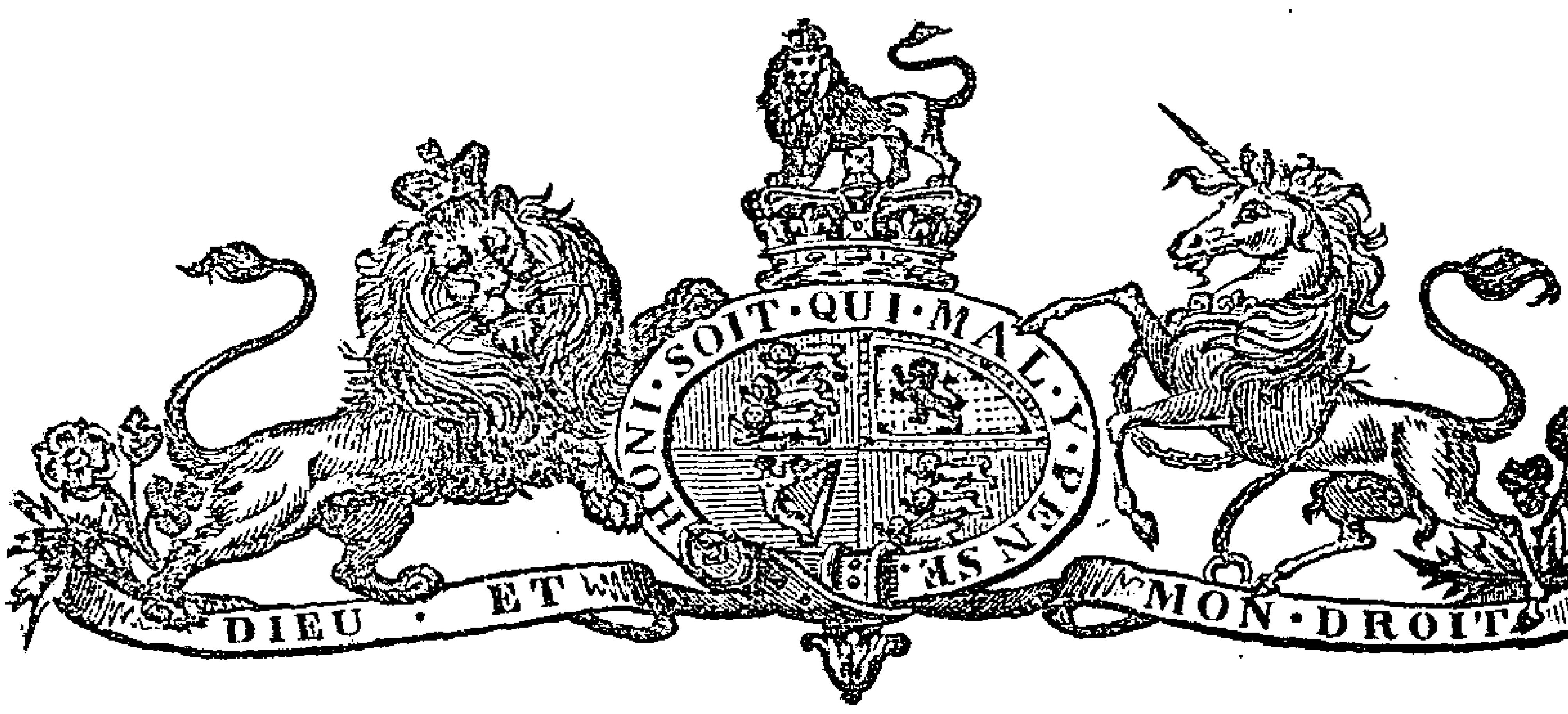


ANNO DECIMO SEPTIMO

VICTORIÆ REGINÆ.

****

Cap. xxviii.

An Act for enabling the Mayor, Aldermen, and Citizens of the City of *Manchester* to widen certain Streets in, and otherwise improve, the said City, to raise a further Sum of Money, and for other Purposes. [2d *June* 1854.]

WHEREAS it is expedient that the Mayor, Aldermen, and Citizens of the City of *Manchester* should be empowered to widen so much of the Street in the Township and Parish of *Manchester* called *Clarence Street* as lies between *Kennedy Street* and *Bancroft Street*, and also certain Portions of the Street in the Township of *Chorlton-upon-Medlock* and Parish of *Manchester*, called *Oxford Street* or *Oxford Road*, situate between *Clifford Street* and *High Street*, all in the City of *Manchester*, and to effect other Improvements in the said City: And whereas there are now due and owing by the said Mayor, Aldermen, and Citizens divers Sums of Money (amounting in the whole to the Sum of One hundred thousand Pounds) which have been borrowed and raised upon the Credit of the Gasworks and Rates under their Management and Control, and there are also now due and owing by the said Mayor, Aldermen, and

Citizens, divers other Sums of Money (amounting in the whole to the Sum of One hundred and fifty thousand Pounds), which have been borrowed and raised upon the Credit of the said Gasworks and Rates, for which last-mentioned Sums the Township Rate, authorized by "The *Manchester* General Improvement Act, 1851," to be made and levied for the Township of *Manchester*, is made an additional Security; and by "The *Manchester* New Streets Act, 1853," the said Mayor, Aldermen, and Citizens are empowered to borrow on the Credit of the Gasworks for the Time being under their Control, and the Rents and Profits arising therefrom, the further Sum of Forty-five thousand Pounds; and it is expedient that the said Mayor, Aldermen, and Citizens should be empowered to borrow a further Sum of Ninety-five thousand Pounds upon the Credit of the said Gasworks, Rents, and Profits, and of the Township Rate, for the Time being leviable in the Township of *Manchester:* 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:

Interpretation of Terms.

I. In construing 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 "Corporation" shall mean the Mayor, Aldermen, and Citizens of the City of *Manchester:*

The Word "Person" shall include Corporation, whether aggregate or sole:

The Word "City" shall mean the City of *Manchester:*

The Expression "Town Clerk" shall mean the Town Clerk of the said City:

The Word "House" shall include any Messuage or Dwelling House, Tenement, Warehouse, Manufactory, Building, or other Enclosure, and every Part thereof:

The Word "Land" or "Lands" shall extend to and comprise Messuages, Lands, Tenements, or Premises of any Tenure:

The Word "Owner" shall mean the Person for the Time being receiving the Rack Rent of the Land or Premises in connection with which the Word is used, or who would receive the same if such Lands or Premises were let at a Rack Rent.

Short Title.

II. This Act shall for all Purposes be sufficiently described or referred to as "The *Manchester* Improvement Act, 1854."

Council to put Act into execution.

III. The Corporation by the Council are hereby empowered to carry this Act and the several Powers thereof into execution.

IV. For

Council may appoint Committees to carry Act into execution.

IV. For the more conveniently carrying this Act and the several Powers thereof into execution, it shall be lawful for the Council and they are hereby empowered to appoint out of their Body, from Time to Time, One or more Committee or Committees, consisting of such Number of Persons as they may think fit, to manage and transact all or any of the Measures or Purposes which they the Council are hereby directed or authorized expressly or by reference to do, execute, or perform; which Committee or Committees shall have so many and such of the Powers, Authorities, and Discretion by this Act given to and reposed in the Council as the Council shall think proper to delegate to such Committee or Committees.

Council may make Contracts in the Name of the Corporation.

V. It shall be lawful for the Council from Time to Time to contract and agree with any Person for performing any of the Works by this Act authorized to be made or executed; and all Contracts so to be entered into shall be reduced into Writing, and may be sealed with the Common Seal of the Corporation, or such Contracts, or any of them, may be signed by the Mayor or by the Town Clerk, and the same shall be signed by the Person or Parties contracting to perform such Works, and shall specify the several Works to be done, and the Prices to be paid for the same, and the Time when such Works shall be done and completed; and a Copy thereof shall be entered in a Book to be kept by the Town Clerk for that Purpose; and it shall be lawful for the Council to take such Bond or other Security from every Contractor for the due Performance of his Contract as they shall think sufficient; and the Council shall cause the Works to be done in pursuance of such Contract to be inspected by such Persons as they shall from Time to Time appoint; and in case the same shall not be well and sufficiently performed, according to the true Intent and Meaning of such Contract, or shall not be finished and completed at or within the Time to be by any such Contract limited for completing the same, the Council shall and may have and pursue all the Remedies provided by the said Contract, and shall and may cause any Action at Law or Suit in Equity to be brought in the Name of the Corporation against any Party so contracting and neglecting to perform such Contract, or for any Injury suffered or sustained on account of the Non-performance thereof; and upon proving the signing of the Contract and Nonperformance thereof, the Corporation shall be entitled to and shall recover such Penalty or Damage as may be awarded, with Costs of Suit.

Council may compound for Breaches of Contract.

VI. Provided always, That it shall be lawful for the Council to compound and agree with any Person or Party who shall have entered into any such Contract in pursuance or under the Authority of this Act, or against whom any Action or Suit shall be brought for any Penalty contained in such Contract, or in any Bond or other Security for the Performance thereof, or for or on account of any Breach or Nonperformance of any such Contract, Bond, or Security, for

for such Sums of Money or other Recompence as the Council shall think proper.

Service of Notice on Council.

VII. Any Summons, Notice, or Writ, or other Proceeding at Law or in Equity requiring to be served upon the Corporation, or upon the Council, may be lawfully served by delivering the same personally to the Town Clerk, or leaving the same at the Office of the Town Clerk.

Service of Notice on other Persons.

VIII. Any Notice which by this Act may be required to be given to any Person, may lawfully be served by delivering the same to such Person, or to his Wife or Servant, or any Inmate at his Place of Residence or Business, or by affixing or leaving the same on or at his usual or last known Place of Residence or Business.

Authentication of Notices.

IX. Any Summons, Demand, or Notice, or other such Document under this Act, may be in Writing or Print, or partly in Writing or Print; and if the same require Authentication by the Corporation or by the Council, the Signature of the Town Clerk thereto shall be a sufficient Authentication.

Tender of Amends.

X. With respect to Actions brought in respect of any Proceeding under the Provisions of this Act, be it enacted, That if, before an Action be brought, any Party, having committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this Act, or by virtue of any Power or Authority given by this Act, make sufficient Tender of Satisfaction, the Plaintiff shall not recover in any Action brought on account of such Irregularity, Trespass, or other wrongful Proceeding; and if no such Tender shall have been made, it shall be lawful for the Party offending, by leave of the Court where such Action shall be pending, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

Power to construct Works.

XI. It shall be lawful for the Council, if they shall think fit, to widen so much of the Street in the Township and Parish of *Manchester* called *Clarence Street* as is situate between *Kennedy Street* and *Bancroft Street*, and also certain Portions of that Part of the Street in the Township of *Chorlton-upon-Medlock* and Parish of *Manchester* called *Oxford Street* or *Oxford Road* which is situate between *Clifford Street* and *High Street*.

Str ts to be made according to deposited Plans.

XII. Whereas Plans and Sections of the proposed Works, and also Books of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Houses and Lands through, in, or upon which the same are respectively intended to be made, have been deposited with the Clerk of the Peace for the County of *Lancaster*: Be it enacted, That, subject to the Provisions of this

this Act, the said Works shall be made in or upon the Lands delineated on the said Plans and described in the said Books of Reference, and within the Limits of lateral Deviation defined on the said Plans and according to the Levels defined on the said Sections: Provided always, that it shall be lawful for the Council, in carrying the said Works into execution, to deviate to any Extent not exceeding Three Feet from the Levels defined on the said Sections.

Errors and Omissions in Books of Reference may be corrected by Justices who shall certify the same.

XIII. If any Omission, Mis-statement, or wrong Description shall have been made of any Houses or Lands, or of the Owners, Lessees, or Occupiers of any Houses or Lands, described on the said Plans or mentioned in the said Books of Reference, the Council, after giving Ten Days Notice to the Owners, Lessees, and Occupiers of the Houses or 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 Town Clerk, and such Certificate shall be kept by such Town Clerk with the other Documents to which it relates, and thereupon such Books of Reference shall be deemed to be corrected according to such Certificate, and the Council may take any Houses or Lands in accordance with such Certificate, as if such Omission, Mis-statement, or wrong Description had not been made.

Certificate to be deposited.

Plans, &c. to be open to Inspection.

XIV. A Copy of the said Plans, Sections, and Book 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 each Person of One Shilling for every such Inspection, and of the further Sum of One Shilling for every Hour during which such Inspection shall continue after the First Hour, and after the Rate of Sixpence for every One hundred Words copied therefrom.

Copies of Plans, &c. to be Evidence.

XV. True Copies of the said Plans, Sections, 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 Evidence of the Contents thereof.

Power to purchase Lands.

XVI. It shall be lawful for the Council to enter upon, purchase, take, and hold all or any Part of the Houses and Lands mentioned or referred to in the Schedule (A.) to this Act.

Provisions of 8 & 9 Vict. c. cxli., as to taking of Lands, &c., incorporated with this Act.

XVII. The several Powers and Provisions in the Local and Personal Act, 8 and 9 *Victoria*, Chapter 141, either expressly or by reference contained or provided with respect to the Purchase and Taking of the Houses or Lands mentioned in the Schedule to that Act, and for ascertaining the Value thereof, and any Damage sustained by the Persons interested therein, and for the Payment and Investment of the Purchase Monies, and for the Payment of the Expenses attending the Purchase of any such Houses or Lands by the Council, and for all other Purposes connected therewith, and which said several Powers and Provisions are contained in the Eleventh and following Sections, to the Seventeenth Section inclusive, of the said Act, shall extend and be applicable to the purchasing and taking of the Houses and Lands authorized to be purchased and taken by this Act, and to the ascertaining the Value thereof, and any Damage sustained by the Persons interested therein, and to the Payment and Investment of the Purchase Monies and to the Payment of the Expenses attending the Purchase of any such Houses and Lands by the Council, and to all other Purposes connected therewith, in the same Manner in all respects as if the said several Powers and Provisions had been re-enacted in this Act, and the same Powers and Provisions shall, for the Purposes of this Act, be incorporated therewith, and may, in all Proceedings at Law or otherwise, be pleaded or referred to as Part of this Act: Provided always, that the Powers of the Corporation for the compulsory Purchase or taking of Houses or Lands for the Purposes of this Act, shall not be exercised after the Expiration of Five Years from the passing of this Act.

Powers for compulsory Purchases limited.

Ground laid into Streets to be Public Highways.

XVIII. The Sites of all Houses and all Lands which may be purchased by the Council 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 shall for the Time being be by Law maintained, repaired, and kept in repair.

Land Tax to be made good.

XIX. For the Purpose of providing against Deficiencies in the Assessments for Land Tax occasioned by the Execution of the Powers of this Act within the City, be it enacted, That if the Corporation become possessed by virtue of this Act of any Land charged with the Land Tax, they shall from Time to Time be liable to make good the Deficiency in the Assessments for Land Tax arising within the Borough by reason of such Land having been taken or used for the Purposes of this Act, and the Deficiency shall be computed according to the Rental at which such Land, with any Building thereon, was valued or rated for Land Tax at the Time of the passing of this Act, and on Demand of such Deficiency the Treasurer

Treasurer of the City shall pay all such Deficiencies to the Collector of the said Assessment; nevertheless, if at any Time the Council shall think fit to redeem such Land Tax, they may do so in accordance with the Powers in that Behalf given by the Acts for the Redemption of the Land Tax.

Council may hold Houses, &c., subject to Chief Rents, &c.

XX. It shall be lawful for the Council to hold any Houses or Lands which they are authorized to purchase by this Act, subject to any Chief Rent or other annual Payment which at the Time of such Purchase may be charged upon or issuing out of such Houses or Lands.

As to Width of certain Passages, &c.

XXI. That from and after the passing of this Act no Passage or other Way or Place not having the principal Entrance therefrom into any House, but merely leading into any Street or Court, or to any Houses not having the principal Entrance thereto in such Passage, shall be made or laid out of less Width than Three Feet and Six Inches.

Space of Ground adjoining St. Peter's Church may be sold to Corporation, and appropriated to Purpose of widening adjoining Streets, &c.

XXII. Whereas there is, around or adjoining *Saint Peter*'s Church, in the said City of *Manchester*, a Space of Ground, within which, by the Terms of the Sentence of Consecration, it was expressly provided that no Interments should at any Time take place, and accordingly no Interments have ever taken place therein: And whereas it would be a Benefit to the Public, and in no respect injurious to the said Church, if a Portion of the before-mentioned Space of Ground were given up and appropriated for the Purpose of widening and improving the Streets leading past or round the said Church, which are at present crowded to an inconvenient and even dangerous Extent: And whereas it is expedient that Provision should be made with respect to the Application of the Purchase Money to be received for the Ground to be given up and appropriated as aforesaid: Be it therefore enacted, That it shall be lawful for the Person or Persons in whom the legal Estate in the said Space of Ground adjoining to or lying around the said Church may for the Time being be vested, with the Consent in Writing of the Lord Bishop of the Diocese and of the Incumbent of *Saint Peter*'s Church for the Time being, to sell and convey to the said Mayor, Aldermen, and Citizens, and for the said Mayor, Aldermen, and Citizens to purchase by Agreement, but not otherwise, and to hold such Portion of the said Space of Ground adjoining to or lying around *Saint Peter*'s Church aforesaid, for such Price or upon and subject to such other Terms and Conditions as the said Person or Persons aforesaid and the said Mayor, Aldermen, and Citizens shall mutually agree; and the said Mayor, Aldermen, and Citizens shall and may appropriate the Portion of the said Space of Ground which shall be acquired by them under and by virtue of this Act, to the widening or otherwise improving the Streets adjoining or in the immediate Vicinity of the said Church.

XXIII. That

As to Application of Purchase Money.

XXIII. That the Purchase Money to be paid by the Mayor, Aldermen, and Citizens as the Consideration for any Portion of the said Space of Ground so to be acquired by them as aforesaid shall and may be applied by the Incumbent and Churchwardens for the Time being of *Saint Peter*'s Church, for such Purpose or Purposes relating to or connected with the said Church as the said Incumbent and Churchwardens shall think fit, and as shall be sanctioned and approved by the Lord Bishop of the Diocese.

Council may apply Money to the Purposes of Act.

XXIV. The Council may apply to the Purposes of this Act any Moneys which are applicable to Improvement Purposes.

Power to Council to borrow a Sum of Money on the Credit of Gasworks.

XXV. For the Purposes of the Gasworks already constructed or hereafter to be constructed by the Corporation under the Provisions of any Act heretofore passed relating thereto, it shall be lawful for the Council from Time to Time to borrow at Interest any Sum of Money which, together with any Sum previously borrowed for the same Purpose under the Authority of this Act, shall not exceed the Sum of Ninety-five thousand Pounds, on the Credit of the Gasworks for the Time being under the Control of the Council, and the Rents and Profits arising therefrom, and in the event of all or any Part of such Monies being repaid by the Council, to reborrow the same, subject as herein-after mentioned, and so *toties quoties*, but so nevertheless that there shall not be owing on the Security of the said Works under the Authority of this Act any more than the Sum of Ninety-five thousand Pounds at any One Time; and for securing the Moneys so to be borrowed, with Interest, the Mayor, Aldermen, and Citizens may assign over the said Gasworks, and Rents and Profits arising therefrom, to the Person who shall advance or lend such Money, or his Trustees, as a Security for the Payment of the Money so to be borrowed, together with Interest for the same: Provided always, that in case all or any Part of the Monies so borrowed by the Council shall be repaid by means of the Sinking Fund by this Act directed to be formed, it shall not be lawful for the Council again to borrow the Amount so paid.

Rights of Mortgagees.

XXVI. All Persons to whom such Mortgages shall be made, or who shall be entitled to the Moneys thereby secured, shall, in proportion to the Sums therein respectively mentioned, be Creditors on the said Gasworks, Rents, and Profits, equally one with another, without any Preference by reason of the Priority of advancing such Moneys, or the Dates of any such Mortgages respectively.

Former Mortgages to have Priority.

XXVII. All Mortgages of the said Gasworks, Rents, and Property made under the Authority of any Act passed prior to the passing of this Act, shall, during the Continuance thereof, have Priority over all Mortgages which may be made under the Authority of this Act.

XXVIII. Every

Form of Mortgages.

XXVIII. Every Mortgage made under the Authority of this Act shall be by Deed duly stamped, in which the Consideration shall be truly stated; and every such Deed shall be under the Common Seal of the Mayor, Aldermen, and Citizens, and may be according to the Form in Schedule (B.) to this Act annexed, or to the like Effect.

Expenses of Mortgages.

XXIX. The Expenses of every Mortgage made under the Authority of this Act shall from Time to Time be defrayed by the Council out of the Monies raised by the same, or the Gas Rents and Profits or other Property on the Credit of which such Monies shall be raised.

Register of Mortgages or Assignments to be kept, and to be open to Inspection.

XXX. A Register of all Mortgages made under the Authority of this Act shall be kept by the Town Clerk, and within Fourteen Days after the Date of any such Mortgage an Entry or Memorial of the Number and Date thereof, and of the Names of the Parties thereto, with their proper Additions, shall be made in such Register; and such Register may be perused at all reasonable Times by any Person interested therein, without any Fee or Reward.

Assignment of Mortgages.

XXXI. Any Party entitled to any such Mortgage may transfer his Right and Interest therein to any other Person by Deed duly stamped, wherein the Consideration shall be truly stated; and any such Transfer may be according to the Form in the Schedule (C.) to this Act annexed, or to the like Effect.

Registers of Transfers to be kept.

XXXII. Within Thirty Days after the Date of every such Transfer it shall be produced to the Town Clerk, who shall thereupon cause an Entry or Memorial thereof to be made in the same Manner as in the Case of the original Mortgage, and for such Entry the Town Clerk may demand a Sum not exceeding Five Shillings; and after such Entry every such Transfer shall entitle the Transferee, his Executors, Administrators, or Assigns, to the full Benefit of the original Mortgage in all respects; and no Party having made such Transfer shall have Power to make void, release, or discharge the Mortgage so transferred, or any Sum thereby secured.

Interest on Mortgages to be paid half-yearly.

XXXIII. Unless otherwise provided by any Mortgage, the Interest of the Money borrowed upon every such Mortgage shall be paid half-yearly to the several Parties entitled thereto.

Power to take up Money at a less Rate of Interest.

XXXIV. If the Council can at any Time borrow or take up any Sum of Money for the Purposes of this Act at a lower Rate of Interest than any Mortgages given by them, and which shall be in force, shall bear, then from Time to Time it shall be lawful for them to borrow such Sums of Money as they shall think proper at such lower Rate as aforesaid, in order to pay off and discharge the Mortgages bearing such higher Rate of Interest; and in any such Case it shall be lawful for the Mayor, Aldermen, and Citizens to charge the Gas-

works for the Time being under the Control of the Council, and the Rents and Profits arising therefrom, with the Payment of such Sum at such lower Rate of Interest in such Manner and subject to such Regulations as are herein contained with respect to other Moneys borrowed on Mortgage.

Sinking Fund.

XXXV. The Council shall annually set aside out of the Moneys from Time to Time received by them in respect of the said Gasworks, and the Rents and Profits arising therefrom, such a Sum as shall be equal to One Twentieth Part of the Principal Moneys which at the Time of setting aside or appropriating the same shall be owing on Mortgages granted under the Authority of this Act, as a Sinking Fund for the Liquidation of the said Principal Moneys in the Manner herein-after directed.

Mode of paying off Mortgages granted under this Act.

XXXVI. The Sum herein-before directed to be set aside or appropriated annually as a Sinking Fund for paying off the Principal of the Monies for the Time being owing on Mortgages granted under this Act, shall be applied by the Council in the Manner herein-after mentioned; (that is to say,) as soon as conveniently may be in every Year after such Appropriation shall have been made, the Council shall, by Advertisement in One of the *Manchester* Newspapers, give Notice thereof, and shall apply the Sinking Fund for the Time appropriated, or so much thereof as may be necessary, in or towards paying off and discharging such of the Moneys for the Time being due on such Mortgages as aforesaid as within Two Months next after the said Notice shall be required to be paid off by the Holders thereof.

Council to determine by Lot in certain Cases what Mortgages shall be paid off.

XXXVII. If the said Sinking Fund shall not be sufficient to satisfy the whole of the Moneys for the Time being required to be paid off as aforesaid, then and in every such Case the Council shall determine, by Lot, to or towards the Liquidation of which of the Debts required to be paid off such Sinking Fund shall be applied, and shall apply the same accordingly: Provided nevertheless, that if the said Sinking Fund shall at any Time be more than sufficient to pay the Moneys for the Time being required to be paid off as aforesaid, then and in every such Case the Council shall determine, by Lot, to or towards the Liquidation of which of the Debts for the Time being due on any of the Mortgages aforesaid, and which shall not have been required to be paid off, the said Funds shall be applied, and shall apply the same accordingly.

Council may fix Times for Repayment of Monies borrowed.

XXXVIII. It shall be lawful for the Council, in any Mortgage to be granted by the Mayor, Aldermen, and Citizens, for securing the said Sum of Ninety-five thousand Pounds, or any Part thereof, to fix a Time or Times for the Repayment, either in One Sum or by Instalments, of the Principal Moneys secured by any such Mortgage; and in

in any such Case, such Principal Sums shall be paid by the Council, at the Time or Times and in the Manner in such Mortgage appointed for the Payment thereof.

Council may re-borrow for Purpose of paying off Mortgages, when Sinking Fund insufficient.

XXXIX. If at the Time in any Mortgage appointed for Payment of the Principal Money thereby secured, the Sum of Money set aside as a Sinking Fund shall be insufficient for that Purpose, it shall be lawful for the Council to borrow such Sum of Money as they shall think proper, for the Purpose of paying off the whole or any Part of the Principal Money secured by any such Mortgage; and the Money so borrowed shall be applied to that Purpose and to no other Purpose whatsoever.

Council may apply Money of the general Improvement Rate for the Purpose.

XL. And whereas it may happen that the Rents and Profits arising from the said Gasworks, after paying the Expenses of keeping up and carrying on the same, and after providing for all other Payments for the Time being chargeable thereupon under the Authority of any Act passed prior to the passing of this Act, may prove insufficient to pay the whole of the Interest on the said Sum of Ninety-five thousand Pounds by this Act authorized to be borrowed, and to set aside the Sum by this Act directed to be set aside as a Sinking Fund to liquidate the Principal Money so authorized to be borrowed; and it is expedient, for the greater Security of the Persons lending the said Sum of Ninety-five thousand Pounds, or any Part thereof, that the Council should, in the event of the Rents and Profits arising from the said Gasworks proving insufficient to pay the same, be authorized to appropriate such Sum or Sums of Money as they may think proper out of the Township Rate for the Township of *Manchester* authorized to be raised by "The *Manchester* General Improvement Act, 1851:" Therefore, if the Council shall at any Time be of opinion that the Rents and Profits arising from the said Gasworks will, after paying the Expenses of keeping up and carrying on the same, and after providing for all other Payments for the Time being chargeable thereupon under the Authority of any Act passed prior to the passing of this Act, be insufficient to pay the whole of the Interest on the said Sum of Ninety-five thousand Pounds by this Act authorized to be borrowed, or on so much thereof as shall for the Time being be due and owing, and to set aside the Sum by this Act directed to be set aside as a Sinking Fund to liquidate the Principal Sum so authorized to be borrowed, it shall be lawful for the Council from Time to Time, whenever and so often as they shall think proper so to do, to apply any Sum or Sums of Money out of the Township Rate for the Township of *Manchester*, authorized by "The *Manchester* General Improvement Act, 1851," to be levied to the Extent of One Shilling and Sixpence in the Pound, for the Purpose of paying the Interest on any Money borrowed under the Authority of this Act, and for the Purpose of setting aside the Sum by this Act directed to be

be set aside as a Sinking Fund for liquidating the Principal Moneys borrowed under the Authority of this Act, or for all or any of the said Purposes, as Occasion may require.

Power to sell superfluous Lands.

XLI. Whereas some of the Houses or Lands purchased or which may be purchased under the Powers of this Act, or some Parts thereof respectively, may not be required for any of the Purposes of this Act: Be it enacted, That the Council shall sell and convey all such Houses or Lands, or Parts thereof respectively, as may not be required for any of the said Purposes to any Persons willing to purchase the same, and the Moneys arising therefrom shall be applied in effecting Improvements within the City.

Expenses of Act.

XLII. The Costs, Charges, and Expenses attending or incident to the obtaining and passing of this Act shall be paid by the Council.

SCHE-

SCHEDULES referred to in the foregoing Act.

SCHEDULE A.

Township of Chorlton-upon-Medlock, Parish of Manchester, County Palatine of Lancaster.

No on Plan.	Description of Property.	Situation of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	Garden Plot fronting Dwelling-house.	Oxford Street	Edward Moore and William Henry Kearsley, Trustees of the late James Woodworth.	- - -	Edward Hamnett Walker.
2	Same - - -	Same -	Same - -	- - -	Thomas Cowgill.
3	Same - -	Same -	Same - -	- - -	Richard Deplidge.
4	Same - - -	Same -	Same -	- - -	Mary Green.
5	Same - -	Same -	Same - -	- - -	William Henry Pickering.
6	Same - - -	Same -	Same - -	- - -	Mary Batty.
7	Same - -	Same -	Same - -	- - -	Jane Steele.
8	Same - -	Same -	Same - -	- - -	Robert Anderson.
9	Area - - -	Same -	Ann Jackson -	- - -	Farquhar Milne.
10	Same - - -	Same -	Same - -	- - -	Martin Heckscher.
11	Plantation or Garden -	Same -	William Clough Higginson and William Wrathall, Trustees of the late Richard Higginson.	- - -	Samuel Phillips Hitchcock.
12	Same - - -	Same -	Samuel Faulkner, Trustee of the late Margaret Higginson Allen.	Edward Phillips.	Edward Phillips.
13	Plantation or Garden -	Same -	Lot Gardiner, Trustee of Antonio José.	- - -	James Burt.
14	Same - - -	Same -	Same - -	- - -	Abdoullah Ydlibi.
15	Same - -	Same -	Same - -	Richard Edmondson.	Richard Edmondson.
16	Same - - -	Same -	Same - -	Benjamin Wheeler.	Benjamin Wheeler.
17	Same - - -	Same -	Same - -	- - -	William Shaw.
18	Same - - -	Same -	Same - -	Thomas Phillips.	Thomas Phillips.
19	Same - - -	Same -	Thomas Worthington.	- - -	Thomas Worthington.

No. on Plan.	Description of Property.	Situation of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
20	Plantation or Garden -	Oxford Street	Benjamin Kay Tidswell, Administrator of Jane Earnshaw Tidswell.	John Ormrod	John Ormrod.
21	Same - -	Same -	Same -	John Casper Schlapffer.	John Casper Schlapffer.
22	Same - - -	Same -	Benjamin Kay Tidswell, Henry Earnshaw Tidswell, Richard Thomas Tidswell, Trustees of the late Benjamin Tidswell.	- - -	Margaret Thompson.
23	Same - -	Same -	Same -	- - -	Mary Bealey.
24	Same - -	Same -	John Haworth and James Rider.	- - -	Unoccupied.
25	Same - - -	Same -	Henry Nicholls -	- - -	Henry Nicholls.
26	Garden - - -	Same -	Thomas Tuer -	- - -	Edward Lacy.
27	Same - - -	Same -	Mrs. —— Elton -	- - -	George Higginbotham.
28	Same - - -	Same -	Same -	- - -	Edward Alexander Petrie.
29	Same - -	Same -	Mrs. Ann Tuer -	- - -	Miss Lois Johnson.
30	Same - - -	Same -	Same -	- - -	Joseph Megson.
31	Same - -	Same -	Same -	- - -	—— Jukstan.
32	Same - - -	Same -	Same -	- - -	Edward Bagshawe.
33	Same - - -	Same -	Peter Tuer -	- - -	John Hutton.
34	Same - - -	Same -	Same -	- - -	William Dickens.
35	Same - - -	Same -	Same -	- - -	Mary McKenzie.
36	Same - - -	Same -	Same -	- - -	Thomas Howson.
37	Same - - -	Same	Mrs. Sarah Busfield.	- - -	Mary Hall.
38	Same - - -	Same -	Same -	- - -	Christiana Henderson.
39	Same - - -	Same -	Same -	- - -	Sarah James.
40	Same - - -	Same -	Mrs. Esther Boulton.	- - -	Unoccupied.
41	Same - - -	Same -	Same -	- - -	John Fildes.
42	Plantation and Garden -	Same -	Richard Cope -	- - -	Richard Doncaster.
43	Same - - -	Same -	Same -	- - -	James Alexander Bannerman.
44	Same - - -	Same -	Same -	- - -	Robert Stewart.
45	Same -	Same -	Edward Phillips -	Henry Cooke	Henry Cooke.
46	Same - -	Same -	Same -	- - -	James Braid.
47	Same - - -	Same -	Same -	William Wright.	William Wright.

The Manchester Improvement Act, 1854.

Township of Manchester, Parish of Manchester, County Palatine of Lancaster.

No. on Plan.	Description of Property.	Situation of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	Shop and Premises -	Clarence Street	Henry Calvert -	- - -	Unoccupied.
„	Workroom and Premises	Same -	Same -	- - -	William Evans.
2	Stables and Premises -	Same -	Same -	- - -	George Whalley.
3	Beerhouse and Premises	Same -	Edmund Buckley, Esq.	John Newall	Peter Yates.
„	Workroom and Premises	Same -	Same -	Same -	Thomas Riley.
4	Beerhouse and Premises	Same -	Same -	Same -	George Richardson.
5	Shop and Premises - -	Same -	Same -	Same -	Richard Jones.
„	Offices and Premises -	Same -	Same -	Same -	GeorgeMcAllister.
„	Same - - -	Same -	Same -	Same -	Stephen Blair and Elisha Halliworth Sumner.
6	Shop and Premises -	Princess Street	Same -	John Chadwick.	John Chadwick.
„	Offices and Premises -	Same -	Same -	John Chadwick, Thomas Potter, and Matthew Bateson Wood.	Thomas Potter and Matthew Bateson Wood.
„	Same - -	Same -	Same -	Same -	John Banister Tristram.
„	Same - - -	Same -	Same -	Same -	Phillip Harris.
7	Warehouse, Stable, and Premises.	Clarence Street	Thomas Lucas -	Thomas Cross	Unoccupied.
8	Shop and Premises -	Same -	Same -	William Hadfield.	George Briton Scholes.
„	Offices and Premises -	Same -	Same -	Same -	William Henry Johnson.
„	Same - - -	Same -	Same -	Same -	Joseph Eltoft and William Eltoft.
„	Same - - -	Same -	Same -	Same -	John Mathie.
„	Rooms and Premises -	Same -	Thomas Luca -	William Hadfield.	Stephen Douglas.
9	Offices and Premises -	Princess Street	HargravesWraith, MissLydiaHope, Mrs. Hannah Lyon.	- - -	James Burbidge.
„	Same - - -	Same -	Same -	- - -	Charles Duffield, JamesLofthouse, andGeorgeWhitworth.
10	Same - -	Same -	Same -	Charles Lee and John Lee.	Charles Lee and John Lee.
„	Same - - -	Same -	Same -	Same -	Charles Duffield, JamesLofthouse, andGeorgeWhitworth.
„	Same - - -	Same -	Same -	Same -	Edward Solomon Green.
„	Rooms and Premises -	Same -	Same -	Same -	Elizabeth Wells.
11	Office and Premises -	Clarence Street	Same -	Same -	Charles Lee and John Lee.
12	Offices and Premises -	Back Princess Street.	Ellis Cunliffe, Thomas Cunliffe, Henry Charlewood, John Bury.	- - -	Ellis Cunliffe, ThomasCunliffe, Henry Charlewood, and John Bury.

No. on Plan.	Description of Property.	Situation of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	Dwelling-house and Premises.	Back Ashley Street.	John Wilson, Executor of the late George Ogden.	- - -	John Mahar.
2	Same - -	Same -	Same -	- - -	Richard Nesbit.
3	Same - -	Same -	Same -	- - -	James Napier.
4	Same - -	Same -	Same -	- - -	John Travis.
"	Same - -	Same -	Same -	- - -	Richard Nesbit junior.
5	Dwelling-house and Premises.	Cross Street -	Same -	- - -	Michael O'Brien.
"	Same - -	Same -	Same -	- - -	John Shepherd.
6	Same - -	Same -	Same -	- - -	James McCarrol.
"	Same - -	Same -	Same -	- - -	Betsy Davies.
7	Same - -	Same -	Same -	- - -	William Ratcliffe.
"	Same - -	Same -	Same -	- - -	Richard Booth.
"	Same - -	Same -	Same -	- - -	Francis Franklin.
8	Same - -	Same -	Same -	- - -	John Logan.
9	Dwelling-house and Premises.	Cobourg Street	Same	- - -	John Tennant.
10	Same - -	Same -	Same -	- - -	James Cowan.
11	Dwelling-house and Premises.	Ogden's Court	Same -	- - -	Ann Burns.
12	Same - -	Same -	Same -	- - -	Philip Dougan.
13	Same - -	Same -	Same -	- - -	Hugh Cochrane.
14	Same - -	Same -	Same -	- - -	Jonathan Finn.
15	Same - -	Same -	Same -	- - -	John Mulholland.
16	Dwelling-house and Premises.	Back St. George's Road	Joseph Phythian	- - -	John Read.
17	Same - -	Same -	Same -	- - -	John Barlow.
18	Same - -	Same -	Same -	- - -	Edward Miller.
19	Shop, Dwelling-house and Premises.	Same -	Same -	- - -	Patrick O'Neil.
20	Dwelling-house and Premises.	Court, Back St. George's Road.	Same -	- - -	Elizabeth Earl.
21	Same - -	Same -	Same -	- - -	Patrick Murphy.
22	Same - -	Same -	Same -	- - -	Peter Hennis.
23	Same - -	Same -	Same -	- - -	Margaret Ryley.
24	Dwelling-house and Premises.	Lower Tebbutt Street.	Same -	- - -	Charles James.
25	Same -	Same -	Same -	- - -	William Lockwood.
26	Same - -	Same -	Same -	- - -	
27	Same - -	Same -	Same -	- - -	Ann Roan.
28	Same - -	Same -	Same -	- -	James Fildes.
29	Same - -	Same -	Same -	- -	Thomas Hannon.
30	Same - -	Same -	Same -	- - -	Thomas Jeffs.
31	Yard and Premises -	Same -	The Trustees of the late Robert Tebbutt, viz., Charles Wolstenholme, George Harris, and Robert Unwin.	- - -	The Mayor, Aldermen, and Citizens.
32	Vacant Land - -	Same -	Same -	- - -	Unoccupied.
33	Dwelling-house and Premises.	Same -	Same -	- - -	John Doran.

The Manchester Improvement Act, 1854.

No. on Plan.	Description of Property.	Situation of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
„	Cellar, Dwelling, and Premises.	Lower Tebbutt Street. -	The Trustees of the late Robert Tebbutt, viz., Charles Wolstenholme, George Harris, and Robert Unwin.	- - -	Frances Bartley.
34	Beerhouse and Premises -	Same -	Same -	- - -	Thomas Duckworth.
35	Dwelling-house and Premises.	Same -	Same -	- - -	John Craven.
„	Cellar, Dwelling, and Premises.	Same -	Same -	- - -	Isaac Ellis.
36	Dwelling-house and Premises.	Same -	Same -	- - -	Hannah Howarth.
„	Cellar, Dwelling, and Premises.	Same -	Same -	- - -	Elizabeth Nuttal.
37	Dwelling-house and Premises.	Same -	Same -	- - -	Jane Miller.
„	Cellar, Dwelling, and Premises.	Same -	Same -	- - -	John Doyle.
38	Dwelling-house and Premises.	Same -	Same -	- - -	James Tomlinson.
„	Cellar, Dwelling, and Premises.	Same -	Same -	- - -	PeterCunningham.
39	Dwelling-house and Premises.	Same -	Same -	- - -	William Histon.
„	Cellar, Dwelling, and Premises.	Same -	Same -	- - -	Edward Develin.
40	Dwelling-house and Premises.	Same -	Same -	- - -	Robert Cooper.
„	Cellar, Dwelling, and Premises.	Same -	Same -	- - -	Paul Doyle.
41	Dwelling-house and Premises.	Same -	Same -	- - -	Hannah Endrie.
„	Cellar, Dwelling, and Premises.	Same -	Same -	- - -	Henry Barnes.
42	Dwellngi-house and Premises.	Same -	Same -	- - -	Henry Eastwood.
„	Cellar, Dwelling, and Premises.	Same -	Same -	- - -	Joh Handling.
43	Dwelling-house and Premises.	Same -	Same -	- - -	James Brien.
1	Office, Stable, and Premises.	Downing Street	Thomas John Wood, Trustee of the late Ann Holingworth.	- -	James Moore.
2	Shop, Dwelling-house, and Premises.	Same -	Cornelius Randall	- - -	William Bunting.
3	Same - -	Same -	Same -	- - -	Allan Auld Robinson.
4	Same - -	Same -	Alfred Charlton -	- - -	Joseph Evitt and Richard Alcock.
5	Same - -	Same -	Same -	- -	Alfred Fryer.
6	Same - -	Same -	Same -	- - -	William Antrobus.

The Manchester Improvement Act, 1854.

No. on Plan.	Description of Property.	Situation of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	Parochial Burial Ground, Ashley Lane	Ashley Lane -	The Dean and Canons of the Cathedral, Manchester, viz., George Hall Bowers, Cecil Daniel Wray, Oswald Sergeant, Richard Parkinson, and Robert Cox Clifton; and the Churchwardens of the Parish of Manchester, viz., Malcolm Ross, George Fereday Smith, and John Mc Clure.	- - -	Malcolm Ross, George Fereday Smith, and John McClure, Churchwardens.
1	Ground formerly used as a Cemetery.	Apple Market -	Same	- - -	Same.
1A	Dwelling-house and Premises.	Bancroft Street	William Chambers.	- - -	Millicent Mottram.
2A	Same - - -	Same -	John Goodier -	- - -	William Hoole.

SCHEDULE B.

Form of Mortgage Deed.

Mortgage, Number £

By virtue of an Act passed, *&c.*, intituled "An Act," [*here insert the Title of this Act,*] we, the Mayor, Aldermen, and Citizens of the City of Manchester, in consideration of the Sum of paid to us by *A. B.* of for the Purposes of the said Act, do grant and assign unto the said *A. B.*, his Executors, Administrators, and Assigns, such Proportion of the Gasworks, Property, and Effects under the Control of the Council of the said City, and all Rents and Profits arising therefrom, as the said Sum of doth or shall bear to the Sum of Ninety-five thousand Pounds by the said Act authorized to be borrowed, or to so much thereof as may for the Time being be owing on the Credit of the said Works, Rents, and Profits, to hold to the said *A.B.*, his Executors, Administrators, and Assigns, until the said Sum of with Interest at per Centum per Annum for the same, shall be fully paid and satisfied, but subject nevertheless to all Mortgages, Annuities, and other Securities made or granted under former Acts of Parliament; and which

which Mortgages, Annuities, and Securities are to have Priority over the Mortgage hereby granted.

In witness whereof, we have hereunto set the Common Seal of the said City, this Day of One thousand eight hundred and .

SCHEDULE C.

Form of Transfer of Mortgage.

I *A. B.* of in consideration of the Sum of paid to me by *C. D.* of do hereby transfer to the said *C. D.*, his Executors, Administrators, and Assigns, a certain Mortgage, Number made by the Mayor, Aldermen, and Citizens of the City of Manchester to bearing Date the Day of for securing the Sum of and Interest (*or, if such Transfer be by Indorsement*, the within Security), and all my Right, Estate, and Interest in and to the Money thereby secured, and in and to the Rates, Tolls, Money, and Property thereby assigned.

In witness whereof I have hereunto set my Hand and Seal, this Day of One thousand eight hundred and .

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