



ANNO TRICESIMO

VICTORIÆ REGINÆ.

Cap. lviii.

An Act for altering, amending, and extending the Provisions of "The *Salford* Improvement Act, 1862," for authorizing the Extension of the Gasworks, the Construction of a new Street, the raising of further Monies; and for other Purposes. [31st *May* 1867.]

WHEREAS by "The *Salford* Improvement Act, 1862," the several Local and Personal Acts relating to the Borough of *Salford* in the County Palatine of *Lancaster* were amended and extended, and with other Provisions were consolidated into One Act: And whereas it is expedient that the Provisions of that Act should be altered, amended, and extended as by this Act provided, and that the Mayor, Aldermen, and Burgesses of the Borough of *Salford* should be empowered to extend their Gasworks, to make a new Street, and to exercise additional Powers for the better Regulation, Management, and sanitary Improvement of the Borough: And whereas a Plan of the Lands required for the Purposes of Gasworks, and a Plan of the intended new Street and of the Lands and Buildings required for the Purposes thereof, and a Section showing the intended Level of such

[*Local.*]

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new

25 & 26 Vict.

c. ccy.

1862

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new Street, and Books of Reference to such Plans, have been deposited with the Clerk of the Peace for the County of *Lancaster*, and are hereinafter referred to as the deposited Plans and Sections: And whereas by "The *Salford* Improvement Act, 1862," (Section Three hundred and ninety-one,) the Corporation were authorized to borrow in the whole, including their then authorized borrowing Power, One hundred and twenty thousand Pounds on the Security of the Borough Rate and of the Gasworks, and they have borrowed One hundred and five thousand five hundred and seventeen Pounds and Five Shillings on that Security; and by the same Act (Section Three hundred and eighty-seven) they were authorized to borrow in the whole, including their then authorized borrowing Power, Ten thousand Pounds on Security of the Rates and Assessments they are authorized to levy within the *Broughton* District, and they have borrowed Six thousand five hundred and ninety-five Pounds on that Security; and by the same Act (Section Three hundred and eighty-nine) they were authorized to borrow in the whole, including their then authorized borrowing Power, Ten thousand Pounds on Security of the Rates and Assessments they are authorized to levy within the *Pendleton* District, and they have borrowed Nine thousand nine hundred and fifty Pounds on that Security, and it is expedient to authorize the Corporation to borrow further Sums of Money on those Securities respectively: And whereas the Purposes 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 Commons, in this present Parliament assembled, and by Authority of the same, as follows; (that is to say,)

Short Title.

1. This Act may be cited for all Purposes as "*The Salford Improvement Act, 1867.*"

8 & 9 Vict.
c. 18. and
23 & 24 Vict.
c. 106. incor-
porated.

2. "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," are (except where expressly varied by this Act) incorporated with and form Part of this Act.

Interpre-
tation of
Terms.

3. In this Act the several Words and Expressions to which Meanings are assigned by those Acts wholly or partially incorporated with this Act shall, except as herein-after mentioned, have the same respective Meanings, unless there be something in the Subject or Context repugnant to such Construction; and in the Acts incorporated with this Act and also in this Act the Expression "Superior Courts" or "Court of competent Jurisdiction," or any other like Expression, shall be read and have Effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute, and the Expression

"Court

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“Court of Chancery” includes the Court of Chancery in the County Palatine of Lancaster.

4. “The *Salford Improvement Act, 1862*,” so far as it is from Time to Time in force, and this Act shall be read together and have Effect and be construed and executed as if they were One Act; and the Purposes of this Act shall be deemed to be Purposes of that Act, and the several Words and Expressions in “The *Salford Improvement Act, 1862*,” to which Meanings are assigned by that Act, have in this Act the same respective Meanings, unless there be something in the Subject or Context repugnant to such Construction.

First-recited Act and this Act to be executed as One.

5. The Corporation by the Council are hereby empowered to carry this Act and the several Powers thereof into execution.

Council of Borough to execute Act.

6. Subject to the Provisions and for the Purposes of this Act, the Corporation may from Time to Time enter upon, take, use, and appropriate all or any of the Lands following shown on the deposited Plans and described in the deposited Books of Reference; (that is to say,)

Power to take Lands.

Firstly, Lands, Houses, and Property in the Township of *Salford* in the Parish of *Manchester* bounded as follows: by *Liverpool Street* on the North, by the *London and North-western Railway* on the South, by *Egerton Street* on the East, and by *Windsor Street* on the West, including also so much of those Streets respectively as are shown on the deposited Plan and described in the deposited Books of Reference, and the Bridges by which those Streets respectively are carried over the *London and North-western Railway*:

Secondly, Lands, Houses, and Property in the Township of *Pendleton* in the Parish of *Eccles* situate to the West of the *Lancashire and Yorkshire Railway*, and to the North of *Sovereign Street* near to its Junction with *Mill Street*:

Provided always, that the Corporation shall not acquire under the Provisions of this Act so much of the Lands shown on the deposited Plans as is coloured Pink upon a Copy of those Plans signed by Mr. *George Brett*, Town Clerk of the Borough, on behalf of the Corporation, and by Mr. *James Blenkinsop* on behalf of the *London and North-western Railway Company*, who now possess the Parliamentary Power of acquiring that Portion of those Lands, and any Removal or Alteration by the Corporation of the Bridges by which *Egerton Street* and *Windsor Street*, or either of them, cross the *London and North-western Railway*, or any widening of such Railway, and all Works of the Corporation of and incidental to any such Removal or Alteration, shall be done under the Superintendence and to the reasonable Satisfaction

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Satisfaction in all respects of the principal Engineer for the Time being of the *London and North-western Railway Company*, and according to Drawings, Plans, and Specifications, and at such Times, whether by Day or Night, as shall be reasonably approved in Writing by him under his Hand, but in all things at the Expense of the Corporation, and so as to cause no Injury to or Interference with that Railway, or with any widening thereof, or the Passage or Conduct of Traffic there-over, and if any such Injury or Interference shall arise to such Railway as aforesaid the Corporation shall make full Compensation to that Company in respect of such Injury or Interference.

7. The Corporation may in and upon the Lands firstly described construct, erect, maintain, improve, and extend all such Works, Buildings, and Conveniences as they think requisite for the Manufacture and Storage of Gas, and do all Matters and Things incidental thereto, but they shall not manufacture or store Gas except upon those Lands and such other Lands as they may now use for such Purposes, that is to say, a Plot of Land in the Township and Borough of *Salford* bounded on the North-east by *Posey Row*, on the North-west in part by *Williamson's Buildings*, and in other part by Property occupied as a Rope Walk by Mr. *Underwood*, on the South-west by *Lamb Lane*, and on the South-east by other Lands belonging to the Corporation and occupied as a Timber Yard by *Joseph Mouncey*, and a Plot of Land in the Township and Borough of *Salford*, bounded on the Northerly Side by the *London and North-western Railway*, on the Easterly Side by *Egerton Street*, on the Southerly Side by a Street of Six Yards in Width, and on the Westerly Side by *Windsor Street*.

8. The Corporation may in and upon the Lands secondly described, and in the Situation or Line delineated on the deposited Plan, and according to the Levels shown upon the deposited Section, make and maintain the intended new Street to form a Communication from the Northerly End of *Cheltenham Street* to the Southerly End of *Cobden Street*, with all proper Works and Conveniences in connexion therewith.

9. So far as it may be necessary for the Purposes of the intended new Street, the Corporation may alter or otherwise interfere with, temporarily or permanently, and may appropriate the whole or any Part of the following Streets, so far as they respectively extend in, over, or upon any of the Lands which the Corporation are by this Act authorized to purchase compulsorily; (that is to say,)

Sovereign Street, *Mill Street*, and *Cobden Street*, and any private Streets, Passages, and Footpaths shown on the deposited Plan and described in the deposited Book of Reference.

10. If

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10. If any Omission, Misstatement, or wrong Description shall have been made of any Land or other Property, or of the Owners, Lessees, or Occupiers of any Land or other Property, described on the deposited Plans or mentioned in the deposited Books of Reference, the Corporation, after giving Ten Days Notice to the Owners, Lessees, and Occupiers of the Lands or Property affected by such proposed Correction, may apply to any Two Justices for the Correction thereof, and if it appear to such Justices that such Omission, Misstatement, or wrong Description arose from Mistake they shall certify the same accordingly, and they shall in such Certificate state the Particulars of any such Omission, Misstatement, or wrong Description; and such Certificate, with the other Documents to which it relates, shall be deposited with the Clerk of the Peace for the County of *Lancaster* and with the Town Clerk, and such Certificate shall be kept by such Clerk of the Peace and Town Clerk respectively with the other Documents to which it relates, and thereupon such Plans and Books of Reference shall be deemed to be corrected according to such Certificate, and the Corporation may take any Land or Property in accordance with such Certificate, and make the Work, as if such Omission, Misstatement, or wrong Description had not been made.

Omission in Books of Reference may be corrected by Justices, who shall certify the same.

Certificate to be deposited.

11. A Copy of the deposited Plans and Books of Reference respectively, and of all such Alterations or Corrections thereof as aforesaid, shall be kept by the Town Clerk, who shall permit all Persons to inspect the same at reasonable Times, and to make Copies and Extracts of and from the same respectively, on Payment by each Person of One Shilling for every such Inspection, and of the further Sum of One Shilling for every Hour during which such Inspection shall continue after the First Hour, and after the Rate of Sixpence for every One hundred Words copied therefrom.

Plans, &c. to be open to Inspection, &c.

12. Copies of the deposited Plans and Books of Reference, and of any Alteration or Correction thereof or Extract therefrom, certified by the Clerk of the Peace of the County of *Lancaster* or by the Town Clerk, which Certificate such Clerk of the Peace and Town Clerk respectively shall give to all Parties interested when required, shall be received in all Courts of Justice or elsewhere as Evidence of the Contents thereof.

Copies of Plans, &c. to be Evidence.

13. In constructing the intended new Street the Corporation may, subject to the Provisions and Restrictions of this Act, deviate from the Lines shown on the deposited Plan to any Extent not exceeding the Limits of Deviation shown on that Plan, and may deviate from the Levels shown on the deposited Section to any Extent not exceeding Five Feet.

Lateral and vertical Deviations.

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Notice to be given of taking Houses of Labouring Classes.

14. The Corporation shall, not less than Eight Weeks before they take under the Powers of this Act Fifteen Houses or more occupied either wholly or partially by Persons belonging to the Labouring Classes as Tenants or Lodgers, make known their Intention to take the same by Placards, Handbills, or other general Notice placed in public View upon or within a reasonable Distance from such Houses, and the Corporation shall not take any such Houses until they have obtained the Certificate of a Justice that it has been proved to his Satisfaction that the Corporation have made known their Intention to take the same in manner herein-before required.

Ground laid into Street to be public Highways.

15. The Sites of all Houses and all Lands which may be purchased by the Corporation and laid into and appropriated for a Street shall, when and so soon as the same shall be so laid into and appropriated, for ever thereafter form Part of the public Highways, and shall be repaired and maintained and kept in repair in such and the same Way and Manner as the Highways shall for the Time being be by Law maintained, repaired, and kept in repair.

Power to borrow Money on Credit of Gasworks.

16. The Corporation may from Time to Time borrow at Interest on the Security of the Borough Rate and of the Gasworks for any Purposes of the Gasworks, and for any Purposes authorized by "The Salford Improvement Act, 1862," or this Act, as to which special Provision is not in that Act or this Act otherwise made, any Sums of Money which, in addition to the Sums now due and owing or authorized to be borrowed on that Security as aforesaid, shall not exceed the Sum of One hundred thousand Pounds; and in the event of any Part of such last-mentioned Sum being repaid by the Corporation, except by means of the Sinking Fund or out of the Purchase Money of any Lands sold by the Corporation as herein-after respectively mentioned, the Corporation may reborrow the same, and for securing the Repayment of the Monies so borrowed, with Interest for the same, the Corporation may assign over the Borough Rate and Gasworks, or any Part thereof, to any Person who shall advance or lend Money to the Corporation.

Provision for Sinking Fund.

17. Section Three hundred and ninety-two of "The Salford Improvement Act, 1862," providing for a Sinking Fund for paying off Monies borrowed by the Corporation on the Security of the Borough Rate and Gasworks, and Section Three hundred and ninety-three of that Act providing for the Investment of the Sinking Fund, shall be applicable to the Monies which may be from Time to Time borrowed or reborrowed by the Corporation under the Powers given by the last preceding Section.

18. For

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18. For the Purpose of carrying "The Salford Improvement Act, 1862," and this Act into execution within the *Broughton* District, save as regards the Gasworks and Waterworks, and save as is by that Act otherwise provided, the Corporation may from Time to Time borrow at Interest on the Credit of the several Rates and Assessments by that Act authorized to be levied within the *Broughton* District any Sums of Money which, in addition to the Sums of Money now due and owing, or authorized to be raised on that Security as aforesaid, shall not exceed the Sum of Forty thousand Pounds; and in the event of any Part of such last-mentioned Sum being repaid by the Corporation, except by means of the Sinking Fund or out of the Purchase Money of any Lands sold by the Corporation as herein-after respectively mentioned, the Corporation may re-borrow the same, and for securing the Repayment of the Sums so to be borrowed, with Interest for the same, the Corporation may assign over the said Rates and Assessments to the Person who shall advance or lend such Money.

Power to borrow on Credit of Broughton Rates.

19. Section Three hundred and eighty-eight of "The Salford Improvement Act, 1862," providing for a Sinking Fund for paying off Monies borrowed by the Corporation on the Security of the Rates and Assessments to be levied within the *Broughton* District, and Section Three hundred and ninety-three of that Act providing for the Investment of the Sinking Fund, shall be applicable to the Monies which may be from Time to Time borrowed or re-borrowed by the Corporation under the Powers given by the last preceding Section.

Provision for Sinking Fund.

20. For the Purpose of carrying "The Salford Improvement Act, 1862," and this Act into execution within the *Pendleton* District, save as regards the Gasworks and Waterworks, and save as is by that Act otherwise provided, the Corporation may from Time to Time borrow at Interest, on the Credit of the several Rates and Assessments by that Act authorized to be levied within the *Pendleton* District, any Sums of Money which, in addition to the Sums of Money now due and owing or authorized to be raised on that Security as aforesaid, shall not exceed the Sum of Fifty thousand Pounds; and in the event of any Part of such last-mentioned Sum being repaid by the Corporation, except by means of the Sinking Fund or out of the Purchase Money of any Lands sold by the Corporation as herein-after respectively mentioned, the Corporation may re-borrow the same, and for securing the Repayment of the Sums so to be borrowed, with Interest for the same, the Corporation may assign over the said Rates and Assessments to the Person who shall advance or lend such Money.

Power to borrow on Credit of Pendleton Rates.

21. Section

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Provision for
Sinking
Fund.

21. Section Three hundred and ninety of "The *Salford* Improvement Act, 1862," providing for a Sinking Fund for paying off Monies borrowed by the Corporation on the Security of the Rates and Assessments to be levied within the *Pendleton* District, and Section Three hundred and ninety-three of that Act providing for the Investment of the Sinking Fund, shall be applicable to the Monies which may be from Time to Time borrowed or reborrowed by the Corporation under the Powers given by the last preceding Section.

Application
of Monies
arising from
Sale of
surplus
Lands.

22. If any Lands not required by the Corporation be sold by the Corporation, the Monies arising from such Sale shall be applied by them in manner following; that is to say, if such Lands have been purchased for Gasworks Purposes, the Proceeds of such Sale shall be applied in or towards the Discharge of Monies then owing by the Corporation on Mortgage of the Gasworks, and if such Lands have been purchased for the Purposes of any of the Districts, and paid for out of borrowed Monies, the Proceeds of such Sale shall be applied in or towards the Discharge of Monies then owing on Mortgage of the Rates or other Property of the District in which such Lands shall be situate.

Existing
Mortgages
not to be
affected.

23. Nothing herein contained shall prejudice or affect the Priority or other Rights or Remedies of any Mortgagee or Annuitant holding any Mortgage, Assignment, or other Security made or granted prior to the Commencement of this Act on the Rates, Assessments, Gasworks, Waterworks, Market Places, Tolls, Rents, Profits, Annuities, or other Property by "The *Salford* Improvement Act, 1862," authorized to be mortgaged or assigned by the Corporation.

Certain
Sections of
16 & 17 Vict.
c. xxxii.
repealed, and
Powers for
supplying
Water to
Pendleton
District
vested in
Corporation
of *Manches-*
ter under
c. xxxvi. of
this Session.

24. Whereas by a Bill now pending in Parliament promoted by the Mayor, Aldermen, and Citizens of the City of *Manchester* (herein-after called the Corporation of *Manchester*) it is proposed to provide that after the passing of that Bill into an Act the Power to supply Water within the *Pendleton* District heretofore exercised by the Corporation of *Salford* shall be transferred to and vested in the Corporation of *Manchester*, and that that District shall thenceforth be within the *Manchester* Corporation Waterworks Limits: Therefore after the passing of the said Bill into an Act the Sections of "The *Salford* Extension and Improvement Act, 1853," contained in Schedule (A.) to "The *Salford* Improvement Act, 1862," shall be repealed, and the last-mentioned Act shall be read and construed accordingly, and as if the *Pendleton* District had not been comprised within the Water Limits defined in that Act; and the annual Sum of Two hundred and fifty Pounds reserved and made payable by the *Pendleton* District to the *Salford* District by virtue of the Four hundred

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hundred and eleventh Section of the last-mentioned Act shall cease to be payable.

25. In case any Portion of any Assessment for the Borough Rate shall at any Time after the Commencement of this Act be made in respect of any Liabilities paid or incurred by the Corporation with reference to the Supply of Water, or of any Mortgages or other Securities granted for that Purpose, the Corporation shall allow to the *Pendleton* and *Broughton* Districts respectively such Portion of such Assessment as shall be levied within those Districts respectively; and, subject to the Provisions of this Act, the Borough Treasurer shall transfer such Portion to the Credit of the *Pendleton* and *Broughton* Accounts respectively, and the same shall be expended for the public Benefit of the *Pendleton* and *Broughton* Districts respectively in such Manner as a District Committee of those Districts respectively shall direct, and in default of such Direction the same shall be applied in aid of the District Rate under the Provisions of "The *Salford* Improvement Act, 1862," levied in those Districts respectively.

In case any Portion of the Borough Rate be levied in respect of Liabilities for the Supply of Water in the Borough, *Broughton* and *Pendleton* to be allowed a Drawback.

26. On and from the Thirty-first Day of *August* One thousand eight hundred and sixty-seven the Portion of Land in the Township of *Salford* lying on the North Side of the River *Irwell*, including One Half of the Bed of that River co-extensive with that Portion, and which is now comprised in the *Salford* District and in *Trinity* Ward, shall for all the Purposes of the Act Fifth and Sixth *William* the Fourth, Chapter Seventy-six, and of all Acts for amending or extending that Act, and (except as herein-after provided) of "The *Salford* Improvement Act, 1862," and this Act, be deemed to be within the *Broughton* District, and in *Saint John's* Ward, and Section Twenty-three of "The *Salford* Improvement Act, 1862," shall be read and construed accordingly: Provided always, that nothing in this Section contained shall alter the Appropriation of any of the Monies arising from the Gasworks of the Corporation as prescribed by the Four hundred and thirteenth Section of "The *Salford* Improvement Act, 1862," amongst the *Salford*, *Broughton*, and *Pendleton* Districts respectively, nor authorize the Corporation of *Manchester* to supply Water within the said Portion of the Township of *Salford*, but such Portion shall continue within the *Salford* Corporation Water Limits.

The Portion of the Township of *Salford* North of the River *Irwell* to be henceforth in the *Broughton* District.

27. If the Corporation deem it for the public Advantage that any future Street shall be made of a greater Width than is or shall be prescribed by any Byelaw of the Corporation, they may by their Order declare that such Street shall be of the Width prescribed in such Order, making such Amount of Compensation to the Owner of the Land required for such additional Width as shall be agreed upon between such Owner and the Corporation, or as, in case of Difference,

Streets may be made of greater Width than prescribed by Byelaws, the Corporation making Compensation.

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shall be ascertained and determined in the Manner by "The Salford Improvement Act, 1862," provided for the Settlement of Disputes as to Compensation, and such Compensation and the Expenses of ascertaining the same, and the additional Expense of levelling, forming, paving, and completing such Street in consequence of such Order, shall be paid out of the Monies applicable to making Improvements in the District within which such Land shall be situated: Provided always, that no Person shall at any Time be required to sell or convey to the Corporation a Part only of any House or Building or Manufactory if such Person be willing and able to sell and convey the whole thereof.

Power to
stop up
Streets
where unne-
cessary, &c.

28. The Corporation may from Time to Time, by their Order, (but subject to the Power of Appeal given by the Four hundred and twenty-eighth Section of "The Salford Improvement Act, 1862,") stop up wholly or partially any Street, not being a public Thoroughfare, which in their Opinion is unnecessary, on such Terms as to the vesting of the Soil and other Matters as may be agreed on between the Corporation and the Owners and Lessees of Buildings and Lands abutting on the Street, and on any Street being so stopped up all public and other Rights of Way and other Rights in, over, or upon the same shall be absolutely extinguished: Provided that no such Street shall be wholly or partially closed if it is used for the Purpose of any Railway, Canal, or Navigation unless the Owners of such Railway, Canal, or Navigation shall consent to the partial or complete closing thereof.

Public
Ditches,
Drains, &c.
to be
cleansed, &c.

29. The Corporation shall drain, cleanse, cover, or fill up, or cause to be drained, cleansed, covered, or filled up, all public Ponds, Pools, open Ditches, Sewers, Drains, and Places containing or used for the Collection of any Drainage, Filth, Water, Matter, or Thing of an offensive Nature or likely to be prejudicial to Health.

Private
Ditches,
Drains, &c.
to be
cleansed, &c.

30. The Corporation shall give Notice to the Person causing any private Drain, Pond, Pool, open Ditch, Sewer, or Place containing or used for the Collection of Drainage, Filth, Water, or any Matter or Thing of an offensive Nature or likely to be prejudicial to Health, or to the Owner or Occupier of any Premises whereon the same exists, requiring him within a Time to be specified in such Notice to drain, cleanse, cover, or fill up any such Pond, Pool, Ditch, Sewer, Drain, or Place, or to construct a proper Sewer or Drain for the Discharge thereof, as the Case may require; and if the Person to whom such Notice is given fail to comply therewith the Corporation shall execute the Works mentioned or referred to therein, and the Expenses incurred by them in so doing shall be recoverable by them from him: Provided always, that the Corporation may order that the whole or a Portion of

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of the Expenses incurred in respect of any such last-mentioned Works be defrayed out of the District Rates of the District within which the Premises may be situate; and in case of any such Order the whole or such Portion of the Expenses as may be mentioned therein shall be defrayed and levied accordingly.

31. The Corporation may order the Owner of any Dwelling House which in their Opinion is defective in proper Means for carrying off the Drainage from the Roof, or is not properly supplied with Stench Traps, to provide and fix such Spouts, Gutters, and Stench Traps respectively as shall be specified in such Order, and in default of such Owner complying with such Order within the Time specified therein such Owner shall be liable to a Penalty not exceeding Forty Shillings for every Day that he shall so make default.

Corporation may order Spouts and Stench Traps to be provided.

32. Any Cellar, Area, Steps, Arch, Vault, Oven, or underground Passage or other Work shall not hereafter be made or constructed in or under any Street without the Consent of the Corporation, and if any Person shall act contrary to the Provisions in this Section contained he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and a further Penalty not exceeding Two Pounds for every Day during which the Matter complained of shall continue after a Day named in a Notice given by the Corporation to such Person to remove or discontinue the same; but the Corporation shall not be entitled to give such Notice unless the Cellar, Area, Steps, Arch, Vault, Oven, or underground Passage, or other Work, shall in their Opinion interfere with the Exercise of any of the Powers in regard to the Execution or Maintenance of Works now or hereafter vested in them.

Cellars, &c. not to be made under, or Steps, &c. project into, Street.

33. The Owners of all Lands abutting on any Street shall, when required by an Order of the Corporation, well and sufficiently fence off the same, and shall keep such Fences in good Repair and Condition, and in default of Compliance with such Order within such Time as shall be therein expressed, or of keeping such Fences in good Repair and Condition, the Corporation may do the Work, and the Expense of so doing shall be paid by such Owners to the Corporation.

Lands, &c. to be fenced.

34. Every Person who shall commence burning Bricks or Tiles in any Place nearer than Sixty Yards to any Dwelling House situated within or near to any Street shall be liable to a Penalty not exceeding Forty Shillings, and the like Sum for every Day the Offence shall be continued.

Burning of Bricks or Tiles.

35. Any

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Offensive Matter, not to be placed on Land adjoining a Street.

35. Any Person who shall deposit any offensive Matter or Thing upon any Land adjoining any Street, not being a Wharf or Place for the Shipment thereof, shall be liable to a Penalty not exceeding Forty Shillings, and to a like Penalty for every Day such Offence shall continue, but nothing herein contained shall apply to the spreading of Manure on Land for agricultural Purposes.

Removal of Filth on Certificate of Inspector of Nuisances.

36. If at any Time it appear to the Inspector of Nuisances that any Accumulation of Manure, Dung, Soil, or Filth, or other offensive or noxious Matter whatsoever, is in such a Condition as to render it necessary for the public Health that it should be removed, he shall give Notice to the Person to whom the same belongs, or to the Owner or Occupier of the Premises whereon it exists, to remove the same; and if at the Expiration of Twenty-four Hours after such Notice the same be not complied with, the Manure, Dung, Soil, or Filth, or Matter referred to, shall be vested in and be removed, sold, or disposed of by the Corporation, and the Proceeds thereof shall be carried to the District Fund Account of the District within which the Premises may be situated.

Prohibition against keeping Swine in unfit Places.

37. If any Person keep Swine in any Place which the Corporation shall on sanitary Grounds deem unfit for the Purpose, the Corporation may order such Person to discontinue the keeping thereof in such Place, and in case of the Failure of such Person to comply with such Order within Three Days after the Service thereof he shall be liable to a Penalty of Forty Shillings for every Day the Offence shall continue.

Offensive Trades newly established to be subject to Regulation of Corporation.

38. No noxious or offensive Business, Trade, or Manufacture shall be newly established in any Building or Place without the Consent of the Corporation, and whosoever offends against this Enactment shall be liable for each Offence to a Penalty of Fifty Pounds, and a further Penalty of Forty Shillings for each Day during which the Offence is continued; and the Corporation may from Time to Time make such Byelaws with respect to any such Business, Trade, or Manufacture so newly established as they may think necessary and proper in order to prevent or diminish the noxious or injurious Effects thereof.

Act not to affect present Law as to Nuisances.

39. Nothing in this Act, nor any Consent, Order, or Byelaw of the Corporation, shall be construed to render lawful any Act, Matter, or Thing whatsoever which but for this Act would be deemed to be a Nuisance, nor to exempt any Person from any Liability, Prosecution, or Punishment to which he would have been otherwise subject in respect thereof.

40. The

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40. The Corporation may at any Time, and from Time to Time if they shall think fit, appoint a fit and proper Person, being a legally qualified Medical Practitioner, to be and be called the Officer of Health, who shall be removable by the Corporation, and shall perform such Duties as the Corporation shall direct; and the Corporation may pay to him out of the Borough Rate such Remuneration by way of annual Salary or otherwise as they may determine, and they may (save as herein-after mentioned) defray out of the Borough Rate the Expense of carrying into effect the Provisions herein-after contained, and the Expense of any of the sanitary Operations which, under such Provisions, an Owner or Occupier of a Dwelling House may be required to perform, if from the Poverty of such Owner or Occupier it shall appear to them expedient to do so.

Power to
appoint an
Officer of
Health.

41. It shall be the Duty of the Officer of Health from Time to Time to report to the Corporation on the following Points:

Officer of
Health to
report from
Time to
Time on
Sanitary
Condition of
Borough.

1. The Existence or Prevalence of epidemic, endemic, contagious, or other Disease which in his Opinion renders it desirable that special sanitary Measures should be employed to mitigate the Severity or prevent the Spread thereof:
2. The Parts of the Borough in which any such Disease exists or prevails, or threatens to prevail, and the special sanitary Measures which in his Opinion ought to be carried into effect:
3. The Situation of any Dwelling House which as to the Outside is in a filthy Condition, or as to the Inside is in such a filthy or unwholesome Condition as to endanger the Health of the Inmates or the Public:
4. The Existence of any Nuisance which in his Opinion has caused, or is likely to cause, or to aggravate any such Disease, or to interfere with the Removal thereof, or to injure the Health of the Inhabitants.

42. On a Report by the Officer of Health that it would be desirable to use special sanitary Measures in order to mitigate the Severity or prevent the Spread of any epidemic, endemic, contagious, or other Disease, or that any such Disease exists or prevails, or threatens to prevail, the Corporation may give Notice to the Owner or Occupier, as the Case may be, of any Dwelling House situated in that Part of the Borough in which the Officer of Health has reported that it appears to him desirable to use special sanitary Measures, requiring such Owner at his own Expense to cleanse and limewash the Outside of such Dwelling House, and requiring such Occupier at his own Expense to cleanse and limewash the Inside thereof, and to purify, ventilate,

Public Inti-
mation to be
given of any
District
requiring
Sanitary
Measures.

[Local.]

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and

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and disinfect such Dwelling House, or any Part thereof, or any Bedding or Clothes therein.

Corporation may require Houses in such Districts to be cleansed.

43. The Corporation may at any Time give Notice to the Owner of any Dwelling House the Outside of which has been reported by the Officer of Health to be in a filthy Condition requiring such Owner at his own Expense to cleanse and limewash the Outside thereof; and on a Report by the Officer of Health that the Inside of any Dwelling House is in such a filthy or unwholesome Condition as to endanger the Health of the Inmates or the Public; the Corporation shall forthwith give Notice to the Occupier of such Dwelling House requiring him at his own Expense to cleanse and whitewash the Inside thereof.

Corporation to take precautionary Measures, reporting to the Privy Council.

44. The Corporation may issue and enforce against every Owner and Occupier of Premises in any Part of the Borough in which the Officer of Health has reported that special sanitary Measures are desirable such Directions and Regulations as the Corporation may, with the Concurrence of the Officer of Health, from Time to Time think expedient for preventing as far as possible or mitigating any such Disease as aforesaid; but all such Directions and Regulations shall be published in at least One Newspaper circulating in the Borough, and a Copy thereof shall be forwarded by the Town Clerk to the Lords of Her Majesty's most Honourable Privy Council, who may, if they think proper, disallow, revoke, or modify the same.

Defining such Measures.

45. Such Directions and Regulations may provide:

1. For House to House Visitation:
2. For the Removal of any Person suffering from any contagious Disease (with the Consent of such Person if capable of consenting) to any Hospital or other Place approved by the Corporation:
3. For the Abatement or Removal of any Nuisance which is reported by the Officer of Health to have in his Opinion caused, or to be likely to cause, or to aggravate any such Disease as aforesaid, or to interfere with the Removal thereof, or to injure the Health of the Inhabitants:
4. For preventing the Spread of any such Disease:
5. For affording to Persons afflicted by or threatened with any such Disease such Medical Aid and such Medicines and Accommodation as may be deemed requisite.

Appeal against Notice.

46. If any Owner or Occupier to whom Notice has been given, in pursuance of any of the Provisions contained in the Sections numbered respectively 42, 43, and 44, considers himself aggrieved by such Notice, he may, within Two Days thereafter, appeal to Two Justices,

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Justices, by delivering to the Town Clerk written Objections thereto signed by him, and the Justices shall inquire into and dispose of the Questions raised in such Objections.

47. Every Owner and every Occupier to whom such Notice has been given who does not comply therewith before the Expiration of the Period therein stated, or before the Expiration of Three Days after the Decision of the Justices on his Objections, if such last-mentioned Period be longer than the first, shall be liable to a Penalty not exceeding Forty Shillings for every Day or Part of a Day thereafter during which such Notice shall not be complied with to the entire Satisfaction of the Corporation.

Penalty for Non-compliance with Notice.

48. If any Owner or Occupier to whom such Notice has been given fails to comply therewith, a Justice may grant a Warrant to the Corporation to enter the Premises and execute the Work therein specified, and the Corporation may execute the same accordingly, and recover the Costs thereof from such Owner or Occupier.

Magistrate may grant Warrant to execute Works.

49. Every Person who fails to observe or fulfil any Direction or Regulation made and published by the Corporation under the Powers herein-before conferred on them shall be liable to a Penalty not exceeding Five Pounds.

Penalty for Breach of Regulations.

50. The Chief Constable may deal with any Bank Note, Money, Animal, Cart, Carriage, Goods, Articles, or Things brought to the Police Office by any Constable or other Person as follows :

Powers of Chief Constable with respect to Articles left at Police Office.

1. He may, in case of disputed or doubtful Ownership, apply to a Justice, who shall summarily upon *vivâ voce* Evidence order the same to be delivered to such Person as he may direct, subject to all legal Claims against such Person in regard to the same, and to the Payment of any Sum of Money as a Condition of the Delivery :
2. He may cause to be buried, or may otherwise dispose of in such Manner as to prevent its being offered for Sale for or used as Food, any Carcase, Meat, Poultry, Game, Flesh, Fish, Fruit, or Vegetable which, after Inspection, Two respectable Dealers in such Article certify ought to be buried or so disposed of :
3. He may cause to be destroyed any other Animal, Cart, Carriage, Goods, Articles, or Things which is or are unclaimed and worthless, or not of sufficient Value to pay the Expense of keeping, or in a State to spread Infection, or to be a Nuisance if kept, provided their keeping be not required for the Ends of public Justice :

4. He

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4. He may retain and produce to, or transmit to, any Officer of any Criminal Court for the Purposes of public Justice any such Bank Note, Money, Animal, Cart, Carriage, Goods, Articles, or Things believed to be stolen or embezzled :

5. If the Owner thereof is unknown, he may give public Notice that the same is or are in his Possession :

6. If the Owner thereof is known, or becomes known, he may deliver the same up on Payment of the Expenses attending the Recovery, Receipt, Detention, and Keep, and the giving of public Notice as aforesaid, and on Payment or Security being given for the Payment of any Penalty which may have been incurred in respect thereof or in relation thereto :

7. He shall from Time to Time sell any Animal, Cart, Carriage, Goods, Articles, or Things in his Possession which a Justice declares forfeited, or the Expense of keeping which is likely to exceed its Value, or which has been in his Possession for more than Twelve Months; but, except where the Animal, Cart, Carriage, Goods, Articles, or Things is or are declared forfeited, every such Sale shall take place only by virtue of and as directed by an Order of a Justice, to be obtained on an Application by the Chief Constable.

Owner of Goods sold but not forfeited may make a Claim upon Corporation within Three Months after Date of Sale.

51. Where any Animal, Cart, Carriage, Goods, Articles, or Things is or are sold in pursuance of an Order of a Justice in manner hereinbefore provided, and where the same has not been declared forfeited by a Justice, the Owner thereof may at any Time within Three Months after such Sale claim from the Corporation, and the Corporation shall, upon satisfactory Proof of Ownership, pay to such Owner, the Surplus of the Sum realized in respect thereof, after deducting all Expenses incurred in recovering, delivering, keeping, advertising, and selling the same.

Money realised from Sales of Articles to be paid to Treasurer.

52. The Chief Constable shall deliver an Account in Writing to the Borough Treasurer of all Bank Notes, Money, Animals, Carts, Carriages, Goods, Articles, and Things brought to the Police Office by any Constable or other Person as aforesaid, and shall pay to the Borough Treasurer the Notes and Monies received, and the Amount realized in respect of any such Sale as aforesaid; and the Borough Treasurer shall be responsible to the Corporation that all such Notes and Sums of Money are duly and regularly accounted for and paid to him, or that a Report is made by him of the Failure of any Person so to account and pay, in order that the Corporation may enforce the Liability of such Person.

53. All

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53. All Monies received by the Borough Treasurer in pursuance of the last preceding Section shall be placed by him to the Credit of the Borough Fund. Application of Money so received.

54. In construing Section Two hundred and sixty of "The Salford Improvement Act, 1862," the Expression "the Owner" shall extend to and include, at the Option of the Corporation, the Driver or Person having the Charge of any such Cart or Carriage, or of any such Article, Matter, or Thing as is mentioned in that Section. "The Owner" in Sect. 260. of 25 & 26 Vict. c. ccv. to include Driver, &c.

55. The Corporation may from Time to Time make such Byelaws as they may think expedient for preventing and removing Obstructions in the Streets within the Borough, and regulating all Traffic therein. Corporation may make Byelaws for Regulation of Traffic.

56. The Corporation may from Time to Time make Byelaws for the following Purposes relating to Libraries, Museums, and Schools for Science and Art for the Time being vested in the Corporation, and the Property therein: Byelaws for Libraries and Museums.

(1.) For regulating the Days and Times on which the same respectively shall be opened and closed:

(2.) For prescribing what Persons shall be admitted therein, and for regulating the Conduct of such Persons, and prohibiting such Acts and Things as the Corporation may deem objectionable:

(3.) For preventing the Admission of Dogs:

(4.) For providing for the Safety and Use of the same, and of the Property therein, and for enforcing Compensation for Damage thereto, or the Loss or Detention thereof:

(5.) For enabling any Officer of the Corporation to prevent the Admission of, or to remove from the same, any Person who shall not be clean in his Person, or dressed in clean and decent Apparel, or who shall offend against any Byelaw of the Corporation, or to detain any Person who shall so offend until he shall satisfy such Officer as to his correct Name and Address.

57. All Byelaws made by the Corporation under the Provisions of this Act may at any Time be varied, altered, or repealed as the Corporation may deem expedient. Byelaws may be varied, &c.

58. All Byelaws, and every Variation, Alteration, or Repeal of any Byelaw made under the Provisions of this Act, shall be subject in all respects to the Provisions with respect to Byelaws contained in Byelaws to be subject to Provisions of 25 & 26 Vict. c. ccv.

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“The *Salford Improvement Act, 1862*,” as if such Byelaws had been expressly made under the Authority and for the Purposes of that Act: Provided that every Notice relating to Byelaws to be made in pursuance or under the Authority of this Act shall be published once in the *London Gazette* within Seven Days from the First Publication thereof in any Newspaper circulating within the Borough.

Corporation not to be liable for Loss, &c. by reason of Byelaws.

59. The Corporation shall not be in any Manner liable for any Loss, Cost, Damage, or Expense that may accrue or arise, or be alleged to have accrued or arisen, to any Person by reason or in consequence of any such Byelaw, or of any Act in accordance with or in obedience to any Byelaw, provided such Byelaws be not repugnant to Law or to this Act.

Byelaws may be enforced by Penalties.

60. Every Person who shall offend against any of such Byelaws shall be liable to a Penalty not exceeding Forty Shillings for every such Offence.

Power to establish Telegraphs.

61. The Corporation may from Time to Time establish and maintain such Telegraphs within the Borough as they think expedient or necessary for the better Execution of any of the Powers or Authorities for the Time being vested in them under the Municipal Corporation Acts, or “The *Salford Improvement Act, 1862*,” or this Act; and in relation to any such Telegraphs for the Purposes of “The *Telegraph Act, 1863*,” the Corporation shall be in the like Position in all respects as a Company authorized by Special Act of Parliament to construct and maintain Telegraphs, but so that it shall not be requisite for the Corporation to give any Notice respecting the opening for the Purposes of Telegraphs of any Street under their own Management.

Saving Rights of Railway Companies.

62. Nothing in this Act contained shall extend or be construed to prejudice, diminish, alter, or take away any of the Privileges, Rights, Powers, or Authorities of the *Lancashire and Yorkshire Railway Company*, or the *London and North-western Railway Company*, or the *Manchester, South Junction, and Altrincham Railway Company*, under or by virtue of any Act of Parliament relating to the said Companies or any of them, or their respective Undertakings.

Saving Rights of the Mersey and Irwell Navigation Company.

63. Nothing in this Act contained shall take away, diminish, alter, prejudice, or affect any of the Rights, Powers, Privileges, or Authorities of the Company of Proprietors of the *Mersey and Irwell Navigation* under or by virtue of any Act of Parliament relating to the said Company of Proprietors or their said Navigation.

64. The

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64. The Costs, Charges, and Expenses of and incident to the applying for, obtaining, and passing this Act shall be borne and paid by the Corporation in the following Proportions out of the following Funds; namely, Expenses of Act.

One Fourth out of the Borough Fund or Borough Rate:

One Fourth out of the Gas Fund:

One Fourth out of the *Broughton* Township Fund:

One Fourth out of the *Pendleton* Township Fund.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1867.



CONFIDENTIAL

MEMORANDUM

TO : [Illegible]

FROM : [Illegible]

SUBJECT : [Illegible]

1. [Illegible]

2. [Illegible]

3. [Illegible]

4. [Illegible]

5. [Illegible]

6. [Illegible]

7. [Illegible]

8. [Illegible]

9. [Illegible]

10. [Illegible]

11. [Illegible]