CHAPTER cciii.

An Act to enable the Mayor Aldermen and Citizens of the City of Manchester in the County of Lancaster to acquire and maintain an Art Gallery and for the Regulation thereof to execute Works for the purposes of their Waterworks to amend and extend the Provisions of the Local Acts relating to the City of Manchester and for other purposes. [10th August 1882.] A.D. 1882.

WHEREAS the establishment in the city of Manchester and under the proprietorship of the Mayor Aldermen and Citizens of the said city (in this Act called the Corporation) and chief management of the council of the said city of an institution for the advancement of art with in connexion therewith an art gallery would be for the public benefit of the inhabitants of that city And whereas there is already established in the said city under a deed of settlement dated the 26th day of December 1832 a society of persons called and being "governors" (of three classes namely hereditary governors life governors and annual governors respectively) which society is now commonly called "the Royal Manchester Institution" and has for its objects the advancement of literature science and the arts and the said society has a very valuable fee simple property in the centre of the said city consisting of a large plot of land with a building thereon which is subject to yearly ground rents amounting in the whole to one hundred and thirteen pounds ten shillings and is now vested in trustees and the said society is also possessed of valuable statues and pictures and other works of art and effects in the said building and the said society is desirous of making an arrangement for the continuance of the said institution and the securing of its general objects more efficiently and permanently than is possible under existing circumstances and in order thereto has made to the Corporation a proposal that all the said land and building with the statues pictures and other effects therein the property of the said society shall be vested in and held and kept in proper order by the Corporation for the benefit of the inhabitants of

A.D. 1882.

the said city and the neighbourhood thereof and others resorting thereto and under the management of a governing body consisting as to two-thirds in number of members of the council of the said city or others appointed for that purpose by the said council and as to the remaining third in number of persons (whether members of the said society or not) nominated by the said society and it is expedient that provision should be made with reference thereto as in this Act contained:

And whereas by the several Acts enumerated in the first part of the First Schedule to this Act (herein-after referred to as "the Waterworks Acts") powers have been from time to time conferred upon the Corporation with reference to the supply of water within the limits prescribed by those Acts and the execution of works for that purpose and it is expedient for the purpose of enabling the Corporation more effectually to carry out the objects of the Waterworks Acts that they should be empowered to execute certain works in connexion with their waterworks undertaking:

And whereas the Acts of Parliament enumerated in the second part of the First Schedule to this Act (herein-after referred to as "the Improvement Acts") have been passed with reference to the good government and improvement of the city of Manchester and in reference to the gasworks of the Corporation:

And whereas plans and sections showing the lines and levels of the works by this Act authorised and also books 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 the counties of Lancaster Chester and Derby which plans sections and books of reference are in this Act respectively referred to as the deposited plans sections and books of reference:

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

For waterworks - -	£400,000
For rivers - - - -	£50,000
For paving sewering and highways -	£50,000
For sanitary purposes - -	£20,000

and those works are permanent works within the meaning of section 234 of the Public Health Act 1875:

38 & 39 Vict. c. 55.

And whereas it is expedient that further provision should be made with reference to the borrowing powers of the Corporation, and that the Waterworks Acts and the Improvement Acts which

are herein-after collectively referred to as "the Local Acts" should be otherwise amended:

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

And whereas an absolute majority of the whole number of the council at a meeting held on the twenty-sixth day of October one thousand eight hundred and eighty-one after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the "Manchester Examiner and Times" newspaper a local newspaper published or circulating in the city of Manchester such notice being in addition to the ordinary notices required for summoning such meeting resolved that the expense in relation to promoting the Bill for this Act should be charged on the city rate of the city:

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

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held in pursuance of a similar notice on the first day of February one thousand eight hundred and eighty-two being not less than fourteen days after the deposit of the Bill in Parliament:

And whereas the owners and ratepayers of the city by resolution in the manner provided in Schedule 3 of the Public Health Act 1875 consented to the promotion of the Bill for this Act:

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

Short title.

1. This Act may be cited for all purposes as the Manchester Corporation Act 1882.

Incorporation of General Acts.
8 & 9 Vict. c. 18.
23 & 24 Vict. c. 106.
32 & 33 Vict. c. 18.
10 & 11 Vict. c. 17.
26 & 27 Vict. c. 93.
8 & 9 Vict. c. 20.

2. The Lands Clauses Consolidation Acts 1845 1860 and 1869 the Waterworks Clauses Acts 1847 and 1863 (except the provisions of the Waterworks Clauses Act 1847 contained in sections 75 to 83 both inclusive with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit) and the clauses and provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of land near the railway during the construction thereof and with respect to the crossing of roads and other interference therewith are (except where expressly varied or otherwise provided for by this Act) incorporated with and form part of this Act: Provided always that the incorpo-

A.D. 1882.

rated clauses and provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands shall apply only with respect to the enlargement of the reservoir as hereby authorised and for the purposes of this Act the said clauses and provisions shall be read as if any part of the reservoir were therein referred to instead of the centre of the railway and the prescribed distance shall be fifty yards.

Interpretation of terms.

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

The expressions "the undertakers" or "the promoters of the undertaking" shall mean the Corporation;

The expression "the railway" shall mean the new works authorised by this Act;

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

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

The expression "the Society" shall mean the society now commonly called the Royal Manchester Institution;

The expression "Court of Chancery" shall include the Court of Chancery for the county palatine of Lancaster;

The word "person" shall include a company or body corporate;

The words "council" or "municipal council" "city fund" and "city rate" respectively when used in this Act shall respectively mean the council the borough fund and borough rate mentioned and referred to in the Act to provide for the regulation of Municipal Corporations in England and Wales (5 and 6 William IV. chapter 76) and all Acts amending or extending the same;

The word "river" shall extend to and comprise any river stream or watercourse or any part thereof within the city of Manchester;

The word "street" shall include any present or future square street court or alley highway lane road thoroughfare or public passage or place within the city of Manchester.

Council to execute Act.

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

Corporation may appoint committees.

5. It shall be lawful for the Corporation and they are hereby empowered to appoint out of their body (except in relation to the art gallery as to which special provision is made by this Act) from time to time one or more committee or committees consisting of such number of persons as they may think fit to manage and transact all or any of the measures or purposes which the Corporation are by this Act or by any other Act relating to the city directed or authorised expressly or by reference to do execute or perform which committee or committees shall have so many and such of the powers authorities and discretions by such Acts respectively given to and reposed in the Corporation as the Corporation shall think proper to delegate to such committee or committees: Provided that a committee shall not be hereby empowered to borrow money except with the sanction of the council or to make a rate.

Authentication of notices.

30 & 31 Vict. c. xxxvi.

6. Any summons demand notice or document to be given made or entered into by or on the part of the Corporation under this Act shall be sufficient if signed by the town clerk and may be in writing or print or partially in writing and partially in print and the provisions of the fifty-first section of the Manchester Corporation Waterworks and Improvement Act 1867 shall apply to every such summons demand notice or other document:

Any summons notice or document under this Act requiring service may be served in manner expressed in such fifty-first section.

Property of society transferred to and vested in Corporation.

7. The council of the city shall accept and take the land and building of the society described in the Second Schedule to this Act (subject to the ground rents affecting the same) and also all the statues and paintings and articles in the said building the property of the society and accordingly the said land and building are hereby vested in the Corporation in fee simple subject to the said ground rents and the said statues and paintings and other articles are also hereby vested in the Corporation absolutely and the council shall appropriate the said land and building and also the said statues paintings and articles as and for a permanent art gallery And the council may from time to time extend the site of the said institution or building or change such site and if necessary for any of the purposes aforesaid may purchase or lease lands or buildings and from time to time erect change alter and extend buildings and shall maintain the present building or any other buildings in good repair and shall always pay (unless and until redeemed) the ground rents of the present building and keep indemnified therefrom or from any claim in respect thereof all other persons liable to the payment of the same.

Corporation may sell or let land so

8. If at any time hereafter the land hereby vested in the Corporation or any part thereof or any other land purchased under the

A.D. 1882.

vested and provide other in lieu thereof.

foregoing powers of this Act shall not be required for the purposes of this Act it shall be lawful for the council to sell or let on lease such lands and the purchase money which shall be paid for any land which shall be so sold shall be applied in the purchase of other lands for the foregoing purposes of this Act or in purchasing and extinguishing the said ground rents or in effecting improvements of a permanent nature upon the land or buildings for the time being vested in the Corporation under the foregoing powers or provisions of this Act or in purchasing paintings and sculptures and other articles to be deposited in the said art gallery and the rent to be received by virtue of any such lease shall from time to time be disposed of after payment of expenses for the same purposes as the yearly sum of two thousand pounds herein-after provided for.

As to constitution and appointment of art gallery committee.

9. A committee for the purposes of this Act relating to the art gallery shall be constituted as follows namely the council shall from time to time at their statutory quarterly meeting in the month of November in every year by resolution appoint such fourteen persons members of the council or not as they shall choose to be members of such committee and such persons together with such seven persons members of the society or not as the society shall prior to such quarterly meeting in November as aforesaid nominate in writing to the council for appointment by them (and which appointment shall be made by the council accordingly) shall constitute the said committee for the purposes of this Act and such committee shall be deemed to all intents and purposes a committee of the council and shall be called "the Art Gallery Committee" and the council shall delegate and give to such committee all such powers and instructions relative to the purposes of this Act as the council may deem proper Provided that the proceedings of such committee shall be submitted to the council for confirmation or otherwise in the same manner as the proceedings of other committees of such council Provided also that all persons members of the said committee but not members of the council shall have and be under all the same and none other rights duties responsibilities and control as they would have had and been under if they had been members of the council In case the said society shall at any time make default in nominating previous to the said quarterly meeting in November in any year to the council such seven persons as aforesaid to be members of the art gallery committee as before mentioned then and in any such case the fourteen persons appointed by the council shall be the art gallery committee for the then current year: Provided that the said committee shall not be empowered to borrow money or to make a rate.

As to management of art gallery.

10. The council shall from time to time purchase and provide such fuel lighting fixtures furniture and other things proper for the convenient use of the art gallery and appoint and from time to time remove such officers and servants with such salaries and remuneration and make such rules and regulations for the safety and use of the said art gallery and for the admission of visitors and others as the council shall think fit.

Art gallery to be held on trust for benefit of citizens.

11. The said art gallery and all articles and objects therein shall be held upon trust by the Corporation and shall be managed by the council by or through such committee as aforesaid and shall at all times be kept in fit and proper order for the benefit of the citizens of Manchester Provided always that the council may from time to time as occasion may require and as to them may seem expedient and proper sell or exchange any articles or objects which shall for the time being have been acquired by them (either now or hereafter) for the said art gallery but the money arising from any such sale shall be applied in the purchase of other articles or objects and for no other use or purpose whatsoever and the articles received in exchange shall take the place for all purposes of the articles given in exchange And the council may from time to time at their discretion receive by way of gift or bequest any appropriate articles or objects which they shall deem desirable acquisitions and all such articles and objects shall belong to and form part of the said art gallery.

As to meetings, lectures &c.

12. The art gallery committee shall provide in the premises for the time being used for the purposes of such art gallery suitable accommodation for the meetings of the society and for lectures to be given by the society under their own regulations and may also cause other lectures to be given in such premises and make such reasonable charges to persons not being governors or members of their families for admission to such last-mentioned lectures as to the municipal council may seem fit.

As to exhibitions of works of art &c.

13. The art gallery committee may cause exhibitions of works of art to be held on the premises under such rules and regulations and at such charges to persons not being governors or members of their families for admission to such exhibitions or free as to the art gallery committee shall seem fit and the net profits arising from such exhibitions shall be expended from time to time in the first place in payment of the aforesaid chief rents and subject thereto in the development of the permanent art gallery.

Corporation to provide yearly sum for purchase

14. For a period of twenty years from and after the passing of this Act the council shall provide out of the city rate a yearly sum of two thousand pounds and devote the same at the discretion of the

A.D. 1882.

of works of art &c.

art gallery committee to the purchase of works or other objects of art so that in time there shall be formed a permanent art gallery the property of the Corporation in trust for the benefit of the said city and all such works or other objects shall belong to or form part of the said art gallery.

As to admission to art gallery.

15. Admission of the public to the art gallery shall be free of charge on such days of the week as the art gallery committee shall determine and the said committee shall also determine the terms and conditions of admission of the public on other days.

Reserving privileges of governors.

16. All existing privileges of governors and their families set forth in the Third Schedule to this Act shall be and are hereby reserved to them.

As to payment of expenses.

17. It shall be lawful for the council to defray out of the city rate the expenses incidental to or necessary for the due carrying into effect the purposes of this Act relating to the said art gallery.

Power to construct new works for waterworks purposes.

18. Subject to the provisions of this Act the Corporation may make construct lay down and maintain in the situation and lines and according to the levels shown on the deposited plans and sections relating thereto the several works herein-after described and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as are required for those purposes:

The works herein-before referred to and authorised by this Act are:—

28 & 29 Vict. c. cxlv.

The enlargement of the existing Bottoms reservoir of the Corporation constructed under the powers of the Manchester Corporation Waterworks Act 1865 by the raising of the existing waste weir of the said reservoir which said reservoir when enlarged will extend from the existing embankment of the said reservoir in an easterly direction to the embankment of the existing Vale House reservoir of the Corporation where it will terminate The said enlargement will be situate in the township of Tintwistle in the parish of Mottram-en-Longdendale in the county of Chester and in the township of Padfield in the parish of Glossop in the county of Derby:

An aqueduct conduit or line of pipes No. 1 to commence in the road from Manchester to Hyde at a point measured thirty-three yards or thereabouts in a north-easterly direction from the most northerly corner of a house No. 2 Reddish Lane occupied by James Oldham and to terminate in the said road at a point thirteen yards or thereabouts measured in a north-easterly direction from the most northerly corner of the house No. 1006 in the said road from Manchester to Hyde occupied by John

Gorton Redford which aqueduct conduit or line of pipes will be wholly situate in the township of Gorton in the parish of Manchester and county of Lancaster:

An aqueduct conduit or line of pipes No. 2 to commence in the road from Manchester to Hyde on the southerly side thereof at a point measured forty yards or thereabouts in an easterly direction from the centre of the bridge carrying the said road over the Midland Railway immediately adjoining to the Belle Vue station of the said railway and to terminate in the said road at a point measured forty-four yards or thereabouts in a westerly direction from the centre of the said bridge which aqueduct conduit or line of pipes will be wholly situate in the township of Gorton in the parish of Manchester and county of Lancaster.

As to additional compensation water.

19. From and after the time that any enlargement of the Bottoms Lodge reservoir by this Act authorised shall be constructed the Corporation shall in lieu of the fifty-nine cubic feet of water per second for twelve hours of every working day which they are now required to discharge into the river Etherow cause a quantity of water equal in the whole to sixty cubic feet per second for twelve hours of every working day to be discharged through or over the gauge by the Waterworks Act of 1865 required to be constructed From and after the period at which the Corporation are by this section required to cause the said quantity of sixty cubic feet of water per second to be discharged through or over the said gauge sections 51 and 52 of the Waterworks Act 1847 and section 14 of the Waterworks Act 1860 shall be read as if those sections had specially related to the discharge of the said quantity of water through or over the said gauge as well as to any other quantity of water which the Corporation may from time to time be required to discharge under the provisions of any of the Waterworks Acts and the provisions of sections 8 to 11 both inclusive of the Waterworks Act 1865 shall apply to this section.

10 & 11 Vict. c. cciii. 23 & 24 Vict. c. xciii.

New waterworks to form part of waterworks undertaking of Corporation.

20. The waterworks so to be constructed shall for all purposes whatsoever be deemed part of the waterworks undertaking of the Corporation as if they had been authorised by and included or referred to in the Waterworks Acts.

Power to deviate in construction of new waterworks.

21. The Corporation may in the construction of the new aqueducts by this Act authorised and herein-before described deviate laterally from the lines or position thereof respectively as shown on the deposited plans to any extent within the limits of deviation shown on those plans and may also deviate upwards from the levels of the new aqueducts by this Act authorised as

A.D. 1882.

delineated on the deposited sections to any extent not exceeding one foot.

For the protection of Messrs. Sidebottom.

22. Provided always but without prejudice to the exercise of the powers of this Act with reference to the waterworks that nothing in this Act contained shall prejudice or affect any rights or privileges of Tom Harrop Sidebottom and James Sidebottom or either of them or their or either of their heirs executors administrators or assigns under or by virtue of sections 17 and 18 or either of them contained in the Manchester Corporation Waterworks and Improvement Act 1875.

38 & 39 Vict. c. clxi.

For the protection of the Manchester Sheffield and Lincolnshire Railway Company and the Sheffield and Midland Railway Companies Committee.

23. The powers of this Act with respect to the purchase and acquisition of lands otherwise than by agreement for the purposes of the works by this Act authorised shall so far as they relate to or affect the railways canals lands and works either of the Manchester Sheffield and Lincolnshire Railway Company (herein-after called "the Sheffield Company") or of the Sheffield and Midland Railway Companies Committee (herein-after called "the Committee") unless with the previous consent of that company or committee as the case may be in writing under their common seal be exercised only subject to and in accordance with the following provisions:—

(1) The Corporation shall not without in every case the previous consent of the Sheffield Company or the Committee as the case may be in writing under their respective common seals take use enter upon or interfere with any railway canal land or work belonging to that Company or Committee except so far only as shall be necessary for the purpose of laying down and maintaining the lines of pipes and works as the same are by this Act to be laid down and maintained:

(2) With respect to any land of the Sheffield Company or of the Committee which the Corporation is by this Act authorised to take use enter upon or interfere with the Corporation shall not purchase or take the same but the Corporation may purchase and take and the Sheffield Company and the Committee as the case may be may and shall sell and grant accordingly an easement or right of using the same for the purposes for which (but for this enactment) the Corporation might purchase and take the same:

(3) All pipes and works connected therewith which are by this Act authorised to be laid down and maintained under or across any railway canal land or work of the Sheffield Company or the Committee or either of them and all temporary works during the laying down and construction thereof shall respectively be laid down constructed and maintained under the inspection and to the reasonable satisfaction of the engineer for

the time being of the Sheffield Company or as the case may be of the Committee and according to plans and specifications to be approved by such engineer and the engineer of the Corporation or in the event of difference by an engineer to be appointed by the President for the time being of the Institution of Civil Engineers on the application of either party :

(4) The Corporation shall not in any manner in the execution of any of their works obstruct or interfere with the free and uninterrupted and safe use of the railways canals or other works of the Sheffield Company or the Committee or either of them :

(5) The Corporation shall bear and on demand pay to the Sheffield Company or to the Committee as the case may be the expense of the employment by that Company or Committee during the execution of any work affecting the railway canal and works of that Company or Committee as the case may be of a sufficient number of inspectors and watchmen to be appointed by that Company or Committee as the case may be for watching the same with reference to and during the execution of any such work of the Corporation and for preventing so far as may be all interference obstruction danger and accidents from any of the operations or from the acts or defaults of the Corporation or their contractors or any person in the employ of the Corporation or of their contractors with reference thereto or otherwise :

(6) If by reason of the execution of any of the works or any proceedings of the Corporation or the failure of any works or any act or omission of the Corporation or of their contractors or of any person in the employ of the Corporation or of their contractors or otherwise any works of the Sheffield Company or the Committee shall be injured or damaged such injury or damage shall be forthwith made good by the Corporation at their own expense or in the event of their failing so to do then the Sheffield Company or the Committee each as regards their several and respective works may make good the same and recover the expense thereof with full costs against the Corporation in any court of competent jurisdiction and if any interruption shall be occasioned to the traffic of or upon any railway canal or other work of the Sheffield Company or the Committee by reason of any of the matters or causes aforesaid the Corporation shall pay to that Company or Committee as the case may be all costs and expenses to which that Company or Committee may be put as well as full compensation for the loss and inconvenience sustained by them by reason of any

A.D. 1882.

such interruption such costs expenses and compensation to be recoverable from the Corporation in any court of competent jurisdiction:

(7) The Corporation shall at all times maintain the pipes and other works belonging to them under or over the railway canal towing paths and other works of the Sheffield Company or the Committee or either of them in good and substantial repair and condition to the reasonable satisfaction in all respects of the engineer of that Company or Committee as the case may be and if and whenever the Corporation fail so to do the Sheffield Company or the Committee as the case may be may make and do in and upon as well the lands of the Corporation as their own lands all such works and things as the Sheffield Company or the Committee or either of them may reasonably think requisite in that behalf and the sum from time to time certified by their respective engineers to be the reasonable amount of such their expenditure shall be repaid to them by the Corporation and in default of full payment may be recoverable with full costs by the Sheffield Company or the Committee as the case may be from the Corporation in any court of competent jurisdiction:

(8) If any difference shall arise between the Corporation and the Sheffield Company or between the Corporation and the Committee as to the true intent and meaning of this enactment or the mode of giving effect thereto the same shall be from time to time determined by arbitration in the manner prescribed by the Railways Clauses Consolidation Act 1845 with reference to the settlement of disputes by arbitration.

Corporation may provide gas apparatus, &c.

24. The Corporation may if they think fit purchase provide supply sell let for hire use and otherwise deal in machinery and other apparatus for using gas for the lighting and warming of houses and buildings the cooking of food and for motive power and other purposes for which gas can or may be used and any such letting for hire may be for such remuneration in money and on such terms with respect to the repair of the articles and fittings so hired as aforesaid and for securing the safety and return to the Corporation of such machinery apparatus and fittings and otherwise as may be agreed upon between the hirer and the Corporation.

Places for dancing music and other public entertainments to be licensed.

25. No house room or other place licensed for the sale of wine spirits beer or other fermented or distilled liquors nor any room gardens or place shall be kept or used for public dancing music or other public entertainment of the like kind without a licence for

the respective purposes first obtained from the justices acting for the city; and such justices may under the hands and seals of a majority of them assembled at any special session for the granting or transfer of ale house licences grant licences to such persons as they shall think fit to keep or use such house rooms gardens or places for public dancing music or other public entertainment of the like kind upon such terms and conditions and subject to such restrictions as they shall by such licence determine and such licence shall be in force for one year and such justices may from time to time at any such special session as aforesaid transfer any such licence to such person as they shall think fit and such person shall in each case give seven days' notice to the clerk to the justices and to the chief constable of his intention to apply for such licence or for the transfer of such licence.

Penalty for keeping unlicensed dancing &c. rooms.

26. Any house room garden or place kept or used for public dancing music or other public entertainment of the like kind without such licence first had and obtained shall be deemed a disorderly house and the person occupying or rated as the occupier of the same shall be liable to a penalty not exceeding five pounds for every day on which the same shall be kept and used for any of the purposes last aforesaid but no proceedings for the recovery of such penalty or otherwise under this section shall be instituted except upon the information upon oath of a police constable Provided always that in order to give public notice what places are licensed pursuant to this Act there shall be affixed and kept up in some conspicuous place on the door or entrance of such house room garden or place kept or used for any of the said purposes and so licensed as aforesaid an inscription in large capital letters in the words following "Licensed pursuant to Act of Parliament" and no such house room garden or place kept or used for any of the said purposes although licensed as aforesaid shall be opened for any of the said purposes except between the hours stated in the licence and the affixing and keeping up of such inscription as aforesaid and the said limitation in point of time shall be inserted in and made conditions of every such licence and in the case of any breach of either of the said conditions such licence shall be liable to be forfeited and revoked by any two justices Provided also that it shall be lawful for every person who shall think himself aggrieved by any order of such justices or by any refusal to grant or transfer any licence under this or the preceding section of this Act to appeal therefrom to the sessions of the peace for the city in the manner and subject to the provisions contained in the Improvement Acts and this Act relative to appeals to such sessions from any order of justices.

A.D. 1882.

Dams &c. not to be erected on rivers.

27. Every person who shall after the commencement of this Act construct or erect within the city any dam weir or other erection across or in or upon any river or make or cause any obstruction in any river or extend add to or increase any erection or obstruction heretofore erected or existing in any river whereby the flow of water shall be obstructed or any nuisance created shall for every such offence be liable to a penalty not exceeding fifty pounds and to a further penalty of ten pounds for every day during which the offence shall continue and such person shall within one month after notice from the Corporation so to do take down and remove such erection or obstruction or such part thereof as shall have been erected created or made after the commencement of this Act.

Existing dams &c. to be removed.

28. All erections or obstructions within the city which respectively impede the free flow of water in any river shall within one month after notice from the Corporation to the owner or occupier or the person claiming or having the benefit thereof requiring such erection or obstruction to be taken down and removed or altered varied or improved be taken down and removed or altered varied or improved accordingly and every person refusing to comply with such notice or offending against the provisions in this section contained shall for every offence be liable to a penalty not exceeding fifty pounds and to a further penalty of ten pounds for every day during which such offence shall continue Provided always that no such erection or obstruction to which any person may have before the commencement of this Act acquired a legal right shall be taken down or removed or altered varied or improved without compensation being made for any cost damage or injury if any which the owner or occupier or the person claiming or having the benefit thereof respectively may sustain the amount of such compensation in case of any disagreement respecting the same to be ascertained and settled in the manner provided by the Public Health Act 1875 for the settlement of disputes as to compensation.

Corporation may remove rubbish from river.

29. The Corporation may but it shall not be obligatory upon them so to do from time to time remove all rubbish and other materials matters and things which have fallen flowed or been cast into or placed in any river within the city and in case the same shall have arisen from the act or default of any person may recover from him the cost incurred by them in the same manner as the charges for paving and sewering streets are recoverable under the Manchester General Improvement Act 1851.

14 & 15 Vict. c. cxix.

Corporation may define boundaries of river.

30. In order to prevent encroachments on any river within the city and to secure regularity in the banks thereof the Corporation may at any time within eighteen months after the commencement of

this Act cause a survey of any such river to be made all along its course in the city and a plan to be prepared showing the width of the river and the property immediately adjoining thereto within the city together with such other particulars as the Corporation may think fit and the Corporation may define and describe upon such plan what shall be the boundaries of the river and no person shall build any wall building or other structure which shall project into the river as so defined save such structures as are or shall be authorised by Act of Parliament and such plan shall be lodged at the town hall and shall be accessible to the inhabitants of the city at all reasonable times.

Provided always that the Corporation shall within one month after the completion of the said survey and plan give public notice thereof by advertisement in two newspapers circulating in the city and if within one month from the publication of such notice the owner or owners of lands adjoining such river to the extent in the whole of one mile in length shall give notice that they are not satisfied with the boundaries of the river as so defined the Board of Trade may and they are hereby required on application of the Corporation or of such landowners to appoint some person to inquire into the matter and to ascertain and define the boundaries of any river for which purpose such person shall have power to hear the Corporation or such landowners by their counsel agents or witnesses and to call for books or documents in the possession of such landowners or the Corporation and to examine witnesses on oath and to administer the oaths necessary for that purpose and the boundaries of any river which shall be defined by such person shall thenceforth be and be deemed to be the boundaries of such river and the costs of such inquiry shall be in the discretion of the arbitrator.

Penalty for building within defined line.

31. If any building or erection be begun to be put up built or erected in any river within the city as defined on such plan the offender shall be liable to a penalty not exceeding twenty pounds and shall within seven days after notice in writing from the Corporation requiring him so to do cause such building or erection to be taken down or altered to the satisfaction of the Corporation :

Provided always that nothing in this or the preceding section contained shall apply to any wall building or other structure constructed or to be constructed by any railway company under any existing Act of Parliament.

Saving rights of the Mersey and Irwell Navigation Company.

32. It shall not be lawful for the Corporation or any other person unless in every case with the previous consent in writing of the Company of Proprietors of the Mersey and Irwell Navigation signified under their common seal to exercise over the river Irwell within the limits of the said navigation or the banks or soil thereof any of the

A.D. 1882.

powers contained in the five immediately preceding sections of this Act or any of them nor shall anything in this Act contained take away diminish alter prejudice or affect any of the rights powers privileges or authorities of the said company of proprietors under or by virtue of any Act of Parliament relating to the said company of proprietors or their said navigation.

Protection from penalties in certain cases.

33. No person shall be liable to any penalty under this Act for any reasonable erection or obstruction across or in or upon any river for the purposes of repairing or reconstructing the walls or banks of such river or for any other temporary purpose and every person who shall make any such erection or obstruction shall as soon as practicable after the completion of the work for which the same shall have been made remove such erection or obstruction and in default of such removal the Corporation may remove the same and recover the expenses from such person.

Provided always that the Corporation shall not be empowered to take down or remove any present or future erection or obstruction which but for the passing of this Act any person would have had a legal right to construct in the said river without making full compensation to such person for all damage or injury he may sustain the amount of such compensation in case of any disagreement respecting the same to be ascertained and settled in the manner provided by the Public Health Act 1875 for the settlement of disputes as to compensation.

Additional remedy for default of compliance with notice in respect to rivers.

34. The Corporation may by way of additional remedy in case of default of compliance with any notice in respect to rivers under any or either of the preceding sections of this Act take down and remove or demolish such erection or obstruction or such part thereof as they shall deem expedient or alter vary or improve the same and recover the expenses incurred thereby from the person making default in the same manner as the charges for paving and sewering streets are recoverable under the Manchester General Improvement Act 1851.

Certain works on river Medlock excepted.

35. Nothing in this Act contained shall extend or apply to the existing tunnels and structures (inclusive of the weir known as Birley's otherwise Macintosh's Weir) upon in or over the river Medlock of and belonging to the persons following in connexion with their several works situate as herein-after mentioned or to the owners or occupiers for the time being of such works namely Thomas Hoyle and Sons Limited at or near Mayfield Crossley Brothers Limited at or near Great Marlborough Street Birley and Company at or near Cambridge Street and Charles Macintosh and Company at or near Cambridge Street nor to any future bridges or other like communications across the river Medlock in connexion with the foregoing

works or any of them so placed as not to contract the width of the river or interfere with the flow of such river in time of flood.

Costs &c. how to be paid.

36. All costs charges and expenses incurred by the Corporation incidental to the several things authorised to be done by this Act or any other Act for the time being in force within the city in relation to any river shall be paid out of the city fund.

Power to enter into agreements for and contribute towards the expenses of works for preventing floods &c.

37. For the purposes of preventing floods within the city the Corporation may enter into agreements with the mayor aldermen and burgesses of the borough of Salford (herein-after called the Corporation of Salford) or with the consent of the Local Government Board any other sanitary authority or the Company of Proprietors of the Mersey and Irwell navigation for the execution of works for the improvement of any river or its weirs sluices or works within or beyond the limits of the city and for the contribution by the contracting parties to the cost of the execution of works and such agreements may contain clauses providing for the maintenance and due working of any apparatus or works which shall be deemed to be statutory obligations.

Restriction on casual employment of children. 39 & 40 Vict. c. 79.

38. After the passing of this Act no child under the age of fourteen years shall unless he has obtained a certificate of ability to read and write and of a knowledge of elementary arithmetic in terms of section 5 of the Elementary Education Act 1876 be employed in any casual employment within the city after nine o'clock at night from the first day of April to the first day of October and after seven o'clock at night from the first day of October to the first day of April.

Definition of term "casual employment.

39. Casual employment shall mean employment for purposes of gain in streets or other places in vending or exposing for sale any article whatsoever.

Penalty for employing a child in contravention of Act.

40. Every person who takes a child into his employment in contravention of this Act shall be liable on summary conviction to a penalty not exceeding forty shillings.

Definition of employment in case of parent.

41. A parent of a child who employs such child in any labour exercised by way of trade or for the purposes of gain or who permits such child to be engaged in any such labour on its own behalf shall be deemed for the purposes of this Act to take such child into his employment.

Enforcement of Act by school board or by inspectors of factories &c.

42. The provisions of this Act respecting the employment of children shall be enforced by the school board of the city provided that it shall be the duty of the inspectors and sub-inspectors acting under the Acts regulating factories workshops and mines respectively and not of the school board to enforce the observance by

A.D. 1882.

the employers of children of the provisions of this Act respecting the employment of children in such factories workshops and mines but it shall be the duty of the school board to assist the said inspectors and sub-inspectors in the performance of their duty by information and otherwise.

As to inspection of houses occupied by more than one family.

43. For the purpose of more effectually carrying into effect the provisions of section 90 of the Public Health Act 1875 as to lodging-houses it shall be lawful for any justices of the peace in petty sessions acting for the city upon sworn information and such other evidence as they may require to make an order authorising any inspector to be therein named to enter any dwelling house in which members of more than one family reside for the purpose of ascertaining if the provisions of the said Act are duly carried into effect or if such house requires registration under such Act but such order shall be operative only for a period of two months from the date thereof.

As to smoke nuisances.

44. For the purpose of more effectually carrying into effect the provisions of the Public Health Act 1875 in respect to smoke nuisance when an order of abatement or prohibition has been made under that Act it shall be lawful for the justices of the peace for the city to impose any daily penalty not exceeding ten pounds in respect of any breach or non-observance of such order.

Byelaws for prevention of danger from telegraph wires &c.

45. (1.) The Corporation may from time to time make alter and repeal byelaws for prevention of danger or obstruction to the public from wires tubes or any other appliances or apparatus stretched or placed over across under or in any street (whether before or after the passing of this Act) for the purpose of any telegraph telephone railway signalling or for any other purpose:

(2.) By such byelaws the Corporation may provide for the inspection and examination of any such wires tubes or other appliances or apparatus and for the prohibition of any such wires tubes or other appliances or apparatus being or continuing to be stretched or placed as aforesaid without a licence from the Corporation and for the grant of such licences on such terms and conditions for prevention of danger or obstruction to the public as the Corporation may seem fit:

(3.) If any wire tube or other appliance or apparatus is continued to be placed or stretched as aforesaid in contravention of any byelaws made or of the terms and conditions of any licence granted by the Corporation under this section after notice of the contravention from the Corporation it shall be lawful for the Corporation to cause the same to be removed without incurring any liability for damages to the owners or to any other person:

(4.) The Corporation may impose on offenders against such byelaws such reasonable penalties as they think fit not exceeding five pounds for each offence and in addition forty shillings for every day during which the offence is continued after written notice thereof from the Corporation:

(5.) Byelaws made under this section and any alteration or repeal of any such byelaw shall not take effect unless and until they have been submitted to and confirmed by the Board of Trade which board is hereby empowered to allow or disallow the same as it may think proper and such reasonable notice of the intended submission of any such byelaw or any alteration or repeal thereof for confirmation shall be given by the Corporation by advertisement in local newspapers circulating in the city circular letter or otherwise as may enable any company or person interested to object to such byelaw or the alteration or repeal thereof:

(6.) Nothing in such byelaws shall extend to any posts wires tubes or other property of Her Majesty's Postmaster-General:

(7.) Nothing in such byelaws shall extend to any wire cable tube or other apparatus whatsoever belonging to any railway or canal company or which shall be used by them in connexion with their business and which is now or shall hereafter be fixed or placed in upon along over across or beneath any street provided it does not project or is not stretched or placed beyond such railway or canal over or across such street:

(8.) Nothing in such byelaws shall extend to any post wire tube or other appliance or apparatus which before the passing of this Act was stretched or placed as aforesaid (herein-after called an "existing work") until the expiration of five years from the passing of this Act.

As to existing telegraph wires &c.

46. (1.) If during the said period of five years any existing work is in the opinion of the city surveyor in such a state or position that immediate danger to any person is to be apprehended he may give information to any justice who may thereupon summon the owner or lessee thereof or other person interested therein to appear before a court of summary jurisdiction and the court may make an order requiring such owner lessee or other person or all or any of them to remove the source of danger or authorising the surveyor to do so at the expense of such owner lessee or other person or of all or any of them or such other order as may appear to the court in all the circumstances of the case to be necessary and proper:

(2.) The Corporation may during the said five years on a written certificate from the surveyor to the effect that danger is to be apprehended from the state or position of any existing work require such owner lessee or other person as aforesaid or all or any of them

A.D. 1882.

to make such alterations as shall remove the source of danger on payment or tender by the Corporation of one-half of the expense or estimated expense of or in connexion with such alterations and in default of compliance with such requirement the Corporation may enter and effect the alterations and may recover one-half of the expense thereof from such owner lessee or other person as aforesaid or from all or any of them:

(3.) Provided that nothing in this section shall extend to any posts wires tubes or other property of Her Majesty's Postmaster-General.

Restrictions on placing wires &c. other than telegraph wires &c. over under across or along streets or roads.

47. It shall not be lawful for any person to fix or place any rope line cord post wire tube or other apparatus (other than posts wires tubes or other apparatus for telegraphic or telephonic purposes) over under across or along any street or road without the consent of the Corporation which consent shall be in writing under the hand of the town clerk and may contain such terms and conditions as the Corporation think fit Provided that nothing in this section shall extend to any posts wires tubes or other property of Her Majesty's Postmaster-General.

Corporation not to be liable.

48. The Corporation shall not be liable for any loss damage or injury caused by the placing fixing or attaching of any apparatus under the foregoing provisions or by reason of any failure of any such apparatus as aforesaid.

Power to Corporations of Manchester and Salford to agree as to bridges.

49. It shall be lawful for the Corporations of Manchester and Salford respectively from time to time to enter into agreements with reference to the maintenance and inspection of any bridges connecting their respective districts.

As to periods for appeals.

50. No appeal against any order determination or adjudication of the Corporation or the council or the city justices under the Improvement Acts or this Act shall hereafter be made unless within twenty-eight days from the date of such order determination or adjudication notice of such appeal be given Provided always that it shall suffice if notice of appeal be given for the next sessions of the peace which may be held after the expiration of ten days from the service of such notice.

Places of worship not to be liable to expenses of sewering &c.

51. No expenses in relation to the sewering paving or flagging of any street court or passage under any of the Improvement Acts shall hereafter be charged to or recovered from any person as owner of or in respect of any church chapel or place appropriated to public religious worship or any churchyard or burial ground attached thereto which is now by law exempt from rates for the relief of the poor and the Corporation may if they think fit at the cost of the

city rate undertake any works in relation to which exemption is hereby granted.

Extending period for instituting legal proceedings in respect of obstructions &c.

52. Legal proceedings may be instituted by the Corporation with reference to any obstruction interference or encroachment in or other breach of the Acts of Parliament or byelaws in relation to any street within two years after the occurrence of such breach and any penalty for such breach may be enforced accordingly.

As to projections under streets.

53. Whereas for the convenience of persons erecting buildings in the city the Corporation have permitted portions of such buildings to project under the street upon certain conditions specified in writing between the parties and the Corporation are unwilling to withdraw the privileges so given but it is doubtful whether such agreements or conditions will be obligatory on the owners for the time being of the said buildings Therefore all such agreements and conditions shall be obligatory upon the owner or owners for the time being of such buildings unless within three months after receiving from the Corporation notice in writing of this enactment such owner or owners shall object thereto in writing to the Corporation and such owner or owners shall be entitled to require from the Corporation a copy of any agreement or conditions affecting his or their property.

Power to Corporation to repair grids &c.

54. Whenever any grid deck-light trap-door or other means of giving light or access from the surface of any street court way or passage to any cellar or other premises beneath or near thereto shall be out of repair or not in proper working order it shall be lawful for the Corporation to repair the same and to recover the cost of any such work in the same manner and with the same remedies as exist in relation to expenses of paving and sewering streets under the Improvement Acts and by way of additional remedy the owner of the premises shall be liable to a penalty of not exceeding twenty shillings Provided always that except in cases of emergency three days' notice shall be given by the Corporation to the owner prior to their executing any repairs under this section.

Undertakings &c. to bind successive owners.

55. Every undertaking or agreement in writing given to the Corporation by or on behalf of any owner of property on the passing of plans or for the removal of obstructions or otherwise in connexion with the property of such owner shall be binding upon the owner of the property for the time being and upon the Corporation and may be enforced by either party by penalty in any court of summary jurisdiction such penalty not exceeding five pounds for each breach of such undertaking or agreement and twenty shillings for each day during which such breach continues and such owner shall be entitled to require from the Corporation a copy of such undertaking or agreement.

A.D. 1882.

Definition of term "owner."

56. For the purposes of the three last preceding sections the term "owner" shall have the same meaning as in the Public Health Act 1875.

General power to make byelaws for giving effect to Act.

57. The provisions of the Public Health Act 1875 with respect to byelaws shall apply to all byelaws to be made by the Corporation under this Act.

As to recovery of penalties. 7 & 8 Vict. c. xl.

58. With respect to the recovery of penalties under this Act or any byelaws under the same sections 247 to 261 both inclusive of the Manchester Police Act 1844 are incorporated with this Act Provided that any such penalties shall be recoverable before the stipendiary magistrate or any two justices of the peace in and for the city.

Extension of time for sale of superfluous lands.

59. The period within which the Corporation are bound under the provisions of the Local Acts to sell dispose of and convey any lands now vested in them not required for the purposes for which the same were acquired is hereby extended until the expiration of five years from the passing of this Act.

Power to sell or let lands.

60. It shall be lawful for the Corporation to sell or dispose of or to let upon lease or otherwise for building agricultural or other purposes any lands buildings and property which they may acquire or become possessed of under the provisions of this Act or any of the local Acts or which may from time to time belong to or be vested in them or in which they have or may have any estate or interest and which may not be required for the purposes for which the same were acquired and to sell or dispose of the reversion in any lands and buildings so let upon lease Provided that as to lands let for agricultural purposes this section shall not prejudice the operation of section 127 of the Lands Clauses Consolidation Act 1845 The sale moneys of all lands sold and the premiums or fines on leases granted shall be applied in paying off borrowed moneys or to other purposes to which capital is properly applicable.

As to extensions of period for making awards under 42 & 43 Vict. c. xxxvi.

61. All extensions of the period of three months prescribed by the Land Clauses Consolidation Act 1845 for making an award shall as regards any cases of disputed compensation under the Manchester Corporation Waterworks Act 1879 hereafter to be signed or executed by all the parties to the arbitration inclusive of persons authorised to convey by the 7th section of the said Lands Clauses Consolidation Act 1845 be valid and effectual.

As to mayor's charities.

62. For the purpose of the distribution of all moneys and funds for charitable purposes by the mayor under the provisions of the Manchester Police Act 1844 (7 and 8 Vict. cap. 40) the expression town or township in such Act and the several instruments declaring

the trusts of the charities therein referred to shall be deemed to mean the city of Manchester as comprised within its municipal boundaries for the time being.

Power to borrow for waterworks purposes.

63. In addition to the other sums which the Corporation are empowered to borrow under this Act or any of the Waterworks Acts the Corporation may from time to time borrow at interest for purposes connected with their waterworks undertaking authorised by the Waterworks Acts 1847 to 1875 both inclusive and this Act on the credit of the city rate and of the rates rents and charges leviable and receivable by them under such Acts any sums not exceeding in the whole the sum of four hundred thousand pounds and the sections 143 to 157 both inclusive of the Manchester Corporation Waterworks Act 1847 and the sections 19 to 23 both inclusive of the Manchester Corporation Waterworks Act 1854 and sections 34 to 50 both inclusive of the Manchester Corporation Waterworks and Improvement Act 1872 and sections 62 and 63 of the Manchester Corporation Waterworks and Improvement Act 1875 are so far as applicable and subject to the provisions of this Act extended to this Act with reference to the moneys to be borrowed under the present enactment as if the same had been expressly repeated and re-enacted in this Act with reference thereto Provided always that notwithstanding anything in the Waterworks Acts 1847 to 1875 both inclusive contained the Corporation shall on the first day of January one thousand eight hundred and eighty-six and during the succeeding forty years annually set apart as a sinking fund a sum being not less than one pound ten shillings per centum and from and after the expiration of such forty years a sum not being less than two pounds per centum on so much of the said sum of four hundred thousand pounds as from time to time has been borrowed The sinking fund required by this Act and section 58 of the said Waterworks Act of 1875 shall from time to time be applicable to the redemption of mortgages or annuities granted by the Corporation under the Waterworks Acts 1847 to 1875 both inclusive or this Act or to the purchase of Manchester Corporation consolidated stock created by the Corporation under any of the said Acts or this Act and to no other purpose whatever and any consolidated stock so purchased shall thereupon be cancelled.

17 & 18 Vict. c. xxxviii.

35 & 36 Vict. c. xxxi.

Power to borrow for rivers purposes.

64. In addition to the other sums which the Corporation are by this or any other Act relating to the Corporation authorised to borrow the Corporation may from time to time for the purposes of the provisions of this Act relating to rivers or any of them borrow at interest on the credit of the city rate any sums of money not exceeding in the whole the sum of fifty thousand pounds and the

A.D. 1882.

sections 16 to 30 both inclusive of the Act (local and personal) 7 and 8 Vict. cap. 40 and the several provisions contained in the sections 34 to 50 both inclusive of the Manchester Corporation Waterworks and Improvement Act 1872 and sections 62 and 63 of the Manchester Corporation Waterworks and Improvement Act 1875 are so far as applicable and subject to the provisions of this Act extended to this Act with reference to the moneys to be so borrowed as if the same had been expressly repeated and re-enacted in this Act with reference thereto: Provided always that the Corporation shall on the first day of January one thousand eight hundred and eighty-six and during the succeeding forty years annually set apart as a sinking fund a sum not being less than one pound ten shillings per centum and after the expiration of such forty years a sum being not less than two pounds per centum on so much of the said sum of fifty thousand pounds as from time to time has been borrowed and such sinking fund shall from time to time be applicable to the redemption of mortgages granted or to the purchase of Manchester Corporation consolidated stock created by the Corporation and to no other purpose whatever and any consolidated stock so purchased shall thereupon be cancelled.

Power to borrow for paving and highways purposes. 16 & 17 Vict. c. xci.

65. In addition to the other sums which the Corporation are by this or any other Act relating to the Corporation authorised to borrow the Corporation may from time to time borrow at interest for the purposes of the Manchester General Improvement Act 1851 and the Manchester New Streets Act 1853 and other Acts amending or extending the same on the credit of the city rate any sums of money not exceeding in the whole the sum of fifty thousand pounds and the sections 16 to 30 both inclusive of the Act (local and personal) 7 and 8 Vict. cap. 40 and the several provisions contained in the sections 34 to 50 both inclusive of the Manchester Corporation Waterworks and Improvement Act 1872 and sections 62 and 63 of the Manchester Corporation Waterworks and Improvement Act 1875 are so far as applicable and subject to the provisions of this Act extended to this Act with reference to the moneys to be so borrowed as if the same had been expressly repeated and re-enacted in this Act with reference thereto Provided always that the Corporation shall on and after the first day of January one thousand eight hundred and eighty-six annually set apart as a sinking fund a sum being not less than two pounds per centum on so much of the said sum of fifty thousand pounds as from time to time has been borrowed and such sinking fund shall from time to time be applicable to the redemption of mortgages granted or to the purchase of Manchester Corporation consolidated stock created by the Corporation and to no other purpose whatever and any consolidated stock so purchased shall thereupon be cancelled.

A.D. 1882.

Power to borrow for health purposes.

66. In addition to the other sums which the Corporation are by this or any other Act relating to the Corporation authorised to borrow the Corporation may from time to time subject to the approval of the Local Government Board borrow at interest on the credit of the city rate for the purposes of scavenging and removal of night soil and refuse under the provisions of the Manchester Police Act 1844 (7 and 8 Vict. cap. 40) the Manchester General Improvement Act 1851 and the Manchester New Streets Act 1853 and the several Acts extending and amending the same respectively any sums of money not exceeding in the whole the sum of twenty thousand pounds and the sections 16 to 30 both inclusive of the Act (local and personal) 7 and 8 Vict. cap. 40 and the several provisions contained in the sections 34 to 50 both inclusive of the Manchester Corporation Waterworks and Improvement Act 1872 and sections 62 and 63 of the Manchester Corporation Waterworks and Improvement Act 1875 are so far as applicable and subject to the provisions of this Act extended to this Act with reference to the moneys to be so borrowed as if the same had been expressly repeated and re-enacted in this Act with reference thereto Provided always that the Corporation shall on and after the first day of January one thousand eight hundred and eighty-six annually set apart as a sinking fund a sum being not less than two pounds per centum on so much of the said sum of twenty thousand pounds as from time to time has been borrowed and such sinking fund shall from time to time be applicable to the redemption of mortgages granted or to the purchase of Manchester Corporation consolidated stock created by the Corporation and to no other purpose whatever and any consolidated stock so purchased shall thereupon be cancelled.

As to investment of sums paid into sinking fund.

67. Any sums paid into any sinking fund under this Act shall unless immediately applied as herein-before provided be invested in any securities in which trustees are by law for the time being authorised to invest trust moneys.

Annual return to Local Government Board with respect to sinking fund.

68. The treasurer of the city as the treasurer of the Corporation acting by the council as the urban sanitary authority shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund under this Act transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by statutory declaration if so required by them showing the amount which has been invested for the purpose of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of the moneys invested for the

A.D. 1882.

sinking fund or of the sums accumulated by way of interest have been applied during the same period and the total amount remaining invested at the end of the year and in the event of any wilful default in making such return the said treasurer shall be liable to a penalty of not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act 1875 in a summary way may be recovered by parties aggrieved within the meaning of that Act If it appears to the Local Government Board by such return or otherwise that the Corporation as such urban sanitary authority have failed to set apart for the sinking fund the sum required by this Act or have applied any portion of the money set apart for that fund or of the sums accumulated by way of interest to any purposes other than those authorised by this Act the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which the default is made be set apart and invested as part of the sinking fund and their order shall be enforceable by writ of mandamus to be obtained by the Local Government Board.

Powers of Act cumulative.

69. All powers rights and remedies given to the Corporation by this Act shall (except where otherwise expressly provided) be deemed to be in addition to and not in derogation of any other powers conferred on them by Act of Parliament law or custom and the Corporation may exercise such other powers as if this Act had not passed.

Expenses of Act.

70. The costs charges and expenses attending or incident to the applying for obtaining and passing of this Act shall be paid by the Corporation out of the city rate of the city.

The SCHEDULES before referred to.

FIRST SCHEDULE.

First Part.—Recited Waterworks Acts.

Session and Chapter.	Title or Short Title.
10 and 11 Vic. cap. 203	The Manchester Corporation Waterworks Act 1847.
11 and 12 Vic. cap. 101 -	The Manchester Corporation Waterworks Amendment Act 1848.
17 Vic. cap. 38 - -	The Manchester Corporation Waterworks Act 1854.
21 and 22 Vic. cap. 87 -	The Manchester Corporation Waterworks Act 1858.
23 Vic. cap. 93 - -	The Manchester Corporation Waterworks Act 1860.
26 and 27 Vic. cap. 68 -	The Manchester Corporation Waterworks Act 1863.
28 and 29 Vic. cap. 145 -	The Manchester Corporation Waterworks Act 1865.
30 Vic. cap. 36 - -	The Manchester Corporation Waterworks and Improvement Act 1867.
32 and 33 Vic. cap. 117 -	The Manchester Corporation Waterworks and Improvement Act 1869.
35 and 36 Vic. cap. 31 -	Manchester Corporation Waterworks and Improvement Act 1872.
38 and 39 Vic. cap. 161 -	The Manchester Corporation Waterworks and Improvement Act 1875.
42 Vic. cap. 36 - -	The Manchester Corporation Waterworks Act 1879.

Second Part.—Recited Improvement Acts.

6 Vic. cap. 17 - -	An Act for transferring to the Mayor Aldermen and Burgesses of the Borough of Manchester certain powers and property now vested in the Commissioners for Cleansing Lighting Watching and regulating the Town of Manchester.
7 and 8 Vic. cap. 40 -	An Act for the good government and Police Regulation of the Borough of Manchester.
7 and 8 Vic. cap. 41 -	An Act for the Improvement of the Town of Manchester.
8 and 9 Vic. cap. 141 -	An Act to effect Improvements in the Borough of Manchester for the purpose of promoting the health of the inhabitants thereof.

A.D. 1882.

Session and Chapter.	Title or Short Title.
9 and 10 Vic. cap. 219 -	The Manchester Market Act 1846
10 Vic. cap. 14 - -	The Manchester Markets Act 1847.
14 and 15 Vic. cap. 119 -	The Manchester General Improvement Act 1851.
16 and 17 Vic. cap. 91 -	The Manchester New Streets Act 1853.
17 Vic. cap. 28. - -	The Manchester Improvement Act 1854.
18 Vic. cap. 44 - -	The Manchester Improvement Act 1855.
20 and 21 Vic. cap. 117 -	The Manchester Burial Board Act 1857.
21 Vic. cap. 25 - -	The Manchester Improvement Act 1858
23 Vic. cap. 48 - -	The Manchester Improvement Act 1860.
28 Vic. cap. 90 - -	The Manchester Improvement Act 1865.
29 Vic. cap. 29 - -	The Manchester Town Hall and Improvement Act 1866.
30 Vic. cap. 36 - -	The Manchester Corporation Waterworks and Improvement Act 1867.
32 and 33 Vic. cap. 117	The Manchester Corporation Waterworks and Improvement Act 1869.
34 and 35 Vic. cap. 65 -	The Manchester Improvement Act 1871.
35 and 36 Vic. cap. 31 -	Manchester Corporation Waterworks and Improvement Act 1872.
38 and 39 Vic. cap. 161 -	The Manchester Corporation Waterworks and Improvement Act 1875.

SECOND SCHEDULE.

Firstly All that plot piece or parcel of land or ground situate lying and being on the south-easterly side of a street called Mosley Street in Manchester aforesaid containing in length on the north-westerly and south-easterly sides thereof forty-seven yards and on the south-westerly and north-easterly sides thereof thirty-nine yards and in the whole one thousand eight hundred and thirty-three superficial square yards of land and bounded on the north-westerly side thereof by Mosley Street aforesaid on the south-easterly side thereof by a street called Back George Street on the south-westerly end thereof by the plot of land secondly described and on the north-easterly end by a street called Nicholas Street Subject nevertheless to the two several perpetual yearly rents of thirty-six pounds five shillings and six pence three farthings and thirty-six pounds five shillings and six pence three farthings payable out of the same premises and to the several covenants provisoes and agreements relating thereto contained in the deed reserving the said rents.

And secondly All that plot piece or parcel of land or ground situate lying and being in Manchester aforesaid bounded on the front or north-westerly side thereof by and extending three yards into Mosley Street aforesaid on the south-easterly side thereof by and extending one yard into Back George Street aforesaid on the south-westerly side thereof by and extending two yards into a

certain street formerly called Bond Street but now Princess Street and on the north-easterly side thereof by the land first herein-before described and containing in length on the north-westerly and south-easterly sides thereof respectively twenty-one yards and in breadth on the south-westerly and north-easterly sides thereof respectively thirty-nine yards and containing in the whole eight hundred and nineteen superficial square yards Subject nevertheless to the payment of a certain yearly rent of forty pounds nineteen shillings payable from and out of the same premises and to the observance and performance of the covenants provisoes and agreements relating thereto contained in the deed reserving the said rent And also together with all buildings upon the said land firstly and secondly herein-before described together with all areas cellars lights rights and appurtenances whatsoever to the said lands and buildings herein-before described or any part thereof belonging or appertaining or therewith usually held occupied or enjoyed.

THIRD SCHEDULE.

Containing Regulations of the Royal Institution as to Privileges of Governors and their Families.

Payments by hereditary governors.

II. Every original hereditary governor shall, on his or her admission, but subject to the third regulation, pay to the funds of the institution the sum of forty guineas in one sum, and shall also (except in the cases mentioned in the 4th and 5th regulations) pay an annual subscription of one guinea, with an option, nevertheless, of extinguishing such annual subscription at any time by the payment of £20 in one sum in lieu thereof; and such annual subscription shall be paid in advance, and shall become due on the 1st day of January in every year.

Payments by life governors on becoming hereditary governors.

III. If any life governor shall become an hereditary governor, the subscription paid on his or her admission as such life governor shall be considered in part or in full discharge, as the case may be, of the subscription payable on admission as an hereditary governor.

Hereditary governors not assenting to subscription, not liable thereto.

IV. Such of the present hereditary governors as paid their original subscriptions of forty guineas on or before the 17th day of May, 1827, and have not declared their assent to the payment of such annual subscription, or such sum of £20 in lieu thereof, shall be exempted from the payment thereof during such time as they continue to withhold such their assent; but, nevertheless, such of them who shall at any time hereafter declare his or her assent to such payment, shall thenceforth cease to be exempted as aforesaid, and shall not thereafter be entitled to discontinue the payment of the said annual subscription except on paying the sum of £20 in lieu thereof, as mentioned in the 2nd regulation.

Hereditary governors exempt from subscription in certain cases.

V. Every hereditary governor whose usual place of residence for a period of twelve calendar months shall be twelve miles or upwards distant from the Manchester Exchange, shall be exempted from paying the annual subscription of one guinea during the continuance of such residence.

A.D. 1882.

Transfer of share by assenting hereditary governor during life to relative.

VI. It shall be lawful for every present and future hereditary governor (except such of the present hereditary governors as have as yet withheld, and shall continue to withhold, their assent to the payment of the annual subscription, or the sum of £20 in lieu thereof) to transfer all his or her powers and privileges, rights and interests, as such hereditary governor, unto any lineal descendant of himself or herself, or of his or her father or mother, whom he or she may nominate for that purpose; or in case of a female governor, to her husband, provided that the governor making such transfer shall subscribe his or her name to a minute of such transfer, to be entered in a book to be kept for that purpose. And the person to whom such transfer is made shall, upon such transfer, pay a fee of £5 5*s.* to the funds of the institution.

Devolution of share of deceased governor.

VII. On the death of each hereditary governor, his or her powers, privileges, rights, and interests as such governor, shall go to or devolve upon the residuary legatee, or upon such one person as such deceased governor shall by his or her will direct; and in default of any devise or direction, then to and upon the heir-at-law of such deceased governor; and in case there shall be more than one residuary legatee, or be co-heirs of such deceased governor, then to and upon such one of the residuary legatees or co-heirs as the executor or executors of the last will and testament of the deceased governor, or the administrator or administrators of the estate and effects of such deceased governor, shall, by any writing, direct. And every person to or upon whom the powers, privileges, rights, and interests of any deceased governor shall so devolve, shall, before he or she is admitted thereto, pay a fee of £5 5*s.* to the funds of the institution, and establish, to the satisfaction of the council of the institution for the time being, his or her claim to be admitted to the said powers and privileges, rights and interests, within two years after the decease of the governor under whom he or she shall so claim (except where a governor shall be residing abroad at the time of his death, or where his heir, or the devisee of his share, shall be residing abroad at that time, in either of which cases the time for claiming to be admitted as an hereditary governor shall be extended to five years); and in default of the claim being so made within the aforesaid period, all the powers and privileges, rights and interests of such deceased governor shall become and be absolutely forfeited and extinguished. But no fee shall be paid on the transfer of a share devolving upon the heir or devisee, or the trustees or executors of a deceased hereditary governor, when the same is taken up for the sole purpose of being transferred to any other person, subject to the regulations of the institution.

General power of transfer of share by all hereditary governors during life.

VIII. Every present or future hereditary governor shall be entitled to transfer his or her share and privileges, rights and interests, to any person whomsoever, provided that on every such transfer the sum of £10 10*s.* be paid to the funds of the institution; and that no transfer be made by any hereditary governor who has as yet withheld, and shall continue to withhold, his assent to the payment of the annual subscription, or the sum of £20 in lieu thereof, unless the person to whom it is proposed that such transfer shall be made shall previously give his or her assent to the payment of the annual subscription, or the sum of £20 in lieu thereof.

Fines on transfer or devolution of share.

IX. In every case of transfer or devolution of the powers, privileges, rights, and interests of any present or future hereditary governor, the person to or upon whom such transfer or devolution shall be made or take place, shall, upon

paying the admission fee of £5 5*s.*, or £10 10*s.*, and establishing his or her claim to be admitted to such powers and privileges, rights and interests, as directed by the 7th regulation, become and be an hereditary governor, in the place of the governor by whom or on whose death such transfer or devolution shall be made or take place, and shall be entitled to the same powers and privileges, rights and interests, and shall be subject to the same provisions and regulations, in respect of the payment of an annual subscription, and other provisions and regulations, as the governor by whom or on whose death such transfer or devolution shall be made to take place.

Party taking share to be subject to and have same privileges as governor transferring.

X. Every hereditary governor liable to pay the annual subscription under the 2nd regulation, and whose annual subscription shall be one year in arrear, shall be suspended from the exercise of his or her privileges as governor; and if the said subscription shall be five years in arrear, shall forfeit all his or her privileges, rights, and interests, as a governor of the institution, and shall absolutely cease to be a governor.

If subscription in arrear, privileges to be suspended or forfeited.

XI. Every hereditary governor whose privileges shall be forfeited under the 10th regulation shall have a right to appeal to the council against such forfeiture at any period within six months, and the council shall be empowered to re-admit, on the payment of his or her arrears, the individual so appealing, provided that adequate cause shall, in their judgment, have been shown for such re-admission.

Power of appeal.

XII. Every life governor shall, at his or her admission as such governor, pay the sum of £42; but this shall not extend to affect the privileges of such life governors as were subscribers of £25 each previously to the 17th May, 1827, or of associates elected under Rule 13.

Payments by life governors.

XIV. Every annual governor shall pay to the funds of the institution an annual subscription of three guineas, which subscription shall be paid in advance, and be due on the first day of January in every year.

Payments by annual governors.

XV. Every annual governor whose annual subscription shall be in arrear for the space of three calendar months shall be suspended from the exercise of his or her privileges as a governor, and shall pay a fine of 5*s.*, and the like sum in addition for every succeeding three months until the subscription be paid; and if the subscription or fine be unpaid at the end of one year next after the same subscription shall be payable, the name of such governor shall be struck out from the list of governors, and all his or her privileges shall be forfeited.

Proceedings in case of subscription of annual governor being in arrear.

XVI. Every governor who has forfeited his or her privileges by resignation or non-payment of his or her subscription shall be eligible for re-election at any subsequent period, through the customary forms, and on payment of the customary contribution, with the addition, in case of an annual governor, of a re-entrance fee of two guineas over and above the prescribed annual subscription.

Governors eligible for re-election.

XVII. No person shall henceforth become a governor except such as become so by transfer, descent, or devolution, under the 6th and 7th regulations, until elected at a general meeting of governors, or at a monthly meeting of the council, by a majority of three-fourths of the votes of the governors or members of council present.

Election of governors.

XVIII. No transfer shall be made under the 8th regulation until the same be sanctioned at a general meeting of governors, or at a monthly meeting of

Mode of transfer of share to stranger

A.D. 1882.

the council, by a majority of three-fourths of the votes of the governors or members of the council present: Provided that in case the council refuse their sanction to such transfer, it shall be lawful for the party or parties applying to appeal to the annual or a special general meeting of the governors, whose decision shall be final.

Half-yearly subscription: when payable.

XX. Any person admitted as annual governor or subscriber after the first day of July shall only be liable to the payment of half of that year's subscription.

Hereditary governor to receive certificate.

XXIII. Every hereditary governor, on paying all sums due under these regulations, and signing his or her name as herein directed, shall receive a certificate for a share in the institution.

Privileges of all hereditary governors.

XXIV. Every hereditary governor shall have free admission for himself or herself, and his or her family, to all the exhibitions of pictures and to all the courses of lectures.

Additional privileges of hereditary governors paying annual subscription.

XXV. Every hereditary governor, with the exception of such as withhold their assent to the payment of the annual guinea (or the sum of £20 in lieu thereof) shall be entitled to introduce, either in person or by an order in his own handwriting, or by entering their names in a book to be kept at the institution (such regulations being in each case prescribed by the council as may be deemed necessary to prevent an abuse of the privilege), any strangers domiciled and visiting at the time in his or her family, and whose usual place of residence is twelve miles or upwards distant from the Manchester Exchange; and shall also be entitled to a free admission ticket to exhibitions, and for any course of lectures, for any tutor or governess permanently resident in his or her family, or for any strangers visiting or domiciled in his or her family, during the delivery of such course, and whose usual place of residence is twelve miles or upwards distant from the Manchester Exchange.

Privileges of life and annual governors.

XXVI. Every life and annual governor shall have free admission for himself or herself, and for his or her family, to all the exhibitions of pictures, and for himself or herself individually to all the courses of lectures.

Admission to lectures.

XXVII. Two tickets of admission for each course of lectures shall be placed at the disposal of every life and annual governor, for some two members of his or her family, according to the regulation already existing in other cases as to the individuals to be comprised in the term family.

Definition of "family."

XXVIII. The family of a governor entitled to free admission shall include the following description of persons, so long as they are resident in the house of the governor, viz.:—the wife or husband, the daughters and other female relatives, and the sons and brothers being unmarried and under twenty-four years of age; and also the father, sons, and brothers of the age of twenty-four years or upwards, whose usual respective places of residence are twelve miles or upwards distant from the Manchester Exchange, and who have no permanent places of business in Manchester.

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