



CHAPTER xcv.

An Act to confer further powers upon the lord mayor aldermen and citizens of the city of Manchester for the construction of street improvements main drainage works and tramways and for the running of trolley vehicles to enlarge their powers in regard to their water gas electricity and tramway undertakings, and to make further provision in regard to the health local government and improvement of the city and for other purposes. [7th August 1924.]

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WHEREAS it is expedient to empower the lord mayor aldermen and citizens of the city of Manchester (in this Act called "the Corporation") to construct street improvements tramways and main drainage works to run trolley vehicles and to exercise the powers and to acquire the lands mentioned or referred to in this Act :

And whereas it is expedient to make further provision with reference to the water gas electricity and tramway undertakings of the Corporation :

And whereas it is expedient that provision be made as in this Act contained with regard to the control and regulation of premises used for the reception of persons requiring massage and other treatment :

And whereas it is expedient to enlarge the powers of the Corporation in relation to the health local government and improvement of the city :

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And whereas it is expedient to enact such other provisions as this Act contains :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

And whereas estimates have been prepared by the Corporation for the following purposes (that is to say) :—

	£
(a) The purposes of Part IV. (Water) of this Act - - - - -	1,500
(b) The extension of mains and other purposes in connection with the supply of water by the Corporation -	300,000
(c) The construction of the street improvements authorised by this Act -	89,300
(d) The purchase of land for the street works and improvements authorised by previous Acts of the Corporation in excess of the amounts authorised to be borrowed under those Acts -	40,000
(e) The completion of the said street works and improvements - - - - -	106,500
(f) The purchase of land and the payment of compensation for or in respect of street and bridge widenings and improvements general improvement purposes and works for the improvement of the city under the local Acts in force therein - - - - -	300,000
(g) The construction of the tramways authorised by this Act - - - - -	200,000
(h) The electrical equipment of those tramways - - - - -	20,000
(i) The construction of tramways authorised by the previous Acts of the Corporation in excess of the amounts authorised to be borrowed under those Acts - - - - -	310,000
(j) The provision and extension of car depôts garages shelters and other works - - - - -	100,000
(k) The provision of motor omnibuses -	20,000
(l) The provision of trolley vehicles -	75,000

(m)	The provision of electrical equipment and the construction of other works necessary for working the trolley vehicles authorised by this Act	£	A.D. 1924.
	-	140,000	
(n)	The purchase of land and easements for and the construction of the main drainage works authorised by this Act		
	-	41,000	

And whereas the several works included in such estimates respectively are permanent works and it is expedient that the Corporation should be empowered to borrow money for those purposes as provided by this Act :

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed :

And whereas plans and sections showing the lines and levels of the works authorised by this Act and also a book of reference containing the names of the owners and lessees or reputed owners and 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 respective clerks of the peace for Lancashire and Cumberland which plans sections and book of reference are in this Act respectively referred to as the deposited plans sections and book of reference :

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

PART I.

PRELIMINARY.

1. This Act may be cited as the Manchester Corporation Act 1924. Short title.

2. This Act is divided into Parts as follows (that is to say) :— Act divided into Parts.

Part I.—Preliminary.

Part II.—Lands.

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- Part III.—Street improvements.
 Part IV.—Water.
 Part V.—Gas.
 Part VI.—Electricity.
 Part VII.—Tramways and trolley vehicles.
 Part VIII.—Main drainage.
 Part IX.—Establishments for massage or special treatment.
 Part X.—Miscellaneous.
 Part XI.—Finance.

Incorporation of Acts.

3. The following Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act (namely) :—

(1) The Lands Clauses Acts with the following exception and modification :—

(a) Section 127 of the Lands Clauses Consolidation Act 1845 (relating to the sale of superfluous lands) is not incorporated with this Act ;

(b) The bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be under the corporate seal of the Corporation and shall be sufficient without the addition of the sureties mentioned in that section :

(2) Section 3 (Interpretation of terms) section 19 (Local authority may lease or take tolls) and Parts II. and III. of the Tramways Act 1870 Provided that the words in section 19 “ but
 “ nothing in this Act contained shall authorise
 “ any local authority to place or run carriages
 “ upon such tramway and to demand and take
 “ tolls and charges in respect of the use of such
 “ carriages ” shall not apply to the Corporation.

Interpretation.

4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there is something in the subject or context repugnant thereto And in this Act unless the subject or context otherwise requires—

- (a) “ The city ” means the city of Manchester ;
 (b) “ The Corporation ” means the lord mayor aldermen and citizens of the city of Manchester ;

- (c) "The town clerk" and "the medical officer" mean respectively the town clerk and the medical officer of health of the city and include any person duly authorised to discharge temporarily the duties of those offices; A.D. 1924.
—
- (d) "The city rate" and "the city fund" mean respectively the city rate and the city fund of the city;
- (e) "The tribunal" means the tribunal or other authority to whom any question of disputed purchase money or compensation under this Act is referred in pursuance of the Acquisition of Land (Assessment of Compensation) Act 1919;
- (f) "The Lands Clauses Acts" means the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919 and by this Act;
- (g) "Millowner" means any person partnership or company interested as owner or lessee of a mill factory or works now or hereafter to be erected on or using the waters of St. John's Beck from the embankment of Lake Thirlmere Reservoir to the River Greta and the River Greta from St. John's Beck to its junction with the River Derwent;
- (h) "The millowners' committee" means the committee of the millowners appointed under the provisions of the section of this Act of which the marginal note is "Millowners' meetings and election of millowners' committee" and as constituted for the time being;
- (i) "Road authority" means with reference to any road or part of a road over which any proposed trolley vehicle will pass the authority company or person charged with or liable to contribute to the maintenance of such road or part of a road;
- (j) "Trolley vehicle" means a mechanically propelled vehicle adapted for use upon roads without rails and moved by electrical power transmitted thereto from some external source;
- (k) "Electrical equipment" includes all posts poles standards brackets wires cables conductors transformers and other necessary or convenient

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apparatus and equipment for the purpose of working and lighting trolley vehicles and for the purposes of telephonic communication in connection therewith;

(l) "The electricity limits" means the limits within which for the time being the Corporation are or shall be authorised to supply electricity but does not include districts within which the Corporation are authorised to supply electricity by the section of this Act whereof the marginal note is "Supply of electricity to contiguous areas";

(m) "Establishment for massage or special treatment" means any premises in the city used or represented as being or intended to be used for the reception or treatment of persons requiring massage manicure chiropody light electric vapour or other baths or other similar treatment;

(n) "Daily penalty" means a penalty for each day on which any offence is continued by a person after conviction.

Authentica
tion of
notices &c.

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 section 51 (Further provision as to authentication proof and service of orders and notices) of the Manchester Corporation Waterworks and Improvement Act 1867 shall apply to every such summons demand notice order or other document.

Correction
of errors in
deposited
plans and
book of
reference.

6. If there be any omission mis-statement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Corporation after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices acting for the county in which the lands are situate for the correction thereof and if it appear to the justices that the omission mis-statement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is mis-stated or wrongly described and

such certificate shall be deposited with the clerk of the peace for the county and a duplicate thereof shall also be deposited with the town clerk and such certificate and duplicate respectively shall be kept by such clerk of the peace and town clerk respectively with the other documents to which the same relate and thereupon the deposited plans or book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Corporation to take the lands and execute the works in accordance with such certificate. A.D. 1924.

7. A copy of the deposited plans sections and book of reference respectively shall be kept by the town clerk who shall permit any person to inspect the same at reasonable times and to make copies of and extracts from the same respectively on payment by any 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. Plans &c. to be open to inspection.

8. 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 in which the lands shown on the plans are situate 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. Certified copies of plans &c. to be evidence.

9. Where under this Act any question or dispute (other than a question or dispute to which the Acquisition of Land (Assessment of Compensation) Act 1919 applies) is to be referred to an arbitrator or to arbitration the reference shall except where otherwise provided be subject to the provisions of the Arbitration Act 1889 and except where otherwise provided the arbitrator shall failing agreement be appointed by the President of the Institution of Civil Engineers on the application of either party. Arbitration.

PART II.

LANDS.

10. Subject to the provisions and for the purposes of this Act (including the provision of space for the erection Power to acquire lands.

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of buildings adjoining or near to any street) the Corporation may enter on take appropriate and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference.

Owners
may be
required to
sell parts
only of
certain
premises.

11.—(1) Whereas in the construction of the works authorised by this Act or otherwise in the exercise by the Corporation of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Corporation and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect :—

- (a) The owner of and persons interested in any of the properties whereof the whole or part is described in the first schedule to this Act and whereof a portion only is required for the purposes of the Corporation or each or any of them are hereinafter in this section included in the term “the owner” and the said properties are hereinafter referred to as “the scheduled properties”;
- (b) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Corporation that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Corporation such portion only without the Corporation being obliged or compellable to purchase the whole the Corporation paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise;
- (c) If within such twenty-one days the owner shall by notice in writing to the Corporation allege that such portion cannot be so severed the tribunal shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled properties specified in the notice to treat can be severed

from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Corporation have compulsory powers of purchase) can be so severed;

- (d) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Corporation the portion which the tribunal shall have determined to be so severable without the Corporation being obliged or compellable to purchase the whole the Corporation paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal;
- (e) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section shall be borne and paid by the owner;
- (f) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not they shall determine that any other portion can be so severed) the Corporation may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice;
- (g) If the tribunal determine that the portion of the scheduled properties specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so

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severed the Corporation in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and their final determination think fit.

(2) The provisions of this section shall be in force notwithstanding anything contained in the Lands Clauses Consolidation Act 1845 and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845.

(3) The provisions of this section shall be stated in or endorsed on every notice given thereunder to sell and convey any premises.

Compensation in case of recently acquired interest.

12. For the purposes of determining any question of disputed compensation payable in respect of lands taken under the powers of this Act the tribunal shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the land created after the first day of November nineteen hundred and twenty-three if in the opinion of the tribunal the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act.

Benefits to be set off against compensation.

13. In estimating the amount of compensation or purchase money to be paid by the Corporation under this Act the benefits accruing to the person to whom the same shall be paid by reason of the construction of any new street or of the widening or improvement of any existing street shall be fairly estimated and shall be set off against the said compensation or purchase money.

Period for compulsory purchase of lands.

14. The powers of the Corporation for the compulsory purchase of lands for the purposes of Part III. (Street improvements) of this Act shall cease after the

expiration of five years and for the other purposes of this Act after the expiration of three years from the first day of October nineteen hundred and twenty-four.

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15. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit 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 persons other than the grantors 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.

Persons
under
disability
may grant
easements
&c.

16.—(1) All private rights of way over any lands which the Corporation are authorised by this Act to acquire compulsorily shall as from the date of the acquisition of such lands by the Corporation be extinguished.

Extinction
of private
rights of
way.

(2) Provided that the Corporation shall make full compensation to all persons interested in respect of any such rights and such compensation shall be settled in manner provided by law with reference to the taking of lands otherwise than by agreement.

17. The Corporation may during the execution and for the purposes of any work by this Act authorised stop up any street within the limits of deviation shown on the deposited plans and prevent all persons other than those bona fide going to or returning from any houses buildings or lands in the street from passing along and using the same for any reasonable time but convenient access to the houses buildings or lands in such street shall be provided by the Corporation :

Temporary
stoppage
of streets.

Provided that the Corporation shall not stop up any such street so as to prevent vehicles going to or from any station or depôt of any railway company or railway committee.

18.—(1) The Corporation notwithstanding that the same may not be immediately required may by agreement purchase or acquire or take on lease and hold any lands which in their opinion it is desirable the Corporation should acquire for or connected with the purposes of any

Further
powers for
acquisition
of lands.

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of their undertakings powers or duties or for the benefit improvement or development of the city and with the consent of the Minister of Health may borrow money for the purchase or acquisition of such lands or for the payment of any capital sum payable under a lease thereof Any moneys so borrowed shall be repaid within such period as may be prescribed by the Minister of Health.

(2) When any lands purchased or acquired or taken on lease by the Corporation under this section shall be appropriated to any undertaking or to any of their powers or duties a transfer of the outstanding loan in respect thereof shall be effected to the proper account in the books of the Corporation and pending such appropriation all expenses incurred by the Corporation under this section shall be payable out of the city fund and city rate :

Provided that nothing in this subsection shall authorise the Corporation—

(a) to create or permit any nuisance on any lands so appropriated;

(b) to appropriate such lands to any purposes other than purposes for which and subject to the conditions under which they are for the time being authorised to acquire and use lands.

(3) The Corporation may so far as they consider necessary apply subject to the approval of the Minister of Health any capital moneys received by them on the re-sale or exchange of or by leasing any lands acquired under the authority of this section in the purchase of other lands but as to capital moneys so received and not so applied the Corporation shall apply the same either—

(a) in or towards the extinguishment of any loan raised by them under the powers of this Act such application being in addition to and not in substitution for any other mode of extinguishment of such loan except to such extent and upon such terms as may be approved by the Minister of Health; or

(b) in such other manner as may be approved by the the Minister of Health.

Proceeds of
sale of
surplus
lands.

19.—(1) So long as any lands remain to be acquired by the Corporation under the authority of this Act they may (so far as they consider necessary) apply any capital

moneys received by them on the re-sale or exchange of or by leasing any lands acquired under the authority of this Act (other than lands acquired under the last preceding section) in the purchase of lands so remaining to be acquired but as to capital moneys so received and not so applied the Corporation shall apply the same in or towards the extinguishment of any loan raised by them under the powers of this Act and such application shall be in addition to and not in substitution for any other mode of extinguishment provided by this Act except to such extent and upon such terms as may be approved by the Minister of Health. A.D. 1924.

(2) Provided that—

- (a) the amount to be applied in the purchase of lands under this section shall not exceed the amount for the time being unexhausted of the borrowing powers conferred by this Act for the purpose of such purchase;
- (b) the borrowing powers conferred by this Act for the purpose of such purchase shall be reduced to the extent of the amount applied in the purchase of lands under the provisions of this section.

PART III.

STREET IMPROVEMENTS.

20. Subject to the provisions of this Act the Corporation may in the lines and according to the levels shown upon the deposited plans and sections relating thereto make and maintain the street improvements hereinafter mentioned with all proper and necessary junctions connections approaches sewers drains works and conveniences in connection therewith (that is to say) :—

Power to make street improvements.

The widenings hereinbefore referred to will (except where otherwise stated) be situate in the city and are—

- (1) A widening of London Road on the westerly side between Auburn Street and Upton Street;
- (2) A widening of King Street on the southerly side between a point 38 yards east of the easterly side of Pall Mall and Spring Gardens :

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- (3) A widening of Brown Street on the westerly side between a point 20 yards south of King Street and King Street :
- (4) A widening of Queen's Road on the south-westerly side between a point 22 yards south-east of Harrowby Street and Queen Street :
- (5) A widening of Grey Mare Lane Openshaw on the westerly side between a point 57 yards south of Bosworth Street and Gill Street :
- (6) A widening of Hulme Hall Lane Miles Platting on the easterly side between a point 14 yards south of Oldham Road and Clarence Street :
- (7) A widening of Hulme Hall Lane Miles Platting on the westerly side between a point 31 yards south of Oldham Road and Clarence Street :
- (8) A widening of Hulme Hall Lane Miles Platting on the north-easterly side between Norton Street and Lord Street :
- (9) A widening of Hulme Hall Lane Miles Platting on the south-westerly side between Vickers Street and a point 80 yards south-east of Vickers Street :
- (10) Widenings of Oldham Road on the north-westerly side—
 - (a) between a point 8 yards north-east of Queen's Road and 32 yards north-east of the said point ;
 - (b) between points 86 yards north-east of Queen's Road and 15 yards from its commencement ;
 - (c) between points 43 yards south-west of Bedford Street and 84 yards north-east of Bedford Street ;
 - (d) between points 6 yards north-east of Oak Street and 16 yards north-east of its commencement ;
 - (e) between a point 44 yards south-west of Monsall Road and Monsall Road ;
 - (f) between points 38 yards north-east of Monsall Road and 24 yards north-east of its commencement ;
 - (g) between Holt Street and a point 176 yards north-east of its commencement ;

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(h) between points 70 yards north-east of Wellock Street and 113 yards north-east of its commencement;

(i) between points 92 yards west of Thorpe Road and 70 yards east of its commencement :

(11) A widening of Oldham Road on the south-easterly side between points 37 yards north-east of Hague Street and 160 yards north-east of its commencement :

(12) A widening of Oldham Road on the northerly side (partly in the city and partly in the urban district of Failsworth) between East Street and the easterly boundary of the burial ground attached to Dob Lane Chapel :

(13) A widening of Oldham Road on the northerly side and of Dean Lane on the westerly side between a point 21 yards east of Dixon Street and a point 20 yards north of Oldham Road :

(14) A widening of Lion Street Blackley on the easterly side and of Market Street Blackley on the southerly side between a point 33 yards north of Grant Street and the easterly boundary of the entrance to the Smithy opposite Hill Lane :

(15) Widenings of Moston Lane :

On its northerly side—

(a) between Charles Street and Goodman Street;

(b) between Melbourne Street and Riga Street;

(c) between points 14 yards east of Clough Road and 69 yards east of its commencement;

(d) between points 26 yards east of Gill Street and 11 yards east of its commencement;

(e) between a point 54 yards east of Gill Street and Herbert Street;

(f) between Herbert Street and a point 45 yards east of its commencement;

(g) between points 35 yards east of Arran Street and 105 yards east of its commencement :

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On its southerly side—

(h) between a point 44 yards east of Wembury Street and the western boundary of St. George's Presbyterian Church;

(i) between the easterly boundary of St. George's Presbyterian Church and a point 5 yards east of Hough Hall Road;

(j) between points 24 yards east of Hough Hall Road and 38 yards east of Elizabeth Street:

- (16) A widening of Brook Street on the north-easterly side and Rusholme Road on its north-westerly side between the junction of Brook Street with Boond Street and the junction of Rusholme Road with Greek Street:
- (17) A widening of Stockport Road and Slade Lane at their junction:
- (18) A widening of Slade Lane Levenshulme on the south-easterly side between a point 47 yards north of Osborne Road and No. 43 Slade Lane at its north-easterly boundary:
- (19) A widening of Wilmslow Road on the easterly side between a point 44 yards north of Moseley Road and Carill Drive:
- (20) A widening of Moseley Road on the northerly side between Wilmslow Road and a point 33 yards west of Birchfields Road:
- (21) A widening of Moseley Road on the southerly side between Wilmslow Road and Balmoral Road:
- (22) A widening of Withington Road on the northerly side between May Road and Dudley Road:
- (23) A widening of Manchester Road and Upper Chorlton Road on their southerly sides at their junction with Seymour Grove commencing in Manchester Road at a point on the north-westerly boundary wall of the premises known as West Point 35 yards or thereabouts measured in a north-easterly direction from the north-easterly pier of the main entrance of Orleton House and terminating in Upper Chorlton Road at a point 20 yards or thereabouts measured in a westerly direction from the westerly pier

of the entrance to the carriage drive of the premises known as West Point :

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- (24) A widening of Hardman Street and School Lane Didsbury on the northerly sides between Ogden Street and Beaver Road :
- (25) A widening of Hardman Street on the southerly side and of William Street on the westerly side between the junction of Hardman Street with Wilmslow Road and the northern boundary wall of the electricity sub-station of the Corporation in William Street :
- (26) A widening of School Lane on the southerly side between William Street and Winifred Road :
- (27) A widening of Denton Road in the urban district of Audenshaw and of Ashton Road in the urban district of Denton on the westerly sides between the junction of Denton Road with Mayfield Street and a point 24 yards south of its commencement.

21. The Corporation in constructing the works authorised by this Part of this Act may deviate laterally to any extent not exceeding the limits of deviation shown on the deposited plans and may deviate vertically from the levels shown on the deposited sections to any extent not exceeding three feet either upwards or downwards :

Power to deviate in construction of street works.

Provided that no deviation either lateral or vertical shall be made in connection with the widenings numbered (12) and (27) without the consent of the local authority in whose district such widenings are situate but such consent shall not be unreasonably withheld and any question as to whether such consent is unreasonably withheld or not shall be determined by the Minister of Transport or an arbitrator to be appointed by him.

22. Subject to the provisions of this Act and within the limits of deviation in each case shown on the deposited plans the Corporation in connection with the works authorised by this Part of this Act and for the purposes thereof may make junctions and communications with any existing streets which may be intersected or interfered with by or be contiguous to the works or any of them and may make diversions widenings or alterations of

Power to make subsidiary works.

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lines or levels of any existing streets for the purpose of connecting the same with the works or any of them or of crossing under or over the same or otherwise and may alter divert or stop up all or any part of any drain sewer or channel within the said limits the Corporation providing a proper substitute before interrupting the flow of sewage in any drain or sewer and making compensation for any damage done by them in the execution of the powers of this section.

Power to
alter steps
areas pipes
&c.

23.—(1) Within the limits of deviation shown on the deposited plans the Corporation may raise sink or otherwise alter the position of any of the steps areas cellars windows and pipes or spouts belonging to any house or building and also the drains and the pipes or wires for the purpose of conveying water gas or electricity to any house or other place and may remove all other obstructions so that the same be done with as little delay and inconvenience to the inhabitants as the circumstances of the case will admit and the provisions of section 308 (Compensation in case of damage by local authority) of the Public Health Act 1875 shall apply as if the acts done under the authority of this section were done in exercise of the powers of that Act.

(2) Provided that the Corporation shall not raise sink or otherwise alter the position of any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General except under and subject to the provisions of the Telegraph Act 1878.

As to repair
of street
works.

24. The widening of any street authorised by this Part of this Act shall when the same has been completed be vested in and maintained in repair as a public highway by the authority in whom the street is vested and by whom it is maintained in repair.

Removal
of human
remains.

25.—(1) If and when the Corporation shall acquire any part of the burial ground of the Dob Lane Unitarian Chapel they shall before applying or using the same for any of the purposes of this Act remove or cause to be removed the remains of all deceased persons interred therein.

(2) Before proceeding to remove any such remains the Corporation shall publish a notice for three successive days in two local newspapers circulating in the city to the

effect that it is intended to remove such remains and such notice shall have embodied in it the substance of subsections (3) (4) (5) (6) and (7) of this section. A.D. 1924.

(3) Any time within two months after the first publication of such notice any person who is an heir executor administrator or relative of any deceased person whose remains are interred in the said burial ground may give notice in writing to the Corporation of his intention to undertake the removal of such remains and thereupon he shall be at liberty to cause such remains to be removed to and re-interred in any burial ground or cemetery in which burials may legally take place.

(4) If any person giving such notice as aforesaid shall fail to satisfy the Corporation that he is such heir executor administrator or relative as he claims to be the question shall be determined on the application of either party in a summary manner by the registrar of the Manchester county court who shall have power to make an order specifying who shall remove the remains.

(5) The expense of such removal and re-interment (not exceeding in respect of remains removed from any one grave the sum of fifteen pounds) shall be defrayed by the Corporation such sum to be apportioned if necessary equally according to the number of remains in the grave.

(6) If within the aforesaid period of two months no such notice as aforesaid shall have been given to the Corporation in respect of the remains in any grave or if after such notice has been given the persons giving the same shall fail to comply with the provisions of this section the Corporation may remove the remains of the deceased person and cause them to be interred in such other burial ground or cemetery in which burials may legally take place as the Corporation think suitable for the purpose.

(7) All monuments and tombstones relating to the remains of any deceased person removed under this section shall at the expense of the Corporation be removed and re-erected at the place of re-interment of such remains or at such place within the city as the registrar of the Manchester county court may direct on the application (if any) of such heir executor administrator or relative as aforesaid or failing such application on the application of the Corporation and the Corporation shall

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cause to be made a record of such monuments and tombstones and of their situation when re-erected showing the particulars respecting each monument and tombstone as a separate entry and such record shall be deposited at the General Register Office Somerset House London with the miscellaneous records in the custody of the Registrar-General.

(8) The removal of the remains of any deceased person under this section shall be carried out under the supervision and to the satisfaction of the medical officer.

For protec-
tion of
Edward R.
Buck and
Sons
Limited.

26. For the protection of Edward R. Buck and Sons Limited of 2 and 4 London Road in the city (in this section called "the company") the following provisions shall notwithstanding anything in this Act contained or shown on the deposited plans and sections (unless otherwise agreed upon in writing between the Corporation and the company) apply and have effect (that is to say) :—

- (1) The Corporation shall not enter upon take or acquire any of the lands the property of the company numbered 3 on the deposited plans sheet No. 1 and book of reference in the township of Manchester city of Manchester and county of Lancaster previous to the twenty-fifth day of March nineteen hundred and twenty-seven :
- (2) The Corporation shall not enter upon take or acquire any part of the said lands and property of the company other than the portion thereof shown and coloured red on the plan signed by John Luke city surveyor on behalf of the Corporation and by Joseph Frederic Linney on behalf of the company :
- (3) The Corporation shall within three months after the twenty-fifth day of March nineteen hundred and twenty-seven acquire from the company and the company shall convey to the Corporation the said portion of their lands shown and coloured red on the plan aforesaid free of costs and expenses to the company subject to but indemnified by the covenant of the company against all chief or ground rent or rentcharges covenants and conditions affecting the same ;

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(4) The Corporation shall pay the company the value of the lands to be conveyed as aforesaid and the reasonable cost of rebuilding the front of and the consequent necessary alterations to the portion of the premises situate on the said lands remaining in the possession of the company and the reasonable cost of any necessary internal alterations which the company may require to make in order to obtain access to the property of the company situate at the rear and to the south-west of the lands numbered 3 on the deposited plans sheet No. 1 aforesaid so as to make provision for the reasonable use by the company of the said last-mentioned property in conjunction with the said property of the company numbered 3 on the deposited plans sheet No. 1 and the Corporation shall compensate the company for any disturbance of their business which occurs during the period when the said alterations are being carried out and is reasonably attributable thereto :

(5) If any difference shall arise between the Corporation and the company in connection with any matter referred to in this section the same shall be settled in accordance with the provisions of the section of this Act of which the marginal note is " Arbitration."

27. For the protection jointly and severally of the Manchester Ship Canal Company (in this section referred to as " the company ") and the Royal Exchange Assurance (in this section referred to as " the Royal Exchange ") the following provisions shall unless otherwise agreed in writing between the company and the Royal Exchange and the Corporation have effect (that is to say) :—

For protection of Manchester Ship Canal Company and Royal Exchange Assurance.

(1) Notwithstanding anything contained in this Act or shown on the deposited plans relating to the widenings of King Street and Brown Street by this Act authorised the Corporation shall not otherwise than by agreement with the company or the Royal Exchange (whichever of them shall be entitled for the time being to the properties in this section mentioned) acquire any part of the properties respectively

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numbered 4 and 7 on the said plans or any greater or other part of the property numbered 3 on the said plans than so much of that property as is situate northward of the line marked on the said plans "Proposed improved line of street":

(2) If the Corporation acquire the properties respectively numbered 2 and 5 on the said plans and the portion referred to in subsection (1) of this section of the property numbered 3 on the said plans or any part of those properties there shall be reserved to the company or the Royal Exchange (whichever of them shall be the party from whom such properties are so acquired) the right to construct and maintain in the lands so acquired so many deck or area lights as they may require and the Corporation may agree to or as in case of difference shall be determined by arbitration under the provisions of this Act:

(3) In arriving at the consideration to be paid by the Corporation to the company or the Royal Exchange as the case may be for the acquisition of the said lands—

(i) no sum shall be included as compensation for severance;

(ii) the section of this Act whereof the marginal note is "Benefits to be set off against compensation" shall not apply; and

(iii) regard shall be had to the value of the deck or area lights referred to in subsection (2) of this section.

For protec-
tion of Atlas
Assurance
Company
Limited.

28. For the protection of the Atlas Assurance Company Limited their successors and assigns (in this section referred to and included in the expression "the owners") the following provision shall unless otherwise agreed between the Corporation and the owners apply and have effect:—

Notwithstanding anything contained in this Act or shown on the deposited plans relating to the widenings of King Street and Brown Street the Corporation shall not otherwise than by agreement with the owners enter on take appropriate or use

the premises numbered 8 in the book of reference and on the said plans. A.D. 1924.

29. For the protection of the Caledonian Insurance Company or other the owner or owners for the time being of the premises in the city (in this section referred to as "the said premises") known as No. 100 King Street and numbered 10 on the deposited plans Sheet No. 2 relating to the widening of King Street and Brown Street by this Part of this Act authorised (hereinafter referred to as "the owners") the following provisions shall unless otherwise agreed in writing between the owners and the Corporation have effect (that is to say):—

For protec-
tion of
owners of
No. 100
King Street.

- (1) Notwithstanding anything contained in this Part of this Act or shown on the deposited plans the Corporation shall not enter upon take acquire or use any part of the said premises other than the portion thereof shown and coloured red on the plan signed on behalf of the owners by George Arthur Openshaw and on behalf of the Corporation by John Luke city surveyor :
- (2) The Corporation shall not enter upon take acquire or use the said portion of the said premises before the expiration of seven years from the date of the passing of this Act Provided that the section of this Act of which the marginal note is "Benefits to be set off against compensation" shall not apply in determining the amount of purchase money or compensation to be paid by the Corporation to the owners :
- (3) In addition to the purchase money and compensation aforesaid the Corporation shall repay to the owners all costs charges and expenses reasonably incurred by them in or in connection with the rebuilding of the front of the said premises facing King Street and the re-arrangement of the remainder of the said premises so far as may be reasonably necessary in consequence of the acquisition of the said portion of the said premises or of the widening of King Street by this Part of this Act authorised :
- (4) Forthwith after the acquisition by them of the said portion of the said premises the Corporation shall commence the execution of the said widening of King Street so far as the same is co-

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extensive with the said premises and complete the same at their expense with all reasonable dispatch after the commencement thereof :

- (5) During the execution of so much of the said widening of King Street as is co-extensive with or adjoining the said premises the Corporation shall take all reasonable measures for securing the safety and stability of the portion of the said premises not acquired by them and for preventing so far as practicable any nuisance or annoyance to the occupiers of the said portion and shall comply with all reasonable requirements given in writing by the owners with reference to the said matters :
- (6) If any difference shall arise between the owners and the Corporation under the provisions of this section such difference shall be determined by arbitration in accordance with the provisions of the section of this Act of which the marginal note is " Arbitration."

For protec-
tion of
owners of
No. 104
King Street.

30. For the protection of Joseph Farmer Milne Christopher Sothern Lewis and Mark Francis Waters or other the owner or owners for the time being of the premises in the city (in this section referred to as " the said premises ") known as No. 104 King Street and numbered 11 on the deposited plans sheet No. 2 relating to the widening of King Street by this Act authorised (all of whom are in this section referred to as " the owners ") the following provisions shall unless otherwise agreed in writing between the owners and the Corporation have effect (that is to say) :—

- (1) Notwithstanding anything contained in this Act or shown on the deposited plans the Corporation shall not enter upon take or use any part of the said premises other than the portion thereof shown and coloured red on the plan signed on behalf of the owners by the said Christopher Sothern Lewis and on behalf of the Corporation by John Luke city surveyor or for any purpose other than the widening of King Street and Spring Gardens by this Act authorised :
- (2) Unless within three years after the date of the passing of this Act the Corporation serve upon

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the owners notice to treat in respect of the said portion of the said premises all powers by this Act conferred upon the Corporation of acquiring compulsorily the said premises or any part thereof shall cease to be exerciseable as from the expiration of that period :

- (3) In addition to the purchase money and compensation payable to the owners by the Corporation for and in respect of the acquisition of the said portion of the said premises the Corporation shall repay to the owners all costs charges and expenses reasonably incurred by them in or in connection with the rebuilding of the front of the said premises facing King Street and the alteration or rearrangement of the remainder of the said premises so far as may be reasonably necessary in consequence of the acquisition of the said portion of the said premises or of the widening of King Street by this Act authorised :
- (4) The provisions of the section of this Act of which the marginal note is "Benefits to be set off against compensation" shall not apply with reference to the determination of the amount of compensation or purchase money to be paid by the Corporation to the owners :
- (5) Forthwith after the acquisition by them of the said portion of the said premises the Corporation shall commence the execution of the said widening of King Street so far as the same is co-extensive with the said premises and they shall complete the said widening with all reasonable despatch after the commencement thereof :
- (6) During the execution of so much of the widening as is co-extensive with the said premises or the premises adjoining the same the Corporation shall take all reasonable measures for securing the safety and stability of the portion of the said premises not acquired by them and for preventing so far as practicable any nuisance or annoyance to the occupiers of the said portion and shall comply with all reasonable requirements given in writing by the owners with reference to the said matters :

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- (7) If any difference shall arise between the owners and the Corporation under the provisions of this section such difference shall be determined by arbitration in accordance with the provisions of the section of this Act of which the marginal note is "Arbitration."

For protec-
tion of
Rochdale
Canal
Company.

31. Notwithstanding anything contained in this Act or shown upon the deposited plans and sections the following provisions shall unless otherwise agreed between the Corporation and the Rochdale Canal Company (in this section called "the canal company") apply for the protection of the canal company (that is to say):—

- (1) In constructing the widenings of the canal company's bridge to carry the widening of Hulme Hall Lane Miles Platting by this Act authorised (in this section referred to as "the widened street") across the Rochdale Canal of the canal company (in this section referred to as "the canal") and in exercising any other of the powers in relation thereto conferred by this Act the Corporation shall not alter the line or level of the canal or of the towing-path thereof nor (except temporarily for the purposes of and during the construction of the bridge widenings referred to in subsection (3) of this section and subject as hereinafter provided) contract the present width of the waterway or towing-path of the canal or obstruct or impede the navigation of the canal or the passage of traffic along the towing-path or intercept cut off take use diminish or allow to escape any of the waters of the canal or otherwise damage or interfere with the canal or the towing-path thereof:
- (2) The Corporation shall not otherwise than by agreement purchase or take any land or property of the canal company but the Corporation may purchase and the canal company may and shall sell and grant to the Corporation such an easement or right as shall be necessary for constructing and maintaining the widened street across the canal and the towing path thereof in the manner and within the limits of deviation shown on the deposited plans and sections subject nevertheless to the provisions of this

section The consideration to be paid for such easement or right shall in case of dispute be determined in manner provided by the Acquisition of Land (Assessment of Compensation) Act 1919 : A.D. 1924.

- (3) The widened street shall be carried over the canal and the towing-path thereof by means of a single span bridge having the following minimum dimensions between the face of the abutments (namely) not less than 24 feet between the girder bed stones and not less than 25 feet 2 inches between the abutments at the level of the existing towing-path The bridge as and when widened shall have a clear headway over the centre of the canal of not less than 10 feet 6 inches and at the abutments of not less than 8 feet 6 inches such headway to be measured from the weir level of the canal at Coalpit Higher Lock No. 78 (Varley Street) which weir level is 195.86 feet above Ordnance datum The said bridge as widened shall not exceed 50 feet in width between the faces of the parapets abutting on the widened street and measured at right angles to such parapets The said bridge shall be constructed of brick stone concrete steel or iron or any of those materials combined :
- (4) The work of widening the said bridge shall so far as it will be reconstructed beneath the water be executed during Whit Week between the hours of midnight on the Saturday before Whit Sunday and midnight on the Sunday following Whit Sunday Provided that if the work shall be stopped in any part by any act of the company and the city engineer shall notify such stoppage in writing to the company then the period of such stoppage shall be excluded from the computation of the aforesaid period and the Corporation shall be entitled to a corresponding extension of time the same to be afforded by the company The company shall on payment of a sum of twenty guineas for every day or part thereof withdraw the water from the canal at the place in question and keep the canal empty of water as far as the company are able without interruption or intermission during Whit Week aforesaid

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and during any extension as aforesaid Provided always that it shall be lawful for the company either by means of temporary dams above and below such place and movable shoots or otherwise as their engineer may think desirable to conduct water at all times from the upper to the lower portions of the canal and all reasonable expenses incurred by the company in the construction maintenance and use of such dams shoots or other works if and so far as they may be required during Whit Week or any extension as aforesaid shall be defrayed by the Corporation :

- (5) The Corporation shall at all times during the construction of the said bridge widenings except during the Whit Week provided for in subsection (4) of this section so carry out their works as to leave an uninterrupted width of waterway in the canal of not less than 16 feet 9 inches and a clear width of towing-path of not less than 5 feet 6 inches and a clear headway above the level of such waterway of not less than 10 feet 6 inches at the centre and of not less than 8 feet 6 inches over the towing-path :
- (6) The construction of the abutments of the said bridge widenings up to the underside of girder bed stone level shall be completed within four months from the commencement thereof and all temporary works that may obstruct or curtail the waterway or the towing path shall be removed within that period except such as may remain with the consent of the engineer of the canal company :
- (7) The said bridge widenings and the works connected therewith and all structural repairs thereof shall be constructed and executed according to plans sections and specifications to be submitted to and to be subject to the reasonable approval of the engineer of the canal company previously to the commencement of the works and shall be carried on and completed under the supervision (if the same be given) and to the reasonable satisfaction of such engineer Provided that if the said engineer shall for a period of fourteen days neglect or refuse to signify his

approval or disapproval of such plans sections and specifications the same shall be deemed to have been approved by him : A.D. 1924.

- (8) The said bridge widenings and the works connected therewith and the road over the same shall be maintained in good and substantial repair by and at the expense of the Corporation and in the event of the Corporation at any time neglecting after three months' notice from the canal company to put the same into such repair as aforesaid the canal company may repair the same and recover the expenses reasonably and properly incurred by them in so doing from the Corporation :
- (9) If in the construction maintenance or repair of the said bridge widenings or the works thereof or by reason or in consequence of the construction thereof or of any defect failure or want of repair thereof or by reason or in consequence of the exercise by the Corporation of the powers of this Part of this Act any injury to or interference with the canal or the towing path thereof or other work or property of the canal company or any obstruction to the navigation of the canal or the passage of traffic along the towing-path of the canal or any loss of water from the canal shall be occasioned or shall reasonably be apprehended the Corporation shall forthwith restore the canal towing-path or other property of the canal company as the case may be to the same state and condition as before the happening of such damage or stop or prevent such leakage or loss of water or remove the cause of such interruption or interference or take all steps necessary to prevent the occurrence of such damage leakage loss interruption or interference as the case may require under the superintendence and to the reasonable satisfaction of the engineer of the canal company and in case of default by the Corporation in so doing after notice in writing from the canal company or their engineer or in case of emergency it shall be lawful for the canal company to do the same and to take all steps which they may consider

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necessary to prevent the recurrence of such damage leakage loss interruption or interference as the case may be and the reasonable expenses incurred by them in so doing shall on demand be paid by the Corporation to the canal company :

- (10) The Corporation shall compensate and indemnify the canal company for and in respect of and against all damage loss costs expenses claims and demands which the canal company may sustain or incur or which may be brought against them by reason or in consequence of any such injury interference obstruction or loss of water as in the immediately preceding subsection mentioned and the Corporation shall not be relieved of liability under this subsection by reason of the design method of construction or materials of the said bridge widenings or other works of the Corporation having been approved by the engineer of the canal company or settled by arbitration :
- (11) In the event of the canal company at any time hereafter constructing a building or buildings over the canal alongside the said bridge when widened on either side thereof the canal company and their assigns shall be entitled at their own cost but without making any payment therefor to the Corporation to have an access or accesses from the said bridge to the said building or buildings and the canal company their agents and servants and the occupiers of the said building or buildings and persons having business thereat shall be entitled at all times to use the said access or accesses for the purpose of passing to or from the said bridge from and to the said building or buildings. If and when the Corporation are requested by the canal company so to do they shall at the cost of the company remove or alter the parapets of the said bridge or such part of the parapets as may be necessary down to the level of the street surface and make any other such alterations in the structure of the bridge as the Corporation may think necessary in order to provide the said access or accesses. Provided that any removal or alteration so

required shall not be such as would endanger the safety of the public using the said bridge or prevent or interfere unreasonably with the facilities for the maintenance of the said bridge:

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- (12) If any difference shall arise between the Corporation and the canal company under this section the same shall except where otherwise expressly provided be determined by arbitration.

32. For the protection of the London Midland and Scottish Railway Company (in this section referred to as "the railway company") the following provisions shall unless otherwise agreed be observed and have effect:—

For protection of London Midland and Scottish Railway Company.

- (1) Notwithstanding anything contained in this Act or shown on the deposited plans and sections:—

(a) The Corporation shall before they commence the construction of the street widenings Nos. 24 25 and 26 by this Act authorised purchase and acquire from the railway company the lands coloured pink on the plan signed by John Luke city surveyor on behalf of the Corporation and Ernest Crosbie Trench on behalf of the railway company and before disturbing any servants of the railway company who may occupy any portion of the said lands the Corporation shall provide alternative housing accommodation for such persons respectively reasonably equivalent as regards accommodation situation and rent to that possessed by them on the said lands;

(b) The Corporation shall not purchase or acquire by compulsion the lands coloured yellow and blue on the said signed plan but the Corporation may purchase and take and the railway company shall sell and grant accordingly an easement or right of using so much of the said lands coloured blue as may be necessary for the construction maintenance and user of the said widenings;

(c) The Corporation shall not purchase or acquire any part of the property numbered 11 on the deposited plans of Widening No. 17 by this Act authorised;

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(d) The Corporation shall not purchase or acquire any greater portion of the properties numbered 13 and 46 on the deposited plans of Widening No. 10 by this Act authorised than so much thereof as lies between the existing road and the proposed improved line of street shown upon the said plans;

The amount to be paid for the acquisition of such lands and easements shall be ascertained in case of difference in the manner provided by the Lands Clauses Acts:

- (2) The Corporation shall before they commence the construction of so much of the street widenings Nos. 24 25 and 26 by this Act authorised and all works in connection therewith as shall or may pass over or in any way affect the railway property or works of the railway company (hereinafter referred to as "the said railway") submit to the principal engineer of the railway company (in this section called "the principal engineer") plans sections and specifications of the said street widenings proposed to be carried out by the Corporation for the reasonable approval of the principal engineer and also plans showing the stages by which it is intended to carry out the said street widenings for the like approval:

Provided that if within one month from the submission of such plans sections and specifications the principal engineer does not signify to the Corporation his disapproval thereof and his requirements in regard thereto he shall be deemed to have approved thereof Any difference between the Corporation and the principal engineer relative to the said plans sections and specifications shall be referred to arbitration under this section So much of the said street widenings and all works aforesaid shall be constructed only according to such plans sections and specifications as shall be approved by the principal engineer or determined by arbitration and under the superintendence if given and to the reasonable satisfaction of the principal engineer:

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- (3) The Corporation shall carry street widenings Nos. 24 25 and 26 by this Act authorised over the railway company's Manchester South District Railway by means of a bridge of a span not less than fifty-four feet between abutments measured on the square and of a clear headway throughout of not less than fifteen feet six inches measured from the upper surface of the existing rails upon the said railway at the proposed point of crossing to the underside of the girders :
- (4) On and after the completion of the bridge carrying the said street widenings Nos. 24 25 and 26 over the railway of the railway company it shall be maintained by and at the expense of the railway company and the additional cost of maintaining the same beyond the cost of maintaining the existing bridge shall be repaid to them by the Corporation and the road and footways over the said bridge and the approaches thereto shall be maintained by and at the expense of the Corporation :
- (5) Before the Corporation commence the construction of the street widenings by this Act authorised any temporary works which may in the opinion of the principal engineer be reasonably necessary to ensure the stability of the railway and property of the railway company may and shall be carried out by the railway company for the Corporation and the reasonable costs thereof and any reasonable expenses incurred in connection therewith (including compensation legally payable to any workmen or the legal representatives or dependents of workmen who may be injured or killed whilst employed by the railway company exclusively in and about such works) shall be repaid by the Corporation to the railway company on demand :
- (6) If during and in consequence of the execution of the said street widenings the said railway of the railway company or any of the works connected therewith respectively or any property of that company shall be injured or damaged such injury or damage shall be forthwith made

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- good by the railway company who may recover the amount reasonably expended in so doing from the Corporation :
- (7) The Corporation shall not in making the said street widenings in any manner obstruct hinder or interfere with the free uninterrupted and safe user of the railway and property of the railway company or any traffic thereon and if at any time or times hereafter the free and uninterrupted and safe user of the railway of the railway company or any traffic thereon shall be obstructed hindered or interfered with contrary to this enactment the Corporation shall notwithstanding any approval as aforesaid pay to the railway company all reasonable costs and expenses to which that company may be put as well as reasonable compensation for the loss sustained by them by reason of any such interruption or interference :
- (8) Notwithstanding anything in this Act provided or contained the Corporation shall be responsible for and make good to the railway company all costs charges losses damages and expenses which may be occasioned to their railway works or property or to any person or persons lawfully using the same by reason of the construction alteration maintenance or failure of the said street widenings or of any act or omission of the Corporation or of any of the persons in their employ or of their contractors or others and the Corporation shall effectually indemnify and hold harmless the railway company from all claims and demands upon or against them by reason of such construction alteration maintenance failure or omission :
- (9) During the construction of the said street widenings and of any of the further works mentioned in this section the Corporation shall bear and on demand pay to the railway company the reasonable expense of the employment by them of a sufficient number of inspectors and watchmen to be appointed by them for inspecting the said railway and further works as aforesaid and for watching their railway and the works

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and conveniences connected therewith and their said lands or property for preventing as far as may be all interference obstruction danger and accident arising from any of the operations of the Corporation or from the acts or defaults of their contractors or of any person or persons in their employ or otherwise and the Corporation shall at all times give ample facilities to the principal engineer and his assistants or inspectors for full and free access to the said street widenings during or after construction and shall also furnish him or them with every information he or they may reasonably require with regard to such street widenings or the method of construction thereof:

- (10) If by reason of or during the construction of the said street widenings it shall become necessary in the opinion of the principal engineer to add to or alter any signal or signal apparatus on the railway of the railway company the same shall be so added to or altered by the railway company and the reasonable expense thereof shall be repaid by the Corporation to the railway company:
- (11) If any difference shall arise between the Corporation and the railway company or their respective engineers with reference to the matters aforesaid such difference shall be referred to arbitration.

33. The agreement between the trustees of the Cross Street Chapel and the Corporation as set forth in the second schedule to the Manchester Corporation Act 1914 and that Act shall have effect as if for the words "ten years" wherever used in that agreement there were substituted the words "twenty years."

Extension of agreement with trustees of Cross Street Chapel.

PART IV.

WATER.

34. Notwithstanding anything contained in the Manchester Corporation Waterworks Act 1879 (in this Act called "the Act of 1879") the Corporation may raise the sill of Lake Thirlmere shown on the deposited

Raising of sill of Lake Thirlmere.

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plans to any extent not exceeding the level shown on the deposited sections and so much of the Act of 1879 as prohibited the raising of the level of the water of Lake Thirlmere above the intended top water level thereof as shown on the sections deposited in respect of that Act is hereby repealed.

For protec-
tion of
Cumberland
County
Council.

35. For the protection of the county council of Cumberland (in this section called "the county council") the following provisions shall unless otherwise agreed in writing between the Corporation and the county council apply and have effect (that is to say):—

- (1) Before the Corporation commence to exercise any powers conferred upon the Corporation by the section of this Act of which the marginal note is "Raising of sill of Lake Thirlmere" the Corporation shall execute all such works as may be necessary for the protection of the main road from Keswick to Grasmere and the foundations and retaining wall thereof including the foundations of such retaining wall (all of which are hereinafter referred to as "the main road") from any injury by reason or in consequence of the exercise of the said powers:
- (2) All such works shall be executed in accordance with specifications plans sections and particulars previously submitted to and approved by the surveyor of the county council (in this section called "the county surveyor") or in the event of difference between the county surveyor and the Corporation settled by an arbitrator to be appointed as in this section is hereinafter provided Provided always that if the county surveyor shall not within one month of the submission to him of such plans sections specifications and particulars express his approval or disapproval thereof he shall be deemed to have approved thereof:
- (3) The Corporation shall before commencing to execute any such works give the county surveyor seven days' notice in writing of their intention to commence the same and the same shall be executed in accordance with the reasonable directions and under the supervision (if given)

of the county surveyor and in such manner as to obstruct as little as possible the passage of traffic on the main road :

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- (4) If at any time after the completion of the said works the same shall prove to be inadequate to prevent such injury as aforesaid or shall become so defective that there shall be any risk of injury to the main road by reason or in consequence of the exercise by the Corporation of any powers so conferred upon them as aforesaid the Corporation shall forthwith do all acts and things as the county surveyor shall reasonably require to prevent any such injury arising and if they fail to do so after reasonable notice in writing requiring them so to do has been given to them by or on behalf of the county council then the county council may do all such acts and things as shall be reasonably necessary to prevent any such injury arising and may enter upon any lands of the Corporation for such purpose and may recover from the Corporation all costs and expenses reasonably incurred by them in so doing :
- (5) Any additional expense which the county council may reasonably incur in maintaining the main road by reason or in consequence of the exercise by the Corporation of any powers so conferred on them as aforesaid shall be paid by the Corporation to the county council :
- (6) The Corporation shall (and that notwithstanding any approval of the county surveyor of any plans sections specifications or particulars) be responsible for and make good to the county council and indemnify them against any loss damage cost or expense which the county council may reasonably incur by reason or in consequence of the exercise by the Corporation of any powers so conferred on them as aforesaid or by reason or in consequence of any works or the failure in whole or in part of any works executed by the Corporation under this section or by reason or in consequence of any act or omission of the Corporation or of their contractors agents or servants :

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- (7) Any difference which may arise between the Corporation and the county council or the county surveyor under this section shall be determined by arbitration.

Amended
level of
Lake
Thirlmere.

36. Section 14 (Surface of lake not to be lowered without sanction of Board of Trade) of the Act of 1879 shall be read and have effect as if in lieu of the words "the average level of the present lake which is five hundred and thirty-three feet two and a half inches" and the words "Board of Trade" the words "five hundred and forty feet" and the words "Ministry of Health" had been inserted therein. Provided that in the event of the level of the water in the lake falling to five hundred and forty-four feet six inches before the Corporation shall raise the sill of Lake Thirlmere to any further extent or thereafter to five hundred and forty-six feet the Corporation shall not so long as the level of the lake is five hundred and forty-four feet six inches or five hundred and forty-six feet respectively or in either case a lower level be required to discharge a quantity of water in excess of three million gallons a day.

Modification
of pro-
visions as
to compen-
sation
water.

37.—(1) After the first day of April nineteen hundred and twenty-five the provisions of the Act of 1879 shall be varied so that in lieu of the obligation to discharge compensation water under section 71 of that Act the Corporation shall be subject to the obligation to discharge compensation water as follows:—

(a) During every day through the year three million gallons of water in an even and continuous flow throughout the twenty-four hours;

(b) During such days in the months of October and November such additional quantities of water not exceeding—

four million gallons in any day in the month of October; and

three million gallons in any day in the month of November;

as the Derwent Fishery Board shall require in writing each such additional quantity to be discharged in an even and continuous flow throughout the day of twenty-four hours on which the same is to be discharged; and

(c) On such days in the other ten months of each year ending on the thirty-first day of March such additional quantities not exceeding four million gallons in any one day as the millowners' committee shall require in writing each such additional quantity to be discharged in an even and continuous flow throughout a period of not less than twelve nor more than sixteen consecutive hours as the millowners' committee shall likewise require :

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Provided that—

(i) the total of the additional quantities of water which the Corporation may be required to discharge under the provisions of paragraphs (b) and (c) of this subsection shall not in any one year ending on any thirty-first day of March exceed six hundred and five million gallons;

(ii) the total of the additional quantity of water which the Corporation may be required to discharge under the provisions of paragraph (c) of this subsection shall not in any period of six months ending on the thirtieth day of September exceed three hundred and ninety-one million gallons.

(2) Every requirement given under the provisions of subsection (1) of this section shall be sent by the Derwent Fishery Board or the millowners' committee (as the case may be) by registered letter addressed to the waterworks engineer at the town hall Manchester at least three clear days before the day upon which the discharge of the water referred to in such requirement is to be made and at the same time a copy of such direction shall be sent by registered letter addressed to the resident inspector of works of the Corporation at Lake Thirlmere and it shall not be lawful for the Derwent Fishery Board or the millowners' committee except when otherwise agreed with the Corporation to give requisitions at less intervals or for less periods than seven days.

38. The provisions of sections 77 (Gauges to be provided) 78 (Settlement of disputes between Corporation and parties interested in compensation water) and 79 (Penalty for failure to discharge compensation water)

Provisions of Act of 1879 for measuring compensation water

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—
to continue
to apply.

Millowners'
meetings
and election
of mill-
owners'
committee.

of the Act of 1879 shall apply to the discharge of compensation water from Lake Thirlmere in accordance with the provisions of this Act.

39.—(1) For the purposes of this Act a committee of three millowners shall be elected at a meeting of millowners to be held in every year. The first of such meetings shall be held in the month of February nineteen hundred and twenty-five and be convened by Messrs. Saul and Lightfoot solicitors Carlisle and every subsequent meeting shall be held in the month of April or May in each year other than the year nineteen hundred and twenty-five and shall be convened by the clerk of the committee.

(2) Every member of the committee shall be a millowner or an authorised representative of a millowner.

(3) The members of the committee appointed at every such annual meeting shall hold office until the annual meeting in the next following year and shall then go out of office but shall be eligible for re-election.

(4) If any member of the committee shall die or resign during his year of office the remaining members of the committee may elect another millowner in his place.

(5) In addition to the annual meeting to be held in every year as aforesaid the clerk to the committee shall on the request in writing of any four millowners (not being together jointly interested in the same mill factory work or fall of water) convene an extraordinary meeting of the millowners and if for seven days after the receipt of such request the clerk fails to call such meeting the millowners making such request may convene the same.

(6) Every meeting of millowners shall be held at the Forge Mill or some other convenient place in the urban district of Keswick and shall be convened by not less than fourteen days' previous notice in writing sent by post or delivered to each millowner and specifying the date time and place of the meeting and the business to be transacted thereat.

(7) At the commencement of every meeting of millowners the persons present and entitled to vote thereat shall elect one of themselves to be the chairman

of the meeting who shall preside thereat Persons entitled to vote at the meeting in respect of three separate mills factories works or falls of water shall be a quorum and the meeting may adjourn from time to time as they see fit.

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(8) Every millowners' committee appointed under this section shall have power to regulate their proceedings and shall appoint a clerk and if they think fit an engineer and the clerk shall forthwith notify his appointment to the town clerk.

40. At every meeting of millowners every millowner present in person or by proxy shall have one vote in respect of every foot or part of a foot not being less than six inches of head or fall of water of or enjoyed with his mill factory or works:

Mode of voting at millowners' meetings:

Provided that—

- (1) Where two or more mills have the joint use of one weir the owners' votes and the lessees' votes in respect of the head or fall at that weir shall be divided equally between the owners and lessees respectively having the use and enjoyment of that weir;
- (2) Any millowner who is both owner and occupier of a mill factory or works shall be entitled to vote as both owner and lessee in respect of that mill factory or work; and
- (3) No millowner shall be entitled to vote in respect of any head or fall of water which has not been habitually used for power purposes during the six months immediately preceding the date of the meeting.

41. The head or fall of water of or enjoyed with each mill factory or works shall be measured from the sill of the head weir at that mill factory or works to the bottom of the tail race where the same enters the river and shall be determined in the first instance by John Campbell Boyd of the city of Carlisle and Norman Forster Wilson of Kendal in the county of Westmorland or by the survivor if either shall die and their or his decisions shall be final and binding on all the millowners Any subsequent measurement which may at any time be required by any millowner shall be taken and determined at his expense by an engineer appointed by the

Measurement of head or fall of water.

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millowners' committee and any decision by him shall in like manner be final and binding.

Compensation to be paid to Minister of Agriculture and Fisheries.

42. Before the thirty-first day of March nineteen hundred and twenty-five the Corporation shall pay to the Minister of Agriculture and Fisheries the sum of five thousand six hundred pounds which shall be applied by him at such times and in such manner as he shall think fit in maintaining and improving the fisheries of the district of the Derwent Fishery Board Provided that a sum of not less than sixteen hundred pounds shall be applied in maintaining and improving the fisheries of the River Greta and its tributaries.

Dates for payment of water rates or charges.

43. The rates or charges for a supply of water under section 93 of the Manchester Corporation Waterworks Act 1847 shall be payable in advance on such dates and for such periods as the Corporation may determine but no person shall be required to pay such rates or charges for a longer period in advance than one year.

PART V.

GAS.

Alteration of Corporation's area for supply of gas.

44. The parish of Timperley in the rural district of Bucklow in the county of Chester is hereby excluded from the area within which the Corporation are authorised to supply gas and the words "and the township of Timperley in the rural district of Bucklow" in paragraph (k) of section 4 (Interpretation) of the Manchester Corporation (General Powers) Act 1921 are hereby repealed.

PART VI.

ELECTRICITY.

Supply of electricity to contiguous areas.

45.—(1) If any local authority company or person are or shall be authorised to supply electricity in any district adjacent to the area which the Corporation are for the time being authorised to supply the Corporation and such local authority company or person may with the consent of the Electricity Commissioners enter into and carry into effect agreements for the supply of electricity in bulk by the Corporation to such authority company or person.

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(2) The Corporation may enter into and carry into effect agreements with any local authority company or person owning or working tramways or trolley vehicles in or in any district adjacent to the city for the supply by the Corporation to such authority company or person of electrical energy for the working of such tramways or trolley vehicles.

The Corporation shall not supply electrical energy under the powers of this subsection—

- (a) within or for use within the limits for the supply of electricity of the Stretford Urban District Council without the consent of that council in writing under their common seal; or
- (b) within or for use within the limits for the supply of electricity of the mayor aldermen and burgesses of the county borough of Oldham without their consent in writing under their common seal.

46.—(1) The Corporation may by agreement (but not otherwise) acquire from any local authority company or person who is or shall be authorised by Provisional Order confirmed by Parliament or by special order to supply electricity in an area adjoining the limits within which the Corporation are at the date of the passing of this Act authorised to supply electricity (in this section called “authorised undertakers”) the undertaking authorised by such Order and the powers rights authorities and privileges of the authorised undertakers under the Order and the authorised undertakers may with the approval of the Electricity Commissioners by deed to be approved by the Commissioners transfer their undertaking powers rights authorities and privileges to the Corporation subject to such exceptions and modifications (if any) and upon such terms as may be specified in the deed.

Transfer of
under-
takings to
Corporation.

(2) In the event of the Corporation acquiring the undertaking of any authorised undertakers under this section the Corporation shall subject to such exceptions or modifications (if any) as aforesaid be deemed to be the undertakers for all the purposes of the Order.

(3) Section 39 (Power of Corporation to supply electricity in adjoining districts) of the Manchester Corporation Act 1897 and section 22 of the Manchester Corporation (General Powers) Act 1899 are hereby repealed.

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—
Byelaws as
to appar-
atus and
fittings.

47. The Corporation may make byelaws for the purpose of preventing fire in any building or premises within the electricity limits supplied with electricity by the Corporation with respect to the nature material workmanship and mode of arrangement of the wires apparatus and fittings in any such building or premises and required or used for the purpose of such supply and the provisions of section 6 of the Electric Lighting Act 1882 shall apply to any byelaws made under this section :

Provided that no byelaw made under this section shall apply to or in respect of any building or premises (not used as a dwelling-house) now or hereafter belonging to any railway company or railway committee and used for the purposes of their undertaking under statutory authority.

Power to
lay electric
lines &c. in
private
streets.

48.—(1) The Corporation may upon the application of the owner or occupier of any premises in the electricity limits abutting on or in process of erection in any street laid out or made and whether dedicated to public use or not supply such premises with electricity and may lay down take up alter relay or renew in across or along such street such electric lines and apparatus as may be requisite or proper for furnishing such supply and the provisions of the Electricity (Supply) Acts 1882 to 1922 and of the schedule to the Electric Lighting (Clauses) Act 1899 so far as they are applicable for the purposes of this section shall extend and apply to and for the purposes hereof and to any works constructed or executed by the Corporation under the powers of this section.

(2) Provided that nothing in this section contained shall apply to any street belonging to and forming the approach to any station or depôt of a railway company or railway committee nor shall the Corporation in carrying out the works authorised by this section obstruct or interfere with the convenient access to any such street.

Entry upon
premises
Penalty for
obstruction.

49.—(1) Any person who shall hinder an officer appointed by the Corporation from entering any premises in pursuance of section 24 (Power to enter lands or premises for ascertaining quantities of electricity consumed or to remove fittings) of the Electric Lighting Act 1882 or of that section as extended by section 16 of the

Electric Lighting Act 1909 or from exercising the powers contained in those sections shall be liable to a penalty not exceeding five pounds.

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(2) Where any premises which the Corporation are entitled to enter in pursuance of the said sections or either of them are unoccupied the Corporation may after giving not less than three days' notice to the owner thereof or if he is unknown to the Corporation and if he cannot be ascertained by them after diligent inquiry after affixing such notice upon a conspicuous part of the premises forcibly enter the same doing no unnecessary damage.

50.—(1) The maximum electrical power with which any consumer shall be entitled to be supplied by the Corporation shall not include any supply of electricity taken on extraordinary occasions or as a stand-by supply unless such consumer shall pay to the Corporation such minimum annual sum as will give them a reasonable return on the capital expenditure and will cover other standing charges incurred by the Corporation in order to meet the possible maximum demand for his premises the sum to be so paid to be determined in default of agreement by arbitration in the manner provided by section 28 of the Electric Lighting Act 1882.

As to
maximum
power
which may
be de-
manded.

(2) The provisions of this section shall not operate to deprive any consumer of electricity supplied by the Corporation under the terms of any agreement existing at the passing of this Act of any right to which he would be entitled but for the said provisions.

51.—(1) If any consumer of electricity supplied by the Corporation under the terms of any agreement uses the electricity supplied to him by the Corporation in any manner contrary to the terms of such agreement the Corporation may if they think fit discontinue to supply electricity to such consumer until they are satisfied that any electricity so supplied will be consumed in accordance with the terms of such agreement. Provided that before discontinuing any such supply the Corporation shall give to the consumer taking the same seven days' notice in writing of their intention so to do and shall in such notice specify the respect in which the electricity is used contrary to the terms of such agreement.

Provisions
as to supply
of electricity
by agree-
ment.

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(2) A consumer supplied with^o electricity by the Corporation under the terms of any agreement shall be deemed to be a person to whom the Corporation may be and are required to supply energy within the meaning of section 30 of the schedule to the Electric Lighting (Clauses) Act 1899 and the provisions of that section shall apply to the supply afforded by the Corporation under such agreement unless the provisions of that section are expressly excluded from application in any such agreement and if the Corporation fail to supply energy to such consumer they shall not be liable for any damages occasioned to such consumer by reason of such failure unless the same is caused by or in consequence of the wilful neglect or default of the Corporation :

Provided that the provisions of this subsection shall not operate to deprive any consumer of electricity supplied by the Corporation under the terms of any agreement existing at the passing of this Act of any right to which he would be entitled but for the said provisions.

PART VII.

TRAMWAYS AND TROLLEY VEHICLES.

Power to
make tram-
ways.

52. Subject to the provisions of this Act the Corporation may lay down work use and maintain in the lines and situations and according to the levels shown on the deposited plans and sections the tramways hereinafter mentioned with all necessary and proper rails plates sleepers channels passages and tubes for ropes cables wires and electric lines junctions turntables turnouts crossings passing-places works and conveniences connected therewith respectively.

The tramways hereinbefore referred to and authorised by this Act will be situate in the city and are—

Tramway No. 1 Double line (1 mile 7 furlongs 7·53 chains in length) commencing in Princess Road by a junction with the existing tramway near the northerly side of Nursery Street thence proceeding in a southerly direction along Princess Road to and terminating in Barlow Moor Road by a junction with the existing tramway near to the north-westerly side of Princess Road ;

Tramway No. 1a Double line (1·79 chains in length) commencing in Princess Road by a junction with Tramway No. 1 near the northerly side of Wilbraham Road thence proceeding in a south-easterly direction to and terminating in Wilbraham Road by a junction with an authorised tramway near to the easterly side of Princess Road : A.D. 1924.

Tramway No. 1b Double line (1·50 chains in length) commencing in Princess Road by a junction with Tramway No. 1 near the northerly side of Wilbraham Road thence proceeding in a south-westerly direction to and terminating in Wilbraham Road by a junction with an authorised tramway near to the westerly side of Princess Road :

Tramway No. 1c Double line (1·58 chains in length) commencing in Princess Road by a junction with Tramway No. 1 near the north-easterly side of Barlow Moor Road thence proceeding in a south-easterly direction to and terminating in Barlow Moor Road by a junction with the existing tramway near to the south-easterly side of Princess Road :

Tramway No. 2 (5 furlongs 8·27 chains in length whereof 1·25 chains is single line and 5 furlongs 7·02 chains is double line) commencing in Upper Lloyd Street by a junction with the existing tramway near the northerly side of Claremont Road thence proceeding in a southerly direction along Upper Lloyd Street and Lloyd Street South to and terminating in Wilbraham Road by a junction with an authorised tramway near to the easterly side of Lloyd Street South :

Tramway No. 2a Double line (1·35 chains in length) commencing in Lloyd Street South by a junction with Tramway No. 2 near the northerly side of Wilbraham Road thence proceeding in a south-westerly direction to and terminating in Wilbraham Road by a junction with an authorised tramway near to the westerly side of Lloyd Street South :

Tramway No. 3 Double line (6 furlongs 4·60 chains in length) commencing in Lloyd Street

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South by a junction with Tramway No. 2 near the northerly side of Platt Lane thence proceeding in a south-easterly direction along Lloyd Street South along a new road to be constructed by the Corporation into and along Platt Lane to and terminating in Wilmslow Road by a junction with the existing tramway near to the northerly side of Platt Lane :

Tramway No. 3a Double line (2·12 chains in length) commencing in Lloyd Street South by a junction with Tramway No. 2 near the southerly side of Platt Lane thence proceeding in a north-easterly direction to and terminating in the new road to be constructed as aforesaid by a junction with Tramway No. 3 near to the easterly side of Lloyd Street South :

Tramway No. 4 Double line (2 miles 5 furlongs 8·62 chains in length) commencing in Slade Lane by a junction with the existing tramway near the point of intersection of the centre lines of Slade Lane and Victoria Road thence proceeding in a south-westerly direction along Slade Lane and Kingsway to and terminating in Wilmslow Road by a junction with an authorised tramway at a point opposite the gateway of the main drive to Parr's Wood House :

Tramway No. 4a Double line (2·66 chains in length) commencing in Kingsway by a junction with Tramway No. 4 near the northerly side of Moseley Road thence proceeding in a south-westerly direction to and terminating in Moseley Road by a junction with an authorised tramway near to the westerly side of Kingsway :

Tramway No. 4b Double line (1·68 chains in length) commencing in Kingsway by a junction with Tramway No. 4 near the southerly side of Moseley Road thence proceeding in a north-westerly direction to and terminating in Moseley Road by a junction with an authorised tramway near to the westerly side of Kingsway.

Certain
tramways
not to be
laid until

53. The tramways mentioned in the first column of the following table shall not be constructed unless and until the carriageways of the streets mentioned in the second column thereof are so widened that a space of

not less than nine feet six inches shall intervene between the outside of the footpath on either side of the road and the nearest rail of the tramway. Provided that no footway be reduced to a less width than six feet :—

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—
carriage-
ways
widened.

Number of Tramway.

Street.

1	Princess Road.
2	Upper Lloyd Street and Lloyd Street South.
3	Platt Lane.

54. If the tramways authorised by this Act are not completed within five years from the thirty-first day of December nineteen hundred and twenty-four then on the expiration of that period the powers granted by this Act for constructing the same or otherwise in relation thereto shall cease except as to so much of the tramways respectively as shall then be completed.

Period for
completion
of tram-
ways.

55.—(1) Subject to the provisions of this Act the following enactments so far as the same are not inconsistent with the provisions of this Act shall with any necessary alterations extend and apply to and in relation to the tramways authorised by this Act (namely) :—

Incorporation of
provisions
from certain
Corporation
Acts.

The Manchester Corporation Act 1897—

- Section 22 Provisions as to motive power;
- Section 24 Special provisions as to use of electric power;
- Section 27 Byelaws;
- Section 28 Recovery of penalties;
- Section 29 Amendment of the Tramways Act 1870 as to byelaws by local authority;
- Section 30 Regulations:

The Manchester Corporation Tramways Act 1899—

- Section 22 Power to carry animals goods &c. on tramways;
- Section 23 Rates for passengers;
- Section 24 Incorporation of provisions as to tolls (including the provisions incorporated by that section);
- Section 25 Payment of rates;
- Section 26 New rates to apply notwithstanding any Act or Order:

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The Manchester Corporation Tramways Act 1900—

- Section 6 Corporation may reduce width of footway for constructing tramway;
- Section 13 Inspection by Board of Trade;
- Section 14 Tramways to be kept on level of surface of road;
- Section 15 Plan of proposed mode of construction;
- Section 16 Rails of tramways;
- Section 17 Penalty for not maintaining rails and roads;
- Section 18 Local authority to have access to sewers;
- Section 19 Passing-places to be made at narrow places;
- Section 21 Junctions with tramways which can be worked in connection with the tramways of the Corporation;
- Section 23 Temporary tramways may be made where necessary;
- Section 25 Application of road materials excavated in construction of works;
- Section 30 Construction of electric works;
- Section 31 Attachment of brackets to buildings;
- Section 32 Power to Corporation to work tramways;
- Section 33 Power as to supply of electric energy;
- Section 46 Incorporation of certain sections of Tramways Act 1870 (including provisions incorporated by that section):

The Manchester Corporation Act 1901—

- Section 14 Cheap fares for labouring classes:

The Manchester Corporation Tramways Act 1902—

- Section 12 For protection of Postmaster-General:

The Manchester Corporation Tramways Act 1904—

- Section 5 Power to purchase additional lands by agreement;
- Section 14 Gauge;
- Section 24 Supply of electricity for purposes of Act;

Section 26 Amendment of section 22 of Act of A.D. 1924.
1900;

Section 30 Agreements for working &c. :

The Manchester Corporation Tramways Act 1907—

Section 18 Penalty for malicious damage;

Section 26 As to fares on Sundays or holidays;

Section 27 Use of tramway posts by Postmaster-General.

(2) No post or other apparatus shall be erected under the powers of this section upon the carriageway of any public street or road except with the consent of the Minister of Transport.

56.—(1) The Corporation may subject to the provisions of this Act with the consent of the Minister of Transport make maintain alter and remove such cross-overs passing-places sidings junctions and other works in addition to those particularly specified in and authorised by the Acts and Orders relating to the Corporation's tramways as they find necessary or convenient for the efficient working of their tramways or for providing access to any warehouses stables or carriage-houses or works of the Corporation.

Power to make additional cross-overs and to double tramway lines.

(2) Notwithstanding anything shown on the plans deposited in respect of the Corporation's tramways the Corporation may with the consent of the Minister of Transport lay down double lines in lieu of single or interlacing lines or single lines in lieu of double or interlacing lines or interlacing lines in lieu of double or single lines on any of their tramways and may with the like consent at any time alter the position in the road of any of the tramways or any part thereof.

(3) Provided that if in the construction of any works under this section any rail is intended to be laid nearer to the footpath than previously authorised in such a manner that for a distance of thirty feet or upwards a less space than nine feet six inches would intervene between it and the outside of the footpath on either side of the road the Corporation shall not less than one month before commencing the works give notice in writing to every owner and occupier of houses shops or warehouses abutting on the place where such less space would intervene and such rail shall not except with the consent of the Minister of Transport be so laid if the owners or

A.D. 1924. occupiers of one-third of such houses shops or warehouses by writing under their hands addressed and delivered to the Corporation within three weeks after receiving the notice from the Corporation express their objection thereto.

Separate track not to form part of highway.

57.—(1) Where any part of the tramways authorised by this Act is shown on the deposited plans as intended to be constructed on a track separate from the carriage-way such separate track shall not for any purpose (other than for the prevention of offences and prosecution of offenders) form part of the highway and the provisions of the Tramways Act 1870 relating to roads and the following provisions of the Manchester Corporation Tramways Act 1900 shall not apply thereto or to the construction of tramways thereon namely:—

Section 14 Tramways to be kept on level of surface of road;

Section 17 Penalty for not maintaining rails and roads.

(2) The Corporation shall provide adequate ways across such separate track to the satisfaction of the Minister of Transport and with his approval may vary the position or number of such ways as they may deem expedient or as may be required by him.

(3) Nothing in this section contained shall prejudice alter or affect any of the rights and powers of the Postmaster-General under the Telegraph Acts 1863 to 1922 and under section 27 (Use of tramway posts by Postmaster-General) of the Manchester Corporation Tramways Act 1907 and such separate track shall be deemed to be a "street" or "public road" for the purposes of the said Acts and section respectively.

Tramways to form part of tramway undertaking of Corporation.

58. The tramways authorised by this Act shall form part of the tramway undertaking of the Corporation who are hereby empowered to exercise in reference thereto all and singular the powers already possessed by them with reference to their existing tramways or tramway undertaking.

Extension of time for purchase of lands and

59.—(1) The periods limited by the Acts and Order hereinafter mentioned or by the enactments incorporated therewith for the completion of such of the tramways authorised by those Acts and Order as extended by

subsequent Acts and by orders made in pursuance of the Special Acts (Extension of Time) Act 1915 as have not been constructed are hereby further extended until the thirty-first day of December nineteen hundred and twenty-nine.

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—
construction
of tram-
ways.

The Acts and Order hereinbefore referred to are—

- The Withington District Tramways Order 1897 confirmed by the Tramways Orders Confirmation (No. 1) Act 1897;
- The Withington Urban District Council Act 1900;
- The Manchester Southern Tramways Act 1903;
- The Stretford Urban District Council Act 1904;
- The Manchester Corporation Tramways Act 1904;
- The Manchester Corporation Tramways Act 1907;
- The Manchester Corporation Act 1909; and
- The Manchester Corporation Act 1920:

Provided that this section shall not apply to so much of Tramway No. 2 authorised by the Manchester Southern Tramways Act 1903 as was authorised to be constructed in the urban district of Cheadle and Gatley.

(2) The periods limited by the Acts hereinafter mentioned for the compulsory purchase of lands for and in respect of the street widenings and works authorised by those Acts respectively as extended by subsequent Acts or by orders made in pursuance of the Special Acts (Extension of Time) Act 1915 are hereby further extended to the first day of October nineteen hundred and twenty-seven.

The Acts hereinbefore referred to are—

- The Manchester Corporation Tramways Act 1904;
- and
- The Manchester Corporation Tramways Act 1907.

60. The provisions of section 23 of the Manchester Corporation Tramways Act 1904 shall extend and apply to the railways and works of the London and North Eastern Railway Company and the London Midland and Scottish Railway Company as if that section had been re-enacted in this Act in relation to Tramway No. 1 and Tramway No. 4 by this Act authorised and the said companies had been mentioned in the said section in place of the Great Central Railway Company.

For protec-
tion of
railway
companies.

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Power to
use trolley
vehicles.

61. The Corporation may with the consent of the Minister of Transport and subject to such conditions as he may impose provide maintain and equip trolley vehicles and may use the same along any road in the city along which at the passing of this Act they are authorised to construct but have not constructed tramways.

Trolley
vehicles
in certain
districts.

62.—(1) In this section—

“Local authority” means each of the following councils viz. :—

The urban district councils of Sale Stretford and Urmston respectively and the rural district council of Barton-upon-Irwell;

“Authorised route” means any route along which at the passing of this Act any local authority is authorised to construct tramways which upon the construction thereof are under existing enactments to be leased to the Corporation but which have not yet been constructed.

(2) The Corporation may with the consent of the Minister of Transport and by agreement with any local authority provide and use trolley vehicles along any authorised route in the district of such authority.

(3) If before the Corporation have commenced to provide the electrical equipment for working trolley vehicles along any authorised route to be used in pursuance of subsection (2) of this section the local authority give notice to the Corporation of their intention to provide such equipment such local authority may with the consent of the Minister of Transport exercise the powers contained in this Act and in the enactments applied thereto relative to the provision of electrical equipment for working trolley vehicles along such route and upon the completion thereof the local authority shall grant to the Corporation and the Corporation shall accept a lease of such equipment for such period and upon and subject to such terms and conditions as may be agreed between the local authority and the Corporation or as failing agreement may be determined by the Minister of Transport.

(4) During the continuance of a lease under this section the Corporation may provide and use trolley vehicles along the authorised route referred to in such lease.

(5) The Corporation may with the consent of the Minister of Transport and by agreement with the rural district council of Bucklow provide and use trolley vehicles along any road in the district of that council along which at the time of the passing of this Act the Corporation are authorised to construct but have not constructed tramways.

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(6) When applying to the Minister of Transport for his consent under this section to use trolley vehicles along any road in respect of which the local authority are not the road authority the Corporation shall give notice of such application to the road authority.

63.—(1) In addition to using trolley vehicles along any road or authorised route under the foregoing provisions of this Act the Corporation with the consent of the Minister of Transport may use such vehicles—

Connecting routes.

(a) along such roads in the city in which tramways are situate; and

(b) with the consent of the local authority for a district outside the city along such roads in which tramways belonging or leased to the Corporation are situate;

as the Corporation think it necessary to use for the purpose of connecting their trolley vehicle routes or of obtaining access thereto from their depôts.

(2) When applying to the Minister of Transport for his consent under this section to use trolley vehicles along any road in respect of which the local authority are not the road authority the Corporation shall give notice of such application to the road authority.

64. For the purpose of working trolley vehicles along any street or road under the powers of this Act—

Electrical equipment.

(1) The Corporation may exercise the powers conferred upon them by any existing enactments authorising the placing erection and maintenance of standards brackets conductors mains cables wires posts poles and other apparatus and equipment for the purpose of working tramways along such street or road by electrical power :

(2) The Corporation or any local authority (as the case may be) may exercise the powers conferred

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—

upon the local authority by any existing enactments authorising the placing erection and maintenance of standards brackets conductors mains cables wires posts poles and other apparatus and equipment for the purpose of working tramways along such street or road by electrical power and for the purposes of this section the local authority may exercise the power of borrowing money conferred upon them by such existing enactments :

Provided that no post or other apparatus shall be erected upon the carriageway of any public street or road except with the consent of the Minister of Transport.

Corporation to have exclusive right of using apparatus.

65. Subject to the provisions of this Act the Corporation shall have the exclusive right of using any apparatus provided erected or maintained by them or erected by a local authority and leased to them for the purpose of working trolley vehicles under the powers of this Act and any person (except by agreement with the Corporation) using the said apparatus shall for every offence be liable to a penalty not exceeding twenty pounds.

Application of Tramways Act 1870 to trolley vehicles.

66.—(1) The following provisions of the Tramways Act 1870 incorporated with this Act shall so far as the same are applicable apply with respect to the trolley vehicles authorised by this Act and such provisions shall be read and have effect as if the works to be constructed in the streets or roads for moving the trolley vehicles by electrical power were tramways and as if the said trolley vehicles were carriages used on tramways :—

Part II (Relating to the construction of tramways) except sections 25 28 and 29 ;

Section 41 Tramways to be removed in certain cases ;

Section 46 Byelaws by local authority Promoters may make certain regulations ;

Section 47 Penalties may be imposed in byelaws ;

Section 48 Power to local authority to license drivers conductors &c. ;

- Section 49 Penalty for obstruction of promoters in laying out tramway; A.D. 1924.
- Section 50 Penalties for wilful injury or obstruction to tramways &c.;
- Section 51 Penalty on passengers practising frauds on the promoters;
- Section 53 Penalty for bringing dangerous goods on the tramway;
- Section 55 Promoters or lessees to be responsible for all damages;
- Section 56 Recovery of tolls penalties &c.;
- Section 57 Right of user only;
- Section 60 Reserving powers of street authorities to widen &c. roads; and
- Section 61 Power for local or police authorities to regulate traffic in roads.

(2) Nothing in this section shall be deemed to exclude a trolley vehicle from the provisions of section 78 of the Highway Act 1835 as to the side of the road on which any wagon cart or other carriage is to be kept.

67. The following enactments shall extend and apply with respect to the trolley vehicles authorised by this Act as if those provisions were with all necessary modifications re-enacted in this Act (that is to say):—

The Manchester Corporation Act 1897—

- Section 22 Provisions as to motive power;
- Section 24 Special provisions as to use of electric power;
- Section 27 Byelaws;
- Section 30 Regulations:

The Manchester Corporation Tramways Act 1899—

- Section 22 Power to carry animals goods &c. on tramways;
- Section 23 Rates for passengers;
- Section 24 Incorporation of provisions as to tolls (including the provisions incorporated by that section);
- Section 25 Payment of rates:

The Manchester Corporation Tramways Act 1900—

- Section 13 Inspection by Board of Trade;
- Section 31 Attachment of brackets to buildings:

The Manchester Corporation Act 1901—

- Section 14 Cheap fares for labouring classes:

Application of relevant provisions of Corporation's Acts to trolley vehicles.

A.D. 1924.

The Manchester Corporation Tramways Act 1902—
Section 12 For protection of Postmaster-General :

The Manchester Corporation Tramways Act 1904—
Section 24 Supply of electricity for purposes of
Act ;

Section 30 Agreements for working &c. :

The Manchester Corporation Tramways Act 1907—

Section 18 Penalty for malicious damage ;

Section 26 As to fares on Sundays or holidays ;

Section 27 Use of tramway posts by Postmaster-
General :

Provided that the said trolley vehicles shall only be used for the purpose of conveying passengers and parcels not exceeding fifty-six pounds in weight and dogs in the care of passengers and shall not be used for the carriage of any minerals or any other animals or goods.

Duties on
licences
for trolley
vehicles.

68. Nothing in this Act shall in any way affect the duties of excise now payable by law on licences to be taken out for the trolley vehicles authorised by this Act as hackney carriages.

Vehicles
not to be
deemed
light
locomotives
or motor
cars.

69.—(1) The trolley vehicles authorised by this Act shall not be deemed to be light locomotives within the meaning of the Locomotives on Highways Act 1896 or of the byelaws and regulations made thereunder nor shall they be deemed to be motor cars within the meaning of any of the provisions of the Motor Car Act 1903 (except subsection (1) of section 1 of that Act and the provisions necessary for enforcing that subsection) and subject to that exception neither that Act nor the regulations made under that Act nor the enactments mentioned in the schedule to the Locomotives on Highways Act 1896 nor the Locomotives Act 1898 shall apply to the said trolley vehicles.

(2) The trolley vehicles authorised by this Act shall not be deemed to be omnibuses within the meaning of the Town Police Clauses Act 1889.

Approval
of trolley
vehicles and
turning
points by
Minister of
Transport.

70.—(1) The trolley vehicles authorised by this Act and the electrical equipment thereof shall be of such form construction weight and dimensions as the Minister of Transport may approve and no trolley vehicle shall be used by the Corporation which does not comply with the requirements of the Minister of Transport.

(2) Before any route is equipped for use by trolley vehicles or a new turning point on any route is arranged plans of the turning points shall be submitted to the Minister of Transport for approval.

A.D. 1924.

71. All regulations and byelaws relating to the tramways of the Corporation made in pursuance of the Tramways Act 1870 or of any other statutory enactment and in operation on the first day of September nineteen hundred and twenty-four so far as the same are applicable shall with the necessary modifications apply to the trolley vehicles provided by the Corporation in pursuance of this Act.

Tramway regulations to apply to trolley vehicles.

72.—(1) The Corporation shall perform in respect of their trolley vehicles all such services in regard to the conveyance of mails as are prescribed by the Conveyance of Mails Act 1893 in the case of a tramway to which that Act applies.

For protection of Postmaster General.

(2) Any electrical equipment constructed by the Corporation under the provisions of this Act shall not be used for the transmission of any telegram which is within the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869.

73. The Corporation shall in every year within three months after the close of their financial year or such longer period as the Minister of Transport may allow furnish to the Minister of Transport a copy of the annual accounts of the tramways undertaking.

Accounts to be furnished to Minister of Transport.

74. The following provisions for the protection of the London Midland and Scottish Railway Company the London and North Eastern Railway Company the Cheshire Lines Committee the Great Central and North Western Railways Joint Committee and the Great Central and Midland Joint Committee (each of which is in this section referred to as "the company") shall unless otherwise agreed between the Corporation and the company apply and have effect:—

For further protection of railway companies.

(1) In this section the word "apparatus" means standards brackets conductors mains cables wires posts poles and any other apparatus and equipment for the purpose of working trolley vehicles under or in pursuance of this Part of this Act:

A.D. 1924.
—

(2) The apparatus where the same shall be laid upon across under or over any bridge or the approaches thereto or other work belonging to or maintainable by the company or will otherwise affect the same shall be executed so as not to affect injuriously the structure of any such bridge approaches or other work and according to plans sections and specifications to be previously submitted to and reasonably approved by the company or in case of difference between them and the Corporation by an arbitrator to be appointed in accordance with the provisions of this Act Provided that if the company do not within twenty-eight days after such submission signify their disapproval of such plans sections and specifications they shall be deemed to have approved thereof All such apparatus shall be executed and thereafter maintained according to the plans sections and specifications so approved or determined by arbitration and under the superintendence (if the same be given) and to the reasonable satisfaction of the Company The Corporation shall so construct maintain and use the apparatus as not to affect injuriously any such bridge approaches or other work and in the event of any injury being occasioned to such bridge approaches or work by the construction maintenance user or removal of the apparatus upon across under or over the same the Company may make good the injury and may recover from the Corporation the reasonable expenses of so doing :

(3) The Corporation shall on demand pay to the company the reasonable expense of lighting and watching the railway canal and property of the company which shall be necessary during and in consequence of the execution or repair by the Corporation under or in pursuance of this Part of this Act of any apparatus affecting any bridge or other work belonging to or maintainable by the company for preventing all interference obstruction danger and accident from any of the operations or from the acts or defaults of the Corporation or their contractors or any person in the employ of either of them :

- (4) The Corporation shall not in any manner in the execution maintenance user or repair of any of the apparatus obstruct or interfere with the free uninterrupted and safe user of any railway canal or other work belonging to or maintainable by the company or any traffic thereon: A.D. 1924.
- (5) The Corporation shall be responsible for and make good to the company all losses damages and expenses which may be occasioned to the company or any of their works or property or to any works or property which they may be liable to maintain or to the traffic on their railways or canals or to any company or person using the same by or by reason of the execution or failure of any of the apparatus or by or by reason of any act default or omission of the Corporation or of any person in their employ or of any contractors in connection with the apparatus or any part thereof and the Corporation shall effectually indemnify and hold harmless the company from all claims and demands upon or against them by reason of such execution or failure or of any such act default or omission:
- (6) If the company in the exercise of their existing powers shall hereafter require to widen lengthen strengthen reconstruct alter or repair any of their bridges approaches or other works under or upon which the apparatus is laid or to widen or alter any railway or canal thereunder or thereover the Corporation shall afford to the company all reasonable and proper facilities for the purpose and if it shall be necessary for such purpose that the apparatus be taken up diverted or removed and if the company accordingly give to the Corporation twenty-eight days' notice in writing (or in case of emergency such notice as may be reasonably practicable) requiring such taking up diversion or removal then the working or user of such part of the apparatus shall be stopped or delayed or such part of the apparatus shall be taken up diverted or removed as stated in such notice at the reasonable expense of the Corporation and under their superintendence (if they shall give such

A. D. 1924.

superintendence) but no such working or user shall be stopped or delayed for a longer period than may be absolutely necessary for effecting such purpose as aforesaid and such part of the apparatus shall be restored with all practicable dispatch and the company shall not be liable to pay compensation in respect of such stoppage delay or taking up diversion or removal :

- (7) The Corporation shall from time to time pay to the company any additional expense which the company may reasonably incur in effecting such widening lengthening strengthening reconstructing altering or repairing as is mentioned in the last preceding subsection or in the maintenance of any bridge approach or other work of the company by reason of the existence or user of the works or apparatus :
- (8) If and when the company shall require to reconstruct alter repair or paint any bridge under which any electric wire of the Corporation has been placed under or in pursuance of this Part of this Act the Corporation shall in order to ensure the safety of the workmen employed in such reconstruction alteration repairing or painting cut off the electric current from the trolley wires under such bridge at such time as shall be agreed between the Corporation and the engineer of the company or failing agreement as shall be determined by arbitration under this section unless the Corporation shall have previously adopted some other means of protection to workmen which shall have been approved by the said engineer :
- (9) If having regard to the proposed position of any apparatus of the Corporation authorised by or in pursuance of this Part of this Act when considered in relation to the position of the works of the company at any point where any apparatus will be constructed over or under the railway canal or other works of the company it becomes necessary in order to avoid danger from the breaking or falling of wires that the electric telegraphic telephonic or signal wires or apparatus of the company shall be altered

the company may execute any works reasonably necessary for such alteration and the reasonable expense of so doing shall be repaid to the company by the Corporation :

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- (10) The Corporation shall not for the purposes of this Part of this Act make attachments to any bridge or other property of the company without the consent in writing of the engineer of the company which shall not be withheld unreasonably such attachments if allowed to be temporarily removed at any time when required by the said engineer in connection with the maintenance and reconstruction or alteration of any such bridge :
- (11) If any difference shall arise between the Corporation and the railway company or their respective engineers with reference to the matters aforesaid such difference shall be referred to arbitration.

75. Nothing in this Part of this Act shall impose any obligation upon or enlarge any obligation of any railway or canal company to strengthen adapt alter or reconstruct any bridge or road maintainable by them respectively.

As to bridges and roads of railway and canal companies.

PART VIII.

MAIN DRAINAGE.

76.—(1) The Corporation may make and maintain in the lines and according to the levels shown upon the deposited plans and sections the following works in the city together with all necessary and proper works junctions connections sewers drains and conveniences connected therewith (that is to say) :—

Main drainage works.

Work No. 1 A sewer commencing in Mount Road Gorton by a junction with the existing intercepting sewer near to the Gore Brook and terminating in Reddish Lane Gorton by a junction with the existing sewer opposite to Granville Road ;

Work No. 2 A sewer commencing in Reddish Lane Gorton at its junction with Debdale Lane by a junction with Work No. 1 and terminating by a junction with the existing sewer at the junction of Debdale Lane and Hyde Road.

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(2) The works authorised by this section shall be deemed to be part of the main drainage works authorised by Part IV. of the Manchester Corporation Act 1911 and the provisions of that Act (except sections 39 to 50 thereof) as amended by section 51 of the Manchester Corporation Act 1920 shall apply thereto as if such work had been expressly included in and authorised by section 33 of the Manchester Corporation Act 1911.

For further
protection
of railway
companies.

77.—(1) The provisions of section 41 of the Manchester Corporation Act 1911 shall extend and apply to the lands railways canal and works belonging to or maintainable by the London and North Eastern Railway Company and the Great Central and Midland Joint Committee as if that section had been re-enacted in this Act in relation to Work No. 1 by this Part of this Act authorised and the said company and committee had been mentioned in the said section in place of the Great Central Railway Company.

(2) The provisions of section 44 of the Manchester Corporation Act 1911 shall extend and apply to the lands railways canal and works belonging to or maintainable by the London Midland and Scottish Railway Company as if that section had been re-enacted in this Act in relation to Work No. 1 by this Part of this Act authorised and the said company had been mentioned in the said section in place of the London and North Western Railway Company.

PART IX.

ESTABLISHMENTS FOR MASSAGE OR SPECIAL TREATMENT.

Licensing
of establish-
ments for
massage or
special
treatment.

78.—(1) Subject to the provisions of this Part of this Act it shall not be lawful on or after the first day of January nineteen hundred and twenty-five (which date is in this Part of this Act referred to as "the prescribed date") for any person to carry on an establishment for massage or special treatment without a licence from the Corporation authorising him so to do.

(2) A person requiring a licence or the renewal of a licence under this Part of this Act shall make application

in writing to the Corporation and shall in such application state accurately— A.D. 1924.

- (a) His full name;
- (b) His age nationality and technical qualifications (if any);
- (c) His private address and in the case of an application by or on behalf of a company society association or body the registered or principal office (if any) of such company society association or body and so far as may reasonably be required the names and private addresses of the persons directly or indirectly responsible for the management of such company society association or body;
- (d) The name under which and the address at which such establishment is carried on or proposed to be carried on together with full particulars of any other establishment for massage or special treatment in which the applicant is or has been interested; and
- (e) The nature of such establishment and of the business carried on or proposed to be carried on thereat.

(3) The person making such application shall when making the same pay to the Corporation such fees as they may fix not exceeding—

	£	s.	d.
(a) In respect of the granting of a licence - - - - -	2	2	0
(b) In respect of the renewal of a licence - - - - -	1	1	0

(4) Every person carrying on any such establishment at the date of the passing of this Act and requiring a licence to carry on such establishment shall make application for such licence within one month after the date or (if more than one) the latest date of publication of the advertisements relating to this Part of this Act under the section of this Act of which the marginal note is "Notice of provisions of this Part of Act to be given."

(5) Subject as in this section provided the Corporation shall as soon as reasonably practicable after the receipt of an application under the provisions of this section (and not later in the case of an application under subsection (4) of this section than the prescribed date)

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grant or renew a licence to the applicant to carry on an establishment for massage or special treatment of the description and in the name and at the address specified in the application and may attach such conditions thereto as they may consider reasonably necessary for securing the due notification to them of any change in the name or private address of the licensee or in the treatment afforded or the nature of the business carried on at such establishment and generally for securing the proper conduct of such establishment. Provided that the Corporation may refuse to grant or renew a licence or may revoke a licence granted—

- (a) To a person under the age of twenty-one years;
- (b) To any person who may be unsuitable to hold such licence;
- (c) In respect of any premises which are unsuitable for the purposes of an establishment for massage or special treatment or in which the accommodation or provision for treatment is not reasonably adequate or suitable;
- (d) In respect of any such establishment which has been or is being improperly conducted;
- (e) In respect of any establishment in which massage or any other curative treatment is or may be administered by any person who does not possess such technical qualifications as may be reasonably necessary; or
- (f) In respect of any establishment which is being carried on in contravention of the provisions of this Part of this Act or any byelaw made thereunder.

(6) The Corporation shall not refuse to renew or shall not revoke a licence unless they have given to the person applying for such renewal or holding the licence proposed to be revoked not less than seven days' previous notice in writing that objections have been or will be taken to such renewal or that a revocation is proposed and unless on written application made within three days after the receipt of such notice they have afforded to the applicant an opportunity of being heard against such refusal or revocation.

(7) Every licence granted or renewed as aforesaid shall (unless revoked as in this Part of this Act provided) be valid for a period of one year :

Provided that the Corporation may if they deem it convenient so to do grant licences for any periods not exceeding eighteen months with the object of securing that all licences under this Part of this Act shall expire on the same date.

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(8) If the Corporation refuse to grant or renew a licence or revoke a licence under this Part of this Act they shall if required by the applicant or holder (as the case may be) deliver to him within seven days of the receipt of such requirement particulars in writing of the ground or grounds for such refusal or revocation.

(9) Any person aggrieved by such refusal or revocation or by any conditions attached to a licence under this section may appeal to a court of summary jurisdiction provided that such appeal is made within fourteen days from the date of such refusal or revocation or attachment of conditions.

(10) Any such person aggrieved by any decision of a court of summary jurisdiction under this section may appeal therefrom to the next practicable court of quarter sessions.

(11) On any appeal under this section the court may after considering any representations made by the Corporation either confirm the refusal or revocation or attachment of conditions or may modify the conditions or may direct the Corporation to grant or renew a licence subject to such conditions (if any) as the court may specify and the Corporation shall comply with any such direction.

(12) The costs of any appeal under this section shall be paid in such manner and by such parties to the appeal as the court may direct.

79. Any officer duly authorised by the Corporation in that behalf may enter and inspect any premises which are used or which such officer has reasonable cause to believe are used for the purposes of an establishment for massage or special treatment and the entries in any records required to be kept in connection therewith.

Powers as
to entry
and inspec-
tion.

80.—(1) The Corporation may make byelaws for the prevention of immorality in connection with the carrying on of establishments for massage or special treatment and as to the technical qualifications to be possessed by persons administering massage or other

Byelaws as
to estab-
lishments
for massage
or special
treatment.

A.D. 1924. — curative treatment in such establishments and as to the keeping and inspection of records showing the persons employed at such establishments and the general character of the business carried on thereat.

(2) Every person holding a licence under this Part of this Act shall keep exhibited in a suitable place (to be approved by the Corporation) in the premises to which the licence relates a copy of the byelaws in force under this Part of this Act.

Penalties for offences in respect of establishments for massage &c

81. Subject to the provisions of this Part of this Act—

(1) Every person who carries on an establishment for massage or special treatment without a licence under this Part of this Act or otherwise than in accordance with the terms and conditions of such licence or obtains a licence or the renewal of a licence by wilful misrepresentation or by wilfully omitting to give such particulars as are required by this Act to be given or who otherwise acts in contravention of the provisions of this Part of this Act shall be liable on summary conviction to a penalty not exceeding fifty pounds and to a daily penalty not exceeding twenty pounds and in respect of a second or subsequent offence the court may in lieu of or in addition to inflicting a fine impose imprisonment not exceeding three months.

(2) Every person who—

(a) refuses to permit any officer of the Corporation to enter or inspect any premises which such officer is authorised under the provisions of this Part of this Act to enter and inspect or obstructs any such officer in the execution of his duty under such provisions or under the provisions of any byelaw made thereunder; or

(b) carries on an establishment for massage or special treatment in contravention of the provisions of any byelaw made under this Part of this Act; or

(c) after the prescribed date issues publishes or displays or causes to be issued published or displayed any advertisement relating to an establishment for massage or

special treatment which is not licensed in accordance with the provisions of this Part of this Act after the expiration of a period of seven days after the Corporation have given him notice that the licence relating to such establishment has expired or has been refused or revoked under the provisions of this Part of this Act—

A.D. 1924.

shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding two pounds :

Provided that a person who has appealed to a court of summary jurisdiction in accordance with the provisions of this Part of this Act against any refusal of the grant or renewal of a licence or against the revocation of a licence shall not until such appeal has been heard and determined or has been abandoned be liable to any proceedings under this section for the offence of carrying on an establishment for massage or special treatment in contravention of the provisions of this Part of this Act or of any byelaw made thereunder.

82. Where any company registered under the Companies Acts 1862 to 1907 or under the Companies Acts 1908 to 1917 or any Act amending the same commits any offence for which a penalty is provided by this Part of this Act the Corporation may take proceedings in respect of such offence against all or any of the directors and managers of such company as well as or instead of against the company and each such director and manager shall be liable on conviction to the like penalty as if he or they were the person or persons committing the offence unless he proves to the satisfaction of the court—

Directors of limited liability companies to be personally liable for penalties.

- (1) that the act which constituted the offence took place without his knowledge consent or connivance; and
- (2) that he was not guilty of any negligence in regard to securing the proper execution of this Part of this Act.

83. Subject as hereinafter provided the provisions of this Part of this Act shall not apply in the case of

This Part of Act not to apply under

A.D. 1924.

certain
conditions
to establish
ments
carried on
by medical
practi-
tioners.

an establishment for massage or special treatment carried on by a duly registered medical practitioner with respect to which there has been lodged with the Corporation a certificate in a form to be approved by them and signed by two duly registered medical practitioners practising or residing in the city not being in partnership with such first mentioned medical practitioner or with each other and not having any financial or other interest in such establishment to the effect that the medical practitioner carrying on or proposing to carry on such establishment is a suitable person to carry on the same at the premises used or to be used therefor :

Provided that any such certificate shall not be valid—

- (1) with respect to any person or premises other than the person or premises specified therein;
or.
- (2) for a period extending beyond the thirty-first day of December next following the date of the certificate.

Saving for
certain
premises.

84. Notwithstanding anything contained in this Part of this Act the provisions thereof shall not except as provided by the section of this Act of which the marginal note is "Extension of this Part of Act to other premises and businesses" apply in the case of—

- (1) Any hospital infirmary institution or other establishment maintained or controlled by any government department or local authority or any other authority or body constituted by Act of Parliament (not being a company registered under the Companies (Consolidation) Act 1908 or any Act repealed by or amending the same) or incorporated by Royal Charter; or
- (2) Any hospital for the time being recognised by any committee or body administering either of the publicly subscribed funds known respectively as the Hospital Sunday Fund and the Hospital Saturday Fund as a hospital to which grants from any of such funds may be made; or
- (3) Any premises used for the reception or treatment of persons for any purpose to which the provisions of this Part of this Act apply but not so used for gain or reward; or

- (4) Any hairdresser's premises merely by reason of face or scalp massage or manicure treatment being administered if such treatment is administered to female customers only or is administered in full view of all customers resorting thereto. A.D. 1924.

85. In any case in which the Corporation or any committee to whom the Corporation may refer any powers under this Part of this Act have reason to believe that any premises (including premises referred to in the section of this Act of which the marginal note is "Saving for certain premises") in the city to which the provisions or some of the provisions of this Part of this Act do not apply are advertised as being used for some legitimate business but are in fact being used for immoral purposes the Corporation or any such committee as aforesaid may subject to the approval of the Secretary of State by resolution determine that all or any of the provisions of this Part of this Act and of any byelaws made thereunder shall extend and apply to such premises and the business carried on therein as if such premises and business were included in the expression "Establishment for massage or special treatment" as defined in the section of this Act of which the marginal note is "Interpretation" and as from the passing of any such resolution as aforesaid or as from such date (if any) as may be specified therein all or any of the provisions of this Part of this Act and any such byelaws as aforesaid shall extend and apply accordingly.

Extension
of this Part
of Act to
other
premises
and busi-
nesses.

86. The Corporation shall within three months after the passing of this Act give public notice of the effect of the provisions of this Part of this Act by advertisement in two or more daily newspapers circulating in the city and otherwise in such manner as they think sufficient.

Notice of
provisions
of this Part
of Act to be
given.

PART X.

MISCELLANEOUS.

87.—(1) Upon the acquisition of the lands hereinafter referred to the Corporation may appropriate and use the same for burial purposes with and as part of their existing cemetery and burial ground. The said lands are:—

Enlarge-
ment of
cemetery.

Lands containing ninety acres or thereabouts situate in the city adjoining the Manchester Southern Cemetery on the northerly side of Nell Lane

A.D. 1924.

and bounded by a line commencing at the junction of that lane with Princess Road thence following Nell Lane in a north-westerly direction for a distance of 995 yards or thereabouts thence in a north-easterly direction to the south-westerly fence of the London Midland and Scottish Railway at a point 175 yards or thereabouts measured in a south-easterly direction from the south-easterly side of the bridge carrying Hough End Road over that railway thence along the south-westerly boundary of the said railway in a south-easterly direction to Princess Road thence in a south-westerly direction along Princess Road to the point of commencement.

(2) The said lands when appropriated for burial purposes shall form part of the Manchester Southern Cemetery and shall be subject to all the provisions byelaws and regulations applicable to that cemetery or to the Corporation in respect thereof except any provisions of the Burial Acts 1852 to 1906 which may interfere with or restrict the use of the land for burials.

(3) Within twelve months after the acquisition of the said lands by the Corporation the Corporation shall if required by the London Midland and Scottish Railway Company sell to that company a strip of the said lands ten yards in width along the boundary fence of the railway of that company and upon such acquisition the company shall provide and thereafter maintain a suitable post and rail fence between the said strip and the remainder of the said lands. The amount to be paid for the acquisition of such strip of lands shall be ascertained in case of difference in manner provided by the Lands Clauses Consolidation Act 1845 and the Acts amending the same.

Increase of
rents and
tolls in
Smithfield
Markets.

88.—(1) The Manchester Order which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 8) Act 1884 is hereby further amended by the substitution of the following paragraph for Part I. of the schedule to that Order :—

“ From the occupier of each stall according to the size and dimensions of the same a weekly rent not exceeding one shilling and sixpence for each and every superficial yard thereof measured upon the surface of the ground with such additions

thereto as the Corporation may in their discretion impose not exceeding the following (namely) :—

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- (a) as from the thirty-first day of March nineteen hundred and twenty-five the sum of three pence for each and every such superficial yard;
- (b) as from the thirty-first day of March nineteen hundred and twenty-seven the further sum of three pence for each and every such superficial yard;
- (c) as from the thirty-first day of March nineteen hundred and thirty the further sum of three pence for each and every such superficial yard :

Provided that in any case where the Corporation provide accommodation in addition to space they may charge and take such rents as may be agreed upon."

(2) Section 43 (Amended provisions re Smithfield Markets) of the Manchester Corporation Act 1908 is hereby repealed.

(3) In lieu of the tolls authorised by Article VI. of the said Manchester Order and by Part II. of the schedule thereto (as amended by the Manchester Corporation Act 1911) the Corporation may if they think fit demand and take from any person bringing into the Smithfield Markets any marketable commodity for sale or exposure for sale elsewhere than in or upon any stall occupied on payment of rent in pursuance of Article III. of the said Order and subsection (1) of this section the sum of one penny for each and every superficial foot measured upon the surface of the ground occupied by such marketable commodity for every day during which or during part of which such marketable commodity is exposed for sale or remains in the Smithfield Markets and the sum payable under this subsection shall be deemed to be a toll authorised by Article VI. of the said Order.

89.—(1) The Corporation may—

- (a) provide or arrange for the provision or carrying on of suitable concerts entertainments and amusements in any park or recreation ground

Provision of
concerts
entertain-
ments &c.

A.D. 1924.

for the time being vested in them or under their control and make such charges as they may think fit for admission thereto;

- (b) let any building in or part of any park or recreation ground for the purpose of such concert entertainment or amusement for such periods or occasions and upon such terms and conditions as the Corporation may think fit;
- (c) in any park or recreation ground exceeding twenty-five acres vested in them enclose an area not exceeding one acre for the purpose of any such concert or other entertainment or amusement;
- (d) provide and sell or authorise any person or persons to provide and sell programmes of any concert entertainment or amusement given in pursuance of this section;
- (e) make byelaws for securing good and orderly conduct during any concert entertainment or amusement provided or carried on in pursuance of this section :

Provided that no power given by this section shall be exercised in such manner as to contravene any covenant or condition subject to which a gift conveyance or lease of a public park or pleasure ground (which at the date of such gift conveyance or lease formed part of the settled estates belonging to the owner of the Egerton Estates as defined in the section of this Act of which the marginal note is "For protection of the Egerton Estates" or his predecessors in title and which was of an area not exceeding twenty-five acres) has been accepted or made without the consent of the donor grantor lessor or other person or persons entitled in law to the benefit of such covenant or condition.

(2) All receipts of the Corporation under the provisions of this section shall be paid into the city fund and all expenses incurred by the Corporation under those provisions shall be paid out of the city fund and city rate but the addition to the city rate for the purposes of section 24 (Music in parks) of the Manchester Corporation (General Powers) Act 1902 as amended by section 94 of the Manchester Corporation (General Powers) Act 1904 and of this section shall not in any year exceed one half-penny in the pound.

90.—(1) The Corporation may as soon as practicable after any application shall have been made to them under section 87 of the Manchester Corporation Act 1909 (in this section called “the Act of 1909”) make or cause to be made all necessary and proper inspections and inquiries as to—

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Licences for
common
lodging-
houses.

- (a) whether the person so applying is a fit and proper person to have the control and management of a common lodging-house; and
- (b) whether the premises in respect of which application is made for a licence are suitable for use and occupation as a common lodging-house having regard to their structure and surroundings the adjoining or neighbouring buildings and other circumstances and also to the number health safety and convenience of persons occupying or intended to occupy the same and to the provision of sufficient means of escape in case of fire; and
- (c) whether if the premises are used as a common lodging-house inconvenience or annoyance is likely to be occasioned to the inhabitants or persons in the district in which the premises are situate.

(2) If the Corporation are satisfied as respects the matters (a) (b) and (c) mentioned in subsection (1) of this section they shall grant to the applicant a licence to use the premises specified in his application for the purpose of a common lodging-house and to receive lodgers therein and such licence shall specify the maximum number of persons who may at any one time occupy such premises.

(3) Sections 88 and 89 and subsections (1) and (2) of section 91 of the Act of 1909 are hereby repealed and the unrepealed provisions of the last mentioned section shall apply only where the renewal of a licence granted before the passing of this Act is refused.

(4) Part VI. of the Act of 1909 shall have effect as if the foregoing provisions of this section had been enacted therein.

91.—(1) Every person who shall carry on for the purpose of private gain the trade or business of keeper of a concert theatrical or music hall employment agency shall register his name and place of abode and also the premises

Registration
of theatrical
agencies.

A.D. 1924. — in which such trade or business is carried on in a book to be kept at the offices of the Corporation for the purpose and prior to such registration shall pay to the Corporation the sum of two guineas and shall renew such registration annually and prior to every such renewal shall pay to the Corporation the sum of one guinea.

(2) The Corporation may make byelaws prescribing the books to be kept and the entries to be made therein and any other matter, which the Corporation may deem necessary for the prevention of fraud or immorality in the conduct of such trade or business and for regulating any premises used for the purposes of or in connection with such trade or business.

(3) The person registered shall keep a copy of the byelaws made by the Corporation under this section hung up in a conspicuous place in the registered premises.

(4) (a) Any officer of the Corporation or other person duly authorised in writing in that behalf by the Corporation and if so required exhibiting his authority shall at all reasonable times be afforded by the person registered full and free power of entry into the registered premises for the purpose of inspecting the registered premises and the books required to be kept by such person and shall also on obtaining an order from a court of summary jurisdiction in this behalf at all reasonable times be afforded full and free power of entry into any premises where there is reasonable ground for suspecting that an offence under this section has been committed for the purpose of inspecting any such premises and the books and records therein.

(b) Every person who refuses to permit any officer of the Corporation or other person duly authorised as aforesaid to enter or inspect any premises which such officer or person is authorised to enter and inspect or obstructs any such officer or person in the execution of his duty under the provisions of this section or of any byelaw made thereunder shall be liable to a penalty not exceeding five pounds.

(5) Any person carrying on such trade or business as aforesaid whose name place of abode and premises in which such trade or business is carried on have not been registered in accordance with subsection (1) of this section or whose registration has not been renewed in accordance therewith or has been cancelled or suspended as hereinafter

provided or acting in contravention of any of the provisions of this section or of any byelaw made thereunder shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and the court may (in lieu of or in addition to imposing a penalty) order the suspension or cancellation of the registration.

A.D. 1924.

(6) In this section "concert theatrical or music hall employment agency" means any agency or registry for or in connection with the employment either in this country or elsewhere of persons as actors acrobats singers dancers musicians or in other similar capacities at theatres music halls or other place of public entertainment or in connection with cinema film production or exhibition and any person who offers to teach or train or afford facilities for teaching or training those desirous of employment either in this country or elsewhere as actors acrobats singers dancers musicians or in other similar capacities as aforesaid and who directly or indirectly offers or holds out a prospect of such employment as an inducement to those who desire to be so taught or trained shall be deemed to be carrying on a concert theatrical or music hall employment agency within the meaning of this Act.

(7) This section shall come into operation on the first day of January nineteen hundred and twenty-five.

92. The provisions of the Town Police Clauses Act 1847 and of section 5 of the Town Police Clauses Act 1889 and the byelaws of the Corporation for the time being in force with respect to hackney carriages shall apply to every motor vehicle kept or used for hire within the city and to the driver thereof:

Extension of provisions as to hackney carriages.

Provided that—

- (1) This section shall not apply to any motor vehicle which is kept and used solely for the purpose of carrying goods or merchandise only or of being let on hire by the hour or the day or for longer periods of time or for journeys under special contracts;
- (2) This section shall not apply to any vehicle belonging to or used by any railway company for the purpose of carrying passengers and their luggage to or from any of their railway

A.D. 1924.

stations or to the drivers or conductors of such vehicles;

(3) Nothing in this section shall empower the Corporation to fix the site of the stand or starting-place of any hackney carriage or other vehicle in any station or yard of any railway company without the consent of that company;

(4) This section shall not apply to any hackney carriage or omnibus which is already licensed under the said Act of 1847 or the said Act of 1889 nor shall the provisions of the said Acts of 1847 and 1889 nor any byelaws of the Corporation which apply exclusively to hackney carriages as defined in the said Act of 1847 apply to omnibuses as defined in the Act of 1889.

Insurance
by hackney
carriage
proprietors.

93.—(1) The Corporation may in their discretion refuse to grant a licence to ply for hire with a hackney carriage or omnibus if the applicant fails to satisfy them that he effects and keeps on foot an insurance with a responsible insurance company against or makes adequate financial provision for meeting any liability that may be incurred by him in respect of any injury or damage occasioned by such hackney carriage or omnibus to any person or property but in the event of any licence to ply for hire with an omnibus being refused under this section the applicant shall be entitled to appeal to the Minister of Transport under the provisions of subsection (3) of section 14 of the Roads Act 1920 and all the provisions of that subsection shall apply accordingly.

(2) The provisions of this section shall cease to operate at the end of five years from the first day of October nineteen hundred and twenty-four unless they are continued by Act of Parliament or by Provisional Order confirmed by Parliament.

Increase of
fire insur-
ance fund.

94. Section 25 (Fire insurance fund) of the Manchester Corporation (General Powers) Act 1899 is hereby amended by the substitution of the words "one hundred thousand pounds" for the words "fifty thousand pounds" wherever those words occur.

Confirma-
tion of
byelaws.

95.—(1) The provisions of the following sections of the Public Health Act 1875 (namely):—

Section 182 Authentication and alteration of byelaws;

Section 183 Power to impose penalties on breach of byelaws; A.D. 1924.

Section 184 Confirmation of byelaws; and

Section 185 Byelaws to be printed &c.;

so far as they relate to byelaws made by an urban sanitary authority shall apply to all byelaws made by the Corporation under the powers of this Act other than byelaws to which the provisions of the Electric Lighting Act 1882 are applicable.

(2) Provided that as respects byelaws made under the sections of this Act whereof the marginal notes are respectively "Byelaws as to establishments for massage or special treatment" and "Registration of theatrical agencies" the Secretary of State shall be substituted for the Minister of Health.

96. The following sections of the Manchester Corporation (General Powers) Act 1921 shall extend and apply to the purposes of this Act as if those sections were re-enacted in this Act (that is to say):—

Section 63 Inquiries by Minister of Health;

Section 64 Recovery of penalties &c.;

Section 65 Informations by whom to be laid;
and

Section 66 Powers of Act cumulative.

97. Any person deeming himself aggrieved by any conviction or order by a court of summary jurisdiction under any provision of this Act may appeal to the next practicable court of quarter sessions under and according to the provisions of the Summary Jurisdiction Acts.

98. In respect of the exercise of any powers or duties conferred on the Minister of Transport or the giving by him of any consents under this Act or any existing Act or order of the Corporation the provisions of Part I. of the Board of Trade Arbitrations &c. Act 1874 shall apply as if the Minister of Transport were referred to therein in lieu of the Board of Trade and as if in section 4 of that Act the words "under the seal of the Minister of Transport" were substituted for the words "by writing under the hand of the President or of one of the secretaries of the Board."

99. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown.

A.D. 1924.

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For pro-
tection of
the Egerton
Estates.

100. For the protection of the Right Honourable Maurice Baron Egerton of Tatton of Tatton Park in the county of Chester and other the owner or owners for the time being of the estates in the county of Lancaster belonging to him or them (all of whom are included in the expression "the owner" when used in this section) the following provisions notwithstanding anything in this Act contained shall unless otherwise agreed in writing between the owner and the Corporation be observed and have effect (that is to say):—

(1) Unless the Corporation give the owner notice to treat for the purchase of the whole of the lands described in the section of this Act of which the marginal note is "Enlargement of cemetery" within one year of the passing of this Act the power of the Corporation for the compulsory purchase of the said lands or any part of them shall cease;

(2) In the event of the Corporation purchasing the lands referred to in subsection (1) of this section the following provisions shall apply:—

(a) The Corporation shall commence and proceed with the constructing and sewerage of the road numbered 13 between the points B and C as shown upon the plan signed in duplicate by John Luke city surveyor on behalf of the Corporation and by John Thompson Smith on behalf of the owner (in this section called "the signed plan") within six months after notice in writing from the owner requiring them so to do and shall complete the same with all due diligence provided that the owner shall at the same time construct and sewer the road numbered 13 between the points A and B and C and D as shown on the signed plan;

(b) The owner shall not be liable to pay as frontager any expenses in connection with street works whether incurred before or after the passing of this Act in respect of that portion of the street numbered 12 as lies between the points E and F as shown on the signed plan;

(c) No drainage from such lands shall pass into or through the drain which now carries

underground water from the Manchester Southern Cemetery under the provisions of an agreement between the owner and the Corporation made the fourth day of May eighteen hundred and seventy-five and the said agreement shall not extend or apply to the drainage of such lands; A.D. 1924.

(d) In the event of the owner obtaining possession of the lands or any of them now occupied by the Air Ministry and marked on the signed plan the Corporation shall after six months' notice in writing from the owner requiring them so to do commence and proceed with the constructing and sewer-ing of so much of the road numbered 11 as lies between points G and H as shown on the signed plan and shall complete the same with all due diligence:

(3)—(a) The Corporation shall construct crossing-places for vehicular and pedestrian traffic over the Tramways Nos. 1 and 4 authorised by this Act at the places marked X on the signed plan such crossing-places to be of the same width as the carriageways giving access to or intended to give access to such crossing-places. The tramways at such crossing-places shall be laid so that the top surface of the rails shall be level with the roadway and the whole width of the roadway at such crossing-places shall be paved and maintained in a manner uniform with the rest of the roadway;

(b) All tramcars shall stop at all such crossing-places marked X on the signed plan if required to do so by passengers or intending passengers on the tramcars for the purpose of picking up or putting down such passengers or intending passengers:

(4) Any dispute as to the meaning or effect of this section or as to anything to be done or not to be done thereunder shall be referred to arbitration in accordance with the provisions of the section of this Act of which the marginal note is "Arbitration."

A.D. 1924.

PART XI.

FINANCE.

Power to
borrow.

101.—(1) The Corporation may (in addition to the other sums which they are authorised to raise) borrow or raise at interest on the security of the city rate for and in connection with the purposes mentioned in the first column of the following table any sums of money not exceeding in the whole the respective sums mentioned in the second column thereof and shall repay all moneys so borrowed within the respective periods mentioned in the third column thereof and those periods shall be the prescribed periods for the purposes of section 45 (As to repayment of borrowed moneys) of the Manchester Corporation Act 1891 (namely):—

1	2	3
Purpose.	Amount.	Period for repayment calculated from the date or dates of borrowing.
(a) The purposes of Part IV. (Water) of this Act.	£ 1,500	Sixty years.
(b) The extension of mains and other purposes in connection with the supply of water by the Corporation.	300,000	Fifty years.
(c) The purchase of lands for the purposes of this Act.	The sum requisite.	Sixty years.
(d) The construction of the street improvements authorised by this Act.	89,300	Forty years.
(e) The purchase of land for the street works and improvements authorised by previous Acts of the Corporation in excess of the amounts authorised to be borrowed under those Acts.	40,000	Sixty years.
(f) The completion of the said street works and improvements.	106,500	Forty years.
(g) The purchase of land and the payment of compensation for or in respect of street and bridge widenings and improvements general improvement purposes and works for the improvement of the city under the local Acts in force therein.	300,000	Fifty years.
(h) The construction of the tramways authorised by this Act.	200,000	Twenty-five years.
(i) The electrical equipment of those tramways.	20,000	Twenty years.

1	2	3	A.D. 1924.
Purpose.	Amount.	Period for repayment calculated from the date or dates of borrowing.	
(j) The construction of the tramways authorised by the previous Acts of the Corporation in excess of the amounts authorised to be borrowed under those Acts.	£ 310,000	Thirty years.	
(k) The provision and extension of car depôts garages shelters and other works.	100,000	Fifty years.	
(l) The provision of motor omnibuses	20,000	Eight years.	
(m) The provision of trolley vehicles	75,000	Ten years.	
(n) The provision of electrical equipment and the construction of other works necessary for working the trolley vehicles authorised by this Act.	140,000	Twenty years.	
(o) The purchase of land and easements for and the construction of main drainage works authorised by this Act.	41,000	Fifty years.	
(p) The payment of the costs charges and expenses of this Act.	The sum requisite.	Five years from the passing of this Act.	

(2) The Corporation may also borrow or raise at interest on the security of the city rate such further money as may be necessary—

- (a) For the purposes of Part VI. (Electricity) with the consent of the Electricity Commissioners;
- (b) For the purposes of Part VII. (Tramways and trolley vehicles) with the consent of the Minister of Transport;
- (c) For any other purpose of this Act with the consent of the Minister of Health;

and shall repay any money borrowed under this subsection within such period as may be prescribed by the Commissioners or Minister with whose consent it is borrowed.

(3) The enactments mentioned or referred to in the third schedule to the Manchester Corporation Act 1914 to the extent indicated in that schedule and the following sections of that Act (namely):—

Section 80 Power to use sinking fund instead of borrowing;

A.D. 1924.

Section 81 Returns to Local Government Board
as to sinking funds; andSection 82 Power to use one form of mortgage
for all purposes;

and section 89 (Amendment of provisions as to issue of bills) of the Manchester Corporation Act 1920 shall apply to all moneys to be borrowed or raised by the Corporation under this Act as if the moneys had been authorised to be borrowed or raised by section 78 (Power to borrow) of the Manchester Corporation Act 1914.

(4) The sums payable in respect of interest upon and the repayment of—

(a) one half of the money borrowed for the purchase of land for and the construction of the works numbered (4) (5) (6) (7) (8) (9) (23) and (27) referred to in the section of this Act whereof the marginal note is "Power to make street improvements";

(b) so much of the money borrowed for the purposes (e) and (f) mentioned in subsection (1) of this section as may be determined by resolution of the Council;

shall preferentially be provided out of the revenue of the Corporation's tramway undertaking and resort to the city fund shall only be had if and when and to the extent that such revenue is insufficient for the purpose.

Railways
and canals
to be rated
in certain
cases at one-
fourth only
of net
annual
value
thereof.

102.—(1) 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 in paragraphs (a) (b) (c) (d) (e) (f) (g) and (o) of subsection (1) of 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 or of any land used only as a canal or towing path for the same 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.

(2) The Minister of Health may from time to time by order make such regulations as seem to him 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 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.

A.D. 1924.
—

103.—(1) Notwithstanding anything contained in any Act or order on or after the thirty-first day of March nineteen hundred and twenty-five the Corporation may (if they think fit) establish a fund to be called “the consolidated loans fund” to which shall be paid as and when they are received—

Consoli-
dated loans
fund.

- (a) all moneys borrowed by the Corporation whether by issue of stock or other security together with any moneys borrowed without security in connection with the exercise of statutory borrowing powers;
- (b) all moneys of a capital nature received by the Corporation whether from the sale of capital assets or otherwise except such as are applied by the Corporation with due authority to another capital purpose; and
- (c) the appropriate sums provided in each year out of other funds of the Corporation to comply with the terms and conditions as to repayment attaching to their several borrowing powers or otherwise provided for the repayment of debt;

and there shall also be carried to the credit of the consolidated loans fund the unapplied balances of all moneys borrowed or received except of such moneys as have been borrowed from the Public Works Loan Commissioners and of all sums provided by the Corporation as aforesaid before the date as from which the consolidated loans fund is established.

(2) The moneys of the consolidated loans fund shall be used or applied by the Corporation—

- (a) in the redemption of stock or any other securities issued by the Corporation the purchase of stock

A.D. 1924.

- for extinction or the repayment of any moneys borrowed by the Corporation; and
- (b) in the exercise of any statutory borrowing power by transfer of the required amount to the appropriate fund and account of the Corporation;

and the moneys of the consolidated loans fund not used or applied in these ways may be invested in statutory securities and the sums realised by the sale of such securities shall be repaid on receipt to the consolidated loans fund and the moneys of the consolidated loans fund shall not be used or applied otherwise than as provided in this subsection.

(3) Save as in this section expressly provided all the obligations of the Corporation to the holders of stock or other securities of the Corporation shall continue in force.

(4) The powers conferred by this section shall not be put into operation by the Corporation except in accordance with a scheme to be approved by the Minister of Health and such scheme may make provision for any matters incidental to the establishment and administration of the consolidated loans fund.

(5) In this section—

“Statutory borrowing power” means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed;

“Statutory security” means any security in which trustees are for the time being by or under any Act of Parliament passed or to be

passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation.

A.D. 1924.

104. As from the passing of this Act the treasurer of the city shall be the registrar of loans raised and of stock issued by the Corporation and shall exercise the powers and perform the duties conferred and imposed upon the town clerk by the several enactments mentioned in the second schedule to this Act and the enactments in Part I. of that schedule shall have effect as if the said treasurer were therein named instead of the town clerk and the enactments in Part II. of that schedule shall in their application to the city have effect as if the said treasurer were therein referred to instead of the clerk to the local authority.

Enlarge-
ment of
duties of
treasurer.

105. The accounts of the Corporation under this Act shall be audited in like manner and with the like incidents as the like accounts of the Corporation.

Audit of
accounts.

106. Any expenses in the execution by the Corporation of this Act with respect to which no other provision is made may be defrayed by the Corporation out of the city rate.

Expenses
of execution
of Act.

107. The costs charges and expenses preliminary to and of and incidental to the preparing 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 or partly out of the city rate and partly out of the revenue of the tramway undertaking of the Corporation as they may determine or out of money to be borrowed under this Act for that purpose.

Costs of
Act.

A.D. 1924. SCHEDULES referred to in the foregoing Act.THE FIRST SCHEDULE.DESCRIPTION OF PROPERTIES OF WHICH PORTIONS ONLY
MAY BE REQUIRED BY THE CORPORATION.

Work.	Numbers on Deposited Plans.																																																																																																																										
Grey Mare Lane Widening.	3.																																																																																																																										
Hulme Hall Lane Widening.	2	3	4	5	6	7	8	9	10	11	12	13	14	17	18	19	20	21	22	23	24	28	29	30	31	32	33	34	35	36	37	75	76	77	78	79	80	81	82	83	84	85	87	88.																																																																															
Oldham Road Widening.	2	3	4	5	6	7	8	9	10	11	13	14	15	16	17	18	19	20	21	24	25	26	27	28	30	31	32	33	34	35	36	37	38	41	42	43	45	46	48	49	50	51	52	54	55	56	57	58	59	60	62	63	64	65	67	68	69	70	71	73	74	75	76	77	78	79	80	81	82	83	85	86	87	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	109	110	111	112	113	114	115	116	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138.					
Ditto - - -	158 (Manchester). 2 (Failsworth).																																																																																																																										
Moston Lane Widening.	3	4	5	6	7	8	9	10	11	12	13	14	16	17	18	19	20	21	22	23	24	25	28	29	30	31	32	33	34	35	38	39	40	43	44	45	46	49	51	52	62	63	64	65	66	67	73	75	77	78	79	80	81	82	83	84	85	86	87	88	89	90	92	94	95	96	97	98	99	100	101	103	104	105	106	108	109	110	111	112	113	114	116	117	118	119	120	121	124	125	126	127	129	130	131	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	153	154	155	156	157	158	159	160	169	171.
Slade Lane Widening.	2	3	4	5.																																																																																																																							
Wilmslow Road and Moseley Road Widening.	4	5	6	7	8	10	11	12	13	14	15	16	17	18	22	25	26	27	28	29	30	31	33	34	35	36.																																																																																																	

Work.	Numbers on Deposited Plans.	A.D. 1924.
Withington Road Widening.	3 4 5 6 7 8 9 10 12 13 14 15.	
Manchester Road and Upper Chorlton Road Widening.	3.	
Hardman Street School Lane and William Street Widening.	30 32 35 43 44 45 46 47.	
Denton Road and Ashton Road Widening.	3 4 5 6.	

THE SECOND SCHEDULE.

POWERS AND DUTIES OF CITY TREASURER.

PART I.—LOCAL ACTS.

Act.	Section.
7 & 8 Vict. c. xl. intituled "An Act for the good government and police regulation of the borough of Manchester."	Section XXIV. Register of mortgages and annuities to be kept and to be open to inspection.
	Section XXVI. Register of transfers to be kept.
7 & 8 Vict. c. xli intituled "An Act for the improvement of the town of Manchester."	Section CXXXVI. Register of mortgages assignments and annuities to be kept and to be open to inspection.
	Section CXXXVIII. Register of transfers to be kept.
Manchester Market Act 1846.	Section LXXXV. Register of mortgages and annuities to be kept and to be open to inspection.
	Section LXXXVII. Register of transfers to be kept.
	Section XC. Mode of paying off mortgages.

A.D. 1924.

Act.

Section.

Manchester Corporation (Waterworks) Act 1847.	Section CLI. Register of mortgages to be kept and to be open to inspec- tion. Section CLIII. Register of transfers to be kept. Section CLVI. Mode of paying off mortgages.
Manchester Corporation Waterworks Amend- ment Act 1848.	Section XXX. Transfer of stock.
Manchester (General Improvement) Act 1851.	Section LXXXVI. Register of mort- gages to be kept and to be open to inspection. Section LXXXVIII. Register of trans- fers to be kept. Section XCI. Mode of paying off mortgages.
Manchester New Streets Act 1853.	Section XXVIII. Register of mort- gages or assignments to be kept and to be open to inspection. Section XXX. Registers of mort- gages to be kept.
Manchester Improve- ment Act 1854.	Section XXX. Register of mort- gages or assignments to be kept and to be open to inspection. Section XXXII. Registers of trans- fers to be kept.
Manchester Improve- ment Act 1858.	Section VII. Register of mortgages or assignments to be kept and to be open to inspection. Section IX. Registers of transfers to be kept.
Manchester Corporation Waterworks and Im- provement Act 1875.	Section 63. Further provisions as to stock certificates. Schedule B. Form of certificate.
Local Government Board's Provisional Orders Confirmation (No. 7) Act 1885.	Article VII. of the Order relating to Manchester.

[14 & 15 GEO. 5.]

*Manchester
Corporation Act, 1924.*

[Ch. xciv.]

<u>Act.</u>	<u>Section.</u>	<u>A.D. 1924.</u>
Manchester Corporation Act 1891.	Section 48. Provisions as to transfers of securities. Section 49. Transmission of securities on death. Section 50. Transmission of securities on marriage &c.	
Manchester Corporation Act 1901.	Section 44. Provisions as to raising money by bills.	
Manchester Corporation Act 1914.	Section 82. Power to use one form of mortgage for all purposes.	

PART II.—GENERAL ACTS.

Public Health Act 1875	Section 237. Register of mortgages. Section 238. Transfer of mortgages.
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