



## CHAPTER lxxxi.

An Act to confer further powers upon the lord mayor aldermen and citizens of the city of Manchester in relation to their tramway and electricity undertakings and for other purposes. A.D. 1929.

[10th May 1929.]

**W**HEREAS it is expedient to confer further powers upon the lord mayor aldermen and citizens of the city of Manchester with reference to their tramway and electricity undertakings :

And whereas it is expedient that the other provisions contained in this Act be enacted :

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 and such estimates are as follows :—

(a) For the construction of the tramways authorised by this Act -	£	24,000
(b) For the electrical equipment of those tramways -	£	1,500

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 :

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— 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 were duly deposited with the clerk of the peace for the county of Lancaster and are in this Act referred to as the deposited plans and sections :

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.

Short title.

1. This Act may be cited as the Manchester Corporation Act 1929.

Act divided into Parts.

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

Part I.—Preliminary.

Part II.—Electricity.

Part III.—Tramways.

Part IV.—Finance and miscellaneous.

Incorporation of Acts.

3. Section 3 (Interpretation of terms) section 19 (Local authority may lease or take tolls) and Parts II and III of the Tramways Act 1870 (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 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 unless the subject or context otherwise requires—

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

- (b) "The city" means the city of Manchester; A.D. 1929.  
 (c) "The town clerk" and "the treasurer" mean  
 respectively the town clerk and the treasurer  
 of the city and include any person duly author-  
 ised to discharge temporarily the duties of  
 those offices;  
 (d) "The general rate fund" and "the general rate"  
 mean respectively the general rate fund and  
 the general rate of the city.

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. Authentica-  
tion of  
notices &c.

6. A copy of the deposited plans and sections 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. Plans &c.  
to be  
open to  
inspection.

7. Copies of the deposited plans and sections or extracts 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 primâ facie evidence of the contents thereof. Certified  
copies of  
plans &c.  
to be  
evidence.

## PART II.

### ELECTRICITY.

8.—(1) For the purpose of supplying electricity to any local authority company or person to whom the Corporation are for the time being authorised to supply electricity in bulk and for the purpose of supplying Power to  
lay con-  
necting  
mains.

A.D. 1929. — electricity to any railway company to whom the Corporation are for the time being authorised to supply electricity the Corporation may by means of electric lines make a connection between any generating station of the Corporation (including any station transforming converting or distributing electricity) and the area of supply of such local authority company or person or the premises of such railway company.

(2) In relation to any such electric lines as aforesaid the Corporation shall have the powers and be subject to the provisions of sections 10 to 20 and section 77 of the schedule to the Electric Lighting (Clauses) Act 1899 and those provisions so far as applicable shall be incorporated with this Act and the Corporation shall be deemed to be the undertakers.

(3) Provided that—

- (a) Section 20 of the schedule to the said Act shall in relation to any such electric lines as aforesaid have effect as if after the words “electric signalling communication” wherever they occur there were inserted the words “or electrical control of railways”;
- (b) All the provisions for the protection of the Postmaster-General and his telegraphic lines contained in the Electricity (Supply) Acts 1882 to 1928 and in the schedule to the Electric Lighting (Clauses) Act 1899 shall extend and apply to the supply of electricity under this section and the construction of electric lines for the purposes of that supply;
- (c) Nothing in this section shall relieve the Corporation from the necessity for obtaining any necessary consent of the Electricity Commissioners under section 11 of the Electricity (Supply) Act 1919 to the establishment of a new or the extension of an existing main transmission line;
- (d) The powers of this section shall not be exercised within the county of Chester without the consent in writing of the Cheshire County Council nor within the city of Salford the borough of Stockport the borough of Middleton the urban district of Ashton-upon-Mersey

the urban district of Cheadle and Gatley the urban district of Sale the urban district of Stretford the urban district of Urmston the rural district of Barton-upon-Irwell or the rural district of Bucklow without the consent in writing of the council of such city borough or district nor within the area of the Stretford and District Electricity Board without the consent in writing of that board.

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9. Where a separate transformer is provided at the expense of the Corporation for the purpose of affording a supply of electricity to any consumer the Corporation may use such transformer for the purpose of affording a supply of electricity to other consumers so long as such use does not prejudice or interfere with the supply for which such transformer was originally provided :

As to use  
of trans-  
formers.

Provided that except—

- (a) for the purpose of affording a supply of electricity to consumers in the city such electricity being transmitted from the transformer by means of electric lines which have already been laid down or which shall be laid down along the route of existing electric lines; and
- (b) with the consent of the council of the borough of Middleton or of the urban district council of Sale or of the urban district council of Cheadle and Gatley as the case may be (which consent shall not be unreasonably withheld);

the Corporation shall not in the exercise of the powers of this Act use any transformer which has been or shall be provided for the purpose of affording a supply of electricity to such council.

Any question as to whether any consent is unreasonably withheld or not shall be determined by the Electricity Commissioners.

### PART III.

#### TRAMWAYS.

10. 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

Power to  
make  
tramways.

A.D. 1929. 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 turn-outs 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 (2 furlongs 2·08 chains in length) commencing in Portland Street by a junction with the existing tramway near to the north-easterly side of Aytoun Street thence proceeding in a south-easterly direction along Aytoun Street and the proposed extension of Aytoun Street to and terminating in Fairfield Street by a junction with the existing tramway near to the easterly side of Cobourg Street;

Tramway No. 1A Double line (1·23 chains in length) commencing in Aytoun Street by a junction with Tramway No. 1 near to the south-easterly side of Portland Street thence proceeding in a south-westerly direction to and terminating in Portland Street by a junction with the existing tramway near to the south-westerly side of Aytoun Street;

Tramway No. 2 Double line (1 furlong 5·05 chains in length) commencing in Rochdale Road by a junction with the existing tramway near to the north-easterly side of Thompson Street thence proceeding in a south-easterly direction along Thompson Street to and terminating in Oldham Road by a junction with the existing tramway near to the south-westerly side of Thompson Street;

Tramway No. 2A Double line (1·29 chains in length) commencing in Rochdale Road by a junction with the existing tramway near to the south-westerly side of Thompson Street thence proceeding in a north-easterly direction to and terminating in Thompson Street by a junction with Tramway No. 2 near to the south-easterly side of Rochdale Road;

Tramway No. 2B Double line (1.55 chains in length) commencing in Thompson Street by a junction with Tramway No. 2 near to the north-westerly side of Oldham Road thence proceeding in a north-easterly direction to and terminating in Oldham Road by a junction with the existing tramway near to the north-easterly side of Thompson Street.

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**11.** If the tramways authorised by this Act are not completed by the thirty-first day of October nineteen hundred and thirty-four then 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 tramways.

**12.—(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 the 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) (as amended by this Act).



The Manchester Corporation Tramways Act 1904— A.D. 1929,

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  
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).

The Manchester Corporation Act 1924—

Section 56 (Power to make additional cross-overs  
and to double tramway lines).

(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.

**13.** Subsection (B) (4) of section 12 (For protection of Postmaster-General) of the Manchester Corporation Tramways Act 1902 shall be read and have effect as if the words "generated or used by or supplied to" were substituted in that subsection for the words "generated by." For protection of Postmaster-General.

**14.** 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. Tramways to form part of tramway undertaking of Corporation.

**15.** 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 Orders as have not been constructed are hereby further extended until the thirty-first day of October nineteen hundred and thirty-four. Extension of time for construction of tramways.

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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;

The Manchester Corporation Act 1920; and

The Manchester Corporation Act 1924 :

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.

PART IV.

FINANCE AND MISCELLANEOUS.

Power to borrow.

16.—(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 general 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):—

Purpose.	Amount.	Period for repayment.
(a) The construction and electrical equipment of the tramways authorised by this Act.	£ 25,500	Twenty years from the date or dates of borrowing.
(b) 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 general rate fund and general rate such further money as may be necessary— A.D. 1929:

(a) for the purposes of Part II (Electricity) with the consent of the Electricity Commissioners;

(b) for the purposes of Part III (Tramways) with the consent of the Minister of Transport;

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);

Section 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 said Act of 1914.

17.—(1) The town clerk shall if and when he is requested by the Minister of Health so to do transmit to the Minister a return showing the provision made for the repayment of any loans raised by the Corporation under any statutory borrowing power.

Return to  
Minister  
with respect  
to repay-  
ment of  
debt.

(2) The return shall show such particulars and shall be made up to such date and in such form as the Minister may require and shall if so required by him be verified by statutory declaration of the treasurer and shall be transmitted within one month after the making of the request and in the event of his failing to make such return the town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by the Minister in a court of summary jurisdiction

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and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(3) If it appears to the Minister by such a return as aforesaid or otherwise that the Corporation have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by any enactment relating to the statutory borrowing power or by the Minister in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the Minister may by order direct that the sum in such order mentioned not exceeding the amount in respect of which default has been made shall be paid or applied in the manner and by the date in such order mentioned and the Corporation shall notify the Minister as soon as the order is complied with and any such order shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

(4) Any provision of any enactment now in force in the city requiring an annual return to be made to the Minister with regard to the payment of debt is hereby repealed.

(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.

Audit of  
accounts.

18. 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.

19. 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 general rate fund.

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—  
Expenses of  
execution  
of Act.

20. 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 general rate fund or out of money to be borrowed under this Act for that purpose.

Costs of  
Act.

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Printed by EYRE and SPOTTISWOODE, LTD.,

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Acts of Parliament.

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