



ANNO VICESIMO & VICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. cxvii.

An Act to make better Provision for the Burial of the Dead in the City of *Manchester*, and for enabling the Corporation to purchase certain Lands and effect certain Improvements in that City. [10th *August* 1857.]

WHEREAS an Act (Chapter Eighty-five) was passed in the Session of Parliament held in the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, and another Act (Chapter One hundred and thirty-four) was passed in the Session of Parliament held in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, for amending the Laws relating to the Burial of the Dead, whereby Her Majesty, with the Advice of Her Privy Council, was empowered to order the Discontinuance of Burials in any Places of Burial upon the Representation of One of Her Principal Secretaries of State that such Discontinuance was requisite for the Protection of the Public Health, and the Ratepayers of any Parish where the Burial Ground should be closed by virtue of such Order were empowered to appoint a Local Board, and such Burial Board was authorized to provide a new Burial Ground, and to borrow Money for the Purposes thereof upon the Security of the Poor

[*Local.*] 19 P Rate;

15 & 16 Vict. c. 85.
16 & 17 Vict. c. 134.

*The Manchester Burial Board Act, 1857.*17 & 18 Vict.
c. 87.

Rate ; and it was provided that there should be paid in every Year, in addition to the Interest of the Money borrowed and unpaid, not less than One Twentieth Part of the Principal Sum borrowed, until the whole should be discharged: And whereas an Act (Chapter Eighty-seven) was passed in the Session of Parliament held in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, intituled *An Act to make further Provision for the Burial of the Dead in England, beyond the Limits of the Metropolis*, whereby, amongst other things, it was enacted, that in case it appeared to Her Majesty in Council, upon the Petition of the Town Council of any Borough stating that an Order in Council had been made for closing all or any of the Burial Grounds of One or more Parishes being wholly or partly within such Borough, that there is Difficulty or Inconvenience in providing, under the Powers of the Act Sixteenth and Seventeenth *Victoria*, Chapter One hundred and thirty-four, requisite Places of Burial for the Inhabitants of such Parish or Parishes, it should be lawful for Her Majesty, with the Advice of Her Privy Council, to order that Powers should be vested in the Council of such Borough for providing such Places of Burial under the Provisions of the Act now in recital; and it was also enacted, that upon the making of any such Order of Her Majesty in Council in relation to any Borough, if the Town Council of the same should decide upon providing One or more Burial Grounds, the Town Council should be a Burial Board for that Purpose, and the Provisions of the first Two recited Acts (except as therein mentioned) should extend and be applicable to such Borough and the Council thereof, and to any Burial Ground which might be provided by such Council under the Act now in recital; and it was also enacted, that all Expenses of carrying the Act into execution in any Borough should be chargeable upon and paid out of the Borough Fund and Borough Rates of such Borough, or partly out of such Fund and partly out of such Rates, in like Manner as if the same were Expenses incurred in carrying into effect the Provisions of an Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Seventy-six; and the Act now in recital conferred other Powers upon such Town Councils as such Burial Boards: And whereas, by "The Parish of *Manchester* Division Act, 1850," after reciting that by virtue of "The *Manchester and Leeds* Railway Act, 1836," "The *Manchester and Leeds* Railway Act, 1837," "The *Manchester and Leeds* Railway Act, 1839," "The *Manchester and Leeds* Railway Act, 1841," "The *Manchester and Leeds* Railway Act, 1844," "The *Manchester and Leeds* Railway Act, No. 1, 1845," "The *Manchester and Leeds* Railway Act, No. 2, 1845," "The *Manchester and Leeds* Railway Act, 1846," and an Act passed in the Eighth Year of the Reign of Her present Majesty and in the Year of our Lord One thousand eight hundred and forty-four, for the Improvement of the

Town

The Manchester Burial Board Act, 1857.

Town of *Manchester*, or some of such Acts, Land called "*Walker's Croft*," formerly also used as a public Burial Ground of and for the Parish of *Manchester*, was some Time since sold and conveyed to the *Manchester and Leeds* Railway Company (now the *Lancashire and Yorkshire* Railway Company), for Sums of Money amounting in the whole to Twelve thousand nine hundred and ninety-nine Pounds One Shilling and Sixpence, or thereabouts, it was enacted, that a competent Part or Parts of the said Sum of Twelve thousand nine hundred and ninety-nine Pounds One Shilling and Sixpence might be applied by the Dean and Canons of the Collegiate or Cathedral Church of *Manchester* and the Churchwardens of the Parish of *Manchester* in or towards the fencing and otherwise improving any Burial Ground which should be purchased or procured under the Powers of the Railway Acts and Improvement Act aforesaid, or any of them, or otherwise, and in providing a Chapel and other Conveniences thereon, as therein mentioned: And whereas by the said Railway Acts and Improvement Act, or some of them, the Purchase Moneys arising from the before-mentioned Sale of *Walker's Croft* were directed to be laid out in the Purchase of other Lands to be used for a Parish Burial Ground, and until such Purchase should be made such *interim* Investment as therein also mentioned was authorized and directed to be made of the same Moneys, and the Income thereof from Time to Time was directed to be paid unto the Party or Parties who would have been entitled to receive the Dues or Fees payable for or in respect of Interments within the said Parish Burial Ground called *Walker's Croft*, in case the Sale thereof had not taken place: And whereas by "The Parish of *Manchester* Division Act, 1850," the said Parish of *Manchester*, herein-after called the ancient Parish of *Manchester*, has been divided and now consists of divers smaller Parishes, of which One is called the Parish of *Manchester* and the others District Parishes: And whereas all such Parishes as make up the Area of the ancient Parish of *Manchester* are herein-after referred to as the District Parishes of *Manchester*: And whereas the said District Parishes of *Manchester* are partly within and partly without the Limits of the City of *Manchester*: And whereas Orders in Council have been made for closing certain of the Burial Grounds within the said City of *Manchester*, and it is expedient that the Town Council of the said City should be constituted the Burial Board thereof, with the same Powers, Rights, and Privileges, and subject to the same Control and Liabilities as they would have and be subject to if they were appointed by Her Majesty by an Order in Council: And whereas the Lands described in the Schedule to this Act were, in or about the Year One thousand eight hundred and fifty-three, purchased of the Right Honourable the Earl of *Derby* by the said Dean and Canons and Churchwardens for the Sum of Four thousand seven hundred and fifty Pounds, and by an Indenture bearing Date the Fifteenth Day of *November* One thousand eight

The Manchester Burial Board Act, 1857.

eight hundred and fifty-three were conveyed to *Malcolm Ross, John McClure, and George Fereday Smith*, their Heirs and Assigns, upon the Trusts therein mentioned, for converting the same into a Burial Ground for the said ancient Parish of *Manchester*, but in the Events which have happened it is found that the said Lands cannot be made use of for such Purpose: And whereas it has been agreed that the said Lands shall be re-vested in the said Earl of *Derby*, on Payment by him, in manner herein-after mentioned, of the said Sum of Four thousand seven hundred and fifty Pounds: And whereas the said Purchase Money of Four thousand seven hundred and fifty Pounds, and also a Sum of Six hundred and seventy Pounds to be applied by the said Dean and Canons and Churchwardens in fencing off the said Lands, were, under an Order of the Court of Chancery bearing Date the Twenty-sixth Day of *May* One thousand eight hundred and fifty-three, raised by the Sale of certain Stock upon which Part of the said Sum of Twelve thousand nine hundred and ninety-nine Pounds One Shilling and Sixpence had been invested: And whereas the whole of the said Sum of Twelve thousand nine hundred and ninety-nine Pounds One Shilling and Sixpence is now represented by the Lands described in the Schedule to this Act, by the Sum of Four thousand eight hundred and twenty-nine Pounds Fifteen Shillings and Fivepence Three Pounds *per Centum* Consolidated Bank Annuities, standing in the Books of the Governor and Company of the Bank of *England* in the Name of the Accountant General of the Court of Chancery, in trust, "*Ex parte the Lancashire and Yorkshire Railway Company, in the Matter of 'The Manchester and Leeds Railway Act, 1836,' 'The Manchester and Leeds Railway Act, 1846,' and 'The Manchester and Leeds Railway Act, No. 3, 1847,' in the Name or to the Account of the Dean and Canons and the Churchwardens of Manchester,*" by the Sum of Three thousand one hundred and seventeen Pounds Five Shillings and Twopence like Bank Annuities, now standing in the Books of the said Governor and Company in the Name or to the Account of "*The College of Christ in Manchester,*" and by the said Sum of Six hundred and seventy Pounds Cash, which still remains unapplied in the Hands of the Accountant General of the Court of Chancery: And whereas it is expedient that the said Sums of Money in Stock and Cash, including the said Sum of Four thousand seven hundred and fifty Pounds, should be vested in the Mayor, Aldermen, and Citizens of the City of *Manchester* as the Burial Board for such City, to be applied by them for the Purposes declared with respect thereto by the said Railway and Improvement Acts, or some of them: And whereas certain Lands in the Townships of *Cheetham* and *Manchester* are required for effecting Improvements within the said City, and it is expedient that the Mayor, Aldermen, and Citizens of the City of *Manchester* should be empowered to purchase such Lands, and it is also

The Manchester Burial Board Act, 1857.

also expedient that the said Mayor, Aldermen, and Citizens should be enabled to fix and determine the Line or Limits within which Buildings may be erected on the South Side of *Oldham Road*, between *Fir Street* and *Cornwall Street*: And whereas the Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

I. In construing this Act the following Words and Expressions shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Interpreta-
tion of
Terms.

The Expression "the Board" shall mean the Burial Board constituted by this Act:

The Expression "the Corporation" shall mean the Mayor, Aldermen, and Citizens of the City of *Manchester*:

The Expression "Burial Grounds belonging to the Board," or other like Expression, shall be applicable to all Burial Grounds provided under this Act, notwithstanding that the Fee Simple and Inheritance thereof may be vested in the Corporation.

II. The Town Council of the City of *Manchester* are hereby constituted the Burial Board for such City, and all the Provisions of the recited Acts and of any other Acts for the Time being in force relating to the Burial of the Dead, so far as such Provisions relate to or affect the Town Council of any Borough constituted a Burial Board by Order of Her Majesty in Council, shall be applicable to the Town Council of the said City as the Burial Board for such City, and to all Burial Grounds provided by them, in like Manner as they would have applied if such Town Council had been appointed such Burial Board by Order of Her Majesty in Council.

Town Council appointed Burial Board for Manchester.

III. The Lands described in the Schedule to this Act shall vest in the Earl of *Derby* and his Heirs for an Estate in Fee Simple (freed and discharged from the Trusts created by the said Indenture of the Fifteenth Day of *November* One thousand eight hundred and fifty-three,) on Payment by him to the Mayor, Aldermen, and Citizens of the City of *Manchester*, within One Month from the Date of the passing of this Act, of the said Sum of Four thousand seven hundred and fifty Pounds, and the Receipt of the Town Clerk of *Manchester* shall be conclusive Evidence of such Payment; but if the said Earl of *Derby* makes default in Payment of the said Sum within the said Period of One Month, all the above Lands shall vest in the said

The Lands in Schedule to vest in Earl of Derby, on Payment of Purchase Money, but in default of Payment Lands to vest in Corporation, with Powers to sell and lease, &c.

[Local.]

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Mayor,

The Manchester Burial Board Act, 1857.

Mayor, Aldermen, and Citizens, for an Estate of Inheritance in Fee Simple, discharged of and from the Purposes and Provisions by and in the said Acts and Indenture, or any of them, declared or contained of and concerning the same respectively; and the Corporation may from Time to Time or at any Time sell the said Lands, or any of them, in consideration of a Sum or Sums of Money in gross, or sell or demise the said Lands, or any of them, upon or in consideration of any Chief or Ground Rent or Rents, every such Rent to be limited or made payable out of the Inheritance of the Lands sold in consideration thereof, or out of any long Term of Years to be created in the Lands so demised in consideration thereof, and to be secured upon the same Lands in such Manner in all respects as to the Corporation may seem expedient; and for the Purpose of effectuating any such Sale or Demise, the Corporation may enter into, make, and execute all such Contracts, Arrangements, Acts, Deeds, and Assurances as shall be necessary or proper; and upon every or any Sale or Demise upon or in consideration of any Chief or Ground Rent, or upon any other Occasion, the Corporation may make all such Reservations, and grant to the respective Purchasers or Lessees of the Lands so sold or demised, or to any other Persons willing to purchase or accept the same, all such Liberties, Easements, and Privileges in, through, over, or affecting the same Lands, or any Part thereof, as to the Corporation may seem expedient, and generally may insert in any Deed or Instrument that may be executed upon or for effectuating any such Sale, Demise, or Grant, all or any such Provisions as the Corporation may think fit; and also may from Time to Time or at any Time, with the Consent of the Treasury, accept a reasonable Surrender or Relinquishment of any Lands sold or demised upon or in consideration of any Chief or Ground Rent, or of any Liberties, Easements, or Privileges, and make any new Sale or Demise or Grant of all or any of the same Lands, Liberties, Easements, and Privileges, either to the Persons making such Reconveyance, Surrender, or Relinquishment, or to any other Person or Persons, and that either alone or with any other Persons, and either alone or with any other Lands, Liberties, Easements, or Privileges as to the Corporation may seem expedient, and in all respects as if a Sale, Demise, or Grant of the same Lands, Liberties, Easements, or Privileges theretofore sold, demised, or granted had not theretofore been made; and the Corporation may from Time to Time enter into, make, and execute any Arrangement or Agreement for the Apportionment of any Rent or Rents for the Time being payable out of or affecting any of the said Lands, or any Part thereof, or for discharging any of such Lands, or any Part thereof, from any such Rent as aforesaid, or any Part thereof, and for imposing the same wholly upon other of the said Lands, or upon other Part of the particular Lands of which any Part shall be so discharged as aforesaid; and the Corporation may do and execute

The Manchester Burial Board Act, 1857.

execute all such Acts and Assurances for carrying any such Arrangement or Agreement as lastly aforesaid into effect as the Corporation may think fit: Provided always, that if any Portion of such Land shall be sold on consideration of a Chief or Ground Rent, the Purchase Moneys of such Land shall for the Purposes of this Act be deemed to be such Sum as will be equal to Twenty Years Purchase of any such Chief or Ground Rent: Provided also, that any Moneys acquired by the Corporation in pursuance of a Sale made by them under this Section shall be applied to the same Purposes as the said Sum of Four thousand seven hundred and fifty Pounds is hereby made applicable.

IV. Notwithstanding any of the Provisions of the said Railway Acts and Improvement Act, and of the said "Parish of *Manchester* Division Act, 1850," or any of them, or otherwise, the aforesaid several Sums of Four thousand eight hundred and twenty-nine Pounds Fifteen Shilling and Fivepence, Three thousand one hundred and seventeen Pounds Five Shillings and Twopence Three Pounds *per Centum* Consolidated Bank Annuities shall, with all convenient Speed after the passing of this Act, be transferred in the Books of the Governor and Company of the Bank of *England* to an Account to be intituled "The Burial Board for the City of *Manchester*," and the Dividends of such Bank Annuities shall thenceforth be paid to and receivable by the Board, and the Board shall hold as well the said Bank Annuities and the Dividends thereof, as also the aforesaid Sum of Six hundred and seventy Pounds Cash now in the Hands of the Accountant General of the High Court of Chancery, discharged of and from the Purposes and Provisions by and in the said Railway Acts and Improvement Act, and "Parish of *Manchester* Division Act, 1850," or any of them, declared and contained of and concerning the same respectively.

The Sums of Consols before mentioned to be transferred to the Account of the Burial Board.

V. The said Sum of Four thousand seven hundred and fifty Pounds (except as herein-after provided) shall, notwithstanding anything in the recited Public Acts relating to Burial Grounds contained, be applied by the Corporation in the Purchase of Lands to be used as a consecrated Parish Burial Ground or consecrated Parish Burial Grounds for the said District Parishes of *Manchester*, exclusive of the Townships of *Salford* and *Broughton*, or in laying out, fencing, or draining the Lands so purchased, or in erecting Chapels or other Buildings thereupon to be used in connexion with such Burial Ground: Provided always, that until any Money so received shall be required for the Purposes aforesaid, it shall be lawful for the Board to invest the same in the Purchase of Three Pounds *per Centum* Consolidated Bank Annuities, and to apply the Dividends of such Annuities in the same Manner as the Rents and Profits of the Land sold would have been applicable if such Land had remained unsold.

Application of Purchase Moneys and Dividends.

VI. The

The Manchester Burial Board Act, 1857.

Application
of Stock
transferred
to Board and
of the 670l.
Cash.

VI. The Moneys produced by the Sale of the said Sums of Four thousand eight hundred and twenty-nine Pounds Fifteen Shillings and Fivepence and Three thousand one hundred and seventeen Pounds Five Shillings and Twopence Three Pounds *per Centum* Consolidated Bank Annuities, and also the said Sum of Six hundred and seventy Pounds Cash, and every Part thereof, shall (except as herein-after provided) be applied by the Board for the Purposes herein-before stated with respect to the said Sum of Four thousand seven hundred and fifty Pounds.

Application
of Income.

VII. The Rents and Profits of the Lands comprised in the Schedule to this Act, so long as the same remain unsold, and any Income arising from the said Sum of Four thousand seven hundred and fifty Pounds, or from any other Sum received for the Sale of the said Lands or any Part thereof, and any Income arising from the said Sum of Six hundred and seventy Pounds, or from any Investment thereof, and from the Sum of Stock hereby directed to be transferred to the Corporation (and all which Principal Sums of Cash and Stock, and any Investments thereof, are herein-after referred to as the Parish Burial Fund), until the Principal Moneys respectively shall have been expended in accordance with the Provisions of this Act, shall be paid to the Persons who would have been entitled to receive the same if this Act had not been passed.

A Portion of
the Parish
Burial Fund
to be paid to
the Burial
Board of the
Borough of
Salford.

VIII. And whereas the Townships of *Salford* and *Broughton*, forming Part of the ancient Parish of *Manchester*, are comprised within and form a Part of the Municipal Borough of *Salford*: And whereas the Town Council of such Borough have been constituted the Burial Board of that Borough, and have contracted to purchase a Piece of Land containing Twenty-one and a Half Acres, or thereabouts, for the Purpose of a Burial Ground, on which they have expended a considerable Sum in the Formation and laying out of the Ground, and the Erection of Buildings in which the Services connected with the Burial of the Dead can be performed: Be it enacted, That out of the said Parish Burial Fund the said Corporation shall, within Three Months after the passing of this Act, pay to the Burial Board of the Borough of *Salford* such Amount of the said Parish Burial Fund as shall bear the same Proportion to the whole of the said Fund as the Amount originally contributed by the said Two Townships to the Purchase of the said Land called *Walker's Croft* bore to the whole of such Purchase Money, and the Receipt of the Treasurer for the Time being of the said Borough of *Salford* shall be a sufficient and complete Discharge for the Moneys to be so paid; and in case any Question shall arise as to the Amount so to be paid, the same shall be determined by the Chairman for the Time being of the Quarter Sessions for the Hundred of *Salford*, holden at the *New Bailey Court House* in *Salford* aforesaid.

IX. The

The Manchester Burial Board Act, 1857.

IX. The said District Parishes of *Manchester*, exclusive of the Townships of *Salford* and *Broughton*, and the Inhabitants of such District Parishes, the Bishop of *Manchester*, the Minor Canons, Chaplains, and Vicars of the Cathedral Church of *Manchester*, the Clerks of the said Cathedral and Parish Church, and every Rector, Incumbent, or Minister of each of the said District Parishes, exclusive as aforesaid, and every other Ecclesiastical Person shall have the same Rights, be entitled to the same Fees, and be subject to the same Obligations, in respect of the Ground to be purchased with the said Parish Burial Fund as herein-before authorized, as they would have had and been subject to if this Act had not passed, and as if the said Parish Burial Fund had been invested in pursuance of and as directed by the said Railway and Improvement Acts.

Saving of Rights in Parish Burial Ground.

X. And whereas Plans of the Lands and Houses in the Townships of *Cheetham* and *Manchester*, required for effecting Improvements within the City of *Manchester*, with a Book of Reference to such Plans, have been deposited for the Purposes of this Act with the Clerk of the Peace for the County of *Lancaster*: Therefore it shall be lawful for the Council to enter upon, purchase, take, and hold all or any Part of such Lands and Houses, and to apply to such Purposes any Moneys which are applicable to Improvement Purposes.

Power to purchase Lands for Improvement Purposes.

XI. The several Powers and Provisions in the Local and Personal Act, Eighth and Ninth *Victoria*, Chapter One hundred and forty-one, either expressly or by reference contained or provided with respect to the Purchase and taking of the Houses or Lands mentioned in the Schedule to that Act, and for ascertaining the Value thereof, and any Damage sustained by the Persons interested therein, and for the Payment of the Expenses attending the Purchase of any such Houses or Lands by the Council, and for all other Purposes connected therewith, and which said several Powers and Provisions are contained in the Eleventh and following Sections to the Seventeenth Section inclusive of the said Act, shall extend and be applicable to the purchasing and taking of the Lands and Houses shown on the said Plans and described in the said Book of Reference, and authorized to be purchased and taken by this Act for the Purpose of effecting Improvements within the said City, and to the ascertaining the Value thereof, and any Damage sustained by the Persons interested therein, and to the Payment and Investment of the Purchase Moneys, and to the Payment of the Expenses attending the Purchase of any such Lands and Houses by the Corporation, and to all other Purposes connected therewith, in the same Manner in all respects as if the said several Powers and Provisions had been re-enacted in this Act with reference to the said Lands and Houses; and the same Powers and Provisions shall, for the Purposes of this Act, be incorporated therewith, and may, in all Proceedings at

Provisions contained in 8 & 9 Vict. c. cxli., as to Purchase and taking of Lands, &c., incorporated with this Act.

The Manchester Burial Board Act, 1857.

Powers for compulsory Purchases not to be exercised after One Year.

Law or otherwise, be pleaded or referred to as Part of this Act: Provided always, that the Powers of the Corporation for the compulsory Purchase or taking of the said Lands or Houses shall not be exercised after the Expiration of One Year from the passing of this Act.

Power to fix Line of Buildings in Part of Oldham Road, &c., and for Owners of Property to build accordingly.

XII. It shall be lawful for the Corporation to fix and determine the Line or Limits within which Buildings may be erected on the South Side of so much of *Oldham Road* in the said City as lies between *Fir Street* and *Cornwall Street*, and it shall be lawful for the Owners of Lands and Houses fronting the said Portion of the said Street, as the same existed immediately before the passing of this Act, to erect Buildings upon the Land lying between their respective Premises and the Line or Limits of the said Street so to be fixed, upon such Terms and Conditions as may be agreed upon between such Owners respectively and the Corporation.

Expenses of Act.

XIII. The Costs and Expenses of and attending the passing of this Act shall be paid as follows; (that is to say,) one Moiety thereof shall be paid by the Board out of their Proportion of the Burial Fund or other Moneys received by them under the Provisions of this Act, and the remaining Moiety thereof shall be paid by the Corporation out of the Moneys applicable to Improvement Purposes.

Short Title.

XIV. In citing this Act for any Purpose it shall be sufficient to describe it as "*The Manchester Burial Board Act, 1857.*"

The Manchester Burial Board Act, 1857.

SCHEDULE referred to in the foregoing Act.

THE Plot of Land situate in Cheetham in the Parish of Manchester in the County of Lancaster, and delineated and described in the Plan thereof endorsed on the Third Skin of a certain Indenture bearing date the Fifteenth Day of November One thousand eight hundred and fifty-three, and made between the Right Honourable Edward Geoffrey Earl of Derby of the First Part, the Very Rev. George Hull Bowers, the Rev. Cecil Daniel Wray, the Rev. Oswald Serjeant, the Rev. Richard Parkinson, and the Rev. Robert Cox Clifton, therein described as the Dean and Canons of the Cathedral or Collegiate Church of Manchester in the County of Lancaster, James Dorrington, John Marsland Bennet, and Charles Edward Cawley, therein described as formerly Churchwardens of the Parish of Manchester, of the Second Part, and Malcolm Ross, Merchant, John McClure, Commission Agent, and George Fereday Smith, Gentleman, therein described as the then Churchwardens of the Cathedral or Collegiate and Parish Church of Manchester, of the Third Part, and in the same Plan distinguished by being coloured Pink, and containing in the whole Six Statute Acres, or thereabouts, together with full Right and Liberty to drain the said Plot of Land, and to open into any existing Drain, or into any Sewer or Drain which might at any Time after the Date of the said Indenture of the Fifteenth Day of November One thousand eight hundred and fifty-three, be made through or under any Street or Road formed or to be formed adjoining the said Plot of Land, and also with full Right and Liberty to use the Lane called Peel Lane, near to the said Plot of Land, until the Road or Street to be formed and completed by the said Earl of Derby, as in certain Articles of Agreement recited in the said Indenture of the Fifteenth Day of November One thousand eight hundred and fifty-three mentioned, shall have been formed and completed, and also to use the said last-mentioned Road or Street for all Purposes in connexion with the said Plot of Land, and all Easements, Privileges, and Appurtenances whatsoever to the said Plot of Land and Premises belonging or in anywise appertaining.

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