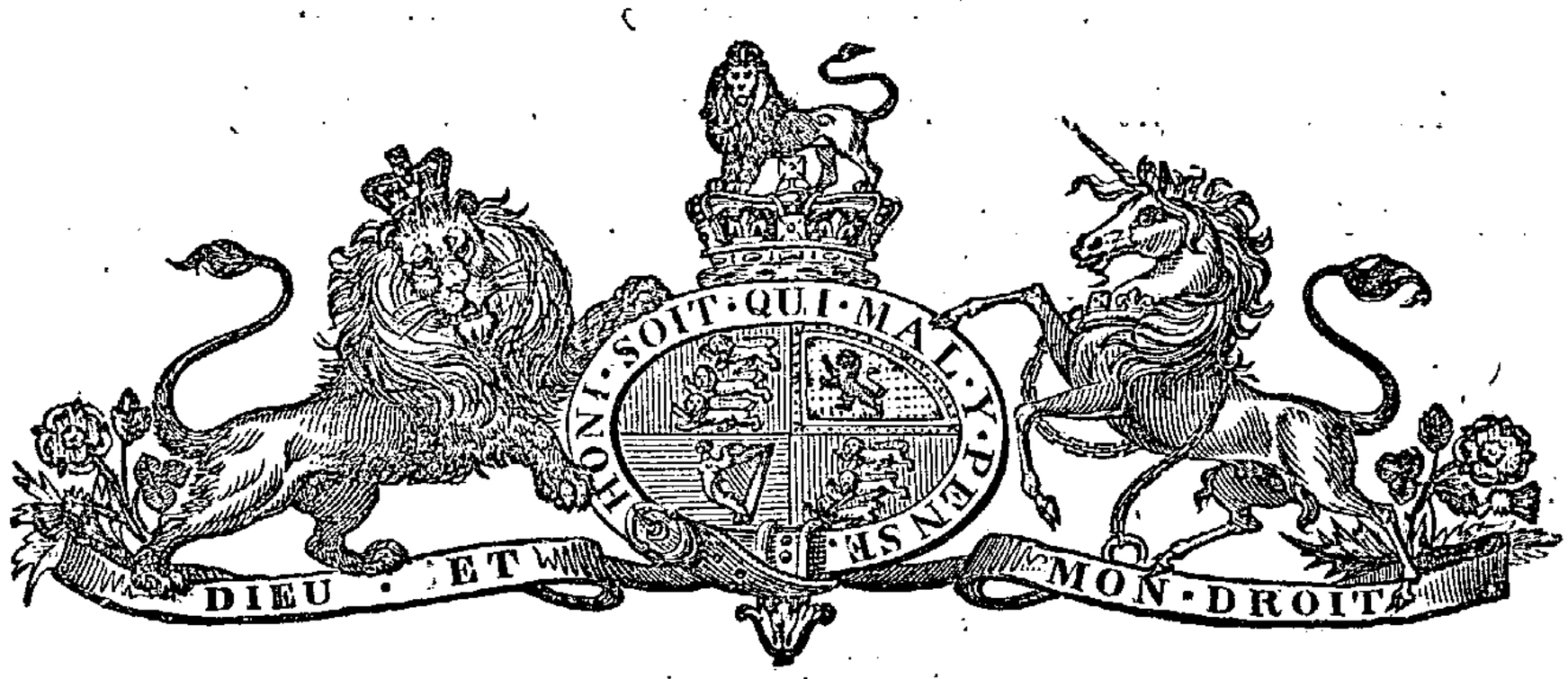


ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

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'*Inhabitants thereof with Water:*' And whereas the *Oldham* Gaslight and Waterworks Company incorporated by the first-recited Act (and in this Act called "the Company") have under the Authority of the recited Acts constructed Gasworks and Waterworks, and have raised a Share Capital of One hundred thousand Pounds in Ten thousand Shares of Ten Pounds each: And whereas the Company are willing and it is expedient that their Gasworks and Waterworks should be transferred to the Mayor, Aldermen, and Burgesses of the Borough of *Oldham* (in this Act called "the Corporation") on the Terms provided for by this Act, and it is expedient that the Corporation be empowered to maintain those Gasworks and Waterworks, and to supply Gas and Water to the Town of *Oldham* and the Neighbourhood thereof, and to raise Money for the Purposes of this Act; but in order thereto the Authority of Parliament is requisite: 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:

Short Title

I. That in citing this Act for any Purpose it shall be sufficient to use the Expression "The *Oldham* Corporation Gas and Water Act, 1853."

Commencement of Act.

II. That this Act shall commence and have Effect on and from the First Day of *August* One thousand eight hundred and fifty-three: Provided always, that as regards the Duty of the Corporation to give the Notices by this Act directed to be given by them within One Month after the passing thereof this Act shall have Effect from the passing thereof.

Limits of Act.

III. That the Limits within which this Act shall be put in force with respect to Gasworks and the Supply of Gas are the several Townships of *Oldham*, *Royton*, *Chadderton*, and *Crompton* in the Parish of *Prestwich-cum-Oldham*, and the Township of *Failsworth* in the Parish of *Manchester*, all in the County Palatine of *Lancaster*; and the Limits within which this Act shall be put in force with respect to Waterworks and the Supply of Water are those Townships of *Oldham*, *Royton*, *Chadderton*, and *Failsworth*, and the Township of *Quick* in the Parish of *Saddleworth*, in the West Riding of the County of *York*.

Provisions of recited Acts extended to this Act.

IV. That from the Commencement of this Act the recited Acts respectively, and the several Powers, Provisions, Restrictions, Indemnities, Penalties, Clauses, Matters, and Things therein respectively contained and expressed, so far as the same respectively are unrepealed or in force, and are not by this Act varied or otherwise provided for, shall

shall apply to the Corporation instead of to the Company, as if the Corporation instead of the Company had been named therein respectively, and had originally been authorized to carry the recited Acts respectively into execution, and the Corporation shall carry the recited Acts respectively into execution accordingly, and as if the recited Acts and this Act were One Act; and the Corporation shall have all such and the like Remedies for any Monies payable to them under the Provisions of the recited Acts as if this Act were not passed the Company might under those Provisions have for the Recovery of such or the like Monies.

Corporation to carry Act into execution.

V. That the recited Acts and this Act shall be so carried into execution by the Corporation acting by their Council, and the Act of the Sixth Year of *William* the Fourth, for the Regulation of Municipal Corporations, and all other Laws for the Time being in force affecting the Municipal Corporation of the Borough of *Oldham*, apply accordingly to the Corporation, and their Estates and Effects, Powers, Authorities, and Duties, under this Act, and their Council, Committees, Officers, Agents, and Servants, and all other Corporations and Persons, with respect to such Estates and Effects, Powers, Authorities, and Duties, and the Receipts, Credits, Payments, and Liabilities connected therewith, and the Byelaws, Accounts, Contracts, Appointments, Minutes, Entries, Orders, Damages, Penalties, Indemnities, and other Proceedings and Matters relating thereto, and such Act and Laws, and the recited Acts and this Act, shall be executed accordingly as One Act.

Power to appoint Committee for Execution of Act.

VI. That the Corporation from Time to Time, if they think fit, may appoint a Committee of their Council, not exceeding Thirteen in Number, for the Execution of this Act, and may delegate to the Committee such of the Powers, Authorities, and Duties of the Corporation under this Act as the Corporation think fit, and the Acts and the Proceedings of the Committee within the Limits of such Delegation shall be deemed the Acts and Proceedings of the Corporation, and the Quorum of the Committee shall be Three: Provided always, that the Corporation may from Time to Time remove any of the Members of any such Committee, and appoint others in their Place, and may from Time to Time make such Regulations as they think fit for the Guidance of the Committee; provided also, that all the Acts and Proceedings of the Committee shall from Time to Time be submitted to the Corporation for their Approval.

Same Meanings assigned to Words in this Act as in Acts in-

VII. That the several Words and Expressions to which by any Act wholly or partially incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless there be in the

corporated herewith.

the Subject or Context something repugnant to or inconsistent with such Construction.

Gasworks and Waterworks, &c. of Company vested in Corporation.

VIII. That from the Commencement of this Act all the Gasworks, and the Gasholders, Purifiers, Mains, Pipes, Meters, Apparatus, and other Works and Conveniences thereof, and the Waterworks and Conveniences thereof, and the Waterworks, and Reservoirs, Streams, Springs, Waters, Mains, Pipes, Apparatus, and other Works and Conveniences thereof, and all the Lands and Buildings, Estates, Rights, Interests, Easements, Privileges, Securities, Choses in Action, Books, Writings, Goods, Chattels, and Effects, and other Real and Personal and Mixed Estates and Effects, and all Claims and Demands whatsoever of or to which the Company at the Time of the Commencement of this Act are by virtue of the recited Acts or of either of them, or otherwise howsoever, seised, possessed, or in any way entitled at Law or in Equity, or otherwise howsoever, with the Appurtenances, and all the Profits of the Company from the Commencement of this Act, and all other Monies of the Company, except only the Money divisible among the Shareholders of the Company on the Day of the Commencement of this Act, are by the Act absolutely transferred unto and vested in the Corporation as Part of their Corporate Estate and Borough Fund, but subject to all Mortgages, Charges, Incumbrances, Liabilities, Claims, and Demands whatsoever on the Commencement of this Act affecting the same or the Company in respect thereof.

Transfer to be evidenced by Deed duly stamped.

IX. Provided always, That such Transfer shall be evidenced sufficiently and conclusively by a Deed of Transfer under the Seal of the Company, and duly stamped, and in which Deed the full Consideration for the Transfer shall be fully and truly set forth, and that Seal may be used for that Purpose by the Corporation.

Deposit of Deed of Transfer.

X. That Two Parts of such Deed shall be so executed, and One Part thereof shall be deposited by the Corporation with the Clerk of the Peace for the County Palatine of *Lancaster*, and the other Part thereof shall be retained by the Corporation, and deposited among their Records.

Clerk of the Peace to retain Part of Deed deposited with him.

XI. That that Clerk of the Peace shall receive and retain the Part of that Deed so deposited with him, and shall permit all Persons interested to inspect it, and make Copies and Extracts thereof, in like Manner, and upon like Terms, or under like Penalty for Default as provided by the Act of the First Year of Her present Majesty, Chapter Eighty-three, with respect to Documents therein referred to.

XII. That

Proof of Transfer.

XII. That that Clerk of the Peace shall, at the Request of the Corporation, on receiving a Part of that Deed, endorse on the Part thereof retained by the Corporation a Memorandum of such Receipt; and the Production by the Corporation of the Part so retained, with an Endorsement thereon purporting to be such Endorsement by that Clerk of the Peace, shall, without Proof of any Matter, be conclusive Evidence of such Deposit having been made.

Conveyances, &c. to remain valid.

XIII. That all Conveyances, Leases, Deeds, Appointments, Contracts, Agreements, Mortgages, Bonds, Covenants, and Securities made or entered into before the Commencement of this Act to, with, or in favour of, or by, for, or on behalf of the Company or any Person on their Behalf, shall be and remain as good, valid, and effectual, in favour of, against, and with reference to the Corporation, and may be proceeded on and enforced in the same Manner, to all Intents and Purposes, as if the Corporation, instead of the Company or such Person, had been Party to and executed the same, or had been named or referred to therein or privy thereto.

Actions, &c. not to abate.

XIV. That any Action, Suit, Prosecution, or other Proceeding whatsoever, commenced either by or against the Company before the Commencement of this Act, shall not abate or be discontinued or prejudicially affected by this Act, but, on the contrary, shall continue and take effect, both in favour of and against the Corporation, in the same Manner to all Intents and Purposes as if this Act had not passed the same would have continued and taken effect in favour of and against the Company; and the Court in which any such Action, Suit, Prosecution, or other Proceeding is pending, or any Judge, may, on the Application in a summary Way of any Party thereto, cause the Name of the Corporation to be substituted for the Name of the Company as Party to such Action, Suit, Prosecution, or other Proceeding, and the Name of the Corporation shall, after any such Substitution, be used in such Action, Suit, Prosecution, or other Proceeding, in like Manner as if the Corporation, instead of the Company, had originally been Party thereto.

Officers to continue.

XV. That the Officers and other Persons appointed or acting under the recited Acts or either of them shall hold and enjoy their respective Offices and Employments, with the Salaries and Emoluments thereunto annexed, and be deemed Officers and Servants of the Corporation, until they be removed therefrom by the Corporation; and all such Officers and Persons shall have the like Powers and Authorities for the Purposes of this Act, and be subject to the like Power of Removal, Rules, Regulations, Pains, and Penalties, in all respects whatsoever, as if they had been appointed by the Corporation under this Act.

Rates due at Commencement of Act to be recovered by the Corporation.

XVI. That all Gas Rates and Water Rates which immediately before the Commencement of this Act are due and payable, or accruing or becoming due and payable, to the Company, shall be payable to and may be collected and recovered by the Corporation, in like Manner as Gas Rates and Water Rates may be collected and recovered under this Act.

Debts due to and by the Company to be paid to and by the Corporation.

XVII. That all Persons who immediately before the Commencement of this Act owe any Money to the Company, or to any Person on their Behalf, shall pay the same, with all the Interest (if any) due or to accrue due for the same, to the Corporation; and all Debts and Monies which immediately before the Commencement of this Act are due or owing by or recoverable from the Company, or for the Payment of which the Company are or but for this Act would be liable, shall be paid, with all Interest (if any) due or to accrue due thereon, by or be recoverable from the Corporation.

Corporation to be subject to Liabilities of Company at Commencement of Act.

XVIII. That from and after the Commencement of this Act the Corporation shall be subject to and shall perform and conform and be liable to all Covenants, Conditions, Agreements, Directions, Duties, Liabilities, Debts, Charges, and Restrictions, including the Obligations of the said recited Acts respectively, to which the Company at the Time of the Commencement of this Act are or but for this Act would be or become subject or liable, and shall indemnify the Committee of the Company, and the several Shareholders of the Company, and their respective Heirs, Executors, Administrators, Successors, and Assigns, Estates and Effects, from all such Covenants, Conditions, Agreements, Directions, Duties, Liabilities, Debts, Charges, and Restrictions, and all Costs, Charges, and Expenses by reason thereof, or of the Nonperformance or undue Performance thereof respectively.

Corporation to maintain Gas and Water Works.

XIX. That from and after the Commencement of this Act the Corporation may maintain, repair, and use the Gasworks and Waterworks of the Company, and the Works and Conveniences thereof.

Limiting Quantity of Land to be held for Gasworks.

XX. That the Corporation may purchase by Agreement additional Land for the Purposes of Gasworks; provided that the whole Quantity of Land held at any One Time by the Corporation for the Purposes of Gasworks shall not exceed Ten Acres.

Borough Fund charged with Payment of Annuities to Shareholders.

XXI. That from the Commencement of this Act the Corporate Estates and Borough Fund of the Borough of *Oldham* (including therein the Property hereby transferred, and the Receipts from Time to Time accruing from and in respect of such Property, and the Monies which from Time to Time shall come into the Hands of the Treasurer

Treasurer of the Borough from and in respect of any Borough Rate or Rates which may be levied and collected within the Borough), in consideration of the Transfer to the Corporation of the Property of the Company, are charged with the Payment to the Shareholders in the Company, their Successors, Executors, Administrators, and Assigns, of Ten thousand perpetual Annuities of One Pound each, making an aggregate perpetual yearly Sum of Ten thousand Pounds.

Priority of Charge of Annuities on Borough Fund.

XXII. That the Annuities shall be the First Charge on the Corporate Estates and Borough Fund next after all Principal Monies and Interest or Annuities (if any) subsisting as Charges thereon at the passing of this Act.

Annuities to vest in those Shareholders in the Proportion of 1*l.* for every 10*l.* Share.

XXIII. That on the Commencement of this Act the Annuities shall vest in and belong to the several Parties who on the Commencement of this Act are Shareholders in the Company, and shall vest in and belong to them respectively in the Proportion of One Annuity of One Pound for every One Share of Ten Pounds held by them respectively in the Capital of the Company.

Annuities to represent Shares in Company.

XXIV. That the Annuities shall in all respects, both 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 become vested under this Act shall be possessed thereof respectively upon the same Trusts, and subject to the same Powers, Provisions, Charges, and Liabilities, as those upon and to which their respective Shares in the Capital of the Company are on the Commencement of this Act held and subject, and the Annuities shall accordingly pass or be affected by any Will or other Instrument disposing of or affecting such Shares.

Corporation to issue Certificates for Annuities.

XXV. That the Corporation shall, at their own Expense, issue to every Party in whom any Annuity becomes vested under this Act, or to his Successors, Executors, Administrators, or Assigns, on Demand in Writing made by him or them of the Corporation, and on Delivery by him or them to the Corporation of the Certificate of the Share in the Capital of the Company for which the Annuity is substituted, a Certificate of the Annuity; and such Certificate may be in the Form in the Schedule (A.) to this Act annexed, or to the like Effect.

Provision in case of Loss of Certificates of Shares in Company.

XXVI. Provided always, That if any Certificate of a Share in the Capital of the Company be lost or destroyed, then, on Proof thereof to the Satisfaction of the Corporation, they shall issue to the Party entitled to the Certificate so lost or destroyed a Certificate of the Annuity substituted for that Share.

XXVII. That

Number of Annuities for which Certificates to be issued.

XXVII. That the Certificates for Annuities issued by the Corporation to any Party entitled thereto shall be so many, and each of them for so many Annuities, but not exceeding in the aggregate the whole Number of his Annuities, as he by Notice in Writing to the Corporation requires: Provided also, that if or so far as any Party entitled to more than One Annuity does not require any particular Number of Certificates to be issued to him, then the Certificates issued to him shall be so many, and each of them for so many Annuities, but not exceeding in the aggregate the whole Number of his Annuities, as the Corporation think fit; but they shall not demand any Sum for any such Certificate.

Certificates to be numbered.

XXVIII. That the Certificates of the Annuities shall be numbered in arithmetical Progression beginning with Number One, and every such Certificate shall be distinguished by its appropriate Number, and shall express the Numbers of the Shares in the Capital of the Company for which the Annuities specified in the Certificate are substituted.

Certificates of Annuities to be renewed when lost, &c.

XXIX. That if the Certificate of any Annuity be worn out or damaged, then on its being produced to the Corporation they may order it to be cancelled, and thereupon the Corporation shall issue a similar Certificate to the Party then entitled to the Certificate so worn out or damaged; or if any such Certificate be lost or destroyed, then on Proof thereof to the Satisfaction of the Corporation they shall issue a similar Certificate to the Party then entitled to the Certificate so lost or destroyed; and in either Case a due Entry of the substituted Certificate shall be made by the Corporation in the Register of *Oldham* Gas and Water Annuitants; and for every such substituted Certificate the Corporation may demand any Sum not exceeding Two Shillings and Sixpence.

Certificates for altered Numbers of Annuities.

XXX. That if at any Time an Annuitant be desirous of having several Certificates instead of One, or One Certificate instead of several, for his respective Annuities or any of them, then on any such Certificate or Certificates being produced to the Corporation they may order the same to be cancelled, and shall thereupon issue to him, as he requires, One or more Certificate or Certificates for their Annuities the Certificate or Certificates for which is or are so cancelled; and in every such Case a due Entry of the substituted Certificate or Certificates shall be made by the Corporation in the Register of *Oldham* Gas and Water Annuitants, and for every such substituted Certificate the Corporation may demand any Sum not exceeding Two Shillings and Sixpence: Provided always, that in every such Case the Number or the aggregate Number of the Annuities for which the substituted Certificate or Certificates are issued shall be the same as the Number

or the aggregate Number of the Annuities the Certificate or Certificates for which is or are so cancelled.

Certificate of Annuity to be Evidence.

XXXI. That the Certificate of any Annuity shall be admitted in all Courts as *primâ facie* Evidence of the Title of the Holder thereof, his Executors, Administrators, Successors, or Assigns, to the Annuity therein specified; nevertheless the Want of such Certificate shall not prevent the Holder of any Annuity from disposing thereof.

Register of Oldham Gas and Water Annuitants.

XXXII. That the Corporation shall keep a Book called "The Register of *Oldham* Gas and Water Annuitants," and shall enter therein fairly and distinctly from Time to Time the Names of the several Corporations and the Names and Additions of the several Persons respectively entitled to the Annuities, and the Number of Certificates of Annuities to which they respectively are entitled, and the respective Amounts of their Annuities, and their Surnames or Corporate Names shall be placed in alphabetical Order.

Corporation to keep the Oldham Gas and Water Annuitants Address Book.

XXXIII. That the Corporation shall also keep a Book called "The *Oldham* Gas and Water Annuitants Address Book," and shall enter therein fairly and distinctly from Time to Time in alphabetical Order the Corporate Names with the Places of Business of the Annuitants, being Corporations, and the Surnames of the other Annuitants, with the respective Christian Names and Places of Abode and Descriptions, so far as the same are known to the Corporation; and every Annuitant, and every Burgess of the Borough of *Oldham*, or if such Annuitant be a Corporation their Clerk or Agent, may at all convenient Times inspect the Book *gratis*, and may require a Copy thereof or any Part thereof, and for every One hundred Words so required to be copied the Corporation may demand a Sum not exceeding Sixpence.

Annuities to be Personal Estate.

XXXIV. That the Annuities shall be Personal Estate, and transmissible as such, and shall not be of the Nature of Real Estate.

Transfers of Annuities to be by Deed duly stamped.

XXXV. That every Annuitant may sell and transfer all or any of his Annuities; and every such Transfer shall be by Deed duly stamped, in which the Consideration shall be truly stated; and such Deed may be according to the Form in the Schedule (B.) to this Act annexed, or to the like Effect.

Transfer of Annuities to be registered.

XXXVI. That every such Deed of Transfer (when duly executed) shall be delivered to the Corporation, and be kept by them; and they shall keep a Book called "The Register of Transfers of *Oldham* Gas and Water Annuities," and they shall enter a Memorial of every such Deed of Transfer in that Book, and shall endorse such Entry on the

Deed of Transfer (such Endorsement to be signed by the Town Clerk), and shall, on Demand, deliver a new Certificate to the Transferee; and for every such Entry of a Deed of Transfer, with such Endorsement and Certificate, the Corporation may demand any Sum not exceeding Two Shillings and Sixpence; and on the Request of any Transferee an Endorsement of the Transfer to him shall be made on the Certificate of the Annuities transferred, instead of a new Certificate being granted; and such Endorsement, being signed by the Town Clerk, shall be considered in every respect the same as a new Certificate; and until such Deed of Transfer be so delivered to the Corporation the Transferee shall not be entitled to receive any Part of the Annuities transferred.

Closing of Transfer Books.

XXXVII. That the Corporation may close the Register of Transfers of the *Oldham* Gas and Water Annuities for not exceeding Fourteen Days before the First Day of *February* and the First Day of *August* yearly; and any Transfer made during the Time when that Register is closed shall, as between the Corporation and the Transferee, but not otherwise, be deemed made after that Time.

Transmission of Annuities by other Means than Transfer to be authenticated by a Declaration.

XXXVIII. That if the Interest in any Annuity become transmitted in consequence of the Death or Bankruptcy or Insolvency of any Annuitant, or in consequence of the Marriage of a Female Annuitant, or by any lawful Means other than by a Transfer according to the Provisions of this Act, such Transmission shall be authenticated by a Declaration in Writing as by this Act provided, and until the Transmission be so authenticated any Person claiming by virtue thereof shall not be entitled to receive any Part of the Annuity transmitted.

Contents of Declaration in all Cases.

XXXIX. That every such Declaration shall state the Manner in which and the Party to whom the Annuity is transmitted, and shall be made and signed by some credible Person before a Justice, or before a Master or a Master Extraordinary of the High Court of Chancery; and such Declaration shall be left with the Corporation, and thereupon they shall enter the Name of the Person entitled under such Transmission in the Register of *Oldham* Gas and Water Annuitants; and for every such Entry the Corporation may demand any Sum not exceeding Two Shillings and Sixpence.

Contents of Declaration in Cases of Transmission by Marriage, Will, &c.

XL. That if the Transmission be by virtue of the Marriage of a Female Annuitant the Declaration shall contain a Copy of the Register of such Marriage, or other Particulars of the Celebration thereof, and shall declare the Identity of the Wife with the Holder of the Annuity; and if the Transmission be by virtue of any Testamentary Instrument or by Intestacy, the Probate of the Will or the Letters of Administration, or an official Extract therefrom, shall with

with the Declaration be produced to the Corporation, and upon such Production in either of those Cases the Corporation shall make an Entry of the Declaration in the Register of Transfers of *Oldham* Gas and Water Annuities.

Corporation not bound to regard Trusts.

XLI. That the Corporation shall not be bound to see to the Execution of any Trust, whether expressed or implied or constructive, to which any Annuity may be subject; and the Receipt of the Party in whose Name any Annuity stands in the Register of *Oldham* Gas and Water Annuitants shall from Time to Time be a sufficient Discharge to the Corporation for any Money payable in respect of the Annuity, notwithstanding any Trust to which the Annuity may then be subject, and whether or not the Corporation have had Notice of such Trusts, and the Corporation shall not be bound to see to the Application of the Money paid upon such Receipt.

Commencement and Payment of Annuities.

XLII. That the Annuities shall be computed from the Commencement of this Act, and shall be paid at the Office in the Borough of *Oldham* of the Treasurer of the Borough, in net Money, clear of all Deductions whatsoever (except Income or Property Tax, or other Tax in the Nature thereof legally chargeable thereon), and shall be so paid by equal half-yearly Payments on the First Day of *February* and the First Day of *August* in every Year, the First Payment thereof to be made on the First Day of *February* One thousand eight hundred and fifty-four.

Certificate to be demanded before Annuity recoverable.

XLIII. Provided always, That the Corporation shall not be bound to pay any Annuity until the Party entitled thereto has demanded, as by this Act provided, a Certificate of it; provided also, that an Annuity in arrear, and not wrongfully withheld by the Corporation, shall not bear Interest as against them.

Annuities recoverable by Suit.

XLIV. That if any Annuity or any Part of an Annuity, being payable, be not paid, on Demand thereof in Writing made by the Annuitant or his Agent of the Corporation, the Annuitant may sue for and recover the same, with full Costs of Suit, in any Court of competent Jurisdiction.

Annuitants may enforce Payments by requiring the Appointment of a Receiver.

XLV. That if within Thirty Days after any Annuity or any Part of an Annuity is payable, and after Demand thereof in Writing, it be not paid, the Annuitant may, without Prejudice to his Right to sue for the Amount in arrear, require the Appointment of a Receiver; and several Annuitants whose Annuities are so in arrear may join in requiring the Appointment of a Receiver.

Appointment of Receiver.

XLVI. That every Application for such a Receiver shall be made to Two Justices; and on any such Application the Justices may, by Order

Order in Writing, after hearing the Parties, appoint some Person to receive the whole or a competent Part of the Monies then in and thereafter to come to the Hands of the Treasurer of the Borough of *Oldham*, and all or any other Monies then or thereafter payable to or for the Corporation, until the Annuities in arrear, and in respect whereof the Receiver is appointed, and all Costs, including the Costs of receiving such Monies, be paid or satisfied; and when such Appointment is made the Monies so ordered to be paid to the Receiver shall be paid to him by the Treasurer, and the Persons liable to pay the same to or for the Corporation respectively; and the Receipts of the Receiver for the Monies so paid shall be valid Discharges for the same, and from all Claims and Demands by the Corporation and the Annuitants in respect thereof; and the Money so received by the Receiver shall be so much Money received by or to the Use of the Annuitants on whose Behalf the Receiver is appointed; and after the Annuities in arrear, and Costs, have been so received, the Power of the Receiver shall cease: Provided always, that if during the Continuance of the Receivership any Part of the Annuities of the Annuitants on whose Behalf he is appointed become payable, he may apply any surplus Monies in his Hands in or towards Payment thereof.

Corporation may redeem Annuities.

XLVII. That the Corporation may from Time to Time, by Agreement with any Annuitant, redeem all or any of his Annuities; and when any Annuity is so redeemed, an Entry of the Redemption thereof shall be made in the Register of *Oldham* Gas and Water Annuitants, and thereupon the redeemed Annuity shall be wholly extinguished: Provided always, that the Corporation shall not redeem any Annuity at a higher Rate than that of Twenty-five Pounds for every One Pound Annuity.

A Sum to be set apart as a Sinking Fund for Redemption of Annuities.

XLVIII. That in order to redeem the Annuities the Corporation shall in the Year One thousand eight hundred and fifty-five, and in every subsequent Year, set apart out of the Borough Fund Two thousand Pounds as a Sinking Fund to be applied for such Redemption, and shall from Time to Time invest such Sinking Fund in the Purchase of any of the Parliamentary Stocks or Funds, or of Exchequer Bills or other Government Securities, or at Interest on Real Securities, and increase the same by Accumulation in the Way of Compound Interest or otherwise, and shall when Opportunity offers apply the same or Part thereof in redeeming the Annuities, and, subject to such Application thereof, the Sinking Fund shall be Part of the Borough Fund.

Notice of this Act to be given to Shareholders of Company.

XLIX. That within One Month after the passing of this Act the Corporation shall give a printed Notice thereof to every Shareholder of the Company, and such Notice shall state concisely the Provisions of

of this Act affecting the Shareholders; and every such Notice shall be signed by the Town Clerk or his Deputy in that Behalf; and such Notices shall be sent by the Post as Letters addressed to the Shareholders according to their respective Addresses in the Share Register of the Company.

Certain Provisions of 10 & 11 Vict. c. 16. as to Mortgages incorporated with this Act.

L. That the Provisions "with respect to the Mortgages to be executed by the Commissioners" of the Commissioners Clauses Act, 1847, are incorporated with this Act; and the several Expressions "the Commissioners," and "the Clerk to the Commissioners," and "the Office of the Commissioners," in that Act, mean respectively, for the Purposes of this Act, "the Corporation," and "the Town Clerk," and "the Town Clerk's Office:" Provided always, that the Mortgages and the Transfers of Mortgages may respectively be according to the respective Forms in the Schedule (C.) and the Schedule (D.) to this Act respectively annexed, or to the like Effect.

Power for Corporation to borrow on Mortgage of Borough Fund.

LI. That the Corporation may from Time to Time, with the Approval of the Lords Commissioners of Her Majesty's Treasury, borrow at Interest, on the Security of the Corporate Estates and Borough Fund of the Borough of *Oldham*, such Sums as they from Time to Time think requisite for any of the Purposes of this Act, and may grant Mortgages of the Corporate Estates and Borough Fund accordingly: Provided always, that the Mortgages granted under this Act shall be without Prejudice to any Mortgages heretofore granted by the Corporation.

Not to mortgage Lands, &c. without Consent of Treasury.

LII. That nothing in this Act contained shall extend or be construed to extend to enable the Corporation to mortgage for the Purposes of this Act, without the Approbation of the Lords Commissioners of Her Majesty's Treasury, or any Three of them, any Messuages, Lands, Tenements, or Hereditaments which they could not have mortgaged without such Approbation before the passing of this Act, anything in this Act to the contrary notwithstanding.

Receiver for Mortgagees.

LIII. That the Mortgagees under this Act may enforce the Payment of the Arrears of Principal and Interest due to them by the Appointment of a Receiver, and the Amount in arrear to authorize a Requisition for a Receiver shall be One Fourth of the total Mortgage Debt for the Time being.

Rates vested in Corporation.

LIV. That the several Rates which the Corporation may demand and take under this Act are vested in the Corporation as Part of their Corporate Estates and Borough Fund.

Rates, &c. received by Corporation

LV. That all Rates and other Monies from Time to Time received by or for the Corporation under the Authority or for any of the Purposes

under this Act to be carried to Borough Fund.

Purposes of this Act shall be paid to the Treasurer of the Borough of *Oldham*, and shall be carried by him to the Credit of the Borough Fund of the Borough, and shall be applicable as Part of that Borough Fund.

Expenses of Corporation under this Act to be paid out of Borough Fund.

LVI. That all the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act, and the effecting of the several Purposes of this Act, and the executing of this Act, and the perpetual Annuities created by this Act, and all Monies from Time to Time borrowed under this Act, and the Interest thereon, and all other the Expenses and Liabilities of the Corporation under and with respect to this Act, and the Purposes and Execution thereof, are by this Act charged on and shall be paid out of the Corporate Estates and Borough Fund of the Borough of *Oldham* as herein-before defined, as if the same were Expenses necessarily incurred by the Corporation in carrying into effect with respect to the Borough the Provisions of the Act of the Sixth Year of *William* the Fourth, for the Regulation of Municipal Corporations, and may be paid out of the Monies and Property transferred by this Act.

Distinct Accounts for Gas and Water Works to be kept.

LVII. That the Corporation shall keep a distinct Account, to be called "The *Oldham* Gasworks and Waterworks Account," of all their Receipts, Credits, Payments, and Liabilities with respect to the Execution of this Act.

Gratuitous Supply of Gas and Water for public Purposes.

LVIII. That the Corporation may from Time to Time, on such Terms and Conditions as they think fit, supply Gas or Water gratuitously for any Purposes of public Advantage within the Limits of this Act, and the Corporation shall at all Times afford an ample Supply of Gas or Water without Charge to all Hospitals and Infirmaries within the Limits of this Act, and all Baths and Washhouses, and all Buildings, within those Limits respectively, maintained at the Expense of the Borough Rates or the Rates for the Relief of the Poor, or other Rates raised within those Limits.

Contracts for Supply of Gas, &c. not to disqualify Aldermen or Councillors.

LIX. That a Contract with the Corporation for a Supply of Gas or a Gas Meter or Water under this Act shall not disqualify a Person for being an Alderman or a Councillor of the Borough of *Oldham*: Provided always, that any such Alderman or Councillor who votes on or takes Part in the Discussion of any Matter before the Council relating to any such Contract for the Time being entered into or proposed to be entered into, and in which he or his Partner has, or, if the Contract were entered, would have directly or indirectly any pecuniary Interest, shall thereupon be disqualified as being a Contractor with the Corporation.

The SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

FORM OF CERTIFICATE OF ANNUITY.

The Oldham Corporation Gas and Water Act, 1853.

Certificate of Annnuity, No. .—£ .

By virtue of the Oldham Corporation Gas and Water Act, 1853, the Mayor, Aldermen, and Burgesses of the Borough of Oldham certify that *A.B.* of, *&c.* is under that Act entitled to perpetual Annuity [*or* Annuities] of £ charged on the Corporate Estates and Borough Fund of that Borough, and substituted for the Share [*or* Shares] of Ten Pounds [each] in the dissolved Oldham Gaslight and Waterworks Company numbered [respectively] ; and such Annuity [*or* Annuities] is with the other Annuities secured by that Act the First Charge on the Corporate Estates and Borough Fund of that Borough; and such Annuity [*or* Annuities] is payable to him, his Executors, Administrators, or Assigns, at the Office in Oldham of the Treasurer of that Borough, by equal half-yearly Payments on the First Day of February and the First Day of August yearly.

Given under the Seal of the Mayor, Aldermen, and Burgesses of the said Borough, this Day of in the Year of our Lord .

SCHEDULE (B.)

FORM OF TRANSFER OF ANNUITY.

The Oldham Corporation Gas and Water Act, 1853.

I *A.B.* of in consideration of £ paid to and by *C.D.* of transfer to him, his Executors, Administrators, and Assigns, the perpetual Annuity [*or* Annuities], No. of £ charged by the Oldham Corporation Gas and Water Act, 1853, on the Corporate Estates and Borough Fund of the Borough of Oldham, and substituted for the Share [*or* Shares] of Ten Pounds [each] in the dissolved Oldham Gaslight and Waterworks Company, numbered [respectively] and payable at the Office in Oldham of the Treasurer of that Borough by equal half-yearly Payments on the First Day of February and the First Day of August yearly, and all my Rights and Interest therein and thereto.

As witness my Hand and Seal, this Day of in the Year of our Lord .

SCHEDULE (C.)

FORM OF MORTGAGE.

The Oldham Corporation Gas and Water Act, 1853.

Mortgage, No. .—£ .

By virtue of the Oldham Corporation Gas and Water Act, 1853, the Mayor, Aldermen, and Burgesses of the Borough of Oldham, in consideration of £ paid to them by *A.B.* of grant to him, his Executors, Administrators, and Assigns, the Corporate Estates and Borough Fund of the Borough, to hold until the said Sum of £ be repaid to him or them, with Interest at the yearly Rate of £ in the Hundred, by equal half-yearly Payments on the Day of and the Day of in every Year from the Day of the Date hereof, [the Principal to be repaid on the Day of at the Option of either Party], and all Payments to be made at the Office in Oldham of the Treasurer of that Borough.

Given under the Seal of the Mayor, Aldermen, and Burgesses, this Day of in the Year of our Lord .

SCHEDULE (D.)

FORM OF TRANSFER OF MORTGAGE.

The Oldham Corporation Gas and Water Act, 1853.

I *A.B.* of in consideration of £ paid to me by *C.D.* of transfer to him, his Executors, Administrators, and Assigns, the Mortgage No. of the Corporate Estates and Borough Fund of the Borough of Oldham, for £ and Interest at the yearly Rate of £ in the Hundred, granted on the Day of by the Mayor, Aldermen, and Burgesses of that Borough [*or, if the Transfer be by Endorsement*, the within Security], and all my Right and Interest in and under the same.

As witness my Hand and Seal, this Day of in the Year of our Lord .

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