



CHAP. cxvii.

A.D. 1869.

An Act for enabling the mayor, aldermen, and citizens of the city of Manchester to purchase additional lands for the purposes of their waterworks, to widen and alter Deansgate, to acquire additional lands, and to raise further monies ; and for other purposes. [12th July 1869.]

WHEREAS by the Manchester Corporation Waterworks Act, 10 & 11 Vict. c. cciii. 1847, the mayor, aldermen, and burgesses of the borough of Manchester (now the mayor, aldermen, and citizens of the city of Manchester), in this Act called "the corporation," were empowered to execute the works in that Act mentioned, for the purpose of supplying water within the limits prescribed by that Act :

And whereas further powers in relation to the supply of water were granted to the corporation by the Manchester Corporation Waterworks Act, 1848, the Manchester Corporation Waterworks Act, 1854, the Manchester Corporation Waterworks Act, 1858, the Manchester Corporation Waterworks Act, 1860, the Manchester Corporation Waterworks Act, 1863, the Manchester Corporation Waterworks Act, 1865, and the Manchester Corporation Waterworks and Improvement Act, 1867, which Acts, including the Act of 1847, are herein-after referred to as "the recited Waterworks Acts :"

And whereas it is expedient, for the purpose of enabling the corporation more effectually to carry out the objects of the recited Waterworks Acts, that they should be empowered to acquire certain lands for the purposes of their waterworks undertaking :

And whereas it is also expedient that the corporation be empowered to widen, enlarge, and alter the line and levels of the public street in the township and parish of Manchester in the county of Lancaster called Deansgate, between its junction with John Dalton Street and the approach to Victoria Bridge from Victoria Street, and to acquire land and premises for that purpose and for other purposes connected therewith, and also for general improvement purposes, and

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Waterworks and Improvement Act, 1869.

A.D. 1869. other purposes within the city of Manchester, authorized by the Manchester Police Act, 1844 (7 and 8 Vict. c. 40.), and the Manchester Market Act, 1846 (9 and 10 Vict. c. 219.):

And whereas plans of the works authorized by this Act and of the lands which the corporation may acquire under this Act, and sections of the said works, and books of reference to such plans, have been deposited with the respective clerks of the peace for the counties of Lancaster and Derby, which plans, sections, and books of reference are in this Act referred to as the deposited plans, sections, and books of reference:

And whereas it is expedient that further provision be made and additional powers conferred on the corporation with reference to the prevention and abatement of nuisances, the erection of buildings, and otherwise for the sanitary improvement of the city, and for other purposes:

And whereas it is expedient that the corporation be empowered to raise further sums of money for the purposes of their waterworks, and for the purposes of the Manchester Town Hall and Improvement Act, 1866, and for the other purposes of this Act:

And whereas the objects of this Act 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 the authority of the same, as follows; (that is to say,)

Short title.

1. This Act may be cited for all purposes as "The Manchester Corporation Waterworks and Improvement Act, 1869."

8 & 9 Vict.
c. 18.,
10 & 11 Vict.
c. 17.,
23 & 24 Vict.
c. 106., and
26 & 27 Vict.
c. 93.
incorporated.

2. The Lands Clauses Consolidation Act, 1845, the Lands Clauses Consolidation Acts Amendment Act, 1860, and the Waterworks Clauses Acts, 1847 and 1863, are (except where expressly varied by this Act) incorporated with and form part of this Act; and in construing such Acts for the purposes of this Act the expressions "the undertakers" and "the promoters of the undertaking" shall mean the corporation.

Interpreta-
tion of terms.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective meanings, unless there be something in the subject or context repugnant to such construction: Provided always, that in the Acts incorporated with this Act, and also in this Act, the words and expressions following shall have the several meanings hereby assigned to them, unless there be something

in the subject or context repugnant to such construction ; that is to say, A.D. 1869.

The word "city" shall mean the city of Manchester ;

The expression "town clerk" shall mean the town clerk of the said city ;

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 of Chancery" shall include the Court of Chancery for the county palatine of Lancaster.

4. The corporation, by the council, are hereby empowered to carry this Act and the several powers thereof into execution. Council to execute Act.

5. Any summons, demand, or notice, or other such document under this Act, may be in writing or print, or partly in writing or print, and if the same require authentication by the corporation, the signature of the town clerk thereto shall be a sufficient authentication ; and the provisions of the fifty-first section of the Manchester Corporation Waterworks and Improvement Act, 1867, shall apply to every such summons, demand, or notice, and to the service thereof. Authentification of notices.

6. If any omission, mis-statement, or wrong description shall have been made of any land, or of the owners, lessees, or occupiers of any land described in 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 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, mis-statement, 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, mis-statement, 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 where such lands are situate, 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 or books of reference shall be deemed to be corrected according to such certificate, and the corporation may take any land in accordance with such certificate, as if such omission, mis-statement, or wrong description had not been made. Errors and omissions in plans and books of reference may be corrected by justices, who shall certify the same.

Certificate to be deposited.

A.D. 1869.

Plans, &c. to
be open to
inspection.

7. A copy of the deposited plans and books of reference respectively 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.

Copies of
plans, &c. to
be evidence.

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

Power to
take lands
in township
of Padfield
for water-
works pur-
poses.

9. The corporation may, subject to the provisions of this Act, from time to time enter upon, take, and use and appropriate to purposes connected with their waterworks all or any of the lands in the township of Padfield in the parish of Glossop in the county of Derby which are delineated on the deposited plans and described in the deposited books of reference; provided nevertheless, that it shall not be lawful for the corporation to exercise the compulsory powers of purchase conferred by this Act in relation to any lands shown upon the deposited plans which belong to Lord Edward Howard.

Power to
borrow for
waterworks
purposes.

10. In addition to the other sums which the corporation are empowered under any Act relating to the corporation or this Act to borrow, the corporation may from time to time borrow at interest, for purposes connected with their waterworks undertaking, any sums not exceeding in the whole two hundred and fifty thousand pounds; and the sections 144 to 160, both inclusive, of the Manchester Corporation Waterworks Act, 1847, and the sections 19 to 24, both inclusive, of the Manchester Corporation Waterworks Act, 1854, are extended to this Act, with reference to the monies to be borrowed under this present enactment, as if the same had been expressly repeated and re-enacted in this Act with reference thereto.

Power to
reborrow.

11. For the purpose of paying off any money borrowed for waterworks purposes, and from time to time due under this Act, the corporation may from time to time reborrow at interest such sums as they think fit, but the corporation shall not borrow any money in lieu of money paid off by means of their sinking fund.

12. All money from time to time borrowed and reborrowed by the corporation under this Act for waterworks purposes may be secured by them by mortgage on all or such part as they from time to time think fit of the security by the Manchester Corporation Waterworks Act, 1847, provided for the monies thereby authorized to be borrowed.

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Securities for monies borrowed or reborrowed for waterworks purposes.

13. All grants of annuities, mortgages, bonds, and other charges and securities from time to time made and given by the corporation under this Act for money borrowed for waterworks purposes, and the annuities, principal sums, and interest thereby respectively secured, shall be charged upon and be payable out of the city rate and the property of the corporation, and the rates and rents to be levied, raised, and paid under the recited Waterworks Acts and this Act, or otherwise, in like manner as is by the recited Waterworks Acts or any of them provided concerning the monies thereby authorized to be raised on mortgage or by annuity.

Securities under this Act to be charged on city rate.

14. All annuities, mortgages, bonds, charges, and securities granted or made under the authority of the recited Waterworks Acts or any of them shall during the continuance thereof have priority over all annuities, mortgages, bonds, charges, and securities which may be granted or made under the authority of this Act.

Saving priorities of existing mortgages, &c.

15. In addition to and without prejudice to the provisions in the recited Waterworks Acts contained with regard to the misuse of water supplied by the corporation, be it enacted, that no person supplied with water for domestic purposes under the Acts relating to the said waterworks shall use such water, or suffer the same to be used, for the purpose of affording power, or in connexion with any machinery or apparatus whatsoever; and every person offending against this enactment shall forfeit and pay to the corporation a penalty of not exceeding five pounds for every such offence.

Penalty for using water for other than domestic purposes.

16. No person shall be entitled to require, nor shall the corporation be bound to supply, any dwelling house with water (otherwise than by meter or by special agreement) where any part of such dwelling house is used for any trade or business purposes.

Corporation not bound to supply water in certain cases.

17. Subject to the provisions of this Act, the corporation may, if they think fit, widen, enlarge, and alter the line and levels of the public street in the township and parish of Manchester called Deansgate, between its junction with John Dalton Street and the approach to Victoria Bridge from Victoria Street, in accordance with the deposited plans and sections relating thereto, and may, for the purpose of such widening, enlargement, and alteration, and for other purposes connected therewith, enter upon, take, and use any of the

Power to improve Deansgate.

A.D. 1869. lands delineated on the said plans and described in the deposited books of reference.

Corporation may acquire additional lands for general improvement purposes.

18. In addition to the other lands which the corporation are by this Act authorized to acquire, they may, subject to the provisions of this Act, from time to time enter upon, take, and use, and appropriate to general improvement purposes and other purposes authorized by the Manchester Police Act, 1844 (7 and 8 Vict., cap. 40.), and the Manchester Market Act, 1846 (9 and 10 Vict., cap. 219.), all or any of the lands, houses, and buildings, streets, courts, and passages, in the township and parish of Manchester, which are delineated on the deposited plans and described in the deposited books of reference.

Ground laid into new streets to be public highways.

19. The sites of all houses and all lands which may be purchased by the corporation, and laid into and appropriated for streets, shall, when and so soon as the same shall be so laid into and appropriated for streets, and 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 order.

Site and soil of streets, &c. acquired to vest in corporation.

20. The site and soil of all streets, courts, and passages comprised within the limits of the land to be acquired under this Act, as marked upon the deposited plans, and the fee simple and inheritance thereof, shall, from and immediately after the purchase by the corporation of the lands on both sides thereof, be wholly and absolutely vested in the corporation.

Limiting time for purchase of lands.

21. The powers of the corporation for the compulsory purchase or taking of lands under this Act shall not be exercised after the expiration of three years from the passing of this Act.

As to purchase by the corporation of certain messuages at Deansgate.

22. If the corporation take or interfere with any of the messuages and premises numbered in the deposited plans and in the deposited books of reference 200 to 209, both inclusive, and 229 to 231, both inclusive, all in the township of Manchester, or any of them, or any part thereof, they shall, if required by the owners for the time being of the said premises, by notice under the hands or hand of such owners or one of them, purchase the whole of the said messuages and premises, and the corporation shall, within six months from the passing of this Act, give notice in writing to the said owners whether they intend to take or interfere with the said messuages and premises or not, and if such notice be not so given, or if the notice states that the corporation do not intend to take or interfere with the said messuages and premises or any part thereof, the compulsory powers by this Act conferred upon the corporation shall not there-

after be exercised with respect to the said messuages and premises, or any of them, or any part thereof. A.D. 1869.

23. If the corporation determine to take or interfere with any portion of the messuages and premises numbered in the deposited plans and books of reference 186 to 191, both inclusive, all in the township of Manchester, other or more than shall be actually required for the widening of the foot and carriage ways of Deansgate, as shown on the deposited plans, they shall, within twelve months after the passing of this Act, give notice in writing of their said determination to the owner or owners for the time being of the said messuages and premises, specifying what part or parts thereof they have determined to take, and they shall thereupon, if so required by notice in writing under the hand of such owner or owners, take the whole of the said messuages or premises; and if such notice of their determination be not given by the corporation within the said twelve months after the passing of this Act, the compulsory powers by this Act conferred upon the corporation shall not thereafter be exercised with respect to the said messuages and premises, or any of them or any part thereof, to any further or greater extent than shall be necessary for widening the foot and carriage ways of Deansgate to the width and on the lines shown on the deposited plans.

As to purchase of certain messuages in Deansgate belonging to Messrs. Atterbury and others.

24. And whereas the owners of the said messuages and premises numbered 186 to 191 having agreed, in the event of the corporation determining not to take more of the said messuages and premises than is shown on the deposited plans to be actually required for the widening of the foot and carriage ways of Deansgate to the width and on the lines therein delineated, to give to the corporation the land so actually required for such widening as so shown on the said plans, it shall in such case be lawful for the said owners, or other the owners or owner for the time being of the residue of the said messuages and premises, to reconstruct the front of the said premises next Deansgate, and any other portion of the said premises requiring construction by reason of such widening, of an elevation to correspond with the present frontage of the said premises towards King Street, unless and until the whole property shall be reconstructed, in which case the elevation of every building to Deansgate shall be submitted to and approved of by the corporation.

As to elevation of certain messuages in Deansgate.

25. If the respective owners for the time being of the lands and buildings numbered on the deposited plans relating to the widening of Deansgate 152 to 161, both inclusive, and of the lands and buildings numbered on the said plans 163, 167, and 168, and of the lands and buildings numbered on the said plans 169 to 176, both

Mode of ascertaining value of certain properties.

A.D. 1869. inclusive, shall object to sell or part with the whole thereof, then and in such case the corporation shall not, without the consent in writing of the said respective owners, be entitled to take, under the powers of this Act, any greater quantity of the said lands and buildings than shall be required for and intended to be laid into Deansgate for the purpose of widening the same to the extent shown on the deposited plans: Provided always, that, for the purpose of ascertaining the compensation to be paid for the taking of the said limited quantity of the said lands and buildings, the jury which shall be summoned, or the arbitrators or umpire to whom the question of compensation shall be referred, shall assess the value of the estate, right, and interest of the respective owners in the whole of the said lands and buildings belonging to the respective owners so objecting, excluding the interest of any lessee, according to the condition of the same lands and buildings at the time the notice requiring to take the same was served, and also the value of the estate, right, and interest of the same owners respectively, excluding the interest of any lessee in that part of the said lands and buildings which will remain after the corporation shall have taken away the said limited quantity thereof, and in making such last valuation the said jury, or arbitrators, or umpire, shall take into their consideration the improvement or depreciation which the remainder of the said lands and buildings is likely to receive or sustain solely and exclusively from the widening of Deansgate; and the jury, or arbitrators, or umpire, having made these two valuations, the amount, if any, by which the first valuation shall exceed the second valuation shall be the amount to be paid by the corporation in respect of the limited quantity of lands and buildings so taken, and the loss or damage (if any) sustained as the consequence of such limited quantity being so taken, and such amount shall be recorded as the verdict of the jury, or award of the arbitrators or umpire, accordingly: Provided also, that where any of the said lands and buildings, of which any part shall be necessary, and shall be taken for the widening of Deansgate, shall be held by or be in the possession of any lessee or occupier, the corporation shall purchase and acquire the whole interest of such lessee or occupier, and thereupon such interest shall be extinguished, and in any such case, in estimating the amount, if any, to be paid by the corporation under the provisions of this section, regard shall be had to such purchase and acquisition by the corporation.

Corporation
to give notice
before taking
dwellings of
labouring
classes.

26. The corporation shall, not less than eight weeks before they take in any parish fifteen houses or more occupied either in whole or in part 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 the 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, in manner required by this section, made known their intention to take the same. A.D. 1869.

27. The period within which the corporation are bound, either under the provisions of the Lands Clauses Consolidation Act or any Act relating to the said city, to sell, dispose of, and convey any lands now vested in them (inclusive of lands acquired for waterworks purposes) not required for the purposes for which the same were acquired, is hereby extended until the expiration of ten years from the passing of this Act. Extending period for sale of lands.

28. The corporation may from time to time, by notice to be published in three successive weeks in two or more Manchester newspapers, direct and prescribe the streets within the city in or through which the leading or driving of cattle shall be permitted, and no persons shall thereafter lead or drive, or cause to be led or driven, any cattle through any other street than the streets specified in the notice; and every person so offending shall for every such offence forfeit any sum not exceeding five pounds: Provided that the streets which it shall be lawful for the Corporation so to prescribe shall not be such as would prevent the passage of cattle between any market and any railway station in Manchester, or any place beyond the boundary of the city, when such cattle are merely passing between such market and railway station or other place as aforesaid, and that the corporation shall be bound to allow at all times a reasonably short and efficient route or routes for the passage of such cattle: Provided also, that such directions shall only operate between the hours of eight in the morning and nine in the evening. Power to regulate the leading and driving of cattle through Manchester,

29. 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.

30. In construing the 103rd section of the Manchester Police Act, 1844, the expression "offensive matter" shall be held to Interpretation of term "offensive matter."

A.D. 1869. include any animal or vegetable substance, matter, or refuse whatsoever, whether wholly or in part in a solid or liquid condition.

Penalty for keeping swine in prohibited places.

31. If any person keep swine in any place or upon any premises 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, or any place near thereto, or of a similar character; 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 the control of the corporation.

32. No business, trade, or manufacture of a noxious or offensive character, or which may be prejudicial to the health of the inhabitants of the said city, shall be newly established in any building or place within the city; 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.

33. 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.

Interpretation of term "ashpit."

34. In construing the forty-second section of the Manchester Corporation Waterworks and Improvement Act, 1867, the expression "ashpit" shall be held to include a privy.

For preventing obstructions to streams, &c.

35. If any person shall, after the passing of this Act, place, cast, or suffer or permit to fall, flow, or be washed or carried into any drain, sewer, watercourse, stream, or river within the said city, any matter, substance, or thing whatsoever which in the opinion of the corporation will have a tendency to impede the free flow of the water down or in the same, he shall for every such offence be liable to a penalty of not exceeding twenty pounds, and to a further penalty of not exceeding forty shillings for every day during which the offence shall continue: Provided that nothing in this section contained shall in any manner take away, alter, or diminish all or any of the rights, powers, or privileges now vested in or lawfully exercised or enjoyed by the trustees acting in execution of the will of Francis late Duke of Bridgewater, or other the owner for

the time being of the Duke of Bridgewater's Canal, or in or by the Company of Proprietors of the Mersey and Irwell Navigation. A.D. 1869.

36. No person shall place or suffer to be placed any cinders, refuse, earth, soil, or other substances in such a position as may, in the opinion of the surveyor of the corporation for the time being, render them liable to fall or be washed or carried into any stream or river within the city; and in case the corporation shall in and by a notice or order in writing so require, a sufficient wall or fence shall be erected and maintained in good repair and condition by the owner of any land having a frontage to any stream or river within the city, for the purpose of preventing cinders, refuse, earth, soil, or other substances slipping, falling, or being washed into such stream or river; nevertheless, every such wall or fence abutting on the river Irwell, within the limits of the Mersey and Irwell Navigation, shall be erected and maintained with the concurrence and to the reasonable satisfaction of the Company of Proprietors of the Mersey and Irwell Navigation; and any person offending against this enactment in any respect shall be liable to a penalty of not exceeding five pounds, and an additional penalty of forty shillings for every day during which the offence shall continue.

For preventing the falling of rubbish into rivers, &c.

37. In case any person shall make any addition to any building erected after the passing of the Manchester Improvement Act, 1865, or shall, for the purpose of evading the byelaws for the time being in force in relation to buildings, take down any part of any building, whether in an old or a new street, with the intention of rebuilding the same, then the same, or any such addition, shall be deemed to be a new building within the meaning of the 23rd section of the said last-mentioned Act.

Explaining provisions of 28 & 29 Vict. c. xc. as to buildings.

38. So far as any building affected by the byelaws for the time being in force within the city with regard to buildings may be concerned, it shall not be lawful for any person to erect, alter, or reconstruct within the city any such building, either wholly or in part, or to add thereto, until such person shall have given to the corporation written notice of his intention, accompanied by such plans, sections, and particulars as may be prescribed by such byelaws; and if the corporation disapprove of the mode proposed in such notice, sections, and plans, or any part thereof, they shall, within ten days after receiving the same, give notice in writing to such person of the particulars of such disapproval, and of the requirements of the corporation in respect to the proposed work, and it shall not be lawful to begin to erect, alter, or reconstruct any such building until the said sections and plans shall have been approved by

Plans, &c. of buildings to be deposited.

A.D. 1869. the corporation, and no person shall, without the consent of the corporation deviate from such approved sections and plans; and in case the corporation shall not signify in writing their disapproval of the mode so proposed within ten days after receiving the notice and sections and plans, such person may proceed, according to the terms of such notice and sections and plans, so far as they shall be in accordance with the Acts of Parliament and byelaws for the time being in force within the city; and any person offending against this enactment in any respect shall be liable to a penalty of not exceeding five pounds, and a like sum for every day during which such offence shall continue: Provided nevertheless, that all buildings (not being dwelling houses) belonging to the owners, proprietors, or lessees of any railway, navigable river, canal, or other inland navigation, and forming part of or used or to be used in connexion with or for the purposes of their railway, navigation, canal, or dock, shall be exempt from the operation of this section.

For regulating height, &c. of buildings.

39. The corporation may in and by any byelaw made under the powers of the Manchester Improvement Act, 1865, prescribe the height of any dwelling or sleeping room.

Further provision as to byelaws under 28 & 29 Vict. c. xc.

40. In and by any byelaws made under the 23rd section of "The Manchester Improvement Act, 1865," a penalty of not exceeding five pounds, and a sum not exceeding forty shillings for every day during which any offence shall continue, may be imposed.

Notice of byelaws how to be published.

41. Notice of the intention of the corporation to transmit to the Secretary of State any byelaws made under the authority of the "Manchester Improvement Act, 1865," shall be published once in the London Gazette, within seven days from the time when such byelaws shall, as required by the said Act, be affixed on the principal door of the Town Hall.

Penalty in respect of stolen goods, &c.

42. Any person who shall be brought before any justice charged with having in his possession within the city, or conveying in any manner, anything which may be reasonably suspected of being stolen or unlawfully obtained, and who shall not give an account to the satisfaction of such justice how he came by the same, shall be deemed guilty of a misdemeanor, and shall be liable to a penalty of not more than five pounds, or, in the discretion of a justice, may be imprisoned in the gaol of the city, with or without hard labour, for any time not exceeding two months.

Further power of borrowing for pur-

43. In addition to the other sums which the corporation are by any Act relating to the corporation, or this Act, authorized to borrow, the corporation from time to time may borrow at interest

for the purposes connected with the Manchester Town Hall and Improvement Act, 1866, any sums not exceeding the sum of two hundred thousand pounds; and the sections 23 and 24 of the Manchester Town Hall and Improvement Act, 1866, are extended to this Act, with reference to the monies to be so borrowed, as if the same had been expressly repeated and re-enacted in this Act with reference thereto.

A.D. 1869.
 poses of
 29 & 30 Vict.
 c. xxix.

44. It shall be lawful for the corporation from time to time to borrow at interest on mortgage of the township rate authorized to be made within the township of Chorlton-upon-Medlock by the Manchester General Improvement Act, 1851, exclusive of the sums by the said Act authorized to be borrowed, any sum or sums not exceeding in the whole the sum of twenty thousand pounds; and the sections 82 to 92, both inclusive, of the said Act are extended to this Act, with reference to the monies to be so borrowed, as if the same had been expressly repeated and re-enacted in this Act with reference thereto: Provided that all mortgages granted by the corporation on the security of the said rate prior to the passing of this Act, and which shall then be in force, shall during their continuance have priority over all mortgages granted on the security of the same rate under the authority of this Act.

Further
 power of
 borrowing
 under
 14 & 15 Vict
 c. cxix.

45. The corporation may from time to time borrow for the purposes of this Act (other than those for which they are herein-before expressly authorized to borrow) on the credit of the city rate, or of any property vested in or belonging to the corporation, or which may be acquired by them under or by virtue of this Act, or otherwise howsoever, any sums of money not exceeding in the whole the sum of two hundred and fifty thousand pounds; and the sections 16 to 30, both inclusive, of the Act (local and personal) 7th and 8th Victoria, chapter 40, shall apply to all monies to be so borrowed by the corporation under the authority of this Act, as if the same had been expressly repeated and re-enacted in this Act with reference to the further sums so authorized to be borrowed: Provided that all mortgages granted by the corporation prior to the passing of this Act on the same securities or any of them on the credit of which they are by this Act authorized to borrow, and which shall then be in force, shall during their continuance have priority over all mortgages granted on the like securities or any of them under the authority of this Act: Provided also, that the corporation shall, from and after the first day of January in the year 1873, and during the succeeding twenty years, annually set apart as a sinking fund a sum being not less than one pound ten shillings per centum, and from and after the expiration of such twenty years a sum being not less than two pounds per

Power to
 borrow
 money on
 the credit
 of the city
 rate.

Sinking
 fund.

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Extending
certain pro-
visions of
17 & 18 Vict.
c. xxxviii.
to this Act.

46. With respect to all and every part of the monies which the corporation are by this or any other Act authorized to borrow for purposes not connected with the waterworks of the corporation, and the interest thereon respectively, and with respect to all or any part of the monies from time to time so borrowed, and the interest thereon respectively, and with respect to all or any of the mortgages, annuities, bonds, and other charges and securities already or hereafter made or granted and from time to time subsisting or having effect by virtue of the said Acts or any of them, and with respect to all or any of the principal monies, interest, and annuities respectively secured by such mortgages, annuities, bonds, and other charges and securities, or any of them, the corporation may from time to time exercise all or any of the powers conferred upon them by section 19 of the Manchester Corporation Waterworks Act, 1854, as if those powers had been conferred upon them with respect to the several matters herein-before mentioned; and the said section 19, and the sections 20 to 23, both inclusive, of the said Act, shall extend and apply to the several matters herein-before mentioned, as if the same had been expressly repeated and re-enacted in this Act with reference thereto.

Appeal
against bye-
laws.

47. Any person dissatisfied with any order or determination of the corporation under this Act shall be entitled to appeal against the same in the same maner as if sections 262, 263, and 264 of the Manchester Police Act, 1844, had been incorporated herewith.

Expenses of
Act

48. The costs, charges, and expenses attending or incident to the obtaining and passing of this Act shall be paid by the corporation.