the lord of the manor, the commoners, and all other persons having any rights in or over the said lands, shall be determined according to the provisions with respect to lands being common or waste lands of the Lands Clauses Consolidation Act, 1845; and the Corporation may stop up, divert, or discontinue any road, footpath, or way in, through, or over the lands so purchased and taken.

Compensation for rights in Bulwell Forest to be settled by arbitration.

7. The amount of the compensation to be paid to the lord of the manor, or other party entitled to the soil of the said lands known as Bulwell Forest, and to the persons entitled to commonable or other rights in or over the said lands, pursuant to the last preceding section, shall, notwithstanding anything contained in the Lands Clauses Consolidation Act, 1845, be determined by arbitration by John Shaw, of Derby, land agent, or, him failing, Charles James Neale, of Mansfield, land agent, on behalf of the said lord of the manor, and all other persons entitled as aforesaid, and Thomas Huskinson, of Epperstone, in the county of Nottingham, land agent, or, him failing, George Beaumont the younger, of East Bridgford, in the same county, land agent, on behalf of the Corporation, or by their umpire to be appointed in manner provided by section 27 of the Lands Clauses Consolidation Act, 1845; and the provisions of the last-mentioned Act with respect to the settlement of questions of disputed compensation by arbitration shall, so far as the same may be applicable, apply to the arbitration under this section.

Certain roads to be made by the Corporation.

8. Before the Corporation under the powers of this Act stop up, divert, or discontinue any road in, through, or over the said lands known as Bulwell Forest, they shall set out, form, and make such good and sufficient roads over the said lands, for the use and benefit of the owner or owners for the time being of the lands adjoining Bulwell Forest, now belonging or reputed to belong to Percy Hartshorne Cooper, as shall be agreed upon between the said owner or owners for the time being and the Corporation, or as, failing agreement, shall be determined by an arbitrator, to be appointed, on the application of any party interested (after reasonable notice to the other party interested), by the Local Government Board; and the decision of the arbitrator shall be binding and conclusive as against all parties, and the costs of the arbitration shall be in his discretion;

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and the Corporation shall also set out, form, and make, for the use and benefit of the owner or owners for the time being of the lands now belonging or reputed to belong to Thomas Alfred Mann as lord of the manor of Bulwell, on the west side of and adjoining the Midland Railway opposite to Bulwell Forest, such good and sufficient road or roads as shall be agreed upon between the lord of the said manor for the time being and the Corporation, or determined by an arbitrator to be appointed in manner and with the powers aforesaid.

Savingrights of lords of manor of Bulwell.

9. Save as in this Act is otherwise expressly provided, nothing in this Act contained shall take away, abridge, or prejudice the right, title, privilege, power, or interest of the present or any future lord or lady of the manor of Bulwell in and to the seigniory, franchises, rights, royalties, and services incident to or belonging to such manor, but every such lord or lady, and all persons claiming or to claim under or in trust for him, her, or them as lord or lady of the said manor, shall and may from time to time and at all times hereafter hold and enjoy all rents, services, franchises, rights, royalties, courts, perquisites and profits of courts, and all other royalties, privileges, and jurisdictions, to the said manor or to the said lord or lady thereof belonging, in as full, ample, and beneficial a manner to all intents and purposes as he or she respectively might have held or enjoyed the same in case this Act had not been passed.

Lands of Midland Railway Company not to be taken without consent.

10. Nothing in this Act contained shall authorise the Corporation to acquire or use any of the lands or property of the Midland Railway Company without the consent of that company in writing under their common seal being first had and obtained.

Protecting lessees of coal under Bulwell Forest.

11. The persons who at the passing of this Act are entitled under or by virtue of a lease dated the first day of January 1852, and made between the Reverend Alfred Padley, of Bulwell Hall, in the county of Nottingham, clerk, and Selina his wife, of the one part, and Thomas North, of Basford, in the same county, coal master, of the other part, to work and get all or some of the coal under Bulwell Forest (herein-after called the lessees), and their assigns, shall not be liable for any damage which, by working and getting the said coal in a proper and workmanlike manner, according to the provisions of the said lease, and the custom of the district, may be caused during the continuance of such lease to any chapel, mortuary, lodge, house, or other building erected on Bulwell Forest for any of the purposes of this Act, nor shall the lessees or their assigns be liable for any damage which, by working and getting such coal in manner aforesaid, may be caused during the continuance of such lease to any house or other building erected within ten

years of the passing of this Act on Bulwell Forest for any purpose other than the purposes of this Act.

Period for compulsory purchase of Bulwell Forest.

12. The powers of the Corporation for the compulsory purchase of the said lands known as Bulwell Forest shall not be exercised after the expiration of three years from the passing of this Act.

Corporation to form and maintain public park.

13. The Corporation shall form and maintain as a public park or recreation ground (herein-after referred to as Bulwell Park) so much of Bulwell Forest, not being less than fifty acres, as they shall think fit; and thereafter Bulwell Park shall be held and maintained by the Corporation for the enjoyment, recreation, and public resort of the inhabitants of the borough of Nottingham and the neighbourhood thereof, and the public at large, subject to the provisions of this Act.

Power to lay out and improve land for park.

14. The Corporation from time to time may improve and lay out the land to be so formed into Bulwell Park as aforesaid in such manner as they shall think best adapted for the recreation, convenience, and benefit of the inhabitants of the borough and the public, and may execute such works, and build and make such houses, refreshment rooms, buildings, and conveniences therein, and may do all such other things as they shall think necessary for the proper forming, maintaining, and improving the said park.

Use of park by public.

15. Bulwell Park shall be open for the use of the public, free of charge for admission (except as herein-after provided), during the whole year on every day of the week (Sundays included), except during necessary repairs or alterations; and the hours of opening and closing the entrance gates shall vary with the seasons of the year, but so that they may be open at sunrise whenever the sun shall rise after six o'clock, and not be closed before sunset: Provided always, that the Corporation may from time to time let the park, or any part thereof, for fêtes or musical or other entertainments or amusements, and may from time to time, upon any public occasion or the giving of any entertainment therein, or on fête or gala days, close the entrance gates of the park, and may demand and receive a sum in gross in respect of all persons, or a fee from every person, for admission to the park, or part thereof, on any such occasions or days, as the Corporation think fit, and may let the exclusive right of supplying refreshment in the park upon such terms and conditions as the Corporation think fit, but the Corporation shall not so let the park for a number of days exceeding in the whole twenty-eight in any year.

Park not to be used for meetings, &c.

16. Bulwell Park shall not, without the consent of the Corporation, be used for the purposes of public or other meetings, or for open-air preaching, or for any entertainments or amusements, but the

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Corporation may permit Bulwell Park to be used for all such games or pastimes, and at such times, and in such parts of the park, and under and subject to such conditions, restrictions, and regulations as they shall think proper.

Corporation may appoint keepers, &c.

17. The Corporation may from time to time appoint and dismiss officers, keepers, and servants for the park, and pay, fix, and regulate their respective salaries, duties, services, and conduct.

Byelaws and regulations for management of park. 37 & 38 Vict. c. cxciv.

18. Subject to the provisions of this Act, the Corporation may from time to time, for the management of Bulwell Park, make and enforce byelaws and regulations for all or any of the purposes specified in section 56 of the Nottingham Improvement Act, 1874, and, subject as aforesaid, that section shall in all respects be deemed to extend and apply to Bulwell Park.

Penalty for breach of byelaws.

19. The Corporation may fix a penalty, not exceeding five pounds, for any and every breach of such byelaws, but so that every byelaw fixing any penalty be so framed as to allow of part only of the maximum penalty being inflicted; and any person in the park offending against any such byelaw may also be removed from the park.

Recovery of penalties.

20. The provisions relating to penalties of the Nottingham Improvement Act, 1874, shall extend and apply to all penalties recoverable by virtue of this Act.

Copy of byelaws to be posted in park.

21. A printed copy or a sufficient abstract of the byelaws relating to Bulwell Park shall be put up at every entrance thereto, and at such other convenient places at or near to the same as the Corporation think fit.

How expenses of park to be charged.

22. Subject to the provisions of this Act, the expenses of carrying this Act into execution with respect to Bulwell Park shall from time to time be paid out of the borough fund, district fund, or general district rates, and the same shall be a charge upon those funds and rates, and shall be provided for as part of the expenses necessarily incurred by the Corporation in carrying into effect the provisions of the Acts to provide for the regulation of municipal corporations in England and Wales.

III. Cemetery.

Corporation may make public cemetery.

23. The Corporation may, upon that part of Bulwell Forest which is described in the First Schedule to this Act, or any part thereof, make and maintain a public cemetery or burial ground, with all usual and requisite chapels, buildings, approaches, works, and conveniences connected therewith.

Cemetery not to be within 300 yards of certain property without consent.

24. No part of the cemetery by this Act authorised shall be erected or made within three hundred yards of any house of the annual value of fifty pounds, or of any garden or pleasure ground occupied therewith, except with the consent of the owner, lessee, and occupier thereof in writing.

IV. Gas.

Purchase of lands for gas undertaking.

25. The Corporation may by agreement purchase or acquire all property, rights, and interests in the piece of land described in the Second Schedule to this Act, and may also from time to time purchase by agreement such further lands, not exceeding in the whole twenty acres, as they may require for the purposes of their gas undertaking; and the lands purchased under the authority of this section shall be used only for the purposes of that undertaking.

Power to construct gasworks.

26. The Corporation may, upon the piece of land described in the Second Schedule to this Act, construct and maintain, and from time to time alter, enlarge, and remove, retorts, gasholders, receivers, meters, apparatus, and works for the manufacture and storing of gas, and of coke and other residual products obtained in the manufacture of gas, and matters producible therefrom, and may make and maintain all requisite and proper approaches and conveniences for the purposes of such works.

Restriction as to manufacture, &c. of gas on other lands. 37 & 38 Vict. c. cxxxvi. 41 & 42 Vict. c. xci.

27. It shall not be lawful for the Corporation to manufacture or store gas, except upon the lands described in the Second Schedule to this Act, and the lands on which they are authorised to manufacture or store gas by the Nottingham Corporation Gas Act, 1874, and the Nottingham Improvement Act, 1878, respectively.

As to supply of light, heat, &c. by electricity.

28. With respect to the production and supply of light, heat, and motive power by means of electricity, the following provisions shall have effect; (that is to say,)

1. In this section the word "street" has the same meaning as in the Public Health Act, 1875, and the expression "place of public resort" means any premises belonging to or used by the Corporation, whether as the municipal or as the sanitary authority, any railway station, market, public slaughter-house, or public theatre, and any other places of public resort which the Local Government Board from time to time approve.
2. During a period of five years from the first day of September one thousand eight hundred and seventy-nine, and for the purposes of lighting streets and places of public resort, but for no other purpose, it shall be lawful for the Corporation within the borough to supply light by means of electricity, and for that purpose to exercise any of the powers in this

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section mentioned, subject to the provisions thereof; (that is to say,)

(i.) For any of the purposes of this section they may use any lands for the time belonging to or held on lease by them, and not by any Act specifically appropriated to any other purpose, or may purchase by agreement and take on lease any lands:

(ii.) They may upon any such lands erect and maintain any necessary workshops, engine houses, store houses (including places for storing electricity for producing light), or other buildings necessary for any of the purposes of this section:

(iii.) They may manufacture, buy, or hire, and may use and may supply, sell, or let any machinery, steam-engines, gas-engines, or other apparatus (including meters and fittings) necessary for the purposes of this section:

(iv.) Subject to the provisions of this section, they may buy any fuel, or buy or rent any other motive power, and may buy or rent and sell or let any materials or articles necessary for the purposes of this section:

(v.) They may acquire licenses (not being exclusive) for themselves, or for any persons, companies, or corporations licensed or supplied by them, for the use of any patented or protected processes, inventions, machinery, apparatus, methods, materials, or other things:

(vi.) They may exercise, for the purposes of this section, in the whole or any part of the borough, as to electric lighting, any of the powers which are vested in or exercise-able by a corporation or sanitary authority under the Acts relating to municipal corporations, or the Public Health Act, 1875, for lighting by oil or gas:

(vii.) They may exercise, for the purposes of this section as to electric lighting, any of the powers which, under the provisions of any Act incorporating the Gasworks Clauses Act, 1847, or the Gasworks Clauses Act, 1871, might for the purposes of any gas undertaking be exercised by the undertakers:

34 & 35 Vict. c. 41.

(viii.) They may supply by agreement, for use in any place or places of public resort, light produced by electricity, and meters or other fittings, or may let meters or other fittings for any of the purposes of this section:

(ix.) They may charge, in advance or otherwise, for any light engines, machines, apparatus, meters, fittings, or other things supplied or let under the powers of this section, such

rents or sums as may from time to time be agreed on, and may recover any such rent or sum as a debt in any court of competent jurisdiction.

(x.) Generally they may do all things necessary and incidental to the purposes of this section:

All the provisions of this section shall extend to the production and supply by the Corporation of heat or motive power by application of the electricity by which they produce or supply light under the provisions of this section, and such application is included in the expression electric lighting.

3. Before laying any wires or mains or doing any works for the purposes of this section, the Corporation shall give to the Postmaster General fourteen days notice thereof, and shall conform to such reasonable regulations or orders as may from time to time be made by the Postmaster General for the protection of the wires or working of any telegraphs under his control from being injuriously affected by reason of the works to be executed under this section: Provided that if any difference arises between the Postmaster General and the Corporation with respect to any such regulation or order, such difference shall, on the request of the Postmaster or of the Corporation, be determined by some person or persons to be nominated from time to time for this purpose by the Board of Trade.

4. All expenses from time to time incurred by the Corporation in carrying the purposes of this section into effect shall be charged on, and all receipts received by the Corporation under this section shall be carried to, the credit of the district fund.

5. The Corporation may from time to time, for the purposes of this section, borrow at interest, on the security of the district fund and general district rates, such sum or sums as the Corporation from time to time find requisite, not exceeding in the whole the sum of thirty thousand pounds, and they may mortgage the said fund and rates as a security for the repayment of money so borrowed, with interest accordingly. The provisions of this Act relating to the borrowing, re-borrowing, and repayment of borrowed moneys shall extend and apply, mutatis mutandis, to the moneys borrowed under the powers of this section, except that the period for the repayment of such moneys shall be ten years.

6. The Corporation shall keep accounts in respect of electric lighting separate from all their other accounts, and shall in such accounts distinguish their expenditure on revenue or capital account, and shall apply all money from time to time

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received by them in respect of their electric lighting undertaking, except borrowed money, as follows; (that is to say,)

First. In payment of their costs, charges, and expenses of and incidental to the collecting and recovering of electric lighting rents and charges, and of the borrowing of money under this Act:

Secondly. In payment of the working and establishment expenses and cost of maintenance of their electric lighting undertaking:

Thirdly. In payment of the interest on money borrowed under this section:

Fourthly. In providing the requisite instalments or sinking fund under this section:

Fifthly. In providing a reserve fund, if they think fit, by setting aside such money as they from time to time think reasonable, and investing the same, and the resulting income thereof, in securities in which they are by this Act authorised to invest sinking funds, and accumulating the same at compound interest until the fund so formed amounts to five thousand pounds, which fund shall be applicable from time to time to answer any deficiency at any time happening in the income of the Corporation from their electric lighting undertaking, or to meet any extraordinary claim or demand at any time arising against the Corporation in respect of that undertaking, and so that if that fund is at any time reduced it may thereafter be again restored to the sum of five thousand pounds, and so from time to time as often as such reduction happens:

Any balance remaining in any year, and the annual proceeds of the reserve fund, when amounting to five thousand pounds, shall be applied in such manner as the Corporation think best for the improvement of the borough and the public benefit of the inhabitants.

7. The money borrowed under this section shall be applied for the purposes for which it is authorised to be borrowed, and generally for objects to which capital money is properly applicable, and for no other purposes.

8. Nothing in this section shall exonerate the Corporation from any indictment, action, or other proceeding for nuisance in the event of any nuisance being caused by them.

9. Nothing in this Act shall exempt the Corporation or their electric lighting undertaking from the provisions of any general Act relating to lighting by electricity or other similar means which may be passed in this or any future session of Parliament.

V. Water.

Interpretation of terms used in this part of Act.

29. In this part of this Act the following expressions have the following meanings; that is to say,

"The company" means the Nottingham Waterworks Company:

"The directors" means the directors of the company:

"The undertaking" means the undertaking of the company:

"Annuities" or "annuity" means respectively the Nottingham Corporation Water Annuities created under the provisions of this part of this Act:

"Annuitants" or "annuitant" means any person or corporation entitled to any such annuities or annuity:

"The vesting period" means the 26th day of March 1880:

"The transfer" and "the date of the transfer" respectively means the transfer and the date of the transfer of the undertaking:

"The Water Acts" means the Acts of the company.

Undertaking of company defined.

30. For the purposes and subject to the provisions of this Act, the company's undertaking shall include the company's works, mains, pipes, plant, fixed or moveable machinery, apparatus, implements, conveniences, buildings, lands, easements, interests, current books of account, stock in trade, chattels, effects, securities, choses in action, claims, demands, authorities, powers, rights, and privileges, and all other the estate, real and personal, of or belonging to the company, subject to the debts, contracts, and liabilities of the company.

Corporation to purchase and company to sell undertaking.

31. Subject to the provisions of this Act, the company shall sell, and the Corporation shall purchase, the undertaking as on and from the 26th day of March 1880.

Transfer to be by deed.

32. The transfer shall be carried into effect by a deed duly stamped, and truly stating the consideration, which deed may be in the form set forth in the Third Schedule to this Act, or to the like effect, with such variations and additions as circumstances may require.

Time for completion of purchase.

33. The purchase of the undertaking shall be completed on or as soon as may be after the 26th day of March 1880.

Company's directors to carry on undertaking until completion of purchase.

34. The directors of the company shall carry on the undertaking, according to their ordinary course of business, until the transfer, and for that purpose the directors and the company shall enjoy and may exercise all the powers, authorities, and privileges with respect to the undertaking as though this Act had not been passed, but neither the directors nor the company shall incur any responsibility as trustees for or on behalf of the Corporation, or otherwise how-

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soever. The undertaking shall be so carried on, for and at the cost of the Corporation, from and after the 25th day of March 1880, and at the transfer the Company shall either pay to or receive from the Corporation, as the case may require, the balance of income and expenditure arising and incurred in respect of the carrying on of the undertaking from and after the 25th day of March 1880 until the day of transfer.

Corporation to pay sum of money to company, and receive income, cash, balance, &c.

35. The Corporation shall pay to the company, at or before the date of the transfer, the sum of ten thousand pounds, in lieu of the company itself receiving and appropriating the water rents and other income of the undertaking then accrued due and remaining unpaid, and shall be entitled to receive and collect all such water rents, other income and earnings of the company, as at the date of the transfer shall have accrued due and shall remain unpaid to the company, and shall also be entitled to the cash balance (if any) of the profit and loss account of the company for the financial year ending the 25th day of March 1880, and the reserve fund (if any), cash at bankers and elsewhere, after the company shall have paid or provided for the payment of all interest moneys accrued due in respect of its mortgage or bond debts, and for the payment by the Company to its shareholders of all such sums of money as may be due or owing to them in respect of any interim or other dividend or dividends made or declared by the directors or by the company in general meeting at any time or times prior to or which may be made or declared by the directors or by the company in general meeting in respect of the profits of the undertaking applicable for dividend for the financial year ending 25th day of March 1880, and which, but for the passing of this Act, would have become chargeable upon or might have been declared in respect of and paid out of the profit and loss account, and rents, income, and earnings of the company, up to and including the 25th day of March 1880.

Company may raise capital for purposes of undertaking. 41 & 42 Vict. c. xlv.

36. The company may raise by the sale of shares by auction under and according to the provisions of the Nottingham Waterworks Act, 1878, such sums of money as they may deem necessary and proper for the purposes of their undertaking and of this Act; provided that the total amount of share capital at the date of the transfer shall not exceed four hundred thousand pounds, and that any unexpended balance of capital remaining in the hands or at the disposition of the company at the date of the transfer shall be paid by the company to the Corporation.

Considera-tion for

37. In consideration for the purchase of the water undertaking, the Corporation shall pay to the company, at or before the date of

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purchase of water undertaking.

the transfer, or the company may, at their option, retain out of any moneys in their hands otherwise payable by them to the Corporation, the sum of twenty thousand pounds, and shall grant to each holder of shares in the capital of the company annuities in respect of every fully paid-up share in such capital held by him at the date of the transfer as follows; that is to say,

In respect of the year ending on the 25th day of March 1881 an annuity calculated at the rate of six pounds ten shillings per centum per annum for that year;

In respect of the year ending the 25th day of March 1882 an annuity calculated at the rate of six pounds fifteen shillings per centum per annum for that year; and

In respect of the year ending the 25th day of March 1883, and of every subsequent year, a perpetual annuity calculated at the rate of seven pounds per centum per annum.

The said sum of twenty thousand pounds shall be applied by the directors as follows; that is to say,

1. In paying the costs, charges, and expenses of the winding up the affairs of the company, and such other costs, charges, and expenses (if any) as are payable by the Company and are not otherwise provided for by this Act;
2. In making such compensation as they think fit to the officers of the company; and
3. The surplus shall be distributed or applied in such manner as the shareholders of the company in general meeting shall determine.

And the following provisions shall have effect with respect to the annuities; that is to say,

The annuities shall be called "Nottingham Corporation Water Annuities":

The annuities shall be payable half-yearly on the 29th day of September and the 25th day of March in every year, without any deduction whatsoever, except in respect of income tax, and the first of such payments shall be made on the 29th day of September 1880:

The Corporation shall deliver to each annuitant, or, at the option of the annuitant, shall send by post, addressed to the registered address of the annuitant, a warrant or order on the treasurer of the borough for every such payment:

The annuities shall be a charge upon the revenue of the undertaking, and shall rank next after the mortgage and bond debts of the company, and upon the borough fund and general district rates, upon which they shall rank next after the charges upon the said fund and rates subsisting at the vesting period.

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On completion of purchase undertaking to vest in Corporation.

38. Upon the issue of the annuity certificates in accordance with the provisions of this Act, and upon payment or satisfaction of all moneys payable to or receivable or retainable by the company, and upon the execution of the said deed of conveyance, the undertaking shall, subject to all contracts, debts, obligations, and liabilities affecting the same, be transferred to and vested in the Corporation upon the terms and conditions contained in this Act.

Application of company's Acts to Corporation.

39. From and after the date of the transfer all the powers and authorities of the company under the Water Acts shall be by virtue of this Act transferred to and vested in the Corporation, and in such case those Acts shall be read and have effect as if the Corporation had been therein named instead of the company, subject nevertheless and according to the following exceptions and provisions; (that is to say,)

8 & 9 Vict. c. 16.
26 & 27 Vict. c. 118.
32 & 33 Vict. c. 48.

(1.) The provisions of the Companies Clauses Consolidation Act, 1845, the Companies Clauses Act, 1863, and the Companies Clauses Act, 1869, respectively incorporated with those Acts shall not apply to the Corporation:

(2.) None of the provisions of those Acts in any manner relating to the share or loan capital of the company shall apply to the Corporation.

Mortgages to continue first charge.

40. The mortgage or bond debt of the company at the date of the transfer, and the interest thereon, shall, after the transfer, continue to be a first charge on the company's undertaking in the hands of the Corporation.

Company's debts, &c. to be paid by Corporation.

41. All debts (including the mortgage or bond debt of the company), and all rents, rates, charges, and sums of money, actions, suits, and proceedings, and causes of action, suit, or proceeding, which at the date of the transfer are due or owing from or pending or existing against the company, shall be paid, discharged, settled, and satisfied by the Corporation; and if at any time after the date of the transfer any claim is lawfully made for any debt, rent, rate, charge, or sum of money which at the date of the transfer is due or owing from the company, the Corporation shall satisfy the claim.

Actions, &c. by or against Company not to abate.

42. If at the date of the transfer any action, suit, or proceeding is pending by or against the company, the same shall not abate or be discontinued by reason of the transfer or of anything in this Act, but the same may be continued and prosecuted by or against the Corporation as and when it might have been continued and prosecuted by or against the company if this Act had not been passed, but not further or otherwise; and if at the date of the transfer any cause of action, suit, or proceeding is existing in favour of or against the company, the same shall not be in anywise prejudicially affected

by the transfer or by anything in this Act, but may be enforced by or against the Corporation as and when it might have been enforced by or against the Company if this Act had not been passed, but not further or otherwise.

Company's books evidence as to shareholders.

43. The persons who at the date of the transfer appear in the books of the company to be proprietors of shares in the capital of the company shall, unless the contrary be proved to the satisfaction of the directors thereof, be considered to be shareholders thereof for the purposes of the distribution of that company's assets.

Receipt for purchase money.

44. The receipt of three directors of the Company for any moneys payable by the Corporation to the company shall discharge the Corporation from the same, and from being bound to see to the application or being answerable for misapplication or non-application thereof.

Vesting annuities in shareholders

45. The annuities shall vest in and belong to the several parties who at the date of the transfer are shareholders in proportion to the number of their shares.

Annuities to represent shares in company.

46. The annuities shall in all respects at law and in equity be substituted for and represent the shares in the capital of the company; and the several parties in whom the annuities vest shall hold them on and subject to the same trusts, powers, and liabilities as those on and to which their shares in the capital of the company were held, and so as to give effect to and not to defeat any testamentary disposition.

Corporation to issue certificates for annuities

47. The Corporation shall issue to every person in whom an annuity vests, or to his representatives, on demand, and on delivery of his or their share certificate, or proof of its loss or destruction, a certificate of the annuity, free of expense to the annuitant; and the certificate may be in the form in the Third Schedule to this Act annexed, or to the like effect, and by agreement one certificate may include any number of annuities. Every such certificate shall be made payable either to the bearer of the certificate, or to any person to be named therein, his executors, administrators, or assigns, as the person entitled thereto shall in writing require.

Provisions as to shares, &c. to apply to annuities.

48. The provisions of the Companies Clauses Consolidation Act, 1845, with respect to the distribution of the capital of the Company into shares, and with respect to the transfer or transmission of shares (except section 16), are hereby incorporated with this Act, and shall (so far as the same are applicable to and except as expressly varied by this Act) apply to the Corporation, and the annuities and annuitants, as if the Corporation were the company, the town council were the directors, the town clerk were the

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secretary, the annuities were shares in the Company's undertaking and the annuitants were shareholders, but the form of transfer of an annuity may be according to the form in the Third Schedule to this Act annexed, or to the like effect.

Recovery of arrears of annuities.

49. If within thirty days after an instalment of an annuity becomes payable it is not paid, the annuitant may, subject to the provisions of this Act, recover it against the Corporation in any court of competent jurisdiction.

As to appointment of receiver for annuitants.

50. The annuitants, without prejudice to their other remedies, may enforce payment of arrears of their annuities by the appointment of a receiver as if they were mortgagees of the Corporation, and arrears of annuities were arrears of interest on mortgages; and the provisions in that behalf applicable of the Companies Clauses Consolidation Act, 1845, shall apply, mutatis mutandis, to the Corporation, the annuitants, and the receiver; and the amount in arrear to authorise an application for a receiver shall be one tenth of the aggregate amount of the annuities remaining unredeemed at the time of such application.

Power to redeem annuities.

51. The Corporation may at any time, by agreement with the holder of any annuity, redeem the same at a price not exceeding twenty-five years purchase.

Annuitant to deliver up certificate of annuity redeemed.

52. On redemption of any annuity, the annuitant shall deliver up to the Corporation the certificate of such annuity, and shall give to the Corporation a discharge for the redemption money, and upon any annuity being redeemed an entry of the redemption thereof shall be made in the register of water annuities, and the annuity so redeemed shall be wholly extinguished.

As to declaration, &c. of dividends, and winding up and dissolution of company.

53. The company and the directors may exercise all powers necessary for the declaration of dividends amongst the shareholders of the company in respect of the profits earned by the company up to and inclusive of the 25th day of March 1880, and for payment of all such dividends and any other dividend or dividends accrued or to accrue due and payable to the shareholders in respect of the profits of the undertaking up to and including the 25th day of Marah 1880, and for the distribution of any moneys payable to the company by the Corporation, and for winding up the affairs of the company, and when and as soon as their affairs have been wound up the Company shall be by virtue of this Act dissolved.

Power to supply water in bulk to local boards, &c.

54. The Corporation, after the date of the transfer, may from time to time enter into and carry into effect agreements with any local board or other sanitary authority within the limits of supply of the company for the supply of water in bulk by the Corpora-

tion to the local board or sanitary authority, at such rate or price, for such periods, and on such terms and conditions as are from time to time agreed on.

Corporation may sell portion of water undertaking to sanitary authorities.

55. If at any time after the date of the transfer any sanitary authority within the limits of the water supply of the Corporation shall give not less than six months notice in writing to the Corporation of their desire to purchase that portion of the water undertaking of the Corporation which is contained within their district, and shall obtain the consent of the Local Government Board to such purchase, and shall apply to Parliament or the Local Government Board for power to purchase such portion of the said undertaking (except the reservoirs, and the engines, mains, and pipes, or other apparatus which shall be necessary for supplying with water any other part of the Corporation's limits of supply), and to supply water within such district, then it shall not be lawful for the Corporation to oppose such application (except as to the details thereof); and if such powers be granted, the Corporation shall sell, and such sanitary authority shall purchase, such portion of the said undertaking (except as aforesaid) within the district of such sanitary authority at such price as shall be fixed, in default of agreement, by arbitration under the provisions of the Lands Clauses Consolidation Acts, 1845, 1860, and 1869; and the Corporation shall apply the proceeds of any sale under this section in the redemption of water annuities or the repayment of moneys owing by the Corporation under this Act on mortgages, debentures, or debenture stock for water purposes, or in any manner in which money borrowed under this Act for water purposes may be applied: Provided always, that no such authority shall be authorised, until after the completion of such purchase, to supply water to any part of such district within the Corporation's limits of supply, and that after the completion of such purchase all power and obligation on the part of the Corporation to supply water within such district shall cease and determine.

VI. Financial.

Power to borrow for purposes of water undertaking.

56. The Corporation may from time to time borrow for the purposes of this Act, so far as they relate to water, such sums of money as they require, not exceeding in the whole the sum of nine hundred thousand pounds, and in addition thereto the Corporation may from time to time, with the previous approval of the Local Government Board, borrow for the same purposes any further sums of money; and for the purpose of this section the issue of annuities under this Act shall, during the continuance of such annuities, be taken as reducing the amount by this Act authorised to be borrowed without the approval of the Local Government Board, to the extent

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of the capitalised value of the annuities issued, such value to be calculated on the basis of twenty years purchase; but on the redemption by the Corporation of any such annuities, except for the purposes of the sinking fund, the amount so authorised to be borrowed without such approval as aforesaid shall be increased by the amount of the capitalised value (calculated as aforesaid) of the annuities redeemed.

Power to borrow for other purposes.

57. The Corporation may also from time to time, with the previous approval of the Local Government Board, borrow such sums of money as they require for the execution of all or any of the purposes of this Act, other than the purposes of this Act so far as they relate to water and electric lighting.

Mode of borrowing.

38 & 39 Vict. c. 83.

58. The Corporation may raise all moneys which they are by this Act authorised to borrow or raise by debentures, debenture stock, or annuity certificates, under and subject to the provisions of the Local Loans Act, 1875, and the Corporation may charge the revenue of the water undertaking of the Corporation, the borough fund, the district fund, and general district rate, or any of them, as security for repayment of the moneys so borrowed, with interest.

How and within what period borrowed money to be paid off.

59. The Corporation shall pay off any money borrowed by them under this Act, and the mortgage and bond debt of the company, by such one or more of the methods (including a sinking fund) prescribed by the Local Loans Act, 1875, as the Corporation shall see fit, and within the periods following; (that is to say,)

As regards the mortgage and bond debt of the company, and any money borrowed for the purposes of this Act relating to water, before the expiration of five years from the passing of this Act, within seventy years after the expiration of those five years;

As regards money borrowed for any other purposes of this Act, except electric lighting, before the expiration of one year from the passing of this Act, within sixty years after the expiration of that one year;

As regards any money borrowed for the purposes of this Act relating to water after the expiration of those five years, within seventy years after the same is borrowed; and

As regards money borrowed for any other purposes of this Act, except electric lighting, after the expiration of one year from the passing of this Act, within sixty years after the same is borrowed.

Power to reborrow.

60. The Corporation, for the purpose of paying off any moneys borrowed or raised by them by the issue of debentures, debenture stock, or annuity certificates under and subject to the provisions

of the Local Loans Act, 1875, may from time to time, during the period prescribed by this Act for the repayment of the moneys so borrowed, reborrow such amounts as they may require by the issue of debentures, debenture stock, or annuity certificates under and subject to the provisions of the Local Loans Act, 1875, or by any two or more of such methods; provided that all moneys so reborrowed shall be repaid within the period prescribed for the repayment of the moneys in lieu of which such reborrowing has been made, and that the moneys originally borrowed, and any amounts from time to time reborrowed under the foregoing provisions for the repayment of such moneys, shall, for the purposes of sections 14 and 15 of the Local Loans Act, 1875, be deemed to form the same loan, and the obligations of the Corporation with respect to the sinking fund to be set aside for repayment of such moneys, and, save as herein-after provided, with respect to the appropriation and application of a fixed annual sum for the repayment of such moneys, shall not be in any way affected by reason of such reborrowing. If the Corporation elect to pay off any moneys borrowed by them under this Act by the appropriation of an annual sum as provided by section 14 of the Local Loans Act, 1875, and any moneys in respect of which the annual sum is appropriated are paid off by means of moneys reborrowed at a different rate of interest than that payable on the moneys paid off by means of such reborrowing, the annual sum shall be reduced, or, as the case may be, increased, by the subtraction therefrom or addition thereto of a sum equivalent to the decrease or increase of the interest payable by the Corporation in consequence of such repayment and reborrowing.

Sinking fund for water annuities.

61. The Corporation shall, at the expiration of five years from the transfer of the water undertaking, out of the revenue of that undertaking or out of the general district rates, make provision for the extinction of the water annuities by means of a sinking fund, appropriated and invested, and, with the accumulations thereof (if any), from time to time applied for that purpose, so as to extinguish or be in a position to extinguish the said annuities within seventy-five years from the passing of this Act; and if at the end of that time the said annuities, or any of them, are not wholly extinguished, then the Corporation shall, so long as they are liable to pay the same, apply in or towards payment thereof the annual income arising from the sinking fund provided under this section. Whenever any annuities have been extinguished by means of a sinking fund under this section, the Corporation shall thenceforward until all such annuities are extinguished pay into such sinking fund every year, in addition to the amounts herein-before required to be appropriated, a sum equal to the annual interest which would have been produced

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by the part of the fund applied in extinguishing such annuities; provided that whenever the annual income of the sinking fund is not less than the amount of the annuities, or of so many of them as have not been extinguished, the annual sums required by this section to be paid into the sinking fund may cease to be paid.

Investment of sinking fund.

62. The sinking fund prescribed by this Act may, with reference to section 15 of the Local Loans Act, 1875, be invested by the Corporation (in addition to the securities in that Act mentioned) in any mortgages, bonds, debenture stock, or other securities authorised by Parliament, of any municipal corporation or local board, or of any company incorporated by Act of Parliament, and paying dividends on its original capital.

Annual return to Local Government Board with respect to sinking fund.

63. The town clerk shall, within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund, and other methods of repayment under this Act, transmit to the Local Government Board a return, in such form as may be prescribed by that Board, and verified by statutory declaration, if so required by them, showing the amount which has been invested for the purpose of such sinking fund, or repaid by instalments during the year preceding the making of such return, and the description of the securities upon which the same has been invested, and also showing the purposes to which any portion of the moneys invested for the sinking fund, and all interest thereon, have been applied during the same period, and the total amount remaining invested at the end of the year; and in the event of any wilful default in making such return the town clerk shall be liable to a penalty of not exceeding twenty pounds. If it appear to the Local Government Board, by such return or otherwise, that the Corporation have failed to set apart the sum required by this Act for the sinking fund, or have applied any portion of the moneys set apart for that fund, or any interest thereon, to any purposes other than those authorised by this Act, the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund, and such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court of Justice, and the provisions of this section shall, mutatis mutandis, apply to annual instalments and appropriations.

Priority of existing mortgages.

64. All mortgages granted by the Corporation subsisting at the passing of this Act shall, during their continuance, have priority of charge on the security therein comprised over all debentures, debenture stock, and annuity certificates granted or issued under this Act.

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Application of revenue.

65. The Corporation shall keep accounts in respect of their water undertaking separate from all their other accounts, and shall apply all money from time to time received by them in respect thereof, except borrowed money and money produced by the sale of superfluous lands, as follows; (that is to say,)

First, in payment of their costs, charges, and expenses of and incidental to the collecting and recovering of water rents, and of the borrowing of money under this Act:

Secondly, in payment of the working and establishment expenses and cost of maintenance of their waterworks, and generally the expenses of carrying this Act into execution:

Thirdly, in payment of the water annuities:

Fourthly, in payment of the interest on their debentures, debenture stock, and annuity certificates under this Act:

Fifthly, in providing the requisite instalments or sinking fund under this Act:

Sixthly, in improving and extending their waterworks and their mains, and in payment of any charges or expenses for the time being payable out of the borough fund or the district fund or the general district rate in respect thereof:

Seventhly, in such manner as the Corporation think best for the improvement of the borough and the public benefit of the inhabitants.

Application of money borrowed.

66. The money borrowed under this Act shall be applied for the purposes for which it was borrowed, and for alteration, improvement, extension, and enlargement of works, and generally for objects to which capital money is properly applicable, and for no other purposes.

VII. Miscellaneous.

Districts, &c. added to borough under 40 & 41 Vict. c. xxxi. to be parts of town and county of town of Nottingham.

67. The several districts, parishes and portions of parishes, and places added to and comprised within the borough of Nottingham by the Nottingham Borough Extension Act, 1877, shall, from and after the passing of this Act, be deemed to be, for all intents and purposes, parts of the town and county of the town of Nottingham, and the said Act is hereby amended accordingly; provided that nothing in this Act contained shall in any way affect the parliamentary franchise.

Power to sell surplus lands, &c.

68. The Corporation may from time to time sell or lease and dispose of any part of the buildings, works, lands, and property transferred to or purchased by them by or under this Act, and not required for the purposes thereof, and they shall apply the proceeds of any sale in paying off money borrowed by the Corporation under this Act, and until such application such proceeds shall form part of the borough fund.

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General saving for Corporation.

69. Nothing in this Act shall take away, abridge, or prejudicially affect any right, power, authority, estate, or interest of the Corporation under the Municipal Corporations Acts or the Public Health Acts, or otherwise; and every such right, power, authority, estate, and interest may be had, enjoyed, and exercised by the Corporation as fully and effectually as if this Act had not been passed.

Expenses of Act.

70. The costs, charges, and expenses preliminary to and of and incidental to the preparing of, and applying for, and the obtaining and passing of this Act, including the costs, charges, and expenses preliminary to and of and connected with the obtaining of the resolution of owners and ratepayers aforesaid, shall be paid by the Corporation out of the borough fund or any other funds under their control, or out of any moneys borrowed on the security thereof.

The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

Lands for Cemetery.

The piece of land forming the southern portion of Bulwell Forest, and bounded on the east and north-east by land and plantation the property or reputed property of His Grace the Duke of Saint Albans, and in his occupation; on the south-east in part by a public highway leading from Bulwell Forest to Nottingham, and known as Bulwell Lane, and in other part by land belonging or reputed to belong to the Bestwood Coal and Iron Company, Limited, and in their occupation; and bounded on the west side in part by land belonging or reputed to belong to the trustees of His Grace the Duke of Newcastle, and in the occupation of William Jackson; and bounded on the south-west and west in other part by land belonging or reputed to belong to Percy Hartshorn Cooper, and in the occupation of Ann Garner; and bounded on the south-west in other part by lands belonging or reputed to belong to Richard Jennison and William Jennison, and in occupation of William Jennison; and in other part by lands belonging or reputed to belong to Richard Jennison, and occupied by William Woodward; and in other part by a dwelling-house, land, and buildings belonging or reputed to belong to the trustees of the late Samuel Thomas Cooper, and in the occupation of Ann Barker and William Woodward; and in other part by dwelling-houses, land, and buildings belonging or reputed to belong to Messieurs Piggin and others, and in the occupation of Joseph Beardsley and Henry Woodward; and in other part by the end of a public street called Forest Street; and in other part by dwelling-houses, land, and buildings belonging or reputed to belong to James Terry, and in his occupation, and that of Thomas Wright, William Bembridge, and another; and in part by land belonging or reputed to belong to George Collins, and in his occupation; and in other part by the end of a private street there, and in other part by dwelling-houses, land, and buildings belonging or reputed to belong to George Collins, and in his occupation, and in that of William Wilson, Richard Pounder, and Alfred Bembridge; and in other part by lands belonging or reputed to belong to the trustees of the late Samuel Thomas Cooper, and in the occupation of Herbert West and John Wesson, and in other part by the end of a street called Sherwood Street; and in part by dwelling-houses, lands, and buildings belonging or reputed to belong to the trustees of the late Samuel Thomas Cooper, and in the occupation of Herbert West, William Smith or William Tyers, William Burrows, and Elijah Pinkett; and on the north-west by the line of the Midland Railway Company from Nottingham to Mansfield, and by other part of Bulwell Forest aforesaid, and separated therefrom by a straight line drawn due north-east from the northern gate-post of the level crossing over the Midland Railway near the factory of Messieurs Felkin, to the north-eastern boundary of the said Forest; and which piece of land contains 88 acres or thereabouts.

THE SECOND SCHEDULE.

Land for Gasworks.

A piece of land in the parish of Lenton, in the borough of Nottingham, belonging or reputed to belong to the trustees of John Sherwin Gregory, bounded on the north-east by the Midland Railway, on the south-east by an imaginary straight line commencing at a point in the south-western boundary of the Midland Railway 830 feet, measured south-east, from the bridge which carries the Ilkeston Road over the said railway, running thence in a south-westerly direction, and terminating at a point 340 feet or thereabouts from its commencement; bounded on the north-west by another imaginary straight line commencing at a point in the south-western boundary of the said railway 350 feet, measured in a north-westerly direction along such boundary, from the point therein herein-before described, thence drawn parallel to the imaginary line above described, and terminating at a point 280 feet or thereabouts from its commencement; and bounded on the south-west by another imaginary straight line drawn between the points of termination of the two straight lines above described; which piece of land contains an area of two and a half acres or thereabouts.

THE THIRD SCHEDULE.

Form of Deed of Transfer of Undertaking of Nottingham Waterworks Company to Corporation.

In pursuance of the Nottingham Improvement Act, 1879, and in consideration of the payments by that Act authorised, the Nottingham Waterworks Company do hereby convey, assign, and transfer unto the mayor, aldermen, and burgesses of the borough of Nottingham, their successors and assigns, the undertaking of the Nottingham Waterworks Company as defined by that Act, to hold the same unto the said mayor, aldermen, and burgesses, their successors and assigns, and the said mayor, aldermen, and burgesses do accept the same accordingly.

In witness whereof the said Nottingham Waterworks Company and the said mayor, aldermen, and burgesses have hereto affixed their respective common seals this day of 1879.

Form of Certificate of Annuity.

Certificate of Annuity, No. , £ .

By virtue of the Nottingham Improvement Act, 1879, the mayor, aldermen, and burgesses of the borough of Nottingham certify that *A.B.*, of is, under and subject to the provisions of that Act, entitled to an annuity of , charged on the revenue of the water undertaking of the said mayor, aldermen, and burgesses,

the borough fund and district fund and general district rate of the borough of Nottingham, and substituted for the share of in the Nottingham Waterworks Company, No. , which annuity is payable to him, his executors, administrators, or assigns, clear of all deductions (except for income tax), at the office in Nottingham of the treasurer of the borough of Nottingham, by equal half-yearly payments on the day of and the day of yearly.

Given under the common seal of the mayor, aldermen, and burgesses of the borough of Nottingham, in the county of Nottingham, this day of in the year of our Lord 18 .

L.S.

FORM OF TRANSFER OF ANNUITY.

I, *A.B.*, of in consideration of £ paid to me by *C.D.*, of transfer to him, his executors, administrators, and assigns, the annuity [*or* annuities] numbered , of , charged by the Nottingham Improvement Act, 1879, on the revenue of the water undertaking of the mayor, aldermen, and burgesses, the borough fund and district fund and general district rate, of the borough of Nottingham, and substituted for the share [*or* shares] of in the Nottingham Waterworks Company, numbered , and payable at the office in Nottingham of the treasurer of the borough of Nottingham, by equal half-yearly payments on the day of and the day of yearly, and all my right and interest therein and thereto.

As witness my hand and seal this day of in the year of our Lord 18 .

L.S.

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