ANNO SECUNDO

VICTORIÆ REGINÆ.

Cap. ii.

An Act for effecting Improvements in the Streets and other Places within and contiguous to the Town of *Manchester*. [19th *April* 1839.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for better lighting with Gas the Town of* Manchester *in the County Palatine of* Lancaster: And whereas another Act was passed in the Ninth Year of the Reign of His said late Majesty, intituled *An Act to amend several Acts for cleansing, lighting, watching, improving, and regulating the Towns of* Manchester *and* Salford *in the County Palatine of* Lancaster: And whereas another Act was passed in the Eleventh Year of the Reign of His said late Majesty, intituled *An Act to amend several Acts for supplying the Town of* Manchester *with Gas, and for regulating and improving the same Town:* And whereas another Act was passed in the First Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to authorize the raising of further Monies for supplying the Town of* Manchester *with Gas:* And whereas another Act was passed in the Second Year of the Reign of His said late Majesty King *William* the Fourth, intituled *An Act for widening and improving a Part of* London Road *in the Parish of* Manchester *and County of* Lancaster, *and also for effecting Improvements in the Streets and other Places within and contiguous*

5 G. 4. c. 133.

9 G. 4. c. 117.

11 G. 4. & 1 W. 4. c. 47.

1 W. 4. c. 16.

2 & 3 W. 4. c. 36.

contiguous to the Town of Manchester; And whereas another Act was passed in the Sixth Year of the Reign of His said late Majesty King *William* the Fourth, intituled *An Act to enlarge the Powers of several Acts for effecting Improvements in the Streets and other Places within the Town of* Manchester: And whereas the second and third recited Acts contain certain Powers and Authorities enabling "The Commissioners for cleansing, lighting, watching, and regulating the Town of *Manchester*," and a certain Committee by them appointed, and to be from Time to Time appointed, called "The Improvement Committee," to make Improvements in the Streets, Squares, Lanes, Alleys, Passages, and Places of the said Town of *Manchester*, by widening, opening, or altering the same, and otherwise, as expressed and mentioned in such Acts, the Costs, Charges, and Expences of such Improvements being to be supplied and discharged by means of the surplus and other Monies which the Directors acting in execution of the said first-recited Act shall, subsequently to the passing of the said third-recited Act, have paid over or shall pay over to the said Commissioners, pursuant to the said second and third recited Acts, for the Purpose of improving the said Town of *Manchester*, as in the said last-mentioned Acts is also expressed: And whereas the said Commissioners and the said Improvement Committee, or one of those Bodies, in the Exercise of the said Powers and Authorities, have already effected many Improvements in the said Town, and are now in the course of completing some of the Improvements contemplated by the said last-recited Act: And whereas it is expedient to widen and improve a certain Street or Place in the Town of *Manchester* aforesaid called *Smithy Door*, extending from a certain Street or Place in the Town of *Manchester* aforesaid called *Cateaton Street* or *Old Bridge*, to a certain other Street or Place in the Town of *Manchester* aforesaid called the *Market Place*, and also to widen and improve certain other Streets or Places in the Town of *Manchester* aforesaid called *Saint Mary's Parsonage* and *Water Lane*, and also to form and make a Communication from the Westerly End of a certain other Street or Place in the Town of *Manchester* aforesaid called *Back Bridge Street*, where the same joins *Water Street*, through *Windmill Yard* and *Star Yard*, to a certain other Street or Place in the Town of *Manchester* aforesaid called *Deansgate*; and it is also expedient to make within and contiguous to the said Town of *Manchester* further Improvements; but the said several Objects 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, That from and after the passing of this Act the said several recited Acts, and all Powers and Authorities, Provisions, Regulations, Matters, and Things whatsoever respectively therein contained, as the same Acts, Powers, Authorities, Provisions, Regulations, Matters, and Things may be when construed and applied collectively and together, shall extend and apply to, and be construed to extend and apply to and be exercised by, the said Directors, Commissioners, and Improvement Committee, and each and every of those Bodies, and shall operate and be in force as fully and effectually, with respect to the several Messuages, Houses,

6 & 7 W. 4. c. 16.

Provisions of recited Act extended to this Act.

Buildings,

Buildings, Lands, Tenements, and Hereditaments, and Parts of the several Messuages, Houses, Buildings, Lands, Tenements, and Hereditaments, within the said Town of *Manchester*, specified or mentioned in the Schedule to this Act annexed (which is to be taken, deemed, and construed to be Part of this Act), or such Portion or Portions of the same Messuages, Houses, Buildings, Lands, Tenements, and Hereditaments, or Parts thereof respectively, as by the said Commissioners may be deemed requisite to be taken for the Purposes of this Act, and to all Estates or Interests in or affecting the same respectively, and generally in every other respect whatsoever and to the full Extent to which the same can be made available for effecting the several Improvements and Alterations contemplated by and the general Purposes of this Act or any of them, as if the same were herein repeated and re-enacted and made Part hereof, and as if the said Schedule had been annexed to and formed Part of the said third-recited Act, subject nevertheless and without Prejudice, so far as the Provisions of the said previous Acts may be affected thereby, to the express Stipulations and Provisions herein contained.

Provision respecting a Street or Road lying between and forming a Communication with Two new Turnpike Roads from Manchester to Bury.

II. And whereas it may be expedient that the Public should acquire the Right of passing and repassing, either with or without Horses, Carts, and Carriages, and for any Purpose whatsoever, free from the Payment of any Toll or Sum of Money, and without any Condition, Restriction, or Obstruction, in, over, and along a certain Street or Road leading to the *Manchester* Poorhouse, and lying between and forming a Communication with the Two new Turnpike Roads from *Manchester* to *Bury* in the County of *Lancaster*; be it therefore enacted, That in case a Resolution be passed to such Effect at a Meeting of the said Commissioners, of which Meeting and of the Purport of the Resolution so intended to be proposed One Calendar Month's Notice at the least shall be given by Advertisement in each of the *Manchester* Newspapers, the said Street or Road shall become a public Highway, and shall or may thenceforth be used accordingly for all or any of the Purposes aforesaid, and shall be repairable at the Expence of the Inhabitants at large of the Township in which the same is situated; and forthwith upon the passing of such Resolution it shall be lawful for the said Commissioners, at any Time or Times thereafter, to remove and carry away all Gates, Obstructions, and Impediments whatsoever to the free Passage in, through, over, and along the same: Provided nevertheless, that inasmuch as the Earl of *Ducie*, or his Trustees, and the Company of Proprietors of the *Strangeways Bridge*, are or may claim to be interested in the Premises, and to be injured by the carrying of this Clause into effect, Notice shall within Fourteen Days after the passing of such Resolution be given of the same to the said Earl or his Trustees, or the Person or Persons for the Time being interested under him or them, by delivering the same personally or leaving the same at the Residence or Office of his or their Solicitor or Agent, and also to the said Company of Proprietors of the *Strangeways Bridge*, by leaving the same at the Office of their Solicitor or Agent; and in case, within the Space of One Calendar Month at the latest after the Service in manner aforesaid of the Notice of such Resolution, the said Earl or his Trustees, or the said Company of Proprietors

of

of the *Strangeways Bridge*, shall claim Compensation in respect thereof on account of Loss or Injury to be sustained by them by reason of the Premises, and shall deliver to the said Commissioners, or to their Clerk, within the said Space of One Calendar Month last aforesaid, Notice of such Claim, and of the Nature, Amount, and Particulars thereof, and of the Interest of the Party or Parties making such Claim, then and in such Case such Party or Parties shall be entitled to Compensation accordingly, if it be ascertained and established that he, she, or they has or have sustained Loss or Injury in respect of such his or their Interest as aforesaid; which Compensation, in case the said Commissioners and the said Party or Parties differ about the same, shall be ascertained by the Verdict of a Jury, in the same Manner in all respects as by virtue of the Act lastly herein-before referred to is expressly or by reference provided touching the Purchase by the said Commissioners of the Lands, Buildings, and Tenements specified in the Schedule to the same Act, all the Provisions whereof, so far as the same can be made applicable to the Object contained in this present Clause, or can conduce to the carrying the same into full Effect, and so far as Circumstances may admit, are hereby made applicable to such Purpose accordingly.

Power to widen and alter the Bridge over the Medlock.

III. And be it further enacted, That in order to widen and improve the Communication between certain Streets or Places called *Ancoats Street* and *Pin Mill Brow* it shall and may be lawful for the said Commissioners to widen and otherwise alte the Bridge over the River *Medlock* in such Manner and to such an Extent as may be deemed expedient or necessary, and to make the necessary Purchases of Lands, Tenements, and Hereditaments specified in the Schedule to this Act, and to do all other Acts which may be requisite for that Purpose, paying a reasonable Compensation for all Damage and Injury to be done or occasioned thereby; and in case any Dispute or Difference shall arise between the said Commissioners and the Party or Parties entitled to or claiming to be entitled to receive such Purchase or other Money as to the Amount thereof, the same shall be ascertained and settled by the Verdict of a Jury, in the same Manner in all respects as by virtue of the Act lastly herein-before referred to is expressly or by reference provided touching the Purchase by the said Commissioners of the Lands, Buildings, and Tenements specified in the Schedule to the same Act; and all the Provisions of the said Act, so for as the same can be made applicable to the Objects and Purposes of this Act, except where such Provisions are altered or amended by this Act, and so far as Circumstances may admit, are hereby made applicable to such Purpose accordingly: Provided always, that notwithstanding such widening and altering of the said Bridge the Inhabitants at large of the County or Hundred shall thereafter continue liable to repair and maintain the same; and such widening and altering shall be done and performed in such Manner and under such Superintendence as is directed by any Act or Acts of Parliament now in force with regard to Bridges to be erected which the Inhabitants of Counties shall or may be bound or liable to repair and maintain.

IV. And

Power to widen the Bridge over the Rochdale Canal, in order to perfect the Improvement of Albion Street.

IV. And be it further enacted, That in order to complete and perfect the widening and improving of a certain Street or Place called *Albion Street* it shall and may be lawful for the said Commissioners to widen and otherwise alter the Bridge over the *Rochdale* Canal, and the Works connected therewith, in such Manner and to such an Extent as may be deemed expedient or necessary, and to make the necessary Purchases of Land, and to do all other Acts which may be requisite for that Purpose, paying a reasonable Compensation for all Damage and Injury to be done or occasioned thereby; and in case any Dispute or Difference shall arise between the said Commissioners, and the Party or Parties entitled to or claiming to be entitled to receive such Purchase or other Money, as to the Amount thereof, the same shall be ascertained and settled in such and the same Manner as is herein directed with respect to the Amount of the Money to be paid for or in relation to the widening and altering of the said Bridge over the River *Medlock* as aforesaid in case of any Dispute or Difference about the same: Provided always, that in the widening and altering of the said Bridge over the *Rochdale* Canal and Works the free Current and Flow of Water, and the free Passage down and along the said Canal, to the present Width thereof, be not thereby impeded, and that the Towing Path thereof be not prejudiced or obstructed.

Expences of Jury and Witnesses how to be paid.

V. And be it further enacted, That in every Case in which the Verdict of a Jury shall be given for the same or a greater Sum than shall have been previously offered by the said Commissioners for the Purchase of any Lands to be used or taken by them for the Purposes of this Act, or as Compensation or Satisfaction for any Damage or Loss which may happen or arise in or be occasioned by the Execution of any of the Powers of this Act, all the Costs, Charges, and Expences incurred in summoning, impannelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and the Attendance and reasonable Fees of One Counsel, and recording the Verdict or Judgment thereon, and otherwise incident to the said Inquisition, shall be borne by the said Commissioners; and such Costs, Charges, and Expences shall be settled and determined by the said Sheriff or other Person presiding; and in case such Costs, Charges, and Expences shall not be paid to the Party entitled to receive the same within Seven Days after the same shall have been demanded, the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels of the said Commissioners (unless the Treasurer of the said Commissioners shall pay such Costs, Charges, and Expences out of any Monies received by him by virtue of this Act, and which he is hereby authorized to do,) under a Warrant to be issued for that Purpose by any Justice of the Peace acting within his Jurisdiction, and not interested in the Matter in question, which Warrant such Justice is hereby authorized and required to issue under his Hand and Seal on Application made to him for that Purpose by any Party entitled to receive such Costs, Charges, and Expences; but if the Verdict of the Jury shall be given for a less Sum than shall have been previously offered by or on behalf of the said Commissioners, one Moiety of the said Costs, Charges, and Expences, to be settled and determined as aforesaid,

said, shall be defrayed by the Party with whom the said Commissioners shall have such Controversy or Dispute, and the remaining Moiety shall be defrayed by the said Commissioners; and the former Moiety of such Costs, Charges, and Expences, having been ascertained and settled in manner herein-before mentioned, shall and may be deducted out of the Money awarded to be paid to such Party as aforesaid as so much Money advanced to and for his Use, and the Payment or Tender of the Remainder of such Money shall be deemed and taken to all Intents and Purposes to be a good Payment or Tender and Satisfaction of the whole thereof.

Court of Exchequer may order reasonable Expences of Purchases and Costs to be paid by the Commissioners.

VI. And be it further enacted, That where by reason of any Disability or Incapacity of any Person or Corporation entitled to any Lands or Hereditaments to be purchased, taken, or used under the Authority of this Act, or from any other Cause except the wilful Refusal of such Person or Corporation to convey the said Lands and Hereditaments, or to accept the Purchase or Compensation Money for the same, the Purchase Money for any Lands or Hereditaments, or any Money to be paid by way of Recompence or Compensation for any Damage or Injury done to the same, shall be required to be paid into the Bank of *England*, it shall be lawful for the said Court of Exchequer to order the reasonable Costs, Charges, and Expences attending any such Purchase, taking, or using of Land, or which may be incurred in consequence thereof, and also all the Costs, Charges, and Expences of the Investment of such Purchase or Compensation Money in Government or Real Securities, and of the Reinvestment of the same, or the Government or Real Securities purchased therewith, in the Purchase of other Lands and Hereditaments, together with, the necessary Costs, Charges, and Expences of obtaining the proper Orders and of all other Proceedings for such Purposes, except such as may be occasioned by Litigation between Claimants, and for the Payment of the Dividends and Interest of the Government or Real Securities upon which such Purchase or Compensation Money may be invested, and for the Payment out of Court of the Principal of such Purchase or Compensation Money or of the Government or Real Securities aforesaid, to be paid by the said Commissioners, and the said Commissioners shall from Time to Time pay such Sums of Money for the Costs, Charges, and Expences herein-before mentioned as the said Court shall direct.

Expences of Titles to be paid by the Commissioners.

VII. And be it further enacted, That all the Costs, Charges, and Expences, on the Part as well of the Seller as the Purchaser, of all Conveyances and Assurances of any Lands which shall be purchased or taken by the said Commissioners for the Purposes of this Act, and of deducing, evidencing, and verifying such Title as the said Commissioners may require to the said Lands, and of making out and furnishing such Abstract and such attested Copies as the said Commissioners may require, and all Expences whatsoever incident to the Investigation, Deduction, and Verification of such Title, shall be exclusively borne and paid by the said Commissioners; and the said Commissioners, before entering into possession of the Lands so purchased or taken, shall pay the Amount of such Costs, Charges, and Expences, or in case there shall be any Dispute about the same

same shall obtain such Order as herein-after mentioned, and shall deposit, for the Purpose of paying the same, in such Manner as herein-after mentioned, the Amount of the Costs, Charges, and Expences claimed by the Party from whom the Lands shall be purchased or taken: Provided always, that the said Commissioners shall not be prevented from entering into possession of the Lands so purchased by reason of the Nonpayment of the said Costs, Charges, and Expences, or by reason of the Order herein-before mentioned not having been obtained, or the Deposit herein mentioned not having been made, unless the Party from whom such Lands shall have been purchased shall, within Seven Days after Notice in Writing for that Purpose shall have been given to them by the said Commissioners, deliver a Bill of their said Costs, Charges, and Expences to the said Commissioners: Provided also, that in case the said Commissioners shall not require the making out or furnishing of such Abstract of Title as aforesaid, but shall be satisfied with an Inspection of the Title Deeds of the Seller of the Lands purchased or taken, such Seller shall be bound, at the Expence of the said Commissioners, to produce or cause the Production of the Title Deeds relating to the said Lands when required by the said Commissioners so to do, without furnishing any Abstract of his Title.

How such Costs are to be ascertained.

VIII. And be it further enacted, That if the said Commissioners and the Party aforesaid cannot agree as to the Amount of such Costs, Charges, and Expences, the same shall be ascertained by the Court of Exchequer; and it shall be lawful for the said Court, on Petition to be presented by the said Commissioners, to order and direct that such Costs, Charges, and Expences shall be referred to one of the Masters of the said Court to be taxed in the usual Manner, and such Order shall be served on the Party aforesaid, who shall be at liberty to proceed under the same; and after Taxation thereof it shall be lawful for the said Court to order and direct the Amount of such Costs, Charges, and Expences so taxed, together with the Costs, Charges, and Expences attending the Taxation thereof, or so much of the same as shall be payable by the said Commissioners to the Party from whom such Lands shall have been purchased or taken, shall be paid to the Party aforesaid: Provided always, that the said Commissioners shall not be at liberty to enter into possession of the Lands so purchased or taken until an Order shall have been made for the Taxation of the said Costs, Charges, and Expences, and the said Commissioners shall have deposited the Sums claimed in respect of the same in the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account there *ex parte* "The Commissioners for cleansing, lighting, watching, and regulating the Town of *Manchester*," pursuant to the Method prescribed by the Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, for better securing Monies and Effects paid into the said Court, which Sum shall be applied, under the Order of the said Court, in Payment of the said Costs, Charges, and Expences: Provided always, that the Expence of determining such Costs, Charges, and Expences as aforesaid, and of obtaining the Order or Orders referring the same to be taxed, shall be paid and borne by the said Commissioners, unless One Sixth Part of the said

said Costs, Charges, and Expences shall be disallowed, in which Case the said Expence shall be paid and borne by the Party from whom the said Lands were purchased or taken, and the Amount thereof may then be paid to the said Commissioners out of the said Sum so deposited by them as aforesaid.

If Property in the Schedule be not purchased within Five Years, Powers to take the same by Compulsion to cease.

IX. Provided always, and be it further enacted, That if the several Messuages, Houses, Buildings, Lands, Tenements, and Hereditaments, and Parts of Messuages, Houses, Buildings, Lands, Tenements, and Hereditaments, mentioned in the said Schedule to this Act annexed, or so much thereof as may be deemed necessary for the Purposes of this Act, shall not within the Space of Five Years next after the passing of this Act be agreed for and paid for in manner by the said second and third recited Acts and this Act directed, then and from thenceforth the Powers hereby given for those Purposes shall not be exercised, except with the Consent of the Owners and Occupiers of the said Messuages, Houses, Buildings, Lands, Tenements, and Hereditaments, and Parts of the said Messuages, Houses, Buildings, Lands, Tenements, and Hereditaments respectively.

Plans of Elevations of Houses which in consequence of the Improvements may be erected on front Land to be subject to the Approbation of the Commissioners.

X. And be it further enacted, That all and every the Houses and Buildings or Parts of Houses and Buildings to be erected and built in lieu of those authorized to be purchased and taken by virtue of this Act or of all or any of the said recited Acts, or upon the Site of any of the Land which in consequence of the Improvements thereby respectively authorized, or any of them, will become front Land, or upon the Site of any other Land now purchased or taken or which may hereafter be purchased or taken by the said Commissioners, shall be erected and built according to such Plan or Plans for the outside Front or Elevation thereof as the said Improvement Committee for the Time being of the said Town shall approve of, unless the said Improvement Committee shall expressly declare that they relinquish and give up their Right to exercise this Power, which they are hereby authorized to do if they shall so think fit, and which Declaration (a Minute thereof signed by the Clerk of the said Commissioners being hereby made good Evidence of the same) shall operate to extinguish such Right, and shall be binding and conclusive to all Intents and Purposes whatsoever.

Repealing the Clause of 9 G. 4. c. 117. as to Limitation of Actions.

XI. And whereas by the said recited Act of the Ninth Year of the Reign of His late Majesty King *George* the Fourth it was enacted, that no Action or Suit should be commenced against any Person or Persons for any thing done under the Provisions of that Act or of the Acts therein recited, or any of them, until Twenty-one Days Notice thereof should be first given in Writing to the Comptroller or Clerk or Clerks of the said *Manchester* Commissioners, signed by the intended Plaintiff or Plaintiffs, of the Cause and Intention of and for commencing such Action or Suit, nor at any Time whatsoever after sufficient Satisfaction or Tender thereof had been made to the Party or Parties aggrieved, nor after Three Calendar Months next after the Fact committed for which such Action or Actions, Suit or Suits, should be so brought; and all such Actions or Suits should be laid and tried in the County of *Lancaster*, and not in any other

County or I ace; and that the Defendant or Defendants in every such Action or Suit, and every of them, might plead the General Issue, and gi e that Act and the said recited Acts, or any of them, and the special Matter, in Evidence, at any Trial or Trials which should be had thereupon, and that the Matter or Thing for which such Action or Actions, Suit or Suits, should be so brought was done in pursuance and by the Authority of the same Acts or some of them; and if the said Matter should appear to have been so done, or if it should so happen that such Action or Suit was brought before Twenty-one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any such Action or Suit should not be commenced within the Time before for that Purpose limited, or should be laid in any other County or Place than as aforesaid, then the Jury or Juries should find for the Defendant or Defendants therein; and if a Verdict or Verdicts shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, should become nonsuited, or suffer a Discontinuance of such Action or Actions, Suit or Suits, or if Judgment should be be given for the Defendant or Defendants therein, then and in any of the Cases aforesaid such Defendant or Defendants should have Treble Costs, and should have such Remedy for recovering the same as any Defendant or Defendants might have for his, her, or their Costs in any other Cases by Law: And whereas it is expedient that the said Provision should be repealed; be it therefore enacted, That the same shall be and is hereby repealed.

Saving the Rights of Manchester and Salford Waterworks Company.

XII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to take away, prejudice, lessen, or affect any of the Powers, Privileges, or Authorities now belonging to the Company of Proprietors of the *Manchester* and *Salford* Waterworks under or by virtue of any Act or Acts of Parliament now in force or otherwise howsoever; and that in every Case where by the opening, making, raising, widening, or altering the said Streets or Avenues, or any of them, it shall become requisite to alter, raise, take up, remove, or relay any of the Pipes of the said Company of Proprietors or their Tenants, the said Commissioners or their Clerk shall, previously to the opening, making, raising, widening, or altering of the said Streets or Avenues, give or cause to be given to the said Company of Proprietors Six Days Notice in Writing, to be left at the Office of the said Company in *Manchester* aforesaid, in order that full Time and Opportunity may be afforded to the said Company to alter, raise, take up, remove, or relay the said Pipes as aforesaid, and which said Pipes shall be altered, raised, taken up, removed, and relaid by the said Company of Proprietors out of the Funds to be received by the said Commissioners for the general Purposes of this Act; and if there shall be any Dispute between the said Commissioners acting in the Execution of this Act and the said Company of Proprietors, the same shall from Time to Time be ascertained and settled by a Justice of the Peace for the said County of *Lancaster*, upon the Application of either Party; and in case the Amount so to be settled and ascertained shall remain unpaid for the Space of Ten Days next after the Day on

which the same shall have been so ascertained and settled as aforesaid, and Demand made thereof by any Clerk or Servant acting on behalf of the said Company of Proprietors from the Clerk or Treasurer for the Time being of the said Commissioners acting in execution of this Act, the same shall and may be recovered from the said Commissioners by the said Company of Proprietors as any other Debt or Demand can or may at Law or in Equity be recovered by the said Company of Proprietors; and the Signature of the said Justice to the Amount so by him ascertained and settled as aforesaid shall be conclusive Evidence of the Amount of such Debt or Demand; and in case the said Company shall not within a reasonable Time after Notice to be given as aforesaid alter, raise, take up, remove, relay, or repair such of their said Pipes as may be necessary, then and in every such Case the said Commissioners may do so.

Expences of this Act.

XIII. And be it further enacted, That all Costs, Charges, and Expences of and attending the applying for, preparing, obtaining, and passing of this Act shall be paid and discharged by the said *Manchester* Commissioners out of the first Monies which after the passing of this Act shall be by the said Directors paid over to the said Commissioners pursuant to the said third-recited Act.

Public Act.

XIV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

SCHE-

SCHEDULE to which this Act refers.

Cateaton Street.

The Houses, Buildings, and Lands now or late in the Occupation of John Taylor on the Northerly Side of Cateaton Street or Old Bridge aforesaid.

Smithy Door and the Market Place.

The Houses, Buildings, and Lands on the Easterly Side of Smithy Door and the North-easterly Side of the Market Place aforesaid, now or late in the Occupation of James Firth, John Gaskell, John Beardmore, Ellen Disley, William Dafforn, John Walker, Thomas Bird, Hannah Swengeley, George Southam, James Weatherby, Jacob Williamson, James Fawkner, John Hall, Martha Ashworth, Hannah Ashworth, Harriet Ashworth, John Fenna, Hugh M'Kay, William Holt, Jonathan Marshall, and James Duke, or so much and such Parts of the said Houses, Buildings, and Lands as will lie between Smithy Door and the Market Place aforesaid and a straight Line to be drawn along the Front of the Buildings lately erected by Willoughby Bryant Stawell, on the Easterly Side of Smithy Door aforesaid, through the said Houses, Buildings, and Lands, into the Market Place aforesaid, so as to make the Front of the said last-mentioned Houses, Buildings, and Lands lineable with the Front of the said Buildings lately erected by the said Willoughby Bryant Stawell; and so much of the Houses, Buildings, and Lands on the North-easterly Side of the Market Place, now or late in the Occupation of James Duke, remaining, as will be necessary to round off the Angle into the Market Place to a Radius of Forty Feet.

Deansgate.

So much of the Houses, Buildings, and Lands on the Easterly Side of Deansgate aforesaid now or late in the Occupation of Philip Fryer as will be necessary to form and make Deansgate of the Width of Twelve Yards.

Apple Market.

So much of the Houses, Buildings, and Lands now or late in the Occupation of Samuel Needham, William Millington, and James Whitehead, on the Northerly Side of certain Streets in Manchester aforesaid called Hunt's Bank and the Apple Market, not exceeding Six Yards in Depth, as may be deemed necessary for the widening of those Streets.

Fennel Street.

The Houses, Buildings, and Lands on the South-westerly Side of a certain Street in Manchester aforesaid called Fennel Street, or so much

much and such Parts thereof as will be necessary to make and form that Street of the Width of Eighteen Yards throughout; and so much and such Parts of the Houses, Buildings, and Lands on the North-easterly Side of Fennel Street aforesaid, now or late in the Occupation of Joseph Lockett and John Lockett, as will lie between Fennel Street and Long Millgate and a straight Line to be drawn from the North-westerly Corner of the Engine House to the North-easterly Angle of the Doorway leading into the Premises out of Long Millgate.

SAINT MARY'S PARSONAGE and WATER STREET.

The Houses, Buildings, and Lands on either Side or on both Sides of certain Streets in Manchester aforesaid called Saint Mary's Parsonage and Water Street or Water Lane, or so much and such Parts thereof as will be necessary to form and make those Streets from Blackfriars to the Northerly Angle of the Building in Water Street or Water Lane, now or late in the Occupation of Samuel Smith, of the Width of Fourteen Yards throughout.

KING STREET.

So much of the Houses, Buildings, and Lands on the South-westerly Side of a certain Street in Manchester called King Street, lying between certain Streets in Manchester aforesaid called Essex Street and Pall Mall, as will be necessary to make and form that Side of King Street aforesaid lineable with the Buildings now or late in the Occupations of William Capes and others, and William Barker, in that Street.

POOL STREET.

The Houses, Buildings, and Lands now or late in the Occupation of Matthew Brignall, Daniel and Henry Sandbach, John Woolliscroft, and Joseph Edwards, lying between certain Streets in Manchester aforesaid called Pool Street and South Street, or so much and such Parts thereof as will be necessary to form and make an Opening between those Streets of the Width of Fourteen Yards throughout; and also the Houses, Buildings, and Lands now or late in the Occupations of Thomas Vernon, William Sibberin, John Robinson, and Sarah Lunt, on the Northerly Side of Pool Street, or so much and such Parts thereof as will be necessary to make and form that Side of Pool Street aforesaid lineable with the Front of the Buildings now or late in the Occupation of Edward Davies and others in that Street; and also so much of the Houses, Buildings, and Lands on the Southerly Side of Pool Street aforesaid as will be included within a Right Line to be drawn from the Westerly Angle of the Buildings now or late in the Occupation of William Dearden to the Northerly Angle of the Building now or late in the Occupation of John Diethelm and Edward Gaddum.

THE MOUNT.

The Houses, Buildings, and Lands on either Side or on both Sides of a certain Street in Manchester aforesaid called the Mount, from

Jackson's Row to South Street, or so much and such Parts thereof as will be necessary to make and form that Portion of the Mount aforesaid of the Width of Twelve Yards.

SPRING GARDENS and YORK STREET.

So much of the Houses, Buildings, and Lands on the Southerly Side of a certain Street in Manchester aforesaid called Spring Gardens as will be necessary to make and form so much of Spring Gardens aforesaid lying between certain Streets in Manchester aforesaid called King Street and York Street of the Width of Fifteen Yards; and also so much of the said Houses, Buildings, and Lands in Spring Gardens and York Street afterwards remaining as will be sufficient to round off the Angle at the Junction of the said last-mentioned Streets to a Radius of Thirty Feet.

PETER STREET.

So much of the Houses, Buildings, and Lands on the Southerly Side of a certain Street in Manchester aforesaid called Peter Street as will be necessary to make and form that Street from the Methodist New Connexion Chapel to Deansgate of the Width of Twenty Yards.

QUAY STREET.

So much of the Houses, Buildings, and Lands on the South-westerly Side of a certain Street in Manchester aforesaid called Quay Street as will be necessary to make and form that Street from Longworth Street to Deansgate of the Width of Fourteen Yards.

CANNON STREET.

So much of the Houses, Buildings, and Lands on the Southerly Side of a certain Street in Manchester aforesaid called Cannon Street as will be included within a Right Line to be drawn from the North-easterly Angle of the Warehouse now or late in the Occupation of Smith, Hill, and Company to the North-westerly Angle of the Warehouse now or late in the Occupation of Messrs. Grundy and Wood.

SAINT MARY'S STREET.

So much of the Houses, Buildings, and Lands on the South-westerly Side of a certain Street in Manchester aforesaid called Saint Mary's Street as will be necessary to make and form that Street from a certain Street called Deansgate to a certain Street called Southgate of the Width of Twelve Yards throughout.

SOUTHGATE.

So much of the Houses, Buildings, and Lands on the Easterly Side of Southgate aforesaid, now or late in the Occupations of James Riddyard, James King, Mary Yates, and John Tyas, as will be necessary to make and form that Side of Southgate lineable throughout with the Buildings lately erected on that Side by Miss Bowman; and also so much of the Houses, Buildings, and Lands on the Westerly Side of Southgate aforesaid as will be necessary to make and form

Southgate from Back South Parade to Star Yard of the Width of Twelve Yards.

TRAVIS STREET.

So much of the Houses, Buildings, and Lands projecting on or into the South-easterly Side of a certain Street in Manchester aforesaid called Travis Street as will be necessary to make and form that Street at its Junction with Back Crescent Twelve Yards wide, and at its Junction with Great Ancoats Street Fourteen Yards wide.

ASHTON STREET.

The Houses, Buildings, and Lands projecting on or into the Northerly Side of a certain Street in Manchester aforesaid called Ashton Street, or so much and such Parts thereof as will be necessary to make and form that Street from a certain Street there called Chadwick Court to London Road aforesaid of the Width of Twelve Yards throughout.

PARKER STREET.

So much of the Houses, Buildings, and Lands on the Southerly Side of a certain Street in Manchester aforesaid called Parker Street as will be necessary to make and form that Street from a certain Street there called Portland Street to a certain other Street there called Back Faulkner Street of the Width of Eight Yards; and also so much of the Houses, Buildings, and Lands in Portland Street and Parker Street afterwards remaining as will be sufficient to round off the Angle at the Junction of those Streets to a Radius of Thirty Feet.

ROGERS STREET.

The Houses, Buildings, and Lands now or late in the Occupation of Rebecca Chambers, Mary Ann Maycock, James Edwards, Abraham Wright, John Townley, Jonathan Hobson, Joseph Knott, James Smith, and John Baines, on the South-westerly Side of a certain Street in Manchester aforesaid called Rogers Street.

CHARLOTTE STREET.

The Houses, Buildings, and Lands on the North-easterly Side of a certain Street in Manchester aforesaid called Charlotte Street, and lying between certain other Streets in Manchester aforesaid called Fountain Street and Back Mosley Street.

MILLER STREET.

So much of the Houses, Buildings, and Lands on the Northerly Side of a certain Street in Manchester aforesaid called Miller Street as will be necessary to make and form that Street from Blakeley Street to Beswick's Row of the Width of Eighteen Yards.

DUKE STREET.

So much of the Houses, Buildings, and Lands on either Side or on both Sides of a certain Street in Manchester aforesaid called Duke

Street as will be necessary to make and form that Street from Cannon Street to Broom Street of the Width of Twelve Yards.

BACK SUGAR LANE.

So much of the Houses, Buildings, and Lands on the Southerly Side of a certain Street in Manchester aforesaid called Back Sugar Lane as will be necessary to make and form that Street from Greenwood Street to Duke Street of the Width of Ten Yards.

WITHY GROVE.

The Houses, Buildings, and Lands lying between certain Streets in Manchester aforesaid called Withy Grove, Broom Street, and Sugar Lane, and also the Houses, Buildings, and Lands lying between Withy Grove and certain other Streets in Manchester aforesaid called Well Street and Back Garden Street, or so much and such Parts thereof as will be necessary to make and form an Opening between Withy Grove, Shudehill, and Back Garden Street aforesaid of the Width of Twelve Yards throughout, the Easterly Side of such Opening being made in a straight continuous Line with the Easterly Side of Broom Street aforesaid.

GARDEN STREET.

The Houses, Buildings, and Lands now or late in the Occupation of Joseph Booth, Joseph Blakeley, David Huggins, William Barratt, John Cheetham, John Swiney, Brian Doyle, Henry M'Cabe, Edward Price, James Ravenscroft, Samuel Manchester, John Brown, Hugh Vant, Mary Davis, James Taylor, Ann Flinn, Charles Foster, John Preston, Nicholas Holding, George Smith, William Furness, Alice Brogan, Peter Grundy, William Kirkman, Thomas Fielding, Samuel Drummond, John Livesey, Robert Oliver, Peter Dean, Edward Mullaney, John Holt, James Murphy, John Billman, Samuel Williamson, Charles Burrows, Isabella Heaton, Patrick Monks, and James Knight, lying between certain Streets in Manchester aforesaid called Back Balloon Street, Back Hanover Street, and Hanover Street, or so much and such Parts thereof as will be necessary to make and form an Opening between Two certain Streets in Manchester aforesaid called Garden Street and Dantzic Street of the Width of Fourteen Yards throughout; and also so much of the Houses, Buildings, and Lands now or late in the Occupation of John Billman, Samuel Williamson, Charles Burrow, Isabella Heaton, Patrick Monks, and James Knight, on the Westerly Side of Dantzic Street, as will be included within a straight Line to be drawn from the North-easterly Angle of the Buildings now or late in the Occupation of John Bradley to a Point in the Buildings now or late in the Occupation of James Taylor on the Northerly Side of Hanover Street calculated Five Yards Westerly from Dantzic Street, so as to make and form Dantzic Street at its Junction with Hanover Street Fifteen Yards wide; and also so much of the Buildings, Reservoir, and Lands now or late in the Occupation of George Hilditch on the Easterly Side of Garden Street as will be included within a straight Line to be drawn from the Northerly Angle of the said Buildings to a Point to be calculated Three Yards from Garden Street Easterly, so as

as to make and form Garden Street at its Junction with Back Balloon Street Fifteen Yards wide; the Houses, Buildings, and Lands on the Easterly Side of Garden Street and the Northerly Side of Back Garden Street now or late in the Occupation of Edmund Butterworth, James Logan, Patrick Ryley, Ann Williamson, Joseph Turner, Mary Holmes, Elizabeth Hawkins, John Shauley, Catherine Flinn, Thomas Healey, William Butterworth, Betsey Furnival, John Wovenden, Alice Price, Elizabeth Hargreaves, Samuel Scholes, Catherine Shepherd, James Kiernan, Terence M'Cabe, Elizabeth Clapham, Mary Meyoe, John Dobbin, Ann Livesey, and Owen Agnew.

DEANSGATE to WATER STREET.

The Houses, Buildings, and Lands on the Southerly Side of a certain Street in Manchester aforesaid called Star Yard, or so much and such Parts thereof as will be necessary to make and form Star Street and Star Yard from Deansgate to Southgate of the Width of Fourteen Yards; and also the Houses, Buildings, and Lands now or late in the Occupation of Jervis Cross, John Kenworthy and Company, Joseph Pimlott, John Hesketh, John Sadler, Thomas Lynch, Elizabeth Williams, Ann Parker, James Barratt, James Fletcher, Elizabeth Kempster, James Wilson, Luke Waddington, John Rowland, Margaret Coudron, William Carr, George Parkes, Henry Williams, Mary Hayes, James Preston, Mary Morris, Thomas Hardcastle and Son, Christopher Fell, Richard France and William Pass, Gas Directors, George Lovatt, Joseph Tyas, John Jones, Henry Madders, Peter Green, Edward Bull, John Joseph Dickson, John Atkinson, Richard Brown, John Heap, Elizabeth Laidlaw, John Smith, Mary Orme, Richard Lewtas, Ann Ledger, Ann Martin, Ann Parker, John Raffarty, William Berry, William Redsdaile, Elizabeth Kay, Mary Robinson, Harriet Bowles, George Brammar, Phœbe Tyrer, John Molineux, William Owen, John William Edge, Robert Youdall, John Mullen, Henry Laycock, William Rowland, Mary Burton, Ruth Tyas, William Wood, Sarah Whittle, Joseph Graham, William Wray, David Jones, Robert Taylor, John Yates, John Bolton Rogerson, John Bibby, Thomas Dibble, Joseph Hand, Rebecca Thompson, John Pulman, and William Pheasy, lying between certain Streets in Manchester aforesaid called Southgate, Smithy Lane, Windmill Street, Windmill Yard, Harrop's Court, Bakehouse Street, Back Bridge Street, and Water Street, or so much and such Parts thereof as will be necessary to make and form an Opening between Southgate and Water Street of the Width of Fourteen Yards throughout.

WHITTLE'S CROFT and MATHER STREET.

The Houses, Buildings, and Lands on the South-easterly Side of a certain Street in Manchester aforesaid called Whittle's Croft, and lying between Junction Street and Mather Street, or so much and such Parts thereof as will be necessary to make and form that Portion of Whittle's Croft aforesaid of the Width of Twenty Yards.

BOOTH STREET.

The Houses, Buildings, and Lands on either Side or on both Sides of certain Streets in Manchester aforesaid called Booth Street and Tib Lane, or so much and such Parts thereof as will be necessary to

to form and make those Streets from Cross Street to Cooper Street of the Width of Twelve Yards.

CROSS STREET.

So much of the Houses, Buildings, and Lands on the Easterly Side of Cross Street aforesaid as will be necessary to form and make that Street from Bow Lane to Town Hall Buildings Court of the Width of Fourteen Yards.

FOUNTAIN STREET.

So much of the Houses, Buildings, and Lands now or late in the Occupation of Robert Christie, Ralph Ellis, Edward Worthington, Thomas Lechmere Marriot, and Daniel Croxford, on the Northerly Side of a certain Street in Manchester aforesaid called Fountain Street, as will be necessary to make and form that Street into Booth Street aforesaid lineable with the Front of the Buildings now or late in the Occupation of John Ray.

EDWARD STREET.

So much of the Houses, Buildings, and Lands on the Northwesterly Side of and projecting on or into a certain Street in Manchester aforesaid called Edward Street as will be necessary to make and form that Street of the Width of Twelve Yards.

HANGING DITCH.

So much of the Houses, Buildings, and Lands now or late in the Occupation of Joseph Marks, John Jordan, Robert Higginson, Thomas Chatburn, and William Brooks, on the Southerly Side of Hanging Ditch aforesaid, as will be necessary to make and form that Street from Cannon Street to the Building now or late in the Occupation of William Hilly Three Yards wider than it is at present; and also so much of the Houses, Buildings, and Lands now or late in the Occupation of Joshua Radford, Peter Roylance, William Taylor junior, Isaac Stephenson, John Sladen, William Venables, Edward Harpur, Thomas Dewsbury, William Slack, William Henry Smith, John Byng Horsley, Frederick Lilly, Robert Woodward, Joseph Heath, John Bransby, James Boyle, Alfred Acton, Henry Clayton, Dugald Wright, Thomas Gore Owen, and Joseph Potts, on the Northerly Side of Hanging Ditch aforesaid, as will be included within a Line to be drawn in a regular Sweep, inclining towards the Easterly Side of Hanging Ditch aforesaid, from the Northerly Angle of the New Corn Exchange to a Point Eleven Feet Westerly, along the Southerly Side of the Building in Fennel Street now or late in the Occupation of Thomas Gore Owen and Richard Owen; and also so much of the Houses, Buildings, and Lands now or late in the Occupation of John Henderson, John Austin, Thomas Howarth, Robert Kay Snape, William Armitt, James Royle, Henry Bowman, John Hardcastle Bowman, William Medcalf, William Sudlow, John Cawthra, Robert Stensby, John Herod, and James Ainsworth, on the Northerly Side of Hanging Ditch aforesaid, as will be included within a Line to be

drawn in a regular Sweep (inclining towards the Southerly Side of Hanging Ditch aforesaid) from the Southerly Angle of the New Corn Exchange to a Point Eleven Feet Northerly, along the Easterly Side of the Building in Half Street now or late in the Occupation of James Ainsworth; and also the Houses, Buildings, and Land in Manchester aforesaid bounded by Hanging Ditch, Half Street, Church Gates, and the Church Yard.

Long Millgate.

So much of the Houses, Buildings, and Lands now or late in the Occupation of John Jones, William Gregory, William Gaddis, Samuel Foster, Ann Pope, Ann Mumfill, and Walter Hewitt, on the North-westerly Side of Long Millgate aforesaid, as will be necessary to make and form that Street, from the Easterly Angle of the Buildings lately erected by Benjamin Rawson to the South-easterly End of the Buildings lately erected by Ashton Marlow Heath, lineable with the said new Buildings; and also so much of the Houses, Buildings, and Lands now or late in the Occupation of Ann Bullen, Peter Warburton Lowe, James Bennett, and James Butterworth, on the North-westerly Side of Long Millgate aforesaid, as will be included within a straight Line to be drawn from the South-easterly Angle of the said Buildings now or late in the Occupation of Richard Roberts and Company to the Northerly Angle of the inclosed vacant Land belonging to Clarke's Charity; and also so much of the Houses, Buildings, and Lands now or late in the Occupation of George Holehouse, John Ogden, Joseph Cordingly, Phipps Clarke, John Moody, and Elkanah Holroyd and William Spence, on the North-westerly Side of Long Millgate aforesaid, as will be included within a regular Sweep (inclining towards the South-easterly Side of Long Millgate aforesaid) from the Southerly Angle of Clarke's Charity Land to the Southerly Angle of the Building now or late in the Occupation of the said William Spence; and also so much of the Houses, Buildings, and Lands on the Easterly Side of Long Millgate aforesaid extending from Hanover Street to Miller Street as will be necessary to make that Portion of Long Millgate of the Width of Fourteen Yards throughout.

Bridge Street.

So much of the Houses, Buildings, and Lands on the Northerly Side of a certain Street in Manchester aforesaid called Bridge Street, extending from Water Street to New Bailey Bridge, as will be necessary to make and form that Portion of Bridge Street aforesaid of the Width of Eighteen Yards; and also so much of the Houses, Buildings, and Lands on the Westerly Side of Water Street and the Northerly Side of Bridge Street afterwards remaining as will be necessary to round off the Angle of the Building at the Junction of those Streets to a Radius of Sixty-six Feet.

Todd Street.

So much of the Houses, Buildings, and Lands now or late in the Occupation of Joseph Bleackley and Richard Collins and Son, projecting on or into the Easterly Side of a certain Street in Manchester aforesaid

aforesaid called Todd Street, as will be included within a straight Line to be drawn from the Southerly Angle of the Collegiate Church Sunday School to the Northerly Angle of the Doorway of the Mill in the Occupation of Richard Collins and Son.

SAINT MARY'S GATE and DEANSGATE.

So much of the Houses, Buildings, and Lands now or late in the Occupation of Elizabeth Hodson, Francis Redfern, Jacob Franks, and John Bower, on the Southerly Side of Saint Mary's Gate and on the Westerly Side of Deansgate, as will be necessary to round off the Angle at the Junction of those Streets to a Radius of Forty-five Feet.

PALACE STREET.

So much of the Houses, Buildings, and Lands now or late in the Occupation of Messrs. Wright and Lee, lying between certain Streets in Manchester aforesaid called Palace Street and Cannon Street, as will be necessary to form and make an Opening between those Streets of the Width of Ten Yards throughout; and also so much of the said Houses, Buildings, and Lands remaining on the Northerly Side of the said intended Opening, and lying between the same and Cannon Street, as will be necessary to widen Cannon Street, and make it lineable with the Front of the Warehouse now or late in the Occupation of Messrs. Lloyd and Hagues.

POOL FOLD and NEW MARKET BUILDINGS.

So much of the Houses, Buildings, and Lands on the North-westerly Side of certain Streets in Manchester aforesaid called Pool Fold, Moult Street, and New Market Buildings, not exceeding Seven Yards in Depth, as will be necessary to widen and improve those Streets; and also so much of the Houses, Buildings, and Lands on the North-easterly Side of Pool Fold aforesaid as will lie between Pool Fold, Moult Street, and a certain other Street called New Market, and a straight Line to be drawn from the Southerly Angle of the Warehouse now or late in the Occupation of Thomas Gill in Bellhouse Street to the Northerly Angle of the Warehouse now or late in the Occupation of Richard Roberts in Pool Fold aforesaid; and also so much of the Houses, Buildings, and Lands on the Southerly Side of a certain Street in Manchester aforesaid called Ducie Place as will be necessary to form and make Ducie Place of one uniform Width throughout.

ALBION STREET.

So much of the Houses, Buildings, and Lands on the Easterly Side of a certain Street in Manchester aforesaid called Albion Street, extending from Great Bridgewater Street to the Southerly Side of Trumpet Street, not exceeding Fifteen Yards in Depth, as will be necessary to widen and improve that Portion of Albion Street; and also so much of the Houses, Buildings, and Lands on the Easterly Side of Albion Street aforesaid, extending from Trumpet Street aforesaid to Fernley Street, not exceeding Ten Yards in Depth, as will be necessary to widen and improve that Portion of Albion Street; and also so much of the Houses, Buildings, and Lands on the Westerly

terly Side of Albion Street, extending from the Northerly Side of Trafford Street to the Southerly Side of Gaythorn Street, not exceeding Three Yards in Depth, as may be deemed necessary to widen and improve that Portion of Albion Street.

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