CHAPTER cxxii.

An Act to confirm certain Provisional Orders of the Secretary of State under the Military Lands Act 1892.

A.D. 1896.

[20th July 1896.]

WHEREAS the Secretary of State has made the Provisional Orders set out in the schedule to this Act under the provisions of the Military Lands Act 1892 and it is requisite that those Orders should be confirmed by Parliament:

55 & 56 Vict. c. 43.

Be it therefore 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:—

Confirmation of Orders in schedule.

1. The Orders set out in the schedule to this Act are by this Act confirmed and all the provisions thereof shall have full validity and force from the date of the passing of this Act.

Confirmation of agreement with London and North Western Railway Company.

2. The agreement dated the eleventh day of June one thousand eight hundred and ninety-six and made between the London and North Western Railway Company of the one part and the commanding officers of the purchasing corps of the other part as set forth in the schedule to Order No. 2 is hereby confirmed and made binding upon the parties thereto.

Short title.

3. This Act may be cited as the Military Lands Provisional Orders Confirmation Act 1896.

A.D. 1896.

SCHEDULE.

No. 1.—CROWDEN RIFLE RANGES.

A Provisional Order made in pursuance of Section Two of the Military Lands Act 1892 authorising the purchase by the 5th Ardwick Volunteer Battalion Manchester Regiment of land for the provision of rifle ranges.

55 & 56 Vict. c. 43.

WHEREAS by section two of the Military Lands Act 1892 the Secretary of State is empowered to make Provisional Orders authorising the taking of land for the military purposes defined in that Act:

And whereas under section twenty-three of the Military Lands Act 1892 the term "military purposes" is defined to include rifle or artillery practice:

And whereas it is expedient for the purpose of providing rifle ranges for the 5th Ardwick Volunteer Battalion Manchester Regiment (in this Order called the purchasing corps) and other volunteer corps that the Secretary of State should authorise the purchasing corps to purchase under the Military Lands Act 1892 the lands described in this Order:

And whereas a plan showing the lands to be purchased has been signed by the Secretary of State and has been deposited with the clerk of the County Council for the county of Chester and that plan is herein-after referred to as the deposited plan:

And whereas the purchasing corps have caused such notices to be served as are required by the Military Lands Act 1892 and a petition to be presented to the Secretary of State in manner directed by that Act:

And whereas the Secretary of State has with reference to the purchase of the said lands caused such a local inquiry to be held as is required by the Military Lands Act 1892 and after that inquiry is satisfied that the lands should be taken subject to the provisions of this Order:

Now therefore I the Secretary of State in pursuance of the powers given to me by section two of the Military Lands Act 1892 and any other enactment in that behalf hereby order that from and after the date of the Act of Parliament confirming this Order the following provisions shall take effect:—

Power to purchase lands under the Military Lands Act 1892.

1. The purchasing corps may for the purpose of providing rifle ranges purchase subject to the provisions contained in the Schedule to this Order under section two of the Military Lands Act 1892 and the Acts incorporated therewith the lands situate in the parish of Mottram and in the county of Chester which are more particularly delineated on the deposited plan and thereon coloured pink.

Short title.

2. This Order may be cited as the Crowden Rifle Ranges Order 1896.

Given under the hand and seal of the Secretary of State this nineteenth day of May one thousand eight hundred and ninety-six.

(L.S.) LANSDOWNE.

SCHEDULE TO ORDER No 1.

Provisions for the Protection of the Corporation of Manchester.

1. No land works right or easement now vested in the Manchester Corporation shall be acquired by virtue of this Order except by agreement with the Corporation but only a right of using for military purposes to such extent as hereafter mentioned and such right shall not be let to other persons but shall be confined to the 4th and 5th Volunteer Battalions Manchester Regiment and the 3rd Volunteer Battalion Lancashire Fusiliers.

2. The aforesaid military purposes shall be confined to the establishment and use of rifle ranges as shown on the deposited plan with such appliances only as are strictly necessary for that purpose including the requisite buildings for shelter and sanitary conveniences The purchasing corps shall at all times keep the land used for the rifle ranges free from trespassers and the resort thereto shall be confined to the aforesaid volunteers.

3. No permanent residence shall be established in connexion with the said rifle ranges except that a residence for not exceeding two caretakers may be provided.

4. Earth closets and urinals are to be placed to meet the convenience of the ranges of a construction and in situations approved by the Corporation and the same shall be maintained by the purchasing corps to such approval.

5. Watertight tanks are to be constructed for the reception of all liquid sewage with arrangements for conveying the sewage to the tanks by cast-iron pipes so as to avoid leakage.

6. Both solid and liquid sewage to be carried away from the ground (by properly constructed vehicles) to some place below the works of the Corporation.

7. In the event of inattention to remove sewage when required the Corporation to be empowered to do the work and charge the cost against the purchasing corps.

8. The Corporation to have full power of inspection as they may require so far as the sanitary arrangements are concerned.

9. The whole of the sanitary works to be carried out and maintained to the complete satisfaction of the Corporation.

10. The purchasing corps shall forward to the Manchester Corporation plans and sections showing the position of any works on or affecting their waterworks or their lands or any easement or right in connexion therewith and such plans shall be subject to the approval of the Corporation In the event of any permanent alteration in the works of the Corporation becoming necessary the same shall not be precluded by this Order.

11. The purchasing corps shall from time to time give notice to the Corporation of the dates and times when any rifle range is to be used and stating the hours of such use.

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12. If the Corporation incur expense in extra constables or inspectors in protecting their works during the use of the rifle ranges the purchasing corps shall repay such cost.

13. All works of the purchasing corps on or in connexion with the works of the Corporation shall be maintained by the purchasing corps to the reasonable satisfaction of the Corporation who upon the default of the purchasing corps may upon reasonable notice remove anything dilapidated or otherwise causing injury to the works.

14. The purchasing corps shall pay to the Corporation for all damage to the lands and works of the Corporation including tenants damage arising from the use of the rifle ranges or incidental thereto.

15. The purchasing corps shall prevent the water supply of the Corporation being polluted.

16. The purchasing corps shall be permitted to make such structural alterations on the ground of the Corporation as are provided for in the deposited plan subject to the approval of the Corporation.

17. The rifle ranges shall be used in such a manner as not to interfere with the efficient use of the land and works of the Corporation for the purposes of the Corporation.

18. The Corporation may during such times as may reasonably be required for the repair of the works the making of new works and for the purposes of inspection require the temporary closing of such of the ranges the use of which would interfere therewith.

19. Nothing contained in this Order or the Military Lands Act 1892 shall repeal or affect any statutory provisions for the protection of the property and water of the Corporation or affect the rights of the Corporation to make and enforce byelaws or affect any remedy against any person or persons and members of the volunteer corps shall be liable to the penalties imposed by the Waterworks Acts and byelaws under the same.

20. The purchasing corps shall prevent any person or persons trespassing on the rifle ranges and shall apply to the Secretary of State to sanction byelaws enabling the purchasing corps to prosecute trespassers The purchasing corps shall prevent the members of the volunteer corps under the rank of a commissioned officer from leaving the ranges for any purpose except that of proceeding to the railway station or proceeding to Manchester by road and shall apply to the Secretary of State to sanction byelaws to enable such rules to be more effectively enforced.

In the provisions of this schedule—

"The Manchester Corporation" and "the Corporation" shall include the Mayor Aldermen and Citizens of the City of Manchester in the County of Lancaster.

"The Waterworks Acts" shall mean the several Local Acts authorising and relating to the Manchester Corporation Waterworks for the time being in force and the provisions of the Waterworks Consolidation Acts incorporated therewith.

No. 2.—DIGGLE RIFLE RANGES.

A.D. 1896.

A Provisional Order made in pursuance of Section Two of the Military Lands Act 1892 authorising the purchase by the Second and Sixth Volunteer Battalions Manchester Regiment of land for the provision of rifle ranges.

WHEREAS by section two of the Military Lands Act 1892 the Secretary of State is empowered to make Provisional Orders authorising the taking of land for the military purposes defined in that Act: 55 & 56 Vict. c. 43.

And whereas under section twenty-three of the Military Lands Act 1892 the term "military purposes" is defined to include rifle or artillery practice:

And whereas it is expedient for the purpose of providing rifle ranges for the Second and Sixth Volunteer Battalions Manchester Regiment (in this Order called the purchasing corps) that the Secretary of State should authorise the purchasing corps to purchase under the Military Lands Act 1892 the lands described in this Order:

And whereas a plan showing the lands to be purchased has been signed by the Secretary of State and has been deposited with the clerk of the peace for the West Riding of the county of York and that plan is herein-after referred to as the deposited plan:

And whereas the purchasing corps have caused such notices to be served as are required by the Military Lands Act 1892 and a petition to be presented to a Secretary of State in manner directed by that Act:

And whereas the Secretary of State has with reference to the purchasing of the said lands caused such a local inquiry to be held as is required by the Military Lands Act 1892 and after that inquiry is satisfied that the lands should be taken:

Now therefore I the Secretary of State in pursuance of the powers given to me by section two of the Military Lands Act 1892 and any other enactment in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the following provisions shall take effect:

Power to purchase lands under the Military Lands Act 1892.

1. The purchasing corps may for the purpose of providing rifle ranges purchase under section two of the Military Lands Act 1892 and the Acts incorporated therewith the lands situate in the parish of Saddleworth and in the West Riding of the county of York which are more particularly delineated on the deposited plan and thereon coloured pink.

Short title.

2. This Order may be cited as the Diggle Rifle Ranges Order 1896.

Given under the hand and seal of the Secretary of State this nineteenth day of May one thousand eight hundred and ninety-six.

(L.S.) LANSDOWNE.

A.D. 1896.

SCHEDULE TO ORDER No. 2.

AGREEMENT made between the London and North Western Railway Company (herein-after called the said company) of the one part and the commanding officers of the 2nd Volunteer Battalion Manchester Regiment and the 6th Volunteer Battalion Manchester Regiment (herein-after called the said corps) of the other part.

Whereas the said corps are applying for powers under the Military Lands Act 1892 to construct a rifle range at Diggle and desire to obtain from the said company the grant of an easement (so far as the company can legally grant the same) viz. The right of carrying on rifle practice upon and over certain lands reservoirs watercourses and drains and other works at Diggle aforesaid as the same are particularly shown and described on the plan hereunto annexed and coloured red thereon Now therefore the parties hereto mutually agree for the consideration appearing and expressed hereafter as follows That the said easement shall be granted (so far as the said company have the power to grant the same) and used subject to and upon the following conditions:—

1. That during rifle practice or when shooting is in progress at the several rifle ranges to be constructed the said corps shall give warning and protection to the said company's agents servants or workmen who may be engaged in inspecting or carrying out any work in connexion with the said reservoirs watercourses and drains and when so required the corps shall at once discontinue firing until such time as the company shall have notified to the said corps that the necessity for such discontinuance has ceased any servant of the company having in hand or being in charge of work for them may notify that the firing must temporarily discontinue.

2. So long as the said corps have the use and enjoyment of the aforesaid easement the said corps shall pay to the said company the annual rent or sum of one guinea payable yearly on the 24th day of June to commence from the 24th day of June 1896.

3. Upon the said corps ceasing to use and enjoy the said easement the said corps shall yield and give up to the said company all their former rights privileges and easements in their property and reinstate the same in its former condition.

4. The said corps shall indemnify the said company from all claims actions demands loss costs charges and expenses which the said company may incur sustain or be put to and from any damage or injury to persons

or property that may arise by reason of the aforesaid easement being granted. A.D. 1896.

Dated this eleventh day of June one thousand eight hundred and ninety-six.

Witness to the signature of Colonel Robert Bridgford

J. Graham Macfie
Merchant
18 Aytoun Street
Manchester.

Witness to the signature of John Lees Aspland

Herbert E. Jones
Assurance Inspector
69 King Street
Manchester.

Passed under the common seal of the London and North Western Railway Company in the presence of

T. Houghton
Secretary.

Robt. Bridgford
Commanding 2nd Vol. Batt.
The Manchester Regiment.

J. Lees Aspland
As solicitor and for Colonel Lees commanding the 6th Vol. Batt. The Manchester Regiment.

L.S.

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