

## CHAPTER lxiv.

An Act to confer further powers upon the Mayor Aldermen and Citizens of the City of Manchester in the County of Lancaster with respect to Street Improvements and other works and the acquisition of Lands to provide for the transfer of the Monsall Hospital to the Corporation and for extending the limits for the supply of Water by the Corporation and for other purposes.

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[2nd July 1896.]

**W**HEREAS it is expedient that the mayor aldermen and citizens of the city of Manchester in the county of Lancaster (in this Act called "the Corporation") should be empowered to make and maintain the street improvements and other works and to exercise the other powers in this Act respectively mentioned and to acquire for the purposes of such works and for other purposes the lands in this Act also mentioned or referred to :

And whereas plans and sections showing the lines and levels of the works authorised by this Act and plans of the lands by this Act authorised to be acquired and a book of reference containing the names of the owners or reputed owners and lessees or reputed lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the county of Lancaster which plans sections and book of reference are in this Act respectively referred to as the deposited plans sections and book of reference :

And whereas it is expedient to make provision as contained in this Act for the transfer of the Monsall Hospital by the president treasurers deputy-treasurers benefactors and subscribers of and to the Manchester Royal Infirmary Dispensary and Lunatic Hospital or Asylum to the Corporation and for the recoument to the Corporation of expenses incurred by them in reference to the treatment of infectious diseases in connexion with and in relief of the Monsall Hospital :

[Price 1s. 6d.]

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And whereas estimates have been prepared by the Corporation in relation to the following purposes in respect of which they are by this Act authorised to raise money which are as follows:—

For street improvements thirty thousand pounds;

For purposes in connexion with the Monsall Hospital forty thousand pounds:

And whereas the several works and purposes mentioned in such estimates are permanent works within the meaning of section 234 of the Public Health Act 1875:

And whereas it is expedient that the townships of Partington and Carrington in the parish of Bowdon in the county of Chester which are now included within the limits of supply of the North Cheshire Water Company should be transferred to and included within the limits of supply of the Corporation:

And whereas it is expedient that the time prescribed by the Manchester Ship Canal Act 1891 and the Manchester Corporation (Ship Canal) Act 1893 for the commencement of the sinking fund under those Acts should be extended:

And whereas the Corporation have from time to time acquired lands under the powers of the several Acts and Orders specified in the Second Schedule to this Act or of some of those Acts and Orders (which Acts and Orders are in this Act referred to as "the local Acts"):

And whereas by the Manchester Corporation Act 1887 the period within which the Corporation are bound under the provisions of the local Acts passed prior to the passing of that Act to sell dispose of and convey any lands then vested in them not required for the purposes for which the same were acquired was extended until the expiration of ten years from the passing of that Act:

And whereas since the passing of the said last-mentioned Act the Corporation have under and in pursuance of their obligations in this behalf sold and disposed of divers lands acquired by them under the authority of the local Acts or some of them to the value of one hundred thousand pounds and upwards and are proceeding with the sale and disposal of other lands so acquired with all reasonable dispatch but have still a quantity of such lands which they have been hitherto unable to sell and it is expedient that the period within which the Corporation are bound to sell such lands should be extended:

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

And whereas an absolute majority of the whole number of the council at a meeting held on the thirteenth day of November one thousand eight hundred and ninety-five after ten clear days' notice

by public advertisement of such meeting and of the purpose thereof in the Manchester Guardian newspaper being a local newspaper published or circulating in the city of Manchester such notice being in addition to the ordinary notice required for summoning such meeting resolved that the expense in relation to promoting the Bill for this Act should be charged on the city rate : A.D. 1896.

And whereas such resolution was published twice in the said Manchester Guardian newspaper and has received the approval of the Local Government Board and of one of Her Majesty's Principal Secretaries of State :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held in pursuance of a similar notice on the fifth day of February 1896 being not less than fourteen days after the deposit of the Bill in Parliament :

And whereas the owners and ratepayers of the city by resolution in the manner provided by Schedule III. of the Public Health Act 1875 consented to the promotion of the Bill for this Act :

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 :—

1. This Act may be cited for all purposes as the Manchester Corporation Act 1896. Short title.

2. The Lands Clauses Acts are (except where expressly varied or otherwise provided for by this Act) incorporated with and form part of this Act. Incorporation of Lands Clauses Acts.

3.—(1.) In this Act the several words and expressions to which meanings are assigned by the Acts incorporated herewith 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 for the purposes of this Act the expression "the Undertakers" and "the promoters of the undertaking" shall mean the Corporation unless there be something in the subject or context repugnant to such construction : Interpretation.

(2.) 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) :—

- "City" means the city of Manchester ;
- "Council" means the council of the city ;
- "City rate" means the city rate of the city ;

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

“Owner” shall have the meaning given to that word by section 36 of the Manchester Corporation Act 1891;

“Scheduled agreement” means the agreement set forth in the First Schedule to this Act;

“Local Acts” means the several Acts of Parliament set forth in the Second Schedule to this Act.

Corporation  
to execute  
Act.

4. The Corporation by the council are hereby empowered to carry this Act and the several powers thereof into execution.

Authenti-  
cation of  
notices.

5. Any summons demand notice order or document (other than a conveyance contract or security) to be given made delivered or served by or on the part of the Corporation under this Act shall if signed by the town clerk be of the same effect as if sealed by the Corporation and the provisions of the fifty-first section of the Manchester Corporation Waterworks and Improvement Act 1867 shall apply to every such summons demand notice order or other document.

Power to  
make street  
improve-  
ments &c.

6. Subject to the provisions of this Act the Corporation may in the lines shown upon the deposited plans and according to the levels shown upon the deposited sections relating thereto respectively make and maintain the street improvements and other works hereinafter described with all proper works and conveniences connected therewith respectively and may exercise the powers hereinafter mentioned (that is to say):—

(1.) They may widen on the south side thereof so much of the street known as Market Street in the township of North Manchester in the parish of Manchester as lies between Lion Street and a point twenty-five yards or thereabouts measured along Market Street aforesaid in an easterly direction:

(2.) They may widen Ashley Lane in the township and parish of Manchester on the south-easterly side thereof between Bromley Street and Back Bilberry Street being a length of twenty-three yards or thereabouts:

(3.) They may construct the footpath in the township of Davyhulme in the parish of Eccles in the county of Lancaster referred to in section 11 (3) of the Manchester Corporation Act 1894 from a point in Bent Lanes twenty-three yards or thereabouts west of the termination of that lane and thence measuring two hundred and twenty-seven yards or thereabouts in an easterly direction so as to effect a junction with the new footpath fourthly described in and authorised by section 6 of the said Act at a point four hundred and one yards or thereabouts in a westerly direction from the engine house of the Manchester Corporation Sewage Works.

7. The Corporation in constructing the street improvements and other works by this Act authorised may deviate from the lines thereof to the extent of the limits of deviation marked on the deposited plans and may deviate from the levels of the said works as shown on the deposited sections to any extent not exceeding two feet.

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Power to deviate.

8. The Corporation may subject to the provisions of this Act from time to time enter upon take and use and appropriate for the purpose of the aforesaid street improvements and for purposes connected therewith and for general improvement purposes and works for the improvement of the city and other purposes authorised by the Acts for the time being in force within the city including this Act all or any of the lands houses and buildings streets courts and passages described in the deposited plans and book of reference under the headings "Widening of Market Street Blackley" "Widening of Ashley Lane" and "Footpath Davyhulme."

Corporation may acquire lands for street improvements.

9. Subject to the provisions of this Act the Corporation may enter upon take and use and appropriate for the purposes of an extension of their nightsoil depôt and works at Holt Town all or any of the lands next herein-after described or referred to delineated on the deposited plans and described in the deposited book of reference relating thereto (that is to say):—

Power to acquire lands for extension of nightsoil depôt.

Certain lands in the township of Manchester and parish of Manchester bounded on the northerly and easterly sides thereof by the said nightsoil depôt and works on the south side by the River Medlock and on the west by lands belonging or reputed to belong to Alexander Forrest and others and the approach road to the said works.

10. 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 book 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 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

Errors and omissions in plans and book of reference.

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plans or book 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.

Plans &c. to be open for inspection.

11. A copy of the deposited plans sections and book 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 such person of one shilling for every 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.

Certified copies of plans &c. to be evidence.

12. Copies of the deposited plans sections and book of reference or of any alteration or correction thereof or extract therefrom certified to be correct by the clerk of the peace for 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 *primâ facie* evidence of the contents thereof.

Limiting time for compulsory purchase of lands.

13. The powers of the Corporation for the compulsory purchase of lands under this Act shall cease after the expiration of three years from the passing of this Act.

Corporation may acquire easement only in certain lands.

14. The Corporation may if they shall think fit so to do with reference to the execution of the works of making the footpath authorised by the section of this Act the marginal note of which is "Power to make street improvements &c." acquire such easement and rights in such lands as they may require for the purpose of executing the works and may give notice to treat in respect of such easement and rights and may in such notice describe the nature thereof and the several provisions of the Lands Clauses Acts inclusive of those with regard to arbitration and the summoning of a jury shall apply to such easement and rights as fully as if the same were lands within the meaning of such Acts:

Provided always that nothing herein contained shall authorize the Corporation to acquire by compulsion any such easement in any case in which the owner in his particulars of claim shall require the Corporation to acquire the lands in respect of which they have given notice to treat for the acquisition of an easement only and every notice to treat for the acquisition of an easement shall be endorsed with notice of this proviso.

Power to persons under

15. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may subject to the provisions of those Acts

and of this Act grant to the Corporation any easement right or privilege (not being an easement right or privilege of water in which other than the parties to the agreement have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

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disability to grant easements.

**16.** The sites of the houses and all lands which may be purchased by the Corporation and laid into and appropriated for streets or roads shall when and so soon as the same shall be so laid into and appropriated for streets or roads and for ever thereafter form part of the public highways and shall be repaired and maintained and kept in order in such and the same way and manner as the highways in the same district shall for the time being be by law repaired maintained and kept in order.

Ground laid into widened streets to be public highways.

**17.** The Corporation shall not under the powers by this Act granted purchase or acquire in any parish ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied:

Restriction on taking houses of labouring class.

For the purpose of this section the expression "labouring class" means and includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

**18.** The agreement made between the president treasurers deputy treasurers benefactors and subscribers of and to the Manchester Royal Infirmary Dispensary and Lunatic Hospital or Asylum (in this Act called "the Infirmary") of the one part and the Corporation of the other part as set forth in the First Schedule to this Act is hereby confirmed and made binding upon the parties thereto respectively.

As to transfer of Monsall Hospital to Corporation.

**19.** The purchase money of twelve thousand nine hundred and fifty-four pounds mentioned in the scheduled agreement shall be applied by the Infirmary as part of their general funds:

Application of purchase money.

[Ch. lxiv.] *Manchester Corporation Act, 1896.* [59 & 60 Vict.]

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When and so soon as the Infirmary shall have conveyed to the Corporation the Monsall Hospital in pursuance of the terms of the scheduled agreement the several trusts obligations and liabilities on the part of the Infirmary in relation to the said hospital or in relation to the reception or treatment of cases of fever or other infectious disease under the provisions of an Act passed in the fifteenth year of the reign of Her present Majesty intituled "An Act to unite the Manchester House of Recovery with the Manchester Royal Infirmary Dispensary and Lunatic Hospital or Asylum" or under any trust deed or otherwise shall cease and determine and such trusts obligations and liabilities are hereby repealed and extinguished as from and after such conveyance. Provided always that the several agreements and arrangements set forth in the Fourth Schedule to the scheduled agreement shall during the periods and terms therein specified be binding upon and performed by the Corporation in accordance with the terms and conditions thereof respectively:

The said Monsall Hospital when conveyed to the Corporation shall be vested in them as an infectious diseases hospital for the city under and subject to and with the benefit of the provisions of the Public Health Act 1875 and any Act amending the same and the Local Acts.

Transfer of  
portion of  
North  
Cheshire  
Water  
District to  
Corporation.

**20.** Notwithstanding anything contained in section 5 of the North Cheshire Water Act 1864 the townships of Partington and Carrington which are within the parish of Bowdon in the county of Chester named in that section shall from the passing of this Act be included in the district of water supply of the Corporation and the Corporation may exercise within the said townships the same powers with reference to the supply of water as they are by the local Acts so far as they relate to the waterworks undertaking of the Corporation authorised to exercise within their present district of supply:

From and after the passing of this Act all powers and obligations on the part of the North Cheshire Water Company to supply water within the said townships shall cease and determine.

Amending  
section 28 of  
Manchester  
Ship Canal  
Act 1891.

**21.** Section 10 of the Manchester Corporation (Ship Canal) Act 1893 is hereby repealed:

Section 28 of the Manchester Ship Canal Act 1891 shall be read and construed as if the expression "first day of January one thousand nine hundred" had been inserted throughout the said section in lieu of the expression "first day of January one thousand eight hundred and ninety-five."



22. The period within which the Corporation are bound under the provisions of the local Acts or any of them or any other public or local Act or Acts to sell dispose of and convey any lands now vested in them 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. The powers status and rights conferred on the Corporation by this section shall be in aid and not in derogation of the powers status and rights conferred on them or enjoyed by them under the local Acts or any of them or under any other Act or Acts.

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Extending  
time for sale  
of super-  
fluous lands.

23.—(1.) The Corporation may (in addition to the other sums which they are authorised to raise by any Act) from time to time borrow and raise at interest on the credit of the city rate any sums of money not exceeding in the whole the sums following (that is to say):—

Power to  
borrow.

(a.) For the purposes of this Act relating to street improvements general improvement purposes and works for the improvement of the city the sum of thirty thousand pounds;

(b.) For the purposes of this Act relating to the purchase of Monsall Hospital and for the recoupment to the Corporation of expenses heretofore incurred by the Corporation in providing accommodation of a permanent character for the treatment of infectious diseases in connexion with and in relief of such hospital the sum of forty thousand pounds:

(2.) The enactments enumerated in the Third Schedule to this Act shall apply to all moneys 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:

(3.) The Corporation shall repay—

(a.) All moneys borrowed under sub-section (1.) (a.) of this section in any period not exceeding fifty years from the date of the borrowing of the same; and

(b.) All moneys borrowed under sub-section (1.) (b.) of this section in any period not exceeding thirty years from the date of the borrowing of the same:

which respective periods shall be the prescribed periods for the purposes of section 45 of the Manchester Corporation Act 1891 being one of the enactments applied by sub-section (2.) of this section.

24. As to any addition to the city rate made by the Corporation or under any precept from or at the instance or by the direction of the Corporation for the purposes or any of the purposes mentioned

Railways to  
be rated at  
one-fourth  
only of the

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—  
net annual  
value  
thereof.

in the section of this Act the marginal note whereof is "Power to borrow" the owner or occupier of any land used only as a railway constructed under the powers of any Act of Parliament for public conveyance shall be assessed in respect of the same in the proportion of one-fourth part only of the net annual value thereof as ascertained by the valuation list for the time being in force or if there be none by the rate for the relief of the poor made next before the making of such assessment The Local Government Board may from time to time by order make such regulations as seem to the Board necessary or proper respecting the form of the rates notices and accounts to be made used and kept by the overseers of any parish situate wholly or partly in the city with respect to any addition made under the powers of this Act to any city rate and to any assessment in respect thereof and an order under this section shall be deemed to be an order within the meaning of section 98 of the Poor Law Amendment Act 1834.

Expenses of  
Act.

**25.** The costs charges and expenses attending or incident to the applying for obtaining and passing of this Act as taxed and ascertained by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the city rate.

SCHEDULES referred to in the foregoing Act.

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THE FIRST SCHEDULE.

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ARTICLES OF AGREEMENT made the thirteenth day of February one thousand eight hundred and ninety-six between the PRESIDENT TREASURERS DEPUTY TREASURERS BENEFACTORS and SUBSCRIBERS of and to the MANCHESTER ROYAL INFIRMARY DISPENSARY and LUNATIC HOSPITAL OR ASYLUM (herein-after called "the Infirmary") of the one part and the MAYOR ALDERMEN and CITIZENS of the City of Manchester in the County of Lancaster (herein-after called "the Corporation") of the other part.

WHEREAS for some years prior to the Act of Parliament next herein-after referred to the Infirmary were seised of certain hereditaments situate in Portland Street in the said city of Manchester with the building situate thereon known as the Manchester Royal Infirmary and immediately adjoining thereunto were certain lands upon which had been erected a house known as the House of Recovery for the reception and accommodation of persons sick of fever in order to facilitate their recovery belonging to a society which had been formed in the year 1805 for the purpose of the establishment of such a charity And whereas by an Act of Parliament passed in the fifteenth year of the reign of Her present Majesty intituled "An Act to unite the Manchester House of Recovery with the Manchester Royal Infirmary Dispensary and Lunatic Hospital or Asylum" the said House of Recovery was united to the Infirmary so as to become one united Institution for carrying out the objects of both the said charities respectively And by the Act now in recital it was provided that after the passing of the said Act all fever patients or other persons who according to the rules and regulations then subsisting for the management of or relating to the said House of Recovery would be admissible thereto or be entitled to the benefit of the same charity should be admitted into and be in like manner entitled to the benefit of the charity with which the said House of Recovery was thereby united as aforesaid and that the Infirmary should make due provision for the reception and should provide at all times thereafter for the proper care and accommodation of all such patients and persons accordingly and that for the purpose aforesaid the Infirmary as soon as conveniently might be after the passing of the Act now in recital should from and out of the funds then vested in or belonging to them or which were thereby or by virtue of the Act now in recital might thereafter become vested in them erect and finish or cause

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to be erected and finished in or upon some part of the vacant land belonging to the Infirmary as aforesaid suitable buildings with all proper conveniences to be attached thereto to such extent and in such manner as might be required for the reception care and accommodation of the patients to be admitted thereto in pursuance of the Act now in recital and should from time to time erect additional buildings for such purposes when required and should thereafter keep and maintain all such buildings and premises in good and sufficient repair so as that at all times thereafter there should and might be sufficient provision for the reception and for the proper care and accommodation of all such patients so as that the provision made for such purpose in the then existing buildings belonging to the Infirmary together with the additional buildings to be erected as aforesaid should extend at all times to the providing beds for the reception (if required) of 80 patients at the least to be admitted in pursuance of the Act now in recital. And whereas in or about the year 1871 it was deemed advisable by the Infirmary in consequence of the necessity for further accommodation to acquire a separate estate and erect thereon buildings for the exclusive reception of patients suffering from fever or other infectious diseases and accordingly they acquired an estate situate at Monsall in Newton in the city of Manchester and erected thereon certain buildings now known as Monsall Hospital. And whereas in or about the purchase of the said estate and the erection of the buildings aforesaid and the maintenance of the same as a hospital the Infirmary have expended a considerable sum of money. And whereas it has been deemed advisable by the Corporation that they as the sanitary authority of the city should have the arrangements for the isolation of infectious diseases under their own control and accordingly that the Monsall Hospital should be acquired by the Corporation from the Infirmary. And whereas the land buildings and other property now held by the Infirmary in connexion with the said Hospital at Monsall aforesaid are herein-after described. And whereas the Infirmary have from time to time entered into various arrangements with surrounding local authorities and others for the reception of patients suffering from fever and other infectious disorders and erysipelas upon certain terms specified in the several agreements with such local authorities and others which agreements are specified in the Fourth Schedule hereto some of which expire on the 24th day of June 1897 and others upon one month's notice. Now these presents witness and it is hereby agreed and declared between and by the parties hereto as follows (that is to say) :—

1. The Infirmary will sell to the Corporation who will purchase at the price herein-after mentioned or referred to First the fee simple and inheritance of and in the land and hereditaments in the township of Newton in the city of Manchester delineated and edged red in the plan hereunto annexed and containing 13 acres 3 roods 11 perches and 27 yards of land or thereabouts which land and hereditaments are in the muniments of title relating thereto described in the manner set forth in the First Schedule hereto. And also all those erections or buildings thereon known as the Monsall Hospital and the outbuildings attached thereto. Together with the rights specified in the same schedule (except and reserved with respect to the said lands and hereditaments secondly described in the said First Schedule as mentioned in the Second Schedule hereto and except and reserved with respect to the said lands and hereditaments thirdly described

in the said First Schedule as mentioned in the Third Schedule hereto) and subject as to the said premises thirdly described in the said First Schedule to the yearly rentcharge of 180*l.* limited in use by an indenture dated the 20th day of January 1886 and made between the warden and fellows of the College of Christ in Manchester founded by King Charles otherwise styled the dean and canons of Manchester (herein-after called "the dean and canons") of the first part the Corporation of the second part and William Orford of the third part and to the observance and performance of the covenants and conditions therein contained and on the part of the grantees therein named their successors and assigns to be observed and performed And secondly the erections fixtures fittings furniture utensils appliances instruments and effects within or belonging to the said Monsall Hospital and outbuildings whether on the land first herein-before described or (so far only as the Infirmary can sell or assign the same) upon the land referred to in Article 10 hereof.

2. The sum of twelve thousand nine hundred and fifty-four pounds shall be paid to the Infirmary by the Corporation as the price or purchase money for the said hereditaments and premises and equipment.

3. The purchase money shall be paid and the purchase shall be completed on the thirtieth day of September one thousand eight hundred and ninety-six or within three calendar months after the approval by Parliament of this Agreement with or without modification whichever shall be the later date (the said date or the expiration of which three calendar months as the case may be is herein-after referred to as "the date for completion") and on completion of the purchase the Corporation shall pay to the Infirmary interest after the rate of four pounds per centum per annum on the purchase money from the thirty-first day of December one thousand eight hundred and ninety-five to the date of actual completion and as from and to which dates the Infirmary shall give or receive credit for all sums which in accordance with the previous practice of the Infirmary ought to be applied in reduction of or debited against the suspense account heretofore kept by the Infirmary with respect to the said Monsall Hospital.

4. The Corporation shall as from the date for completion take over all the trusts obligations and liabilities of the Infirmary or of the Monsall Hospital in respect of the herein-before recited provision of the said recited Act of Parliament (so far as such trusts obligations and liabilities shall continue in operation after the conveyance by the Infirmary to the Corporation of the Monsall Hospital) and the agreements and arrangements effected by the documents specified in the Fourth Schedule hereto and the Corporation shall indemnify the Infirmary and the Monsall Hospital in respect thereof respectively.

5. The Corporation shall as from the date for completion from time to time without any charge receive and treat at the said Monsall Hospital or at some other hospital or hospitals of the Corporation (which said Monsall Hospital and other hospital or hospitals are in this Article referred to as "the Corporation hospitals") patients with infectious disease (including erysipelas) who may be sent thereto by the Infirmary from the hospitals of the Infirmary (including the Barnes Convalescent Home at Cheadle) (which said hospitals of the Infirmary (including the said Barnes Convalescent Home) are in this Article referred to

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as "the Infirmary hospitals") or any of them to the same extent and in the same manner as the Infirmary have heretofore from time to time received and treated at the said Monsall Hospital patients with infectious disease (including erysipelas) sent thereto by the Infirmary from the other Infirmary hospitals or any of them. Provided that every such patient to be so received and treated at one of the Corporation hospitals shall during the transit from the Infirmary hospital to the Corporation hospital be in charge of a nurse or attendant employed by the Corporation and shall be removed to such one of the Corporation hospitals as shall be indicated by the medical officer of health for the time being of the city of Manchester and shall be accompanied by a certificate in the form given in the Fifth Schedule hereto or to the like effect.

6. The abstract of title to the plots of land first described in the First Schedule hereto shall commence with an indenture dated the 20th day of January 1871 and made between John Taylor of the first part Philip Berry of the second part and the Infirmary of the third part.

The abstract of title to the plot of land secondly described in the First Schedule hereto shall commence with an indenture dated the 20th day of January 1886 and made between the dean and canons of the one part and the Corporation of the other part.

The abstract of title to the plot of land thirdly described in the First Schedule hereto shall commence with another indenture dated the 20th day of January 1886 and made between the dean and canons of the first part the Corporation of the second part and William Orford of the third part.

7. The Corporation shall take subject to and with the benefit of an arrangement made in the month of September 1884 as to the boundary fence between the land first described in the First Schedule hereto and the land of one John Hethorn an adjoining owner.

8. The Corporation shall in the conveyance by the Infirmary to them enter into covenants for the payment of the said yearly rentcharge of 180*l.* and for the observance and performance of the covenants conditions and agreements affecting the hereditaments described in the said First Schedule or any part or parts of such hereditaments.

The Corporation shall at their own expense apply to Parliament for the insertion of a clause in some Act of Parliament to be obtained by them repealing or relieving the Infirmary from the trusts obligations and liabilities in the matter of the provision of beds for the reception of eighty patients referred to in the herein-before recited provision of the said recited Act of Parliament and the Infirmary will support such application.

10. In view of the fact that the isolation wards are partly built upon land held by the dean and canons the Corporation shall keep the Infirmary harmless and indemnified from any claim which may be made in respect of rent (whether past or future) for such land or for the occupation thereof or in anywise by reason of the act of the Infirmary in so occupying such land.

11. The Corporation will afford every facility for the instruction of medical students of the Owens College in the wards of the hospitals of the Corporation by the honorary staff of the Infirmary.

12. Contemporaneously with the execution and completion of the conveyance of the said Monsall Hospital from the Infirmary to the Corporation there shall be executed a separate deed in which the Corporation shall and will enter into proper covenants with the Infirmary for giving effect to Articles 4 5 10 and 11 of this Agreement including in connexion with the subject matter of Article 4 a covenant to indemnify the Infirmary against all obligation liability and responsibility which the Infirmary may possibly be under to any past donors and contributors to the funds out of which the said hereditaments contracted to be sold were purchased or acquired or to the Monsall Hospital in consequence of the same ceasing to be a charity or otherwise.

13. The costs and expenses of the solicitors of the Infirmary for or incidental to the preparation execution and sanctioning by Parliament of this Agreement and for the negotiations preparatory thereto whether the same be approved by Parliament as herein-after provided or not and in or about the preparation and engrossment of the abstract of title of the Infirmary to the said premises and the deduction of such title and in or about the preparation and execution of the conveyance or conveyances to be executed in pursuance of these presents and of any other document and of any other thing in pursuance of these presents shall be borne and paid by the Corporation.

14. This agreement is conditional on the same being confirmed by Parliament in its present form or with such modifications as may be approved by each of the parties by an Act to be promoted by the Corporation.

In witness whereof the Infirmary and the Corporation have hereunto affixed their respective common seals the day and year first before written.

THE FIRST SCHEDULE HEREIN-BEFORE REFERRED TO.

First All that messuage or dwelling-house called Monsall otherwise Monsal House situate in Newton in the city of Manchester with the stabling coach-house and garden thereto belonging And also all those several fields closes and parcels of land thereunto belonging formerly known by the name of the Monsal Fields but commonly called or known by the several names of the Front Meadow the Back Meadow the Back Field the Round Meadow and the Brows containing by a former admeasurement (including the site of the said messuage or dwelling-house stable garden and plantation adjoining thereto) 9 acres 2 roods and 32 perches statute measure or thereabouts be the same more or less formerly in the occupation of Philip Berry and more particularly delineated and described in the plan annexed hereto and therein edged red with the rights easements and appurtenances (except nevertheless out of the lands herein-before described the portion thereof containing 1065 square yards or thereabouts coloured brown in the said plan which by an indenture dated the 20th day of January 1886 and made between the Infirmary of the one part and the Corporation of the other part was assured unto and to the use of the Corporation their successors and assigns in fee simple) And also (by way of sale and not of exception) all mines delfs and quarries of lead coal cannel slate stone clay and all minerals in or under the said piece of land coloured brown in the said plan with full and free liberty of getting the same by means of underground workings only they the Corporation their

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successors and assigns for the time being making reasonable satisfaction for any damage or injury to be occasioned to the said piece of land or any part thereof in consequence of the exercise of all or any of the rights herein-before mentioned. And also full right and authority for the Corporation their successors and assigns and for all persons by their authority to pass and re-pass on foot or with horses carts and carriages or otherwise at all times and for all purposes whatsoever over and along so much and such part of the said plot of land coloured brown herein-before described as extends into and forms part of a street as shown in the said plan.

Secondly All that plot piece or parcel of land containing 1065 square yards or thereabouts in the township of Newton aforesaid and more particularly delineated and described in the said plan annexed hereto and therein edged green with the rights easements and appurtenances (except as excepted and reserved in the Second Schedule hereto).

Thirdly All that plot piece or parcel of land containing 19962 square yards or thereabouts situate in the township of Newton aforesaid and more particularly delineated and described in the plan hereunto annexed and therein edged yellow with the rights easements and appurtenances (except as excepted and reserved in the Third Schedule hereto). And also (by way of description and sale and not of exception) the full and free right and liberty in common with the person or persons for the time being entitled thereto and their lessees and grantees of the like privileges for the Corporation their successors and assigns and their agents and servants and the respective tenants and occupiers for the time being of the said land thirdly herein-before described and all persons having occasion to go to or from the said land or any of them to pass and re-pass on foot or with horses carts and carriages or otherwise and at all times and for all purposes whatsoever over and along the streets adjoining or forming part of the said land thirdly herein-before described.

THE SECOND SCHEDULE HEREIN-BEFORE REFERRED TO.

Except and reserved out of the said plot of land secondly described in the said First Schedule unto the person or persons for the time being entitled thereto and to all persons by their authority the right to pass and re-pass on foot or with horses carts and carriages or otherwise at all times and for all purposes whatsoever over and along so much and such part of the said plot of land as extends into and forms part of a street as shown in the said plan. And also except and reserved out of the said plot of land so secondly described in the said First Schedule unto the person or persons for the time being entitled thereto all tithes commutation rentcharges or sums of money in lieu of tithes payable for or in respect of the same premises and all mines delfs and quarries of lead coal cannel slate stone clay and all minerals in or under the same premises with full and free liberty of getting the same by means of underground workings only they the person or persons for the time being entitled thereto making reasonable satisfaction to the Corporation their successors and assigns for any damage or injury to be occasioned to the said premises or any part thereof in their then state in consequence of the exercise of all or any of the rights herein-before mentioned.



THE THIRD SCHEDULE HEREIN-BEFORE REFERRED TO.

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Except and reserved out of the plot of land thirdly described in the said First Schedule hereto unto the person or persons for the time being entitled thereto and all persons by their authority the right to pass and re-pass on foot or with horses carts and carriages or otherwise at all times and for all purposes whatsoever over and along so much and such parts of the said plot of land as extends into and forms part of streets or intended streets as shown on the said plan And also except and reserved unto the person or persons for the time being entitled thereto all tithe commutation rentcharges or sums of money in lieu of tithes payable for or in respect of the same premises and all mines dells and quarries of lead coal cannel slate stone clay and all minerals in or under the same premises with full and free liberty of getting the same by means of underground workings only such person or persons so entitled as aforesaid making reasonable satisfaction to the Corporation their successors and assigns for any damage or injury to be occasioned to the said premises or any part thereof in their then state in consequence of the exercise of all or any of the rights herein-before mentioned.

THE FOURTH SCHEDULE HEREIN-BEFORE REFERRED TO.

20th January 1892 Circular letter of this date sent by the Infirmary to the following authorities :—

The Manchester Corporation.

The local boards of Gorton Stretford Withington Moss Side Sale Prestwich Failsworth and Swinton and Pendlebury.

9th February 1892 Reply from local board of Failsworth.

12th February 1892 Reply from local board of Prestwich.

16th February 1892 Reply from local board of Withington.

18th February 1892 Reply from local board of Moss Side.

29th February 1892 Reply from local board of Gorton.

24th June 1892 Reply from local board of Stretford.

25th June 1892 Reply from local board of Swinton and Pendlebury.

6th September 1892 Agreement of this date between the Infirmary of the one part and the Sale local board of the other part.

26th February 1894 Agreement of this date between the Infirmary of the one part and the Corporation of the other part.

12th January 1881 Circular letter of this date sent by the Infirmary to the Manchester board of guardians.

3rd March 1881 Letter in reply of this date from the Manchester board of guardians.

8th October 1892 Letter of this date sent by the infirmary to the Prestwich union rural sanitary authority.

10th October 1892 Letter of this date from the Prestwich union rural sanitary authority.

23rd July 1883 Resolution of this date adopted by the Monsalt Fever Hospital Committee and duly communicated to the Committee of the Clinical Hospital for Women and Children.

22nd August 1883 Letter of this date from the Secretary of the Clinical Hospital for Women and Children.

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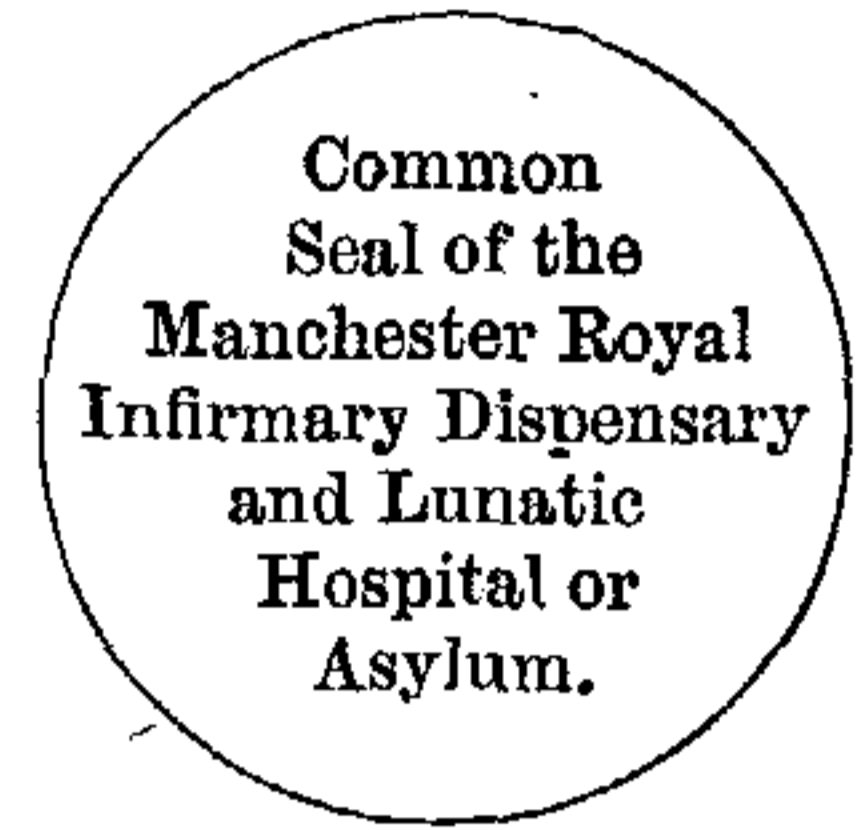
THE FIFTH SCHEDULE HEREIN-BEFORE REFERRED TO.

No. \_\_\_\_\_  
 I hereby certify that \_\_\_\_\_ of \_\_\_\_\_ who accompanies  
 this certificate is a patient from the \_\_\_\_\_ hospital of the Manchester  
 Royal Infirmary suffering from \_\_\_\_\_  
 Dated \_\_\_\_\_ 18 \_\_\_\_\_

Resident Medical Officer.

The common seal of the Manchester Royal Infirmary  
 Dispensary and Lunatic Hospital or Asylum was affixed hereto  
 in the presence of

EDWD. S. HEYWOOD  
 Chairman.  
 W. L. SAUNDER  
 Secretary.



The common seal of the Corporation of the city of  
 Manchester was hereunto affixed in pursuance of an order  
 of the council of the said city in the presence of

A. LLOYD  
 Lord Mayor.  
 THOMAS HUDSON  
 Deputy Town Clerk.



THE SECOND SCHEDULE.

LOCAL ACTS.

Date.	Title.
7 & 8 Vict. c. xl.	An Act for the good Government and Police Regulation of the borough of Manchester.
7 & 8 Vict. c. xli.	An Act for the improvement of the town of Manchester.
8 & 9 Vict. c. cxli.	An Act to effect improvements in the borough of Manchester for the purpose of promoting the health of the inhabitants thereof.
9 & 10 Vict. c. ccxix.	The Manchester Market Act 1846.
10 Vict. c. xiv.	The Manchester Markets Act 1847.
10 & 11 Vict. c. cciii.	The Manchester Corporation Waterworks Act 1847.
11 & 12 Vict. c. ci.	The Manchester Corporation Waterworks Amendment Act 1848.
14 & 15 Vict. c. cxix.	The Manchester General Improvement Act 1851.
16 & 17 Vict. c. xci.	The Manchester New Streets Act 1853.
17 Vict. c. xxviii.	The Manchester Improvement Act 1854.
17 Vict. c. xxxviii.	The Manchester Corporation Waterworks Act 1854.

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Date.	Title.
18 Vict. c. xliv. -	The Manchester Improvement Act 1855.
20 & 21 Vict. c. cxvii. -	The Manchester Burial Board Act 1857.
21 Vict. c. xxv. -	The Manchester Improvement Act 1858.
21 & 22 Vict. c. lxxxvii. -	The Manchester Corporation Waterworks Act 1858.
23 Vict. c. xlviii. -	The Manchester Improvement Act 1860.
23 Vict. c. xciii. -	The Manchester Corporation Waterworks Act 1860.
26 & 27 Vict. c. lxviii. -	The Manchester Corporation Waterworks Act 1863.
28 Vict. c. xc. -	The Manchester Improvement Act 1865.
28 & 29 Vict. c. cxlv. -	The Manchester Corporation Waterworks Act 1865.
29 Vict. c. xxix. -	The Manchester Town Hall and Improvement Act 1866.
30 Vict. c. xxxvi. -	The Manchester Corporation Waterworks and Improvement Act 1867.
32 & 33 Vict. c. cxvii. -	The Manchester Corporation Waterworks and Improvement Act 1869.
34 & 35 Vict. c. lxxv. -	The Manchester Improvement Act 1871.
35 & 36 Vict. c. xxxi. -	The Manchester Corporation Waterworks and Improvement Act 1872.
38 & 39 Vict. c. clxi. -	The Manchester Corporation Waterworks and Improvement Act 1875.
38 & 39 Vict. c. clxvii. -	The Tramways Orders Confirmation Act 1875.
40 & 41 Vict. c. cxxiv. -	The Tramways Orders Confirmation Act 1877.
41 & 42 Vict. c. clxiii. -	The Tramways Orders Confirmation Act 1878 (No. 2).
41 & 42 Vict. c. ccxxxi. -	The Tramways Orders Confirmation (No. 1) Act 1878.
42 Vict. c. xxxvi. -	The Manchester Corporation Waterworks Act 1879.
43 & 44 Vict. c. xxxvi. -	The Local Government Board's Provisional Orders Confirmation (Abingdon &c.) Act 1880.
44 & 45 Vict. c. lxxvi. -	The Local Government Board's Provisional Orders Confirmation (Halifax &c.) Act 1881.
44 & 45 Vict. c. cv. -	The Tramways Orders Confirmation (No. 1) Act 1881.
45 & 46 Vict. c. cciii. -	The Manchester Corporation Act 1882.
47 & 48 Vict. c. ccxv. -	The Local Government Board's Provisional Orders Confirmation (No. 8) Act 1884.
48 & 49 Vict. c. cvii. -	The Local Government Board's Provisional Orders Confirmation (No. 7) Act 1885.
48 & 49 Vict. c. cxxvi. -	The Manchester City Extension Act 1885.
50 Vict. c. xvii. -	The Local Government Board's Provisional Orders Confirmation (No. 11) Act 1886.
50 Vict. Sess. 2. c. xxv. -	The Manchester Corporation Act 1887.
51 & 52 Vict. c. cxxxiii. -	The Local Government Board's Provisional Orders Confirmation (No. 8) Act 1888.
52 & 53 Vict. c. xl. -	The Manchester Corporation Act 1889.
52 & 53 Vict. c. cxvii. -	The Local Government Board's Provisional Orders Confirmation (No. 16) Act 1889.
53 & 54 Vict. c. lxxxiii. -	The Local Government Board's Provisional Orders Confirmation (No. 4) Act 1890.

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Date.	Title.
53 & 54 Vict. c. xciv.	- The Local Government Board's Provisional Order Confirmation (Artizans' and Labourers' Dwellings) Act 1890.
53 & 54 Vict. c. clxv.	- The Saint Anne and Saint Mary Manchester (Union of Benefices) Act 1890.
53 & 54 Vict. c. cxcvii.	- The Electric Lighting Orders Confirmation (No. 11) Act 1890.
53 & 54 Vict. c. ccxxxviii.	- The Local Government Board's Provisional Order Confirmation (No. 16) Act 1890.
54 & 55 Vict. c. lix.	- The Fire Brigade Superannuation (Manchester) Provisional Order Confirmation Act 1891.
54 & 55 Vict. c. clxxxi.	- The Manchester Ship Canal Act 1891.
54 & 55 Vict. c. ccvii.	- The Manchester Corporation Act 1891.
30th March 1891	- Order of the Local Government Board sanctioning a scheme made by the Corporation acting by the council as the local authority under the Housing of the Working Classes Act 1890 Part II.
23rd July 1891	- Order of the Local Government Board confirming the last-mentioned Order.
56 Vict. c. xix.	- The Manchester Corporation (Ship Canal) Act 1893.
56 Vict. c. xxvii.	- The Manchester Corporation Act 1893.
56 & 57 Vict. c. cxxviii.	- The Local Government Board's Provisional Orders Confirmation (No. 7) Act 1893.
56 & 57 Vict. c. cxxx.	- The Local Government Board's Provisional Orders Confirmation (No. 12) Act 1893.
56 & 57 Vict. c. exciii.	- The Tramways Orders Confirmation Act 1893.
57 & 58 Vict. c. ccix.	- The Manchester Corporation Act 1894.

THE THIRD SCHEDULE.

LOCAL ENACTMENTS MADE APPLICABLE TO THE BORROWING POWERS OF THE FOREGOING ACT.

Act.	Extent of Application.
7 & 8 Vict. c. xl. An Act for the good Government and Police Regulation of the borough of Manchester.	Section 16 (except the part thereof beginning "and in the event" and ending "at any one time" and except so much thereof as would enable the Corporation to borrow on the security of any property vested in or belonging to them or which may be acquired by them) and sections 17 18 and 23 to 27 and section 30 (as such sections or any of them are amended by Article VII. of the Manchester Order confirmed by 48 & 49 Vict. c. cvii. by Article VI. of the Manchester Order confirmed by 50 Vict. c. xvii. and by Article I. of the Manchester Order (3) confirmed by 56 & 57 Vict. c. cxxx.).

Act.	Extent of Application.
35 & 36 Vict. c. xxxi. The Manchester Corporation Waterworks and Improvement Act 1872.	Sections 34 to 49 (as amended by Article VII. of the Manchester Order confirmed by 48 & 49 Vict. c. cvii. by Articles III. IV. V. and IX. of the Manchester Order confirmed by 50 Vict. c. xvii. by the Manchester Corporation Act 1891 and by Article I. of the Manchester Order (3) confirmed by 56 & 57 Vict. c. cxxx.).
38 & 39 Vict. c. clxi. The Manchester Corporation Waterworks and Improvement Act 1875.	Sections 62 and 63 (as amended by Articles VII. and VIII. of the Manchester Order confirmed by 50 Vict. c. xvii.).
48 & 49 Vict. c. cvii. The Local Government Board's Provisional Orders Confirmation (No. 7) Act 1885.	Article VII. of the Manchester Order (as amended by Article I. of the Manchester Order (3) confirmed by 56 & 57 Vict. c. cxxx.).
50 Vict. c. xvii. The Local Government Board's Provisional Orders Confirmation (No. 11) Act 1886.	Articles III. to IX. of the Manchester Order.
54 & 55 Vict. c. ccvii. The Manchester Corporation Act 1891.	Sections 2 44 45 (except sub-section (1) for which sub-section (3) of the section of this Act with the marginal note "Power to borrow" is for the purposes of this Act to be deemed substituted) and 47 to 54.
56 & 57 Vict. c. cxxx. The Local Government Board's Provisional Orders Confirmation (No. 12) Act 1893.	Article I. of the Manchester Order (3).

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