CHAPTER xxxi.

An Act for enabling the Mayor, Aldermen, and Citizens of the city of Manchester in the county of Lancaster to make new streets with a bridge over the River Irwell, and to acquire additional lands for Cemetery and other purposes, and for making further provision respecting the borrowing of money by them; and for other purposes. A.D. 1872.

[27th June 1872.]

WHEREAS it is expedient that the mayor, aldermen, and citizens of the city of Manchester in the county of Lancaster, in this Act called the Corporation, should be empowered to make and maintain a new street or road between Irwell Street, in the township and borough of Salford, and Water Street, in the township and city of Manchester, all in the county of Lancaster, crossing the river Irwell by means of a bridge, and to make arrangements with the mayor, aldermen, and burgesses of the borough of Salford in relation to the construction and maintenance thereof, and to make and maintain a new street between Piccadilly and Newton Street, in the township and parish of Manchester, and that the Corporation should be enabled to acquire lands, houses, and buildings for the purposes of the said new streets and bridge, and for purposes connected therewith, and for general improvement purposes and other purposes authorised by the Manchester Police Act, 1844 (7 and 8 Victoria, chapter 40), and the Manchester Market Act, 1846 (9 and 10 Victoria, chapter 219):

And whereas it is expedient that the Corporation, as the Burial Board of the said city, should be empowered to acquire certain lands in the township of Newton, in the said parish of Manchester, and should be authorised to appropriate the said lands to the enlargement of their Philips Park Cemetery:

And whereas plans of the works authorised by this Act, and of the lands which the Corporation may acquire under this Act, and sections of the said works, and books of reference to such plans,

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have been deposited with the clerk of the peace for the county of Lancaster, which plans, sections, and books of reference are in this Act referred to as the deposited plans, sections, and books of reference:

And whereas it is expedient to empower the Corporation to make and enforce byelaws with respect to their waterworks undertaking, and the prevention of trespass thereon, and for preventing within the limits of their supply the abstraction, waste, misuse, or undue use of water, and for other purposes:

And whereas it is expedient to empower the Corporation to make byelaws for sanitary purposes, and otherwise to amend the Acts relating to the city of Manchester:

And whereas it is expedient to authorise the Corporation to create irredeemable stock, and to raise a sum of money for the purposes of this Act, and that further provision be made with reference to the borrowing powers and securities of the Corporation:

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

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

Short title.

1. This Act may be cited for all purposes as the "Manchester Corporation Waterworks and Improvement Act, 1872."

Provisions of general Acts herein named incorporated.

2. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869, and the Waterworks Clauses Acts, 1847 and 1863, are (except where expressly varied by this Act) incorporated with and form part of this Act, and in construing such Acts for the purposes of this Act the expressions "the undertakers" and "the promoters of the undertaking" shall mean the Corporation.

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 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 word "city" shall mean the city of Manchester;

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

The expression "superior courts" or "court of competent jurisdiction," or any other like expression, shall be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt, and not a debt or demand created by statute; and,

The expression "Court of Chancery" shall include the Court of Chancery for the County Palatine of Lancaster.

Council to execute Act.

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

Authentication of notices.

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

Errors and omissions in plans and books of reference may be corrected by justices, who shall certify the same.

6. If any omission, mis-statement, or wrong description shall have been made of any land, or of the owners, lessees, or occupiers of any land described in the deposited plans or mentioned in the deposited books of reference, the Corporation, after giving ten days notice to the owners, lessees, and occupiers of the lands affected by such proposed correction, may apply to any two justices for the correction thereof, and if it appear to such justices that such omission, mis-statement, or wrong description arose from mistake, they shall certify the same accordingly, and they shall in such certificate state the particulars of any such omission, mis-statement, or wrong description, and such certificate, with the other documents to which it relates, shall be deposited with the clerk of the peace for the county of Lancaster and with the town clerk, and such certificate shall be kept by such clerk of the peace and town clerk respectively with the other documents to which it relates, and thereupon such plans or books of reference shall be deemed to be corrected according to such certificate, and the Corporation may take any land in accordance with such certificate as if such omission, mis-statement, or wrong description had not been made.

Certificate to be deposited.

Plans to be open to inspection.

7. A copy of the deposited plans and books of reference respectively shall be kept by the town clerk, who shall permit all persons to inspect the same at reasonable times, and to make copies and extracts of and from the same respectively, on payment by such person of one shilling for every inspection, and of the further sum

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of one shilling for every hour during which such inspection shall continue after the first hour, and after the rate of sixpence for every one hundred words copied therefrom.

Copies of plans to be evidence.

8. True copies of the deposited plans and books of reference or of any alteration or correction thereof or extract therefrom, certified by the clerk of the peace of the county of Lancaster or 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.

Power to make new streets and a bridge over the river Irwell.

9. Subject to the provisions of this Act the Corporation may, if they think fit, construct and maintain in the lines and according to the levels shown on the deposited plans and sections relating thereto, the new streets or roads and bridge herein-after mentioned, with all proper approaches, works, and conveniences connected therewith respectively; that is to say,

1. A new street or road wholly in the parish of Manchester in the county of Lancaster, commencing in the township and borough of Salford at the junction of Irwell Street with Stanley Street, and crossing the river Irwell by a bridge, and terminating in the township and city of Manchester in Quay Street opposite the end of Atherton Street:
2. A new street or road wholly in the township and parish of Manchester in the county of Lancaster, commencing in Piccadilly at its junction with Port Street, and terminating in Dale Street opposite the end of Newton Street.

Limiting deviation from lines and levels.

10. Subject to the provisions of this Act the Corporation in the construction of the new streets and bridge may deviate laterally from the lines thereof respectively delineated on the deposited plans to any extent within the limits of deviation defined on those plans, and may also deviate from the levels thereof respectively shown on the deposited sections to any extent not exceeding five feet.

As to construction of bridge and approach with reference to levels of Stanley Street.

11. In constructing the bridge and approach thereto in the township and borough of Salford it shall not be lawful for the Corporation under any powers conferred by this Act to alter the levels of Stanley Street further or otherwise than as shown on the deposited sections.

Plans of bridge to be submitted to Lancashire and Yorkshire Railway Company.

12. Previously to the commencement of the bridge there shall be submitted to the Lancashire and Yorkshire Railway Company plans, sections, and elevations thereof, and of the immediate approaches thereto, for the reasonable approval of such company.

Bridge to be a girder bridge of one span.

13. The said bridge shall be a girder bridge and carried over the full width of the river Irwell and towing-path in one span.

As to pier of bridge on Manchester side of the river.

14. The pier of the said bridge on the Manchester side of the river Irwell shall be built lineable with the existing river wall or at such other angle as the engineer for the time being of the company of proprietors of the Mersey and Irwell Navigation shall require.

Prescribing height of bridge over quays.

15. The under side of the girders of the said bridge shall be at the Manchester end of such bridge not less than eight feet six inches above the quay on the Manchester side of the river Irwell, as existing at the time of the passing of this Act, where such quay is crossed by the centre line of the bridge as shown on the deposited plans, and at the Salford end of such bridge not less than seven feet nine inches above the level of the said quay as herein-before described.

Saving rights of Corporation of Salford.

16. The powers of acquiring lands and constructing works within the township of Salford shall not be exerciseable without the previous consent, under the hand of the town clerk, of the mayor, aldermen, and burgesses of the borough of Salford.

Corporation may acquire lands for street improvements and for other purposes.

17. The Corporation may, subject to the provisions of this Act, from time to time enter upon, take, and use and appropriate for the purpose of the said intended new streets and bridge and for purposes connected therewith, and for general improvement purposes and other purposes authorised by the Manchester Police Act, 1844 (7 and 8 Victoria, chapter 40), and the Manchester Market Act, 1846 (9 and 10 Victoria, chapter 219), and for the purpose of resale all or any of the lands, houses and buildings, streets, courts, and passages in the several townships of Salford, Manchester, Ardwick, and Bradford in the parish of Manchester which are delineated on the deposited plans and described in the deposited books of reference: Provided always, that the Corporation shall acquire an easement only over the land of the company of proprietors of the Mersey and Irwell Navigation which will be required for the erection and construction of the said bridge, and the formation of the new street to connect Irwell Street in Salford with Water Street in the city of Manchester, and the soil and freehold of the land over which such easement shall extend shall remain and be the property of the said company of proprietors and their assigns, but the Corporation shall have as full power to lay down in and under the said land as in and under any street such gas and water mains and pipes as may be required by the Corporation, but so nevertheless as not to obstruct or otherwise interfere with the free and uninterrupted passage through or other use and enjoyment by the company of proprietors

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or their assigns, or their or any of their lessees or tenants, of any openings, arches, or passages to be made under the roadway of the said street.

Power to make arrangements with Corporation of Salford.

18. The Corporation and the mayor, aldermen, and burgesses of the borough of Salford may, subject to the provisions of this Act, from time to time enter into and carry into effect agreements with reference to the construction and maintenance of the said bridge and the approaches thereto, or any part thereof, and it shall be lawful for the mayor, aldermen, and burgesses of the borough of Salford to contribute out of their corporate funds towards the expense of the said bridge and approaches, and upon payment of the amount of such contribution so much of the said bridge and approaches as are situate within the borough of Salford shall vest in the said mayor, aldermen, and burgesses.

Power to enlarge Philips Park Cemetery.

19. The Corporation, as the Burial Board of the city, may, subject to the provisions of this Act, from time to time enter upon, take, use, and appropriate all or any of the lands, houses, and buildings in the township of Newton in the parish of Manchester which are delineated on the deposited plans and described in the deposited books of reference, and the Corporation may appropriate the said lands to the enlargement of their existing Philips Park Cemetery.

No part of enlargement to be within 300 yards of certain properties.

20. The proposed enlargement of the Philips Park Cemetery, or any part thereof, shall not be erected or made within three hundred yards of any house of the annual value of fifty pounds, or having a plantation or ornamental garden or pleasure ground occupied therewith, except with the consent in writing of the owner, lessee, and occupier of such house.

Power to stop up streets, &c.

21. The Corporation may stop up, alter, or interfere with, either temporarily or permanently, all streets, roads, lanes, ways, courts, and passages within the limits of land to be acquired shown upon the deposited plans.

Ground laid into new streets to be public highways.

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

Site and soil of streets acquired to

23. The site and soil of all streets, roads, lanes, courts, paths, and passages comprised within the limits of the land to be acquired

under this Act, as marked upon the deposited plans, and the fee simple and inheritance thereof, shall, from and immediately after the purchase by the Corporation of the lands on both sides thereof, be wholly and absolutely vested in the Corporation free from any rights of way or passage, whether public or private, over the same (except the site and soil and the fee simple of the site and soil of the portion of the said street from Stanley Street and of the said bridge lying between the bank of the river Irwell on the Salford side thereof and Water Street in Manchester aforesaid).

Vest in Corporation.

24. The Corporation shall, not less than eight weeks before they take in any parish fifteen houses or more occupied either in the whole or in part by persons belonging to the labouring classes as tenants or lodgers, make known their intention to take the same by placards, handbills, or other general notice placed in public view upon or within a reasonable distance from the houses, and the Corporation shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that the Corporation have in manner required by this section made known their intention to take the same.

Corporation to give notice before taking dwellings of labouring classes.

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

Limiting time for purchase of lands.

26. The Corporation may from time to time sell, demise, or otherwise dispose of any lands which shall be vested in the Corporation under this Act, and which shall not be required to be used for the purposes thereof; and upon payment of any money which shall arise by or from the sale, demise, or other disposal of such lands, the treasurer for the time being of the city may sign and give a receipt for the moneys to be paid for the same, or the rents to be received in respect thereof, which receipt shall sufficiently discharge any person for the money thereby acknowledged to be received. The Corporation may make any such sale as aforesaid upon chief rent, and from time to time may sell and dispose of any such chief rent. All moneys, whether chief rent or purchase money, received by the Corporation in respect thereof, shall be applied either in defraying the expenses incurred by the Corporation in carrying out the improvements authorised by this Act, or in reduction of the principal moneys for the time being owing under this Act, and any moneys so paid off shall not afterwards be re-borrowed.

Power of sale.

27. The period for the compulsory purchase and taking of the lands, houses, and buildings in the city and parish of Manchester, which by the Manchester Corporation Waterworks and Improve-

Extension of period for compulsory purchase

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under Act of 1869.

ment Act, 1869, the Corporation were authorised to acquire for the purposes therein mentioned, with the exception of the several lands, houses, and buildings numbered respectively on the deposited plans referred to in the said Act from 152 to 162, both inclusive, and 164, 165, 186, 187, 188, 189, 190, and 191, and from 254 to 264, both inclusive, in the township of Manchester, and 1 in the township of Ardwick, shall be and the same is hereby extended until the twelfth day of July one thousand eight hundred and seventy-four.

For protection of waterworks pipes and meters.

28. If any person shall wilfully, fraudulently, or by culpable negligence injure or suffer to be injured any pipes, mains, meters, or fittings, or other thing connected therewith used for the supply of water by the Corporation, or shall alter or suffer to be altered the index to any meter, or fraudulently alter any part of such meter or any pipes connected therewith, or in any way fraudulently, wilfully, or knowingly prevent such meter from duly registering the quantity of water supplied, or by any means fraudulently abstract, consume, or use the water of the said Corporation, every person so offending shall for every such offence forfeit any sum not exceeding ten pounds, and the Corporation may in addition thereto recover the amount of any damage sustained by them.

The existence of artificial or irregular and unauthorised means for causing such alteration or abstraction when such meter shall be under the custody or control of a consumer shall be primâ facie evidence that the same has been knowingly, wilfully, and fraudulently caused by the consumer using such meter.

Provided always, that this enactment shall not prejudice any right of the Corporation to institute any criminal proceedings in reference to such offence in any case where they shall not proceed summarily under this Act.

Power to make byelaws as to waterworks.

29. The Corporation may make byelaws for the prevention of trespass upon and injury to their waterworks, and for enforcing special regulations during periods of drought, and for preventing the waste, misuse, or undue consumption of water and improper or unauthorised alterations or interference with the pipes, fittings, and meters in connection with the supply of water, and for securing the examination and testing of all fittings prior to the use thereof, and for the licensing persons to make, and for prohibiting any person not so authorised from making connections with the pipes of the Corporation or pipes in connection therewith, and the Corporation may in and by such byelaws impose penalties for breaches thereof or of any license under the same: Provided that nothing herein contained shall authorise the said Corporation to make any byelaw or regulation which shall diminish, alter, prejudice, or affect in any

manner whatsoever any right which before the passing of this Act the owners, lessees, and occupiers of any lands, mills, or works on or adjoining to the river Etherow, or any of the rivers, streams, or brooks the waters of which are authorised to be taken or used for the purposes of the Manchester Corporation Waterworks Act, 1865, and the several Acts therein recited, or any of them, may now have, possess, or enjoy to the use of any waters or supply of water whatsoever, and every byelaw hereby authorised to be made shall be subject in all respects to all and every the provisions of the said Manchester Corporation Waterworks Act, 1865, and the several Acts therein recited.

Power to make byelaws as to sanitary purposes.

30. The Corporation may make byelaws for the following sanitary purposes:

For regulating the mode of conveyance for the purpose of interment of the body of any person who has died of an infectious disease:

For causing the destruction of articles infected:

For compelling the disinfection of articles and places, and prescribing the mode of such disinfection:

For preventing the sale of infected articles:

For giving power of entry for disinfecting purposes:

For preventing the use of public conveyances by persons suffering from infectious diseases:

For preventing rubbish being thrown into ash-pits, and for causing privies and ash-pits to be locked and secured in such manner as the Corporation may prescribe.

Penalties.

31. The Corporation may in and by any byelaw authorised by this Act impose a penalty for every offence not exceeding five pounds, and for a continuing offence not exceeding that sum for every day during which the offence may continue.

Further provision as to byelaws of the Corporation.

32. All byelaws authorised by this Act or by any other Act now in force within the city may be altered or repealed from time to time by the council, and the penalties thereunder shall in respect of any offence committed within the city be recoverable before the stipendiary magistrate or before any two justices of the peace for the city, and in respect of any offence committed without the city before any two justices of the peace having jurisdiction in the county or place where such offence was committed.

Such justices shall have power to order the whole or part only of such penalty to be paid.

No byelaws (except such as may relate solely to officers and servants of the Corporation) nor (except as aforesaid) the repeal of

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any byelaws shall be valid or binding unless the same be made and published and submitted to one of Her Majesty's Principal Secretaries of State in the manner prescribed by the Act passed in the fifth and sixth years of the reign of His late Majesty King William the Fourth, intituled "An Act to provide for the regulation "of Municipal Corporations in England and Wales."

Superannuation of fire brigade.

33. The provisions contained in the sections 109 to 124, both inclusive, of the Manchester General Improvement Act, 1851, shall extend and apply to the fire police and members of the fire brigade of the Corporation, but the monthly or weekly sum to be deducted shall be at the rate of three pounds per centum per annum on the weekly pay instead of the rate specified by such Act.

Creation of consolidated stock.

34. It shall be lawful for the Corporation to resolve that any perpetual annuities issued by them, or that any portion of their debt then subsisting on the security of outstanding mortgages or bonds of the Corporation, not exceeding an amount to be defined in and by such resolution, may be converted into consolidated stock of the Corporation of like amount, either by agreement with the holders of such annuities, mortgages, or bonds, or by paying off the same respectively when due, and issuing stock of a corresponding amount, instead of re-borrowing the sums so paid off, and also from time to time to resolve that the whole or any part to be defined in and by such resolution of the moneys which the Corporation shall have authority to raise by borrowing under the powers of any of their Acts, including this Act, and which shall not then have been raised, shall or may be raised by the creation and issue of consolidated stock of a corresponding amount, instead of borrowing the same, and also to attach to the stock so authorised to be created and issued for any of the purposes aforesaid a fixed and perpetual yearly dividend or interest at any rate not exceeding the rate of four pounds for every one hundred pounds thereof, payable in equal half-yearly portions, and the stock so created and issued shall be a charge upon the city rate, and all landed and other property vested in or belonging to the Corporation or which may be acquired by them, but shall be distributable, transmissible, and transferable as and in other respects have the incidents of personal estate, and the stock when so created shall be termed Manchester Corporation Consolidated Stock, and is herein-after referred to as "consolidated stock."

Saving rights.

35. Provided always, that nothing herein contained shall in anywise prejudice or affect the rights of the holders of perpetual annuities or mortgages or bonds of the Corporation, and all the

consolidated stock to be created as aforesaid shall be subject to the mortgages and bonds at present existing.

Restricting exercise of borrowing powers.

36. Provided also, that after the conversion of any such annuities or mortgages or bonds into consolidated stock, or after any money shall have been raised by the Corporation by the issue of consolidated stock, it shall not be lawful for the Corporation to issue mortgages or bonds or any other securities for the amount so converted or raised or again to borrow the same, but the powers of borrowing by the Corporation shall to that extent be extinguished.

Reserving provisions as to sinking fund.

37. Provided also, that nothing herein contained shall operate to diminish or vary any obligation of the Corporation to provide a sinking fund or otherwise to pay off the moneys borrowed by them under this or any other of their Acts.

Priority of stock not to be affected by time of creation thereof.

38. No holder of any portion of consolidated stock shall have any priority or preference by reason of the creation or issue of such portion of stock before the creation or issue of any other portion of stock.

Register of stock to be kept.

39. The Corporation shall cause entries of the consolidated stock from time to time created, and of all transfers thereof, to be made in a register to be kept for that purpose, wherein they shall enter the names and addresses of the several persons and corporations from time to time entitled to the consolidated stock, with the respective amounts of the stock to which they are respectively entitled.

Certificate of stock.

40. The Corporation shall deliver on demand to every holder of consolidated stock a certificate stating the amount of such stock held by him, and such certificate shall have the common seal of the Corporation attached thereto, and the same may be according to the form in Schedule A. to this Act annexed or to the like effect, and for such certificate the Corporation may demand any sum not exceeding two shillings and sixpence.

Certificate to be primâ facie evidence.

41. The said certificate may be admitted in all courts as primâ facie evidence of the title of such stockholder, his executors, administrators, successors, or assigns, to the sum therein specified.

Certificate to be renewed when destroyed.

42. If any such certificate be worn out or damaged, then the same may upon the production thereof be cancelled, and another similar certificate may be given to the holder of the stock therein specified, or if such certificate be lost or destroyed, then, upon proof thereof to the satisfaction of the Corporation, a similar certificate may be given to the holder of the stock specified in the certificate so lost or destroyed, and in either case a due entry of the substituted

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certificate shall be made in the said register, and for every such certificate given in pursuance of this section a fee not exceeding two shillings and sixpence may be demanded.

Transfer of stock.

43. Consolidated stock shall be transferable by deed, which may be in the form contained in the Schedule B. to this Act, but such deed shall exclusively relate to such transfer, and shall not contain any recital, trust, power, or proviso whatsoever, and such deed shall be effectual in law to pass to the transferee all the interest of the transferor in the stock expressed to be transferred, and the dividends thereon.

A person becoming entitled to any stock in consequence of the death, bankruptcy, or marriage of the owner, or by any lawful means other than by such deed as aforesaid, shall produce such evidence of his title as may be reasonably required by the Corporation, and the same shall be entered in the said register as a transfer.

The Corporation shall not be bound to register any transfer except upon production of the certificate relating to the stock to be transferred.

Upon any subdivision of stock by transfer the Corporation may, upon the delivery up to them of the original certificate, grant to the transferees new certificates for the sums of stock so transferred.

Register to be evidence.

44. The register so kept under the provisions of this Act shall be evidence of all matters therein entered under the provisions of this Act, and of the title of persons or bodies corporate entered therein as owners of any consolidated stock who are mentioned therein as such owners.

Payment of dividends.

45. The Corporation shall pay the dividends on all consolidated stock upon the twenty-fourth day of June and twenty-fourth day of December, excepting when such days shall fall on a Saturday, Sunday, or day observed as a public holiday at the Bank of England, and then upon the day next following such excepted day or days.

Application of money raised.

46. When any consolidated stock has been created and issued under this Act in order to raise any portion of a loan authorised by any existing Act, the money raised thereby shall be deemed to have been borrowed under and for the purposes of such Act, and shall be applied accordingly.

Land sold to be free from consolidated stock.

47. When any land, rents, or property is or are sold, demised, or otherwise disposed of by the Corporation, the same shall in the hands of any person or body corporate to whom the same shall have been sold, and his or their heirs, executors, administrators,

successors, and assigns, be absolutely free from all claims, charges, or obligations in respect of any consolidated stock granted or issued under this Act, and such person or body corporate shall not be bound to see to or inquire into the application by the Corporation of the money arising from such sale, or be in any way responsible for the non-application thereof.

Consent of trustees of incapacitated persons, &c. to conversion.

48. Any person who holds any security or annuity granted by the Corporation before the passing of this Act, and who is one of the persons enabled by the Lands Clauses Consolidation Act, 1845 (section 7), to sell land under that Act, may, in the manner and to the extent in the said section provided, consent to any arrangement authorised by this Act for the conversion of such security or annuity into consolidated stock, and to the payment of such security before the time limited for the payment thereof.

Corporation not to be affected by notice.

49. No notice of any trust, express, implied, or constructive, shall be entered in any register of. or be receivable by the Corporation in relation to any consolidated stock, annuity, mortgage, or bond, or other security, nor shall they be affected by express or constructive notice of any such trust, although the same be contained in any document registered by them or tendered to them for registration.

Perpetual annuities to be personal estate.

50. Any perpetual annuity to be hereafter granted by the Corporation under their statutory powers shall be deemed personal estate.

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

51. The Corporation may (in addition to the other sums which they are authorised to raise by any Act) from time to time borrow at interest for the purposes of this Act, on the credit of the city rate, or of any property vested in or belonging to the Corporation, or which may be acquired by them, any sums of money not exceeding in the whole the sum of one hundred thousand pounds, and the sections sixteen to thirty, both inclusive, of the Act (local and personal) seventh and eighth Victoria, chapter forty, shall apply to all moneys to be so borrowed by the Corporation under the authority of this Act, as if the same had been expressly repeated and re-enacted in this Act with reference to the further sum so authorised to be borrowed: Provided that all mortgages granted by the Corporation prior to the passing of this Act on the same securities or any of them on the credit of which they are by this Act authorised to borrow, and which shall then be in force, shall, during their continuance, have priority over all mortgages granted on the like securities or any of them under the authority of this Act: Provided also, that the Corporation shall, from and after the first day of January one thousand eight hundred and seventy-six, and during the succeeding

Sinking fund.

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twenty years, annually set apart as a sinking fund a sum being not less than one pound ten shillings per centum, and from and after the expiration of such twenty years a sum being not less than two pounds per centum, on so much of the said sum of one hundred 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 under this section, and to no other purpose whatever.

Application of moneys.

52. All moneys raised under the powers of this Act shall be applied for the purposes of this Act only.

Powers of Act cumulative.

53. 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.

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

SCHEDULES referred to in the foregoing Act.

SCHEDULE A.

Form of Certificate.

CITY OF MANCHESTER.

No.

This is to certify that of is the proprietor of pounds shillings pence of the Manchester Corporation Consolidated Stock, issued by the mayor, aldermen, and citizens of the city of Manchester in the county of Lancaster, pursuant to Act of Parliament.

Given under the common seal of the said mayor, aldermen, and citizens this day of one thousand eight hundred and .

SCHEDULE B.

Form of Transfer.

I (*A.B.*) of
in consideration of the sum of
pounds paid to me by (*C.D.*)
of
do hereby transfer to the said (*C.D.*)
his executors, administrators, and assigns, the sum of
Manchester Corporation Consolidated Stock
standing in my name in the books kept of such stock, and all my property, right, and interest in and to the same, and the dividends thereon.

In witness whereof I have hereunto set my hand and seal this day of one thousand eight hundred and .

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