



## CHAPTER xcix.

An Act to empower the mayor aldermen and citizens of the city of Salford to execute street improvements and acquire lands to confer further powers upon them with reference to the running of omnibuses and to their tramway and electricity undertakings and for other purposes. A.D. 1927.  
[29th July 1927.]

**W**HEREAS the city of Salford (hereinafter referred to as "the city") is a municipal borough subject to the Acts relating to municipal corporations and is a county borough within the meaning of the Local Government Act 1888 and the mayor aldermen and citizens of the city (hereinafter referred to as "the Corporation") acting by the council are the urban sanitary authority for the city :

And whereas it is expedient that the Corporation should be empowered to execute the street works by this Act authorised and to acquire lands for the purposes thereof and for other purposes of or referred to in this Act :

And whereas in the year one thousand nine hundred and seven the Corporation executed in Ordsall Lane in the city certain works under the Private Street Works Act 1892 and the sum of one thousand three hundred and ten pounds eight shillings and elevenpence was duly apportioned to the Manchester Ship Canal Company

A.D. 1927. (hereinafter referred to as "the Canal Company") as owners of land abutting on the said lane in respect of the expenses incurred by the Corporation in executing the said works and of that sum the Canal Company have paid to the Corporation the sum of one hundred pounds :

And whereas the Corporation and the Canal Company entered into an agreement dated the thirteenth day of August one thousand nine hundred and eight whereby it was (inter alia) agreed—

(a) that the Canal Company should not be required to pay the balance of one thousand two hundred and ten pounds eight shillings and elevenpence of the sum so apportioned to them as aforesaid unless and until the Canal Company should provide a footpath as thereafter described but that no interest should be charged against or be payable by the Canal Company in respect of the said balance or any part thereof ;

(b) that if the Canal Company should at any time thereafter lay into Ordsall Lane a strip of land seven feet in width belonging to the Canal Company and should form and flag part of the said strip of land as a footpath of the said street and should form and pave the remainder of the said strip of land as part of the said street to the reasonable satisfaction of the Corporation the Corporation should upon the completion of such flagging and paving pay to the Canal Company five pounds per square yard for the said strip of land but that the Corporation should be entitled to deduct from such purchase money the said sum of one thousand two hundred and ten pounds eight shillings and elevenpence :

And whereas the footpath on the southern side of Ordsall Lane (being the side on which the property of the Canal Company abuts on that lane) has a width of eighteen inches only and it is expedient that in the interests of public safety the said footpath should be widened as provided by this Act and that the provisions contained in this Act imposing obligations upon the Canal Company and otherwise relating to the said widening (which have been agreed to by the Canal Company) should be enacted :

And whereas by the Salford Corporation Act 1920 the Corporation were empowered to provide and run omnibuses within the city and it is expedient that such powers of running omnibuses outside the city and other powers with reference to omnibuses as are contained in this Act should be conferred upon the Corporation :

And whereas under powers conferred by various Acts and Orders the Corporation own or are lessees of and work tramways in the city and in certain districts outside the city and it is expedient that the powers contained in this Act with reference to the said tramway undertaking should be granted :

And whereas under powers conferred by the Salford Electric Lighting Order 1890 and subsequent Acts the Corporation are the authorised undertakers for the supply of electricity in an area consisting of the city and the adjoining urban district of Prestwich and it is expedient that the powers contained in this Act with reference to the said electricity undertaking should be granted :

And whereas it is expedient that the other provisions contained in this Act should be made :

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

And whereas estimates have been prepared by the Corporation of the expense of carrying into effect the purposes of this Act and such estimates are as follows :—

	£
For the execution of the said street works	53,430
For the acquisition of lands therefor and for other purposes of this Act and for the payment of compensation to the Canal Company - - - -	103,980
For the provision of omnibuses - -	50,000
For purposes of the tramway undertaking of the Corporation - -	50,000

And whereas the said street works are permanent works and it is expedient that the cost thereof should be spread over a term of years :

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed :

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And whereas plans and sections showing the lines situations and levels of the works authorised by this Act and plans showing the lands which the Corporation may acquire under the powers of this Act and a book of reference to such plans containing the names of the owners or reputed owners and lessees or reputed lessees and of the occupiers of all such lands and describing the same have been deposited with the clerk of the peace for the county palatine of Lancaster :

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 as the Salford Corporation Act 1927.

Act divided into Parts.

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

Part I.—Preliminary.

Part II.—Street works.

Part III.—Lands.

Part IV.—Omnibuses and tramways.

Part V.—Electricity.

Part VI.—Finance.

Part VII.—Miscellaneous.

Incorporation of Lands Clauses Acts.

3. The Lands Clauses Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act with the following exception and modification :—

(a) Section 127 of the Lands Clauses Consolidation Act 1845 (relating to the sale of superfluous lands) is not incorporated with this Act;

(b) The bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be under the corporate seal of the Corporation and shall be sufficient without the addition of the sureties mentioned in that section.

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4. In this Act the several words and expressions to which meanings are assigned by the Lands Clauses Acts or by the Public Health Acts have the same respective meanings unless there be something in the subject or context repugnant to such construction And—

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Interpre-  
tation.

“The city” means the city and county borough of Salford;

“The Corporation” means the mayor aldermen and citizens of the city acting by the council;

“The borough fund” and “the borough rate” mean respectively the borough fund and the borough rate of the city until the date of the first new valuation as defined in the Rating and Valuation Act 1925 and thereafter the general rate fund and the general rate of the city;

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

“The street works” means the street widenings and improvements and the works in connection therewith respectively by this Act authorised;

“The arbitrator” means the arbitrator to whom any question of disputed purchase money or compensation under this Act is referred;

“The deposited plans” “the deposited sections” and “the deposited book of reference” mean respectively the plans sections and book of reference deposited with the clerk of the peace for the county palatine of Lancaster in relation to the Bill for this Act;

“The Lands Clauses Acts” means those Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919;

“The Corporation tramways” means and includes all tramways for the time being belonging or leased to or worked by the Corporation;

“The tramway undertaking” means the tramway undertaking of the Corporation as authorised for the time being including the Corporation tramways;

“Tramway revenue” means all revenue of the tramway undertaking;

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“The electricity undertaking” means the electricity undertaking of the Corporation as authorised for the time being;

“The electricity limits” means the limits within which the Corporation are for the time being authorised to supply electricity;

“Daily penalty” means a penalty for each day on which an offence is continued by a person after conviction thereof;

“Statutory borrowing power” means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed.

## PART II.

### STREET WORKS.

Power to  
execute  
street  
works.

5. Subject to the provisions of this Act the Corporation may execute and construct in the lines and according to the levels shown on the deposited plans and sections the street widenings and improvements in the city hereinafter described (that is to say):—

Improvement No. 1 A widening of Oldfield Road on the eastern side thereof Regent Road on the southern side thereof and Ordsall Lane on the north-western side thereof;

Improvement No. 2 A widening of Trafford Road on the eastern side thereof New Park Road on the northern side thereof and Taylorson Street on the north-western side thereof;

Improvement No. 2A A widening of Taylorson Street on the south-eastern side thereof New Park Road on the north-eastern side thereof and Ordsall Lane on the north-western side thereof; A.D. 1927.  
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Improvement No. 2B A widening of Trafford Road on the eastern side thereof and New Park Road on the southern side thereof;

Improvement No. 2C A widening of New Park Road on the south-western side thereof and Ordsall Lane on the north-western side thereof;

Improvement No. 3 A widening of Bolton Road on the south-western side thereof;

Improvement No. 3A A widening of Bolton Road on the north-eastern side thereof;

Improvement No. 4 A widening of Camp Street on the south-eastern side thereof and Lower Broughton Road on the north-eastern side thereof;

Improvement No. 4A A widening of Frederick Road on the south-eastern side thereof and Lower Broughton Road on the south-western side thereof;

Improvement No. 5 A widening of Great Clowes Street on the south-western side thereof and Camp Street on the north-western side thereof;

Improvement No. 6 A widening of Bury New Road on the north-eastern side thereof and Great Cheetham Street East on the south-eastern side thereof;

Improvement No. 7 A widening of Littleton Road on the north-eastern side thereof and Cromwell Road on the north-western side thereof;

Improvement No. 8 A widening of Gerald Road on the southern side thereof and Cromwell Road on the north-western side thereof;

Improvement No. 9 A widening of Liverpool Street on the southern side thereof and Langworthy Road on the western side thereof;

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Improvement No. 10 A widening of Liverpool Street on the northern side thereof and Langworthy Road on the western side thereof;

Improvement No. 11 A widening of Langworthy Road on the eastern side thereof and Liverpool Street on the northern side thereof.

Limits of deviation.

6. In the construction of the street works the Corporation may deviate from the lines thereof as shown on the deposited plans to any extent not exceeding the limits of deviation shown on those plans and from the levels thereof as shown on the deposited sections to any extent not exceeding three feet either upwards or downwards.

Subsidiary works.

7.—(1) Subject to the provisions of this Act and within the limits of deviation shown on the deposited plans the Corporation may in connection with the street works and for the purposes thereof make junctions and communications with any existing streets which may be intersected or interfered with by or be contiguous to the street works and may make diversions widenings or alterations of the lines or levels of any existing streets for the purpose of connecting the same with the street works or of crossing under or over the same or otherwise and may alter and remove any drinking troughs lamp-posts railings refuges or other structures erected upon any street or land within the said limits and may alter divert or stop up all or any part of any drain sewer channel or gas or water main or pipe wire or apparatus within the said limits the Corporation providing a proper substitute before interrupting the flow of sewage in any drain or sewer or of gas or water in any main or pipe or of electricity or telephonic communication in any wire or apparatus and making compensation for any damage done by them in the execution of the powers of this section.

(2) Provided that the Corporation shall not alter divert or otherwise interfere with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the said Act.

Power to alter steps pipes areas &c.

8. Within the limits of deviation shown on the deposited plans the Corporation may raise sink or otherwise alter the position of any of the steps areas cellars



windows and pipes or spouts belonging to any house or building and also the drains and the pipes or wires for the purpose of conveying water gas or electricity to any house or other place and may remove all other obstructions so that the same be done with as little delay and inconvenience to the inhabitants as the circumstances of the case will admit and the provisions of section 308 (Compensation in case of damage by local authority) of the Public Health Act 1875 shall apply as if the acts done under the authority of this section were done in exercise of the powers of that Act.

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9.—(1) The Corporation during and for the purpose of the execution of the street works may break up and also temporarily stop up divert and interfere with any street and may for any reasonable time prevent all persons other than those bonâ fide going to or from any house in the street from passing along and using the same.

Temporary stoppage of streets.

(2) The Corporation shall provide reasonable access for foot passengers bonâ fide going to or from any such house.

10. And whereas in order to avoid in the execution and maintenance of the street works injury to the houses and buildings within one hundred feet of those works it may be necessary to underpin or otherwise strengthen the same therefore the Corporation at their own costs and charges may and if required by the owners or lessees of any such house or building shall subject as hereinafter provided underpin or otherwise strengthen the same and the following provisions shall have effect (that is to say) :—

Underpinning of houses near street works.

(1) At least ten days' notice shall unless in case of emergency be given to the owners lessees and occupiers or by the owners or lessees of the house or building so intended or so required to be underpinned or otherwise strengthened :

(2) Each such notice if given by the Corporation shall be served in manner prescribed by section 19 of the Lands Clauses Consolidation Act 1845 and if given by the owners or lessees of the premises to be underpinned or strengthened shall be sent to the town clerk :

(3) If any owner lessee or occupier of any such house or building or the Corporation as the case may

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require shall within seven days after the giving of such notice give a counter-notice in writing that he or they as the case may be disputes or dispute the necessity of such underpinning or strengthening the question of the necessity shall be referred to the arbitration of an engineer (in this section referred to as "the referee") to be agreed upon or in case of difference appointed at the instance of either party by the Minister of Transport and the Arbitration Act 1889 shall apply to the reference :

- (4) The referee shall forthwith upon the application of either party proceed to inspect such house or building and determine the matter referred to him and in the event of his deciding that such underpinning or strengthening is necessary he may and if so required by such owner lessee or occupier shall prescribe the mode in which the same shall be executed and the Corporation may and shall proceed forthwith so to underpin or strengthen the said house or building :
- (5) The Corporation shall be liable to compensate the owners lessees and occupiers of every such house or building for any inconvenience loss or damage which may result to them by reason of the exercise of the powers granted by this enactment :
- (6) If in any case in which any house or building shall have been underpinned or strengthened on the requisition of the Corporation such underpinning or strengthening shall prove inadequate for the support or protection of the house or building against further injury arising from the execution or use of the works of the Corporation then and in every such case unless such underpinning or strengthening shall have been done in pursuance of and in the mode prescribed by the referee the Corporation shall make compensation to the owners lessees and occupiers of such house or building for such injury provided the claim for compensation in respect thereof be made by such owners within twelve months and by such lessees or occupiers within six months from the discovery thereof :

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(7) Nothing in this enactment contained nor any dealing with any property in pursuance of this enactment shall relieve the Corporation from the liability to compensate under section 68 of the Lands Clauses Consolidation Act 1845 or under any other Act :

(8) Every case of compensation to be ascertained under this enactment shall be ascertained according to the provisions of the Lands Clauses Acts :

(9) Nothing in this section shall repeal or affect the application of section 92 of the Lands Clauses Consolidation Act 1845.

11.—(1) The Corporation may in connection with the execution of the Improvement No. 1 by this Act authorised stop up the street in the city known as Pump Street and thereupon all rights of way over the said street shall be extinguished and the site and soil of the said street (so far as the same may not already be vested in the Corporation) shall vest in them but the said street shall not be stopped up unless the Corporation are owners in possession of all houses and lands on both sides thereof except so far as the owners lessees and occupiers of those houses and lands otherwise agree.

Power to  
stop up  
Pump  
Street.

(2) The Corporation shall make full compensation to all parties interested in respect of any private rights of way extinguished by virtue of this section and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

(3) The provisions of this section shall be in addition to and not in derogation of any other powers of stopping up streets or parts of streets in the city vested in or exerciseable by the Corporation.

12. Subject to the provisions of this Act the Corporation may cause such parts of the street works to be laid out for carriageway and such parts thereof for footway as they may think proper and may upon the lands acquired by or vested in them under the powers of this Act and within the limits of deviation defined on the deposited plans construct erect and provide such vaults cellars arches sewers drains subways and other works and conveniences as they may think proper for the purposes of or in connection with the street works.

Carriageway  
footway  
sewers and  
other works.

[Ch. xcix.] *Salford Corporation* [17 & 18 GEO. 5.]  
Act, 1927.

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For protection of  
Manchester  
Corporation.

**13.** For the protection of the lord mayor aldermen and citizens of the city of Manchester (in this section referred to as "the Manchester Corporation") the following provisions shall unless otherwise agreed in writing between the Corporation and the Manchester Corporation have effect (that is to say):—

Notwithstanding anything contained in this Act whenever in the execution of the powers of this Act it shall be necessary to alter or interfere with or disturb any of the water pipes valves or other apparatus belonging to the Manchester Corporation any alteration in the position or otherwise of any such water pipes valves or other apparatus which may be required for the purposes of any works by this Act authorised or for the proper protection of such pipes valves or other apparatus in consequence of the execution of those works shall be carried out by the Manchester Corporation but at the reasonable expense in all respects of the Corporation and the value of any such pipes valves or other apparatus which shall be rendered useless shall be paid by the Corporation to the Manchester Corporation :

If any difference arise between the Corporation and the Manchester Corporation with respect to anything in this section the same shall unless otherwise agreed be determined by an arbitrator to be appointed by the President of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to any such reference.

PART III.

LANDS.

Power to  
acquire  
lands for  
street works  
and other  
purposes.

**14.**—(1) Subject to the provisions of this Act the Corporation may enter upon take and use all or any part of the lands delineated on the deposited plans and described in the deposited book of reference which they may require for the purposes of the street works or for the provision of space for the erection of buildings adjoining or near to any street to be widened or improved under the powers of this Act or for any other purpose of this Act.

(2) The powers of the Corporation of purchasing lands by agreement shall be deemed to extend to and to authorise the purchase by the Corporation by agreement of any other lands which they may think it desirable to purchase in order to provide substituted sites or facilities for any persons whose lands may be required by them for the purposes of or in connection with the street works or other the purposes of this Act.

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15. Subject to the provisions of this Act the Corporation may enter upon and take and may hold and use for the extension of the sewage works of the Corporation the lands described in the First Schedule to this Act or any part or parts thereof so far as those lands are delineated on the deposited plans and described in the deposited book of reference.

Power to acquire lands for extension of sewage works.

16. 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 land in question may apply to two justices acting for the city 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 palatine of Lancaster and a duplicate 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 with the other documents to which the same relate and thereupon the deposited plans and 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.

Correction of errors omissions &c.

17. The Corporation and their surveyors officers contractors and workmen may from time to time at all reasonable times in the day upon giving in writing for the first time twenty-four hours' and afterwards from time to time twelve hours' previous notice enter upon

Power to enter upon property for survey and valuation.

A.D. 1927. — and into the lands houses and buildings by this Act authorised to be taken and used as aforesaid or any of them for the purpose of surveying and valuing the said lands houses and buildings without being deemed trespassers and without being subject or liable to any fine penalty or punishment on account of entering or continuing upon any part of the said lands houses and buildings.

Owners may be required to sell part only of certain premises.

**18.**—(1) Whereas in the construction of the street works or otherwise in the exercise by the Corporation of the powers 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 can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect:—

- (a) The owner of and persons interested in any of the properties whereof the whole or part is described in the Second Schedule to this Act and whereof a portion only is required for the purposes of the Corporation or each or any of them are in this section included in the term “the owner” and the said properties are in this section referred to as “the scheduled properties”;
- (b) If for twenty-one days after the service of notice to treat in respect of a specified portion 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 Corporation paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise;
- (c) 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

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arbitrator shall in addition to the other questions required to be determined by him 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;

- (d) If the arbitrator determines that the portion of the 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 arbitrator 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 arbitrator;
- (e) If the arbitrator determines 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 arbitrator may in his absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section shall be borne and paid by the owner;
- (f) If the arbitrator determines 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 he 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;

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(g) If the arbitrator determines 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 arbitrator shall having regard to the circumstances of the case and his final determination think fit.

(2) The provisions of this section shall be in force notwithstanding anything contained in the Lands Clauses Consolidation Act 1845 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.

(3) The provisions of this section shall be stated in or endorsed on every notice given thereunder to sell and convey any premises.

Persons  
under  
disability  
may grant  
easements  
&c.

**19.** 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.

Benefits  
to be set off  
against  
compensa-  
tion.

**20.** In estimating the amount of compensation or purchase money to be paid by the Corporation in respect of the acquisition under this Part of this Act of any part of the lands of any person the enhancement in value of the adjoining lands of such person not so acquired or of any other lands of such person which are continuous



with such adjoining lands arising out of the widening or improvement of any street or arising through such adjoining lands becoming lands fronting on any such street shall be fairly estimated and shall be set off against the said compensation or purchase money.

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**21.** For the purpose of determining any question of disputed compensation payable in respect of lands taken under the powers of this Act the following provisions shall apply and have effect (that is to say):—

Compensation in case of recently created interest.

(1) The arbitrator shall not take into account any building erected or any improvement or alteration made or any interest in land created after the first day of November one thousand nine hundred and twenty-six and before the date of the passing of this Act if in the opinion of the arbitrator the erection of the building or the making of the improvement or alteration or the creation of the interest in respect of which the claim is made was not reasonably necessary and was carried out with a view to obtaining or increasing compensation under this Act:

(2) Subject as is hereinafter in this section provided the arbitrator shall not take into account—

(a) any building erected after the date of the passing of this Act or any improvement or alteration of any premises (other than any improvement or alteration reasonably necessary for properly maintaining such premises) made after that date which in the opinion of the arbitrator materially enhances the value of such premises; or

(b) any interest in land greater than that of a quarterly tenant created after the date of the passing of this Act:

(3) If at any time after the date of the passing of this Act and before the expiration of the period limited by this Act for the compulsory purchase of lands any person being the owner of or having any estate or interest in any premises which are liable to be acquired compulsorily under the powers of this Act gives notice in writing to the Corporation of his intention to erect any building upon or to make any improvement or

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alteration of or to create any such new interest as aforesaid in those premises (such intended building improvement alteration or new interest being specifically described in the notice) and the Corporation do not within one month after receiving any such notice serve upon such person notice to sell and convey or release his estate or interest in the said premises but serve such notice at any time after the expiration of the said period of one month—

(a) subsection (2) of this section shall not apply with respect to the building improvement alteration or new interest described as aforesaid; and

(b) subsection (1) of this section shall apply with respect to the said building improvement alteration or new interest as if the same had been erected made or created after the said first day of November and before the date of the passing of this Act:

(4) The Corporation shall forthwith after the passing of this Act send by post or deliver a copy of this section to all persons named in the deposited book of reference having an interest greater than that of a yearly tenant in any lands which are liable to be acquired compulsorily under the powers of this Act.

Limit of time for compulsory purchase of lands.

**22.** The powers of the Corporation for the compulsory purchase of lands for the purposes of Part II (Street works) of this Act shall cease on the thirty-first day of October one thousand nine hundred and thirty-two and for the other purposes of this Act on the thirty-first day of October one thousand nine hundred and thirty.

Extinction of private rights of way.

**23.—**(1) All private rights of way over any lands which the Corporation are authorised by this Act to acquire compulsorily shall as from the date of the acquisition of such lands by the Corporation be extinguished.

(2) Provided that the Corporation shall make full compensation to all persons interested in respect of any such rights and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

24. The Corporation may subject to the provisions of this Act enter into and carry into effect agreements with any person being the owner of or interested in any lands houses or property abutting on any portion of the street works or of the lands which the Corporation may acquire under the powers of this Act with respect to the sale by the Corporation to such person of any lands or property (including any part of a street or thoroughfare appropriated by the Corporation under the powers of this Act and not required for the street works) for such consideration as may be agreed upon between the Corporation and such person and the Corporation may accept as satisfaction of the whole or any part of such consideration the grant by such person of any lands or property required by the Corporation for the purposes of this Act.

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Power to Corporation to make agreements with owners of property &c.

25. The Corporation may enter into and carry into effect agreements and arrangements with the owners of or other persons interested in any lands or buildings which may be acquired under the provisions of this Act or which may be in the neighbourhood of the street works or any of them with respect to the re-instatement of any such owners or other persons and with respect to the exchange of lands for that purpose and the Corporation may pay or receive money for equality of exchange.

Power to reinstate owners of property.

26. The Corporation on selling any lands may reserve to themselves all or any part of the easements belonging thereto and may make the sale subject to such reservation accordingly and may also make any such sale subject to such other reservations special conditions restrictions and provisions with respect to the exercise of noxious trades or the discharge or deposit of manure sewage or other impure matter and otherwise as they may think fit.

Reservation of easements &c.

27.—(1) So long as any lands remain to be acquired by the Corporation under the authority of this Act they may (so far as they consider necessary) apply any capital moneys received by them on the re-sale or exchange of or by leasing any lands acquired under the authority of this Act in the purchase of lands so remaining to be acquired but as to capital moneys so received and not so applied the Corporation shall apply the same in or towards the extinguishment of any loan raised by them under the powers of this Act and such application shall

Proceeds of sale of surplus lands.

A.D. 1927.. be in addition to and not in substitution for any other mode of extinguishment provided by this Act except to such extent and upon such terms as may be approved by the Minister of Health.

(2) Provided that—

(a) the amount to be applied in the purchase of lands under this section shall not exceed the amount for the time being unexhausted of the borrowing powers conferred by this Act for the purpose of such purchase;

(b) the borrowing powers conferred by this Act for the purpose of such purchase shall be reduced to the extent of the amount applied in the purchase of lands under the provisions of this section.

Powers with reference to leases of surplus lands.

**28.**—(1) The Corporation may accept a surrender of any lease or letting granted by them of lands acquired under the powers of this Act and in their discretion grant either to the lessee or tenant under the surrendered lease or letting or to any other person a new lease or letting of all or any of the lands leased or let by the surrendered lease or letting and may grant reversionary leases of all or any of such lands as aforesaid.

(2) The Corporation may enter into and carry into effect any agreement for or with respect to the surrender or grant of any such lease or letting and may in any such lease letting or agreement give to the lessee or tenant or intended lessee or tenant an option or right to purchase the fee simple in reversion or other the reversionary interest of the Corporation of or in all or any of the lands leased or let or agreed to be leased or let at such time and on such terms and conditions as may be determined by the Corporation in their discretion.

Power to develop lands &c.

**29.**—(1) The Corporation may lay out and develop and erect and maintain houses shops offices warehouses and other buildings and construct sewer pave flag channel and kerb streets roads and ways on any lands acquired by them under the powers of this Act and not required for the purposes of the street works and may sell lease exchange or otherwise dispose of any such houses shops offices warehouses or buildings upon and subject to such terms conditions and restrictions as they may think fit.

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(2) The Corporation may also grant building leases of any such lands as aforesaid subject to such restrictions and conditions as the Corporation may see fit to impose and may grant any easements rights or privileges in under or over such lands or any part or parts thereof and may use or dispose of the building or other materials of any houses and premises on any lands acquired or appropriated by them which they may deem it necessary or desirable to pull down.

(3) The Corporation in selling or disposing of such lands may attach to the same and may convey the same subject to any conditions and restrictions upon the use thereof and as to the buildings to be erected thereon and as to the use to which such buildings may be put.

(4) Unless the Minister of Health otherwise directs or approves the Corporation shall not sell lease or dispose of any houses shops offices warehouses buildings or lands under the powers of this section except at the best price or on the best terms which can be obtained but a purchaser or lessee shall not be concerned to inquire whether the direction or approval of the Minister is necessary or has been obtained.

(5) The provisions of this section shall be in addition to and not in derogation of any other powers vested in or exercisable by the Corporation.

**30.** The following provisions for the protection of the London Midland and Scottish Railway Company (in this section referred to as "the company") shall unless otherwise agreed between the Corporation and the company apply and have effect in relation to the exercise by the Corporation of the powers of this Act (that is to say) :—

For protec-  
tion of  
London  
Midland  
and Scottish  
Railway  
Company.

(1) Notwithstanding anything contained in this Act or shown on the deposited plans and sections the Corporation shall not acquire any land or property belonging to the company except that the Corporation may on the terms and subject to the conditions hereinafter contained acquire the land and property hereinafter in subsection (2) hereof referred to :

(2) (a) The company shall if required sell to the Corporation the land coloured pink on the plan

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signed by Alexander Newlands on behalf of the company and Llewelyn Caradoc Evans on behalf of the Corporation :

(b) The sum to be paid by the Corporation to the company in respect of the land to be acquired by them under the powers of this Act shall be determined failing agreement by a single arbitrator to be appointed failing agreement by the President of the Surveyors' Institution in accordance with the provisions of the Arbitration Act 1889 and the provisions of the Lands Clauses Acts shall be excluded from such valuations :

- (3) The Corporation shall erect on the land to be sold to them by the company as aforesaid and along the westerly edge of the land coloured pink a retaining wall to a height not lower than two feet below the level of the rails of the railway opposite thereto and with a parapet wall to a height of four and a half feet above rail level or in the alternative shall refrain from acquiring so much of the said land coloured pink as would leave to the company a strip thereof sufficient for the construction of an embankment with a slope not greater than one and a half in one to the like height as is prescribed for the retaining wall as aforesaid and so that the top of such slope shall be one foot eastward of the westerly edge of the land coloured pink :
- (4) The retaining wall aforesaid shall be constructed and maintained in accordance with plans and specification to be previously submitted to and agreed by the engineer of the company and under his superintendence (if given) provided that if the engineer does not signify his assent within twenty-eight days of such submission a difference shall be deemed to have arisen between the parties :
- (5) The retaining wall shall be constructed and maintained as aforesaid in all things at the cost of the Corporation :
- (6) If at any time the Corporation fail to maintain the said wall to the satisfaction of the said

engineer the company after giving except in emergency fourteen days notice to the Corporation may themselves carry out any works necessary for the proper repair thereof and may for that purpose enter upon the lands of the Corporation and do on the land of the Corporation as well as on their own land any works or things necessary in that behalf and the reasonable cost thereof shall be repaid to the company by the Corporation on demand :

- (7) Any dispute or difference which may arise between the company and the Corporation with reference to the provisions of this section or in any way arising thereout (except where otherwise expressly provided) shall failing agreement be settled by arbitration by an engineer to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject thereto the Arbitration Act 1889 shall apply to any such arbitration.

#### PART IV.

##### OMNIBUSES AND TRAMWAYS.

**31.**—(1) Subject to the provisions of this Act the Corporation may provide or maintain (but shall not manufacture) and may run omnibuses with the consent of the Minister of Transport and the local authority of the district along any route without the city extending to a distance not exceeding seven miles measured in a direct line from the Pendleton Town Hall in the city Provided that the consent of a local authority shall not be unreasonably withheld and any question whether or not such consent has been unreasonably withheld shall be determined by the Minister of Transport.

Power to run omnibuses outside city.

(2) In the case of any application under the provisions of this section for the consent of the Minister of Transport the Corporation shall give notice in writing of their proposals to the road authority (where it is not also the local authority) and shall publish notice of such proposals in the London Gazette and in such other manner as the Minister of Transport shall direct stating the manner in which and the time within which any

A.D. 1927. persons affected by such proposals may object thereto and if any objection shall be made by any such person or the consent of the local authority is withheld the Minister of Transport may direct an inquiry to be held.

(3) The provisions of section 51 (Penalty on passengers practising frauds on the promoters) and section 56 (Recovery of tolls penalties &c.) of the Tramways Act 1870 shall apply to and in relation to the omnibuses of the Corporation as if they were carriages used on tramways.

(4) For the purposes of this Part of this Act the expression "road authority" means with reference to any road or part of a road over which any proposed omnibus service will pass the authority company or person charged with or liable to contribute to the maintenance of such road or part of a road.

Application of certain provisions of Salford Corporation Act 1920 with respect to omnibuses.

**32.** The following provisions of the Salford Corporation Act 1920 shall extend and apply to and with respect to the running of omnibuses under the powers of this Act (that is to say) :—

Section 32 (Acquisition of lands &c. for omnibus purposes);

Section 33 (Byelaws for omnibuses);

Section 35 (Omnibuses to form part of tramway undertaking);

Section 36 (Protection of telegraphs);

Section 37 (Conveyance of mails); and

Part V (Provisions as to tramways and omnibuses) except sections 38 (Power to require intending passengers to wait in lines or queues) and 47 (Lopping of trees overhanging highways);

and the said section 33 shall be read and have effect as if the words "or in or against any premises held by the Corporation in connection therewith" were inserted therein immediately after the words "motor omnibuses."

Fares and charges.

**33.**—(1) Subject to the provisions of this section the Corporation may demand and take for passengers and parcels carried on their omnibuses fares and charges not exceeding such maximum fares and charges as may from time to time be approved by the Minister of Transport.



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Any application for a revision of such maximum fares or charges may be made by the Corporation or by the local authority of any district in which such omnibuses are run.

Before approving any maximum fares or charges or any revision thereof under this section the Minister of Transport may direct an inquiry to be held.

Where the Minister causes any such inquiry as aforesaid to be held all expenses incurred by the Minister in relation to that inquiry shall be paid as the Minister may by order direct either by the Corporation or by any of the parties on whose representation the inquiry is held or partly by the Corporation and partly by any of such parties and the Minister may certify the amount of the expenses so incurred and any sum so certified and directed by the Minister to be paid shall be a debt due to the Crown.

(2) Every passenger may take with him personal luggage not exceeding twenty-eight pounds in weight without extra charge but all such luggage shall be carried by hand and shall not occupy any part of a seat nor be of a form or description to annoy or inconvenience other passengers.

(3) The Corporation may if they think fit carry on the omnibuses so run as aforesaid small parcels not exceeding fifty-six pounds in weight and dogs in the care of passengers the charge for any such dog to be a sum not exceeding the fare payable by the passenger but they shall not carry any other goods or animals.

(4) The fares and charges for the time being authorised under the provisions of this section shall be paid to such persons and in such manner as the Corporation may by notice annexed to the list of fares and charges appoint.

**34.—(1) (a)** Before the Corporation commence to run omnibuses over any road or part of a road under the powers of this Part of this Act it shall be determined by agreement between the Corporation and the road authority or failing agreement by the Minister of Transport whether it is necessary (in order to provide for the running under the said powers of an omnibus service over any such road or part of a road) to adapt alter or reconstruct such road or part of a road or to strengthen

Adaptation  
of roads.

A.D. 1927. any county bridge or district bridge and if so what sum of money per mile of road so to be adapted altered or reconstructed or what sum of money in respect of any such bridge shall be payable by the Corporation to the road authority by way of contribution towards the cost incurred in such adaptation alteration reconstruction or strengthening.

(b) Within six months after the date upon which all questions to be agreed or determined in pursuance of paragraph (a) of this subsection have been so agreed or determined the Corporation shall give notice in writing to the road authority as to whether they intend to run omnibuses over the road or part of a road or bridge in question.

(c) If the Corporation give notice in writing to the road authority that they intend to run omnibuses over the road or part of a road or bridge in question and if it shall have been agreed or determined that the Corporation are to make any payment to the road authority under the provisions of paragraph (a) of this subsection the Corporation shall on receipt of any certificate which may from time to time be issued by the engineer in charge of the work of adaptation alteration or reconstruction of such road or part of a road or of strengthening such bridge pay to the road authority such proportion of the total amount of the contribution agreed or determined to be payable by the Corporation as the amount so certified to have been expended upon such work bears to the total amount estimated to be expended by the road authority on such work. Provided that the aggregate amount to be so paid by the Corporation shall not exceed the amount of the contribution agreed or determined to be payable by them as aforesaid.

(d) Notwithstanding anything in this subsection the Corporation shall not be required to pay any sum in respect of any work towards or in respect of the adaptation alteration or reconstruction of any such road or part of a road or the strengthening of any bridge which is not executed within three years from the date on which the Corporation shall commence to run omnibuses over the road or part of a road to be adapted altered or reconstructed or over the bridge to be strengthened.

(e) Not more than one payment or (in the case of a payment by instalments in accordance with paragraph (c)

of this subsection) one series of payments shall be made in respect of any such road or part of a road so adapted altered or reconstructed or of any such bridge so strengthened.

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(f) For the purposes of this subsection the expression "county bridge" shall include every bridge maintainable by a county council and in respect of such bridge the county council shall be deemed to be the road authority and the expression "district bridge" shall include every bridge maintainable by a district council and in respect of such bridge the district council shall be deemed to be the road authority.

(2) Any payment made to a road authority under this section in respect of any main road retained by them under subsection (2) of section 11 of the Local Government Act 1888 or maintained by them under subsection (4) of that section shall be credited to the county council in ascertaining the amount payable by them under either of the said subsections of the Local Government Act 1888.

(3) If any such adaptation alteration reconstruction or strengthening as aforesaid shall involve an alteration of any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General the enactments contained in section 7 of the Telegraph Act 1878 shall apply to any such alteration and the road authority shall be deemed to be "undertakers" within the meaning of the said Act.

(4) The road authority shall not under section 23 of the Highways and Locomotives (Amendment) Act 1878 as amended by section 12 of the Locomotives Act 1898 or otherwise make any claim against the Corporation in respect of extraordinary traffic by reason of the user of any highway by the omnibuses of the Corporation.

(5) An agreement under this section with respect to any main road maintained by a local authority at the expense of any county council shall not be made except with the concurrence of that county council.

**35.** Nothing in this Act contained shall impose any obligation upon any railway or canal company to strengthen adapt alter or reconstruct any bridge or road maintainable by them or enlarge any existing obligation.

As to  
railway  
and canal  
bridges.

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As to  
cesser of  
powers.

**36.**—(1) The powers of running omnibuses under the provisions of this Part of this Act on any road or part of a road outside the city may at the expiration of ten years from the date on which such running commences and at the expiration of any subsequent period of ten years be determined by the Minister of Transport on the application of the local authority of the district in which such road or part of a road is situate upon such terms as the said Minister may determine.

(2) Before issuing an order to determine the said powers the Minister of Transport shall hold a local inquiry at which opportunity shall be afforded to any person interested to object to the continuance or cesser of such powers.

Provision in  
event of  
certain  
powers not  
being  
exercised  
within  
prescribed  
time.

**37.** If the Corporation do not within three years from the giving of the consent of the Minister of Transport to the running by the Corporation of omnibuses on any route without the city provide a service of omnibuses on such route or having provided shall discontinue any such service the Minister of Transport may on the application of any local authority within whose district the route or any part of the route is situate and after considering any representation which may be made on behalf of the Corporation by order declare that unless a service of omnibuses be provided within such period as the Minister of Transport may by such order prescribe the powers of the Corporation under this Part of this Act in respect of the provision and running of omnibuses on such route or part of such route shall determine and if within the prescribed period such service be not provided as from the expiration of such period the powers of the Corporation under this Part of this Act in relation to the provision and running of omnibuses on such route or part of a route shall cease :

Provided that this section shall not apply or have effect in the event of the failure of the Corporation to provide a service of omnibuses on any route being due to strikes unforeseen accident or circumstances beyond the control of the Corporation.

Working  
and other  
agreements  
relating to  
omnibuses.

**38.**—(1) The Corporation and any local authority empowered to run omnibuses in any borough or urban or rural district adjacent to the city or adjacent to any borough or urban or rural district in which any route

over which the Corporation are for the time being empowered to run omnibuses is situate may enter into and carry into effect agreements for the working user management and maintenance of all or any of the omnibus services which the contracting parties are empowered to provide subject to the provisions of the respective Acts under which such omnibus services are authorised.

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(2) The Corporation and any company body or person may enter into and carry into effect agreements for the working user management and maintenance subject to the provisions of this Act of any omnibus services within the city or on any route over which the Corporation are for the time being empowered to run omnibuses.

(3) The Corporation and any such local authority company body or person as aforesaid may also enter into and carry into effect agreements for all or any of the following purposes (that is to say) :—

(a) The working user management and maintenance of any omnibuses lands depôts buildings sheds and property provided in connection with any such omnibus services as aforesaid by either of the contracting parties and the right to provide and use the same and to demand and take the fares and charges authorised in respect of such services;

(b) The supply by any of the contracting parties under and during the continuance of any such agreement under this section of omnibuses and conveniences in connection therewith necessary for the purposes of such agreement and the employment of officers and servants;

(c) The interchange accommodation conveyance transmission and delivery of traffic arising on or coming from or destined for any omnibus service of the contracting parties;

(d) The payment collection and apportionment of the fares and charges and other receipts arising from any such omnibus service as aforesaid.

(4) The Corporation shall not enter into or carry into effect any agreement under the provisions of this section in relation to any omnibus service lands depôts buildings sheds or property beyond the city otherwise than with the consent of the local authority of the district

A.D. 1927. within which such omnibus service lands depôts buildings sheds or property are situate Provided that on complaint being made to the Minister of Transport that such consent is unreasonably withheld the Minister may if he thinks fit by order dispense with such consent.

(5) The Corporation shall not enter into or carry into effect any agreement relating to the working user management or maintenance of any omnibuses or omnibus service on any route extending to a distance of more than ten miles measured in a direct line from the Pendleton Town Hall in the city except the route between the city and the centre of the borough of Warrington which lies along the Manchester and Liverpool main road which passes through the urban district of Irlam.

As to trees &c. overhanging streets outside city.

**39.**—(1) Where the Corporation consider that any tree hedge or shrub overhangs any street outside the city so as to be likely to obscure or interfere with the passage of their tramcars or omnibuses or to obstruct the view of drivers of such vehicles the Corporation may require the authority by whom powers with reference to such street may be exercised under section 23 of the Public Health Act 1925 to exercise those powers in respect of the tree hedge or shrub to which the requisition refers.

(2) If the said authority have not adopted the said section and refuse or neglect to do so or having adopted the said section or being a county council refuse or neglect to exercise those powers in accordance with the said requisition the Corporation may apply to the Minister of Health for and the Minister may make an order conferring on the Corporation all or any of the powers of a local authority under the said section in respect of the street or streets in which the said tree hedge or shrub is situated.

(3) On the making of such order any authority having powers under the said section 23 shall during the continuance of the order cease to exercise such powers in respect of the said street or streets to the extent to which they have been conferred on the Corporation.

For protection of certain local authorities.

**40.** For the protection of the urban district councils of the urban districts of Stretford and Urmston and the rural district council of Barton upon Irwell (each of which authorities is in relation to the district of such authority

in this section referred to as "the local authority") the following provisions shall have effect (that is to say) :—

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Notwithstanding anything contained in this Act the Corporation shall not except with the consent of the local authority which may be given or withheld at their discretion run omnibuses in the district of the local authority along any street or road in which any tramway or light railway has been constructed by the local authority or is at the date of the passing of this Act authorised to be constructed by the local authority. Provided that if the local authority grant a licence to any other local authority or any company body or person to run motor omnibuses along any such street or road as aforesaid the provisions of this section shall cease to apply as regards that street or road.

41. Except with the consent in writing of Trafford Park Estates Limited the Corporation shall not under the powers of this Act run omnibuses on any road in Trafford Park which is not for the time being repairable by the inhabitants at large.

For protection of Trafford Park Estates Limited.

42.—(1) The Corporation on the one hand and any local authority company body or person owning or working any tramways which may now or hereafter be connected with any of the Corporation tramways on the other hand may enter into and carry into effect agreements with respect to the following purposes or any of them (that is to say) :—

Working agreements with owners of tramways.

- (a) the formation of junctions between the tramways of the contracting parties;
- (b) the leasing working running over using maintaining and managing by either of the contracting parties of the tramways or any of the tramways of the other and the fixing collecting apportionment and distribution of the rates and profits arising therefrom;
- (c) the supply and maintenance by the working party under and during the continuance of any such agreement as aforesaid for the working

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of the tramways of rolling stock necessary for the purposes of such agreement and the employment of officers and servants;

(d) the supply of motive power;

(e) the payments to be made and the conditions to be performed with respect to the matters aforesaid;

(f) the management regulation interchange collection transmission and delivery of traffic upon or coming from or destined for the tramways of the contracting parties.

(2) During the continuance of any agreement under this section for the working running over or user by one of the contracting parties of the tramways of the other the tramways of the parties so contracting shall for the purposes of calculating maximum fares and charges in respect of conveyance partly over the tramways of the one party and partly over those of the other be considered as one tramway and the maximum charge for each portion of the entire distance shall be calculated at the maximum rate which according to the scale applicable to such portion would be chargeable for the entire distance.

(3) In this section the word "tramways" includes light railways.

(4) Nothing in this section shall alter prejudice or affect any of the provisions of the lease of tramways dated the first day of August one thousand nine hundred and seventeen and made between the mayor aldermen and burgesses of the borough of Eccles of the one part and the Corporation of the other part or the agreement of the same date and made between the same parties supplemental to the said lease and relating to the supply of electricity.

(5) Nothing in this section shall alter prejudice or affect any of the provisions of any lease (whether now existing or hereafter granted) of—

(a) the tramways and light railways (constructed or authorised at the date of the passing of this Act) of the Stretford Urban District Council in the urban district of Stretford; or



- (b) the tramways authorised at the said date to be constructed by the Urmston Urban District Council in the urban district of Urmston; or
- (c) the tramways and light railways (constructed or authorised at the said date) of the Barton upon Irwell Rural District Council in the township of Davyhulme in the rural district of Barton upon Irwell.
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43.—(1) The Corporation may require the authority by whom byelaws may be made and other powers may be exercised under section 75 of the Public Health Act 1925 to make such byelaws and exercise such other powers in respect of any of the routes of the Corporation tramways or of any of the omnibus routes of the Corporation or any part of any such route situate in the district of the said authority.

Byelaws  
as to  
intending  
passengers  
outside  
city.

(2) If the said authority refuse or neglect to make such byelaws or exercise such other powers in accordance with the said requisition the Corporation may without prejudice to any other remedy available to them apply to the Minister of Transport for and the Minister of Transport after consultation with the Minister of Health may make an order transferring to the Corporation the powers of the said authority under the said section in respect of the said routes or parts of routes.

(3) On the making of such order the said authority shall during the continuance of the order cease to exercise the powers transferred to the Corporation by the order.

(4) Any byelaws made by the Corporation under the powers transferred by the said order shall be subject and according to the provisions of section 46 and section 47 of the Tramways Act 1870.

(5) In relation to any byelaws made under section 75 of the Public Health Act 1925 and affecting any such route or part of a route as aforesaid the Corporation shall be deemed to be a person aggrieved within the meaning of section 253 of the Public Health Act 1875.

44.—(1) The Corporation shall apply the tramway revenue as follows (that is to say) :—

Application  
of tramway  
revenue.

First In payment of the cost of maintenance of the tramway undertaking and works connected therewith and the working and establishment expenses thereof;

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Secondly In payment of the interest on moneys borrowed by the Corporation for any purpose relating to the tramway undertaking;

Thirdly In providing the requisite instalments appropriations or sinking fund payments in respect of moneys borrowed for any purpose relating to the tramway undertaking;

Fourthly In payment of all other the expenses of the Corporation in relation to the tramway undertaking not being expenses properly chargeable to capital;

Fifthly In providing if they think fit a reserve fund by setting aside such sums as they may from time to time determine and investing such sums and the dividends or interest on such investments and accumulating the same until the fund so formed shall amount to the maximum reserve fund for the time being prescribed by the Corporation in respect of the tramway undertaking which fund shall be applicable from time to time in or towards—

(a) answering any deficiency at any time happening in the tramway revenue; or

(b) meeting any extraordinary claim or demand at any time arising against the Corporation with respect to the tramway undertaking; or

(c) defraying the cost of constructing extending or improving works or conveniences for the purposes of the tramway undertaking; or

(d) defraying the cost of the renewal or replacement of any building or work or of any property of any description comprised in the tramway undertaking; or

(e) providing a fund for working capital for the purposes of the tramway undertaking.

And the Corporation shall carry to the borough fund so much of any balance remaining in any year as may in the opinion of the Corporation not be required for the purposes aforesaid and any deficiency in the tramway

revenue (except so far as the same may be defrayed out of any reserve fund as aforesaid) shall in each year be made good out of the borough fund or borough rate.

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(2) Section 86 (Application of tramway revenue) of the Salford Corporation Act 1899 and section 28 (As to application of tramway revenue) of the Salford Corporation Act 1903 are hereby repealed.

45. The Corporation shall in each year within three months after the close of their financial year or such longer period as the Minister of Transport may allow furnish to the Minister of Transport a copy of the annual accounts of the tramway undertaking.

Accounts to be furnished to Minister of Transport.

46. Section 34 (Fares and charges on omnibuses) section 38 (Power to require intending passengers to wait in lines or queues) and section 47 (Lopping of trees overhanging highways) of the Salford Corporation Act 1920 are hereby repealed.

Repeal of certain provisions of Salford Corporation Act 1920.

## PART V.

### ELECTRICITY.

47. The Corporation may by agreement supply electricity to any house or building which or the curtilage of which is partly within and partly outside the electricity limits in the same manner as if such premises were wholly within such limits.

Supply to premises partly without electricity limits.

48. Where a separate transformer is provided at the expense of the Corporation for the purpose of affording a supply of electricity to any consumer the Corporation may use such transformer for the purpose of affording a supply of electricity to other consumers so long as such use does not prejudice or interfere with the supply for which such transformer was originally provided.

As to use of transformers.

49.—(1) The powers conferred by section 24 of the Electric Lighting Act 1882 of entering premises for the purposes mentioned in that section shall extend to enable the Corporation to enter any premises to which electricity is or has been supplied by them (whether for the time being occupied or not) and in or upon which they have reason to believe that there is or has been any contravention of any of the Acts or Orders relating to the electricity undertaking or of any byelaw or regulation made thereunder and to inspect such premises and any electric

Further powers as to entry upon premises.

A.D. 1927. lines wires fuses casings switches fittings lamps lamp-  
holders or other apparatus therein and in any case in  
which any such contravention is found to exist or to  
have existed to cut off and disconnect the supply of  
electricity to the premises.

(2) Where any premises which the Corporation are  
entitled to enter in pursuance of the said section 24 as  
extended by this section are unoccupied or where the  
Corporation are unable to obtain admittance to any such  
premises though occupied the Corporation may after  
giving not less than forty-eight hours' notice to the owner  
thereof or if he is unknown to them and if he cannot be  
ascertained by them after diligent inquiry by affixing  
such notice upon a conspicuous part of the premises  
forcibly enter the same doing no unnecessary damage.

(3) Any person who shall refuse or neglect to admit  
any officer appointed by the Corporation to any premises  
which he is entitled to enter in pursuance of the said  
section 24 as extended by this section or shall hinder any  
such officer from entering any such premises or from  
exercising the powers contained in either of the said  
sections shall be liable to a penalty not exceeding five  
pounds and to a daily penalty not exceeding twenty  
shillings.

Power to  
cut off  
supplies  
where  
charges &c.  
not wholly  
paid.

50. The powers of the Corporation under section 21  
of the Electric Lighting Act 1882 of cutting off supplies  
of electricity and cutting or disconnecting electric lines  
or works and of recovering the expenses incurred in such  
cutting off shall be exerciseable in any case in which  
any part of any charge or sum due to the Corporation for  
electricity supplied by them or in respect of any apparatus  
or fitting let on hire by the Corporation or supplied by  
them on hire purchase terms and which the Corporation  
are under obligation to maintain remains unpaid after  
the expiration of such period from the date of demand  
thereof as the Corporation may from time to time  
determine.

Byelaws  
as to  
wires  
apparatus  
and fittings.

51.—(1) The Corporation may make byelaws for the  
purpose of preventing fire or any injury to persons in any  
building or premises supplied or proposed to be supplied  
with electricity by the Corporation with respect to the  
nature material workmanship and mode of arrangement  
of the wires apparatus and fittings in any such building

or premises and required or used for the purpose of such supply and may refuse to supply electricity or cut off and discontinue the supply of electricity to any building or premises in which such byelaws are not complied with. A.D. 1927.

(2) The provisions of section 6 of the Electric Lighting Act 1882 shall apply to any byelaws made under this section.

(3) No byelaw made under this section shall apply to or in respect of any building or premises (not being a dwelling-house) belonging to and used by any railway company for the purposes of their railway.

**52.**—(1) No consumer shall without the consent in writing of the Corporation use or suffer to be used (whether after transformation or conversion or not) for purposes of lighting or illuminating or for any process operation or purpose involving or requiring the use of light (all of which purposes are in this section referred to as "lighting purposes") the whole or any part of any electricity supplied to him by the Corporation for any other purpose. Use for lighting purposes of electricity supplied for power.

(2) Any consumer who without such consent shall use or suffer to be used for lighting purposes electricity supplied to him by the Corporation through a meter fixed for the purpose of ascertaining the value of the supply to him of electricity agreed to be supplied to him for any purpose other than lighting purposes shall be liable to a penalty not exceeding five pounds and to a daily penalty of forty shillings and shall in addition be liable to pay to the Corporation at such higher rate as they may be for the time being charging for the supply of electricity for the purpose for which the electricity is used by the consumer for all or any portion of the electricity which has been supplied to him for any other purpose within one year previous to the date when the Corporation shall sue for any penalty as aforesaid.

(3) Any court having jurisdiction to impose such penalty may and on the application of the Corporation shall decide as to the portion (if any) of such electricity in respect of which the higher charge as aforesaid shall be payable to the Corporation.

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(4) The provisions of section 18 of the Electric Lighting Act 1909 shall apply to any person whom the Corporation have reasonable grounds for believing to be acting contrary to the provisions of this section.

Provisions  
as to  
supply  
of elec-  
tricity by  
agreement.

**53.**—(1) If any consumer of electricity supplied by the Corporation under the terms of any agreement uses the electricity supplied to him by the Corporation in any manner contrary to the terms of such agreement—

(a) the Corporation may if they think fit discontinue to supply electricity to such consumer;

(b) the consumer shall in respect of all the electricity supplied to him by the Corporation within one year previous to the date of any demand in that behalf made upon him by the Corporation (whether they determine to discontinue the supply or not) be liable to pay to the Corporation at any higher rate which they may be for the time being charging for the supply of electricity for use in the manner or under the conditions in or under which such consumer used the electricity supplied to him; and

(c) the Corporation in any case in which they discontinue the supply as aforesaid shall not be required to resume the supply until—

(i) they are satisfied that any electricity supplied to such consumer will be consumed in accordance with the terms of such agreement; and

(ii) the consumer has paid to the Corporation the sum payable by him pursuant to the foregoing paragraph (b).

Provided that before discontinuing any such supply the Corporation shall give to the consumer taking the same seven days' notice in writing of their intention so to do and shall in such notice specify the respect in which the electricity is used contrary to the terms of such agreement.

(2) A consumer supplied with electricity by the Corporation under the terms of any agreement shall be deemed to be a person to whom the Corporation may be

and are required to supply energy within the meaning of section 23 (Penalty for failure to supply) of the Salford Electric Lighting Order 1890 and the provisions of that section shall apply to the supply afforded by the Corporation under such agreement unless the provisions of that section are expressly excluded from application in any such agreement and if the Corporation fail to supply electricity to such consumer they shall not be liable for any damages occasioned to such consumer by reason of such failure unless the same is caused by or in consequence of the wilful neglect or default of the Corporation :

A.D. 1927.

Provided that the provisions of this subsection shall not operate to deprive any consumer of electricity supplied by the Corporation under the terms of any agreement existing at the passing of this Act of any right to which he would be entitled but for the said provisions.

54. In any case in which the Corporation lawfully cut off a supply of electricity by reason of any act omission or default of a consumer or any other person they may recover from the person to whom the supply was theretofore furnished or from any other person on account of whose act omission or default such supply was cut off the expenses incurred by them in such cutting off in like manner as charges for electricity are recoverable by the Corporation.

Power to recover cost of cutting off supplies.

55.—(1) In the event of a meter of a construction and pattern approved by the Board of Trade or the Minister of Transport used by any consumer of electricity being proved to register erroneously such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have arisen during the then current quarter.

Period of error in defective meters.

(2) The amount of the allowance to be paid to or the surcharge to be made upon the consumer by the Corporation shall be paid by or to the Corporation to or by the consumer as the case may be and shall be recoverable in the like manner as charges for electricity are recoverable by the Corporation.

A.D. 1927.

Attachment  
of brackets  
&c. to  
buildings  
and bridges.

**56.**—(1) The Corporation may with the consent of the owner of any building or any bridge over any street or road attach thereto (but in the case of a bridge only to the underside thereof) such brackets wires and attachments as may be required for lighting any street within the electricity limits Provided that—

- (a) where in the opinion of the Corporation any consent under this section is unreasonably withheld they may appeal to a court of summary jurisdiction who shall have power having regard to the character of the building or bridge and to the other circumstances of the case to allow the attachment subject to such terms as to compensation or rent and otherwise as they may think reasonable or to disallow the same and may determine by which of the parties the costs of the appeal are to be paid;
- (b) any consent of an owner and any order of a court of summary jurisdiction under this section shall not have effect after the owner ceases to be in possession of the building or bridge but any attachments fixed under the provisions of this section shall not be removed until the expiration of three months after any subsequent owner shall have given to the Corporation notice in writing requiring the attachments to be removed Where such notice is given the preceding provisions of this section shall apply and the court of summary jurisdiction shall have the same powers as under proviso (a);
- (c) the owner may require the Corporation temporarily to remove the attachments where necessary during any reconstruction or repair of the building or bridge; and
- (d) the Corporation shall not attach any brackets wires or attachments to any part of any building or bridge of any railway company or canal company without the consent in writing of that company which consent shall not be unreasonably withheld and any question as to whether or not any such consent is unreasonably withheld shall be determined by the Minister of Transport.



(2) For the purposes of this section any occupier of a building whose tenancy exceeds one year unexpired and in the case of any other tenancy the person receiving the rack rent shall be deemed to be the owner.

A.D. 1927.  
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**57.**—(1) The Corporation may by agreement (but not otherwise) acquire from any local authority company or person who is or shall be authorised by Provisional Order confirmed by Parliament or by Special Order to supply electricity in an area adjoining the limits within which the Corporation are at the date of the passing of this Act authorised to supply electricity (in this section called “authorised undertakers”) the undertaking authorised by such Order and the powers rights authorities and privileges of the authorised undertakers and the authorised undertakers may with the approval of the Electricity Commissioners by deed to be approved by the Commissioners transfer their undertaking powers rights authorities and privileges to the Corporation subject to such exceptions and modifications (if any) and upon such terms as may be specified in the deed.

Transfer of undertakings to Corporation.

(2) In the event of the Corporation acquiring the undertaking of any authorised undertakers under this section the Corporation shall subject to such exceptions or modifications (if any) as aforesaid be deemed to be the undertakers for all the purposes of the Order.

PART VI.

FINANCE.

**58.** All expenses incurred by the Corporation in carrying into execution the provisions of this Act (except such expenses as are to be paid out of borrowed money) shall be paid out of the borough fund and the borough rate.

Expenses of execution of Act.

**59.**—(1) The Corporation may from time to time independently of and in addition to any other borrowing power borrow at interest for the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and in order to secure the repayment of the said sums and the payment of interest thereon they may mortgage or charge their funds rates revenues and properties and they shall pay off

Power to borrow.

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Act, 1927.

A.D. 1927. all moneys so borrowed within the respective periods mentioned in the third column of the said table which shall be deemed to be the prescribed periods for the purposes of the enactments applied by this Act (namely):—

1 Purpose.	2 Amount.	3 Period for Repayment.
(a) For the execution of the street works.	£ 42,500	Thirty years from the date or dates of borrowing.
(b) For the acquisition of lands therefor (including expenses incurred as part of the consideration for such acquisition) and for other purposes of this Act and for the payment of compensation to the Canal Company under the provisions of this Act.	114,910	Sixty years from the date or dates of borrowing.
(c) For the provision of omnibuses	50,000	Ten years from the date or dates of borrowing.
(d) For the execution of works in connection with tramways.	20,000	Twenty years from the date or dates of borrowing.
(e) For the general purposes of the tramway undertaking of the Corporation.	30,000	Twenty years from the date or dates of borrowing.
(f) For paying the costs charges and expenses of obtaining this Act as hereinafter defined.	The sum requisite.	Five years from the passing of this Act.

(2) (a) The Corporation may also borrow such further money (if any) as may be necessary for any of the purposes of this Act with the consent as respects the purposes of Part IV (Omnibuses and tramways) of the Minister of Transport as respects the purposes of Part V (Electricity) of the Electricity Commissioners, and as respects any other purpose of this Act of the Minister of Health.

(b) Any money borrowed under this subsection shall be repaid within such period as may be prescribed by the Minister or Commissioners with whose consent such money is borrowed and that period shall be the prescribed period for the purposes of the enactments incorporated herewith.

(c) In order to secure the repayment of any money borrowed under this subsection and the payment of interest thereon the Corporation may mortgage or charge their funds rates revenues and properties. A.D. 1927. —

60. The powers of borrowing money given by this Act shall not be restricted by any of the regulations contained in section 234 (Regulations as to exercise of borrowing powers) of the Public Health Act 1875 and in calculating the amount which the Corporation may borrow under that Act any sums which they may borrow under this Act shall not be reckoned. Section 234 of Public Health Act 1875 not to apply.

61. The following enactments shall extend and apply mutatis mutandis to and in relation to moneys borrowed and re-borrowed under the powers of this Act (that is to say):— Incorporation of certain provisions of former Acts.

The Salford Improvement Act 1862—

Section 397 (Register of mortgages to be kept and to be open for inspection); and

Section 398 (Register of transfers to be kept).

The Salford Corporation Act 1897—

Section 44 (As to repayment &c.) except subsections (3) and (4) of that section;

Section 45 (As to sinking fund);

Section 46 (Power to re-borrow);

Section 47 (Application of moneys borrowed);

Section 48 (Receiver); and

Section 51 (Corporation not to regard trusts).

The Salford Corporation Act 1899—

Section 87 (Proceeds of sale of surplus lands).

The Salford Corporation Act 1920—

Section 167 (Protection of lender from inquiry):

Provided that the first payment of instalments or to a sinking fund shall be made on the thirty-first day of March in the financial year commencing next after the date of the borrowing of the money in respect of which such payment is to be made.

A.D. 1927.

—  
Returns to  
Minister of  
Health with  
respect to  
repayment  
of debt.

**62.**—(1) The treasurer of the city (in this section referred to as “the treasurer”) shall if and when he is requested by the Minister of Health (in this section referred to as “the Minister”) so to do transmit to the Minister a return showing the provision made for the repayment of any loans raised by the Corporation under any statutory borrowing power.

(2) The return shall show such particulars and shall be made up to such date and in such form as the Minister may require and shall if so required by him be verified by statutory declaration of the treasurer or other the chief accounting officer of the Corporation and shall be transmitted within one month after the making of the request and in the event of his failing to make such return the treasurer shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by the Minister in a court of summary jurisdiction and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(3) If it appears to the Minister by such a return as aforesaid or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this or any other Act or any Order or by the Minister in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the Minister may by order direct that the sum in such order mentioned not exceeding the amount in respect of which default has been made shall be paid or applied in the manner and by the date in such order mentioned and the treasurer shall notify the Minister as soon as the order is complied with and any such order shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(4) The provisions of any local Act or Order now in force in the city requiring an annual return to be made to the Minister with regard to the repayment of debt are hereby repealed.

**63.** If any moneys are payable to a mortgagee or holder of stock issued by the Corporation being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Corporation.

A.D. 1927.

—  
Receipt in  
case of  
persons not  
sui juris.

**64.** The provisions of the Municipal Corporations Act 1882 relating to the keeping and auditing of accounts and the accounts kept of sums of money received and paid under that Act shall extend to the keeping and auditing of accounts and to the accounts kept of sums of money received and paid under this Act.

Audit of  
accounts.

•  
PART VII.

MISCELLANEOUS.

**65.**—(1) The Manchester Ship Canal Company (in this section referred to as “the canal company”) shall within six months from the date of the passing of this Act lay into Ordsall Lane so as to form part of that street and level and make up to the reasonable satisfaction of the Corporation to the level of that street the strip of land next hereinafter described and delineated on the deposited plans (that is to say):—

Manchester  
Ship Canal  
Company to  
provide  
footpath to  
Ordsall  
Lane.

A strip of land in the city belonging or reputed to belong to the canal company abutting on the southern side of Ordsall Lane and extending from Trafford Road to a point in Ordsall Lane opposite the south-easternmost corner of the premises belonging or reputed to belong to and in the occupation of the St. George's Engineers Limited which strip of land has an uniform width of seven feet except for a length of seven feet or thereabouts at the western extremity and of ten feet or thereabouts at the eastern extremity where such width diminishes to a point.

And in connection therewith the canal company shall provide and maintain all necessary lateral support for the said strip of land and shall within the said period and to the like satisfaction take down and re-erect on the southern side of the said strip of land and throughout the length thereof the existing boundary fence of the

A.D. 1927. — canal company abutting on Ordsall Lane or (at their option) in lieu of such re-erection erect a new boundary fence or wall along the said southern side.

(2) Upon the completion of such levelling and making up the Corporation shall pay to the canal company in full satisfaction of all claims and demands by the canal company a sum calculated on the basis of five pounds per square yard of the area comprised in the said strip of land and the canal company shall pay to the Corporation the sum of one thousand two hundred and ten pounds eight shillings and elevenpence which last mentioned payment shall be in full satisfaction and discharge of all liability of the canal company to contribute towards the expenses incurred by the Corporation in executing in the year one thousand nine hundred and seven works in Ordsall Lane under the Private Street Works Act 1892.

(3) The canal company shall not be required to flag the said strip of land but upon the completion of the levelling and making up thereof by the canal company the Corporation shall at their own expense provide and lay flagstones upon the said strip of land.

(4) (a) If the canal company fail to comply with the provisions of subsection (1) of this section within the said period of six months the Corporation may at any time after the expiration of that period enter upon and appropriate the said strip of land and shall in exercise of their powers as the highway authority of the city lay the same into Ordsall Lane and make up and flag the same as a footpath to that street and may for that purpose demolish remove or alter the existing boundary fence or wall of the canal company and erect a new boundary fence or wall (including any retaining walls or embankments which the Corporation may deem it necessary to construct) along the southern side of the said strip of land and employ for that purpose or retain or sell or otherwise dispose of the materials of the said existing boundary fence or wall.

(b) In the event referred to in this subsection the Corporation may deduct from the sum payable (in the event referred to in subsection (2) of this section) to the canal company pursuant to the said subsection (2) the amount of the costs charges and expenses incurred by the Corporation in exercising the powers conferred by

paragraph (a) of this subsection (other than the cost of providing flagstones and laying the same upon the said strip of land) and shall pay to the canal company the balance (if any) only of the said sum (after making such deduction) in full satisfaction of all claims and demands by the canal company and may recover from the canal company the said sum of one thousand two hundred and ten pounds eight shillings and elevenpence.

A.D. 1927.

(5) The said strip of land when laid into the said street (whether by the canal company or by the Corporation) shall vest in the Corporation and shall for all purposes form part of the said street and shall be maintained repaired cleansed and lighted by the Corporation in the same manner as other streets and parts of streets in the city.

(6) The agreement dated the thirtieth day of August one thousand nine hundred and eight and made between the Corporation of the one part and the canal company of the other part is hereby declared void and of no effect.

(7) If any difference or dispute shall arise between the Corporation and the canal company under subsection (1) of this section the same shall be referred to and determined by an arbitrator to be agreed upon between them or failing such agreement to be appointed on the application of either party (after notice in writing to the other of them) by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference and determination.

**66.**—(1) (a) No tent van shed or similar structure used or intended to be used for human habitation shall (unless the same falls within the exceptions hereinafter set forth in this section) be placed or kept on any land situate within the city without the previous approval of the Corporation but this subsection shall not apply to a tent van shed or structure which is not used or intended to be used by the occupier as a sole or principal means of habitation for an unbroken period of at least three months.

As to  
placing  
of tents  
vans &c.  
within  
city.

(b) Any person aggrieved by the withholding by the Corporation of their approval of any land for the purposes mentioned in this subsection may within twenty-one days from the date of the decision of the Corporation appeal

A.D. 1927. — to a court of summary jurisdiction and such court may make such order in the premises and on such terms and conditions as to the court may seem just. The costs of any such appeal shall be paid in such manner and by such parties to the appeal as the court may direct.

(2) Any person offending against the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(3) The following buildings and works shall be exempt from the operation of this section—

(a) buildings expressly exempt from the operation of the Acts or byelaws for the time being in force within the city with respect to new buildings;

(b) structures or erections erected or set up on the premises of any canal dock or railway company and used for the purposes of or in connection with the traffic of such canal dock or railway under the provisions of any Act of Parliament.

(4) This section shall not apply to any person dwelling in any tent or van or other similar structure who is a roundabout proprietor travelling showman or stallholder (not being a pedlar or hawker).

Extending distance for which drivers of hackney carriages may be compelled to take passengers &c.

**67.** Section 324 (Corporation may make byelaws for regulating hackney carriages) of the Salford Improvement Act 1862 as amended by subsequent Acts shall be read and have effect as if in the case of mechanically propelled vehicles a distance not exceeding six miles from the boundary of the city had been therein referred to as the distance to which the drivers of hackney carriages may be compelled by byelaws made under that section to take passengers goods and messages instead of a distance not exceeding three miles beyond the boundary of the borough.

Suspension or revocation of licences of proprietors or drivers of hackney carriages and of porters or drovers.

**68.** Section 304 (Licences to be suspended or revoked for misconduct) of the Salford Improvement Act 1862 and section 106 (Licences of drovers and porters) of the Salford Tramways and Improvement Act 1875 are hereby repealed and in lieu thereof the following provisions shall have effect (that is to say):—

(1) The Corporation may upon the conviction for the second time of the proprietor or driver of any hackney carriage or porters cart for any offence



under the provisions of the Salford Improvement Act 1862 or of the Town Police Clauses Act 1847 or of any local Act relating to hackney carriage driving licences in force elsewhere than in the city or of any byelaw made in pursuance of any of such Acts suspend or revoke as they deem right the licence of any such proprietor or driver :

A.D. 1927.

- (2) Any licence to be granted by the Corporation under section 299 of the Salford Improvement Act 1862 to a porter or drover shall be for such time as the Corporation therein appoint and may be revoked or suspended by the Corporation at any time.

**69.** If the Corporation commence proceedings for the summary recovery of a sum due for the supply of electricity gas or water any other sum due or payable to the Corporation in respect of the sale or hire of any apparatus or fittings supplied by them for or in connection with the consumption or use of electricity gas or water (as the case may be) or the provision of materials and work in connection therewith or the fixing setting up repairing altering maintaining or removal thereof may be included in the same summons and may be recovered summarily provided the amount due or payable in respect thereof does not exceed twenty pounds.

As to recovery summarily of sums due for fittings.

**70.** All informations and complaints under or for the breach of any of the provisions of this Act or of any byelaws made thereunder may be laid and made by any officer of the Corporation duly authorised in that behalf or by the town clerk or by the chief constable or any superintendent of police acting for or within the city.

Informations by whom to be laid.

**71.**—(1) Where any notice or demand under this Act or under any local Act Provisional Order or byelaw for the time being in force within the city requires authentication by the Corporation the signature of the town clerk or other duly authorised officer of the Corporation shall be sufficient authentication.

As to notices &c.

(2) Notices demands orders and other documents required or authorised to be served under this Act or under any local Act Provisional Order or byelaw for the time being in force within the city may be served in the same manner as notices under the Public Health

[Ch. xcix.] *Salford Corporation* [17 & 18 GEO. 5.]  
*Act, 1927.*

A.D. 1927. — Act 1875 are by section 267 of that Act authorised to be served. Provided that in the case of any company any such notice demand order or other document shall be delivered or sent by post addressed to the secretary of the company at their principal office or place of business.

As to  
appeal.

**72.** Any person deeming himself aggrieved by any order judgment determination or requirement or the withholding of any certificate licence or consent or approval of or by the Corporation or of or by any officer or valuer of the Corporation or by any conviction or order by a court of summary jurisdiction under any provision of this Act may if no other mode of appeal is provided by this Act appeal to the next practicable court of quarter sessions under and according to the provisions of the Summary Jurisdiction Acts and in regard to any such order made by a court of summary jurisdiction the Corporation may in like manner appeal.

Recovery of  
penalties &c.

**73.** Save as otherwise by this Act expressly provided all offences against this Act and all penalties forfeitures costs and expenses imposed or recoverable under this Act or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

Recovery of  
demands.

**74.** Proceedings for the recovery of any demand made under the authority of this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Saving for  
indictments  
&c.

**75.** Nothing in this Act shall protect any person from being proceeded against by way of indictment in respect of any matter by this Act made punishable on summary proceedings or shall relieve any person in respect of such matter from any penal or other consequence to which he would have been liable if such

matter had not been made punishable by this Act  
Provided that no person shall be punished for the same  
offence under this Act and also under any other Act.

A.D. 1927.  
—

**76.** A judge of any court or a justice shall not be  
disqualified from acting in the execution of this Act or  
in any proceedings with respect to the recovery of any  
rate or otherwise by reason of being liable to such rate.

Judges not  
disqualified.

**77.** Section 265 (Protection of local authority and  
their officers from personal liability) of the Public Health  
Act 1875 shall with all necessary modifications extend  
and apply to the purposes of this Act as if that section  
were in terms enacted in this Act.

Application  
of section  
265 of  
Public  
Health  
Act 1875.

**78.** In respect of the exercise of any powers or  
duties conferred on the Minister of Transport or the  
giving by him of any consents under this Act or any  
existing Act or order of the Corporation the provisions  
of Part I of the Board of Trade Arbitrations &c. Act  
1874 shall apply as if the Minister of Transport were  
referred to therein in lieu of the Board of Trade and as  
if in section 4 of that Act the words "under the seal of  
the Minister of Transport" were substituted for the  
words "by writing under the hand of the President or  
of one of the secretaries of the Board."

Inquiries by  
Minister of  
Transport.

**79.**—(1) The Minister of Health may direct any  
inquiries to be held by his inspectors which he may deem  
necessary in regard to the exercise of any powers con-  
ferred upon him or the giving of any consents under  
this Act and the inspectors of the Minister of Health  
shall for the purposes of any such inquiry have all such  
powers as they have for the purposes of inquiries directed  
by that Minister under the Public Health Act 1875.

Inquiries by  
Minister of  
Health.

(2) The Corporation shall pay to the Minister of  
Health any expenses incurred by that Minister 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  
Minister not exceeding five guineas a day for the services  
of such inspector.

**80.** All powers rights and remedies given to the  
Corporation by this Act shall (except where otherwise  
expressly provided) be deemed to be in addition to and

Powers  
of Act  
cumulative.

[Ch. xcix.] *Salford Corporation* [17 & 18 GEO. 5.]  
*Act, 1927.*

A.D. 1927. — not in derogation of any other powers rights or remedies conferred on them or on any committee appointed by them by Act of Parliament charter law or custom and the Corporation or such committee as the case may be may exercise such other powers and shall be entitled to such other rights and remedies as if this Act had not been passed.

Crown rights. **81.** Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown.

Costs of Act. **82.** All costs charges and expenses of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the borough fund or the borough rate or out of moneys to be borrowed for that purpose under this Act.

The SCHEDULES referred to in the  
foregoing Act.

A.D. 1927.

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THE FIRST SCHEDULE.

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DESCRIPTION OF LANDS TO BE ACQUIRED FOR  
THE EXTENSION OF THE SEWAGE WORKS  
OF THE CORPORATION.

Lands in the city containing 2·277 acres or thereabouts belonging or reputed to belong to the London Midland and Scottish Railway Company bounded on the north-western north-eastern and western sides thereof by lands belonging or reputed to belong to that company on the south-western side in part by other lands belonging or reputed to belong to that company and in part by lands belonging or reputed to belong to the Manchester Ship Canal Company and on all other sides thereof by lands belonging or reputed to belong to the Corporation.

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THE SECOND SCHEDULE.

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DESCRIPTION OF PROPERTIES OF WHICH PARTS ONLY  
MAY BE ACQUIRED.

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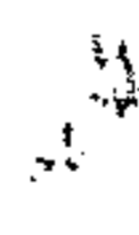
Area.	Number on Deposited Plans.
City of Salford	- 23 25 35 96 97 99 117 139 141 156 158 160 to 171 (inclusive) 173 to 180 (in- clusive) 182 to 186 (inclusive) 188 to 193 (inclusive) 200 201 203 to 211 (inclusive) 214 215 217 to 220 (inclu- sive) 223 to 227 (inclusive) 231 233 236 to 238 (inclusive).

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