



CHAPTER cxvii.

An Act to authorise the Corporation of Oldham to construct additional waterworks to increase the number of the wards and of the aldermen and councillors of the borough of Oldham to declare the borough exempt from the jurisdiction of the Court of Record for the hundred of Salford to confer further powers on the Corporation with respect to gasworks cemeteries and other matters and to make further provision for the improvement and good government of the borough. [25th June 1886.]

A.D. 1886.

WHEREAS the borough of Oldham in the county of Lancaster is a municipal borough subject to the Acts relating to municipal corporations and the mayor aldermen and burgesses of the said borough acting by the council are the urban sanitary authority therefor:

And whereas by the Oldham Borough Improvement Act 1865 (in this Act referred to as "the Act of 1865") powers were continued to and conferred upon the Corporation with respect to the supply of water to the borough and its neighbourhood and by the following Acts of Parliament further powers have been conferred upon the Corporation in respect to among other things the supply of water to the borough and its neighbourhood videlicet:

The Oldham Corporation Waterworks &c. Act 1870 (herein-after called "the Act of 1870"):

The Oldham Corporation Water Act 1875 (herein-after called "the Act of 1875"):

The Oldham Improvement Act 1880 (herein-after called "the Act of 1880"):

which four recited Acts are in this Act collectively referred to as "the Corporation Acts":

And whereas the trade and population and the demand for water within the limits of supply of the Corporation have much increased and are still increasing and the reservoirs and works authorised to be constructed by the Corporation Acts do not afford a supply of water sufficient for the requirements of the public within those limits:

A.D. 1886.

And whereas the Corporation are the owners of gasworks and supply gas to the borough and its neighbourhood and it is expedient that the Corporation should be authorised to purchase additional lands for the purposes of their gas undertaking :

And whereas the Corporation are the burial board for the borough and it is expedient that they be empowered to acquire further lands for a cemetery as herein-after provided :

And whereas by the Act of 1880 powers were conferred upon the Corporation with respect to the production and supply of heat light and motive power by means of electricity or other like agency for the purpose of lighting streets and public places within their gas limits as extended by that Act and the Corporation were empowered to borrow money for those purposes but the period for the exercise of such powers was limited to five years from the passing of that Act and it is expedient that such powers should be revived and continued for a further period as herein-after provided :

And whereas the borough is divided into eight wards which are represented in the council of the borough by twenty-four councillors and eight aldermen three councillors and one alderman representing each ward :

And whereas since the division of the borough into wards the population and rateable value have increased but to a greater extent in some of the wards than in others of them and it is expedient that the wards be re-arranged and the number of the wards and of the aldermen and councillors of the borough be increased :

And whereas by the Salford Hundred Court of Record Act 1868 (herein-after called the Act of 1868) the then existing Court of Record for the hundred of Salford in the county of Lancaster and the Court of Record for the trial of civil actions within the city of Manchester were amalgamated by the name of the Court of Record for the Hundred of Salford in the county of Lancaster (herein-after referred to as "the Salford Hundred Court") and by that Act the borough was among other places included within the jurisdiction of the said court :

And whereas on the petition of the Corporation Her Majesty by Order in Council in pursuance of the powers in that behalf contained in the County Courts Act 1852 declared that from and after the first day of January 1879 the whole of the borough should be excluded from the jurisdiction of the Salford Hundred Court in all cases whereof the county court for the county palatine of Lancaster had cognizance :

And whereas notwithstanding the said order actions have been brought in the Salford Hundred Court against the inhabitants of the borough and doubts have arisen whether notwithstanding the

said order the Salford Hundred Court have not still jurisdiction within the borough or whether looking to the terms of section 7 of the Act of 1868 the jurisdiction of the said court can be objected to otherwise than by special plea and it is expedient that such doubts be removed and that it be declared that the borough and the inhabitants thereof are exempt from the jurisdiction of the said court and that it shall not be necessary to object to such jurisdiction by special plea: A.D. 1886.

And whereas it is expedient that further powers be granted to the Corporation for regulating the Chadderton Cemetery and the cemetery proposed to be made under the powers contained in this Act and with respect to free libraries museums and fine art galleries and for the borrowing of money and the improvement and better governing of the borough and that the Corporation Acts be in divers particulars altered and amended:

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

And whereas estimates have been prepared by the Corporation for the purchase of land for and the execution of the various works and for the other purposes by this Act authorised and such estimates amount to—

	£
For waterworks - - - -	360,000
For extensions to mains and pipes - -	50,000
For gasworks - - - -	250,000
For cemetery - - - -	26,000
For fire brigade purposes - - - -	10,000
For recreation grounds - - - -	10,000
For baths - - - -	15,000
For free libraries art galleries and museums of arts and sciences - - - -	25,000

And whereas the several works included in the said estimates are permanent works within the meaning of section two hundred and thirty-four of the Public Health Act 1875:

And whereas an absolute majority of the whole number of the council of the borough at a meeting held on the twenty-eighth day of October one thousand eight hundred and eighty-five after ten days notice by public advertisement of such meeting and of the purpose thereof in the "Oldham Chronicle" a local newspaper published and circulating in the borough such notice being in addition to the ordinary notices required for summoning such meeting resolved that the expense in relation to promoting the Bill for this Act should be charged on the borough fund:

And whereas such resolution was published twice in the said newspaper and has received the approval of the Local Government

A.D. 1886. Board in respect of matters within the jurisdiction of that Board and the approval of one of Her Majesty's Principal Secretaries of State in respect of other matters :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held in pursuance of a similar notice not less than fourteen days after the deposit of the Bill in Parliament :

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

And whereas plans and sections describing the lines situations and levels of the works by this Act authorised and plans of the lands to be taken compulsorily under the powers of this Act and a book of reference to the said plans containing the names of the owners or reputed owners and lessees or reputed lessees and of the occupiers of lands in the line of the proposed works or within the limits of deviation as defined on the plans or proposed to be taken under the powers of this Act and describing those lands have been duly deposited with the respective clerks of the peace for the county palatine of Lancaster and the west riding of the county of York and those plans sections and book of reference are in this Act referred to as the deposited plans sections 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 (that is to say) :—

PART I.—PRELIMINARY.

Short title. 1. This Act may be cited for all purposes as the *Oldham Corporation Act 1886.*

Act divided into parts. 2. This Act is divided into parts as follows :—

- Part I.—Preliminary ;
- Part II.—Waterworks ;
- Part III.—Lands &c. ;
- Part IV.—Gas ;
- Part V.—Cemeteries ;
- Part VI.—Electric Lighting &c. ;
- Part VII.—Alteration of Wards ;
- Part VIII.—Salford Hundred Court ;
- Part IX.—Financial ;
- Part X.—Miscellaneous.

3. The Lands Clauses Consolidation Acts 1845 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883 the Waterworks Clauses Act 1847 (except the provisions thereof with respect to communication pipes and also the provisions thereof with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit) the Waterworks Clauses Act 1863 and the provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof shall (except so far as the same are expressly varied by this Act) be incorporated with and form part of this Act and the provisions of the Railways Clauses Consolidation Act 1845 shall be read so as to apply only to the construction of the reservoirs by this Act authorised and each and every of them and the provisions of sections 30 and 31 of the said Act shall also be read so as to apply to the construction of the aqueducts tunnels or conduits or lines of pipes by this Act authorised and each and every of them as if such works were therein referred to instead of "the railway" and the respective boundaries of the said works were therein mentioned instead of "the centre of the railway" and the prescribed limits shall be two hundred yards from every or any part of the respective works.

A.D. 1886.

Incorporation of general Acts.

4. In this Act unless the subject or context otherwise requires words and expressions to which meanings are assigned by the Corporation Acts or by any Act wholly or partially incorporated with this Act or which have therein special meanings have the same respective meanings except where otherwise expressly provided:

Interpretation.

"The Municipal Corporation Acts" means the Municipal Corporations Act 1882 and any Act amending the same:

"The Public Health Acts" means the Public Health Act 1875 and any Act amending the same:

and for the purposes of this Act in any Acts wholly or partially incorporated therewith the expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act wholly or partially incorporated herewith shall have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

5. Subject to the provisions of this Act this Act and the Corporation Acts as respectively amended by any subsequent Act and by this Act shall be read and construed as one Act and be executed accordingly.

This Act and recited Acts to be read as one.

6. This Act shall be carried into execution by the Corporation acting by the council and according and subject to the Municipal

Act to be executed by council.

A.D. 1886.

Corporation Acts and the Public Health Acts and such of the provisions of the Corporation Acts as are now in force and as amended by this Act and the other Acts for the time being affecting the Corporation as a municipal body and sanitary authority respectively and with all the rights powers privileges exemptions and authorities conferred by those Acts respectively on the Corporation and on the council and committees of the council and the officers agents and servants of the Corporation with respect to matters provided for by or comprised in the before-mentioned Acts respectively and as nearly as may be in all respects as if the powers duties exemptions and property vested in imposed on or enjoyed by the Corporation by or under this Act were vested in imposed on or enjoyed by them by or under those Acts respectively.

PART II.—WATERWORKS.

Power to
make works
and take
lands.

7. Subject to the provisions of this Act the Corporation may make and maintain in the lines or situations and according to the levels shown on the deposited plans and sections the works hereinafter described with all proper approaches embankments works and conveniences connected therewith respectively and may take use get and appropriate for the purposes of their waterworks by this Act authorised all brooks springs streams and waters intercepted by such works as shown on the deposited plans and may stop up all roads and ways within the limits of deviation of such works defined on the deposited plans which are shown thereon as intended to be stopped up and may appropriate for purposes of this Act the sites of the roads and ways so stopped up.

The works herein-before referred to and by this Act authorised are :

THE CASTLESHAW SCHEME.

An aqueduct tunnel conduit or line of pipes referred to on the deposited plans by the number (15) to commence by a junction with the aqueduct tunnel conduit or line of pipes referred to on the deposited plans by the number (18) at its point of termination and to terminate in the existing reservoir of the Corporation known as Lower Strinesdale Reservoir :

A reservoir ("Upper Castleshaw Reservoir") referred to on the deposited plans by the number (16) to be situate on Hull Brook Bank Clough Cudworth Clough Oaken Lee Clough and Lee Clough and to be formed by an embankment across Hull Brook about four hundred and thirty-five yards in length from north-

west to south-east crossing the said brook at a point seventy-three yards or thereabouts measured in a straight line in a north-easterly direction from the bridge carrying the public road between Low Gate Lane and Dirty Lane across the said brook :

A reservoir ("Lower Castleshaw Reservoir") referred to on the deposited plans by the number (17) to be situate on Hull Brook and to be formed by an embankment extending about two hundred and thirty-three yards in length from north-west to south-east and from its south-eastern end two hundred and fifty-one yards or thereabouts in length in a north-easterly direction crossing the said brook at a point two hundred and three yards or thereabouts measured in a straight line in a north-easterly direction from the most northerly building at the mill known as Jonny Mill :

An aqueduct conduit or line of pipes referred to on the deposited plans by the number (18) to commence at and in Lee Clough at a point one hundred and thirty-five yards or thereabouts measured in a straight line in a south-easterly direction from the south-east corner of the farmhouse or buildings called Oaken Hill and to terminate by a junction with the aqueduct tunnel conduit or line of pipes (Work No. 15) authorised by this Act at or near the termination thereof as above described :

An aqueduct conduit or line of pipes referred to on the deposited plans by the number (19) to commence at and in Waters Clough at a point one hundred yards or thereabouts measured in a straight line in an easterly direction from where Cote Lane crosses the said clough and to terminate in the Lower Castleshaw Reservoir (Work No. 17) authorised by this Act :

An aqueduct tunnel conduit or line of pipes referred to on the deposited plans by the number (20) to commence in Hull Brook in the Upper Castleshaw Reservoir (Work No. 16) authorised by this Act and to terminate by a junction with the aqueduct tunnel conduit or line of pipes (Work No. 15) above described and authorised by this Act at a point one hundred and twenty-five yards or thereabouts measured in a straight line in a north-easterly direction from the south-easterly corner of the house or building called Ridding :

An aqueduct tunnel conduit or line of pipes referred to on the deposited plans by the number (21) to commence in Hull Brook in the Lower Castleshaw Reservoir (Work No. 17) authorised by this Act and to terminate in Hull Brook at a point 120 yards

A.D. 1886.

or thereabouts measured in a straight line in a north-easterly direction from Jonny Mill :

An aqueduct tunnel conduit or line of pipes referred to on the deposited plans by the number (22) to commence by a junction with the aqueduct tunnel conduit or line of pipes (Work No. 20) authorised by this Act at or near its termination and to terminate in the Lower Castleshaw Reservoir (Work No. 17) authorised by this Act :

An aqueduct conduit or line of pipes referred to on the deposited plans by the number (23) to commence by a junction with the aqueduct tunnel conduit or line of pipes (Work No. 15) authorised by this Act at a point eighty-seven yards or thereabouts measured in a straight line in a north-westerly direction from the bridge carrying the public road between Low Gate Lane and Dirty Lane across Hull Brook and to terminate in the Lower Castleshaw Reservoir (Work No. 17) authorised by this Act :

A diversion of the public road crossing the Hull Brook and connecting Low Gate Lane with Dirty Lane such diversion to commence at a point in the said road 100 yards or thereabouts measured in a north-westerly direction along the course of such road from the bridge carrying such road across Hull Brook and to terminate in the same road 120 yards or thereabouts measured in a southerly direction along the said road from the same bridge but notwithstanding anything shown on the deposited plans the Corporation shall carry the said diversion over the top of the embankment of the Upper Castleshaw Reservoir by this Act authorised in lieu of in the line shown on the deposited plans :

An aqueduct conduit or line of pipes referred to on the deposited plans by the number (25) to commence by a junction with the aqueduct tunnel conduit or line of pipes (Work No. 15) authorised by this Act at a point 87 yards or thereabouts measured in a straight line in a south-easterly direction from the bridge across the waste watercourse running from the existing Upper Strinesdale Reservoir to the existing Lower Strinesdale Reservoir and to terminate in the Upper Strinesdale Reservoir of the Corporation :

An aqueduct conduit or line of pipes referred to on the deposited plans by the number (26) to commence by a junction with the aqueduct tunnel conduit or line of pipes (Work No. 15) authorised by this Act at or near the point of commencement as above described of the aqueduct conduit or line of pipes (Work

No. 25) authorised by this Act and to terminate by a junction with the existing pipe from the Lower Strinesdale Reservoir : A.D. 1886.

ADDITIONAL STORAGE WORKS.

A reservoir ("Rooden Reservoir") referred to on the deposited plans by the number (27) to be situate on Hanging Lees Clough above the Hanging Lees Reservoir of the Corporation and to be formed by two embankments the northernmost being made across the said clough at a point about 323 yards or thereabouts measured in a straight line in a north-easterly direction from the north-east corner of the farmhouse and building called Rooden and the southernmost being placed across the head or summit of the said clough at a point 373 yards or thereabouts measured in a straight line in a south-easterly direction from the same corner of the aforesaid building called Rooden :

An aqueduct tunnel conduit or line of pipes referred to on the deposited plans by the number (28) to commence at a point in Readycon Dean Brook 140 yards or thereabouts measured in a northerly direction from the weir across the said brook at the head of the existing Crook Gate Reservoir and to terminate in the Rooden Reservoir (Work No. 27) authorised by this Act :

An aqueduct tunnel conduit or line of pipes referred to on the deposited plans by the number (29) to commence in the stream which separates from each other the moorland called Green Meadows and Fool Hill and to terminate in the Rooden Reservoir authorised by this Act :

An aqueduct tunnel conduit or line of pipes referred to on the deposited plans by the number (30) to commence in the Rooden Reservoir (Work No. 27) authorised by this Act and to terminate in the Hanging Lees Clough :

The enlargement of the existing Ogden Reservoir referred to on the deposited plans by the number (31) of the Corporation by the raising of the existing embankment and waste weir of the said reservoir which embankment and waste weir when raised will be five hundred and sixty-eight yards or thereabouts in length.

8. The Corporation shall not for the purposes of the works by this Act authorised purchase or acquire more of the commonable lands known respectively as Bleakedgate Moor and Foolhill situate in that part of the parish of Rochdale which is in the county palatine of Lancaster than one acre two roods and sixteen perches. Limiting amount of commonable land to be taken.

A.D. 1886.

Limits of lateral deviation.

Limits of vertical deviation.

As to slopes of embankments of Ogden and Rooden Reservoirs.

For the protection of proprietors of land and premises near conduits &c.

Diversion of roads.

9. In the construction of the works authorised by this Act the Corporation may deviate laterally from the lines of the respective works as shown on the deposited plans to the extent of the limits of lateral deviation marked in each case thereon.

10. In the construction of the works authorised by this Act the Corporation may deviate vertically from the levels shown on the deposited sections in the case of reservoirs to any extent not exceeding five feet upwards or ten feet downwards and in the case of other works to any extent not exceeding three feet upwards or seven feet downwards: Provided always that the Corporation shall not construct any embankment or wall of the reservoirs of a greater height above the general surface of the ground than that shown in each case on the deposited sections.

11. Notwithstanding anything shown in the deposited sections the embankments of the Ogden and Rooden Reservoirs respectively shall be constructed with an external slope of two and a half to one and with an internal slope of three to one and the top-water level of the waters in the said reservoirs shall never be less than six feet below the top of the respective embankments of the said reservoirs.

12. The Corporation shall not divert by means of any aqueduct conduit or line of pipes in connexion with the works by this Act authorised and described as the Castleshaw Scheme any water now used for supplying the domestic or agricultural wants of the lands and premises of the several proprietors of the lands and premises crossed by such aqueduct conduit or line of pipes without the consent of the owner or owners for the time being of the said lands: And the Corporation shall construct and maintain such works as may be necessary for conveying such waters past the said aqueduct conduit or line of pipes into their present channels below the said aqueduct conduit or line of pipes but nothing herein contained shall be construed to prevent the Corporation from taking and appropriating any water which can be intercepted by means of the said aqueduct conduit or lines of pipes other than and except water used for supplying domestic or agricultural wants as aforesaid.

13. Before the Corporation in any way interfere with the road which they are by this Act authorised to divert they shall construct the proposed diversion of the road with all necessary and proper side drains culverts retaining walls and fences thereto. In constructing such road diversion the soil or material excavated therefrom shall be carted and conveyed away so as not to impede the traffic on the existing road. The diverted road when so constructed

together with the drains culverts retaining walls and fences thereof shall be maintained by and at the cost of the Corporation for one year from the completion thereof of which completion a certificate of two justices shall be conclusive evidence and which certificate two justices shall give on such completion being proved to their satisfaction.

A.D. 1886.

14. The Corporation shall not use divert interfere with retain or appropriate for the supply of the inhabitants within the limits of supply of the Corporation by means of any of the works by this Act authorised forming part of the Castleshaw Scheme any of the waters which now flow or pass or which but for the passing of this Act would have flowed or passed into the Hull Brook and thence into the River Tame unless and until the reservoirs (Works Nos. 16 and 17) by this Act authorised or one of those reservoirs shall be so far completed and so far filled with water as that not less than one hundred and sixty-eight cubic feet of water per minute shall be capable of being discharged and shall be discharged therefrom into the Hull Brook and the quantity of water so to be discharged as aforesaid shall be by way of full compensation to the owners lessees and occupiers of canals mills and other works and to all other persons (including the Corporations of Ashton-under-Lyne Staly-bridge and Mossley) interested in the waters which the Corporation may under the provisions of this Act take use get or appropriate by means of any of the works by this Act authorised to for or in respect of such taking use getting or appropriation.

As to com-
pensation
water to be
given by the
Corporation.

15. The quantity of compensation water by this Act required to be discharged into the Hull Brook as aforesaid shall be so discharged in a regular equal constant and continuous supply during twelve hours of each of the working days in the year as defined in this section except Saturdays and during seven hours of each Saturday of such working days commencing in each case at five o'clock in the morning. The working days in every year shall be those which remain after excluding Sundays Good Friday Christmas Day the Friday and Saturday in Whitsun week the first Saturday in each year and the Friday next before such last-mentioned Saturday.

As to
supply of
compensa-
tion water.

16. The Corporation shall and they are hereby required at their expense to make and construct and for ever thereafter maintain such and so many gauges as may be necessary for the purpose of ascertaining the actual quantity of compensation water passing out of the reservoirs or otherwise supplied as in this Act in that behalf above mentioned.

Gauges to
be provided
by Corpo-
ration.

A.D. 1886.

Inspection
of gauges.

17. It shall be lawful for the owners and occupiers of the mills and works on the Hull Brook and River Tame down to and including the pumping station belonging or reputed to belong to the Ashton-under-Lyne Millowners Association at Walk Mill Ashton-under-Lyne and for the mayor aldermen and burgesses of the respective boroughs of Ashton-under-Lyne Stalybridge and Mossley and the Dukinfield Local Board by some person to be nominated by them or the majority of them jointly on their behalf to have access at all times to the said gauges into the said brook for the purpose of measuring and gauging the quantity of water from time to time passing through or over the same.

Penalty on
failure to
supply the
stipulated
quantity of
water.

18. In case the Corporation shall wilfully or after written notice shall negligently either fail to discharge the quantity of water required by this Act as aforesaid to be discharged into the said Hull Brook the Corporation shall for and during every day on which such failure shall occur forfeit and pay by way of penalty to the occupier or occupiers of any mill or works which shall be affected thereby and the occupier or occupiers of which shall actually have received damage and incurred loss by reason of such failure (such mill or works not being lower down the river than the said pumping station at Walk Mill) the sum of ten pounds such penalties to be recovered in the manner in which penalties not otherwise provided for are directed to be recovered by the Waterworks Clauses Act 1847.

Compensa-
tion for
bursting of
reservoirs at
Castleshaw.

19. The Corporation shall and they are hereby required from time to time and at all times hereafter to pay and make good to the owners lessees and occupiers of all lands and of all mills manufactories dwelling-houses cottages and other buildings now erected or in course of erection over upon or near to the banks of the said River Tame down to and including Walk Mill aforesaid or which may hereafter be erected in proper and reasonable situations on the banks of the said river down to and including Walk Mill aforesaid all loss costs charges sum and sums of money damages and expenses whatsoever for all injury of what nature and kind soever which such owners lessees or occupiers may suffer incur pay expend or be put unto by reason or in consequence of the failure or giving way of the reservoirs embankments watercourses or other works of the Corporation: Provided that this section shall not prejudice or impair the rights or remedies of the owners lessees and occupiers of property below Walk Mill by reason or in consequence of the matters aforesaid.

Compensa-
tion for
bursting of

20. The Corporation shall and they are hereby required from time to time and at all times hereafter to pay and make good to the

owners lessees and occupiers of all lands and of all mills manufactories dwelling-houses cottages and other buildings within the municipal boundary of the borough of Rochdale or the district of the Milnrow Local Board all loss costs charges sum and sums of money damages and expenses whatsoever for all injury of what nature and kind soever which such owners lessees or occupiers may suffer incur pay expend or be put unto by reason or in consequence of the failure or giving way of the reservoirs embankments watercourses or other works of the Corporation.

A.D. 1886.
—
reservoir at
Piethorn.

21. To the intent that no waters of any tributaries of the River Tame shall by means of any works by this Act or by the Act of 1875 or at any time heretofore authorised to be constructed by the Corporation be allowed at any time hereafter to flow to waste into the Piethorn Brook the Corporation shall place and for ever maintain a valve in the existing conduit for carrying the waters or some of them of such tributaries to the reservoirs of the Corporation on Piethorn Brook or on any of the tributaries thereof and shall also place and for ever maintain a valve in the aqueduct (No. 28) by this Act authorised for regulating the passage of such waters and whenever and so long as the last-mentioned reservoirs shall be completely filled with water such valves shall be kept closed so as to prevent the passage of water from the reservoirs of the Corporation at Denshaw through the said conduit and aqueduct or either of them.

Regulating
supply of
water to
Piethorn
Reservoir.

The provisions of section 30 of the Act of 1870 shall extend and apply mutatis mutandis to and in relation to the inspection by the mayor aldermen and burgesses of the borough of Rochdale of the said valves and if at any time the said valves shall be left open in breach of the foregoing provision the Corporation shall be liable to a penalty not exceeding ten pounds which may be recovered summarily by the said mayor aldermen and burgesses. Anything in this section or any proceedings thereunder shall not prejudice the right to compensation recoverable under the last preceding section.

22. The valves to be placed and maintained as provided in the preceding section shall be proper and sufficient for regulating the passage of water and whenever and so long as the Denshaw Reservoirs of the Corporation and their Rooden Reservoir and their reservoirs on the Piethorn Valley shall be full of water no water from the River Tame or any of the tributaries thereof shall be allowed to flow into the Piethorn Valley but all such water shall be permitted to flow along its present natural course into the River Tame.

Water from
Tame Val-
ley not to
flow to waste
in Piethorn
Valley.

The Corporations of Ashton-under-Lyne Stalybridge and Mossley and the trustees of the will of the late George Harry Earl of Stamford and Warrington deceased (by some person to be from time to

A.D. 1886.

time appointed by them in writing for that purpose) shall have access at all times to the said valves to be placed and maintained by the Corporation as aforesaid in order to ascertain whether any waters of the River Tame or any of the tributaries thereof are at any time hereafter allowed to flow to waste in the Piethorn Valley and for every day on which the Corporation may wilfully or negligently allow any such water to flow to waste in contravention of the provisions of this Act they shall be liable to a penalty of not exceeding ten pounds which may be sued for and recovered by the said Corporations or either of them and the amount of any such penalty so recovered shall be divided equally between the said three Corporations and carried to the credit of their respective borough funds.

PART III.—LANDS.

Power to purchase additional lands.

23. (1.) Subject to the provisions of this Act the Corporation may from time to time enter upon take and use such of the lands shown upon the deposited plans and described in the deposited book of reference as they may require for the purposes of the works by this Act authorised and may also enter upon take and use all or any of the lands herein-after mentioned and shown on the deposited plans and described in the deposited book of reference that is to say :—

(A.) Lands in the township of Chadderton in the parish of Prestwich-cum-Oldham in the county palatine of Lancaster and in the townships of Failsworth and Moston both in the parish of Manchester in the said county palatine.

(B.) Lands in the township of Oldham in the parish of Prestwich-cum-Oldham and in the Audenshaw division of the parish of Ashton-under-Lyne both in the said county palatine.

(2.) When and so soon as they have acquired the lands (A) above described the Corporation may divert in the manner shown on the deposited plans the public footpath crossing those lands.

(3.) When and so soon as they have acquired the lands (B) above described the Corporation may divert in the manner shown on the deposited plans the public footpaths crossing the said lands (B).

Provided always that if at any time after the Corporation shall have acquired the lands (A) the Lancashire and Yorkshire Railway Company shall require to widen their railway adjoining those lands the Corporation shall bear and pay all the costs and expenses incurred by the said Company in constructing a retaining wall along the south-east side of that portion of the said lands which is numbered on the deposited plans 2 and 3 in the township of Failsworth of such materials and of such height and thickness as the said Company may reasonably prescribe for the purposes of the said widening.

24. When and so soon as any road or footpath diversion by this Act authorised shall have been completed so much of the respective diverted road or footpath as lies between the commencement and termination of the respective diversion shall cease to be used as a public road or footpath as the case may be and the site and soil thereof shall be and is hereby absolutely vested in the Corporation freed and discharged from all public rights of way and all other rights interests charges and encumbrances then affecting the same and the same or any part or parts thereof may be from time to time so sold and disposed of or demised by the Corporation to such person or persons for such sum or sums of money or for such rent or rents or other consideration as to the Corporation may seem fit.

A.D. 1886.
Diverted portions of roads &c. vested in Corporation.

25. When and so soon as any road or footpath diversion by this Act authorised shall have been completed the respective substituted road or footpath shall become by virtue of this Act a public highway and shall as regards any such road diversion after the expiration of one year from the date of its completion and as regards any footpath diversion from the date of its completion be repairable by the authority or persons by whom the road or footpath for which it is substituted is now by law repairable.

Substituted roads &c. when completed to be public highways.

26. The Corporation shall not under the powers of this Act without the sanction of the Local Government Board purchase or acquire in any city borough or other urban sanitary district or in any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the 15th day of December last were occupied either wholly or partly by persons belonging to the labouring class as tenants or lodgers.

Restriction on displacing persons of labouring class.

The expression "labouring class" in this section includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the family of any such persons who may be residing with them.

27. The Corporation may take by agreement and any person by the Lands Clauses Consolidation Act 1845 enabled to sell and convey or release lands may if they think fit subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to the Corporation any easement right or privilege (not being an easement of water) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so

Power to take easements &c.

A.D. 1886. — far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Period for compulsory purchase.

28. The powers of the Corporation for the compulsory purchase of lands under this part of the Act shall not be exercised after the expiration of three years from the passing of this Act.

PART IV.—GAS.

Power to use lands for gas purposes.

29. The Corporation upon such of the lands delineated on the deposited plans and described in the deposited book of reference as are also described in Part I. of the First Schedule to this Act may erect lay down and provide and from time to time maintain alter improve and enlarge extend and renew or discontinue gasworks and works for the manufacture distribution and storage of gas and for the conversion utilisation and distribution of the materials used in and about the manufacture of gas and residual products resulting from such manufacture and may make and store gas and may manufacture store and sell coke tar ammoniacal oil and all other products or residuum of any materials employed in or resulting from the manufacture of gas and the said lands when acquired by the Corporation and all works and buildings to be erected thereon shall be held by the Corporation as and be deemed to be part of their gas undertaking :

Provided that nothing in this Act contained shall authorise the Corporation to distil tar or the products of tar or to convert such products by any other process.

Limitation of profits on gas undertaking.

30. The Corporation shall not after the year ending the 25th day of March 1887 make out of their gas undertaking a greater profit in any one year than the annual sum for the time being payable by way of annuities created for the purchase of the gas undertaking and such portion of the annuity redemption fund provided for by the Oldham Corporation Gas and Water Act 1853 as is applicable to the annuities apportioned to the gas undertaking together with a sum equal to six pounds per centum per annum

(A.) Upon so much of the capital already expended upon that undertaking as may not for the time being have been paid off or redeemed by instalments or by the operation of the sinking funds or redemption funds authorised by the Act of 1865 and the Act of 1870 such capital being taken to have amounted on the 25th day of March 1885 to the sum of one hundred and twenty-eight thousand nine hundred and ten pounds and

(B.) Upon the capitalised profits expended by the Corporation on their gas undertaking up to the 25th day of March 1885 such

sum being taken to have amounted on that day to seventy-five thousand four hundred and thirty-six pounds and A.D. 1886.

(c.) Upon so much of the moneys which the Corporation may for the time being have borrowed for gasworks under the provisions of this Act not exceeding two hundred and fifty thousand pounds as may not for the time being be repaid or redeemed by instalments or by the operation of the sinking fund or redemption fund authorised by this Act.

In this section the expression "profits" shall mean the profit made by the Corporation out of their gas undertaking after paying all expenses of manufacture and distribution of gas all rents rates and taxes expenses of management repairs and maintenance and law expenses in connexion with such undertaking and setting aside a sufficient allowance for bad debts but not including any allowance for depreciation: Provided that notwithstanding anything to the contrary in section 48 of the Oldham Corporation Gas and Water Act 1853 contained whenever and so long as the portion of the sinking fund by that section authorised applicable to the annuities apportioned to the gas undertaking shall amount to twenty thousand pounds or to the value of such annuities then outstanding capitalised at thirty years purchase if the latter amount be less than twenty thousand pounds the interest of the said portion of such sinking fund shall be carried to the credit of the revenue of the gas undertaking.

31. Section 38 (gas rents outside the borough) of the Act of 1880 is hereby repealed and after the passing of this Act the charge for gas supplied outside the borough to ordinary consumers shall be the same as the charge for the time being made for gas supplied to ordinary consumers within the borough.

Repeal of differential rate for gas.

32. Notwithstanding anything contained in any of the Corporation Acts sections 35 36 and 37 of the Gasworks Clauses Act 1847 as far as applicable and section 35 of the Gasworks Clauses Act 1871 shall apply to the Corporation and the accounts of their gas undertaking: Provided that for the purposes of this Act section 35 of the Gasworks Clauses Act 1847 shall be read and have effect as if for the words "dividends to the amount herein-before limited" in that section were substituted the words "sums mentioned as the profit which the Corporation may make out of their gas undertaking in any one year in the section of the Oldham Corporation Act 1886 the marginal note whereof is 'Limitation of profits on gas undertaking'" and for the words "any two gas ratepayers within the limits of supply of the special Act" were substituted the words "any sanitary authority within the gas limits" and section 35 of the Gasworks Clauses Act 1871 shall be read and

Application of certain provisions of Gasworks Clauses Act 1847 and 1871.

A.D. 1886. — have effect as if the word "June" was substituted for the word "March" therein and as if the words "the twenty-fifth day of March" were substituted for the words "thirty-first day of December" therein.

Amend-
ment of
section 47
of Act of
1853.

33. Section 47 of the Oldham Corporation Gas and Water Act 1853 shall be read and have effect as if the words "thirty pounds" were inserted therein in lieu of the words "twenty-five pounds."

PART V.—CEMETERIES.

Power to
Corporation
to make
cemetery.

34. The Corporation may upon such of the lands delineated upon the deposited plans and described in the deposited book of reference as are also described in Part II. of the First Schedule to this Act make and maintain alter improve and regulate a cemetery for the interment of the dead with all proper chapels approaches works and conveniences and shall have and exercise in respect to such cemetery all powers in respect to cemeteries conferred upon sanitary authorities by the Public Health Act 1875 and the Public Health (Interments) Act 1879 and all powers vested in them as the burial board for the borough under and subject to the provisions of the Acts relating to the burial of the dead in England beyond the metropolis.

Cemetery
not to be
within 300
yards of
certain
property.

35. No part of such cemetery shall be made within three hundred yards of a house standing at the date of the passing of this Act and being of the annual value of fifty pounds or of any garden or pleasure ground occupied therewith except with the consent in writing of the owner lessee and occupier thereof.

PART VI.—ELECTRIC LIGHTING, &c.

Revival of
powers of
Part IV. of
Act of
1880.

36. The powers by Part IV. of the Act of 1880 conferred upon the Corporation with respect to the production and supply of light by means of electricity or other like agency are (subject to the provisions of Part IV. of the Act of 1880) hereby revived and extended for the purpose of enabling the Corporation to supply light by such means to any municipal buildings and to the Oldham Science and Art Schools but for no other purposes and may (subject as aforesaid) be exercised by the Corporation for those purposes at any time during the period of five years from the 6th day of August 1885 and the provisions of subsection 2 of section 56 of the Act of 1880 shall so far as may be necessary for those purposes be read and have effect as if the period of ten years had been originally inserted therein instead of five years.

PART VII.—ALTERATION OF WARDS.

Borough to
consist
of twelve
wards.

37. On and after the 22nd day of October one thousand eight hundred and eighty-seven the borough shall be divided into twelve

wards the names and extent of which shall be as set forth in the Second Schedule to this Act: Provided that the burgess roll and ward rolls for the borough to be completed on or before the 20th day of October 1887 shall be made out so as to be in accordance with the borough as so divided and as if the borough had been so divided as from the date in the year 1887 at which the town clerk issued his precept to the overseers to make out the burgess list for the borough. A.D. 1886.

38. Notwithstanding anything in this Act the provisions of the Municipal Corporations Act 1882 (relating to the division of boroughs into wards or alteration of wards) and of any enactment substituted for or amending the same shall continue to apply to and in the case of the borough. Saving for
45 & 46
Vict. cap. 50.

39. A ward plan signed in duplicate by Robert Thornhagh Gurdon Esquire the Chairman of the Committee of the House of Commons to whom the Bill for this Act was during its progress through Parliament referred showing the numbers names and extent of the wards as described in the Second Schedule to this Act annexed shall within one week after the passing of this Act be deposited as to one copy in the Private Bill Office of the House of Commons and as to the other copy with the town clerk of the borough who shall keep the said copy deposited with him subject to the provisions of the Public General Act passed in the session of Parliament of the seventh year of the reign of King William the Fourth and the first year of the reign of Her present Majesty chapter 83 and another copy thereof certified by the town clerk shall be sent as soon as may be after the deposit of the same as aforesaid to the Director General of Her Majesty's Ordnance Survey at Southampton. Deposit
of ward
plan.

40. Copies of the said ward plan or any extract therefrom certified by the town clerk to be true shall be received by all courts of justice or elsewhere as primâ facie evidence of the contents of such plan and such plan shall at all reasonable times be open to the inspection of all persons liable to rates imposed by the Corporation and any person so liable shall be entitled to a copy of or extract from such plan on payment of a reasonable fee to be fixed by the Corporation for every such copy or extract. Copies of
deposited
plan to be
evidence.

41. On and after the first day of November 1887 the number of councillors for the borough shall be thirty-six instead of twenty-four and on and after the ninth day of November 1887 the number of aldermen for the borough shall be twelve instead of eight and each of the wards of the borough shall return three councillors and be represented by one alderman And save as by this Act expressly provided the provisions of all enactments relating to the council Increase of
councillors
and alder-
men.

A.D. 1886. shall continue unaffected and all references therein to the council shall apply to the council as altered by this Act.

Aldermen and councillors of existing wards to represent those wards as altered.

42. The aldermen and councillors who on the twentieth day of October 1887 respectively represent the existing Westwood Ward Werneth Ward St. Peter's Ward Clarksfield Ward Mump's Ward St. Mary's Ward St. James's Ward and Waterhead Mill Ward shall subject to the provisions of the Municipal Corporation Acts as to the retirement in rotation of aldermen and councillors respectively represent the wards bearing the same respective names as by this Act constituted and shall continue to hold office for the same time as they would have continued to hold office if the said existing wards had not been altered by this Act but no longer unless re-elected.

Election of councillors for new wards.

43. On the first day of November 1887 three councillors shall be elected for each of the following wards the Hartford Ward the Hollinwood Ward the St. Paul's Ward and Coldhurst Ward (which wards are herein-after for convenience referred to as "the four new wards") in the manner prescribed by the Municipal Corporations Act 1882 and at each such first election for the four new wards the mayor or some person appointed in writing by him shall be the returning officer.

The expression "new councillor" when used in this part of this Act means any one of the councillors for any of the four new wards elected as aforesaid on the first day of November 1887 and includes any councillor elected in his place at any time before he would have gone out of office as by this Act provided.

With respect to the councillors for each of the four new wards the following provisions shall be in force and have effect viz. :

On the first day of November 1888 the new councillor elected by the smallest number of votes shall go out of office and on the first day of November 1889 the new councillor elected by the next smallest number of votes shall go out of office and on the first day of November 1890 and in every year thereafter the councillors to go out of office shall be the councillors who have been longest in office without re-election and in each instance the place of the councillor going out of office shall be supplied by the election of a councillor in manner prescribed by the Municipal Corporation Acts :

Every such councillor going out of office may forthwith be re-elected :

If the election of councillors on the said first day of November 1887 for any of the four new wards has not been contested or if any doubt arises as to the order of rotation of such

councillors such order of rotation shall be determined by the council. A.D. 1886.

44. On the ninth day of November 1887 the council immediately after the election of a mayor shall elect in manner provided by the Municipal Corporations Act 1882 four fit persons to be additional aldermen of the borough and one of such new aldermen shall be assigned by the council to and shall represent each of the four new wards. Additional aldermen.

The expression "new aldermen" in this part of this Act means the four additional aldermen elected as aforesaid on the ninth day of November 1887 and includes any alderman elected in the place of any of such aldermen at any time before he would have gone out of office as by this Act provided.

On the ninth day of November 1889 the two of such new aldermen elected by the smallest number of votes shall go out of office together with the four aldermen who will have then been longest in office without re-election and the places of the six aldermen so going out of office shall be filled by the election of a like number of aldermen in manner prescribed by the Municipal Corporation Acts. In case any doubt arises as to which of such new aldermen shall retire as aforesaid by reason of the equality of votes at the said election of new aldermen on the ninth day of November 1887 such doubt shall be determined by the mayor for the time being of the borough.

On the ninth of November 1892 and in each succeeding third year one half of the aldermen for the borough shall go out of office and their places shall be filled by the election of a like number of aldermen in the manner prescribed by the Municipal Corporation Acts.

The aldermen so to go out of office by rotation shall be those who have been longest in office without re-election.

Every alderman going out of office may forthwith be re-elected.

PART VIII.—SALFORD HUNDRED COURT.

45. It is hereby declared that the borough is excluded from the jurisdiction of the Salford Hundred Court in all causes whereof the county court of Lancashire has cognizance and that the Salford Hundred Court has not any jurisdiction within the limits of the borough in any cause whereof the said county court hath cognizance and that it shall not be necessary to object to the jurisdiction of the Salford Hundred Court in any such cause by special plea and the provisions of the Act of 1868 so far as they confer any jurisdiction upon the Salford Hundred Court with respect to any such cause of action shall be and the same are hereby repealed. Exclusion of borough from jurisdiction of Salford Hundred Court.

A.D. 1886.

PART IX.—FINANCIAL.

Further
borrowing
powers.

46. In addition to any sums which the Corporation are now authorised to borrow they may from time to time for or in connexion with the purposes herein-after mentioned including in each case such part (if any) as the Corporation think fit of the costs charges and expenses preliminary to and of and incidental to the preparing and applying for and the obtaining and passing of this Act borrow at interest on the security of the borough fund and the rates and revenues of the Corporation or any of those securities any sum or sums not exceeding the sums herein-after specified and may mortgage the borough fund and their rates and revenues to secure the repayment thereof with interest accordingly that is to say :—

	£
For waterworks - - - -	360,000
For extensions to mains and pipes - -	50,000
For gasworks - - - -	250,000
For cemeteries - - - -	26,000
For fire brigade purposes - - - -	10,000
For recreation grounds - - - -	10,000
For baths - - - -	15,000
For free libraries art galleries and museum of arts and sciences - - - -	25,000
	£746,000

And in calculating the sum which the Corporation may borrow under any other enactment any sums which they may borrow under this Act shall not be reckoned nor shall the powers of the Corporation as to borrowing or re-borrowing be restricted by any of the provisions of the Public Health Acts.

Power to
borrow
further sums
with appro-
val of Local
Government
Board.

47. In addition to the moneys which by the last preceding section the Corporation are authorised to borrow they may from time to time with the approval of the Local Government Board and subject to such terms as to repayment and otherwise as the Local Government Board may prescribe borrow at interest on the securities mentioned in the last preceding section or any of them such sum or sums of money as they may require for any of the purposes for which money is by this Act authorised to be borrowed.

Applying
subsection
2 of section
292 of the
Act of 1865.

48. Subsection 2 of section 292 of the Act of 1865 shall be incorporated with and form part of this Act and shall apply to any increase or addition made under the authority of or for the purposes of this Act or any of them to any borough rate levied within the borough.

49. Sections 318 321 to 325 both inclusive (except the paragraph numbered (4) of section 323) and 362 of the Act of 1865 and section 41 of the Act of 1875 and sections 220 233 236 to 239 both inclusive of the Act of 1880 shall apply to all money to be borrowed and to all mortgages to be granted by the Corporation under the foregoing provisions of this Act and the Corporation may in lieu of borrowing such money raise the same by the creation and issue of Oldham Corporation Debenture Stock in accordance with the provisions of the Act of 1880 and in all respects as if the authority to raise money by borrowing by this Act conferred upon the Corporation and this Act had been expressly referred to and included in section 221 of the Act of 1880: Provided that subsection 2 of section 324 of the Act of 1865 shall in relation to moneys borrowed on mortgages granted under this Act be read and have effect as if the sum of ten thousand pounds had been named therein instead of one tenth of the sum for the time being due on mortgages.

A.D. 1886.
Applying provisions of former Acts as to borrowed money and mortgages.

50. Any person lending money to the Corporation shall not be bound to inquire as to the observance by them of any provisions of this Act or be bound to see to the application or be answerable for any loss or non-application of such money or of any part thereof.

For the protection of lenders.

51. All moneys borrowed or re-borrowed by the Corporation under the authority of this Act may be borrowed and re-borrowed for any terms not exceeding the terms herein-after respectively mentioned from the date of the original loan namely:—

As to re-payment of borrowed moneys.

All moneys borrowed or re-borrowed for the purposes of water-works and extension of mains and pipes fifty years.

All moneys borrowed or re-borrowed for any other purposes of this Act forty years.

52. If the Corporation at any time create and issue Oldham Corporation Debenture Stock in lieu of borrowing money under this Act or for the purpose of converting any moneys borrowed under the powers of this Act into stock the following provisions shall have effect:—

As to issue of stock.

(1.) The resolution for the first creation of such stock shall provide that such stock shall be redeemable by the Corporation at par that is to say at the rate of one hundred pounds sterling for every nominal amount of one hundred pounds stock issued at such time and in such manner as the Corporation by that resolution declare:

(2.) Each resolution for creation of stock shall specify that the stock thereby created is redeemable:

(3.) Such nominal amounts of such stock only shall be created and issued from time to time as in the aggregate will according

A.D. 1886.

to the price of issue produce the actual amount of money proposed to be raised by the Corporation by the creation and issue of stock in lieu of borrowing money under this Act or (as the case may be) the actual amount of money properly payable by the Corporation as consideration for the conversion of any mortgage proposed to be converted as aforesaid.

As to
sinking
funds.

53. With respect to sinking funds for the repayment of such of the moneys borrowed under the powers of this Act as are not repayable by instalments and for the redemption of stock the following provisions shall have effect (namely):—

In order to discharge such moneys and to redeem the stock the Corporation shall within twelve months after borrowing or issuing the same as the case may be and thenceforth in every year out of the revenue funds and rates on which such moneys and stock are respectively charged appropriate and set apart certain sums to form sinking funds which sums may be accumulated at interest in the hands of the bankers of the Corporation until they shall have amounted to the sum of five thousand pounds and so soon as the same shall have so accumulated they shall be invested from time to time and accumulated in the way of compound interest by investing the same and the interest dividends and annual income thereof respectively in such securities as trustees are by law for the time being authorised to invest trust moneys in or on security of mortgages debentures debenture stock or perpetual annuity certificates granted or issued under any Act (including this Act) under which the Corporation are authorised to borrow money. The sums of money so to be set apart shall be such as if invested in the way of compound interest at three pounds and ten shillings per centum per annum would with the accumulations thereof be sufficient after payment of all expenses to pay off such moneys and to redeem the stock at par in the following periods (that is to say):

As to moneys borrowed and stock created for the purpose of waterworks and extensions of mains and pipes in fifty years and as to moneys borrowed and stock created for any other purposes of this Act in forty years from the date of the borrowing of such moneys respectively or the creation of such stock as the case may be:

But if the interest actually produced by the investment of any sinking fund in any year falls short of the rate of accumulation above prescribed the Corporation shall make good the deficiency out of the borough fund or borough rate:

Provided as follows (that is to say) :—

The Corporation may at any time apply the whole or any part of any sinking fund set apart by them in or towards the repayment of the borrowed moneys for the repayment of which such sinking fund was set apart or to the redemption of the stock created and issued for the purposes of this Act in such order and manner as they deem proper: Provided that in such case they pay into such sinking fund in each year afterwards and accumulate as herein-before prescribed until the whole of the borrowed moneys or stock to which such sinking fund is applicable are discharged or redeemed a sum equal to the interest produced by the sinking fund or part thereof so applied or by the stock so redeemed: Provided also that whenever and so long as the yearly income arising from the sinking fund shall be equal to the annual interest of such mortgages then outstanding and of the stock then subsisting the Corporation may in lieu of investing the said yearly income apply the same in payment of such interest and may during such periods discontinue the payment to such sinking fund of the yearly sums required to be so paid thereto: Provided also that any mortgages debentures debenture stock and perpetual annuity certificates granted or issued by the Corporation and in or upon which they shall invest any sinking fund shall upon such investment be ipso facto cancelled.

54. The town clerk shall within twenty-one days after the expiration of each year during which any sum is required to be paid as an instalment or to be set apart for any sinking fund under this Act transmit to the Local Government Board a return in such form and verified in such manner as that Board may from time to time prescribe showing the amount which has been paid by instalments or invested for the purpose of such sinking fund during the year next preceding the making of such return and the description of the securities upon which the same has been invested and the purposes to which any portion of the moneys invested for the sinking fund or the interest thereof has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of any wilful default in making such return the town clerk shall be liable to a penalty not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act 1875 in a summary manner may be recovered by parties aggrieved within the meaning of that Act. If it appears to the Local Government Board by such return or

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

A.D. 1886. otherwise that the Corporation have failed to pay any instalment or to set apart the sum required by this Act for the sinking fund or have applied any portion of the moneys set apart for that fund or the interest thereof to any other purposes than those authorised by this Act the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested or applied by the Corporation as part of the sinking fund and any such order may be enforced by Mandamus to be obtained by the Local Government Board.

PART X.—MISCELLANEOUS.

Powers as to
cemeteries.

55. So much and such part of the cemetery which the Corporation are by this Act authorised to make as is situate within the Audenshaw division of the parish of Ashton-under-Lyne in the county of Lancaster as also the existing Chadderton Cemetery of the Corporation and the recessed entrance thereto from the Middleton Road shall for all purposes of police and police regulations be deemed to be within the borough and the justices of the borough and the constables officers and servants of the Corporation shall have and be subject to the like jurisdiction powers authorities rights remedies and privileges in and in relation to such cemeteries and recessed entrance as they respectively have and are subject to within the borough and the several provisions with reference to the matters aforesaid contained in the Corporation Acts and now in force or in this Act or in any Act for the time being in force with respect to the borough shall extend and apply to such cemeteries and recessed entrance provided that nothing herein contained shall affect any question of rating or shall confer upon the justices of the borough or the constables officers or servants of the Corporation any jurisdiction or authority upon or over the said Middleton Road.

Grants in
aid of local
charities.

56. The Corporation may subscribe for charitable and public purposes any sum not exceeding one hundred guineas in any one year and may allocate such sum in such proportions as from time to time they think proper amongst the following institutions namely the Manchester Infirmary the Manchester Eye Hospital and any borough or county hospital infirmary or dispensary or the Oldham Workshop for the Blind or other similar institutions.

Power to
close Mu-
seum &c.

57. With respect to the Museum and Fine Art Gallery of the Corporation the Corporation may do the following things and the following provisions shall have effect that is to say:—

- (1.) They may from time to time on giving notice by advertisement in a local newspaper circulating within the borough and

by placard close the Fine Art Gallery and the Museum or either or any part or parts of either of such buildings for such term not exceeding three months in any one year as the Corporation may think fit: A.D. 1886.

(2.) They may from time to time hold in any such gallery or museum exhibitions of works of art industry or science and may make charges for admission thereto provided that any exhibition held in any such gallery shall be open free to the public for not less than twelve working days before being finally closed:

(3.) They may from time to time make and alter rules and regulations with respect to any such exhibitions.

58. From and after the passing of this Act subsection 3 of section 223 of the Act of 1880 shall be read and have effect as if the first day of January and the first day of July had been inserted therein instead of the 25th day of March and the 29th day of September respectively: Provided that the Corporation may from time to time after due notice in a newspaper circulating in the borough alter the dates above mentioned for the closing of the register of transfers and fix other dates. Amendment of section 223 of Act of 1880.

59. Notwithstanding anything in section 80 of the Act of 1880 the Corporation may (for the purpose of throwing the same into the street) purchase any land lying between the line of frontage prescribed by the Corporation under the provisions of that section and the old line of frontage of such street without being compelled to purchase the land lying between such old line of frontage and the centre of the street and the land so purchased shall when purchased vest in the Corporation as part of the street. Amendment of section 80 of Act of 1880.

60. All powers given by this Act shall unless otherwise expressly stated be deemed to be in addition to and not in derogation of any other powers conferred upon the Corporation by Act of Parliament law or custom and such other powers may be exercised in the same manner as if this Act had not passed and nothing in this Act shall exempt any person from any penalty to which he would have been liable if this Act had not passed: Provided that no person should be adjudged to pay more than one penalty for the same offence. Powers of Act to be cumulative.

61. Nothing in this Act shall take away abridge or prejudicially affect any right power authority estate or interest of the Corporation under any former Act or the Public Health Acts or the Municipal Corporation Acts or otherwise and every such right power authority estate and interest may be had enjoyed and exercised by the Saving rights of Corporation.

A.D. 1886. Corporation as fully and effectually as if this Act had not been passed.

Expenses
of Act.

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

The SCHEDULES referred to in the foregoing Act.

A.D. 1886.

THE FIRST SCHEDULE.

PART I.—GAS LANDS.

Lands in the township of Chadderton in the parish of Prestwich-cum-Oldham in the county palatine of Lancaster, and in the townships of Failsworth and Moston both in the parish of Manchester in the said county palatine of Lancaster situate near the nightsoil depôt at Bower Clough of the Corporation and belonging or reputed to belong to the Corporation the Lancashire and Yorkshire Railway Company and the Company of Proprietors of the Rochdale Canal respectively and in their respective occupations and containing by estimation 20 acres or thereabouts which lands are bounded on the south-easterly side by the Lancashire and Yorkshire Railway on the north-easterly side by land belonging or reputed to belong to the Corporation and by a public footpath on the north-westerly side by land belonging or reputed to belong to William and Robert Marland and the Company of Proprietors of the Rochdale Canal on the westerly side by the towing path of the Rochdale Canal and on the south-westerly side by a road from Wrigley Head to New Moston.

PART II.—CEMETERY LANDS.

Lands situate partly in the township of Oldham in the parish of Prestwich-cum-Oldham and partly in the Audenshaw division of the parish of Ashton-under-Lyne both in the county palatine of Lancaster near Lime Side Farmhouse and belonging or reputed to belong to John Joseph Jones and Joseph Lees and in the respective occupations of Daniel and William Walker Joseph Schofield and Edmund Collinge and containing by estimation 35 acres or thereabouts and which lands are included within an imaginary line commencing at a point distant 110 yards or thereabouts in a south-westerly direction from the most south-westerly corner of Lime Side Farmhouse thence proceeding in a south-easterly direction for a distance of 489 yards or thereabouts thence proceeding in a south-westerly direction for a distance of 376 yards or thereabouts thence proceeding in a north-westerly direction (partly along the north-easterly side of Lime Lane) for a distance of 497 yards or thereabouts and thence proceeding in a north-easterly direction for a distance of 293 yards or thereabouts to the said point of commencement.

A.D. 1886.

THE SECOND SCHEDULE.

BOUNDARIES OF WARDS.

Where the boundary of any ward is a street the imaginary centre line thereof shall constitute such boundary.

Westwood Ward is that portion of the borough of Oldham which is bounded by an imaginary line commencing in the centre of Middleton Road at the boundary between the borough of Oldham and the township of Chadderton proceeding along Middleton Road in an easterly direction to the junction of that road with Rochdale Road thence in a northerly direction along Rochdale Road to the boundary between the borough of Oldham and the township of Royton thence in a westerly and north-westerly direction and thence onwards along the said boundary of the borough of Oldham to the point first mentioned.

Hartford Ward is that portion of the borough of Oldham which is bounded by an imaginary line commencing in Middleton Road at the boundary between the borough of Oldham and the township of Chadderton proceeding along Middleton Road in an easterly direction to the junction of that road with Rochdale Road thence in a south-easterly direction along St. Domingo Street to the junction of that street with Manchester Street thence in a south-westerly direction along Manchester Street and Manchester Road to the junction of that road with Heron Street thence in a westerly direction in a line with Heron Street to the boundary between the borough of Oldham and the township of Chadderton and thence in a north-westerly and northerly direction along the said boundary to the point first mentioned.

Werneth Ward is that portion of the borough of Oldham which is bounded by an imaginary line commencing in the centre of Manchester Road at its intersection with the centre of Heron Street proceeding thence in a south-easterly direction along Heron Street to the junction of that street with Chamber Road thence in a north-easterly direction along Chamber Road to the junction of that road with Ashton Road thence in a northerly direction along Ashton Road and King Street to the junction of that street with Manchester Street thence in a south-westerly direction along Manchester Street and Manchester Road to the point first mentioned.

Hollinwood Ward is that portion of the borough of Oldham which is bounded by an imaginary line commencing at the boundary between the borough of Oldham and the township of Chadderton in line with the centre of Heron Street and thence in a south-easterly direction across Manchester Road and along Heron Street to the junction of that street with Chamber Road thence in a south-easterly direction along a new street a continuation of Heron Street to the junction of that street with Hollins Road thence in a north-easterly direction along Hollins Road to the junction of Trough Gate with that road thence along Trough Gate to the public footpath on the westerly side thereof thence in a southerly direction along the said public footpath to the intersection of that footpath with Oak Road thence in a south-easterly direction along Oak Road to the borough boundary thence in a south-westerly direction along the borough boundary and thence onwards along the said borough boundary to the point first mentioned.

St. Paul's Ward is that portion of the borough of Oldham which is bounded by an imaginary line commencing at the borough boundary in the centre of Oak Road where the said boundary crosses the said road proceeding thence in a north-easterly direction along the said boundary of the borough of Oldham to the north-easterly side of the Oldham Ashton-under-Lyne and Guide Bridge Junction Railway thence in a north-westerly direction along the north-easterly side of the said railway to Park Road thence in a north-westerly direction along Park Road to the junction of that road with Wellington Street thence in a westerly direction along Wellington Street to the junction of that street with King Street thence in a southerly direction along King Street and Ashton Road to the junction of that road with Chamber Road thence in a south-westerly direction along that road to its junction with Heron Street thence in a south-easterly direction along the new street a continuation of Heron Street to its junction with Hollins Road thence in a north-easterly direction along Hollins Road to the junction of Trough Gate with that road thence along Trough Gate to the public footpath on the westerly side thereof thence in a southerly direction along the said public footpath to the intersection of that footpath with Oak Road thence in a south-easterly direction along Oak Road to the point first mentioned.

St. Peter's Ward is that portion of the borough of Oldham which is bounded by an imaginary line commencing at the junction of King Street with Manchester Street proceeding thence in an easterly direction along Manchester Street Market Place High Street and Yorkshire Street to the junction of that street with Waterloo Street thence in a south-easterly direction along Waterloo Street to the south-easterly side of the Oldham Ashton-under-Lyne and Guide Bridge Junction Railway where the main line crosses that street thence in a north-easterly direction along the south-easterly side of the main line of the Oldham Ashton-under-Lyne and Guide Bridge Junction Railway and the London and North-western Railway to Glodwick Road thence in a southerly direction along Glodwick Road and Glodwick thence in a north-westerly direction along Park Road to the junction of Brook Lane with that road thence in a south-westerly direction along Brook Lane and Honeywell Lane to the north-easterly side of the Oldham Ashton-under-Lyne and Guide Bridge Junction Railway where the said railway passes under Honeywell Lane thence in a north-westerly direction along the north-easterly side of the said railway to Park Road thence in a north-westerly direction along Park Road to the junction of that road with Wellington Street thence in a westerly direction along Wellington Street to the junction of that street with King Street and thence in a north-westerly direction along King Street to the point first mentioned.

Clarksfield Ward is that portion of the borough of Oldham which is bounded by an imaginary line commencing in Honeywell Lane on the north-easterly side of the Oldham Ashton-under-Lyne and Guide Bridge Junction Railway where that railway passes under the said lane and proceeding in a north-easterly direction along Honeywell Lane and Brook Lane to the junction of that lane with Park Road thence in a south-easterly direction along Park Road to Glodwick thence in a northerly direction along Glodwick and Glodwick Road to the junction of that road with Lees Road thence in a south-easterly direction along Lees Road to the junction of Cow Lane with that road thence in a north-easterly direction along Cow Lane to the junction of that lane with

A.D. 1886.

Greenacres Road thence in a north-easterly direction along Greenacres Road to the boundary of the borough at Crimbles (which is also the boundary between the counties of Lancashire and Yorkshire) proceeding thence in a southerly direction along the said boundary past Lees Brook Holts and Cherry Valley to the point where the borough boundary meets the Oldham Ashton-under-Lyne and Guide Bridge Junction Railway and thence in a north-westerly direction along the north-easterly side of the said railway to the point first mentioned.

Mumps Ward is that portion of the borough of Oldham which is bounded by an imaginary line commencing at the junction of Waterloo Street with Yorkshire Street proceeding thence in a south-easterly direction along Yorkshire Street to the junction of Horsedge Street with that street thence in a north-westerly direction along Horsedge Street to its junction with Shaw Street thence in a north-easterly direction along Shaw Street to its junction with Edge Lane Road thence in a south-easterly direction along Edge Lane Road Shaw Road Cross Street and Glodwick Road to the south-easterly side of the London and North-western Railway where that railway passes under the said road thence in a south-westerly direction along the south-easterly side of the main line of the London and North-western Railway and the Oldham Ashton-under-Lyne and Guide Bridge Junction Railway to Waterloo Street and thence in a north-westerly direction along Waterloo Street to the point first mentioned.

Coldhurst Ward is that portion of the borough of Oldham which is bounded by an imaginary line commencing at the junction of St. Domingo Street with Manchester Street proceeding in a north-westerly direction along St. Domingo Street and Rochdale Road to the boundary between the borough of Oldham and the township of Royton and thence in a south-easterly direction along the boundary of the borough to where the said boundary crosses Henshaw Street thence in a south-westerly direction along Henshaw Street to the junction of Lord Street with that street thence in a southerly direction along Lord Street and Church Lane to the junction of the latter with High Street thence in a westerly direction along High Street Market Place and Manchester Street to the point first mentioned.

St. Mary's Ward is that portion of the borough of Oldham which is bounded by an imaginary line commencing at the junction of Church Lane with High Street proceeding along Church Lane and Lord Street to its junction with Henshaw Street thence in a north-easterly direction along Henshaw Street to where the borough boundary crosses that street thence in a north-easterly direction along the said boundary to where the said boundary crosses Shaw Road thence in a southerly direction along Shaw Road to its junction with Edge Lane Road thence in a north-westerly direction along Edge Lane Road to the junction of Shaw Street with that road thence in a south-westerly direction along Shaw Street to its junction with Horsedge Street thence in a south-easterly direction along Horsedge Street to its junction with Yorkshire Street and thence in a westerly direction along Yorkshire Street and High Street to the point first mentioned.

St. James' Ward is that portion of the borough of Oldham which is bounded by an imaginary line commencing at the junction of Shaw Road with Huddersfield Road proceeding in a north-westerly direction along Shaw Road to the boundary between the borough of Oldham and the township of Royton and

thence along the north-westerly boundary and the northerly boundary of the borough to where the said boundary crosses Ripponden Road at Grains thence in a south-westerly direction along Ripponden Road to the junction of Little Moor Lane with that road thence along Little Moor Lane to its junction with Huddersfield Road and thence in a south-westerly direction along Huddersfield Road to the point first mentioned.

A.D. 1886.

Waterhead Ward is that portion of the borough of Oldham which is bounded by an imaginary line commencing at the junction of Shaw Road and Huddersfield Road proceeding in a north-easterly direction along Huddersfield Road to the junction of Little Moor Lane with that road thence along Little Moor Lane to its junction with Ripponden Road thence in a north-easterly direction along Ripponden Road to the boundary of the borough at Grains and thence along the extreme north-easterly portion of the boundary to a point near Wotherhead Hill and thence along the south-eastern boundary of the said borough through Strinesdale to where the said boundary crosses Greenacres Road at Crimbles thence in a south-westerly direction along Greenacres Road to the junction of Cow Lane with that road thence in a south-westerly direction along Cow Lane to its junction with Lees Road thence in a north-westerly direction along Lees Road to its junction with Cross Street and thence in a northerly direction along Cross Street to the point first mentioned.

LONDON: Printed by EYRE and SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1886.

