



CHAPTER ccxiii.

An Act to confer further powers upon the Lord Mayor Aldermen and Citizens of the City of Manchester with reference to tramways and streets and otherwise for the better local government and improvement of the city to extend the city and to make provision with reference to the Manchester Royal Infirmary and the borrowing powers of the Corporation and for other purposes.

A.D. 1903.

[11th August 1903.]

WHEREAS the lord mayor aldermen and citizens of the city of Manchester (in this Act called "the Corporation") are the owners and lessees of certain tramways and are empowered to place and run carriages on and to work tramways for the time being belonging to them and to take on lease and to work other tramways :

And whereas it is expedient to empower the Corporation to construct and work the additional tramways authorised by this Act :

And whereas it is expedient that the Corporation should be empowered to make and maintain the new streets street widenings improvements conveniences and other works and to exercise the powers and to acquire and appropriate the lands in this Act respectively mentioned or referred to :

And whereas plans and sections showing the lines and levels of the tramways new streets street widenings improvements conveniences and other works authorised by this Act and plans of the lands by this Act authorised to be acquired and appropriated and a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken by compulsion for the purposes or under the powers of this Act were duly deposited

A.D. 1903. — with the clerk of the peace for the county of Lancaster which plans sections and book of reference are in this Act respectively referred to as “the deposited plans sections and book of reference”:

And whereas increased and improved accommodation beyond that afforded by the general hospital of the Manchester Royal Infirmary which is situate in Piccadilly near the centre of the city is urgently needed and it is expedient that the site of that hospital should be sold to the Corporation and that another hospital with greater accommodation and of modern construction should be erected on land situate in and near to Stanley Grove Oxford Street Manchester now belonging or reputed to belong to the Owens College Manchester and the trustees of the Manchester Southern Hospital for the Diseases of Women and for Children who are willing to transfer and convey the same to the Royal Infirmary:

And whereas it is expedient that provisions should be made for vesting the said infirmary site in Piccadilly and the buildings thereon (on the terms hereinafter set forth) in the Corporation and to enable the arrangements for the acquisition of the new site to be carried into effect:

And whereas it is expedient that the Corporation should be authorised to raise moneys for the following purposes (that is to say):—

- (A) For or in connection with the construction of the tramways by this Act authorised and for other the purposes of the tramway undertaking of the Corporation the sum of ten thousand five hundred pounds;
- (B) For the purposes of this Act relating to the new streets street widenings improvements conveniences and works in connection therewith the sum of three hundred thousand pounds;
- (C) For the purposes of the section of this Act the marginal note of which is “Erection of buildings on lands acquired for widenings &c.” such sums as the Corporation shall with the sanction of the Local Government Board determine;
- (D) For the purchase of lands and the deviation of footpaths in connection with the Manchester Corporation Sewage Works at Davyhulme the sum of three thousand pounds;
- (E) For further expenditure in connection with the waterworks undertaking of the Corporation including the obtaining of a supply of water from Thirlmere under the provisions of the Manchester Corporation Waterworks Act 1879 and the Manchester Corporation Act 1889 the sum of seven hundred and fifty thousand pounds;

- (F) For the purposes of the markets undertaking of the Corporation (inclusive of purposes in connection with their abattoirs cold air stores and foreign animals wharf and the extension and improvement of their markets) such sums as the Local Government Board may sanction ;
- (G) For the purposes of the section of this Act the marginal note of which is "Erection of shops &c. on Blackley Estate" such sums as the Corporation shall with the sanction of the Local Government Board determine ;
- (H) For the purpose of defraying any expenses under Part IV. (City Extension) of this Act which in the opinion of the Local Government Board are properly chargeable to capital such sum as the Corporation with the sanction of the Local Government Board shall determine ;
- (I) For the purpose of the purchase of the land buildings and hereditaments known as the Manchester Royal Infirmary the sum of four hundred thousand pounds ;
- (J) For the purpose of defraying the expense of appropriating parts of the last-mentioned land for streets and open spaces and the stamp duty and other expenses the sum of thirty thousand pounds ;
- (K) For the purpose of the removal of existing buildings and of erecting and providing upon the last-mentioned land such new buildings as the Corporation may determine with all necessary fixtures fittings furniture and equipment such sums as the Corporation shall from time to time with the sanction of the Local Government Board determine :

And whereas estimates have been prepared in relation to the foregoing purposes (A) (B) (D) (E) (I) and (J) and the several works and purposes mentioned in such estimates are permanent works within the meaning of section 234 of the Public Health Act 1875 :

And whereas it is expedient to alter and extend the boundary of the city of Manchester so as to include within the city certain lands and premises hereinafter described now situate in and forming part of the urban district of Prestwich in the township and parish of Prestwich in the county of Lancaster and to constitute the Corporation acting by the council the sole authority for all municipal sanitary and local government purposes within the extended city :

And whereas it is expedient that further provision should be made with respect to stands buildings and servants' registries and for the prevention of offences :

A.D. 1903. And whereas it is expedient that the Corporation should be empowered to borrow money as in this Act provided and that the existing Acts relating to the Corporation should be otherwise amended :

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

And whereas an absolute majority of the whole number of the council at meetings held on the first day of October one thousand nine hundred and two and on the twenty-second day of April one thousand nine hundred and three after ten clear days' notice by public advertisement of such meetings and of the purposes thereof in the Manchester Guardian newspaper being a local newspaper published or circulating in the city of Manchester such notices being in addition to the ordinary notices required for summoning such meetings resolved that the expense in relation to promoting the Bill for this Act should be charged on the city rate :

And whereas such resolutions were published twice in the said Manchester Guardian newspaper and have received the approval of the Local Government Board and of one of His Majesty's Principal Secretaries of State :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at further special meetings held in pursuance of similar notices on the fourth day of February and the twenty-seventh day of May one thousand nine hundred and three such first-mentioned date being not less than fourteen days after the deposit of the Bill in Parliament :

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the King'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 Manchester Corporation Act 1903.

Act divided into parts. 2. This Act is divided into parts as follows (that is to say) :—
Part I. Preliminary.
Part II. Tramways.

- Part III. Improvements.
- Part IV. City Extension.
- Part V. Manchester Royal Infirmary.
- Part VI. Miscellaneous.
- Part VII. Finance.

A.D. 1903.

3. The following Acts and parts of Acts so far as they are applicable to the purposes and are not inconsistent with the provisions of this Act are hereby incorporated with and form part of this Act (that is to say) :—

The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845) :

Section 19 (Local authority may lease or take tolls) and Parts II. and III. of the Tramways Act 1870 :

Provided that section 19 shall in regard to its incorporation with this Act be read and have effect as if the words “ but nothing in this Act contained shall authorise any local authority to place or run carriages upon such tramways and to demand and take tolls and charges in respect of the use of such carriages ” were omitted from that section :

Provided also that instead of the provisions of section 30 of the Tramways Act 1870 the provisions of section 7 of the Telegraph Act 1878 shall apply to any alteration of or interference with any telegraphic line belonging to or used by the Postmaster-General. The expression “ telegraphic line ” in this Act has the same meaning as in the Telegraph Act 1878.

4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant thereto. And in this Act unless the subject or context otherwise requires—

“ The city ” means the city of Manchester as extended by this Act ;

“ The council ” means the council of the city ;

“ The city rate ” means city rate of the city ;

“ City fund ” means the city fund of the city ;

“ Town clerk ” means the town clerk of the city ;

“ Salford Corporation ” means the mayor aldermen and burgesses of the borough of Salford in the county of Lancaster ;

“ Security ” means any stock mortgage grant of annuity or other security issued or granted or to be issued or granted by the Corporation under any statutory borrowing power ;

A.D. 1903.

- “ Mechanical power ” includes steam electric and every other motive power not being animal power ;
- “ Engine ” includes motor ;
- “ The Act of 1897 ” “ the Act of 1899 ” “ the Act of 1900 ” “ the Act of 1901 ” and “ the Act of 1902 ” mean respectively the Manchester Corporation Act 1897 the Manchester Corporation Tramways Act 1899 the Manchester Corporation Tramways Act 1900 the Manchester Corporation Act 1901 and the Manchester Corporation Tramways Act 1902 ;
- “ Street ” includes any highway public bridge road lane footway square court alley or passage whether a thoroughfare or not ;
- “ Owner ” (except where otherwise in this Act defined) shall have the same meaning as that assigned to it by section 36 of the Manchester Corporation Act 1891 ;
- “ Local Acts ” means the several Acts of Parliament and Orders set forth in the Third Schedule to this Act ;
- “ Daily penalty ” means a penalty for every day on which any offence is continued after conviction therefor.

Authentica-
tion of
notices.

5. Any summons demand notice order or document (other than a conveyance contract or security) to be given made delivered or served by or on the part of the Corporation under this Act shall if signed by the town clerk be of the same effect as if sealed by the Corporation and the provisions of the fifty-first section of the Manchester Corporation Waterworks and Improvement Act 1867 shall apply to every such summons demand notice order or other document.

Correction
of errors &c.
in deposited
plans and
book of
reference.

6. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Corporation after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices acting for the county of Lancaster for the correction thereof and if it appear to the justices that the omission misstatement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county of Lancaster and a duplicate thereof shall also be deposited with the town clerk and such certificate and duplicate respectively shall be kept by such clerk of the peace and

town clerk respectively with the other documents to which the same relate and thereupon the deposited plans or book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Corporation to take the lands and execute the works in accordance with such certificate.

A. D. 1903.

7. A copy of the deposited plans sections and book of reference respectively shall be kept by the town clerk who shall permit any person to inspect the same at reasonable times and to make copies of and extracts from the same respectively on payment by any such person of one shilling for every inspection and of the further sum of one shilling for every hour during which such inspection shall continue after the first hour and after the rate of sixpence for every one hundred words copied therefrom.

Plans &c. to be open to inspection.

8. Copies of the deposited plans sections and book of reference or of any alteration or correction thereof or extract therefrom certified to be correct by the clerk of the peace for the county of Lancaster or by the town clerk which certificate such clerk of the peace and town clerk respectively shall give to all parties interested when required shall be received in all courts of justice or elsewhere as *prima facie* evidence of the contents thereof.

Certified copies of plans &c. to be evidence.

9. The powers of the Corporation for the compulsory purchase of lands under this Act shall cease after the expiration of three years from the passing of this Act.

Limiting time for compulsory purchase of lands.

10. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Corporation any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) 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 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.

Power to persons under disability to grant easements &c.

11. The Corporation shall not under the powers of this Act purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

Restriction on taking houses of labouring class.

If the Corporation acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing

A.D. 1903. — provisions they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the court may if it think fit reduce such penalty.

For the purposes of this section the expression "house" means any house or part of a house occupied as a separate dwelling and the expression "labouring class" means mechanics artisans 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 families of any of such persons who may be residing with them.

PART II.

TRAMWAYS.

Power to
make tram-
ways.

12. Subject to the provisions of this Act the Corporation may if they think fit lay down use and maintain in the lines and situations and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans and sections the tramways hereinafter described with all necessary and proper rails plates sleepers channels passages and tubes for ropes cables wires and electric lines junctions turntables turnouts crossings passing-places sidings loops stables carriage-houses engine and boiler houses sheds buildings engines dynamos works and conveniences connected therewith respectively.

The tramways hereinbefore referred to and authorised by this Act will be situate in the townships and parishes of Manchester North Manchester and South Manchester or some or one of them all in the city of Manchester and county of Lancaster and are as follows :—

Tramway No. 1 (double line 4 furlongs 2·08 chains in length commencing in Grey Mare Lane by a junction with Tramway No. 26 authorised by the Act of 1900 thence proceeding in a northerly direction across Ashton New Road and along Forge Lane to the present termination of that lane and thence along the proposed continuation of Forge Lane to and terminating in Hulme Hall Lane by a junction with Tramway No. 1B by this Act authorised :

Tramway No. 1A (double line 789 chain in length) commencing in Ashton New Road by a junction with the existing tramway thence proceeding in a north-easterly direction to and terminating in Forge Lane by a junction with Tramway No. 1 by this Act authorised :

Tramway No. 1B (double line 304 chains in length) commencing in Hulme Hall Lane by a junction with Tramway No. 23 authorised by the Act of 1900 proceeding thence in a north-westerly direction to and terminating in Hulme Hall Lane by a junction with the before-mentioned Tramway No. 23 :

Tramway No. 2 (double line 1 furlong 416 chains in length) commencing in Devonshire Street North by a junction with Tramway No. 5 authorised by the Act of 1900 thence proceeding in a southerly direction across Hyde Road and in a south-westerly direction along Devonshire Street to and terminating in Stockport Road by a junction with the existing tramway :

Tramway No. 2A (double line 118 chains in length) commencing in Hyde Road by a junction with the existing tramway thence proceeding in a south-westerly direction to and terminating in Devonshire Street by a junction with Tramway No. 2 by this Act authorised :

Tramway No. 2B (double line 123 chains in length) commencing in Devonshire Street by a junction with Tramway No. 2 by this Act authorised thence proceeding in a south-westerly direction to and terminating in Stockport Road by a junction with the existing tramway.

The tramways by this Act authorised shall not be constructed unless and until the carriageways of Forge Lane and Devonshire Street are so widened that a space of not less than nine feet six inches shall intervene between the outside of the footway on either side of the road and the nearest rail of the tramway. Provided that no footway shall be reduced to a less width than six feet.

13. The tramways authorised by this Act shall be of the Gauge
gauge of four feet eight-and-a-half inches.

14. If the tramways by this Act authorised be not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Corporation for constructing the same or otherwise in relation thereto shall cease except as to so much of the said tramways respectively as is then completed.

Time for
completion
of tramways.

A.D. 1903.
Construction
of electric
works.

15. For the purpose of working any of the tramways by this Act authorised by mechanical power the Corporation may place construct erect lay down make and maintain in on or under any street such posts electric conductors wires apparatus subways tunnels cables tubes and openings as may be requisite or expedient for the convenient working or user of the same by mechanical power.

Incorporation
of provisions from
former Acts.

16. Subject to the provisions of this Act the following sections of the Act of 1897 the Act of 1899 the Act of 1900 the Act of 1901 and the Act of 1902 shall so far as they are applicable for the purposes and are not inconsistent with the provisions of this Act extend and apply mutatis mutandis to and in relation to the tramways by this Act authorised:—

The Act of 1897—

- Section 22 Provisions as to motive power ;
- Section 23 Power to generate electricity ;
- Section 24 Special provisions as to use of electric power :
- Section 27 Byelaws ;
- Section 28 Recovery of penalties ;
- Section 29 Amendment of the Tramways Act 1870 as to byelaws by local authority ;
- Section 30 Regulations ;
- Section 31 Orders &c. of the Board of Trade :

The Act of 1899—

- Section 10 Extension of section 23 of Act of 1897 :
- Section 22 Power to carry animals goods &c. on tramways ;
- Section 23 Rates for passengers ;
- Section 24 Incorporation of provisions as to tolls (including the provisions incorporated by that section) ;
- Section 25 Payment of rates ;
- Section 26 New rates to apply notwithstanding any Act or Order :

The Act of 1900—

- Section 6 Corporation may reduce width of footway for constructing tramway ;
- Section 13 Inspection by Board of Trade ;
- Section 14 Tramways to be kept on level of surface of road ;
- Section 15 Plan of proposed mode of construction ;
- Section 16 Rails of tramways ;
- Section 17 Penalty for not maintaining rails and roads ;
- Section 18 Local authority to have access to sewers ;

- Section 19 Passing places to be made at narrow places ;
 Section 20 Additional crossings ;
 Section 21 Junctions with tramways which can be worked in connection with the tramways of the Corporation ;
 Section 22 Power to lay down double or interlacing lines in place of single lines and vice versâ ;
 Section 23 Temporary tramways may be made where necessary ;
 Section 25 Application of road materials excavated in construction of works ;
 Section 30 Construction of electric works ;
 Section 31 Attachment of brackets to buildings ;
 Section 32 Power to Corporation to work tramways ;
 Section 33 Power as to supply of electric energy ;
 Section 46 Incorporation of certain sections of Tramways Act 1870 (including the provisions incorporated by that section) :

The Act of 1901—

- Section 14 Cheap fares for labouring classes :

The Act of 1902—

- Section 7 Generation of electricity on authorised lands ;
 Section 12 For protection of Postmaster-General.

17. The tramways authorised by this Act shall form part of the tramway undertaking of the Corporation who are hereby empowered to exercise in reference thereto all and singular the powers already possessed by them with reference to their existing tramways or tramway undertaking.

Tramways to form part of tramway undertaking of Corporation.

18. Where the Tramway No. 1 by this Act authorised will pass in front of the entrances to the Beswick Goods Station of the Lancashire and Yorkshire Railway Company no additional crossing passing place siding junction turnout or other work shall be made for or in connection therewith for the distance thereon extending in front of the said entrances respectively or for a length of ten yards at each end of such distance without the consent of the Lancashire and Yorkshire Railway Company and without such consent no carriage used on the said tramway shall be stopped or permitted to be stopped in front of the said entrances or within such distance as aforesaid except only for so long as shall be reasonably necessary for the purposes of discharging and taking up passengers or in case of emergency or to meet the requirements of the Board of Trade in relation to the crossing of the Bradford Ironworks siding in Forge Lane.

For protection of Lancashire and Yorkshire Railway Company.

A.D. 1903.
 Provision as
 to general
 tramway
 Acts.

19. Nothing in this Act contained shall exempt the Corporation or their tramway undertaking from the provisions of any general Act relating to tramways passed before or after the passing of this Act or from any future revision or alteration under the authority of Parliament of the maximum fares rates or charges authorised to be taken by the Corporation.

Confirming
 agreement
 between
 Manchester
 and Salford
 Corpora-
 tions.

20. Whereas under the provisions of section 16 of the Act of 1902 and sections 12 and 27 of the Salford Corporation Act 1902 the agreement set forth in the Fourth Schedule to this Act has been entered into between the Corporation and the Salford Corporation with respect to an interchange of traffic upon the tramways belonging or leased to or worked by the Corporation and the Salford Corporation respectively and it is expedient that such agreement should be confirmed Now therefore the agreement set out in the Fourth Schedule to this Act is hereby confirmed and made binding upon the parties thereto respectively and the same shall and may be carried into effect by the respective parties.

PART III.

IMPROVEMENTS.

Power to
 make new
 streets street
 widenings
 and improve-
 ments &c.

21. Subject to the provisions of this Act the Corporation may in the lines and according to the levels shown upon the deposited plans and sections relating thereto make provide and maintain in the townships and parishes of Manchester North Manchester and South Manchester or some or one of them the new streets street widenings improvements and conveniences hereinafter described with all proper and necessary works in connection therewith and may enter upon take and use and appropriate for the purposes aforesaid and for resale all or any of the lands houses and buildings delineated on the said plans and described in the deposited book of reference relating thereto (that is to say):—

- (A) A new street in extension of Forge Lane commencing at the present termination of such lane near the Ashton-under-Lyne Canal and terminating by a junction with Hulme Hall Lane at a point sixty-five yards or thereabouts measured in a north-westerly direction from the Park Inn situate in Mill Street and also a new bridge for carrying such new street over the Manchester and Ashton-under-Lyne Canal :
- (B) A new street in extension of Auburn Street commencing at the present termination of Auburn Street proceeding alongside the Rochdale Canal in a south-westerly direction and terminating by a junction with Minshall Street and the

Corporation so far as may be necessary may alter the levels of Auburn Street : A.D. 1903.

- (c) The widening and improvement of Cheetham Hill Road for a distance of three hundred and thirty-six yards or thereabouts on the easterly side thereof between the Victoria Chapel near Queen's Road and Saint Luke's School :
- (d) The widening and improvement of Cheetham Hill Road for a distance of one hundred and ten yards or thereabouts on the north-easterly side thereof from a point near Woodlands Street to Woodlands Road :
- (e) The widening reconstruction and improvement of the bridge carrying Union Street over the Rochdale Canal and the approaches thereto :
- (f) The widening and improvement of Wilmslow Road Rusholme for a distance of four hundred yards or thereabouts on the south-easterly side thereof from Fallowfield Railway Station to the city boundary at Brook Road and on the north-westerly side thereof for a distance of forty-four yards or thereabouts in a north-easterly direction from Granville Street :
- (g) The widening and improvement of Cross Street for a distance of fifty-eight yards or thereabouts on the westerly side thereof from John Dalton Street to South King Street and of John Dalton Street for a distance of three yards or thereabouts on the northerly side thereof from Cross Street to the street called Four Yards :
- (h) The widening and improvement of Corporation Street on the westerly side thereof for a distance of thirty-seven yards or thereabouts measured in a southerly direction from Hanging Ditch and of Hanging Ditch on the south-easterly side thereof for a distance of twenty-three yards or thereabouts in a south-westerly direction from Corporation Street :
- (i) The construction and maintenance of underground sanitary conveniences at or near All Saints' Church Oxford Street.

22. The Corporation may erect and maintain buildings upon any lands acquired by them in connection with the widenings and improvements of Cross Street and John Dalton Street or either of them described in paragraph (a) of the last preceding section of this Act. Erection of buildings on lands acquired for widenings &c.

23. Subject to the provisions of this Act the Corporation may enter upon take and use and appropriate the lands shown on the deposited plans and described in the deposited book of reference relating thereto in the township and parish of Davyhulme in the Acquisition of lands and diversion of footpaths in Davyhulme.

A.D. 1903. — county of Lancaster lying on the south-west side of and adjoining the Manchester Corporation Sewage Works and may divert and alter the existing public footpaths across the said lands between the approach road to the said sewage works and Bent Lanes as shown on the said plans.

As to removal of human remains.

24.—(1) Before the Corporation in connection with the provision of sanitary conveniences at or near All Saints' Church Oxford Street use any part of the site which was formerly used as a burial ground they shall remove or cause to be removed the remains of any deceased person interred therein.

(2) Before proceeding to remove any such remains the Corporation shall publish a notice for three successive days in two local newspapers circulating in the city to the effect that it is intended to remove such remains and such notice shall have embodied in it the substance of subsections (3) (4) (5) (6) (7) and (8) of this section.

(3) Any time within two months after the first publication of such notice any person who is an heir executor or administrator or relative of any such deceased person may give notice in writing to the Corporation of his intention to undertake the removal of such remains and thereupon he shall be at liberty without any faculty for the purpose but subject as hereinafter mentioned to any regulations made by the Bishop of the Diocese of Manchester (hereinafter called "the Bishop") to cause such remains to be removed to and re-interred in any consecrated burial ground or cemetery in which burials may legally take place.

(4) If any person giving such notice as aforesaid shall fail to satisfy the Corporation that he is such heir executor administrator or relative as he claims to be the question shall be determined on the application of either party in a summary manner by the registrar of the consistory court of the diocese of Manchester who shall have power to make an order specifying who shall remove the remains.

(5) The expense of such removal and re-interment not exceeding in respect of remains removed from any one grave the sum of ten pounds shall be defrayed by the Corporation such sum to be apportioned if necessary equally according to the number of remains in the grave.

(6) If within the aforesaid period of two months no such notice as aforesaid shall have been given to the Corporation in respect of the remains in any grave or if after such notice has been given the persons giving the same shall fail to comply with the provisions of this section and with any regulation of the Bishop the Corporation may without any faculty for that purpose remove the remains of the deceased person and cause them to be interred

in such other consecrated burial ground or cemetery in which burials may legally take place as the Corporation think suitable for the purpose subject to the consent of the Bishop. A.D. 1903.

(7) All monuments and tombstones (if any) relating to the remains of any deceased person removed under this section shall at the expense of the Corporation be removed and re-erected at the place of re-interment of such remains or at such place within the city as the Bishop may direct on the application (if any) of such heir executor administrator or relative as aforesaid or failing such application on the application of the Corporation.

(8) The removal of the remains of any deceased person under this section shall be carried out under the supervision and to the satisfaction of the medical officer of health of the city.

25. The Corporation in constructing the works by this part of this Act authorised may deviate from the lines thereof to the extent of the limits of deviation marked on the deposited plans and may deviate from the levels of the said works as shown on the deposited sections to any extent not exceeding two feet. Power to deviate in construction of street works.

26. And whereas in the construction of the works by this part of this Act authorised or otherwise in the exercise by the Corporation of the powers of this part of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Corporation and that such portions or some other portions less than the whole may be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect:— Owners may be required to sell parts only of certain lands and buildings.

(1) The owners of and persons interested in any of the properties whereof the whole or part is described in the First Schedule to this Act and whereof a portion only is required for the purposes of the Corporation or each or any of them are hereinafter included in the term “the owner” and the said properties are hereinafter referred to as “the scheduled properties”:

(2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Corporation that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Corporation such portion only without the Corporation being obliged or compellable to purchase the whole the

A.D. 1903.

Corporation paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise :

- (3) If within such twenty-one days the owner shall by notice in writing to the Corporation allege that such portion cannot be so severed the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted (hereinafter referred to as "the tribunal") shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Corporation have compulsory powers of purchase) can be so severed :
- (4) If the tribunal determine that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Corporation the portion which the tribunal shall have determined to be so severable without the Corporation being obliged or compellable to purchase the whole the Corporation paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal :
- (5) If the tribunal determine that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the arbitration or inquiry shall be borne and paid by the owner :
- (6) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not they shall determine that any other portion can be so severed) the Corporation may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice :
- (7) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed

from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Corporation in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and their final determination think fit. A.D. 1903.

The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation Act 1845 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845.

The provisions of this section shall be stated in every notice to treat given thereunder.

27. The Corporation may appropriate and use for the purposes of and in connection with the extension of Forge Lane by this Act authorised any lands belonging to the Corporation shown upon the deposited plans and described in the deposited book of reference relating thereto. Appropriation of lands.

28. For the protection of the Great Central Railway Company (in this section called "the company") the following provisions shall unless otherwise agreed between the Corporation and the company have effect (that is to say):— For protection of Great Central Railway Company.

- (1) The bridge in connection with the extension of Forge Lane by this Act authorised shall be carried out according to the plans thereof agreed between the Corporation and the company and signed by Thomas de Courcy Meade the city surveyor on behalf of the Corporation and by Charles Arthur Rowlandson on behalf of the company :
- (2) In constructing the new street by this Act authorised in extension of Forge Lane over the company's Ashton-under-Lyne Canal the Corporation shall not alter the line or level of the canal or towing paths thereof or cause any loss or waste of water therefrom :
- (3) The Corporation shall not enter upon take or acquire any lands or property belonging to the company or any right or interest except an easement for constructing maintaining and using the said street with all pipes and mains therein and the tramway intended to be laid in it across the said canal :

A.D. 1903.

- (4) The said street shall be carried across the said canal and towing path thereof by means of a horizontal girder bridge having a single span of the width shown upon the signed plan of the canal and towing path thereof between the abutments and a clear headway of not less than 9 feet above the ordinary water level of the said canal which is 189·35 feet above Ordnance datum :
- (5) The construction of the said bridge the tramway to be laid thereon and all works connected therewith respectively and all temporary works during the construction thereof shall be carried out under the inspection and to the reasonable satisfaction of the principal engineer of the company and according to the signed plans :
- (6) The Corporation shall take all possible precautions in the execution of their works to prevent any interference with the free and uninterrupted and safe use in the ordinary manner of the said canal The company shall afford all reasonable facilities to the Corporation for carrying out the work :
- (7) The Corporation shall bear and on demand pay to the company the expense of the employment by the company during the execution of any work affecting the said canal of a sufficient number of inspectors watchmen and signalmen to be appointed by that company for watching and signalling the same with reference to and during the execution of any such work of the Corporation and for preventing as far as may be all interference obstruction danger and accident from any of the operations or from the acts or defaults of the Corporation or their contractors or any person in the employment of the Corporation or of their contractors with reference thereto or otherwise :
- (8) If by reason of the execution of any of the works or any proceeding of the Corporation or the failure of any such works or any act or omission of the Corporation or of their contractors or of any person in the employment of the Corporation or of their contractors or otherwise the said canal shall be injured or damaged such injury or damage shall be forthwith made good by the Corporation at their own expense or in the event of their failing so to do then the company may make good the same and recover the expense thereof against the Corporation and if any interruption shall be occasioned to the traffic of or upon the said canal by reason of any of the matters or causes aforesaid

the Corporation shall pay to the company all costs and expenses to which the company may be put as well as full compensation in respect of such interruption : A.D. 1903.

(9) The Corporation shall at all times maintain the whole of the said bridge when the same is carried over the said canal in substantial repair and good order and condition and shall preserve the bridge of the same height above Ordnance datum as that at which it was originally constructed to the reasonable satisfaction in all respects of the engineer of the company and all such works of maintenance and repair shall be done at such times and in such manner as not to obstruct or impede the traffic of the said canal and if and whenever the Corporation fail so to maintain and repair the said bridge the company may after three calendar months' notice by the company to the Corporation make and do in and upon as well the lands of the Corporation as their own lands all such works and things as the company reasonably think requisite in that behalf and the sum from time to time certified by their engineer to be the reasonable amount of such their expenditure shall be repaid to them by the Corporation :

(10) If any difference shall arise between the respective engineers of the Corporation and the company as to the true intent and meaning of this enactment or the mode of giving effect thereto or in respect to any matter relating thereto or arising upon any question of construction or maintenance such difference shall be referred to and determined by an engineer to be mutually nominated by such respective engineers or failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either party.

29. In constructing the new street in extension of Auburn Street by this Act authorised the Corporation shall carry out and complete the works agreed to be constructed by them by a certain deed dated the nineteenth day of December one thousand nine hundred and two and made between the Rochdale Canal Company of the first part the Corporation of the second part and the Reverend Henry Lewis Williams and Frank Venables Williams of the third part and the provisions of that deed so far as not already given effect to shall be binding upon the several parties thereto.

For protection of Rochdale Canal Company.

In widening the bridge by this Act authorised carrying Union Street over the Rochdale Canal the Corporation shall carry out and complete the same in accordance with the terms of a certain deed

A.D. 1903. — dated the twenty-second day of May one thousand nine hundred and three and made between the Corporation of the one part and the Rochdale Canal Company of the other part and the provisions of that deed so far as not already given effect to shall be binding upon the several parties thereto.

PART IV.

CITY EXTENSION.

Interpreta-
tion in this
part of Act.

30. In this part of this Act in addition to the definitions contained in Part I. the following expressions have the meanings hereby assigned to them (that is to say):—

“The commencement of this part of this Act” means (except where otherwise expressly provided) the ninth day of November one thousand nine hundred and three;

“Prestwich Council” means the council for the urban district of Prestwich;

“County council” means the county council of the administrative county of Lancaster;

“County” means the administrative county of Lancaster;

“Urban district” means the urban district of Prestwich in the county of Lancaster;

“The existing city” means the city prior to the commencement of this part of this Act;

“The Act of 1888” means the Local Government Act 1888.

Commence-
ment of this
part of Act.

31. This part of this Act shall except so far as is otherwise herein expressly provided and so far as there may be anything in the subject matter or context inconsistent therewith come into operation on the commencement of this part of this Act:

Provided that for the purposes of the parish burgess lists and burgess roll and other lists to be made for the city under the Municipal Corporations Acts and of the lists of county electors and the county register to be made for the county in pursuance of the County Electors Act 1888 or any Act amending that Act of the lists and registers of parochial electors and any other lists or registers to be made in pursuance of the Local Government Act 1894 and of all proceedings preliminary or relating to any municipal election to be held on the ordinary day of election in the year one thousand nine hundred and three this part of this Act shall operate from the date of the passing thereof. Provided also that for the purposes of sections 20 22 23 24 and 26 of the Act of 1888 and for the purposes of the Local Taxation (Customs and Excise) Act

1890 the city shall be deemed not to have been extended until after the thirty-first day of March one thousand nine hundred and four. A.D. 1903.

32. The boundary of the existing city shall be altered and extended so as to include in addition to the area of the existing city the following area now situate in and forming part of the urban district of Prestwich in the township and parish of Prestwich in the county of Lancaster (that is to say):—

Boundary
of city
extended.

- (A) Heaton Park as bounded by the existing park wall but excluding such portion thereof as the Prestwich Council have arranged to purchase for the purpose of widening Bury Old Road:
- (B) The land and premises connected with Heaton Park situate outside the south-westerly corner thereof bounded partly by the Park partly by Bury Old Road and partly by Sheepfoot Lane; and
- (C) Middleton Road for its entire width from the boundary of the city in such road to the north-eastern corner of Heaton Park and the land on the easterly side of Middleton Road lying between the said part of that road the city boundary and a straight line commencing on the south-eastern side of Middleton Road opposite to the north-eastern corner of Heaton Park in that road and terminating at a point on the city boundary at the River Irk being ninety-three feet or thereabouts measured in a south-westerly direction from the point where the private road leading from Middleton Road to Heaton Mills crosses the said river.

The area so added to the existing city is in this Act referred to as “the added area.”

33. Subject to the provisions of this Act and of the Municipal Corporations Acts the added area shall form and for all intents and purposes be part of the city of Manchester and of the township of North Manchester and of the Blackley and Moston Municipal Ward and of the Blackley Guardians Ward of the city. All the rights privileges benefits and advantages enjoyed by the citizens or inhabitants of the existing city are hereby extended to and may be enjoyed by the citizens or inhabitants of the added area.

Added area
to be part of
city of Man-
chester.

34. A plan of the city as extended by this Act signed in triplicate by the Right Honourable the Earl of Morley the Chairman of the Committee of the House of Lords to which the Bill for this Act was referred shall within two weeks after the passing of this Act be deposited in the Parliament Office of the House of Lords and in the Private Bill Office of the House of Commons and with the

Deposit of
plan of ex-
tended city.

A. D. 1903. — town clerk at his office and a copy thereof certified by the town clerk shall be sent as soon as may be after such deposit to the Board of Agriculture and to the Local Government Board and to the Inland Revenue Department the clerk of the county council and the clerk of the Prestwich Council respectively.

Copies of deposited city plan to be evidence.

35. Copies of the said plan deposited with the town clerk or any extract therefrom certified by him to be true shall be received by all courts of justice and 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 the persons liable to rates imposed by the Corporation and all persons so liable shall be entitled to a copy of or extract from such plan certified by the town clerk on payment of a reasonable fee for every such copy or extract. All sums received under this section shall be carried to the credit of the city fund.

Jurisdiction of justices &c. extended.

36.—(1) The powers and duties of the quarter sessions recorder clerk of the peace and coroner of the existing city and of the Salford hundred court of record and the judge registrar and other officers thereof and of the justices of the peace and stipendiary magistrates appointed for the existing city and the clerk to such justices and of the police constables and other peace officers of the existing city shall extend to and apply throughout the city.

(2) Every person committing an offence in any part of the added area prior to the commencement of this part of this Act shall be tried adjudicated on and dealt with as if this Act had not been passed.

Parish burgess lists &c.

37.—(1) For the purposes of the parish burgess lists and burgess roll and other lists to be made under the Municipal Corporations Act 1882 and the Acts amending the same and in all matters in relation thereto the added area shall be deemed to have always been part of the city and the town clerk of the existing city shall be the town clerk of the city and anything required to be done in connection with the purposes aforesaid before the date of the passing of this Act may in so far as the same relates to the added area be done as soon as practicable after such date and if so done shall have full force and effect.

(2) In making out revising or otherwise dealing with such lists and roll or the lists of county electors and the county register to be made for the county in pursuance of the County Electors Act 1888 or any Act amending that Act or the lists and registers of parochial electors effect shall be given so far as the circumstances require or allow to the provisions of this part of this Act.

(3) Where any difficulty in giving effect to the provisions of this part of this Act can be obviated or removed by any alteration in or re-arrangement of or any other action affecting the said lists roll and registers such alteration re-arrangement or action so far as the same may be necessary for giving effect to the said provisions shall be made or taken by the town clerk or the clerk to the county council as the case may require and the overseers of the poor shall render such assistance as may be requisite for the purpose of such alteration re-arrangement or action by the town clerk or clerk to the county council as the case may be and such alteration re-arrangement or action shall be deemed to be authorised by the provisions in force with respect to such lists roll and registers.

A.D. 1903.

(4) Where in the opinion of the Local Government Board the circumstances so require the Local Government Board may make such order as appears to them to be necessary to give effect to the provisions of this part of this Act and may vary so far as is requisite the provisions in force with regard to such lists roll and registers.

38. The unrepealed provisions of the Local Acts and all other Local Acts and Orders as the same respectively are in force within the existing city at the commencement of this part of this Act (except section 20 of the Manchester Town Hall and Improvement Act 1866) shall extend and apply to the city and any reference therein to the existing city and the Corporation thereof shall be deemed to refer to the city and the Corporation thereof.

Extending provisions of local Acts.

39.—(1) All byelaws and regulations and every list of tolls and table of fees and payments and scale of charges made by the Corporation whether as sanitary authority municipal authority or otherwise which at the commencement of this part of this Act are in force within the existing city shall thenceforth extend and apply to the city until or except in so far as any such byelaws or regulations or list of tolls or table of fees and payments or scale of charges may be altered or repealed.

Byelaws and regulations.

(2) All byelaws and regulations made by the county council or by the Prestwich Council or their predecessors and in force immediately before the commencement of this part of this Act in any part of the added area shall on that date cease to be in force except as regards any work commenced before that date or any work for which plans shall either have been approved by the Prestwich Council before that date or shall have been sent to the surveyor or clerk to the Prestwich Council or to the county council one month at least before that date and shall not have been disapproved by such council. As regards any such work as aforesaid

A.D. 1903. — the byelaws in force immediately before the commencement of this part of this Act shall continue to apply until the completion of such work in like manner and with the like effect as if such byelaws had been made by the Corporation and as if the Corporation and the city were referred to therein instead of the Prestwich Council and the district of such council respectively. Provided that any proceedings which might have been taken by the county council or by the Prestwich Council against any person for any offence committed before the commencement of this part of this Act against any byelaws and regulations made by such council or their predecessors and in force on that date in any part of the added area may be taken by the Corporation as if those byelaws and regulations had remained in force and the Corporation had been substituted therein for such council.

Adoptive Acts. **40.** The provisions of the following Acts and parts of Acts (namely): —

- (1) The Baths and Washhouses Acts 1846 to 1899;
- (2) The Infectious Disease (Prevention) Act 1890;
- (3) Part III. of the Public Health Acts Amendment Act 1890;
- (4) Part III. of the Housing of the Working Classes Act 1890;
- and
- (5) The Public Libraries Acts 1892 to 1901;

shall be in force and apply to the city as if the same had been adopted therein.

Town clerk and other officers continued. **41.**—(1) The town clerk and all other officers and servants of the Corporation of the existing city who hold office at the commencement of this part of this Act shall continue to be the town clerk and officers and servants of the Corporation of the city and shall hold their offices by the same tenure as at that date.

(2) The auditors who shall be in office at the commencement of this part of this Act shall continue in office and shall be the city auditors until the next ordinary day of election of such auditors.

Compensation for officers. **42.**—(1) Every officer and servant who by virtue of this part of this Act or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary shall be entitled to have compensation paid to him by the Corporation for such pecuniary loss and in determining such compensation regard shall be had to the conditions and other circumstances required by subsection (1) of section 120 of the Act of 1888 to be had regard to in cases of compensation under that section and the compensation shall not exceed the limit therein mentioned and shall be paid out of the city

fund and city rate of the city and the provisions of subsections (2) to (7) of the said section 120 shall apply with such other modifications (if any) as may be required and with the substitution of the Local Government Board for the Treasury Provided that the non-acceptance of any office shall not be a bar to the right of any officer to compensation. A.D. 1903.

(2) Any officer or servant whose services are dispensed with by the Corporation because his services are not required or whose salary shall be reduced within one year from the commencement of this part of this Act on the ground that his duties have been diminished in consequence thereof shall be deemed to have suffered a direct pecuniary loss within the meaning of this section.

43.—(1) If at the commencement of this part of this Act any action or proceeding or any cause of action or proceeding is pending or existing by or against the Prestwich Council in relation exclusively to any part of the added area the same shall not be in anywise prejudicially affected by reason of the passing of this part of this Act but may be continued prosecuted and enforced by or against the Corporation. Actions &c.
not to abate.

(2) Anything duly done or suffered and all covenants charges or rates contracts deeds bonds agreements and other instruments (subsisting at the commencement of this part of this Act) entered into made or effected by the Prestwich Council or their predecessors in relation exclusively to any part of the added area shall be of as full force and effect against or in favour of the Corporation and may be continued and enforced as fully and effectually as if instead of such council or their predecessors the Corporation had done or suffered the same or been a party thereto.

44. All property vested in the Corporation at the commencement of this part of this Act for the benefit of the existing city shall be held by the Corporation for the benefit of the city and the Corporation shall hold enjoy and exercise for the benefit of the city all the powers which at the date aforesaid are exercisable by or vested in the Corporation for the benefit of the existing city and all liabilities which on the date aforesaid attached to the Corporation in respect of the existing city shall from and after that date attach to them in respect of the city. Corporation
property &c.

45.—(1) Subject to the provisions of this part of this Act all property and liabilities which immediately before the commencement of this part of this Act are vested in or attach to the Prestwich Council in relation exclusively to any part of the added area shall be transferred to vested in and shall attach to the Corporation as Property &c.
of Prestwich
Council.

A.D. 1903. — urban sanitary authority Any property and liabilities vested in or attached to the Prestwich Council in relation to any part of the added area conjointly with any other portion of their district shall be a matter of adjustment under section 62 of the Act of 1888.

(2) The Prestwich Council shall from and after the commencement of this part of this Act cease to exercise any powers or have any duties within the added area.

(3) All arrears of rates made by the Prestwich Council in respect of hereditaments in the added area and all other payments which at the commencement of this part of this Act are due or owing to the Prestwich Council in respect of any part of the added area may be collected and recovered by the Prestwich Council.

Arrears of rates.

46. All arrears of rates made by the overseers of the poor and due or owing at the commencement of this part of this Act in respect of hereditaments in the added areas shall be collected and recovered by the overseers of the poor of the existing parish comprising those areas as if this Act had not been passed.

Corporation to be burial board.

47. On and after the commencement of this part of this Act the Corporation acting by the council shall be the burial board for the city and shall have within the city (to the exclusion of any other authority) all the powers duties and liabilities of a burial board under the Burial Acts 1852 to 1885 the Burial Act 1900 and the Manchester Burial Board Act 1857 and any Act amending the same.

For protection of Lancashire County Council.

48.—(1) Such members if any of the police force of the county as shall be determined by agreement to be made as soon as practicable after the date of the passing of this Act between the standing joint committee of the county and the watch committee of the city or in default of such agreement as may be determined by a Secretary of State shall be transferred to and become part of the police force of the city and any member of the county police force so transferred shall hold office upon the same tenure and upon the same terms and conditions as if this Act had not been passed and while he performs the same or similar duties his remuneration emoluments and allowances and the pension (if any) to which he is entitled shall not be less than they would have been if this Act had not been passed.

(2) The provisions of section 15 (2) of the Police Act 1890 shall extend and apply to and in relation to any member of the police force transferred under the powers of this section as if such member had removed with the written sanction of the chief constable of the county.

(3) On the death of any member of the Lancashire County Police Force transferred to the Manchester City Police Force under the provisions of this section or on the death of the wife of any such member the Corporation shall pay to such member his widow or his children such sum as he or she or they would have received from the County Police Pension Fund and the County Police Mutual Assurance Society combined if the death of such member or his widow had taken place prior to the transfer. Provided such constable shall during his service in the police force of the city pay into such funds as the watch committee may decide an annual sum equal to the average annual sum paid into the County Police Mutual Assurance Society by officers of the same rank as such officer during the five years preceding the date of his transfer.

(4) If any county police station is situate in any part of the added area then the same together with the residences for constables and cells connected therewith and the fittings and furniture thereof respectively shall be transferred to and vest in the Corporation as from the passing of this Act for all the estate and interest therein of the county council and there shall be paid by the Corporation to the county council out of the city fund or out of moneys borrowed under the section of this Act of which the marginal note is "Power to borrow" and in consideration of such transfer such sum as shall be agreed upon or as in default of agreement shall be settled by arbitration in manner provided by the Act of 1888.

(5) Every clerk to justices and county coroner and every officer or servant of or paid by the county council or of or paid by the standing joint committee of the county who by virtue of this Act or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or by diminution or loss of fees or salary shall be entitled to have compensation paid to him by the Corporation for such pecuniary loss and in determining such compensation regard shall be had to the conditions and other circumstances required by subsection (1) of section 120 of the Act of 1888 to be had in regard in cases of compensation under that section and the compensation shall not exceed the limit therein mentioned and shall be paid out of the city fund or out of moneys borrowed under the section of this Act of which the marginal note is "Power to borrow."

49.—(1) In any case where the extension of the city by this Act shall affect the distribution of the proceeds of the local taxation licences of the estate duty and of the local taxation (Customs and Excise) duties between the county and the city or between the county or the city on the one hand and any other

Adjustment
of financial
relations
between
county and
city.

A.D. 1903. — county borough on the other hand or any financial relations or questions between those areas or any adjustment which has been made in regard to such distribution and financial relations or questions equitable adjustments may be made between the areas interested.

(2) Any such adjustment may be made by agreement between the county council and the councils of the county boroughs affected before the thirtieth day of September one thousand nine hundred and four and in default of such agreement by the Local Government Board or if that Board think fit by an arbitrator appointed by them.

(3) For the purposes of such adjustments the provisions of the Act of 1888 relating to adjustments between administrative counties and county boroughs shall apply with the necessary modifications and the Local Government Board or an arbitrator appointed by them as the case may be shall be substituted in such provisions for the commissioners appointed under the Act of 1888 and notwithstanding anything in the provisions of this part of this Act or of the Act of 1888 any such adjustment and the determination of any matter incidental or in relation thereto or consequent thereon shall if made by the Local Government Board be deemed to be made by them otherwise than as arbitrators and any arbitrator appointed by them shall be deemed to be an arbitrator within the meaning of section 62 of the Act of 1888 and the provisions of the Act of 1888 shall apply accordingly :

Provided--

- (A) That in lieu of subsection (6) of section 61 of the Act of 1888 subsections (1) and (5) of section 87 of the Act of 1888 shall apply to any inquiries which may be directed by the Local Government Board under this section and to the costs of such inquiries ; and
- (B) That subsection (6) of section 32 of the Act of 1888 shall apply to any agreement or award made under this section.

County rate
basis.

50. Subject to any future revision--

- (1) The basis or standard of county rate for the county shall be deemed to be altered by the deduction from the amount appearing in such basis or standard as the total annual value of the property in the added area of such a sum as will represent the annual value of the property in the added area :
- (2) For the purposes of this section the sum which will represent the annual value of the property in the added

area shall be such an amount as in relation to the amount appearing in the basis or standard of county rate as the total annual value of the existing parish or township from which such added area is by this part of this Act separated is in the same proportion as the assessable value of the property in the added area bears to the total assessable value of the property in the existing parish or township:

- (3) For the purposes of this section assessable value means one half of the rateable value according to the valuation list for the time being in force of the agricultural land together with the rateable value according to such list of the buildings and other hereditaments not being agricultural land in the existing parish or township or in the added area as the case may require.

51.—(1) The Prestwich Electoral Division of the county as diminished by the extension of the city by this part of this Act shall continue to be an electoral division of the county until altered under section 54 of the Act of 1888 and the person who immediately before the commencement of this part of this Act is the county councillor representing that division shall continue to represent it as if he had been originally elected to represent the division so diminished.

County
electoral
division.

(2) No county alderman or county councillor in office immediately before the commencement of this part of this Act shall be deemed to lose his qualification by reason of the transfer of any part of the county to the city by this Act.

52. For the purposes of the registers of persons entitled to vote at an election of Members of Parliament of the registers of parochial electors and of jury lists the parishes affected by this part of this Act shall be deemed to continue unaltered until the new registers come into operation.

Saving for
existing lists
of parlia-
mentary
voters &c.

53.—(1) Every person who has acquired or who on or before the commencement of this part of this Act shall acquire a settlement in any existing parish affected by this part of this Act shall be deemed to have acquired a settlement in the parish comprising the area in which the acts or circumstances conferring such settlement shall have been done or occurred or if such acts or circumstances shall have been done or occurred in more than one parish such settlement shall be in the parish comprising the place of residence of such person at the time of acquiring such settlement.

Settlement
&c. of
paupers.

(2) Any person who shall have acquired a status of irremovability from any existing parish affected by this part of this

A.D. 1903. Act shall be deemed to have acquired a status of irremovability from the parish comprising the area in which he shall reside at the commencement of this part of this Act or (if he shall then be in receipt of relief) from the parish comprising the area in which he was residing at the time of becoming chargeable.

(3) For all purposes of settlement and removal residence prior to the commencement of this part of this Act in any part of the added area shall be deemed to have been residence in the parish of North Manchester.

Saving for contribution orders and precepts.

54. Notwithstanding the alteration effected in the area of any parish by this part of this Act all contribution orders made by the guardians of the poor of the Prestwich Union before the commencement of this part of this Act shall be as valid in law as if this part of this Act had not been made.

Saving for district councillors and guardians.

55.—(1) The persons who at the commencement of this part of this Act are the urban district councillors and guardians respectively representing the urban district and township of Prestwich shall continue to represent the district and township as altered by this part of this Act as if they had been respectively originally elected to represent the urban district and township.

(2) The persons who at the commencement of this part of this Act are the guardians representing the Blackley Guardians Ward of the city shall continue to represent the ward as altered by this part of this Act as if they had been originally elected to represent the ward.

Valuation list.

56. Until a new valuation list is in force the portion of the valuation list for the township of Prestwich which relates to hereditaments in the added area shall be deemed to form part of the valuation list of the township of North Manchester.

Rating for sanitary purposes of agricultural land railways &c. in added areas.

57.—(1) The owner of any tithes or of any tithe commutation rentcharge issuing out of land situate in the added area and the occupier of any land situate in the added area and used as arable meadow or pasture ground only or as woodlands market gardens or nursery grounds and the occupier of any land situate in the added area and covered with water or used only as a canal or towing-path for the same or as a railway constructed under the powers of any Act of Parliament for public conveyance shall be assessed in respect of the same to such part of any city rate as may be made to defray the expenses incurred or to be incurred by the Corporation for sanitary purposes in the proportion of one-fourth part only of the full net annual value of the hereditament so assessed ascertained by the valuation list for the time being in force or if there is none by

the rate for the relief of the poor made next before the making of the assessment : A.D. 1903.

Provided that for the purposes of this section "sanitary purposes" shall be all such purposes as including the repair of highways would if carried out by an urban district council under the Public Health Act 1875 or any Act amending the same be provided for by means of the district fund and general district rate and the amount of the expenses for sanitary purposes in the added area shall be determined by the council at the time of making the city rate :

Provided also that the council shall assess the contributions to the portion of the city rate to be made to defray expenses for sanitary purposes on each parish in the city in proportion to the total assessable value of the hereditaments in such parish for the purposes of the said portion of the city rate :

(2) The overseers of the poor of the township of North Manchester may assess and levy as a rate separate and distinct from the poor rate so much of the city rate as is leviable on a reduced assessment in pursuance of subsection (1) of this section and for the purposes of such separate rate the provisions of section 146 of the Municipal Corporations Act 1882 with regard to a separate rate shall apply with the necessary modifications.

(3) The Local Government Board may from time to time by order make such regulations as seem to the Board necessary or proper respecting the form of the rates notices and accounts to be made used and kept by the overseers of the said township with respect to any rate leviable in pursuance of any statutory provision in that behalf or of subsection (2) of this section for the purposes of the contribution to the city rate levied in such township or to such part of the city rate as may be made to defray the expenses for sanitary purposes and an order under this subsection shall be deemed to be an order within the meaning of section 98 of the Poor Law Amendment Act 1834.

58. The Prestwich Council shall have the right to require the Corporation to receive into their sewage system in Middleton Road the drainage of certain land situate between Sheepfoot Lane and the old Crumpsall boundary which naturally falls into the River Irk and shown upon the plan signed in duplicate by Thomas de Courcy Meade on behalf of the Corporation and by William Nuttall on behalf of the Prestwich Council and thereon coloured yellow The payments to be made by the Prestwich Council to the Corporation for and the terms and conditions in respect to the exercise of such

As to sewerage in Prestwich district.

A.D. 1903. right shall be the subject of adjustment under the provisions of the section of this Act the marginal note of which is "As to financial relations with Prestwich Council."

As to tramways in Prestwich district.

59. From and after the commencement of this part of this Act so much of the tramways undertaking authorised by the Prestwich Urban District Tramways Order 1900 confirmed by the Tramways Orders Confirmation (No. 1) Act 1900 as is situate in Middleton Road within the added area subject to the provisions of an agreement for lease dated the seventh day of August one thousand nine hundred and two and made between the Prestwich Council of the one part and the Salford Corporation of the other part and also subject to the provisions of the agreement dated the fourth day of May one thousand nine hundred and three and made between the Corporation and the Salford Corporation set out in the Fourth Schedule to this Act together with the several powers rights privileges and duties conferred by such Order and Act in relation thereto shall be vested in the Corporation.

Conditions as to transfer of tramways.

60.—(1) The conditions of the transfer of tramways under the section of this Act the marginal note of which is "As to tramways in Prestwich District" and the compensation to be paid therefor by the Corporation to the Prestwich Council shall be the subject of adjustment under the section of this Act the marginal note of which is "As to financial relations with Prestwich Council."

(2) The Corporation may construct a tramway commencing at and by a junction with the tramway in Bury Old Road and passing thence along the private road leading from that road to the Grand Lodge of Heaton Park and may carry such tramway across Sheepfoot Lane to and into Heaton Park at or near the Grand Lodge. Such tramway shall be held and worked by the Corporation free from any control of the Prestwich Council and especially from any rights under section 43 of the Tramways Act 1870 which shall not apply to such tramway. In the event of the Prestwich Council desiring at some future date to construct a tramway in Sheepfoot Lane the Corporation shall make no objection thereto on the ground that such tramway would intersect the tramway authorised by this section.

For protection of Salford Corporation.

61. The following provisions for the protection of the Salford Corporation shall apply and have effect:—

(1) During the construction of the portion of tramway referred to in the section of this Act the marginal note whereof is "As to tramways in Prestwich district" the Corporation may deviate in such places to such extent and in such

manner as the engineer of the Salford Corporation Gasworks may certify in writing to be necessary for avoiding interference with any mains valves or apparatus belonging to the Salford Corporation but no such deviation shall be so made as to leave a less space than nine feet six inches between the nearest rail of the tramway to be deviated and the outside of the footpath :

- (2) Sections 30 32 and 33 of the Tramways Act 1870 shall apply to the Salford Corporation with reference to the gas mains pipes and apparatus belonging to them in like manner as the same apply to a company or person being the owner of gas mains or pipes Provided that all works or interference with or in connection with the gas mains pipes or apparatus of the Salford Corporation under section 30 of the Tramways Act 1870 or otherwise shall be made and executed by the Salford Corporation and not otherwise upon the request and at the cost of the Corporation :
- (3) The cost of constructing providing and laying any new gas mains pipes valves or other apparatus in substitution for any which may be rendered useless by the construction of the tramways and the value of any gas mains pipes valves or other apparatus belonging to or under the control of the Salford Corporation rendered useless to them by the construction of the said portion of tramway shall on demand and subject to credit being given for the value of the aforesaid matters so rendered useless to the Salford Corporation be repaid to the Salford Corporation by the Corporation Provided always that whenever any new main pipe or apparatus of larger dimensions shall be substituted for any existing main pipe or apparatus the Corporation shall only be required to pay the cost which would have been incurred by the substitution of a main pipe or apparatus of equal dimensions with the existing main pipe or apparatus :
- (4) Whenever in the execution of the powers in this Act contained it shall be necessary to alter or interfere with or disturb any of the gas pipes belonging to the Salford Corporation such alteration in the position or otherwise of any such gas pipes which may be required for the purposes of the said portion of tramway shall be carried out by and under the direction of the Salford Corporation but at the reasonable expense in all respects of the Corporation and the cost of any such pipes which shall be rendered useless shall be repaid by the Corporation to the Salford Corporation :

A.D. 1903.

(5) If any difference arises between the Corporation and the Salford Corporation with respect to anything hereinbefore in this section contained such difference shall unless otherwise agreed be determined by an arbitrator to be appointed by the Board of Trade on the application of either party after notice in writing to the other.

As to powers of Prestwich Council as to electric lighting in added area.

62. From and after the commencement of this part of this Act the powers conferred upon the Prestwich Council by the Prestwich Electric Lighting Order 1900 confirmed by the Electric Lighting Orders Confirmation (No. 2) Act 1900 so far as affects the added area shall cease and determine and such added area shall be deemed to be included in the area of the electricity undertaking of the Corporation and to be excluded from the operation of the Prestwich Electric Lighting Order 1903.

As to powers of Middleton Corporation.

63. The powers of the mayor aldermen and burgesses of the borough of Middleton under the Middleton and Tonge Improvement Act 1861 so far as they affect the added area shall from and after the commencement of this part of this Act be transferred to and exercised by the Corporation.

As to financial relations with Prestwich Council.

64. Section 62 of the Act of 1888 shall be incorporated with and form part of this part of this Act with respect to any financial relations or questions between the Corporation and the Prestwich Council under this part of this Act or between the Corporation and the overseers of the poor of the township of Prestwich under this part of this Act.

As to powers of Salford Corporation as to supply of gas in added area.

65. Nothing in this Act contained shall prejudice or affect the right of the Salford Corporation to continue to supply gas in such portion of the added area as forms part of the area of gas supply of that Corporation.

PART V.

MANCHESTER ROYAL INFIRMARY.

Vesting in Corporation of site of Manchester Royal Infirmary.

66. Upon the passing of this Act and in consideration of the payments hereinafter provided for the fee simple of and in the land buildings and hereditaments known as the Manchester Royal Infirmary bounded by Piccadilly Portland Street Parker Street and George Street in the city of Manchester inclusive of the Infirmary Esplanade but exclusive of the fixtures fittings machinery and apparatus in and all tablets memorials ornaments and other effects (including the clock) which are affixed to or erected or built into any part of the buildings is hereby vested in the Corporation their successors and assigns for ever free from and in defeasance of the

estates rights and interests therein of the president treasurers deputy treasurers benefactors and subscribers of and to the Manchester Royal Infirmary Dispensary and Lunatic Hospital or Asylum (in this Act called "the Royal Infirmary") and also free from the several trusts obligations and liabilities on the part of the Royal Infirmary in relation to the said land buildings and hereditaments under the provisions of the following Acts of Parliament (namely):—

48 Geo. III. c. 127 (Local) An Act for enabling Sir Oswald Mosley Baronet to grant certain lands and hereditaments in the parish of Manchester in the county palatine of Lancaster for the purposes of the Manchester Public Infirmary Dispensary Lunatic Hospital and Asylum and for vesting the property and effects belonging to the said charity in trustees for the benefit thereof [18th June 1808];

5 Vict. sess. 2 c. i. (Local) An Act to extend the provisions of an Act of the 48th of King George the Third relative to the Manchester Royal Infirmary Dispensary and Lunatic Hospital or Asylum and to incorporate the trustees thereof [22nd April 1842];

7 & 8 Vict. c. xliii. (Local) An Act to enable the president treasurers deputy treasurers benefactors and subscribers of and to the Manchester Royal Infirmary Dispensary and Lunatic Hospital or Asylum to enlarge the said infirmary and to purchase and hold land for the erection of a new lunatic hospital or asylum [4th July 1844];

15 Vict. c. 3 (Private) An Act to unite the Manchester House of Recovery with the Manchester Royal Infirmary Dispensary and Lunatic Hospital or Asylum [28th May 1852];

or of any other Acts of Parliament deeds or documents and accordingly such estates rights interests trusts obligations and liabilities shall cease and determine and are hereby extinguished as from and after the delivery by the Royal Infirmary to the Corporation of possession of the said land buildings and hereditaments Provided always that notwithstanding such vesting in the Corporation the Royal Infirmary shall subject as in this Act is hereinafter provided be at liberty to retain possession and use of the said land buildings and hereditaments with the right to make structural alterations in the existing buildings until the expiration of three years after the passing of this Act or until such later time as the proposed new hospital or hospitals hereinafter referred to shall be ready for the accommodation of three hundred patients and the necessary medical nursing and administrative staffs Upon such possession being surrendered the Royal Infirmary may remove and take away all

A.D. 1903. — the fixtures fittings machinery apparatus tablets memorials such other effects not hereby vested in the Corporation without any liability to restore the said premises or make good any damage done by such removal.

Payment of purchase money by instalments.

67. The Corporation will and shall pay to the Royal Infirmary as the purchase money for the said land buildings and hereditaments so vested in the Corporation the sum of four hundred thousand pounds in manner following (that is to say):—

Upon the passing of this Act the sum of one hundred thousand pounds (being the first instalment);

Upon the delivery by the Royal Infirmary to the Corporation of vacant possession of the said land buildings and hereditaments the further sum of one hundred thousand pounds (being the second instalment);

At the expiration of one year after the delivery by the Royal Infirmary to the Corporation of vacant possession of the said land buildings and hereditaments the further sum of one hundred thousand pounds (being the third instalment); and

At the expiration of two years after the delivery by the Royal Infirmary to the Corporation of vacant possession of the said land buildings and hereditaments the sum of one hundred thousand pounds (being the fourth and last instalment).

Powers of Corporation as to future use of infirmary site.

68. The Corporation may as and when they obtain possession of the said land buildings and hereditaments appropriate the same or any portions thereof for public streets and open spaces as they may determine and may also remove the existing buildings and erect and provide upon the said land such new buildings as they may determine with all necessary fixtures fittings furniture and equipment.

Upon payment of the first instalment of one hundred thousand pounds the Corporation shall be at liberty to take possession of appropriate and lay into the surrounding streets the portions of the said land that are shown and indicated upon a plan signed by John Thomson on behalf of the Royal Infirmary and by Sir James Hoy on behalf of the Corporation and thereon coloured blue and green and will at their own expense remove the boundary wall and railings and gates and rebuild and re-erect the same in such manner as shall preserve to the satisfaction of the Royal Infirmary the existing means of access to all parts of the land buildings and hereditaments Provided that before taking possession of the lodges and premises coloured green upon the last-mentioned plan the Corporation shall

provide new entrance gates and also temporary lodges within such new gates in positions and according to plans to be approved by and to the satisfaction of the Royal Infirmary. A.D. 1903.

69. The Royal Infirmary is hereby empowered to acquire by agreement with the Owens College Manchester and the trustees of the Manchester Southern Hospital for the Diseases of Women and for Children the land hereditaments and premises situate in Chorlton-upon-Medlock Manchester and bounded on the west partly by premises now or lately belonging or reputed to belong to J. Lees and partly by Oxford Street and partly by the Union Chapel on the south by the Union Chapel and York Place on the east by land and premises belonging or reputed to belong to A. W. Slack and others on the north partly by land and premises belonging or reputed to belong to Hugh Fullerton partly by Nelson Street and partly by premises belonging or reputed to belong to Messrs. Lees Southam and Thorburn and the Royal Eye Hospital which said land and premises are known as "the Stanley Grove Estate" And also to acquire by agreement the land building and hereditaments adjoining such estate bounded on the north by Nelson Street aforesaid on the west by the Royal Eye Hospital and on the south and west by part of the said Stanley Grove Estate and also the land hereditaments and premises adjoining the said Stanley Grove Estate on the southerly side thereof situate in York Place and numbered 1 to 23 therein. Powers of Royal Infirmary and others as to Stanley Grove Estate and adjoining lands.

70. The Owens College Manchester with the consent of the Charity Commissioners and the said Trustees of the Manchester Southern Hospital for Diseases of Women and for Children and other the owners and persons interested in the said premises or any part thereof are hereby empowered to convey and assure such premises to the Royal Infirmary and to release such premises from any trusts or obligations now affecting the same and to execute and enter into all deeds documents and agreements necessary or required in relation thereto. Authorising Owens College &c. to sell and convey.

71. The Royal Infirmary is hereby empowered to purchase by agreement any chief or ground rent or rents which may be payable out of any property which the Royal Infirmary is by this Act authorised to acquire. Infirmary authorised to purchase chief rents.

72. The Royal Infirmary shall be entitled to hold all such premises without licence in mortmain and may erect on any part of such premises so to be acquired a hospital or hospitals and other buildings and apply the said purchase money or any other part or parts of their funds for that purpose. Power to hold in mortmain &c.

A.D. 1903. **73.** The Royal Infirmary may at any time and from time to time let or lease or sell or dispose of any part of the land and premises so to be acquired which shall not be required for the purposes of the Royal Infirmary Hospital. Such sales may be made either in consideration of a sum of money in gross or of a yearly chief or ground rent or partly for a sum of money and partly for a yearly chief or ground rent. Provided always that no part of the land now forming part of the Stanley Grove Estate shall be sold by the Royal Infirmary without the consent of the Owens College Manchester.

Power for infirmary to sell.
Saving rights of Charity Commissioners.
74. Nothing in this Act shall empower or authorise the Royal Infirmary to apply for any of the purposes of this Act any funds belonging to the infirmary which now are or hereafter may be subject to the jurisdiction of the Charity Commissioners without the consent of such Commissioners.

PART VI.

MISCELLANEOUS.

Erection of shops &c. on Blackley Estate.
75. The Corporation may with the consent of the Local Government Board on any of the lands forming their Blackley Estate acquired for the purpose of providing dwellings for the working and labouring classes erect provide and maintain shops and other buildings in addition to dwelling-houses cottages and lodging-houses under the Housing of the Working Classes Act 1890 or any other Act or Acts of Parliament already passed or hereafter to be passed.

As to temporary stands.
76. From and after the passing of this Act the words "or stand" contained in paragraph (A) of subsection (3) of section 18 of the Manchester Corporation Act 1891 shall be and the same are hereby repealed and such section shall be read and construed as if such words were omitted therefrom.

Registries for servants.
77.—(1) From and after the first day of January one thousand nine hundred and four every person who shall carry on within the city for the purpose of private gain the trade or business of keeper of a female domestic servants' registry shall register his name and place of abode and also the premises in which such trade or business is carried on in a book to be kept at the Town Hall of the city for the purpose.

(2) The Corporation may make byelaws prescribing the books to be kept and the entries to be made therein and any other matter which the Corporation may deem necessary for the prevention of fraud or immorality in the conduct of such trade or business and

A.D. 1903.

for regulating any premises used for the purposes of or in connection with such trade or business. The provisions of the Municipal Corporations Act 1882 with respect to byelaws shall apply to byelaws made under this section.

(3) The person registered shall keep a copy of the byelaws made by the Corporation under this section hung up in a conspicuous place in the registered premises.

(4) Any officer duly authorised by the Corporation in that behalf shall at all reasonable times be afforded by the person registered full and free power of entry into the registered premises for the purpose of inspecting the registered premises and the books required to be kept by such person.

(5) Any person carrying on such trade or business as aforesaid whose name has not been registered in accordance with subsection (1) of this section or whose registration has been cancelled or suspended or acting in contravention of any of the provisions of this section or of any byelaw made thereunder shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and the court of summary jurisdiction may (in lieu of or in addition to imposing a penalty) order the suspension or cancellation of the registration.

(6) Any expense incurred by the Corporation in the execution of this section shall be defrayed out of the city rate.

78.—(1) It shall be lawful for the Corporation by an instrument or instruments under their common seal authorised by special resolution of the council to transfer to and vest in the city architect of the Corporation any powers and duties which the council may deem of an architectural character which are now vested by any Public or Local Act or Acts in the surveyor or city surveyor of the Corporation.

Transfer of certain powers to city architect.

(2) The Corporation may revoke amend or vary any such instrument by another instrument under their common seal.

(3) The Corporation shall cause any instrument executed under subsections (1) or (2) of this section to be published in one or more of the local newspapers circulating within the city one month at least before the instrument shall come into operation.

79. The provisions contained in the Manchester Police Regulation Act 1844 section 102 with respect to the following offences in any street viz. importunate prostitutes indecent exposure indecent books songs and pictures and abusive language shall extend to any open spaces or unfenced ground in the city to which the public have access for the time being.

Extension of existing provisions as to offences in streets.

Repeal of section 57 of Act of 1882.

80. Section 57 of the *Manchester Corporation Act 1882* as to confirmation of byelaws is hereby repealed.

As to settlement of disputes under *Salford Acts*.

81. Any dispute or difference as to the pressure at which water is supplied by the *Manchester Corporation* to the *Salford Corporation* under the *Salford Waterworks and Improvement Act 1850* set out in Schedule A. to the *Salford Improvement Act 1862* shall in lieu of being referred to arbitration under the *Railways Clauses Consolidation Act 1845* (as provided in the said Act of 1850) be referred to arbitration under the *Arbitration Act 1889*.

As to water supply in *Middleton*.

82. The powers of the Corporation so far as they relate to the supply of water within the limits of the borough of *Middleton* shall from and after the commencement of this part of this Act be transferred to and exercised by the *Heywood and Middleton Water Board*.

Recovery of penalties.

83. Any penalty under this Act or under any byelaw or regulation made under this Act shall be recovered in manner provided by the *Summary Jurisdiction Acts*.

PART VII.

FINANCE.

Power to borrow.

84.—(1) The Corporation may (in addition to the other sums which they are authorised to raise by this or any other Act) borrow and raise at interest on the security of the revenue of the tramway undertaking of the Corporation and of the city rate any sums of money not exceeding in the whole the sum following (that is to say) :—

(A) For or in connection with the construction of the tramways by this Act authorised and for other the purposes of the tramway undertaking of the Corporation the sum of ten thousand five hundred pounds :

The Corporation may (in addition to the other sums which they are authorised to raise by this or any other Act) borrow and raise at interest on the credit of the city rate any sums of money not exceeding in the whole the sums following (that is to say) :—

(B) For the purposes of this Act relating to the new streets street widenings improvements conveniences and works in connection therewith the sum of three hundred thousand pounds ;

(C) For the purposes of the section of this Act the marginal note of which is “Erection of buildings on lands acquired for widenings &c.” such sums as the Corporation shall with the sanction of the Local Government Board determine ;

- (D) For the purchase of land and the deviation of footpaths in connection with the Manchester Corporation Sewage Works at Davyhulme the sum of three thousand pounds;
- (E) For further expenditure in connection with the waterworks undertaking of the Corporation :—
- (i) The sum of five hundred and fifty thousand pounds may be so borrowed for the purpose of obtaining a further supply of water from Thirlmere under the provisions of the Manchester Corporation Waterworks Act 1879 and the Manchester Corporation Act 1889 by means of a third pipe connecting the portions of the aqueduct which have already been constructed of the full capacity; and
- (ii) The sum of two hundred thousand pounds may be so borrowed for the extension of mains and other purposes in connection with the supply of water within the district of supply of the Corporation;
- (F) For the purposes of the markets undertaking of the Corporation (inclusive of purposes in connection with their abattoirs cold-air stores and foreign animals wharf and the extension and improvement of their markets) such sums as the Corporation shall with the sanction of the Local Government Board determine;
- (G) For the purposes of the section of this Act the marginal note of which is “Erection of shops &c. on Blackley Estate” such sums as the Corporation shall with the sanction of the Local Government Board determine;
- (H) For the purpose of defraying any expenses under Part IV. (City Extension) of this Act which in the opinion of the Local Government Board are properly chargeable to capital such sum as the Corporation shall with the sanction of the Local Government Board determine;
- (I) For the purpose of providing the purchase money of the Manchester Royal Infirmary referred to in Part V. of this Act the sum of four hundred thousand pounds;
- (J) For the purposes of defraying the expenses of appropriating portions of the land buildings and hereditaments known as the Manchester Royal Infirmary by this Act vested in the Corporation for public streets and open spaces and of defraying the stamp duty on the said purchase money and other expenses the sum of thirty thousand pounds; and
- (K) For the purposes of the removal of existing buildings and of erecting and providing upon the last-mentioned land such

A.D. 1903.

new buildings as the Corporation may determine with all necessary fixtures fittings furniture and equipment such sums as the Corporation shall from time to time with the sanction of the Local Government Board determine.

(2) Subject to the provisions of this Act the enactments enumerated in Parts I. and III. of the Second Schedule to this Act to the extent indicated in that Schedule and the provisions of this Act shall apply to all moneys to be borrowed by the Corporation under the authority of subsections (A) (B) (C) (D) (F) (G) (H) (I) (J) and (K) of this section as if the same had been expressly repeated and re-enacted in this Act with reference to the further sums so authorised to be borrowed.

(3) Subject to the provisions of this Act the enactments enumerated in Parts II. and III. of the Second Schedule to this Act to the extent indicated in that Schedule and the provisions of this Act shall apply to all moneys to be borrowed by the Corporation under the authority of subsection (E) of this section as if the same had been expressly repeated and re-enacted in this Act with reference to the further sums so authorised to be borrowed.

(4) The Corporation shall repay—

- (A) All moneys borrowed for the purposes (A) in this section mentioned in any period not exceeding thirty years from the date of borrowing the same ;
- (B) All moneys borrowed for the purposes (B) in this section mentioned in any period not exceeding fifty years from the date of borrowing the same ;
- (C) All moneys borrowed for the purposes (C) in this section mentioned in any period not exceeding sixty years from the date of borrowing the same as shall be sanctioned by the Local Government Board ;
- (D) All moneys borrowed for the purposes (D) in this section mentioned in any period not exceeding fifty years from the date of borrowing the same ;
- (E) All moneys borrowed for the purposes (E) in this section mentioned in any period not exceeding sixty years from the date of borrowing the same ;
- (F) All moneys borrowed for the purposes (F) in this section mentioned in any period not exceeding sixty years from the date of borrowing the same as the Local Government Board may sanction ;
- (G) All moneys borrowed for the purposes (G) in this section mentioned in any period not exceeding sixty years from

the date of borrowing the same as shall be sanctioned by the Local Government Board ; A.D. 1903.

(H) All moneys borrowed for the purpose (H) in this section mentioned in any period not exceeding sixty years from the date of borrowing the same as shall be sanctioned by the Local Government Board ;

(I) All moneys borrowed for the purpose (I) in this section mentioned in any period not exceeding sixty years from the date of borrowing the same ;

(J) All moneys borrowed for the purposes (J) in this section mentioned in any period not exceeding forty years from the date of borrowing the same ;

(K) All moneys borrowed for the purposes (K) in this section mentioned in any period or periods not exceeding sixty years from the date of borrowing the same as shall be sanctioned by the Local Government Board ;

which respective periods shall be the prescribed periods for the purposes of section 45 of the Manchester Corporation Act 1891 being one of the enactments applied by subsections (2) and (3) of this section.

85. As to any addition to the city rate made by the Corporation or under any precept from or at the instance or by the direction of the Corporation for the purposes or any of the purposes mentioned in the section of this Act the marginal note whereof is "Power to borrow" the owner or occupier of any land used only as a railway constructed under the powers of any Act of Parliament for public conveyance shall be assessed in respect of the same in the proportion of one-fourth part only of the net annual value thereof as ascertained by the valuation list for the time being in force or if there be none by the rate for the relief of the poor made next before the making of such assessment. The Local Government Board may from time to time by order make such regulations as seem to the Board necessary or proper respecting the form of the rates notices and accounts to be made used and kept by the overseers of any parish situate wholly or partly in the city with respect to any addition made under the powers of this Act to any city rate and to any assessment in respect thereof and an order under this section shall be deemed to be an order within the meaning of section 98 of the Poor Law Amendment Act 1834.

Railways to be rated at one-fourth only of net annual value thereof.

86. Section 44 of the Act of 1901 as to raising money by means of Manchester Corporations bills shall be read and construed as if the sum of one million pounds had been inserted in subsection (13)

Increase of aggregate amount payable on Corporation bills.

A.D. 1903. of that section as the aggregate amount payable on bills current at any one time in lieu of the sum of five hundred thousand pounds.

Accounts to be audited. **87.** The accounts of the Corporation under this Act shall be audited in like manner and with the like incidents as the accounts of the Corporation under the Municipal Corporations Act 1882.

Inquiries by Local Government Board. **88.**—(1) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary in regard to the exercise of any powers conferred upon them or the giving of any consents under this Act and the inspectors of the Local Government Board shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

(2) The Corporation shall pay to the Local Government Board any expenses incurred by that Board in relation to any inquiries referred to in this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

Costs of Act. **89.** The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed and ascertained by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the city rate.

SCHEDULES referred to in the foregoing Act.

A.D. 1903.

FIRST SCHEDULE.

DESCRIBING PROPERTIES WHEREOF PORTIONS ONLY ARE REQUIRED BY THE CORPORATION.

Parish.	Nos. on deposited Plans.	Description of Property.
City of Manchester	11	Land.
	36	Garden.
	37	Garden.
	38	Garden.
	39	Garden.
	40	Passage.
	43	Garden and drive.
	46	Tennis Court.
	47	Hotel and forecourt.
	48	House and forecourt.
	49	House and forecourt.
	64	Passage.
	65	Yard.
	66	House and forecourt.
	67	House and forecourt.
	68	House and forecourt.
	69	House and forecourt.
	70	House and forecourt.
	76	Glass works.
	83	Yard.
	86	Garden and drive to house.
	88	Garden and drive to house.
	89	Garden and drive to house.
	90	Garden.
	91	Garden.
	92	Garden and drive to house.
	93	Garden drive to house and summer-house.
	94	Garden and drive to house.
	95	Carriage approach to house.
	96	Lodge and outbuildings garden and drive to house.
	97	Garden and drive to house.
99	House and garden.	
100	House and garden.	
101	Garden.	
102	Garden.	
103	Garden.	
106	Garden.	
127	Pavement covering part of graveyard.	
128	Graveyard (disused).	
129	Pavement covering part of graveyard.	
130	Electric works sub-station.	
131	Graveyard (disused).	

A.D. 1903.

SECOND SCHEDULE.

LOCAL ENACTMENTS MADE APPLICABLE TO THE BORROWING POWERS
OF THE FOREGOING ACT.

Act.	Extent of Application.
PART I.	
7 & 8 Vict. c. xl. An Act for the good Government and Police Regulation of the Borough of Manchester	Section 16 (except the part thereof beginning "and in the event" and ending "at any one time" and except so much thereof as would enable the Corporation to borrow on the security of any property vested in or belonging to them or which may be acquired by them) and sections 17 18 and 23 to 27 and section 30 (as such sections or any of them are amended by Article VII. of the Manchester Order confirmed by 48 & 49 Vict. c. cvii. by Article VI. of the Manchester Order confirmed by 50 Vict. c. xvii. and by Article I. of the Manchester Order (3) confirmed by 56 & 57 Vict. c. cxxx.).
PART II.	
10 & 11 Vict. c. cciii. The Manchester Corporation Waterworks Act 1847	Section 143 (except the part thereof beginning "and in the event" and ending "at any one time" and except so much thereof as would enable the Corporation to borrow on the security of any property vested in or belonging to them) and sections 144 145 and 150 to 154 (except so far as such sections or any of them relate to annuities) and 157.
PART III.	
35 & 36 Vict. c. xxxi. The Manchester Corporation Waterworks and Improvement Act 1872	Sections 34 35 and 37 to 49 (as amended by Article VII. of the Manchester Order confirmed by 48 & 49 Vict. c. cvii. by Articles III. IV. V. and IX. of the Manchester Order confirmed by 50 Vict. c. xvii. by the Manchester Corporation Act 1891 and by Article I. of the Manchester Order (3) confirmed by 56 & 57 Vict. c. cxxx.).
38 & 39 Vict. c. clxi. The Manchester Corporation Waterworks and Improvement Act 1875	Sections 62 and 63 (as amended by Articles VII. and VIII. of the Manchester Order confirmed by 50 Vict. c. xvii.).
48 & 49 Vict. c. cvii. The Local Government Board's Provisional Orders Confirmation (No. 7) Act 1885	Article VII. of the Manchester Order (as amended by Article I. of the Manchester Order (3) confirmed by 56 & 57 Vict. c. cxxx.).
50 Vict. c. xvii. The Local Government Board's Provisional Orders Confirmation (No. 11) Act 1886	Articles III. to IX. of the Manchester Order.

Act.	Extent of Application.	A.D. 1903.
PART III.— <i>continued.</i>		
54 & 55 Vict. c. ccvii. The Manchester Corporation Act 1891	Sections 2 44 45 (except subsection (1) for which subsection (3) of the section of this Act with the marginal note "Power to borrow" is for the purpose of that section to be deemed substituted) and 47 to 54.	
56 & 57 Vict. c. cxxx. The Local Government Board's Provisional Orders Confirmation (No. 12) Act 1893	Article I. of the Manchester Order (3).	
1 Edw. VII. c. cxciii. The Manchester Corporation Act 1901	Section 44 (as amended by this Act).	

THIRD SCHEDULE.

LOCAL ACTS.

Date	Title.
7 & 8 Vict. c. xl.	An Act for the good Government and Police Regulation of the Borough of Manchester.
7 & 8 Vict. c. xli.	An Act for the Improvement of the Town of Manchester.
8 & 9 Vict. c. cxli.	An Act to effect Improvements in the Borough of Manchester for the purpose of promoting the Health of the Inhabitants thereof.
9 & 10 Vict. c. ccxix.	The Manchester Market Act 1846.
10 Vict. c. xiv.	The Manchester Markets Act 1847.
10 & 11 Vict. c. cciii.	The Manchester Corporation Waterworks Act 1847.
11 & 12 Vict. c. ci.	The Manchester Corporation Waterworks Amendment Act 1848.
14 & 15 Vict. c. cxix.	The Manchester General Improvement Act 1851.
16 & 17 Vict. c. xci.	The Manchester New Streets Act 1853.
17 Vict. c. xxviii.	The Manchester Improvement Act 1854.
17 Vict. c. xxxviii.	The Manchester Corporation Waterworks Act 1854.
18 Vict. c. xliv.	The Manchester Improvement Act 1855.
20 & 21 Vict. c. cxvii.	The Manchester Burial Board Act 1857.
21 Vict. c. xxv.	The Manchester Improvement Act 1858.
21 & 22 Vict. c. lxxxvii.	The Manchester Corporation Waterworks Act 1858.
23 Vict. c. xlvi.	The Manchester Improvement Act 1860.
23 Vict. c. xciii.	The Manchester Corporation Waterworks Act 1860.
26 & 27 Vict. c. lxxviii.	The Manchester Corporation Waterworks Act 1863.
28 Vict. c. xc.	The Manchester Improvement Act 1865.
28 & 29 Vict. c. cxlv.	The Manchester Corporation Waterworks Act 1865.
29 Vict. c. xxix.	The Manchester Town Hall and Improvement Act 1866.

A.D. 1903.	Date.	Title.
	30 Vict. c. xxxvi.	The Manchester Corporation Waterworks and Improvement Act 1867.
	32 & 33 Vict. c. cxvii.	The Manchester Corporation Waterworks and Improvement Act 1869.
	34 & 35 Vict. c. lxxv.	The Manchester Improvement Act 1871.
	35 & 36 Vict. c. xxxi.	The Manchester Corporation Waterworks and Improvement Act 1872.
	38 & 39 Vict. c. clxi.	The Manchester Corporation Waterworks and Improvement Act 1875.
	38 & 39 Vict. c. clxvii.	The Manchester Corporation Tramways Order confirmed by the Tramways Orders Confirmation Act 1875.
	40 & 41 Vict. cxxiv.	The Rusholme Tramways Order confirmed by the Tramways Orders Confirmation Act 1877.
	41 & 42 Vict. c. cxli.	The Manchester Suburban Tramways Act 1878.
	41 & 42 Vict. c. clxiii.	The Manchester Corporation and the Manchester Suburban Tramways Orders confirmed by the Tramways Orders Confirmation Act 1878 (No. 2).
	41 & 42 Vict. c. ccxxxi.	The Newton Heath Tramways Order confirmed by the Tramways Orders Confirmation (No. 1) Act 1878.
	42 Vict. c. xxxvi.	The Manchester Corporation Waterworks Act 1879.
	42 & 43 Vict. c. cxc.	The Manchester Suburban Tramways Act 1879.
	43 & 44 Vict. c. xxxvi.	The Manchester Order confirmed by the Local Government Board's Provisional Orders Confirmation (Abingdon &c.) Act 1880.
	43 & 44 Vict. c. cxii.	The Manchester Carriage and Tramways Company Act 1880.
	44 & 45 Vict. c. lxxvi.	The Manchester Order confirmed by the Local Government Board's Provisional Orders Confirmation (Halifax &c.) Act 1881.
	44 & 45 Vict. c. cv.	The Manchester Corporation and the Rusholme Tramways Orders confirmed by the Tramways Orders Confirmation (No. 1) Act 1881.
	45 & 46 Vict. c. cciii.	The Manchester Corporation Act 1882.
	47 & 48 Vict. c. ccxv.	The Manchester Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act 1884.
	48 & 49 Vict. c. cvii.	The Manchester Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 7) Act 1885.
	48 & 49 Vict. c. cxxvi.	The Manchester City Extension Act 1885.
	49 Vict. c. xix.	The Local Government Board's Provisional Order Confirmation (Poor Law) Act 1886.
	50 Vict. c. xvii.	The Manchester Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 11) Act 1886.
	50 Vict. sess. 2. c. xxv.	The Manchester Corporation Act 1887.
	51 & 52 Vict. c. cxxxiii.	The Local Government Board's Provisional Orders Confirmation (No. 8) Act 1888.
	52 & 53 Vict. c. xl.	The Manchester Corporation Act 1889.
	52 & 53 Vict. c. cxvii.	The Manchester Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 16) Act 1889.
	53 & 54 Vict. c. lxxxiii.	The Manchester Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 4) Act 1890.
	53 & 54 Vict. c. xciv.	The Manchester Order confirmed by the Local Government Board's Provisional Order Confirmation (Artisans and Labourers' Dwellings) Act 1890.

Date.	Title.
53 & 54 Vict. c. clxv. -	The Saint Anne and Saint Mary Manchester (Union of Benefices) Act 1890.
53 & 54 Vict. c. cxvii.	The Manchester Order confirmed by the Electric Lighting Orders Confirmation (No. 11) Act 1890.
53 & 54 Vict. c. cxxxviii.	The Local Government Board's Provisional Order Confirmation (No. 16) Act 1890.
54 & 55 Vict. c. lix. -	The Fire Brigade Superannuation (Manchester) Provisional Order Confirmation Act 1891.
54 & 55 Vict. c. lxxi.	The Mersey and Irwell Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 10) Act 1891.
54 & 55 Vict. c. cxx. -	The Lancashire County (Lunatic Asylums and other Powers) Act 1891.
54 & 55 Vict. c. clxxxi.	The Manchester Ship Canal Act 1891.
54 & 55 Vict. c. cxvii. -	The Manchester Corporation Act 1891.
55 & 56 Vict. c. cxii.	The Mersey and Irwell Joint Committee Act 1892.
56 Vict. c. xix. -	The Manchester Corporation (Ship Canal) Act 1893.
56 Vict. c. xxvii. -	The Manchester Corporation Act 1893.
56 & 57 Vict. c. cxxviii.	The Manchester Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 7) Act 1893.
56 & 57 Vict. c. cxxx. -	The Local Government Board's Provisional Orders Confirmation (No. 12) Act 1893.
56 & 57 Vict. c. cxci.	The Manchester Corporation Tramways Order confirmed by the Tramways Orders Confirmation Act 1893.
57 & 58 Vict. c. ccix. -	The Manchester Corporation Act 1894.
25 March 1896 -	The County Borough of Manchester Confirmation Order 1896.
59 & 60 Vict. c. lxiv. -	The Manchester Corporation Act 1896.
59 & 60 Vict. c. lxxxii.	The Manchester Order confirmed by the Electric Lighting Orders Confirmation (No. 1) Act 1896.
59 & 60 Vict. c. ex. -	The Manchester Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 18) Act 1896.
59 & 60 Vict. c. cxx. -	The Manchester Corporation Tramways Order confirmed by the Tramways Orders Confirmation (No. 1) Act 1896.
60 & 61 Vict. c. cli.	The Manchester Corporation Tramways Order confirmed by the Tramways Orders Confirmation (No. 1) Act 1897.
60 & 61 Vict. c. cxli. -	The Manchester Corporation Act 1897.
61 & 62 Vict. c. lxxviii.	The Manchester Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 5) Act 1898.
62 Vict. c. xxviii. -	The Manchester Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 1) Act 1899.
62 & 63 Vict. c. cxlvi. -	The Manchester Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 6) Act 1899.
62 & 63 Vict. c. clxxxviii.	The Manchester Corporation (General Powers) Act 1899.
62 & 63 Vict. c. ccliv. -	The Manchester Corporation Tramways Act 1899.
63 & 64 Vict. c. liii. -	The Manchester Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 2) Act 1900.
63 & 64 Vict. c. cxxxviii.	The Lancashire Inebriates Acts Board Act 1900.

A.D. 1903.

Date.	Title.
63 & 64 Vict. c. clxxv.	- The Manchester Order confirmed by the Local Government Board's Provisional Orders Confirmation (No. 5) Act 1900.
63 & 64 Vict. c. ccxc.	- The Manchester Corporation Tramways Act 1900.
1 Edw. 7. c. clxx.	- The Manchester Port Order confirmed by the Local Government Board's Provisional Orders Confirmation (Port) Act 1901.
1 Edw. 7. c. ccxiii.	- The Manchester Corporation Act 1901.
2 Edw. 7. c. xli.	- The Manchester Corporation Tramways Act 1902.
2 Edw. 7. c. lvi.	- The Lancashire County (Lunatic Asylums) Act 1902.
2 Edw. 7. c. cxxxviii.	- The Manchester Corporation (General Powers) Act 1902.

THE FOURTH SCHEDULE.

ARTICLES OF AGREEMENT made the fourth day of May one thousand nine hundred and three between the LORD MAYOR ALDERMEN AND CITIZENS OF THE CITY OF MANCHESTER (hereinafter called "the Manchester Corporation") of the one part and the MAYOR ALDERMEN AND BURGESSES OF THE BOROUGH OF SALFORD in the county of Lancaster (hereinafter called "the Salford Corporation") of the other part.

WHEREAS by virtue of divers Acts of Parliament relating to the Manchester Corporation Tramways the Manchester Corporation have constructed and electrically equipped or are authorised to construct and electrically equip (inter alia) the tramways described in the First Schedule hereto which tramways are hereinafter referred to as "the Manchester Tramways":

And whereas by virtue of divers Acts of Parliament relating to the Salford Corporation Tramways the Salford Corporation have constructed and electrically equipped or are authorised to construct and electrically equip the tramways described in the Second Schedule hereto which tramways are hereinafter referred to as "the Salford Tramways":

And whereas by virtue of three agreements dated respectively the 16th day of August 1900 the 27th day of January 1903 and the 28th day of January 1903 and respectively made between the urban district council of Stretford in the county of Lancaster (hereinafter called "the Stretford Council") of the one part and the Manchester Corporation of the other part (which agreements are hereinafter referred to as "the Stretford Agreements") the Manchester Corporation have acquired temporary running powers over (inter alia) the tramways in the urban district of Stretford which are described in the Third Schedule hereto with a right to a lease of such tramways for 21 years at the expiration of such temporary running powers and

the said tramways described in the said Third Schedule are hereinafter referred to as "the Stretford Tramways": A.D. 1903.

And whereas by an agreement dated the 7th day of August 1902 and made between the urban district council of Prestwich in the county of Lancaster (hereinafter called "the Prestwich Council") of the one part and the Salford Corporation of the other part (which agreement is hereinafter referred to as "the Prestwich Agreement") the Prestwich Council have agreed to lease to the Salford Corporation for a term of 21 years (inter alia) the tramways described in the Fourth Schedule hereto (which tramways are hereinafter referred to as "the Prestwich Tramways"):

And whereas for the purpose of giving effect to section 16 of the Manchester Corporation Tramways Act 1902 and sections 12 and 27 of the Salford Corporation Act 1902 the Manchester Corporation and the Salford Corporation have agreed to enter into and execute these presents:

Now it is hereby mutually and reciprocally covenanted and declared between and by the Manchester Corporation and the Salford Corporation that the following provisions and stipulations shall be binding upon and be carried out by the Manchester Corporation and the Salford Corporation respectively (that is to say):—

1. The Manchester Corporation will (if and so far as not already done) forthwith reconstruct or construct and electrically equip the Manchester Tramways and the Stretford Tramways and the Manchester Corporation will keep in repair and maintain the Manchester Tramways and their equipment and will under the provisions of the Stretford Agreements see that the Stretford Tramways (after reconstruction) and their equipment are kept in repair and maintained by the Stretford Council or otherwise.

2. The Salford Corporation will (if and so far as not already done) forthwith reconstruct or construct and electrically equip the Salford Tramways and the Prestwich Tramways and the Salford Corporation will keep in repair and maintain the Salford Tramways and their equipment and will under the provisions of the Prestwich Agreement see that the Prestwich Tramways (after construction) and their equipment are kept in repair and maintained by the Prestwich Council or otherwise.

3. The Manchester Corporation hereby grant to the Salford Corporation the right of user of the Manchester Tramways described in Part I. of the First Schedule hereto by means of tramcars propelled by electric traction for the purpose of carrying passengers only or passengers with their personal luggage (not exceeding twenty-eight pounds in weight with every such passenger) and of demanding and taking tolls and charges from passengers therefor and also the right of user of the Manchester Tramways described in Part I. of the said First Schedule for the purpose of carrying small parcels not exceeding fifty-six pounds in weight in or on passenger tramcars and of demanding and taking tolls and charges therefor and also the right of user of and of demanding and taking tolls and charges upon the Manchester Tramways described in Parts II. and III. of the First Schedule hereto and also (so far as the Manchester Corporation can grant the same) the right of user of and of demanding and taking tolls and charges upon the Stretford Tramways

A.D. 1903. subject nevertheless and reserving to the Manchester Corporation the right of user of and of demanding and taking tolls and charges upon the portions of the Manchester Tramways in Deansgate Victoria Street Great Ducie Street and Bury New Road (between Liverpool Road and Waterloo Road) and in Middleton Road and Bury Old Road and also of and upon the Stretford Tramways To hold the said rights hereby granted unto the Salford Corporation for the terms at the rents and subject to the provisions hereinafter specified Provided always that if it shall be found necessary to obtain the consent of the Stretford Council to the exercise by the Salford Corporation of the said rights over the Stretford Tramways the Manchester Corporation will use their best endeavours to obtain such consent.

4. In respect of the user by the Salford Corporation of the portions of the Manchester Tramways which are described in Part I. of the First Schedule hereto the Salford Corporation will pay to the Manchester Corporation who will accept as rent thereof—

First A fixed annual sum to be ascertained after the rate of one thousand three hundred and seventy-three pounds one shilling and sixpence for every mile of single track of such tramways and so in proportion for any less distance than a mile ;

Secondly The net profits which shall be earned by the Salford Corporation upon the Manchester Tramways described in Part I. of the said First Schedule by means of any Salford cars which may be run over or along the whole or part of the Manchester Tramways in Bury New Road Great Ducie Street and Victoria Street (to its junction with Victoria Bridge Street) or vice versâ and which cars shall have been or shall be conveyed from or to Leicester Road or Great Cheetham Street East Salford ; and

Thirdly The net profits which shall be earned by the Salford Corporation upon the Manchester Tramways described in Part I. of the said First Schedule by means of the carriage thereon of small parties.

5. In respect of the user by the Salford Corporation of the Manchester Tramways in Middleton Road the Salford Corporation will pay to the Manchester Corporation who will accept as rent thereof—

First A sum of money per annum corresponding with the items first and thirdly described in paragraph VI. of the Second Schedule of the Prestwich Agreement and to be ascertained with reference to the capital outlay of the Manchester Corporation and the gross takings of the Salford Corporation upon the Manchester Tramways in Middleton Road in the same manner (*mutatis mutandis*) as is provided by the Prestwich Agreement for ascertaining the rental of the tramways in Middleton Road Prestwich and with the same rights as by the Prestwich Agreement are vested in the Prestwich Council for verifying the basis of rental and otherwise ; and

Secondly A proportionate amount each year of the cost to be incurred by the Manchester Corporation in maintaining the Manchester Tramways in Middleton Road such proportionate amount to be from time to time settled by the two managers (or if they differ by a referee to

be from time to time appointed by the two mayors) on the basis of the respective traffic on such tramways of the Salford Corporation and the Manchester Corporation respectively.

6. In respect of the user by the Salford Corporation of the Manchester Tramways in Bury Old Road and of the Stretford Tramways the Salford Corporation will pay to the Manchester Corporation who will accept as rent thereof the net profits which shall be earned by the Salford Corporation upon such tramways respectively.

7. The Salford Corporation hereby grant to the Manchester Corporation the right of user of and of demanding and taking tolls and charges upon the Salford Tramways and also (so far as the Salford Corporation can grant the same) of and upon the Prestwich Tramways subject nevertheless and reserving to the Salford Corporation the right of user of and of demanding and taking tolls and charges upon the Salford Tramways and the Prestwich Tramways To hold the said rights hereby granted unto the Manchester Corporation for the terms at the rents and subject to the provisions hereinafter specified Provided always that if it shall be found necessary to obtain any further consent of the Prestwich Council than is contained in the Prestwich Agreement to the exercise by the Manchester Corporation of the said rights over the Prestwich Tramways the Salford Corporation will use their best endeavours to obtain such further consent.

8. The Manchester Corporation will pay to the Salford Corporation who will accept as rent in respect of the user by the Manchester Corporation of the Salford Tramways and the Prestwich Tramways respectively the net profits which shall be earned by the Manchester Corporation upon the Salford Tramways and the Prestwich Tramways respectively.

9. The rentals provided for by this agreement do not include any charges in respect of the supply of electric current for operating the services on the several tramways herein referred to and for lighting the tramcars on such tramways and the following provisions in relation to such supply and the payments therefor shall have effect and be binding upon the Manchester Corporation and the Salford Corporation respectively namely The said electric current shall be supplied—

As to the Manchester Tramways by the Manchester Corporation :

As to the Stretford Tramways either by the Manchester Corporation or by the Stretford Council in accordance with the Stretford Agreements :
and

As to the Salford Tramways and the Prestwich Tramways by the Salford Corporation :

Such electric current shall be charged for on the basis of the actual consumption per car mile which consumption shall be from time to time determined and agreed by and between the two managers or (in case of their differing) by a referee to be from time to time appointed by the two mayors and for this purpose the two managers or any such referee shall be empowered to require any meter or apparatus to be provided and maintained within any tramcar or otherwise The electric current to be so consumed shall be paid for in manner following (that is to say) :—

A.D. 1903.

- (1) The Salford Corporation will make payments to the Manchester Corporation for electric current to be supplied to the Salford cars upon the Manchester Tramways at the rate per Board of Trade unit which shall be from time to time payable by the Manchester Tramways Committee to the Manchester Electricity Committee :
- (2) The Salford Corporation will make payments to the Manchester Corporation (who will if and so far as may be necessary account to the Stretford Council) for electric current to be supplied to the Salford cars upon the Stretford Tramways at the rate per Board of Trade unit which shall be from time to time payable by the Manchester Tramways Committee either to the Manchester Electricity Committee or to the Stretford Council for electric current supplied to the Manchester cars upon the Stretford Tramways :
- (3) The Manchester Corporation will make payments to the Salford Corporation for the electric current to be supplied to the Manchester cars upon the Salford Tramways at the rate per Board of Trade unit which shall be from time to time payable by the Salford Tramways Committee to the Salford Electricity Committee :
- (4) The Manchester Corporation will make payments to the Salford Corporation (who will account to the proper authority) for the electric current to be supplied to the Manchester cars upon the Prestwich Tramway at the rate per Board of Trade unit which shall be from time to time payable by the Salford Corporation for electric current supplied to the Salford cars upon the Prestwich Tramways.

10. The Manchester Corporation will use their best endeavours to obtain a lease or leases for a term or terms of years which shall expire at the same time as the running powers and lease provided for by the Stretford Agreements of the tramways in Trafford Park with the right to grant running powers thereover to the Salford Corporation and also authority to connect such tramways (in this agreement called "the Trafford Park Tramways") with the Stretford Tramways and in the event of such endeavours being successful the Trafford Park Tramways shall be deemed to form part of the Stretford Tramways under and for the purposes of this agreement as from and after the vesting of any such lease and authority in the Manchester Corporation and the Manchester Corporation will forthwith thereafter connect the Trafford Park Tramways with the Stretford Tramways and will permit the Salford Corporation (in common with the Manchester Corporation) to have the same rights of user of and taking tolls and charges upon the Trafford Park Tramways subject nevertheless to the same rents charges and conditions (*mutatis mutandis*) as under this agreement appertain to the Stretford Tramways. The Salford Corporation will not negotiate for or (except as herein provided for) seek to acquire any rights in or over the Trafford Park Tramways.

11. If at any time or times during the subsistence of this agreement the Salford Corporation shall exercise the statutory right given by section 43 of the Tramways Act 1870 to purchase the Manchester Tramways in Bury Old Road Salford or any part or parts of them the tramways or part of tramways

so purchased shall thereafter during the continuance of this agreement be deemed to form part of the Salford Tramways and the Salford Corporation will permit the Manchester Corporation (in common with the Salford Corporation) to have the same rights of user thereof and taking tolls and charges thereupon subject nevertheless to the same rents charges and conditions (*mutatis mutandis*) as under this agreement appertain to the Salford Tramways.

12. All rentals of tramway rights and charges for electric current under this agreement shall become payable quarterly on the 25th day of March the 24th day of June the 29th day of September and the 24th day of December in every year.

13. The Salford Corporation as respects the Manchester Tramways and the Stretford Tramways and the Manchester Corporation as respects the Salford Tramways and the Prestwich Tramways will respectively observe and perform and keep the other of them indemnified against all enactments byelaws and regulations now subsisting or which may be hereafter lawfully made and which ought to be observed and performed upon or in relation to the exercise upon such tramways respectively of any rights hereby granted and will if desired from time to time concur in the making of proper regulations for preventing nuisances or offences in or upon the tramcars or tramways and for regulating the travelling in or upon the tramcars and will enforce the due observance of such regulations.

14. The rights thereby granted shall not be assigned sub-let or parted with by either the Manchester Corporation or the Salford Corporation without the consent of the other of them.

15. Nothing herein contained shall take away or abridge any power to open and break up any road or street along or across which any tramway is or shall be laid but in the exercise of such power as little inconvenience as possible shall be occasioned to the use of such tramway and when necessary substituted or diverted tramways shall and may be temporarily provided. Such power may be exercised without liability to compensate for stopping or delaying tramway traffic.

16. The tolls and charges to be demanded and taken from the public by the Manchester Corporation and the Salford Corporation respectively for the use of their respective tramcars plying upon any one or part of one and the same length of the several tramways described in the Schedules hereto or to which this agreement shall for the time being apply shall be as far as practicable uniform and (within the limits prescribed by the several Acts of Parliament which authorise the construction and maintenance of such tramways) the said tolls and charges shall be from time to time fixed and settled by the two managers or if they disagree by a referee to be from time to time nominated by the two mayors.

17. This agreement is entered into in fulfilment of the directions and in pursuance of the powers contained in section 16 of the Manchester Corporation Tramways Act 1902 and in sections 12 and 27 of the Salford Corporation Act 1902 and accordingly (except as may be hereafter expressly agreed between the Manchester Corporation and the Salford Corporation)

A.D. 1903. this agreement shall during its subsistence be deemed to fully provide for the interchange of traffic stipulated for by those Acts and each of them the Manchester Corporation and the Salford Corporation hereby expressly covenant and declare with and to the other of them that the Manchester Corporation and the Salford Corporation respectively shall not nor will hereafter during the subsistence of this agreement by application to Parliament or to the Board of Trade or otherwise seek or obtain without the consent under seal of the other of them any interchange of traffic or running powers over the tramways for the time being belonging or leased to or worked by the other of them beyond the interchange of traffic and rights herein provided for and that this stipulation shall be deemed of the essence of this agreement.

18. In this agreement the following expressions have the meanings here assigned to them (namely):—

“The two mayors” means the lord mayor for the time being of the city of Manchester and the mayor for the time being of the county borough of Salford;

“The two managers” means Mr. John Moffat McElroy the general manager of the Manchester Corporation Tramways or other the general manager for the time being of those tramways and Mr. Ernest Hatton the general manager of the Salford Corporation Tramways or other the general manager for the time being of those tramways;

“Net profits” means such a sum or sums as shall be certified by the two managers or if at any time or times they fail to agree by a referee or umpire to be from time to time nominated by the two mayors;

“Victoria Street” includes Hunts Bank.

19. Any reference under this agreement to the two managers or to a referee to be nominated by the two mayors shall be deemed a submission to arbitration under the Arbitration Act 1889 or any statutory modification thereof.

20. This agreement and the grants herein contained shall commence forthwith and shall continue in operation for the periods following (that is to say):—

- (1) As to the portions of the Manchester Tramways which are described in Part I. of the First Schedule hereto during 21 years from the date hereof;
- (2) As to the Manchester Tramways in Middleton Road as to so much of the Manchester Tramways in Bury Old Road as is situate in the city of Manchester as to the Salford Tramways (if any) in Bury Old Road and as to the Prestwich Tramways during the continuance of the lease provided for by the Prestwich Agreement;
- (3) “As to so much of the Manchester Tramways in Bury Old Road as is situate in the county borough of Salford until the expiration of the lease provided for by the Prestwich Agreement or until the exercise by the Salford Corporation from time to time of their right

of purchase under section 43 of the Tramways Act 1870 whichever first happens; and A.D. 1903.

- (4) As to the Salford Tramways in Trafford Road and as to the Stretford Tramways during the subsistence of the running powers and lease provided for by the Stretford Agreements:

Provided always that no rental shall be payable in respect of any of the said tramways unless and until the same are constructed and electrically equipped and supplied with electric current.

In witness whereof the Manchester Corporation and the Salford Corporation have hereunto affixed their respective common seals the day and year first before written.

The FIRST SCHEDULE hereinbefore referred to (containing a description of the Manchester Tramways).

PART I.

1. The tramways in Deansgate between Liverpool Road and Victoria Bridge Street.
2. The tramways in Victoria Street Great Ducie Street and Bury New Road between Victoria Bridge Street and the boundary between Manchester and Salford at the Grove Inn.
3. A double line of tramways between Victoria Street and the centre of the Palatine Bridge to form a junction between the tramway of the Manchester Corporation in Victoria Street and the tramway of the Salford Corporation on the Salford side of the said bridge.
4. The authorised tramways from a point near the junction of Victoria Street and Deansgate extending along Victoria Bridge Street to the centre of the Victoria Bridge.
5. The tramways extending from Deansgate along Blackfriars Street to the centre of the Blackfriars Bridge.
6. The tramways extending from Deansgate along King Street West to its junction with Bridge Street.
7. The tramways extending from Deansgate along Bridge Street to the centre of Albert Bridge.
8. The tramways commencing in Deansgate and extending along Quay Street to its junction with Water Street.
9. The tramways commencing in Deansgate and extending along Liverpool Road to its junction with Water Street.
10. The tramways commencing at the junction of Quay Street and Water Street extending along Water Street and terminating at the centre of the Regent Bridge.

PART II.

11. The authorised tramways in Middleton Road between Bury Old Road and the boundary of Manchester and Prestwich.

A.D. 1903. All which tramways described in Parts I, and II. of this Schedule are
--- situate within the city of Manchester.

PART III.

12. The tramways belonging to the Manchester Corporation in Bury Old Road between George Street and the boundary of Salford and Prestwich which tramways are partly in the city of Manchester and partly in the county borough of Salford.

The SECOND SCHEDULE hereinbefore referred to (containing a description of the Salford Tramways).

1. The authorised tramways between the boundary of Salford and Stretford in the centre of the bridge carrying Trafford Road over the Manchester Ship Canal and extending thence along Trafford Road to a point in such road being the most northerly boundary of the dock premises belonging to the Manchester Ship Canal Company in the county borough of Salford.

2. So much (if any) of the tramways in Bury Old Road from the boundary of Manchester and Salford to the boundary of Salford and Prestwich as belongs or shall belong to the Salford Corporation.

Which tramways described in this Schedule are situate within the county borough of Salford.

The THIRD SCHEDULE hereinbefore referred to (containing a description of the Stretford Tramways).

The double line of tramways constructed and electrically equipped or intended to be constructed and electrically equipped in Trafford Road and extending between Chester Road and the centre of the bridge carrying Trafford Road over the Manchester Ship Canal.

Which tramways described in this Schedule are situate in the urban district of Stretford.

The FOURTH SCHEDULE hereinbefore referred to (containing a description of the Prestwich Tramways).

1. The authorised tramways in Bury Old Road from the boundary of Salford and Prestwich at or near Singleton Road to St. Margaret's Church.

2. The authorised tramways in Middleton Road from the boundary of Manchester and Prestwich to the Three Arrows Inn.

Which tramways described in this Schedule are or will be situate within the urban district of Prestwich. A.D. 1903.

The common seal of the Corporation of the city of Manchester was hereunto affixed in pursuance of an order of the council of the said city in the presence of—

JOHN ROYLE
Lord Mayor.

THOMAS HUDSON
Deputy Town Clerk.



The common seal of the corporation of the county borough of Salford was hereunto affixed in pursuance of an order of the council of the said county borough in the presence of—

W. STEPHENS
Mayor.

L. C. EVANS
Town Clerk.



Printed by EYRE and SPOTTISWOODE,
FOR

T. DIGBY FIGOTT, Esq., C.B., the King's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C.; or
OLIVER AND BOYD, EDINBURGH; or
E. PONSONBY, 116, GRAFTON STREET, DUBLIN.