

CHAPTER lvi.

An Act to extend the boundaries of the county A.D. 1934. borough of Stockport and for purposes incidental thereto. [12th July 1934.]

WHEREAS the borough of Stockport (in this Act referred to as "the borough") is a county borough under the government of the mayor aldermen and burgesses of the borough (in this Act referred to as "the Corporation"):

And whereas the borough now comprises the parishes of Stockport Heaton Norris and Reddish:

And whereas the urban district of Hazel Grove and Bramhall in the administrative county of the county palatine of Chester adjoins the borough and it is expedient that the boundaries of the borough should be extended so as to include therein part of the said urban district:

And whereas it is expedient that the said existing parishes of Stockport Heaton Norris and Reddish and the area so proposed to be included in the borough should be amalgamated to form the parish of Stockport:

And whereas the unrepealed provisions of the several Acts Provisional Orders and other orders specified in the schedule to this Act immediately prior to the passing of this Act are in force within the borough and it is expedient that those Acts and Orders as amended by this Act should apply throughout the borough as extended by this Act:

A.D. 1934.

And whereas it is expedient that the other powers contained in this Act should be conferred:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 as amended by the Local Government (County Boroughs and Adjustments) Act 1926 have been observed:

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):—

Short title.

1. This Act may be cited as the Stockport Extension Act 1934.

Interpretation.

- 2. In this Act unless the subject or context otherwise requires the expressions—
 - "The appointed day" means the first day of April one thousand nine hundred and thirty-five;
 - "The existing borough" means the borough of Stockport as it exists at the passing of this Act;
 - "The borough" means until the appointed day the existing borough and thereafter the existing borough as extended by this Act;
 - "The council" means the council of the borough;
 - "The Corporation" means as the context requires the mayor aldermen and burgesses of the existing borough or of the borough acting by the council;
 - "The town clerk" and "the treasurer" mean respectively the town clerk and the treasurer of the borough;
 - "The general rate fund" and "the general rate" mean respectively the general rate fund and the general rate of the borough;
 - "The borough map" means the map marked "Map of the county borough of Stockport as "extended by the Stockport Extension Act

- "1934" and signed in triplicate by the Marquess of Hartington the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred one copy of which has been deposited in the Parliament Office of the House of Lords one in the Committee and Private Bill Office of the House of Commons and one with the town clerk in his office;
- "The county" and "the county council" mean respectively the administrative county of the county palatine of Chester and the county council of that county;
- "The urban district" and "the urban council" mean respectively the urban district of Hazel Grove and Bramhall and the urban district council of that district;
- "The added area" means the part of the urban district which is by this Act added to the borough and which is coloured blue on the borough map;
- "Existing" in relation to any area altered by this Act means existing immediately before the appointed day;
- "The Minister" means the Minister of Health;
- "Local authority" means a local authority as defined in section 3 of the Local Government and other Officers' Superannuation Act 1922 and includes the standing joint committee of a county;
- "Officer" includes a servant and any person whose remuneration is paid by a local authority;
- "The local Acts" means the local Acts specified in Part I of the schedule to this Act the Orders specified in Part II of that schedule and so much of the confirmation Acts specified in that part as relates to those Orders;
- "The Act of 1894" "the Act of 1929" and "the Act of 1933" mean respectively the Local Government Act 1894 the Local Government Act 1929 and the Local Government Act 1933;
- "The Public Health Acts" means the Public Health Act 1875 and the Acts amending and extending the same;

- "The Act of 1907" means the Public Health Acts Amendment Act 1907;
- "The Rating Act 1925" means the Rating and Valuation Act 1925;
- "Provisional Order" includes a Special Order; and
- "Revenues of the Corporation" means and includes the funds rates contributions and revenues mentioned in section 218 of the Act of 1933.

Commencement of Act. 3. This Act shall except so far as is otherwise in this Act expressly provided and except so far as there may be anything in the subject matter or context inconsistent therewith come into operation on the appointed day:

Provided that for the purposes of—

- (a) the compilation alteration or re-arrangement of any register of electors made under the Representation of the People Acts;
- (b) the qualification of candidates for election to the office of councillor of the borough;
- (c) any election to be held in the year one thousand nine hundred and thirty-five for any area affected by this Act and all proceedings preliminary or relating thereto; and
- (d) the preparation of any precept or contribution order to be issued or made on or after the appointed day;

this Act shall operate from the date of its passing.

Extension of borough.

- 4.—(1) The boundary of the existing borough which is shown by the outer edge of the purple line on the borough map shall be altered so as to include the added area.
- (2) The boundary of the borough shall be that shown by the inner edge of the red line on the borough map and the whole of the area within that boundary shall for all purposes be the borough and the county borough of Stockport.

Alteration of parishes.

5. The added area being part of the existing parish of Hazel Grove-cum-Bramhall shall be separated from that parish and shall be amalgamated with the existing

parishes of Stockport Heaton Norris and Reddish to A.D. 1934. form the parish of Stockport which shall be co-extensive with the borough as extended by this Act.

6.—(1) Copies of the borough map deposited with Deposit of the town clerk certified by him to be true shall be sent maps. within one month after the passing of this Act to the clerk to the county council to the clerk to the urban council to the Board of Inland Revenue to the Commissioners of Customs and Excise to the Registrar-General to the Postmaster-General to the Board of Trade to the Minister to the Minister of Transport to the Minister of Agriculture and Fisheries and to the Electricity Commissioners.

(2) Copies of or extracts from the borough map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as prima facie evidence of the contents of the borough map so far as it relates to the boundaries of the borough.

- (3) The borough map deposited with the town clerk shall at all reasonable times be open to inspection by any person liable to any rate leviable within the borough and any such person shall be entitled to a copy of or extract from the map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation.
- (4) All fees so received shall be carried to the credit of the general rate fund.
- 7. The persons who hold office immediately before Existing the appointed day as mayor aldermen and councillors mayor of the existing borough shall on the appointed day aldermen become the maxor aldermen and correctly and become the mayor aldermen and councillors of the councillors. borough but shall respectively retire from office on the day on which they would have retired from office if this Act had not been passed.

8.—(1) This section shall come into operation on Alteration the date of the passing of this Act but any scheme or of wards Order in Council made in pursuance of the provisions and of hereinafter mentioned as applied by this section shall aldermen not take effect until the appointed day except for the and purposes of an election of councillors in pursuance of councillors. this section.

A.D. 1934

- (2) On the date of the passing of this Act the provisions of section 25 of the Act of 1933 shall have effect as if—
 - (a) A petition praying for an alteration of the number and of the boundaries of the wards of the borough an alteration of the number of councillors thereof and the holding of a fresh election of councillors or of aldermen and councillors following upon any such alteration had been presented by the council to His Majesty and stood referred to the Secretary of State; and
 - (b) The provisions of this Act altering the boundaries of the borough had come into operation.
- (3) If the number of wards of the borough be increased in pursuance of a scheme or order made under the said provisions as applied by this section it shall not be necessary for the number of councillors assigned to each of the wards into which the borough is for the time being divided to be a number divisible by three and if in any one or more of the wards the number of councillors is not so divisible the number of aldermen of the borough shall be as near as may be but not less than one-third of the number of councillors.
- (4) Any scheme or order made under the said provisions as applied by this section may provide that the first term of office of any additional councillors elected in pursuance thereof shall expire on the ordinary day of retirement of councillors in the year one thousand nine hundred and thirty-eight.
- (5) Any scheme or Order in Council made in pursuance of the said provisions as applied by this section may be altered or varied by a subsequent scheme or Order in Council made on the application of the Corporation by petition under the provisions of section 25 of the Act of 1933 and the provisions of subsection (3) of this section shall apply to any such application.

Qualification for election and office. 9. For the purposes of the application to the borough of the provisions of paragraph (c) of section 57 of the Act of 1933 the added area shall be deemed to have always formed part of the borough.

[Ch. lvi.]

10.—(1) The powers rights privileges authorities A.D. 1934. and duties of the justices of the peace for the existing borough and of the clerk to those justices and of the police constables and other peace officers of the existing justices &c. borough shall extend to and apply throughout the extended. borough:

Powers and duties of

Provided that—

- (a) every person committing an offence in any part of the added area prior to the appointed day shall be tried and dealt with as if this Act had not been passed; and
- (b) every proceeding which prior to the appointed day shall have been begun by or before any court or justice in relation to any matter arising in or concerning any part of the added area may be carried on continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this Act had not been passed.
- (2) The added area shall cease to form part of the Stockport petty sessional division of the county.
- 11.—(1) The town clerk and all other officers of the Officers of Corporation of the existing borough who hold office on Corporation the appointed day shall continue to be the town clerk continued. and officers of the Corporation of the borough and shall hold their offices by the same tenure as on that day.

- (2) The appointed auditors of the existing borough who are in office at the appointed day shall continue in office and shall be the appointed auditors until the next ordinary day for the appointment of auditors.
- 12. Subject to the provisions of this Act all property Corporation vested in the Corporation immediately before the property appointed day for the benefit of the existing borough &c. (not being property held on any charitable trust) shall by virtue of this Act be held by the Corporation for the benefit of the borough and the Corporation shall hold enjoy and exercise for the benefit of the borough all the powers which immediately before the appointed day are exerciseable by or vested in the Corporation for the benefit of the existing borough and all liabilities which immediately before the appointed day attach to the

A.D. 1934. Corporation in respect of the existing borough shall from and after that day attach to them in respect of the borough.

Mortgage debts of urban and county councils and Corporation.

- 13.—(1) The liability for repayment of so much of any moneys borrowed by the urban council or the county council (or their respective predecessors) for a purpose relating exclusively to any part of the added area as will be owing at the appointed day and for the payment of the interest thereon shall by virtue of this Act be transferred to and attach to the Corporation.
- (2) So much as will at the appointed day be owing in respect of any moneys borrowed as aforesaid together with so much of any sums borrowed by the Corporation as will at the appointed day be owing and charged upon the revenues general rate fund and general rate of the existing borough shall by virtue of this Act be charged upon the revenues of the Corporation.
- (3) All borrowed moneys to which this section applies shall together with the interest to accrue due thereon be repaid by the Corporation within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.
- (4) Nothing in this Act shall prejudice or affect any mortgage or other security which has been granted in respect of any borrowed moneys the liability for the repayment of which is transferred to the Corporation by subsection (1) of this section or the powers of any person entitled under any such mortgage or other security to enforce the same as if this Act had not been passed and where for any such purpose it is necessary to continue the exercise of a power which would have existed but for this Act the power may continue to be exercised as if this Act had not been passed and the general rate shall for any such purpose be levied and have effect in substitution for the rate which would have been leviable if this Act had not been passed.

Jurisdiction of county authorities to cease.

14. Subject to the provisions of this Act or to the provisions of any enactment relating to coroners the powers rights privileges authorities and duties of the county council and the standing joint committee of the

county respectively shall as from the appointed day A.D. 1934. cease to be exerciseable by or attach to that council and committee so far as regards the added area.

15. The added area shall be separated from the County electoral division of the county of which it forms part electoral immediately before the appointed day and the councillor division. of the county who immediately before the appointed day represents the Bredbury electoral division shall be deemed to have been elected to represent that division as altered by this Act and shall retire on the day on which he would have retired if this Act had not been passed.

16. The county council may submit to the Minister As to such alterations or modifications of the proposals already modificamade by the county council under section 46 of the Act of 1929 for the review of county districts or parishes within the county as the county council may deem necessary or desirable in consequence of the provisions of Act of of this Act.

tions of proposals under section 46

17.—(1) The limits within which the Corporation Electricity are empowered to supply electricity shall be extended limits. so as to include the added area.

- (2) (a) The added area shall cease to form part of the area of supply of the urban council under the Hazel Grove and Bramhall Electricity Special Order 1913.
- (b) The Corporation shall purchase from the urban council and that council shall sell to the Corporation such part of their undertaking as is situate within the added area at such price as failing agreement shall be determined by arbitration in accordance with the provisions of section 2 of the Electric Lighting Act 1888.
- (3) The Corporation shall have and may exercise within the added area all and the like powers privileges and authorities for and in relation to the supply of electricity and shall be subject to all and the like duties liabilities and obligations in respect thereof as they may exercise and are subject to within their limits for the supply of electricity as existing immediately before the appointed day.
- (4) As from the date of the usual quarterly meter readings in the month of June one thousand nine hundred and thirty-five the prices from time to time to be charged

- A.D. 1934. by the Corporation for electricity supplied by them within the added area shall not exceed the prices charged by the Corporation in like circumstances within that part of the borough which comprises the existing borough.
 - (5) Section 16 of the Stockport Electric Lighting Order 1891 in its application to so much of the electricity undertaking of the Corporation as is situate in the added area shall have effect as if after the words "electric signalling communication" wherever they occur there were inserted the words "or electrical control of railways."

Local Acts and Orders,

- 18.—(1) Subject to the provisions of this Act the unrepealed provisions of the local Acts and of any other local Act (including any local Act passed or to be passed during the present session of Parliament) or of any other Order confirmed by or having the effect of an Act of Parliament and affecting the existing borough or the Corporation as the same respectively are in force within the existing borough immediately before the appointed day shall extend and apply to the borough and any reference therein to the existing borough and the Corporation shall respectively be deemed to refer to the borough and the Corporation.
- (2) Any provisions in any local Act or any Order confirmed by or having the effect of an Act of Parliament for the benefit or protection of the urban council or of the county council or of the standing joint committee of the county or their respective predecessors shall so far as they relate to or affect any part of the added area from and after the appointed day enure for the benefit and protection of the Corporation and shall be construed as if a reference to the Corporation were substituted for any reference to any such council or committee or their predecessors as the case may be.

Adoptive Acts.

19.—(1) The provisions of—

The Baths and Washhouses Acts 1846 to 1925;
The Infectious Disease (Prevention) Act 1890;
The Public Health Acts Amendment Act 1890;
The Museums and Gymnasiums Act 1891;
The Notification of Births Act 1907;
The Public Libraries Acts 1892 to 1919;

Local Government and other Officers' A.D. 1934. Superannuation Act 1922; and

Part II (except sections 20 22 29 30 32 33 and 34) Part III (except section 42) Part IV and Part V of the Public Health Act 1925;

as in force in the existing borough shall be in force in and apply to the borough.

- (2) The provisions of any adoptive Act other than the Acts in force in the existing borough shall cease to be in force in the added area.
- (3) Any order under the Public Health Acts the Infectious Disease (Notification) Act 1889 or under any adoptive Act mentioned in subsection (1) of this section which may be in force immediately before the appointed day throughout the existing borough shall extend and apply to the added area and any such order in force immediately before the appointed day in the added area shall cease to be in force therein.
- 20. Subject to the provisions of any order which Powers the Minister or the Secretary of State may make on or under Act after the appointed day the following provisions shall of 1907 or have effect as regards orders under the Act of 1907 or the Public Health Act 1925:—

Public Health Act 1925.

- (a) The provisions of any order made before the appointed day whereby any parts or sections of either of the said Acts are declared to be in force immediately before the appointed day in the existing borough shall have effect as if any reference in those provisions to the existing borough extended and applied to the borough and as if the said parts or sections were accordingly declared to be in force in the borough;
- (b) Any other order under either of the said Acts which is in force immediately before the appointed day throughout the existing borough shall extend and apply to the added area;
- (c) The provisions of any order made before the appointed day and declaring to be in force in any part of the added area any parts or sections of either of the said Acts shall cease to apply to any such part and subject to the provisions

of this section the parts or sections declared by any such order to be in force shall cease to be in force in any such part but this provision shall not prejudice or affect any proceedings which are pending on the appointed day.

Orders under section 33 of Act of 1894.

21. The provisions of any order under section 33 of the Act of 1894 in force immediately before the appointed day in the existing borough (so far as such provisions still have effect) shall have effect as if any reference in that order to the existing borough were a reference to the borough.

Orders under Shops Acts.

22. Any order in force under the Shop Hours Act 1904 or under the Shops Acts 1912 to 1928 and in force immediately before the appointed day in any area affected by this Act shall subject to the provisions of such Acts remain in force and apply to the area to which it applies immediately before the appointed day.

Orders under Wild Birds Protection Acts.

23. Any order under the Wild Birds Protection Acts 1880 to 1908 which is in force immediately before the appointed day in the existing borough shall extend to the added area and any order under those Acts which is then in force in the county shall cease to extend to the added area.

Byelaws.

- 24.—(1) All byelaws made under the Public Health Acts which are in force within the existing borough or within any part of the added area immediately before the appointed day shall-
 - (a) If made before the first day of January one thousand nine hundred and twenty-four continue to apply to the existing borough or to the added area as the case may be for three years after the appointed day (unless previously repealed or altered by the Corporation) but shall on the expiry of three years cease to be in force within the borough;
 - (b) If made on or after the first day of January one thousand nine hundred and twenty-four continue to apply to the existing borough or to the added area as the case may be until repealed. or altered by the Corporation.
- (2) In their application to any part of the added area any byelaws continued in force by this section

shall have effect as if they had been made by the A.D. 1934. Corporation and as if such part of the added area were referred to therein instead of the area to which they now apply.

- (3) Any such byelaws in force in the existing borough may by a byelaw made by the Corporation be extended with or without modification to the added area.
- (4) All other byelaws made by the Corporation or the watch committee of the borough which are in force within the existing borough immediately before the appointed day shall apply to the borough until repealed or altered and all byelaws made by the county council or the standing joint committee of the county shall subject to the provisions of this Act on that day cease to apply within the added area.
- (5) Any proceedings which if this Act had not been passed might have been taken for any offence against any byelaw committed before the appointed day within the added area may be taken by the Corporation.
- (6) In this section "byelaws" includes any regulation scale of charges list of tolls or table of fees or payments and the expression "byelaws made under the Public Health Acts' means byelaws which under the Ministry of Health Act 1919 are subject to confirmation by the Minister whether made before or after the passing of that Act.
- 25.—(1) Any byelaws made by the county council Byelaws under the Advertisements Regulation Acts 1907 and 1925 or the Petroleum (Consolidation) Act 1928 which to adverimmediately before the appointed day are in force tisements within any portion of the added area shall continue and to apply thereto for a period of three years after the petroleum appointed day unless they are previously repealed or filling altered by byelaws made by the Corporation but shall stations. on the expiration of that period cease to be in force within such portion of the added area.
- (2) In their application to any portion of the added area any byelaws to which subsection (1) of this section applies shall have effect as if they had been made by the Corporation and any proceedings which if this Act had not been passed might have been taken by the county council in respect of a contravention of or failure to comply with those byelaws which may occur before

of county

A.D. 1934. the appointed day and arises within the added area may be taken by the Corporation.

Transfer of public elementary schools.

- 26.—(1) For the purposes and subject to the provisions of the Education Act 1921—
 - (a) any public elementary school provided by the county council as local education authority and situate within the added area and the furniture fittings books and apparatus belonging to the county council of any public elementary school within that area shall by virtue of this Act be transferred to and vested in the Corporation as the local education authority for all the estate and interest therein of the county council as the local education authority;
 - (b) all contracts debts and liabilities which immediately before the appointed day are existing or are owing by or attach to the county council in respect exclusively of any public elementary school within the added area or of the furniture fittings books or apparatus or with respect to the officers teachers and servants of any public elementary school within that area shall by virtue of this Act enure to and be carried into effect by and be discharged and satisfied by the Corporation as the local education authority;
 - (c) subject to any adjustment which may hereafter be made the liability for repayment of so much of any loan raised exclusively in respect of any public elementary school or of the furniture fittings or apparatus transferred to and vested in the Corporation by virtue of this Act as will be owing immediately before the appointed day and the liability for the payment of interest on that part of any such loan shall by virtue of this Act be transferred and attach to the Corporation as the local education authority and so much of any such loan as will then be owing shall be charged on the revenues of the Corporation and shall be repaid by the Corporation within the period (if any) for which that part of the loan was originally sanctioned or within which that part of the loan is otherwise required to be repaid or is made repayable.

- (2) In this section "public elementary school" A.D. 1934. includes the site and school house and also any land acquired and held by the county council as the local education authority for purposes of elementary education.
- 27.—(1) Any byelaws under the Education Act Education 1921 or any enactment repealed by that Act which may byelaws be in force in the existing borough immediately before and the appointed day shall apply to the borough until revoked or altered by the Corporation and from and after that day any such byelaws then in force in the added area shall cease to be in force therein.

managers.

- (2) Any manager of any public elementary school in the added area who was appointed by the county council or by the urban council shall vacate office at the appointed day.
- 28.—(1) At the appointed day such members (if County any) of the police force of the county as before that day police. shall have been determined by agreement subject to the approval of the Secretary of State between the standing joint committee of the county and the watch committee of the borough or in default of any such agreement as shall be determined by the Secretary of State shall be transferred to and become part of the police force of the borough:

Provided that no member of the police force of the county shall be so transferred without his consent.

(2) Every member of the county police force so transferred shall hold office in the police force of the borough upon the same tenure and subject to the same terms and conditions as the other serving members of the borough police force of the same rank as such member and any period of service which the transferred member was entitled to reckon before such transfer for purposes of pay promotion or pension in the police force of the county shall be reckoned for the same purposes in the police force of the borough:

Provided that where the scale of ordinary pensions applicable to a member of the police force of the county who is so transferred is by virtue of section 29 (1) (a)of the Police Pensions Act 1921 a scale other than that prescribed in Part I of the First Schedule to that Act such scale shall continue to apply to him as if he had not been so transferred.

(3) The provisions of subsection (2) of section 8 of the Police Pensions Act 1921 shall extend and apply to and in relation to any member of a police force transferred under this section as if that member had removed with the written sanction of the chief constable of the county and notwithstanding that at the date of the transfer such member may not have completed one year's approved service in the police force of the county.

County police stations &c.

29. Any county police station and the site thereof situate in the added area with the residences for constables and cells connected therewith and the fittings and furniture thereof respectively shall by virtue of this Act be transferred to and vest in the Corporation as from the appointed day for all the estate and interest therein of the county council and shall be a matter for adjustment under this Act.

As to urban council.

30. The urban council shall continue and shall be deemed to have been elected for and shall be the urban district council for the urban district as altered by this Act.

Powers property &c. of urban council.

- 31.—(1) The urban council shall cease to exercise any powers or discharge any duties within the added area.
- (2) Subject to the provisions of this Act and to any necessary adjustments—
 - (a) any property or liabilities which immediately before the appointed day are vested in or attach to the urban council or any representative body constituted by article 7 of the Overseers Order 1927 in relation exclusively to any portion of the added area shall by virtue of this Act be transferred to and vest in or attach to the Corporation;
 - (b) Any property or liabilities which immediately before the appointed day are vested in or attach to the urban council or any such representative body in relation to any portion of the added area conjointly with any other area shall be a matter for adjustment under this Act;

(c) Any powers and duties transferred by or under the Act of 1894 to the urban council so far as they relate exclusively to any portion of the added area shall by virtue of this Act be vested in or imposed on the Corporation.

32.—(1) Within one month after the appointed Provisions day the local registrar for the county under the Land in reference Charges Act 1925 and the rules made thereunder shall to Land supply the local registrar for the borough with an office Charges Act 1925. copy of every entry in the land charges register for the county relating to any premises situate within the added area and the local registrar for the urban district under the said Act and rules shall supply the local registrar for the borough with an office copy of every entry in the local land charges register for the urban district relating to any premises situate within the added area.

- (2) The local registrar by whom an office copy is supplied under this section shall be paid in respect of that copy by the Corporation such fees as are prescribed by the rules made under the Land Charges Act 1925.
- (3) The local registrar for the borough shall within one month after the receipt of the office copy supplied as provided in subsection (1) of this section enter the particulars contained therein with any necessary modifications in the appropriate part of the land charges register of the borough.
- (4) Until the entries are made as provided in subsection (3) of this section or until the expiration of two months from the appointed day whichever be the earlier the following provisions shall have effect in respect of all land in the added area:—
 - (a) The local registrar for the borough shall give notice to any person desiring to make a personal search that an additional search should be made in the registers of the urban district and of the county;
 - Where application is made for an official search the local registrar for the borough shall issue free of charge a certificate of official search in the register of the borough and shall forward to the local registrar for the urban district

- the application received by him together with the fees paid in respect thereof and shall also forward to the local registrar for the county a copy of any such application;
- (c) The local registrar for the urban district and for the county shall permit and make such searches and furnish such office copies and certificates as they would have been required to permit make and furnish and shall in relation thereto have the same powers and be subject to the same obligations as if this Act had not been passed;
- (d) The fees in respect of searches permitted or made and in respect of certificates furnished by the local registrar for the county in pursuance of the provisions of paragraph (c) of this subsection shall be paid by the Corporation;
- (e) Where the entry of a local land charge which was duly made in the local land charges register of the county or of the urban district is required by this section to be transferred from the register of the county or such district to the register of the borough such charge shall not be void as against a purchaser for money or money's worth of a legal estate in the land affected thereby by reason only that it has not been entered in the local land charges register of the borough.

Town and country planning.

- 33.—(1) Any resolution passed or other proceeding taken by the urban council under the Town and Country Planning Act 1932 or any enactment thereby repealed (including the making of any agreement or order or the giving of any approval consent or notice under that Act or repealed enactment) shall in so far as it relates to land within the added area have effect as if it had been passed or taken by the Corporation in respect of that land.
- (2) The Corporation shall as regards the added area exercise the powers conferred and be subject to the duties imposed on the urban council by the Town and Country Planning (General Interim Development) Order 1933.

34.—(1) The clerk of the county council shall A.D. 1934. before the appointed day send to the town clerk a copy of every entry in the register of the county council under the Nursing Homes Registration Act 1927 which relates to any nursing home situate within the added area and the town clerk shall include in the register of the Corporation under that Act the particulars furnished by the clerk of the county council.

Register of nursing homes.

- (2) Any exemption in force immediately before the appointed day from the operation of the Nursing Homes Registration Act 1927 which may have been granted by the county council in respect of premises within the added area shall continue in force until the exemption shall expire.
- 35.—(1) Subject to the provisions of this section Provision where in consequence of any alteration of areas or for adjustauthorities made by this Act any adjustment of any ments. property income debts liabilities or expenses so far as they are affected by the alteration is required an adjustment shall be made between the councils or other authorities affected under and in accordance with sections 151 and 152 of the Act of 1933 as if this Act were an order made under Part VI of the Act of 1933.

- (2) Section 151 of the Act of 1933 shall extend to any question which may arise in consequence of the extension by this Act of the existing borough—
 - (a) as to any financial relations between the Corporation and the county council; and
 - (b) as to any financial relations between—
 - (i) either the Corporation or the Corporation and the county council on the one hand; and
 - (ii) the council of any other county borough on the other hand; and
 - (c) as to any financial relations between the Corporation and any county council other than the county council; and
 - (d) as to any financial relations between—
 - (i) either the Corporation or the Corporation and any county council other than the county council on the one hand; and
 - (ii) the council of any other county borough on the other hand.

A.D. 1934.

(3) This section shall not extend to any matter for the adjustment of which provision is made in the section of this Act whereof the marginal note is "Adjustment for purposes of licensing."

Adjustments as to properties.

- 36. In any adjustment between the Corporation and any council or other authority which may be made in consequence of this Act regard shall be had to the interest or share (if any) of the added area or any part thereof in any property—
 - (a) which is retained by or transferred to such council or other authority after or as from the appointed day who will thereby be relieved from providing accommodation; or
 - (b) which was prior to the appointed day subject to beneficial user by the inhabitants of the added area or any part thereof; or
 - (c) which or some part of which is realisable;

and due credit shall be given in such adjustment to the Corporation or any other council or authority in respect of such interest or share (if any) except to the extent to which the property will remain or become a burden on the council or other authority by whom it is retained or to whom it is transferred.

As to sewage works &c. in added area.

37. Notwithstanding anything contained in this Act the sewage works in the north-eastern portion of the added area and the main sewer conveying the sewage from the portion of the urban district outside the added area which drains to those works shall remain the property of the urban council but the Corporation shall be entitled to connect or permit the connection of all or any of the premises in the added area as they may from time to time determine whether existing at the commencement of this Act or subsequently erected to the said works or sewer and the urban council shall receive and dispose of the sewage and surface water from all premises so connected (including street water which cannot without unreasonable expense be otherwise disposed of) upon such terms and conditions as failing agreement between the Corporation and the urban council shall be determined by the Minister on the application of either of such parties after notice in writing to the other Any question as to whether unreasonable expense would be incurred in disposing of street water

in any particular case shall failing agreement between A.D. 1934. the Corporation and the urban council also be determined by the Minister Provided that the Corporation shall (1) enforce within the added area the provisions of sections 16 and 17 of the Public Health Acts Amendment Act 1890 and (2) be entitled at any time to disconnect any such premises for the time being connected to the said works or sewer having previously made other provision for the disposal of such sewage and surface water Any determination by the Minister under this section shall on the application of either party be open to revision by the Minister at any time after the expiration of a period of seven years from such determination the parties being at liberty by agreement to vary the terms and conditions of any such determination.

38.—(1) An equitable adjustment shall be made Adjustment between the county and the borough respecting the for purposes interests of the added area in any compensation fund of licensing. constituted under section 21 of the Licensing (Consolidation) Act 1910 or under any enactment repealed by that Act.

- (2) Such adjustment shall be made by agreement between the compensation authority (as defined by the Licensing (Consolidation) Act 1910) for the county and for the borough within twelve months from the appointed day or such extended period as may be allowed by the Secretary of State or in default of agreement by an arbitrator appointed by the Secretary of State.
- (3) For the purpose of any such adjustment section 151 of the Act of 1933 shall apply subject to the modification that the arbitrator shall be appointed by the Secretary of State instead of by the Minister.
- 39.—(1) As soon as practicable after the appointed Apportionday the county council and the urban council shall as regards any cash balance in their hands respectively at the appointed day estimate the proportion thereof derived and sums received from contributions paid by any part of the added area under and subject to a deduction on account of undischarged precepts. liabilities in respect of such part of the added area accruing up to the appointed day shall transfer such amount to the Corporation.
- (2) Any sum received after the appointed day by the county council or the urban council under a precept

ment of balances

- A.D. 1934. issued or rate made before that day in respect of the added area shall be dealt with in the manner prescribed by subsection (1) of this section.
 - (3) The apportionment under this section of any balance or sum received shall be subject to review on an adjustment under this Act.

Contribution orders and precepts. 40. Notwithstanding the alterations of areas effected by this Act all contribution orders and precepts made or issued before the appointed day shall be as valid in law as if this Act had not been passed.

Arrears of rates in added area.

41. All rates not collected immediately before the appointed day in respect of hereditaments within the added area shall be collected and recovered by the Corporation.

Insurance committees

- 42.—(1) The Minister may at any time after the passing of this Act by order make such provisions as appear to him to be necessary for transferring to the insurance committee for the borough such of the property rights and liabilities of the insurance committee for the county as relate to persons resident in the added area.
- (2) An order made under this section may authorise the insurance committee for the county to continue to act as insurance committee for the added area until such date not being later than the thirty-first day of December one thousand nine hundred and thirty-five as may be specified in the order and may for that purpose postpone the operation of this Act so far as relates to the rights and duties of the respective insurance committees for the county and the borough until the date so specified and may provide for such financial adjustments and may contain such other consequential and supplementary provisions as may appear to the Minister necessary or expedient.
- (3) An order under this section may be revoked revised or amended by an order made in like manner as the original order.
- (4) Subject to any order made under this section the persons who immediately before the appointed day are members of the respective insurance committees for the county and the existing borough shall be deemed to have been appointed or elected as and

shall be the members of the respective insurance committees for the county and the borough as altered by this Act for the remainder of the period for which they were appointed or elected.

A.D. 1934.

- 43.—(1) Every person resident in the added area Settlement immediately before the appointed day who has and irreacquired or is in the course of acquiring—

 and settlement movability
 - (a) a settlement in the county by reason of resi-transfer of dence birth or other qualification therein; or liability
 - (b) a status of irremovability from the county by reason of residence therein;

Settlement and irremovability and transfer of liability for maintenance of poor.

shall be deemed to have acquired or to be in the course of acquiring thereby as the case may require a settlement in or a status of irremovability from the borough.

- (2) For the purposes of this section consecutive periods of residence in any portions of the county shall (if and so far as those periods would immediately before the appointed day be reckoned for the purposes of determining questions of settlement in or irremovability from the county) be aggregated and shall be reckoned as continuous residence in that part of the county in which the person was residing immediately before the appointed day.
- (3) Where immediately before the appointed day a person is in receipt of poor relief from the county council as an inmate of an institution or of rate aid from the county council as an inmate of an institution for persons of unsound mind and was resident in the added area immediately before he last commenced to receive poor relief or rate aid he shall for the purposes of the foregoing provisions of this section be deemed to be resident in the added area immediately before the appointed day.
- (4) The liability for the cost accruing on and after the appointed day of the maintenance in any institution of any inmate of that institution to whom subsection (3) of this section applies shall by virtue of this Act be transferred to and attach to the Corporation but this subsection shall not prevent the Corporation from obtaining an order of removal or an adjudication of the chargeability of any person who notwithstanding the provisions of this section is liable to be removed or

A.D. 1934. made chargeable to any other county or county borough.

(5) Nothing in this section shall authorise the inclusion in any computation of a period of residence for the purposes of this section of such residence as is excluded by subsection (1) of section 93 of the Poor Law Act 1930 from a computation of residence for the purpose of the acquisition of a status of irremovability or shall prevent any residence so excluded from breaking the continuity of residence for the purpose of the acquisition by residence of a settlement.

Provisions as to register of electors.

- 44.—(1) For the purposes of the register of local government electors of the borough prepared in the year one thousand nine hundred and thirty-five and of all matters connected with incidental to or consequent upon those purposes the added area shall be deemed to have formed part of the borough as from the first day of the qualifying period for the register for the year one thousand nine hundred and thirty-five.
- (2) If the register of local government electors for any area affected by this Act is not so framed as to show the persons entitled to vote at an election to be held for a district or ward or other voting area the town clerk in the case of an election for a voting area within the borough or the registration officer of the parliamentary county of Chester in the case of an election for any other voting area shall make such alteration or re-arrangement of the register as may be necessary for the purposes of such election.
- (3) Any additional expense incurred by the town clerk or registration officer which may be solely attributable to a re-arrangement of an existing register of electors under the foregoing provisions of this section shall be defrayed by the Corporation.
- (4) It shall be the duty of any officer designated under article 3 of the Overseers Order 1927 by the Corporation or by the urban council for the performance of the duties of overseers in relation to the preparation of the register of electors to render such assistance as may be required by the town clerk or the registration officer for the purpose of any alteration or re-arrangement authorised by subsection (2) of this section.

(5) Where in the opinion of the Secretary of State A.D. 1934. the circumstances so require the Secretary of State may make such order as appears to him to be necessary or desirable to give effect to the provisions of this section and may vary so far as is requisite the provisions in force with regard to the lists and registers of electors.

45.—(1) The registration officer of the parlia- Duplicate mentary county of Chester shall supply the registration entries in officer of the parliamentary borough of Stockport on electors' publication with a sufficient number of copies of the lists. electors' lists the lists of objections to the electors' lists the lists of claimants and the lists of objections to claimants for each registration unit comprising any part of the added area and shall forthwith notify the registration officer of the said parliamentary borough of his decisions on any objections or claims in respect of any such registration unit.

- (2) It shall be the duty of the registration officer of the parliamentary borough of Stockport to issue such notices and otherwise to take such steps as are required by rule 23 in the First Schedule to the Representation of the People Act 1918 in order to secure that no person is registered as a local government elector in respect of more than one qualification in the borough for the purpose of borough council elections.
- (3) Where the registration officer of the parliamentary borough of Stockport considers (whether on account of an expression of choice by a person affected by a duplicate entry or otherwise) that any correction required for the purpose aforesaid should be made in the electors' lists of any registration unit comprising any part of the added area he shall forthwith notify the registration officer of the parliamentary county of Chester and that officer shall make such correction accordingly.
- (4) This section shall apply to the preparation of the register in the year one thousand nine hundred and thirty-five and of later registers.
- 46. For the purposes of summoning jurors and of Jury jury service any parish or township affected by this service. Act shall be deemed to continue unaltered until a new jurors' book comes into force.

Parish books and documents.

- 47.—(1) All rate books books of account minutes of proceedings deeds papers and writings belonging to the urban council relating exclusively to the added area and all documents directed by law to be kept with the public books writings and papers thereof respectively except any book or document relating to the affairs of the church or to ecclesiastical charities or to a parochial non-ecclesiastical charity shall be deposited in such custody as the Corporation may direct.
- (2) Any ratepayer in the added area shall at all times have the same right of inspection and of making extracts from the books and documents referred to in subsection (1) of this section which he would have had if this Act had not been passed.

Existing officers in added area.

- 48.—(1) All persons who at the passing of this Act are officers employed by the county council or by the urban council exclusively in the added area shall be transferred to and become officers of the Corporation.
- (2) Every officer so transferred shall hold his office or employment by the same tenure and upon the same terms and conditions as if this Act had not been passed and while performing similar duties to those which he was required to perform immediately before the appointed day shall receive not less salary wages or remuneration and shall be entitled to not less pension (if any) than the salary wages remuneration or pension to which he would have been entitled if this Act had not been passed.
- (3) The Corporation may distribute their business among the transferred officers and other officers of the Corporation in such manner as they may think proper and every officer shall perform such duties in relation to that business as may be directed by the Corporation and the Corporation may abolish the office or determine the appointment of any officer subject nevertheless to the consent of the Minister if the officer is removable only with the consent of or by the Minister.
- (4) Where by virtue of section 51 of the Rating and Valuation Act 1925 the Poor Law Officers' Superannuation Act 1896 applies to a transferred officer the provisions of the said Act of 1896 shall continue to apply to the officer notwithstanding his transfer by this Act.

49. Every officer transferred by the section of this Act of which the marginal note is "Existing officers in added area" who on the appointed day holds a post Superdesignated as an established post for the purposes of the Local Government and other Officers' Superannuation transferred Act 1922 (hereinafter in this section referred to as "the officers. Act of 1922") shall be deemed to occupy a post so designated by the Corporation and if he was immediately before the appointed day an officer of the county council or of the urban council he shall be deemed to have transferred to that post in circumstances rendering a transfer value under subsection (1) of section 8 of the Act of 1922 payable by the county council.

annuation

50.—(1) Every officer in office at the passing of Compensathis Act who by virtue of this Act or of anything done tion to in pursuance or in consequence thereof suffers any direct existing officers. pecuniary loss by abolition of office or by determination of his appointment (otherwise than for misconduct) or by diminution or loss of emoluments (and for whose compensation for that loss no other provision is made by any enactment for the time being in force) shall be entitled to compensation for that loss from the Corporation.

- (2) The provisions of subsections (2) to (5) of section 150 of the Act of 1933 and of the Fourth Schedule to that Act shall apply as if this Act were an order made under Part VI of that Act.
- (3) For the purposes of this section and the enactments thereby applied the expressions "officer" and "office" have the same meanings respectively as in section 150 of the Act of 1933 and the expression "emoluments" has the same meaning as in that Act.
- 51. The Minister may if he thinks fit on the appli- Differential cation of the urban council or any railway company rating. owning property in the added area (such application to be made in writing before the expiration of a period of two months after the passing of this Act) order that for the period or periods stated in the order the total amount in the pound of the general rate to be made and levied upon rateable hereditaments situate in the added area or any part thereof shall be less than the total amount in the pound of the general rate to be made and levied upon hereditaments within the area of the

existing borough by such sum or sums as may seem equitable to him after considering any representations that may be made to him by the Corporation.

Deduction in ascertaining rateable value of tithes

- 52.—(1) For the purposes of all valuation lists of the borough under the Rating Act 1925 the amount of the deduction to be made under paragraph (c) of subsection (1) of section 22 of that Act from net annual value in the ascertainment of the rateable value of railways &c. such rateable hereditaments within the added area as are included in class (3) of the hereditaments specified in column (1) of Part II of the Second Schedule to that Act shall be the same as the amount of the deduction made from the net annual value of similar hereditaments in the existing borough.
 - (2) The valuation list of the existing borough and so much of the valuation list of the urban district as relates to the added area with such modifications (if any) as may be necessary in order to give effect to the deduction specified in the preceding paragraph shall together form the valuation list of the borough and the remainder of the valuation list of the urban district shall form the valuation list of that district as altered by this Act.

As to schemes under Births &c. Registration Acts.

53. Nothing in this Act shall affect the area of any existing registration district or sub-district without prejudice however to the exercise of the powers contained in the Births and Deaths Registration Acts 1836 to 1929 as to the alteration thereof.

As to administrative schemes under Act of 1929.

54. The administrative scheme of the county council under Part I of the Act of 1929 shall cease to apply to the added area and the administrative scheme of the borough approved by the Minister on the thirtyfirst day of October one thousand nine hundred and twenty-nine shall extend to the added area.

Saving for qualification of aldermen &c.

55. Any alderman or councillor who is to continue in office after the appointed day shall not during his present term of office be deemed to lose his qualification by reason of any alteration of area made by this Act.

Saving for actions contracts precepts &c.

56.—(1) No alteration effected by this Act in the area of any local or other authority shall cause to abate prejudicially affect or prevent the continuance of any action cause of action or proceeding which immediately

[Ch. lvi.]

before the appointed day is pending or existing by or .A.D. 1934. against any such authority or any contract deed bond agreement or other instrument (subsisting immediately before the appointed day) entered into or made by any such authority or their predecessors:

Provided that—

- (a) any action cause of action or proceeding which immediately before the appointed day is pending or existing by or against any such authority in relation exclusively to any part of the added area may be continued prosecuted and enforced by or against the Corporation;
- (b) all contracts deeds bonds agreements and other instruments (subsisting immediately before the appointed day) entered into or made by any such authority or their predecessors in relation exclusively to any part of the added area may be continued and enforced as fully and effectually as if instead of such authority or their predecessors the Corporation had been a party thereto.
- (2) All legal proceedings pending immediately before the appointed day may be amended in such manner as may be necessary or proper in consequence of this Act.

57. Nothing in this Act shall—

Saving provisions.

- (a) be construed as restricting any power under the Act of 1929 or the Act of 1933 of altering any of the areas or the constitution of any authority or committee;
- (b) alter the area of any parliamentary borough or parliamentary county or any division thereof or affect the powers of a county council under section 31 of the Representation of the People Act 1918 or any order or scheme for the division of a constituency into polling districts for parliamentary elections and the appointment of polling places for parliamentary elections;
- (c) affect the ecclesiastical divisions of any parish or prejudice vary or affect any power right interest or jurisdiction in over or in connection with any charitable endowment;

- (d) (save as in this Act expressly provided) affect the provisions of the Rating and Valuation Acts 1925 to 1932; or
- (e) affect land tax.

Power to borrow and repayment of borrowed moneys.

58.—(1) The Corporation shall have power in addition and without prejudice to their powers of borrowing under the Act of 1933 from time to time to borrow without the consent of any sanctioning authority for and in connection with the purposes mentioned in the first column of the following table the respective sums mentioned in the second column of the said table and they shall pay off all moneys so borrowed within such periods as the Corporation may determine not exceeding those respectively mentioned in the third column of the said table (namely):—

Purpose.	Amount.	Period for repayment.
(1) For paying the costs charges and expenses of this Act.		Five years from the passing of this Act.
(2) For paying any capital sum to the urban council under the provisions of the section of this Act of which the marginal note is "Electricity limits."	The sum requisite.	Twenty-five years
(3) For paying any capital sum to the county council or to any other authority or company under or in pursuance of this Act (other than any sum requisite for the foregoing	The sum requisite.	. •
purpose (2)). (4) For paying any capital sum under the provisions of the section of this Act of which the marginal note is "Compensation to existing officers."		Twenty years from the date or dates of borrowing.

⁽²⁾ The provisions of Part IX of the Act of 1933 so far as they are not inconsistent with this Act shall extend and apply to money borrowed under this section as if it were borrowed under Part IX of that Act and the period fixed for the repayment of any money borrowed under this section shall as respects that money be the fixed period for the purpose of the said Part IX.

- 59. The Minister may hold such inquiries as he may consider necessary in regard to the exercise of any powers conferred upon him or the giving of consents under this by Act and section 290 of the Act of 1933 shall apply Minister.
- 60. All expenses incurred by the Corporation in Expenses carrying into execution the provisions of this Act with of execution respect to which no other provision is made shall be of Act. defrayed out of the revenues of the Corporation.
- 61. All the costs charges and expenses preliminary Costs of to and of and incidental to the preparing applying for Act. obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation and may be paid in the first instance out of any moneys in their hands but shall be charged to and recouped by the moneys which the Corporation are authorised to borrow under the powers of this Act.

The SCHEDULE referred to in the foregoing Act.

PART I.

LOCAL ACTS.

Session and chapter.	Title or short title.		
6 Geo. 4. c. lxviii	An Act for better supplying with water the town and township of Stockport and the township of Brinnington and several other townships adjoining thereto in the counties palatine of Chester and Lancaster.		
1 Vict. c. exxix	The Stockport Improvement Act 1837.		
10 & 11 Vict. c. cclxxxiv	The Stockport Manorial Tolls Act 1847.		
16 Vict. c. xxvi	The Stockport Amendment Act 1853.		
24 & 25 Viet. c. cexi -	The Stockport District Waterworks Act 1861.		
26 & 27 Vict. c. lxxxvii -	The Stockport District Waterworks Act 1863.		
27 & 28 Vict. c. cclxxvii	The Stockport District Waterworks Act 1864.		
62 & 63 Vict. c. exevi -	The Stockport Corporation Act 1899.		
62 & 63 Vict. c. ccvii -	The Stockport Corporation Water Act 1899.		
63 & 64 Vict. c. lxvii -	The Stockport Corporation Act 1900.		
1 Edw. 7. c. exeviii -	The Stockport Corporation Water Act 1901.		
5 Edw. 7. c. lvii	The Stockport Corporation Act 1905.		
8 Edw. 7. c. xlviii -	The Stockport Corporation Act 1908.		
2 & 3 Geo. 5. c. xxxii -	The Stockport Corporation Act 1912.		
20 & 21 Geo. 5. c. clxix -	The Stockport Corporation Act 1930.		
24 & 25 Geo. 5. c. lv -	The Stockport Corporation Act 1934.		

PART II.

A.D. 1934.

CONFIRMATION ACTS AND PROVISIONAL AND OTHER ORDERS.

		
Session and chapter.	Confirmation Act.	Order.
27 & 28 Vict. c. 83.	The Local Government Supplemental Act 1864 (No. 2).	Order dated 30th May 1864.
39 & 40 Vict. c. xli.	The Gas and Water Orders Confirmation Act 1876 (No. 1).	The Stockport District Water Order 1876.
50 Vict. c. xvi.	The Local Government Board's Provisional Orders Confirmation (No. 10) Act 1886.	Order dated 10th June 1886.
52 & 53 Vict. c. cx.	The Tramways Orders Confirmation (No. 1) Act 1889.	The Stockport and Hazel Grove Tram- ways Order 1889.
53 & 54 Vict.	The Water Orders Confirma-	The Stockport District
c. c.	tion (No. 1) Act 1890.	Water Order 1890.
54 Vict. c. l.	The Electric Lighting Orders Confirmation (No. 2) Act 1891.	The Stockport Electric Lighting Order 1891.
57 Vict. c. xxiii.	The Local Government Board's Provisional Orders Confirmation (No. 6) Act 1894.	The Stockport Order 1894.
63 & 64 Vict. c. exeviii.	The Tramways Orders Confirmation (No. 1) Act 1900.	The Reddish Urban District Council Tramways Order 1900.
1 Edw. 7. c. clxix.	The Local Government Board's Provisional Orders Confirmation (No. 11) Act 1901.	The Stockport (Extension) Order 1901.
2 Edw. 7. c. ccii.	The Tramways Orders Confirmation (No. 1) Act 1902.	The Stockport Corpora- tion Tramways Order 1902.
7 Edw. 7. c. liv.	The Electric Lighting Orders Confirmation (No. 1) Act 1907.	The Stockport Electric Lighting Order 1907.
3 & 4 Geo. 5.	The Local Government Board's	The Stockport (Exten-
c. cxxxvii.	Provisional Orders Confirma-	sion) Order 1913.
10 & 11	tion (No. 13) Act 1913. The Ministry of Health Provi-	The Stockport Order
Geo. 5.	sional Orders Confirmation	1920.
c. xlvi.	(No. 2) Act 1920.	
		′ 99

[Ch. lvi.]

Stockport [24 & 25 Geo. 5.] Extension Act, 1934.

A.D. 1934,

Session and chapter.	Confirmation Act.	Order.
11 & 12 Geo. 5. c. lxx. 19 & 20 Geo. 5.	The Ministry of Health Provisional Orders Confirmation (No. 7) Act 1921.	The Stockport Order 1921. The Stockport Gas Order 1929.

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