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An Act to authorise and incorporate Commissioners to supply with gas the Royal Burgh of Perth, and districts and places adjacent, and to transfer to and vest in the said Commissioners the undertakings of the Perth Gaslight Company and the Perth New Gaslight Company; and for other purposes. [29th June 1871.]

WHEREAS two Companies or associations, called respectively the Perth Gaslight Company and the Perth New Gaslight Company, are engaged in supplying gas to the royal burgh of Perth, and suburbs thereof and places adjacent, but are not subject to "The Gasworks Clauses Act, 1847," or other statutory regulation:

And whereas it is expedient and would be for the public advantage that the supply of gas to the said burgh and suburbs and places adjacent should be under the control of Commissioners representing and acting on behalf of the community, and that the undertakings of the said Companies should be acquired by the said Commissioners:

And whereas an agreement dated the eighth and ninth days of March one thousand eight hundred and seventy-one has been made between the said Companies and the Commissioners of Police acting in and for the said burgh, for the sale and purchase of the undertakings of the said Companies on the terms and conditions herein-after specified:

And whereas it is also expedient that the said Commissioners should be authorised to acquire, for the purposes of this Act, the piece of land herein-after mentioned, adjoining the gasworks of the said Perth Gaslight Company:

And whereas it is further expedient that all necessary powers should be conferred upon the said Commissioners to enable them to carry into effect the objects and purposes of this Act:

And whereas the purposes aforesaid cannot be attained without the authority of Parliament:

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And whereas plans describing the lands and property of the said Companies, and also the said piece of land which is intended to be taken compulsorily for the purposes 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 occupiers of such lands and property, have been deposited at Perth with the principal sheriff clerk of the county of Perth, which plans and book of reference are in this Act referred to as the deposited plans and book of reference:

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.

1. This Act may for all purposes be cited as "The Perth Gas Act, 1871."

General Acts herein named incorporated.

2. The following Acts and parts of Acts (as far as the same respectively are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act; namely, "The Lands Clauses Consolidation (Scotland) Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Commissioners Clauses Act, 1847," with the exception of the clauses and provisions with respect to the following matters; (that is to say,) with respect to the qualification of Commissioners; with respect to the election and rotation of the Commissioners, where the Commissioners are to be elected by the ratepayers or other like class of electors; and also with the exception of clauses 37, 40, 41, 42, 43, 45 to 47, both inclusive, 84, 86, 87, 92, 93, 94, 106, and 107.

10 & 11 Vict. c. 15. incorporated.

3. "The Gasworks Clauses Act, 1847," with the exception of the clauses with respect to the amount of profit to be received by the undertakers when the gasworks are carried on for their benefit, shall (except where expressly varied by this Act) be incorporated with and form part of this Act, and shall be held applicable as well to the mains, pipes, and works of the Companies vested in the Commissioners under the provisions of this Act as to the mains and pipes to be hereafter laid down and constructed by the Commissioners in virtue of this Act.

Same meaning to words in incorporated Acts as in this Act.

4. The several words and expressions to which by the Acts wholly or partially incorporated with this Act meanings are assigned shall in this Act have the same respective meanings, unless there be something in the subject or context repugnant to such construction: Provided always, that in the Acts wholly or partially incorporated

with this Act, and also in this Act, the expression "the special Act" shall mean this Act; the expression "the undertakers" shall mean the Commissioners hereby incorporated; the expressions "the works" or "the gasworks," or "the undertaking" or "the undertakings," shall mean and include the gasworks and works connected therewith, property heritable and movable, plant, pipes, meters, and other assets of the respective Companies, and the foresaid piece of land and other property vested in and to be purchased by the Commissioners by and under the provisions of this Act; and the word "street" shall mean and include street, highway, quay, wharf, bridleway, footway, carriageway, side pavement, turnpike or other road, thoroughfare, lane, passage, square, court, or place within the limits of this Act.

Interpretation of terms.

5. The following words and expressions of this Act shall have the several meanings hereby assigned to them; (that is to say,)

"Burgh," "burgh of Perth," and "royal burgh of Perth" shall severally mean the royal burgh of Perth within the limits thereof as fixed, defined, and set forth in a deliverance made by the sheriff of Perthshire, dated the twenty-fourth day of August in the year eighteen hundred and sixty-six, and recorded in the sheriff court books of Perthshire on the twenty-seventh day of the same month and year, under the provisions of "The General Police and Improvement (Scotland) Act, 1862:"

"Commissioners" shall mean the Commissioners incorporated by this Act:

"Lands and heritages" shall have the same meaning as is assigned to that expression in the Public Act seventeenth and eighteenth Victoria, chapter ninety-one, intituled "An Act for the Valuation of Lands and Heritages in Scotland:"

"Police Act" shall mean "The General Police and Improvement (Scotland) Act, 1862," or any other public or local Police Act in force within the burgh for the time being:

"Lord Provost" shall mean the Lord Provost of the royal burgh of Perth:

"The old Company" shall mean the Perth Gaslight Company, "the new Company" shall mean the Perth New Gaslight Company, and "the Companies" shall mean the Perth Gaslight Company and the Perth New Gaslight Company:

"Shareholder" or "shareholders" shall mean shareholder or shareholders or holder or holders of stock of the Perth Gaslight Company or the Perth New Gaslight Company respectively, and shall include persons, companies, and corporations:

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"Persons" shall include companies and corporations:

"Annuity" or "annuities" shall mean the annuities payable under this Act, or any of such annuities:

"Annuitant" or "annuitants" shall mean any person or persons entitled to and holding annuities payable under this Act:

"Sheriff" shall mean the sheriff of the county of Perth, or any of his substitutes at Perth, unless otherwise herein provided for:

"Treasurer" or "clerk" shall mean the treasurer or clerk respectively for the time being of the Commissioners.

Appointment of Commissioners.

6. This Act shall be carried into execution by Commissioners, and subject to the provisions herein-after contained the Commissioners of Police acting in and for the burgh at the date of the passing of this Act under the provisions of the Police Act, and their successors in office in all time coming, shall be and are hereby nominated and appointed Commissioners for carrying this Act into execution; and such Commissioners for the purposes of this Act shall be called "the Perth Gas Commissioners," and by that name may sue and be sued, and shall be a body corporate, with perpetual succession and a common seal, with power to purchase, take, hold, and dispose of lands and other property for the purposes but subject to the restrictions of this Act.

First and annual general meetings of Commissioners.

7. The first meeting of the Commissioners shall be called by the Lord Provost, and the same shall be held within the council chamber in Perth within six weeks after the passing of this Act, upon such day and at such hour as he may fix; and the Commissioners shall hold an annual general meeting in Perth on the second Monday of June in the year one thousand eight hundred and seventy-two, and in each year thereafter; and at all meetings of the Commissioners one third of their number shall be a quorum.

Chairman of meetings of Commissioners.

8. At all meetings of the Commissioners the chief senior magistrate present shall be chairman, and in the absence of any magistrate the chairman shall be elected by a majority of votes of the Commissioners present; and the Lord Provost shall, when present, be chairman of all committees of which he is a member.

Place of meeting of Commissioners.

9. All meetings of the Commissioners after the first may be held within the council chamber in Perth, or within such other place as the Commissioners may from time to time appoint.

Meetings to be called by clerk.

10. The clerk shall have power to call meetings of the Commissioners at such times as may be necessary for any of the purposes of this Act or connected therewith; and any two of the Commissioners may at any time require the clerk to call a special meeting of the

Commissioners for any of the purposes of this Act or connected therewith.

Notice of meetings to be given.

11. The clerk shall give notice of each meeting to the Commissioners in such way and manner as the Commissioners may from time to time direct.

Meetings may be adjourned.

12. The Commissioners present at the first meeting or at any subsequent meeting, or at any adjourned meeting, may from time to time adjourn any such meeting to the same or any other place within the burgh; and if at any meeting of the Commissioners there be not a quorum present within one half-hour after the time appointed for such meeting, the Commissioners present, or the major part of them, or any one Commissioner if only one be present, or the clerk if no Commissioner be present, may adjourn such meeting to be held on another day, at the same or any other place within the burgh.

Contract for supply of gas not to disqualify Commissioners.

13. No person shall be disqualified from being, continuing, or acting as a Commissioner by reason of his being concerned in any contract entered into with the Commissioners for the supply of gas, or residual products, or other articles of any kind, or of his being a mortgagee of the property of the Commissioners, or an annuitant.

Justices or sheriff not disqualified by payment of rates.

14. No person shall be incapable of acting as a justice of the peace or sheriff, or exercising any judicial function in the carrying out of this Act, by reason of his being a Commissioner, or of being interested in any contract under this Act for a supply of gas or residual products, or being liable under this Act to the payment of any rate or other money.

Auditor to be appointed.

15. In the month of January of the year one thousand eight hundred and seventy-two, and of every year thereafter, the Commissioners shall make application to the sheriff for the appointment by him for the financial year or period then current of an auditor (being a person well skilled in accounts, and not being one of the Commissioners, or holding office under them) to audit and docquet the accounts of the Commissioners; and such auditor shall be allowed such reasonable remuneration for his time, trouble, and responsibility as may be agreed upon between him and the Commissioners, or as in case of difference shall be fixed by the sheriff; and in case the office of such auditor shall before such accounts have been audited by him become vacant by death or from any other cause, the Commissioners shall make application to the sheriff for the appointment by him of an auditor to supply such vacancy; and the whole books, accounts, vouchers, and documents of the Commissioners shall be laid before the auditor for the purposes of such audit.

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Undertakings of Companies to vest in Commissioners.

16. The respective undertakings of the Companies, and the whole of their respective heritable properties, works, apparatus, pipes, meters, plant, implements, and in general their whole property or estate of every description, heritable and movable, real and personal, which belonged to them on the ninth day of March one thousand eight hundred and seventy-one, together with any additional works, apparatus, pipes, meters, plant, and implements which may be made or acquired by them between said date and the first day of January one thousand eight hundred and seventy-two, are hereby absolutely transferred to and vested in the Commissioners, subject to payment of the annuities after mentioned, with entry thereto on the said first day of January one thousand eight hundred and seventy-two: Provided always, that until the said date of entry the Companies respectively shall hold possession of and be entitled to the use of their respective undertakings and properties belonging to them hereby transferred, and that from the said transfer there is hereby excepted all stores of the Companies respectively which were on hand on the said ninth day of March one thousand eight hundred and seventy-one, and also all such stores which may be on hand on the said first day of January one thousand eight hundred and seventy-two, including therein all meters not in use at said several dates, and also excepting all undivided revenue and all moneys belonging to the Companies respectively, in whose hands soever the same may be, and all accounts due to them and outstanding at the said dates, or either of them, and also excepting from the said transfer all retorts built in but which have not been used, as at the said first day of January one thousand eight hundred and seventy-two: Provided also, that the Companies shall respectively be bound to maintain and hand over to the Commissioners on the said first day of January one thousand eight hundred and seventy-two their respective undertakings, works, and others foresaid in the same efficient condition and state of repair as they were in on the said ninth day of March one thousand eight hundred and seventy-one: Provided further, that within six months after the said first day of January one thousand eight hundred and seventy-two, the Commissioners under this Act shall produce to the Commissioners of Inland Revenue a copy of this Act printed by Her Majesty's printers, and duly stamped with an ad valorem stamp duty of the same amount as would have been payable in respect of a conveyance of the said undertakings for the considerations by this Act provided; and if the Commissioners under this Act shall not within the said period of six months produce to the Commissioners of Inland Revenue such copy of this Act, duly stamped as aforesaid, the said ad valorem stamp duty shall be recoverable from the Commissioners under this Act, with full costs of suit, and all costs and charges attending the same.

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Annuities to be paid to shareholders of Companies.

17. The Commissioners shall pay for the respective undertakings of the Companies the following perpetual annuities, viz. (that is to say,) for the undertaking of the old Company a perpetual annuity or perpetual annuities to the amount in all of one thousand eight hundred and seventy-five pounds per annum, being at the rate of six pounds five shillings per centum per annum on the capital stock of that Company, which amounts in all to thirty thousand pounds; and for the undertaking of the new Company a perpetual annuity or perpetual annuities to the amount in all of nine hundred and thirty-seven pounds ten shillings per annum, being at the rate of six pounds five shillings per centum per annum on the capital stock of that Company, which amounts in all to fifteen thousand pounds; and each person entitled on the first day of January one thousand eight hundred and seventy-two to any share or shares of the capital stock of the Companies, or either of them, shall be entitled to a proportion of the said respective aggregate amounts of annuities corresponding to the proportion which the share or shares to which he is so entitled shall bear to the whole of the said capital stocks of the Companies respectively; and all such perpetual annuities shall be payable half-yearly by equal proportions to the persons entitled to the same, and that on the fifteenth day of May, being the term of Whitsunday, and the eleventh day of November, being the term of Martinmas, in every year, and the first payment shall be made on the fifteenth day of May one thousand eight hundred and seventy-two of a proportional part of the annuities for the period from the said first day of January one thousand eight hundred and seventy-two to the said date of payment, and the next payment of the annuities shall be made on the eleventh day of November thereafter for the half year preceding, and the annuities shall be payable thereafter half-yearly on the term days above mentioned, with interest at the rate of five pounds per centum per annum from the term of payment till paid.

Annuities to vest in shareholders of Companies.

18. The said annuities shall be called "The Perth Gas Annuities," and shall vest in and belong to the several persons who on the first day of January one thousand eight hundred and seventy-two shall be the shareholders in the Companies respectively, according to their respective rights and interests in the capital stocks of the Companies respectively, as herein-before provided.

Annuities to represent shares in Companies.

19. The said annuities respectively shall in all respects be substituted for and represent the shares in the capital stocks of the Companies respectively in respect of which they are respectively granted, and the several persons in whom any annuities become vested under this Act shall be possessed thereof respectively upon the same trusts and subject to the same powers as those upon and

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subject to which the respective shares in the capital stocks of the Companies respectively, for which such annuities are respectively substituted, are held on the date at which the said annuities become so vested as aforesaid; and the said annuities shall be held as conveyed or affected by any deed, will, or other instrument disposing of or affecting such shares, as if such annuities were mentioned therein instead of such shares.

Annuity certificates to be granted.

20. The Commissioners shall, at their own expense, grant and issue to every shareholder of the Companies respectively, or to his executors, administrators, or assignees, on delivery to the Commissioners of a certificate signed by the chairman and secretary or clerk of the Companies respectively, or on production of other evidence of the share or stock or interest held by him in the capital stocks of the Companies, or either of them, annuity certificates in the form of the Schedule (A.) to this Act, for the amount of the annuities to which such shareholder is entitled under the provisions of this Act; and such certificates shall be so many and each of them for such amount of annuity as the person entitled thereto shall, by notice in writing to the Commissioners, require, amounting in the aggregate to the whole amount of annuities to which he is entitled; and if such person shall not require any particular number of certificates to be issued to him, then the Commissioners shall issue to such person such number of certificates as they shall think fit.

Certificates to be numbered and renewed.

21. The said annuity certificates shall be numbered in arithmetical progression, beginning with number one, and every annuity certificate shall be distinguished by its appropriate number; and the said certificates shall be renewed by the Commissioners when lost, worn out, or damaged, on production to them or their clerk or treasurer of evidence of the right of the annuitant requiring such renewal; and if in any case the Commissioners shall not be satisfied with the evidence offered by any annuitant, he may appeal to the sheriff, who shall decide summarily what evidence is requisite, and the sheriff's decision shall be final; and for every such renewed certificate the Commissioners may demand any sum not exceeding two shillings and sixpence, in addition to the amount of any stamp duty which may be payable on such certificate.

Certificates may be exchanged for others.

22. If at any time an annuitant be desirous of having several certificates instead of one, or one certificate instead of several, for his annuities, or any of them, then on any such certificate or certificates being produced to the Commissioners, they shall order the same to be cancelled, and shall thereupon issue to him, as he may require, one or more certificate or certificates for his annuities the certificate or certificates for which is or are so cancelled; and in every such case a proper entry of the substituted certificate or certificates shall be made

by the Commissioners in the register of transfers of the Perth gas annuities herein-after mentioned; and for every such substituted certificate the Commissioners may demand any sum not exceeding one shilling, in addition to the amount of any stamp duty which may be payable on such certificate: Provided that in every such case the amount or the aggregate amount of the annuities for which the substituted certificate or certificates is or are issued shall be the same as the amount or the aggregate amount of the annuities the certificate or certificates for which is or are so cancelled.

Register of annuities.

23. The Commissioners shall keep a book called "The Register of Perth Gas Annuities," and shall enter therein from time to time in alphabetical order the names and designations of the several annuitants respectively entitled to the annuities, and the respective amounts of their annuities; and every annuitant may at all convenient times inspect such book gratis, and may require a copy thereof or of any part thereof; and for every two hundred and fifty words or any less number of words which he may require to be copied the Commissioners may demand any sum not exceeding one shilling and sixpence.

Annuities to be personal estate.

24. The annuities shall be movable or personal estate, and transmissible as such, and shall not be of the nature of heritable or real estate.

Annuities may be transferred.

25. Every annuitant may, subject to the provisions of this Act, sell or 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 in the form of the Schedule (B.) to this Act or to the like effect.

Transfer of annuities to be registered.

26. Every such transfer, when duly executed, shall be delivered to the Commissioners and be kept by them; and they shall keep a book called "The Register of Transfers of the Perth Gas Annuities," and shall enter every such transfer therein, and shall endorse such entry on the transfer (such endorsement to be signed by the clerk or treasurer), and shall on demand deliver a new certificate to the transferee; and for every such entry of a transfer with such endorsement and certificate the Commissioners may demand any sum not exceeding two shillings and sixpence; and on the request of any transferee, and on payment by him of the said sum of two shillings and sixpence, an endorsement of the transfer to him shall be made on the certificate transferred instead of a new certificate being granted, and such endorsement, being signed by the treasurer or clerk, shall be considered in every respect the same as a new certificate, and until such transfer be so delivered to the Commissioners

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the transferee shall not be entitled to receive any part of the annuities transferred.

Closing of transfer books.

27. The Commissioners may close the register of transfers of annuities for any period not exceeding fourteen days before the fifteenth day of May and the eleventh day of November in each year, and any transfer made during the time when such register is closed shall, as between the Commissioners and the transferee, but not otherwise, be held as made after that time.

Transmission of annuities by other means than transfer to be authenticated by a declaration.

28. If the right to any annuity becomes 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 herein-after provided; and until the transmission be so authenticated no person claiming by virtue thereof shall be entitled to receive any part of the annuity so transmitted.

Contents of declaration in all cases.

29. 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 of the peace of any county or city, or any sheriff or his substitute, and such declaration shall be left with the Commissioners, and thereupon, but subject to the provisions after mentioned, they shall enter the name of the person entitled under such transmission in the register of annuities, and for every such entry the Commissioners may demand any sum not exceeding one shilling.

Contents of declaration in cases of transmission by marriage or will.

30. If the transmission is 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 or effecting thereof, and shall declare the identity of the wife with the holder of the annuity; and if the transmission be by virtue of any will or testamentary instrument, or by intestacy, a confirmation or testament testamentar or testament dative, or the probate or letters of administration, or an official copy or extract thereof, shall, with the declaration, be produced to the treasurer or clerk, and upon such production in either of these cases the treasurer or clerk shall make an entry of the declaration in the register of transfers of annuities.

Commissioners not bound to regard trusts.

31. The Commissioners shall not be bound to see to the execution of any trust, whether expressed, implied, or constructive, to which any annuity may be subject, and the receipt of the person in whose name any annuity stands in the register of annuities shall from time to time be a sufficient discharge to the Commissioners for any money payable in respect of such annuity, notwithstanding any trust to

which the same may then be subject, and whether or not the Commissioners have had notice of such trust; and the Commissioners shall not be bound to see to the application of the money paid upon such receipt.

Payment of annuities.

32. The annuities shall be paid at the office of the treasurer in the burgh of Perth in net money, clear of all deductions whatsoever except income or property tax, or other tax in the nature thereof legally chargeable thereon.

Annuities recoverable by suit.

33. If any annuity or any part of an annuity being payable be not paid on demand thereof in writing made by any annuitant or his agent to the Commissioners, the annuitant may sue for and recover the same from the Commissioners, with interest at the rate of five pounds per centum per annum till paid, and full costs of suit, in any court of competent jurisdiction.

Annuitants to be preferential creditors for annuities.

34. The annuitants shall be creditors of the Commissioners for payment of the annuities respectively herein-before directed to be paid to them, and of the interest, if any, thereon, and the said annuities, and the interest on the moneys borrowed under the authority of this Act, are hereby constituted primary and preferential burdens and liens on the undertaking of the Commissioners, and on any other works and property from time to time vested in or belonging to or to be constructed by them for the purposes of this Act, and on the rates, charges, assessments, and other revenues to be levied and received by them under this Act, and the said annuities and interest on moneys borrowed shall rank pari passu with each other.

Power to redeem annuities by agreement.

35. The Commissioners may from time to time, by agreement with any annuitant, purchase up or redeem all or any of his annuities at a rate not higher than the market price at the time; and when any annuity is so redeemed an entry of the redemption thereof shall be made in the register of Perth gas annuities, and thereupon the redeemed annuity shall be wholly extinguished.

Companies to pay debts affecting them.

36. On or before the said first day of January one thousand eight hundred and seventy-two the Companies respectively shall pay off all debts and mortgages affecting the heritable properties belonging to them respectively by this Act transferred to the Commissioners, together with all interest due thereon, and duly record in the proper register and deliver to the Commissioners formal and valid discharges thereof, and shall also pay and discharge all other debts, liabilities, and obligations, of whatsoever kind or denomination, incurred or due by or existing against them, and shall likewise pay all wages to servants, and all other charges, burdens, and debts due and resting owing by them respectively at and prior to the said first day of

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January one thousand eight hundred and seventy-two: Provided always, that if the Company shall fail or neglect to pay any of the said debts previous to the first day of April one thousand eight hundred and seventy-two, then the same may be exigible from and paid by the Commissioners, who shall have relief against the Companies respectively, and their respective shareholders and annuitants, for any such debts paid by the Commissioners, together with interest thereon at five per centum per annum from the respective dates of payment.

Commissioners to take stores.

37. The Companies shall respectively sell and the Commissioners shall purchase the whole stores on hand belonging to the Companies respectively at the said first day of January one thousand eight hundred and seventy-two, including therein all meters not then in use, and all retorts built in, but which have not been used at the said date, at such price or value as shall be fixed and determined by David Laidlaw, meter manufacturer in Glasgow, whom failing, by John Milne, meter manufacturer in Edinburgh, who are hereby nominated and appointed in succession sole valuators of the said stores, and the price or value so fixed and determined shall be paid to the Companies respectively by the Commissioners within two months after the date of such determination, and shall bear interest at the rate of five per centum per annum from the expiration of that period till paid: Provided always, that in case of difference between the Commissioners and the Companies respectively, the valuator making the said valuation as aforesaid shall determine what is and what is not to be held as stores, and his decision shall be final: Provided also, that when and so often as the Companies respectively shall, between the ninth day of March one thousand eight hundred and seventy-one and the first day of January one thousand eight hundred and seventy-two, remove a meter which is being used, they shall put another meter in its place and stead, or otherwise shall make an entry in a book to be kept by them for that purpose of every meter so removed by them respectively, and the meters so entered in the said book shall be the property of the Commissioners, and shall not be held to be stores, nor be paid for by the Commissioners.

Old Company to have gas in gasholders at date of Commissioners entry.

38. The old Company shall have stored in their gasholders on the said first day of January one thousand eight hundred and seventy-two a quantity of gas not less than sixty thousand cubic feet, and of the same illuminating power as the gas supplied by them on the ninth day of March one thousand eight hundred and seventy-one, such quantity to be ascertained on the first-mentioned date by the manager of the said Company; and the said Company shall sell, and the Commissioners shall purchase, the said gas at the price of three shillings and sixpence for each one thousand cubic feet thereof,

which price shall be paid on or before the first day of March one thousand eight hundred and seventy-two, and shall bear interest at the rate of five per centum per annum from that date till paid.

As to payment of public burdens.

39. All feu duties and public and parochial burdens payable for or in respect of the property and works transferred to the Commissioners by this Act for the period prior to the first day of January eighteen hundred and seventy-two shall be paid by the Companies respectively, and all such feu duties and public and parochial burdens from and after that date shall be paid by the Commissioners.

Act equivalent to general conveyance.

40. This Act shall, as respects all lands and heritages forming part of the undertakings of the Companies respectively vested in the Commissioners as aforesaid, be equivalent to a general conveyance thereof to the Commissioners according to the law of Scotland by the Companies respectively, and by any person or persons in whose name or names as trustees or otherwise for the benefit of the Companies and partners thereof respectively, or either of them, the same or any part thereof may stand; and in order to the completion of a title to the said lands and heritages in the Commissioners, it shall be lawful for the Commissioners to expede a notarial instrument or notarial instruments which shall specially set forth this Act, and to record such notarial instrument or notarial instruments in the manner and to the effect prescribed by "The Titles to Land Consolidation (Scotland) Act, 1868," with reference to lands conveyed by general disposition or conveyance, and of any Act amending the same.

31 & 32 Vict. c. 101.

Companies to cease to supply gas.

41. From and after the first day of January one thousand eight hundred and seventy-two the Companies shall cease to manufacture, sell, and supply gas, and all residual and other products, and shall subsist only for the purpose of securing the annuity certificates being granted to the respective shareholders of the Companies for their respective annuities as herein-before provided, of recovering and dividing among the shareholders any rates, rents, charges, and other revenues or assets due or owing to the Companies or provided to be paid to them under this Act, and of paying all debts which may be due by them, and of winding up the affairs of the Companies, and carrying into effect the purposes of this Act, so far as relating to the Companies respectively; and the directors of the Companies respectively who are in office at the passing of this Act, and the survivors and survivor of them, shall continue without re-election to hold the office of directors, and shall have full power and authority to take all necessary proceedings for carrying into effect the several purposes herein-before mentioned; and so soon as such purposes are carried into effect the survivors or survivor of the directors of the Companies

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respectively may grant a certificate to that effect under their hands, which certificate shall be published once in the Edinburgh Gazette, and thereupon the Company to which such certificate is applicable shall ipso facto be dissolved.

Power to take lands.

42. For the purposes of this Act, but subject to the provisions after mentioned, the Commissioners may enter on, purchase, take, hold, and use the piece of ground adjoining the gasworks of the old Company and presently in their occupation, marked 3 on the sheet or plan number 1 of the deposited plans, and described in the deposited book of reference.

Power for compulsory purchases limited.

43. The powers of the Commissioners for the compulsory purchase of lands under the last section shall not be exercised after the expiration of three years from the passing of this Act.

Power to purchase additional lands.

44. The Commissioners may, for the purposes of this Act, purchase and hold (by agreement, but not otherwise) any lands and heritages not exceeding in the whole four acres, in addition to the lands to be acquired by them under the provisions in this Act hereinbefore contained; but it shall not be lawful for the Commissioners to manufacture gas excepting on the lands described in Schedule (C.) to this Act, on which the gasworks of the Companies respectively have been erected, nor to store gas (except on such lands) within three hundred yards of any dwelling-house, without the consent of the owner, lessee, and occupier thereof.

Power to sell superfluous lands.

45. The Commissioners may at any time hereafter sell and dispose of any lands which they may acquire under the provisions of this Act, and which they may not require for the purposes thereof, and they may also from time to time sell and dispose of any works, buildings, or erections on any lands belonging to them which are not required for the purposes of this Act.

Limits of supply.

46. The limits of this Act for the supply of gas by the Commissioners shall comprise and include the burgh of Perth, and also the suburbs thereof and places adjacent thereto within fifteen hundred yards beyond the boundaries of the said burgh, and also the village of New Scone, and also the turnpike road situated between the said burgh and the said village, all in the county of Perth.

Power to manufacture and supply gas.

47. Subject to the provisions of this Act, the Commissioners may from time to time maintain, restore, improve, or alter the gasworks of the Companies vested in them under this Act, and all proper approaches and conveniences for the purposes of such works, and may manufacture and store gas, and may sell and supply gas within the limits of this Act for public and private use, and may also manufacture, sell, and dispose of the coke and other substances,

products, and refuse or residuum arising or to be obtained from the materials used in making gas, in such manner as the Commissioners may think proper, and do all other things which the Companies, or either of them, have lawfully done in regard to the manufacture, sale, or disposal of gas, and the residual products arising from the manufacture of gas: Provided that nothing in this Act shall prevent the Commissioners from being liable to any legal proceedings for nuisance to which they may be liable in consequence of the exercise by them of the powers aforesaid.

Power to supply gas fittings, &c.

48. The Commissioners may manufacture, purchase, supply, hire, sell, let, lay down, place, and maintain gas fittings, meters, pipes, pillars, lamp-posts, lamps, burners, and other articles and things connected with gasworks, or with the supply of gas for public or private consumption, in such manner as the Commissioners think proper, and generally may carry on such operations and business as are for the time being usually carried on by gas companies.

Power to hold licenses under letters patent.

49. The Commissioners may take, hold, and use any license or authority, under any letters patent or otherwise, for the use of any invention relative to the manufacture or distribution of gas, or the utilisation of residual products obtained in the manufacture of gas, but not so as to acquire an exclusive right to such use.

Commissioners may contract with local boards and others for supply of gas, &c.

50. The Commissioners may from time to time enter into and carry into effect contracts with local boards, commissioners, lighting inspectors, and other public bodies, trustees, and persons within the limits of supply with respect to the supply of gas, gas fittings, or meters by the Commissioners.

Obligations on Commissioners as to supply.

51. The Commissioners shall, on the request in writing of the owner or occupier of any building, or part of a building, within fifty feet of which any main of the Commissioners is laid, furnish to such owner or occupier a supply of gas for such building, or part of a building, on the following conditions; namely,

First. That the owner or occupier making such request do, if required by the Commissioners, give to them at his own expense reasonable security for payment for the gas to be supplied;

Secondly. That such owner or occupier do pay the cost of and the expenses of laying all necessary pipes for such supply beyond the line of street or road where the main of the Commissioners is placed;

Thirdly. That such owner or occupier do, if required by the Commissioners, pay in advance the estimated amount of such cost and expenses;

and any dispute as to any matter arising under the present section shall be settled, upon the application of either party, by the sheriff,

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whose decision thereon shall be final, and not subject to review in any court or by any process whatsoever.

Gas pipes may be put on buildings.

52. Subject to the provisions contained in this Act and the Acts wholly or partially incorporated herewith, the Commissioners may lay any pipe, branch, or other necessary apparatus, with the consent of the owner and occupier of any building, for the purpose of lighting the same or any adjoining building, and may, with the like consent, provide and set up any apparatus necessary for securing to any building a proper and sufficient supply of gas, and for measuring and ascertaining the extent of such supply.

Gas to be consumed by meter.

53. Every consumer of gas supplied by the Commissioners shall, on requisition in writing by the Commissioners, consume gas by meter; and every such meter, whether the same is provided by the consumer or the Commissioners, shall be at all times subject to the inspection and approval of the officers and servants of the Commissioners.

Notice to Commissioners of putting up or removing meters.

54. Before any person shall connect or disconnect any meter through which any of the gas of the Commissioners is intended to be or has been registered, he shall give not less than twenty-four hours notice in writing to the Commissioners of his intention to do so, and any person offending against this enactment shall be liable to a penalty not exceeding forty shillings.

Repair of meters.

55. Every consumer of gas of the Commissioners shall at all times, at his own expense, keep all meters belonging to him whereby any gas of the Commissioners is registered in proper order for correctly registering such gas, in default whereof the Commissioners may cease to supply gas through such meters; and the Commissioners shall at all reasonable times have access to and be at liberty to take off, remove, test, inspect, and replace any meter belonging to a consumer, such taking off, removal, testing, inspecting, and replacing to be done at the expense of the Commissioners if the meter be found in proper order, but otherwise at the expense of the consumer.

Power to Commissioners to let meters.

56. The Commissioners may let for hire any meter for ascertaining the quantity of gas consumed or supplied, and any fittings thereto, for such remuneration in money, and on such terms with respect to the repair of such meter and fittings, and for securing the safety and return to the Commissioners of such meter, as may be agreed upon between the hirer and the Commissioners, and such remuneration shall be recoverable in the same manner as the rents or sums due to the Commissioners for gas, and such meters and fittings shall not be subject to distress or sequestration for rent of the premises where the same may be used, nor to be poinded or taken in execution under

any process of a court of law, or any proceedings in bankruptcy against the persons in whose possession the same may be.

Register of gas meter to be primâ facie evidence.

57. The register of the meter shall be primâ facie evidence of the quantity of gas consumed by any customer of the Commissioners, and in respect of which any rent is charged and sought to be recovered by the Commissioners.

Power to remove meters and fittings.

58. It shall be lawful for the Commissioners after forty-eight hours notice in writing under the hand of the manager of their works or some other one of their officers to the occupier, or if unoccupied, then to the owner or lessee, or the person in charge or reputed to be in charge of any land, house, or building in which any pipes, mains, meters, or fittings belonging to the Commissioners are laid or fixed, and through or in which the supply of gas shall from any cause other than the neglect or default of the Commissioners be discontinued, to enter such land, house, or building between the hours of nine in the morning and four in the afternoon for the purpose of removing and to remove such pipes, meters, or fittings, the Commissioners repairing all damages caused by such entry or removal; and every such notice shall be served by being delivered to the person for whom it is intended, or left at his usual or last known place of abode, or if such person or his address be not known to the Commissioners after due inquiry, then by being affixed on some conspicuous part of such land, house, or building.

Fraudulently injuring meters, &c.

59. Every person who shall wilfully, fraudulently, or by culpable negligence injure or suffer to be injured any meter or fittings belonging to the Commissioners, or shall fraudulently alter or prevent the index to any meter from duly registering the quantity of gas supplied, shall, without prejudice to any other right or remedy for the protection of the Commissioners or the punishment of the offender, for every such offence forfeit and pay to the Commissioners a sum not exceeding five pounds, and the Commissioners may, in addition thereto, recover the amount of any damages by them sustained, and the Commissioners may also discontinue the supply of gas to the person so offending until the injury is remedied and the amount of the damages is paid, and notwithstanding any contract previously existing.

For preventing frauds and waste of gas.

60. If and whenever any person supplied with gas by the Commissioners wilfully does, or causes or suffers to be done, anything in contravention of any of the provisions of this Act, or wilfully fails to do anything which under this Act ought to be done for the prevention of the waste, misuse, or undue consumption of the gas of the Commissioners, the Commissioners may cut off or stop any pipe by or through which gas is supplied to him, and cease to supply him

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with gas so long as the cause of the injury remains or is not remedied, and also may recover in any court of competent jurisdiction from every person so offending the amount of all loss, damage, or injury which the Commissioners may sustain by reason of any such thing or failure; and the remedies of the Commissioners under this enactment shall be in addition to their other remedies in that behalf.

Quality of gas.

61. All gas supplied by the Commissioners shall be at least of such quality as to produce from a union-jet burner capable of consuming five cubic feet of gas per hour, under a pressure equal to a column of water five tenths of an inch in height, a light equal in intensity to the light produced by twenty-five sperm candles, of six to the pound, burning one hundred and twenty grains per hour.

Commissioners to maintain apparatus to test illuminating power of gas.

62. The Commissioners shall, within six months after they commence to supply gas in virtue of the powers contained in this Act, provide in some convenient situation an experimental meter, furnished with a union-jet burner capable of consuming five cubic feet of gas per hour, with other necessary apparatus for testing the illuminating power of the gas, and so situated and arranged as to test all the gas supplied by the Commissioners, and shall at all times thereafter keep and maintain such experimental meter and apparatus in good repair and working order.

Provision for testing quality of gas.

63. Any five consumers of gas or ratepayers may, by order in writing, appoint some competent person, not being one of themselves, to proceed to the works of the Commissioners, and the person so appointed may at any reasonable hour in the daytime, on producing the said order, enter on the premises of the Commissioners, and in presence of the superintendent or other officer of the Commissioners make experiment of the illuminating power of the gas by means of the experimental meter and other apparatus before mentioned, and the Commissioners and their officers shall afford all reasonable facilities and assistance for making such experiment; and if it shall be proved to the satisfaction of the sheriff, after hearing the parties, that the illuminating power of the gas supplied by the Commissioners did not, when so tested as aforesaid, equal the illuminating power by this Act prescribed, or that the Commissioners or their officers refused to afford such reasonable facilities as aforesaid, or hindered or prevented the making of such experiment, in any such case the Commissioners shall forfeit and pay to the consumers or ratepayers making the application such sum not exceeding twenty pounds as such sheriff shall determine.

Costs of experiment to be paid

64. The costs of and attending such experiment, including the remuneration to be paid to the person making the same, and the

costs of the proceedings before the sheriff, shall be ascertained by such sheriff, and in the event of any penalty being imposed on the Commissioners shall be paid, together with such penalty, by the Commissioners, but in the event of no penalty being imposed such costs shall be awarded to be paid by the persons complaining to the Commissioners, and shall be paid or levied accordingly. according to the event.

Commissioners to fix rates for gas.

65. The Commissioners shall, at their annual general meeting, cause their treasurer to lay before them an estimate by him of the sums to be derived for the year then current or ensuing from the sale of gas, secondary products, and other materials or articles, and from the letting of meters or other articles connected with the supply of gas, and also an estimate of the sums required to meet for such year the interest on borrowed money, annuities, expenses of management, maintenance of works, repairs, materials, wages, taxes, and other outgoings and charges, and the payment of the sums required to be annually set apart for the sinking fund, and the contingency and depreciation of works fund, as herein-after provided; and at said meeting, or at an adjournment thereof, the Commissioners shall fix the sums to be charged by them for gas for the year then current or ensuing, so that the revenue shall, as nearly as possible, meet the expenditure for each year: Provided always, that if in any year the revenue received exceeds the amount required for the purposes aforesaid, the Commissioners shall make such reduction in the sum to be charged by them for gas in the following year, or carry such surplus either to the sinking fund or contingency and depreciation of works fund, herein-after provided, as they shall think proper.

Price of gas supplied to New Scone beyond the burgh.

66. It shall be lawful for the Commissioners to charge for gas supplied by them to the inhabitants of all places, houses, buildings, and works situated in or adjacent to the village of New Scone any sum not exceeding one shilling per thousand cubic feet, in addition to the price charged by the Commissioners for gas supplied within the burgh.

Guarantee rate.

67. It shall be lawful for the Commissioners, and they are hereby required, from time to time, to fix, impose, and levy such a rate, to be termed "The Gas Contingent Guarantee Rate," as shall be necessary to meet any deficiency in the moneys required to pay the annuities and interest thereon, if any, interest of money borrowed and to be borrowed, and other annual expenditure, under the provisions and for the purposes of this Act.

Assessment and levy of rate.

68. The gas contingent guarantee rate shall be imposed and levied by the Commissioners on and from the occupiers of all lands

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and heritages within the burgh, according to the valuation roll in force therein for the time being, and in the same manner as the police assessment may be imposed and levied within the burgh under the provisions of the Police Act; and all the powers, enactments, and provisions contained in the Police Act with respect to the levying, payment, and recovery of the police assessment thereby authorised to be levied on and from the occupiers or the owners of lands and heritages, and with respect to the exceptions and exemptions from such assessment, shall be and are hereby made applicable to the levying, payment, and recovery of the rate by this Act authorised to be raised, and the exceptions and exemptions therefrom, in the same manner as if said rate had been authorised to be levied under the authority of the Police Act.

Incoming occupier not liable for arrears.

69. The Commissioners shall not be entitled to require from the incoming occupier of any property the payment of arrears of gas rent, or of gas guarantee rate, left unpaid by any former occupier, unless the incoming occupier has undertaken with such former occupier to pay or exonerate him from the payment of such arrears.

Recovery of sums owing to Commissioners.

70. Where any person fails to pay any gas rent, or any rate or any sum whatever, due under this Act to the Commissioners, they may recover the same, with costs, by proceedings in any court of competent jurisdiction, and their remedies under this enactment shall be in addition to their other remedies for the recovery thereof.

Discount on rates.

71. The Commissioners may from time to time, if they think fit, make an allowance by way of discount, not exceeding the rate of five per centum on the amount due in respect of any rates or charges for gas and other products and articles manufactured, or sold or let by them, from every person who pays the same within such time after demand thereof as the Commissioners think fit to prescribe in that behalf; and the Commissioners may also from time to time, if they think fit, make such farther allowance by way of discount at such rate or rates as they may from time to time determine to every person who consumes gas to the amount of one hundred thousand cubic feet per annum or upwards.

Application of revenue.

72. The rates and charges levied under the authority of this Act, and the other revenues of the Commissioners, shall be applied in manner following; (that is to say,)

First. In defraying the expenses of management and maintenance of the undertaking, including the annual costs, charges, and expenses of providing and supplying gas, and the payment of any annual burdens or payments in respect of the undertaking:

Second. In payment of the annuities to the annuitants, and of the interest of money borrowed under the authority of this Act:

Lastly. In payment of the sum required to be annually set apart and appropriated for the purpose of the sinking fund, and of the sum, if any, to be set apart for the contingency and depreciation of works fund, as herein-after provided.

Power to borrow on mortgage.

73. It shall be lawful for the Commissioners to borrow on mortgage any sums not exceeding fifteen thousand pounds, and to make and grant mortgages of and over the property and works forming their undertaking, and of and over the several rates and charges leviable by them under the provisions of this Act, in security of the payment of the money so borrowed, and interest thereon; and if, after having borrowed the said sums or any part thereof, the Commissioners pay off the same except by means of the said sinking fund, it shall be lawful for them again to borrow the amount so paid off, and so from time to time.

Commissioners may borrow on credit of cash account.

74. It shall be lawful for the Commissioners to accept and take from any bank or banking company credit on a cash account, to be opened and kept with such bank or banking company in the name of the Commissioners, according to the usage of bankers in Scotland, to the extent of the sums which the Commissioners are herein-before authorised to borrow, or any part thereof, and to make and grant mortgages of the property and works forming their undertaking, and of the several rates and charges leviable by them under this Act, in security of the payment of the amount of such credit, or of the sums advanced from time to time on such cash account, with interest thereon: Provided always, that the whole principal sums due and owing by the Commissioners on such cash account, and for money borrowed by them on mortgage as aforesaid, shall not, when taken together, exceed the sums by this Act authorised to be borrowed.

Manner in which mortgages and orders on bank account to be signed and executed.

75. Every mortgage to be granted by the Commissioners may be partly in writing and partly printed, and shall, besides being under the common seal of the Commissioners, be signed by at least two of the Commissioners and the treasurer, and all drafts or orders on the cash account before mentioned shall be signed by any two of the Commissioners authorised so to do, and shall be countersigned by the treasurer: Provided always, that no Commissioner or treasurer shall, by his subscription of any such mortgage, draft, or order, be or be held to have rendered himself individually or personally liable for the payment of any money so borrowed, drawn, or received, or any interest thereon, or of any sums whatsoever in respect thereof.

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Arrears may be enforced by the appointment of a judicial factor.

76. In the event of any annuity or part of an annuity, or of any principal money borrowed by the Commissioners as aforesaid, or any interest thereon, not being paid within three months after the same shall have become due, and after twenty-one days previous demand thereof in writing, containing notice of the intention to make the application after mentioned, and which twenty-one days may form part of the said three months, it shall be lawful for any annuitant or mortgagee, having an annuity or interest on a mortgage respectively in arrear to the amount of one hundred pounds, or for any mortgagee with principal, or principal and interest, in arrear to the amount of one thousand five hundred pounds, or for several annuitants or mortgagees having annuities or interest respectively in arrear to the amount of two hundred pounds in the aggregate, or for several mortgagees with principal, or principal and interest, in arrear to the amount of three thousand pounds in the aggregate, to render their security effectual by the appointment of a judicial factor; and the application for such appointment may be made from time to time when such arrears arise, and shall be made by summary petition to the Court of Session, in either division thereof, or in time of vacation to the Lord Ordinary on the bills, who are hereby respectively authorised and required on such application being made by any annuitant or annuitants, or mortgagee or mortgagees, holding the sums in arrear before specified, to appoint from time to time some person as judicial factor to the effect and with the powers herein-after mentioned, unless previously to such application being advised the sums due, with interest and expenses, shall have been paid to the petitioner or petitioners; and the interlocutor making such appointment shall not be subject to review or appeal, but without prejudice to the legal rights of recovery competent to such annuitant or annuitants, or mortgagee or mortgagees.

Powers and duties of judicial factor.

77. The judicial factor so appointed, on finding security in common form, shall have and exercise all the powers conferred by this Act upon the Commissioners for and in relation to fixing, imposing, levying, and recovering the several rates and charges by this Act authorised to be made and levied, and managing and maintaining the undertaking, works, and property of the Commissioners, and the Commissioners shall deliver to him all rate books and other books and documents necessary for that purpose; and after defraying the expense of such application, management, and maintenance, the said judicial factor shall from time to time apply and pay over the balance of the sums received by him to the several parties entitled to payment out of the rates and revenues, according to their respective rights and priorities; and such judicial factory shall continue not only until all arrears of annuities and arrears of

interest, or of principal and interest, of mortgages due at the date of the appointment of such judicial factor, and all interest due on any of the said sums, and any annuities or interest which shall have become due during his continuance in office, with expenses, including the expenses of the application for such appointment, and of carrying the purposes thereof into execution, and for obtaining the judicial factor's discharge, shall have been paid, but also until any half-year's annuities or interest which, although not due, may become current during his continuance in office, and a sufficient sum to meet expenses, shall have been paid or consigned in one of the banks in Scotland incorporated by Act of Parliament or royal charter; and upon payment as aforesaid of such principal, interest, annuities, and expenses, it shall be lawful for the Commissioners to apply to the Court of Session, in either division thereof, or in time of vacation to the Lord Ordinary on the bills, for the recall of the appointment of the judicial factor, who may recall such appointment accordingly.

Mortgages to be personal estate.

78. All mortgages to be granted by the Commissioners under the authority of this Act, and all money to be advanced and lent on the security of the rates and charges leviable by them, shall be movable or personal estate, and transmissible as such, and shall not be of the nature of heritable or real estate.

Discharge of mortgages.

79. Any person entitled to any mortgage granted by the Commissioners under the authority of this Act may discharge the same, and his right and interest therein, in favour of the Commissioners, and every such discharge may be written, or partly written and partly printed, on the mortgage, and may be according to the form contained in Schedule (D.) to this Act, or to the like effect; and such discharge, when signed by the person entitled to such mortgage, and duly stamped, shall be valid and effectual to all intents and purposes.

Providing for regular payment of annuities.

80. With a view to the regular payment of the annuities under the provisions of this Act, as the same fall due, the Commissioners shall from time to time apply such part of the money borrowed under the authority of this Act as may be required to pay the said annuities; but it shall be incumbent on the Commissioners to replace the sums so applied out of the rates and charges to be imposed and levied under the powers of this Act.

Application of money borrowed.

81. The several sums borrowed by the Commissioners under the authority of this Act shall be applied in carrying the purposes of this Act into execution, and to no other purpose whatsoever: Provided that the several sums so borrowed shall not be applied to any purpose to which capital is not properly applicable, or to any of the

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purposes to which the rates and charges by this Act authorised to be levied are herein-before specially made applicable, excepting temporary advances for payment of the annuities as herein-before provided.

Sinking fund.

82. The Commissioners shall, and they are hereby required, to set apart annually, from and after the date of their second annual general meeting, as a sinking fund, a sum not less than five hundred pounds sterling for each of the first ten years, and seven hundred pounds for each year thereafter, and which sinking fund shall be applied at such time as the Commissioners shall see fit towards the payment of the money borrowed under the authority of this Act, and the redemption of the said annuities, and to no other purpose whatever.

Contingency and depreciation of works fund.

83. It shall be lawful for the Commissioners annually to set apart and invest in such way and manner as they may deem expedient any sum not exceeding three hundred pounds as a contingency and depreciation of works fund, and to accumulate the same until the sums so set apart, with the interest thereon, amount to the sum of six thousand pounds, after which no further annual sum shall be so set apart until the accumulated sum is reduced below the said sum of six thousand pounds, and the said fund shall be applied by the Commissioners in payment of the expense of any extension of their works or extraordinary repairs thereon, or in meeting any extraordinary contingencies which may arise in respect of the gasworks or gas undertaking of the Commissioners.

Application of penalties.

84. All penalties and forfeitures exigible under this Act and the Acts wholly or partially incorporated herewith shall be payable to the Commissioners, where not otherwise specially provided for, and shall when recovered be applied by them to the purposes of this Act.

Expenses of Act.

85. All costs, charges, and expenses of and incident to the preparing for, obtaining, and passing this Act, or otherwise in any way in relation thereto, whether incurred by the Commissioners of Police of Perth or by the Companies (but as regards the Companies only to the extent of two hundred pounds in all), and also all costs, charges, and expenses incurred by the Commissioners in connexion with a Bill entitled "A Bill to incorporate Commissioners, and to "authorise and empower them to erect gasworks and to supply "gas within the royal burgh of Perth, and districts and places "adjacent, and for other purposes," promoted by the Commissioners in the present session of Parliament and withdrawn in terms of the agreement with the Companies, shall be paid by the Commissioners out of the moneys to be borrowed and received under the authority of this Act.

SCHEDULES referred to in the foregoing Act. A.D. 1871.

SCHEDULE (A.)

Form of Annuity Certificate.

No.

This is to certify that *A.B.* [*name and designation*] is the holder of pounds of the Perth Gas Annuities, created by "The Perth Gas Act, 1871," and is entitled to receive from the Perth Gas Commissioners, incorporated by said Act, an annuity of pounds, payable on the fifteenth day of May and eleventh day of November in each year, by equal portions, beginning the first payment of a proportional part thereof on the fifteenth day of May one thousand eight hundred and seventy-two, for the period from the first day of January preceding till that date, and the next payment thereof on the eleventh day of November one thousand eight hundred and seventy-two, for the half year preceding, and so forth thereafter, which annuity is secured on the lands, property, and works vested in the said Commissioners by the said Act, and which have been or may be acquired or constructed by them, and on the several rates and revenues to be levied and received by them.

Dated this day of one thousand eight hundred and .

[*Signed by two Commissioners and the Treasurer.*]

SCHEDULE (B.)

Form of Transfer of Annuity Certificate.

I, *A.B.* [*name and designation*] in consideration of the sum of £ [*or other consideration, as the case may be*] paid to me by *C.D.* [*name and designation*] do hereby transfer to the said *C.D.* and his executors, administrators, or assignees, the annuity of £ , the certificate of which is numbered [*or* an annuity of £ , being part of the annuity of £ the certificate of which is numbered *as the case may be*], of the Perth Gas Annuities created by "The Perth Gas Act, 1871," now standing in my name in the books of the Commissioners appointed under the said Act, with the rights and privileges and subject to the conditions and provisions specified in the said Act; and I the said *C.D.* do hereby agree to hold the said annuity hereby transferred subject to the same conditions and provisions.

In witness whereof [*insert testing clause, according to the form of the law of Scotland if executed in Scotland, and if executed in England or elsewhere the form of attestation used in England*].

SCHEDULE (C.)

The lands belonging or reputed to belong to the Perth Gaslight Company situated within the parish of Perth, and within that part or division thereof commonly called the West Church Parish of Perth, and within the county and royal burgh of Perth, and bounded as follows: On the north, partly by Canal Street, partly by property belonging or reputed to belong to the heirs of the late James Annan, and partly by property belonging or reputed to belong to Mary Galletly or McDonald; on the east, partly by the said property belonging or reputed to belong to the said heirs of the said James Annan, and partly by the said property belonging or reputed to belong to the said Mary Galletly or McDonald, and partly by Charles Street; on the south, partly by the said property belonging or reputed to belong to the said Mary Galletly or McDonald, and partly by Victoria Street; and on the west by Scott Street.

The lands belonging or reputed to belong to the Perth New Gaslight Company situated within the parish of Perth, and within that part or division thereof commonly called the East Church Parish of Perth, and within the county and royal burgh of Perth, and bounded as follows: On the north and north-east, partly by Cherry Lane, partly by Blackfriars' Wynd, partly by property belonging or reputed to belong to Christina Greig or Bell, and partly by property belonging to the Commissioners of Police of the royal burgh of Perth; on the east and south-east, partly by property belonging or reputed to belong to the said Christina Greig or Bell, and partly by property belonging or reputed to belong to James Allan and Janet Allan, and partly by Curfew Row; and on the south and west by dyeworks belonging or reputed to belong to John Pullar and Sons.

SCHEDULE (D.)

Form of Discharge.

Received from the treasurer to the Perth Gas Commissioners. acting on their behalf, the sum of being the principal sum contained in the within mortgage (all interest due thereon having been previously paid), and the said mortgage is now delivered up as paid.

Dated this day of eighteen hundred and .

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