CHAPTER ci.

An Act to confer additional Powers on the Corporation of the Borough of Salford for the Improvement and good Government of the said Borough; and for the laying down of Tramways in and near thereto; and for the raising of further Moneys; and for other purposes. A.D. 1875.

[29th June 1875.]

Recital of Salford Improvement Acts.

WHEREAS by "The Salford Improvement Act, 1862," "The Salford Improvement Act, 1867," "The Salford Improvement Act, 1870," and "The Salford Improvement Act, 1871" (which Acts are herein-after in this Act referred to respectively as the "Act of 1862," the "Act of 1867," the "Act of 1870," and the "Act of 1871"), various powers for the improvement and good government of the borough of Salford (in this Act called the borough) have been conferred on the mayor, aldermen, and burgesses of the borough (in this Act called the Corporation):

And whereas the Corporation by themselves and by their district committees are the sewer authority and the street authority within the borough, and are also empowered to supply and do supply gas within the borough and water within the Salford district:

And whereas it is expedient that certain provisions of the said Acts herein-after mentioned should be repealed, and that other provisions of the said Acts should be altered, amended, and extended as by this Act provided, and that the Corporation should be empowered to exercise additional powers for the improvement and good government of the borough, and to construct and maintain tramways in and near the borough, and to lease or let the same as by this Act provided, and to stop up, alter, and divert old streets and roads, and to make new streets, roads, and bridges, and improvements and alterations of streets, roads, and bridges, and to enlarge and improve Peel Park, and to acquire lands and buildings for those works and improvements, and for purposes in connexion

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therewith, and also for general improvement purposes; and also to acquire further lands for the purposes of the Act of 1871 with respect to drainage and sewerage:

And whereas plans and sections showing the lines, situations, and levels of the tramways and works authorised by this Act, and the lands which the Corporation may acquire under this Act, and also books of reference to such plans containing the names of the owners and lessees, or reputed owners and lessees, and of occupiers of the lands required or which may be taken for the purposes or under the powers of this Act, were duly deposited with the clerk of the peace for the county of Lancaster, and are hereinafter referred to as the deposited plans, sections, and books of reference:

And whereas by the Act of 1870 (section ninety) the Corporation were authorised to borrow any sums which, in addition to their then authorised borrowing power of two hundred and twenty thousand pounds, should not exceed the sum of two hundred and fifty thousand pounds (making together the sum of four hundred and seventy thousand pounds) on the security of the borough rate and of the gasworks, and the Corporation had up to the first day of April one thousand eight hundred and seventy-five borrowed the sum of four hundred and thirty-eight thousand four hundred and forty-nine pounds one shilling and seven pence on that security:

And whereas by the Act of 1870 (section ninety-two) the Corporation were authorised to borrow any sums which, in addition to their then authorised borrowing power of seventy thousand pounds, should not exceed the sum of two hundred and twenty-five thousand pounds (making together the sum of two hundred and ninety-five thousand pounds) on the security of the rates and assessments they were authorised to levy within the Salford district, and of the market places, and the tolls, rents, and profits thereof, and of the buildings, lands, and premises, and all other property for the time being of the Salford district (excepting the waterworks, water rents, and water rates), and on the security of the annuity of two thousand five hundred and thirty pounds from the gasworks by that Act secured to be paid to the Salford district, and the Corporation had up to the first day of April one thousand eight hundred and seventy-five borrowed the sum of two hundred and ninety-one thousand six hundred and seventeen pounds seventeen shillings and five pence on that security:

And whereas by the Act of 1870 (section ninety-four) the Corporation were authorised to borrow any sums which, in addition to their then authorised borrowing power of fifty thousand pounds,

should not exceed the sum of ten thousand pounds (making together the sum of sixty thousand pounds) on security of the rates and assessments they were authorised to levy within the Broughton district, and the Corporation had up to the first day of April one thousand eight hundred and seventy-five borrowed the sum of thirty thousand two hundred and fifty-eight pounds and six shillings on that security:

And whereas by the Act of 1867 (section twenty) the Corporation were authorised to borrow any sums which, in addition to their then authorised borrowing power of ten thousand pounds, should not exceed the sum of fifty thousand pounds (making together the sum of sixty thousand pounds) on security of the rates and assessments they were authorised to levy within the Pendleton district; and the Corporation had up to the first day of April one thousand eight hundred and seventy-five borrowed the sum of twenty-five thousand one hundred and seventy-five pounds and eight shillings on that security:

And whereas by the Act of 1871 the Corporation were authorised to construct drainage and sewage works for the whole of the borough, but it was intended that a part only of such works should be constructed in the first instance, and the borrowing powers of the Corporation were not increased by the said Act, and it has now become necessary that the whole of such works should be completed and that provision should be made for this purpose:

And whereas by the Act of 1870 the Corporation were authorised to make new streets and improvements, and the estimated cost of the same was one hundred and seventeen thousand two hundred pounds, and the borrowing powers conferred for this purpose were limited accordingly, but that estimate was based on the estimated net cost only of the new streets and improvements, and it is necessary to make temporary provision for the gross cost thereof, and also to make further provision in respect of the increase since the passing of the said Act in the cost of acquiring land for the said new streets and improvements:

And whereas it is expedient that the Corporation should be authorised to raise further sums of money on the securities hereinbefore mentioned for the purposes of this Act and of the former Acts, and that further provisions should be made respecting the borrowing powers and securities of the Corporation:

And whereas it is expedient to authorise and require the Local Board of Stretford in the county of Lancaster, to contribute towards the construction and maintenance of a proposed bridge over the River Irwell at Throstle Nest, and of the approaches thereto:

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And whereas it is expedient to amend "The Manchester Division Stipendiary Justice Act, 1854," and "The Manchester Division Petty Sessions Court Act, 1866," with reference to the application of moneys received for estreated recognizances, and to the appointment, duties, and salaries of the stipendiary magistrate and of the clerks to justices, and to provide for the appointment of an additional stipendiary magistrate:

And whereas it is expedient to authorise the justices of the peace of the Manchester division of the county of Lancaster to increase the salaries of their clerks:

And whereas estimates have been prepared by the Corporation for the purchase of land and for the execution of the tramways and works by this Act authorised, and such estimates are as follow:

	£
For the tramways - - - - -	90,000
For bridges over the River Irwell and approaches, Peel Park extension, and sewage land - -	112,980
For new streets and improvements—	
In the Salford district - - - -	127,820
In the Broughton district - - -	17,761
In the Pendleton district - - -	109,600

And whereas the estimated sums required for the purposes of the drainage and sewage works authorised by the Act of 1871 are as follows:

For the Salford district, eighty-eight thousand pounds:

For the Broughton district, thirty-five thousand eight hundred and fifty-four pounds:

For the Pendleton district, forty-one thousand two hundred and twenty-nine pounds:

And whereas the additional sum required as herein-before recited for the new streets and improvements in the Salford district authorised by the Act of 1870, is two hundred and forty-six thousand one hundred and forty-four pounds:

And whereas the several works included in such estimates respectively are permanent works within the meaning of section fifty-seven of "The Local Government Act, 1858:"

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

And whereas an absolute majority of the whole number of the council, at a meeting held on the twenty-third day of November one thousand eight hundred and seventy-four, after ten clear days notice by public advertisement of such meeting, and of the purpose thereof, in the Manchester Guardian, a local newspaper published

or circulating in the borough, such notice being in addition to the ordinary notices required for summoning such meeting, resolved that the expense in relation to promoting the Bill for this Act should be paid out of the borough fund or borough rate:

And whereas such resolution was published twice in the said Manchester Guardian, and has received the approval of the Local Government Board, in respect of matters within the jurisdiction of that board, and the approval of one of Her Majesty's Principal Secretaries of State in respect of other matters:

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

And whereas the owners and ratepayers of the borough, by resolution in manner provided in "The Local Government Act, 1858," for the adoption of that Act, have consented to the promotion of the Bill for this Act:

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

PRELIMINARY.

Short title.

1. This Act may be cited as "The Salford Tramways and Improvement Act, 1875."

Construction of Acts.

2. The former Acts, so far as they are for the time being in force and are not inconsistent with this Act, and this Act shall be construed together as one Act, and the several expressions to which meanings are assigned by the said Acts have in this Act the same respective meanings unless different meanings are assigned to them by this Act, or there be something in the subject or context repugnant to such construction, and the purposes of this Act shall be deemed to be purposes of the said Acts respectively, and in particular, (but not so as to exclude or affect the application of any other applicable provisions of the said Acts,) the following provisions of the said Acts (as amended by any amending Acts or by this Act) shall (together with any schedules therein referred to) have effect, mutatis mutandis, with respect to the subjects and purposes of this Act as if they were repeated in and were part of this Act; (that is to say,)

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The following provisions of the Act of 1862—

Section five, defining what buildings and lands are to be deemed to be within a street:

Sections one hundred and ninety-eight, one hundred and ninety-nine, two hundred and one, and two hundred and three to two hundred and seven (both inclusive), intitled "As to revision and execution of works ordered by Corporation or required by this Act, and recovery of charges and expenses:"

Section three hundred and eighty-one relating to differential rating in respect of railways and canals:

Sections three hundred and ninety-four to four hundred and one (both inclusive) relating to mortgages:

Section four hundred and sixteen, relating to the application of damages and penalties:

Sections four hundred and twenty-three to four hundred and twenty-seven (both inclusive), intitled "As to the settlement of disputes, compensation, and recovery of damages," &c.:

Sections four hundred and twenty-eight to four hundred and thirty-four (both inclusive), intitled "As to appeals," &c.;

And the following provisions of the Act of 1870—

Section thirteen, relating to compensation by land or works:

Section fifteen, as to dedication of new streets as public highways:

Section twenty-two, as to notice to be given of taking houses of labouring classes:

Section seventy-two, as to buildings exempted:

Sections one hundred and one to one hundred and four (both inclusive) relating to the sale of lands.

Interpretation of terms.

3. The following terms shall have the meanings herein-after assigned to them respectively, unless there be something in the subject or context in this Act or in the former Acts (so far as they are incorporated with or made applicable to this Act) repugnant thereto; (that is to say,)

The term "the tramways" means the tramways authorised by this Act:

Expressions referring to an "order" of the Corporation or of the council shall be deemed to include a resolution of the council, or a resolution of any general or district committee of the council as to any matter within the competence of such committee:

The term "engineer" means the engineer of the Corporation for the time being, and includes any assistant engineer and

any surveyor or assistant surveyor appointed by the Corporation:

The term "the former Acts" means the Acts of 1862, 1867, 1870, and 1871.

Provisions of certain general Acts incorporated.

4. "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," are (except where expressly varied by this Act) incorporated with and form part of this Act; but this provision shall not incorporate with the Act of 1862, for the purposes of that Act, any of the provisions of the said Lands Clauses Consolidation Acts not already incorporated therewith.

PART I.—TRAMWAYS.

Power to make Tramways.

Power to make tramways according to deposited plans, &c.

5. Subject to the provisions of "The Tramways Act, 1870," so far as the same are not varied by nor inconsistent with the provisions of this Act, the Corporation make make, form, lay down, and maintain the tramways herein-after described in the lines and according to the levels shown on the deposited plans and sections, and in all respects in accordance with the respective plans and sections, with all proper rails, plates, offices, weigh bridges, stables, carriage houses, warehouses, works, and conveniences connected therewith or for the purposes thereof.

The tramways herein-before referred to and authorised by this Act are,—

A tramway No. 1 (single line), two miles, four furlongs, eight chains, five yards in length, commencing in the Bury New Road, otherwise the Manchester and Bury New Turnpike Road (herein called the Bury New Road), opposite to and north-east of the lamp-post in the roadway at the junction of that road with Moor Lane, passing thence into and along that road, Lower Broughton Road, Great Clowes Street, Broughton Bridge, Broughton Road, Blackfriars Street Extension, Blackfriars Street, and Blackfriars Bridge, and terminating at a point four feet north-east of the centre of that bridge:

A tramway No. 2 (single line), three chains in length, wholly situate in the Bury New Road, commencing opposite to and north-east of the before-mentioned lamp-post, and terminating three chains south-eastward from its commencement by a junction with tramway No. 1:

A tramway or passing place No. 3 (single line), three chains in length, situate wholly in the Bury New Road, commencing by a junction with tramway No. 1 at a point opposite Radford

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Street, and terminating three chains south-eastward from its commencement by a junction with tramway No. 1:

A tramway or passing place No. 4 (single line), three chains in length, wholly situate in Bury New Road opposite Saint John's Road and Broom Lane, commencing and terminating by junctions with tramway No. 1 at points respectively one and three-quarter chains north-west of and one and a half chains south-west of the lamp-post in the centre of the roadway at the junction of Broom Lane with the Bury New Road:

A tramway No. 5 (single line), two furlongs, seven chains, eight yards in length, wholly situate in Great Clowes Street, commencing opposite Knoll Street, and terminating opposite Murray Street, by a junction with tramway No. 1:

A tramway or passing place No. 6 (single line), three chains in length, wholly situate in Great Clowes Street, commencing at the junction of the said street with Camp Street, and terminating three chains southwards from its commencement by a junction with tramway No. 1:

A tramway or passing place No. 6A (single line), two chains in length, situate wholly in Great Clowes Street, commencing opposite Elton Street, and terminating two chains southward from its commencement by a junction with tramway No. 1:

A tramway No. 7 (single line), four furlongs, two chains, seven yards in length, commencing in Broughton Road opposite Sandford Street, passing into and along Broughton Road, Blackfriars Street Extension, Blackfriars Street, and Blackfriars Bridge, and terminating at a point four feet south-west of the centre of that bridge:

A tramway No. 8 (single line), one mile, nine chains, seven yards in length, commencing in North Road otherwise Bolton Road (herein called Bolton Road) at a point in the centre of the road at Irlams-o'-th'-Height, distant sixty-three feet from the lamp-post in the road and opposite the Old Pack Horse Inn, passing into and along Bolton Road and Broad Street, and terminating in Broad Street at a point one hundred and eighteen feet eastward of the lamp-post in the centre of that street:

A tramway No. 9 (single line), one chain, eleven yards in length, wholly in the Bolton Road, commencing eight feet south of the before-described commencement of tramway No. 8, and terminating one and a half chains eastward from its commencement by a junction with tramway No. 8:

A tramway or passing place No. 9A (single line), two chains in length, wholly situate in the Bolton Road, commencing by a junction with tramway No. 8 opposite King Street, and

terminating two chains eastward from its commencement by a junction with tramway No. 8:

A tramway or passing place No. 9B (single line), two chains in length, wholly situate in the Bolton Road, commencing and terminating by junctions with tramway No. 8, at points respectively five chains and seven chains eastward of the west entrance gate to Barr Hill Mount:

A tramway or passing place No. 9C (single line), two chains in length, wholly situate in the Bolton Road, commencing by a junction with tramway No. 8, opposite the western side of the Beech Villas, and terminating two chains from its commencement by a junction with tramway No. 8:

A tramway or passing place No. 9D (single line), four chains in length, wholly situate in the Bolton Road, commencing by a junction with tramway No. 8, opposite the north-west corner of Belvoir Terrace, and terminating four chains eastward from its commencement by a junction with tramway No. 8:

A tramway No. 10 (single line), two miles, one furlong, eighteen yards in length, commencing by a junction with tramway No. 8 at its before-described point of termination, and passing into and along Broad Street, Windsor Bridge, the Crescent, Bank Parade, Chapel Street, and Salford Bridge, and terminating on Salford Bridge, over the mid-stream of the River Irwell, and twenty-five feet distant (measuring at right angles) from the south-east parapet of that bridge:

A tramway No. 11 (single line), one mile, five furlongs, six chains, fourteen yards in length, commencing by a junction with tramway No. 8 at its before-described point of termination, and passing into and along Broad Street, Windsor Bridge, the Crescent, Bank Parade, and Chapel Street, and terminating in that street at a point opposite the centre of Spaw Street by a junction with tramway No. 10:

A tramway or passing place No. 11A (single line), two chains in length, wholly situate in Chapel Street, commencing by a junction with tramway No. 10 opposite or nearly opposite Union Street, and terminating two chains eastward from its commencement by a junction with tramway No. 10:

A tramway No. 11B (single line), eleven yards in length, wholly situate on Salford Bridge, commencing by a junction with tramway No. 10 half a chain from its herein-before described point of termination, and terminating over the mid-stream of the River Irwell, and eighteen feet distant (measuring at right angles) from the south-east parapet of that bridge:

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A tramway No. 12 (single line), two miles sixteen yards in length, commencing in Gilda Brook Road, otherwise Broomhouse Lane, otherwise Eccles Old Road (herein called Eccles Old Road), at a point four feet north of the centre of the road opposite the house No. 4 in that road at or near its junction with Wellington Road, passing into and along Eccles Old Road and Broad Street, and terminating in that street by a junction with tramway No. 8 at its before-described point of termination:

A tramway No. 13 (single line), one chain eleven yards in length, situate wholly in Eccles Old Road, commencing at a point four feet south of the centre of that road opposite the said house No. 4 in that road, and terminating one and a half chains eastward from its commencement by a junction with tramway No. 12:

A tramway or passing place No. 14 (single line), two chains in length, situate wholly in Eccles Old Road, commencing by a junction with tramway No. 12, at a distance of twelve and a half chains eastward from the before-described termination of tramway No. 13, and terminating two chains eastward from its commencement by a junction with tramway No. 12:

A tramway No. 15 (single line), seven chains, eleven yards in length, situate wholly in the Eccles Old Road, commencing by a junction with tramway No. 12, at a distance of five and a half chains eastward from the above-described point of termination of tramway No. 14, and terminating at a point one and three-quarter chains from and westward of a point opposite the centre of Park Road by a junction with tramway No. 12:

A tramway or passing place No. 16 (single line), two chains in length, wholly in Eccles Old Road, commencing by a junction with tramway No. 12 at a point two and a quarter chains eastward of a point opposite the gateway of Hope School, and terminating two chains eastwards from its commencement by a junction with tramway No. 12:

A tramway or passing place No. 17 (single line), two chains in length, wholly in Eccles Old Road, commencing by a junction with tramway No. 12, at a point opposite the centre of the houses called the Limes, and terminating two chains eastwards from its commencement by a junction with tramway No. 12:

A tramway or passing place No. 18 (single line), two chains in length, wholly in Eccles Old Road, commencing and terminating respectively by junctions with tramway No. 12 at point respectively twelve and three-quarter chains, and fourteen an

three-quarter chains eastward from the before-described point of termination of tramway No. 17 :

A tramway or passing place No. 19 (single line), two chains in length, wholly in Eccles Old Road, commencing by a junction with tramway No. 12 one and a half chains eastward of the junction of Eccles Old Road with Weaste Lane, and terminating two chains eastwards from its commencement by a junction with tramway No. 12 :

A tramway or passing place No. 20 (single line), two chains in length, wholly in Eccles Old Road, commencing and terminating respectively by junctions with tramway No. 12 at points respectively six chains and eight chains eastward of the before-described termination of tramway No. 19 :

A tramway or passing place No. 21 (single line), two chains in length, commencing in Eccles Old Road by a junction with tramway No. 12, at a point seventy-two feet north-eastward of the centre of the entrance gates to Hart Hill, and terminating two chains eastward from its commencement by a junction with tramway No. 12 :

A tramway or passing place No. 22 (single line), two chains in length, wholly in Eccles Old Road, commencing and terminating respectively by junctions with tramway No. 12 at points respectively nine and eleven chains eastward of the termination of tramway No. 21 :

A tramway or passing place No. 23 (single line), two chains in length, wholly in Eccles Old Road, commencing and terminating respectively by junctions with tramway No. 12 at points respectively eight and three-quarter chains, and ten and three-quarter chains eastward of the termination of tramway No. 22 :

A tramway or passing place No. 24 (single line), two chains in length, wholly in Eccles Old Road, commencing by a junction with tramway No. 12 at a point two and three-quarter chains westward of the junction of that road with Sandy Lane, and terminating two chains eastward from its commencement by a junction with tramway No. 12 :

A tramway or passing place No. 25 (single line), two chains in length, wholly in Eccles Old Road, commencing and terminating respectively by junctions with tramway No. 12 at points respectively five chains and seven chains eastward of the before-described termination of tramway No. 24 :

A tramway or passing place No. 26 (single line), two chains in length, in Eccles Old Road, commencing and terminating respectively by junctions with tramway No. 12 at points respectively seven chains, and nine chains eastward of the before-described termination of tramway No. 25 :

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A tramway No. 27 (single line), three miles, five chains, sixteen yards in length, commencing at or near the junction of the Eccles Old Road with the Eccles New Road, and opposite the Market Cross there, passing into and along the market place, Regent Street, Eccles New Road, and Regent Road, otherwise the Hulme and Eccles turnpike road, and terminating four feet north of the centre of Regent Road Bridge:

A tramway No. 28 (single line), one chain six yards in length, commencing at or near the junction of the Eccles Old Road with the Eccles New Road, and opposite the Market Cross, and terminating at a distance of one chain six yards eastwards from its commencement by a junction with tramway No. 27:

A tramway or passing place No. 29 (single line), two chains in length, wholly in the Eccles New Road, otherwise the Hulme and Eccles turnpike road (herein called the Eccles New Road), commencing by a junction with tramway No. 27 opposite the entrance gates to Irwell Bank, and terminating two chains eastward from its commencement by a junction with tramway No. 27:

A tramway or passing place No. 30 (single line), two chains in length, wholly in Eccles New Road, commencing by a junction with tramway No. 27 one chain and a quarter eastward of the centre of the entrance gates to Little Bolton Hall, and terminating two chains eastward from its commencement by a junction with tramway No. 27:

A tramway or passing place No. 31 (single line), two chains in length, wholly in the Eccles New Road, commencing by a junction with tramway No. 27, one chain eastward of Mode Wheel Lane, and terminating two chains eastward from its commencement by a junction with tramway No. 27:

A tramway or passing place No. 31A (single line), one chain in length, wholly in the Eccles New Road, commencing by a junction with tramway No. 27 opposite the south-east gate of Irwell View, and terminating one chain eastward from its commencement by a junction with tramway No. 27:

A tramway or passing place No. 31B (single line), sixteen and a half yards in length, wholly situate in the Eccles New Road, and commencing and terminating by junctions with tramway No. 27 opposite Thurlow Street:

A tramway or passing place No. 32 (single line), two chains in length, wholly in the Regent Road, commencing by a junction with tramway No. 27, one chain eastward of the end of South Cross Lane, and terminating two chains eastward from its commencement by a junction with tramway No. 27:

A tramway No. 33 (single line), two chains in length, commencing in Regent Road by a junction with tramway No. 27, one chain and twelve yards eastward of Wilburn Street, passing into and along Regent Road and Regent Road Bridge, and terminating two chains from its commencement four feet south of the centre of that bridge:

A tramway No. 34 (single line), four furlongs, four chains, five and a half yards in length, commencing in the Eccles New Road by a junction with tramway No. 27, forty feet westward of the centre of Cross Lane, passing into and along that road, Cross Lane, and Broad Street, and terminating in that street by a junction with tramway No. 11 opposite the west frontage line of Cross Lane:

A tramway or junction No. 34A (single line), sixteen and a half yards in length, commencing in Cross Lane by a junction with tramway No. 34, three-quarters of a chain from its termination, and passing into and along Cross Lane and Broad Street, and terminating in that street by a junction with tramway No. 10 opposite the west frontage line of Cross Lane:

A tramway No. 35 (single line), five chains twenty-one and a half yards in length, commencing in Cross Lane by a junction with tramway No. 34, nine yards northward of the centre of Ellor Street, passing into and along Cross Lane, New Windsor, and Broad Street, and terminating in that street by a junction with tramway No. 11, three chains fourteen yards westward of the centre of Windsor Bridge:

A tramway or junction No. 35A (single line), sixteen and a half yards in length, commencing in New Windsor by a junction with tramway No. 35, opposite the south-west corner of that street, passing into and along New Windsor, and Cross Lane, and terminating in that lane by a junction with tramway No. 34, opposite the north frontage line of Peel Street:

A tramway or junction No. 35B (single line), eleven yards in length, wholly in Broad Street, commencing by a junction with tramway No. 35, half a chain from its before-described termination, and terminating by a junction with tramway No. 10, three chains fourteen yards westward of the centre of Windsor Bridge:

A tramway No. 36 (single line), four furlongs two chains in length, commencing in Regent Road by a junction with tramway No. 27, sixteen feet westward of the west side of Oldfield Road, passing into and along Regent Road, Oldfield Road, and Chapel Street, otherwise Bank Parade (herein-after called Chapel Street), and terminating in that street by a

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junction with tramway No. 11 opposite the south-west corner of the Salford Dispensary:

A tramway or junction No. 36A (single line), one chain sixteen and a half yards in length, commencing in Oldfield Road by a junction with tramway No. 36, one and three-quarter chains north of Barrow Street, and passing into and along Oldfield Road, and Chapel Street, and terminating in that street by a junction with tramway No. 11 opposite the east frontage line of Oldfield Road:

Tramways Nos. 37 and 38 (double line), one furlong, one chain, eighteen yards in length, commencing respectively in Chapel Street by junctions with tramways Nos. 10 and 11, half a chain westward of Bloom Street, passing into and along Chapel Street, New Bailey Street, and Albert Bridge, and terminating respectively four feet north-east, and four feet south-west of the centre of that bridge:

A tramway No. 39 (single line), one mile, eight chains, sixteen yards in length, commencing in Lower Broughton Road, opposite the road called Broughton Spout, passing along Lower Broughton Road, and through the property on the north-west corner of Camp Street, at its junction with Lower Broughton Road, into and along Camp Street and Broughton Lane, and terminating in that lane over mid-streem of Broughton Brook:

A tramway No. 40 (single line), one chain, eleven yards in length, wholly in Lower Broughton Road, commencing opposite the centre of Broughton Spout, and terminating one and a half chains southward from its commencement by a junction with tramway No. 39:

A tramway or passing place No. 41 (single line), one chain in length, wholly in Lower Broughton Road, commencing by a junction with tramway No. 39, seventy-two yards from the north-west corner of Great Cheetham Street, and terminating one chain southwards from its commencement by a junction with tramway No. 39:

A tramway or passing place No. 42 (single line), three chains, two and three-quarter yards in length, commencing in Lower Broughton Road, opposite the front entrance to the Bridge Inn by a junction with tramway No. 39, and terminating in Camp Street, three and one-eighth chains or thereabouts from its commencement by a junction with tramway No. 39:

A tramway No. 43 (single line), one chain in length, commencing in Camp Street by a junction with tramway No. 39, opposite the east frontage line of Kempster Street, passing into and

along Camp Street and Broughton Lane, and terminating in that lane, one chain from its commencement, by a junction with tramway No. 39:

A tramway No. 44 (single line), six furlongs, four chains, three and two-third yards in length, wholly in the Bury New Road, commencing by a junction with tramway No. 4, opposite Broom Lane, and terminating seven chains or thereabouts south-eastward of Camp Street:

A tramway No. 45 (single line), two chains in length, wholly in the Bury New Road, commencing by a junction with tramway No. 1 opposite or nearly opposite Broom Lane, and terminating two chains south-eastward from its commencement by a junction with tramway No. 44:

A tramway or passing place No. 46 (single line), half a chain in length, wholly in the Bury New Road, commencing and terminating by junctions with tramway No. 44, opposite Wellington Street:

A tramway or passing place No. 47 (single line), half a chain in length, wholly in the Bury New Road, commencing and terminating by junctions with tramway No. 44, opposite Great Cheetham Street:

A tramway No. 48 (single line), half a chain in length, wholly in the Bury New Road, commencing by a junction with tramway No. 44, six and a half chains or thereabouts south-eastward of Camp Street, and terminating half a chain south-eastward from its commencement:

Provisoes as to tramways in Barton district.

Provided, that with respect to the tramways Nos. 12, 13, 14, and 15 the Corporation shall not exercise the powers of this section without previously giving notice of their intention to do so to the Barton, Eccles, Winton, and Monton local board (such notice to be given not later than the first day of September in any year), and that with respect to the tramways Nos. 13 and 14, and so much of the tramways Nos. 12 and 15 as is situate within the district of the said board, the Corporation shall not, without the consent of the said board, exercise such powers until the end of the Session of Parliament to commence next after the giving of such notice, and that if within that time the said board obtain powers to construct tramways in their district in connexion with so much of the intended tramways Nos. 12 and 15 as is situate within the borough, then the Corporation shall not, without the like consent, exercise such powers within the said district until after two years from the end of such Session of Parliament, nor then nor thereafter exercise such powers within the said district if within such two

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years the said board have constructed and completed for traffic tramways in their district to the junction of Eccles Old Road with Wellington Road in Eccles in connexion as aforesaid under powers obtained as aforesaid: Provided also, that if the Corporation give such notice as aforesaid as to tramways Nos. 12, 13, 14, and 15, and if the said board obtain the powers aforesaid and construct and complete the last-mentioned tramways within the respective times aforesaid, then it shall, notwithstanding anything in this Act contained, be obligatory upon the Corporation to complete before the end of six months after such construction and completion so much of the tramways Nos. 12 and 15 as is situate within the borough: Provided also, that with respect to the tramways Nos. 27 and 28, the Corporation shall not exercise the powers of this section without previously giving notice of their intention to do so to the said board (such notice to be given not later than the first day of September in any year), and that with respect to the tramway No. 28 and so much of the tramway No. 27 as is situate within the district of the said board, the Corporation shall not, without the consent of the said board, exercise such powers until the end of the Session of Parliament to commence next after the giving of such notice, and that if within that time the said board obtain powers to construct tramways in their district in connexion with so much of the intended tramway No. 27 as is situate within the borough, then the Corporation shall not, without the like consent, exercise such powers within the said district until after two years from the end of such Session of Parliament, nor then nor thereafter exercise such powers within the said district, if within such two years the said board have constructed and completed for traffic tramways in their district to the market place Eccles in connexion as aforesaid under powers obtained as aforesaid: Provided also, that if the Corporation give such notice as aforesaid as to tramways Nos. 27 and 28, and if the said board obtain the powers aforesaid, and construct and complete the last-mentioned tramways in their district within the respective times aforesaid, then it shall, notwithstanding anything in this Act contained, be obligatory upon the Corporation to complete before the end of six months after such construction and completion so much of the tramway No. 27 as is situate within the borough.

Construction of the Tramways.

Form of rails.

6. The tramways shall be constructed and maintained with rails of such form as the Corporation from time to time determine, and such form shall, for the purposes of "The Tramways Act, 1870," be deemed to be the form prescribed by the special Act.

Inspection by Board of Trade.

7. No tramway shall be opened for public traffic until it has been inspected and certified to be fit for such traffic by the Board of Trade.

Application of road materials excavated in construction of works.

8. Any paving, metalling, or material excavated in the construction of any tramway from any road under the jurisdiction or control of any road authority other than the Corporation may be applied by the Corporation so far as may be necessary in or towards the reinstating of the road and the maintenance for six months after completion of any of the tramways within the district of such road authority of so much of the roadway on either side of such tramways as the Corporation are by section twenty-eight of "The Tramways Act, 1870," required to maintain; and the Corporation shall, if so required, deliver the surplus paving, metalling, or material not used or required to be retained for the purposes aforesaid to the surveyor for the time being of the road authority, or to such person or persons as he may appoint to receive the same: Provided, that if within seven days after the setting aside of the surplus arising from the excavation of any such paving, metalling, or material, and notice duly given, such surplus is not removed by such surveyor, or by some other person or persons named by him for that purpose, such surplus paving, metalling, or material shall absolutely vest in and belong to the Corporation, and may be dealt with, removed, and disposed of by them in such manner as they may think fit. Any difference between the Corporation and any road authority or surveyor or other person with reference to any of the matters to which this section relates shall be determined in manner provided by "The Tramways Act, 1870," with respect to differences between the promoters and any road authority.

Penalty for not maintaining rails and roads.

9. The Corporation shall at all times maintain and keep in good condition and repair, and so as not to be a danger or annoyance to the ordinary traffic, the rails of the tramway and the substructure upon which the same rest; and if the Corporation at any time shall fail to comply with this provision, or with the provisions of section twenty-eight of the Tramways Act, 1870, they shall be subject to a penalty not exceeding five pounds for every day on which such non-compliance continues, and such penalty shall be a penalty within the meaning of section fifty-six of the said Act.

Sewer authority to have access to sewers.

10. Every sewer authority shall at all times have free access to and communication with their sewers and drains and power to lay lateral and private drains to communicate therewith without the consent or concurrence of the Corporation; and the provisions contained in the thirty-second and thirty-third sections of "The

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Tramways Act, 1870," shall be applicable in the case of any sewer or private drain of or under the control of the sewer authority as if the same were a pipe for the supply of gas or water.

Periods for completion of tramways.

11. If the tramways which are by this Act authorised, and which are dependent upon the making of any particular street improvement, are not completed within two years after the making of that improvement, and if the other tramways by this Act authorised are not completed within five years from the passing of this Act, then on the expiration of those respective periods the powers by this Act granted to the Corporation for making the tramways, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

Purchase of land by agreement.

12. The Corporation may from time to time purchase and acquire (by agreement) such land, not exceeding ten acres, as they may require for the purposes of this part of this Act.

Power to make additional crossings, &c.

13. The Corporation may, subject to the provisions of this Act, and (in places beyond the limits of the borough) with the consent of the local authority and road authority, from time to time make, maintain, alter, and remove such crossings, passing-places, sidings, junctions, and other works, in addition to those particularly specified in and authorised by this Act, as they find necessary or convenient for the efficient working of the tramways, or for providing access to any warehouses, stables, or carriage-houses or works of the Corporation: Provided, that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between it and the outside of the footpath on either side of the road, if the owner or owners, or occupier or occupiers, of the premises abutting on the place where such rail is proposed to be laid shall, by writing under their hand addressed to and served upon the Corporation before the same is laid down, express their objection thereto (so long as such objection shall not be withdrawn).

Tramways to be kept to level of roads.

14. If and whenever after the passing of this Act any road authority alter the level of any road along or across which any part of any tramway is laid, or authorised to be laid, the Corporation may and shall from time to time alter, or (as the case may be) lay the rails of the tramway so that the uppermost surface thereof shall be on a level with the surface of the road as altered.

Temporary tramways.

15. If and whenever, by reason of the execution of any work affecting the surface or soil of any road along which any tramway authorised by this Act is laid, it shall, in the opinion of the Corporation, be necessary or expedient temporarily to remove or discontinue the use of such tramway or any part thereof, the

Corporation may construct in the same or any adjacent road, and maintain, so long as occasion may require, and until such tramway or part is restored by the Corporation, a temporary tramway or temporary tramways in lieu of the tramway or part of a tramway so removed or discontinued. A.D. 1875.

Working of the Tramways.

Corporation may grant leases or licenses.

16. The Corporation from time to time may lease to any person, company, or corporation the exclusive right of user of the tramways or any of them, and the right of demanding and taking in respect of the same the tolls and charges authorised; or they may from time to time grant to any number of persons, companies, or corporations licenses to use the tramways or any of them, and to take in respect of the same the tolls and charges authorised; or they may leave the tramways or any of them open to be used by the public, and may in respect of such user demand and take the tolls and charges authorised; and they may exercise such of the above powers as they think fit at the same time with respect to different portions of the tramways, or (subject to any exclusive lease) with respect to the whole or any portion of the tramways:

No such lease or license shall be made or given for a longer term than twenty-one years;

Every such lease or license shall imply a condition of forfeiture if at any time after the making or giving of the same the lessee or licensee discontinue the working of any part of the tramway to which his lease or license relates for the space of three months, such discontinuance not being occasioned by circumstances beyond his control, for which purpose the want of sufficient funds shall not be considered a circumstance beyond his control;

Section forty of "The Tramways Act, 1870," shall apply to all lessees or licensees under this section;

Any provision of Part II. or of Part III. of "The Tramways Act, 1870," referring to lessees of tramways, shall for the purposes of this Act be construed and have effect as if the word "lessees" as used in such provision included licensees within the meaning of this section.

Corporation not to run carriages on their tramways.

17. Nothing in this Act shall empower the Corporation to place or run carriages on the tramways, or any of them, and to take tolls and charges in respect of the use of such carriages.

Tolls for passengers.

18. There may be demanded and taken by the Corporation, or their lessees or licensees, for every passenger travelling upon any of the tramways, or any part or parts thereof respectively, including

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tolls for the use of the tramway and of carriages, and for motive power, and every other expense incidental to such conveyance, such tolls or charges, not exceeding one penny per mile, as the Corporation from time to time may determine, and for this purpose a fraction of a mile beyond an integral number of miles shall be deemed a mile; but nothing herein shall be deemed to empower the Corporation to vary the terms of any lease or license without the consent of the respective lessees or licensees or to require the Corporation or their lessees or licensees to take any sum less than twopence.

Passengers luggage.

19. Every passenger travelling upon the tramways make take with him his personal luggage, not exceeding twenty-eight pounds in weight, without any charge being made for the carriage thereof.

Cheap fares for labouring classes.

20. The Corporation in granting leases of or licenses to use the tramways shall provide for the running at all times after the opening of the tramways for public traffic of at least two carriages each way every morning in the week and every evening in the week (Sundays, Christmas Day, and Good Friday excepted) at such hours, not being later than seven in the morning nor earlier than six in the evening respectively, as the Corporation think most convenient, for artizans, mechanics, and daily labourers, at fares not exceeding one halfpenny per mile (but so that no fare less than one penny shall by reason of anything herein be required to be taken): Provided that in case of any complaint made to the Board of Trade of the hours appointed by the Corporation for the running of such carriages, the Board of Trade shall have power to fix and regulate the same from time to time.

Tolls for animals and goods.

21. There may be demanded and taken by the Corporation or their lessees or licensees, in respect of any animals, goods, materials, articles, or things conveyed upon any of the tramways, including the tolls for the use of the tramway, and for waggons, trucks, and motive power, and every other expense incidental to the conveyance, such tolls or charges as the Corporation from time to time may determine (subject to the terms of any leases or licenses for the time being subsisting) not exceeding the rates specified in the first schedule to this Act.

Lessees, &c. not bound to carry goods on the tramways.

22. The lessees or licensees of the Corporation shall not (unless as may be provided in their lease or license) be bound to carry any parcel, goods, articles, or things other than passengers luggage not exceeding the weight in this Act in that behalf mentioned.

Lists of tolls to be exhibited.

23. A list of all the tolls and charges to be taken under the authority of this Act in respect of passengers shall be exhibited in some conspicuous place on the inside of each of the carriages

used by the lessees or licensees of the Corporation upon any of their tramways.

Tolls to be paid as directed by the Corporation.

24. The tolls and charges by this Act authorised to be taken shall be paid to such persons, and at such places upon or near to the tramways, and at such time and in such manner and under such regulations, as may by notice to be annexed to the list of tolls be appointed.

Right of user only.

25. Notwithstanding anything in this Act contained, the provisions of section fifty-seven of "The Tramways Act, 1870," shall apply to all the tramways of the Corporation; but this section shall not affect any rights or powers of the Corporation in or over any street by virtue of any other Act or title.

Heavy traffic to be confined to certain hours.

26. No goods, animals, articles, or things other than passengers and passengers luggage, and parcels not exceeding fifty-six pounds in weight, shall be conveyed on the tramways between the hours of eight in the morning and eight in the evening, without the consent of the Corporation.

Railway carriages not to be used, &c.

Carriages or trucks adapted for ordinary use on railways shall not be used on the tramways.

Power to regulate construction, &c. of tramway cars.

Subject to the provisions of this section the Corporation may in the manner provided by section forty-six of the Tramways Act, 1870, make regulations and byelaws, not only for the purposes in that section mentioned, but also for the purpose of prescribing the construction of the carriages to be used on the tramways, and of the wheels thereof, and for ensuring that the same are kept in good repair and condition, and for providing for the carriage of traffic other than passengers and passengers luggage in separate carriages, or separate parts of carriages, and generally for regulating the times and manner of carrying such traffic.

Corporation may use tramways for sanitary purposes, &c.

27. The Corporation may at such times and in such manner as they think fit, but subject to the reasonable byelaws for the time being in force with respect to the tramways, use the tramways for sanitary purposes and for the conveyance of scavenging stuff, road metal, and other materials required for the works of the Corporation free of all tolls and charges in respect of such use.

Power to make working agreements.

28. The Corporation, on the one hand, and the mayor, aldermen, and citizens of the city of Manchester, or the Barton, Eccles, Winton, and Monton Local Board on the other hand, may from time to time, subject to the provisions of this Act, and of any leases or licenses granted by them respectively, enter into agreements with respect to the following purposes, or any of them; (that is to say,)

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The maintenance, repair, and management of any tramways for the time being belonging to them respectively, or of any part thereof;

The working of their respective tramways, or of any part thereof, and the conveyance of traffic thereon;

The fixing, collecting, and apportionment of the tolls, rents, or other receipts arising from the tramways.

Provisions as to general tramway Acts.

29. Nothing in this Act contained shall exempt the Corporation or the tramways from the provisions of any general Acts relating to tramways now in force or which may hereafter pass during this or any future session of Parliament, or from any future revision or alteration under the authority of Parliament of the maximum rates of tolls or charges authorised by this Act.

Expenses and receipts under this part of this Act.

30. All expenses incurred in carrying this part of this Act into execution shall be paid and borne out of the borough fund or borough rate, and all moneys received from tolls, or from lessees or licensees or otherwise under the provisions of this part of this Act, shall be carried to the account of the borough fund and rate, and a separate account shall be kept by the treasurer of all such expenses incurred and moneys received.

PART II.—NEW STREETS AND STREET IMPROVEMENTS.

Power to make new streets, &c.

31. The Corporation may, in and upon the lands, and in the situations or lines shown on the deposited plans, and (in the case of any work) according to the levels shown upon the deposited sections, make and maintain the new streets, bridges, improvements, and alterations of streets, bridges, and works in connexion therewith, respectively herein-after mentioned, and may for those purposes and for general improvement purposes, and for the purposes connected therewith, enter upon, take, appropriate, and use any of the lands shown on the deposited plans and described in the deposited books of reference (except the lands numbered 73A to 73H, both inclusive; 73J to 73Z, both inclusive; 73AA, 73BB, 73CC, 73DD, 73EE, 75A to 75H, both inclusive; 75J to 75L, both inclusive; 76A to 76D, both inclusive; 77B to 77E, both inclusive; 79A to 79H, both inclusive; and 79J to 79O, both inclusive). The works herein-before in this section referred to and authorised by this Act are:

(1.) New Street.—Bolton Road to Eccles Old Road.

A new street commencing on the south-west side of Bolton Road, twenty-six yards or thereabouts south-eastward of the gates at the lodge in that road leading to the mansion known as

Chaseley, and terminating in the Eccles Old Road, twenty-six yards or thereabouts westward of the centre of Sandy Lane.

(2.) New Street.—Eccles Old Road to Fawkner Street.

A new street commencing at the south side of the Eccles Old Road at or near the entrance gates to Prospect Hill, and terminating at the north end of Fawkner Street Bridge over the London and North-western railway.

(3.) Fawkner Street Improvement.

The widening and improvement of Fawkner Street Bridge and Fawkner Street, commencing at the north end of that bridge and terminating at the Eccles New Road.

(4.) Opening out of Derby Road, Gore Avenue, and Crescent Avenue or Gore Crescent.

The opening out and removal of the gates, buildings, bars, and fences across Derby Road at or near its junction with Eccles New Road, and at or near its north end adjoining the Land of Nod;

The opening out and removal of the gates, buildings, bars, and fences at the western end of Gore Avenue at or near its junction with Weaste Lane;

The opening out and removal of the gates, buildings, bars, and fences at the west end of Crescent Avenue or Gore Crescent.

(5.) Opening out of Sandy Lane.

The opening out and removal of the gates, buildings, bars, and fences across the north end of Sandy Lane at its junction with Eccles Old Road.

(6.) New Street from Highfield Road to Fitzwarren Street.

A new street commencing at the west side of Highfield Road, opposite Clay Hall and terminating at the west side of Fitzwarren Street, about twenty-seven yards southward of its junction with Ellor Street.

(7.) Ellor Street and Fitzwarren Street Improvement.

The widening and improvement of the south-west corner of Ellor Street at its junction with Fitzwarren Street by rounding off the said corner by a curved line twenty-five yards in length.

(8.) New Street.—Fitzwarren Street to proposed New Street from Eccles Old Road to Fawkner Street.

A new street commencing on the west side of Fitzwarren Street, opposite Jessell Street, and terminating at the east side of the

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above-proposed new street from Eccles Old Road to Fawkner Street (2), at a point five hundred and fifteen yards or thereabouts from the north end of Fawkner Street Bridge.

(9.) New Street.—Seedley Grove to Liverpool Street.

A new street commencing at the south end of Seedley Grove and terminating at Liverpool Street, at a point sixty-five yards or thereabouts eastward of the south-east corner of the boundary wall of the reservoir of the Salford Corporation.

(10.) New Street.—Cobden Street to Broughton Road.

A new street commencing at the south-east end of Cobden Street and terminating at the north-west side of Broughton Road, opposite Cheltenham Street.

(11.) Opening out of Borough Street.

The opening out of Borough Street to Alderson Street and the removal of the buildings, bars, and erections at the north-western end of Borough Street.

(12.) New Bridge and Street.—Whit Lane to Lower Broughton Road.

A new street commencing at Whit Lane, Pendleton, at the bend of the road near Saint George's Church Schools, passing in a north-easterly direction, and thence over the River Irwell by means of a new bridge, and terminating in Lower Broughton Road, Broughton, opposite Ford House.

(13.) New Bridge and Street.—Strawberry Road Bridge to Lower Broughton Road.

A new street commencing at or near Strawberry Road Bridge, Pendleton, passing in a north-easterly direction, and thence over the River Irwell by means of a new bridge, and terminating on the south-west side of Lower Broughton Road, opposite Camp Street, Broughton.

(14.) New Street from Ford Lane.

A new street commencing on the south-west side of Ford Lane, at its junction with Strawberry Road, and terminating by a junction with the above-proposed new street from Strawberry Road Bridge to Lower Broughton Road, ninety-five yards north-east of Wallness Lane.

(15.) Frederick Street Improvement.

The widening and improvement of the west side of Frederick Street, commencing at Broad Street and terminating at Bedlam Lane.

(16.) New Road and Bridge from Throstle Nest Bridge, Stretford, to Cross Lane South, Salford.

A new road commencing in the township of Stretford at the occupation road at or near the north end of Throstle Nest Bridge over the Bridgewater Canal Navigation, passing by means of a bridge over the River Irwell, and terminating in South Cross Lane, opposite the east end of Hampden Street, Salford.

(17.) Lower Broughton Road and Camp Street Improvement.

The widening and improvement of the east side of Lower Broughton Road and the north side of Camp Street, commencing in the Lower Broughton Road, thirty-three yards from the north side of Camp Street at its junction with Lower Broughton Road, and terminating in Camp Street, thirty-five yards or thereabouts from the west side of Lower Broughton Road at its junction with Camp Street.

(18.) Lower Broughton Road Improvement.

The widening and improvement of the north and east sides of Lower Broughton Road, commencing at the south side of Camp Street and terminating at the west side of Great Clowes Street.

(19.) West Gore Street and Hope Street Improvements.

The widening and improvement of the south side of West Gore Street and the north side of Hope Street at their junction, commencing in West Gore Street, seventeen yards from its east end, and terminating in Hope Street, about eight yards westward of West Ann Street.

(20.) Ordsall Lane Improvement.

The widening and improvement of the north-west side of Ordsall Lane, commencing thirty-five yards south-west of Irwell Street and terminating in Irwell Street, nine yards north-west or thereabouts of Ordsall Lane.

(21.) Eveson Street Improvement.

The stopping up of Eveson Street from Jones Street to William Street, and the acquisition of the lands, houses, and buildings on the south side of that street.

(22.) Brewery Street Improvement.

The widening and improvement of Brewery Street on its northern side, commencing at Rosamond Street and terminating sixty-one yards or thereabouts eastward of that street.

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(23.) New Street from Mount Street to Marsden Street.

A new street commencing on the south-east side of Mount Street, Salford, at a point seventy yards or thereabouts from the north-east side of Arlington Street, and terminating at the west end of Marsden Street at its junction with Every Street.

(24.) New Street, Arlington Street to Saint Stephen's Street.

A new street commencing at the junction of Peru Street with Arlington Street and terminating at the west side of Saint Stephen's Street, thirty-one yards southward of the south side of Rigby Street.

(25.) Lamb Lane Improvement.

The widening and improvement of the north-east side of Lamb Lane, commencing at the south-east side of Newton Street and terminating on the north-west side of Back Frederick Street, Salford, at its junction with Lamb Lane.

(26.) Improvement of Lamb Lane and Bloom Street.

The stopping up of Lamb Lane from Smith Street to Chapel Street, and the acquisition of the lands, houses, and buildings bounded on the north-west by the properties in Lamb Lane and Bloom Street, numbered 987 and 987A on the plans referred to in the Act of 1870, on the south-west by Bloom Street, on the north-east by Lamb Lane, and on the south-east by the south side of Webster's Court and the south side of the passage therefrom leading to Bloom Street, and the acquisition of the lands, houses, and buildings bounded on the north by Webster's Court and Lamb Lane, on the south by Chapel Street, on the east by the east side of Lamb Lane, and on the west by the west side of Lamb Court.

(27.) Cross Street Improvement.

The widening and improvement of the north side of Cross Street, commencing on the north-east side of Deal Street, ten yards north-west of Cross Street, and terminating ten yards south-west of Bury Street.

(28.) Chapel Street Improvements.

(A.) The widening and improvement of the north side of Chapel Street, commencing two yards north of the south-west corner of the boundary wall of Trinity Church, thence eastward for the entire length of and terminating four yards from the south-east corner of that boundary wall;

(B.) The widening and improvement of the north side of Chapel Street, commencing at the east side of the King's Head Yard and terminating thirty-nine yards westward of the centre of Greengate.

(29.) Miller Street Improvement.

The widening and improvement, for a length of six yards or thereabouts, of the north-west side of the new street now in course of formation from Miller Street to Chapel Street, commencing twelve yards or thereabouts north-eastward of the centre of Palmer Street.

(30.) Broughton Road Improvement.

The improvement of the north-east side of Broughton Road, commencing at the south-east corner of Sandford Street and terminating at or near the south-west corner of Davies Street.

(31.) Opening out of East Stanley Street.

The removal of the wall, bar, and erection at the northern end of East Stanley Street, and the opening of it out to Saint Simon Street.

(32.) Springfield Lane and Saint Simon's Footbridge Approaches Improvements.

(A.) The widening and improvement of the west side of Springfield Lane, commencing on the north side of Greengate and terminating at the north end of Springfield Lane;

(B.) The widening, throughout its whole length and on its south-west side, of the public footpath leading from the north end of Springfield Lane, and forming the approach to the east end of Saint Simon's Footbridge, and terminating at the east bank of the River Irwell.

(33.) New Bridge over the River Irwell at Sussex Street.

The construction of a bridge and road over the River Irwell, commencing at or near the east end of Sussex Street and terminating on the east bank of the river.

New bridge at Throstle Nest.

32. It shall be lawful for the Corporation to erect the bridge over the River Irwell at Throstle Nest in the borough of Salford, and in the district of the Stretford Local Board, as shown on the deposited plans and sections, and to enter into all such agreements, and do all such acts as may be necessary or proper for that purpose; and the expense of erecting the said bridge, and the walls, banks, and fences of the raised causeways and raised approaches to such bridge, shall be certified by the engineer of the Corporation, and

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shall be borne, as to the sum of two thousand pounds or such greater sum as may be agreed upon between the Corporation and the Stretford Local Board, by the said local board, and as to the residue thereof, by the Corporation; any sum or sums payable to the Corporation from the said local board shall be paid to the Corporation by the said local board out of any rate or fund applicable to highway or general district or general improvement purposes, and may be recovered by action in any court of competent jurisdiction.

The said bridge and the roadway thereof, and the approaches thereto, and the walls, banks, and fences of the bridge, roadway, and approaches, shall (when the same are constructed) be for ever maintained and repaired as follows; (that is to say,) so much thereof as lies to the northward of the present centre line of the River Irwell at the place where the bridge is constructed by the Corporation, and so much thereof as lies to the southward of the same line by the Stretford Local Board.

Nothing in this Act contained shall affect any liability of the Bridgwater Navigation Company under any Act of Parliament or otherwise to provide, maintain, or repair any means or conveniences for passing the said river.

For protection of the Mersey and Irwell Navigation.

Regulating the construction of bridge over the River Irwell.

33. The bridge (improvement No. 16) to be erected by the Corporation under the authority of this Act over the River Irwell shall be built and constructed in the manner and of the materials and dimensions, and under the conditions herein-after set forth:

The abutments or piers of the said bridge shall be set as nearly as practicable in a direction parallel with the stream or course of the said river, and so as not to diminish or contract the waterway of such river, and shall be so placed as to leave a space of at least seven feet six inches wide along the said river, measured at right angles, for a towing-path; and such bridge shall be constructed in such manner as in the case of a horizontal girder bridge to afford a continuous height or headway over the said river and towing-path of not less than twenty-one feet above the ordinary top level of the water of the said river at that point; and the towing-path under the said bridge shall be supported by a retaining wall formed of good hammer-dressed stone, and the general level of the towing-path under the said bridge shall not be altered without the consent of the Company of Proprietors of the Mersey and Irwell Navigation.

Bridge over Irwell to be in a certain

34. If the Company of Proprietors of the Mersey and Irwell Navigation, their successors or assigns (herein-after called the said

proprietors), shall at any time hereafter determine (under the powers of any Act of Parliament) to alter or improve such navigation so as to admit of the passage along the same between Liverpool and Manchester of sea-going vessels, and shall give to the Corporation notice in writing under the common seal of the said proprietors of such their determination, the Corporation shall, immediately after the expiration of three calendar months from the service of such notice upon them, and after the said proprietors shall have actually commenced to execute the works of such improvement or alteration, forthwith and with all reasonable diligence, but at the expense in all things of the said proprietors, cause the said bridge over the said Mersey and Irwell Navigation to be converted or made into a swivel or opening bridge, of such dimensions and construction and in such manner and form as will allow the free passage of all vessels navigating the said River Irwell at all seasonable and proper times, and so that the said bridge to be converted as aforesaid shall not offer any unnecessary impediment or obstruction to the free passage of such vessels as aforesaid: Provided always, that such bridge when converted as aforesaid shall at all times thereafter be maintained and kept in repair and worked and used for the purposes of the said navigation, under the superintendence and control of the Corporation, at the expense of the said proprietors, and under proper regulations for the protection as well of the traffic using the same as of the said river navigation, and with proper regulations for the public safety.

event made an opening bridge.

35. Notwithstanding anything in this Act contained, it shall not be lawful for the Corporation to purchase, take, or acquire any part of the land over which the said River Irwell flows, or the towing-paths or works thereof, or the site, soil, or freehold thereof respectively forming part of the Mersey and Irwell Navigation, or any property, right, title, or interest therein or thereto respectively, but the Corporation may acquire such easement only as shall be necessary for enabling them to construct, maintain, and use, under and subject and according to the provisions of this Act, the bridge and works by this Act authorised.

Corporation not to purchase any part of Old Quay Navigation.

36. If for the construction of the said bridge over the River Irwell any work or act shall become necessary whereby the clear and available water-way or the towing-path of the said river may be temporarily diminished or contracted, the Corporation may construct all such works to such extent only as shall be absolutely necessary, doing the same to the reasonable satisfaction of the engineer for

Limiting temporary contraction of River Irwell during construction of bridges.

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the time being of the said proprietors, and so as to secure the means of free and uninterrupted navigation; and it shall not be lawful for the Corporation to continue any such contraction in the said river or towing-path for a longer period than shall be actually necessary for the erection of the abutments or piers of the bridge hereby authorised, and the Corporation shall forthwith, with all practicable despatch, after such contraction shall cease to be necessary, well and effectually remove and clear from the said river and towing-path all works and materials, other than permanent works by this Act authorised, which shall have been placed within the present limits of the said river, or the towing-paths thereof.

Corporation not to deposit materials in the Mersey and Irwell Navigation.

37. It shall not be lawful for the Corporation at any time or times to put or place, whether between the abutments or piers of the said bridge or otherwise, in the said River Irwell, any work or material, or do any other act so as to prevent or interfere with the said navigation, or with its being at any time hereafter scoured, cleansed, or deepened as occasion may require, and if at any time hereafter the said proprietors shall deepen the said navigation pursuant to powers now vested in them, they shall not be held responsible for any consequential damage which may arise by reason thereof.

Corporation to remove materials and rubbish falling into or deposited by them in the navigation.

38. If in the execution, or by reason of the construction, maintenance, or repair of the said bridge and towing-path, or by reason of any act or omission of the Corporation, their agents, servants, or workmen, any stone or brick work, materials or rubbish, shall fall into or become or be deposited in the said navigation, the Corporation shall, and they are hereby required, from time to time as and when the same shall arise, to remove and clear away the same at their own expense, and in case the Corporation, on receiving three days notice in writing requiring them so to do from the engineer for the time being of the said proprietors, shall not remove and clear away or begin and proceed with all due despatch to remove and clear away the said stone or brick work, materials or rubbish, it shall be lawful for the said proprietors, by themselves, their agents, servants, or workmen, to remove and clear away the same, and all necessary expenses thereof, and also the loss or damage occasioned thereby, shall be repaid by the Corporation to the said proprietors, and in default of payment thereof on demand, the said proprietors shall and may recover the same in the manner provided by "The Lands Clauses Consolidation Act, 1845," for the recovery of forfeitures, penalties, and costs.

Penalties for obstructing River Irwell.

39. If in the execution, construction, maintenance, or repair of the bridge by this Act authorised, or by reason of any act or omission of the Corporation, their agents, servants, or workmen, the said Mersey and Irwell Navigation or the towing-path thereof shall at any time be obstructed or impeded so as to hinder or prevent the proper and due use thereof, or if any vessel using the said Mersey and Irwell Navigation shall not be able to pass along the same or shall be impeded in such passage, then and in any of such cases it shall be lawful for the said proprietors, at the costs and charges of the Corporation, to remove, take out, and put away any such obstruction or impediment, and to repair and make good all damages or injury done to the said navigation by any such obstruction or impediment, and the Corporation shall, in respect of such obstruction or impediment, pay to the said proprietors as or by way of ascertained damages, and not as a penalty, the sum of five pounds for every hour that during the construction of the said bridge any such obstruction or impediment shall continue, and from and after the completion of the said works the Corporation shall be also liable to pay the like sum of five pounds as or by way of ascertained damages for every hour after the notice thereof in writing being given to the Corporation that any such obstruction or impediment shall continue, and in addition to such ascertained damages the Corporation shall from time to time repay to the said proprietors the full amount of the costs, charges, and expenses which shall from time to time be incurred by them in and about the removing or taking away any and every such obstruction or impediment, the same respectively to be recoverable in such manner as is provided by "The Lands Clauses Consolidation Act, 1845," with respect to the recovery of forfeitures, penalties, and costs.

Corporation to keep watchmen and lights on Mersey and Irwell Navigation during building of bridge, &c.

40. The Corporation shall, during the whole progress of the construction and repair of the bridge, or any abutment or other work by this Act authorised over the Mersey and Irwell Navigation, or the towing-path thereof, maintain and keep at all times suitable and sufficient watchmen and good and sufficient lights at the place of such construction or repair, well and effectually to warn and protect from danger and injury vessels, horses, and persons navigating, passing along, or using the said Mersey and Irwell Navigation, or the towing-path thereof.

Saving rights of the Mersey and Irwell Navigation Company, &c.

41. Except as hereby expressly and specifically enacted, nothing in this Act contained shall diminish, alter, prejudice, or take away any right, privilege, power, or authority vested in the Company of Proprietors of the Mersey and Irwell Navigation.

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For protection of London and North-western Railway Company.

42. The provisions contained in this enactment shall be binding on and be performed by the Corporation:

1. In making and maintaining the tramways Nos. 37 and 38 (double line), the Corporation shall not in any way interfere with the pillars supporting the railway viaduct over New Bailey Street, or with the foundations thereof:

2. In effecting and maintaining the respective new streets and street improvements, (2) New Street, Eccles Old Road to Fawkner Street, and (3) Fawkner Street improvement, the Corporation shall bear the additional expense which may arise out of these improvements of widening the bridge over the railway for the entire length thereof, as the same may hereafter require to be lengthened for the purposes of the railway:

3. In connexion with improvement (4) (opening out of Derby Road, et cetera), and the repeal by this Act of the proviso to section 165 of the Act of 1862, the Corporation shall bear the expense which may have to be incurred in conforming, with respect to the bridge over the railway, near the junction with the Eccles New Road, of the continuation of Derby Road, with the requirements of the fiftieth section of "The Railways Clauses Consolidation Act, 1845," on the road which is crossed by such bridge becoming a public carriageroad:

4. For the purposes of (29) Miller Street improvement, the Corporation shall not, without the consent of the London and North-western Railway Company, in writing under their common seal, acquire or interfere with the property numbered 861 on the deposited plans, except that they may remove the building now standing thereon, making compensation to that company for the materials thereof, and notwithstanding anything in this Act contained the Corporation, in the event of their acquiring the lands or any of them shown on the deposited plans and proposed to be taken for the purposes of this improvement, shall give to that company one month's notice in writing before they sell or offer for sale so much of the said lands as shall not be required for the purpose of the said improvement, and that company shall, within six months from the giving of such notice, on giving to the Corporation notice in writing under their common seal, have the option of purchasing from the Corporation, and the Corporation shall sell to that company who shall buy the whole or so much of the said

lands as may have been acquired by the Corporation and may not be required by the Corporation as aforesaid, at the price or proportionate price which the Corporation have paid for the same (including all costs, charges, and expenses which the Corporation incur in acquiring the last-mentioned lands), with interest at the rate of five pounds per centum per annum from the respective times of the disbursement thereof respectively by the Corporation.

Power to take additional lands for enlargement of Peel Park.

43. For the extension and improvement of Peel Park the Corporation may enter upon, take, and use any of the lands herein-after mentioned and delineated and described in the deposited plans and book of reference; (that is to say,)

The lands numbered 1156 to 1158, both inclusive, on the said plans and books of reference;

and the lands so taken shall be appropriated and added to the said park, and all the provisions of the former Acts or of this Act with respect to parks shall apply to such lands as if they had been acquired under the provisions of the former Acts.

Power to take additional lands for sewerage purposes.

44. The Corporation may enter upon, take, and use any of the lands herein-after mentioned and delineated and described in the deposited plans and book of reference; (that is to say,)

The lands numbered 1159 and 1160 on the said plans and book of reference;

and may appropriate, use, and deal with the same for any of the purposes authorised by the provisions of the Act of 1871 with respect to drainage and sewerage as if such lands has been taken or acquired under the provisions of that Act.

Repeal of parts of sections 165 and of 186 of the Act of 1862.

45. The proviso to section 165 of the Act of 1862, relating to the lands and ways included in the improvement numbered (4) in section 31 of this Act authorising the taking of lands for new streets and improvements, is hereby repealed.

Section 186 of the Act of 1862, so far as it relates to Borough Street included in the improvement numbered (11) in section 31 of this Act, is hereby repealed.

Lateral and vertical deviation.

46. In constructing the works by this part of this Act authorised, the Corporation may, subject to the provisions and restrictions of this Act, deviate from the lines shown on the deposited plans to any extent not exceeding the limits of lands to be acquired shown on those plans, or where no land is to be acquired, not exceeding the limits of deviation shown on those plans, and may deviate from the levels shown on the deposited sections to any extent not

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exceeding ten feet in the case of any bridge, nor exceeding five feet in any other case.

Power to make subsidiary works.

47. Subject to the provisions of this Act, and within the limits defined on the deposited plans, the Corporation, in connexion with the new streets, improvements and alterations of streets, by this Act authorised, or any of them, and for the purposes thereof may make junctions and communications with any existing streets which may be intersected or interfered with by or be contiguous to the new streets, improvements or alterations of streets, or any of them, and may make diversions, widenings, or alterations of lines or levels of any existing streets for the purpose of connecting the same with the new improved or altered streets, or any of them, or of crossing under or over the same, or any of them, or otherwise.

Provision for protection of remains disturbed by interference with burial grounds.

48. If in the execution of the street improvements it is found necessary to interfere with any grave or vault in the burial grounds attached to the Irwell Street Wesleyan Methodist Chapel, and Trinity Church, Chapel Street, such grave or vault shall be disturbed as little as possible, and the remains of bodies in any graves or vaults disturbed shall be re-interred either in the same burial-grounds or in a cemetery to be approved by the trustees of the said chapel and church respectively, and the removal and re-interment of such remains shall be effected under the superintendence of some person to be approved as aforesaid, and in such manner and with such precautions for the public health and decency as the said trustees respectively and the officer of health direct, and the charges of the person so appointed and all other expenses connected with such removal and re-interment shall be defrayed by the Corporation.

Authorising dealings with property of the Duchy of Lancaster.

49. And whereas it is expedient that this Act should contain certain provisions relative to lands, hereditaments, estates, rights, and interests belonging to the Queen's most Excellent Majesty, in right of her Duchy of Lancaster (in the rest of this section called "the Duchy") as are herein-after contained; Be it therefore enacted that—

As to the sale of lands.

(1.) With respect to any lands belonging to Her Majesty in right of the Duchy which may be required for the purposes of this Act, the following provisions shall (but subject and without prejudice to any lease or tenancy which at the time of any agreement authorised by this section may be subsisting in the said last-mentioned lands) have effect; that is to say, the Chancellor and Council for the time being (herein-after called "the Chancellor and Council") of the Duchy may agree with the Corporation for the

absolute sale in fee simple of all or any of the said last-mentioned lands, or any part thereof, in consideration of any such gross sum of money payable by the Corporation, and upon such terms and conditions in all respects as shall be settled between the Chancellor and Council and the Corporation; and in case the same lands shall be subject jointly with any other lands to any lease or tenancy for a life or lives or a term of years unexpired, the Chancellor and Council may agree as well with the Corporation as also with the lessee or tenant for the apportionment of the rent payable in respect of the lands comprised in such lease or tenancy between the lands agreed to be sold and such other lands; and upon payment of such (if any) agreed gross sum, the Chancellor and Council may grant and assure the same lands and the fee simple and inheritance thereof to the Corporation, their successors and assigns, for the purposes of this Act, and (if the same lands shall be subject jointly with any other lands to any such lease or tenancy as aforesaid) may apportion, or concur with all other necessary parties in apportioning, the rent payable in respect of the lands comprised in such lease or tenancy between the lands so granted and assured and such other lands.

As to the conveyance of waste lands.

(2.) With respect to any lands, being waste or common lands, the right to the soil whereof belongs to Her Majesty in right of the Duchy (subject to rights of common or other rights or easements) which may be required for the purposes of this Act, the following provisions shall have effect; (that is to say,)

The Chancellor and Council may agree with the Corporation for the absolute sale in fee simple of the estate, right, and interest of Her Majesty in the soil of all or any of the same lands, and for the absolute extinguishment of any commonable or other rights to which Her Majesty in right of the Duchy may be entitled in the same lands (other than and besides Her said right in the soil of such lands) in consideration of such gross sum of money payable by the Corporation, and upon such terms and conditions in all respects as shall be settled between the Chancellor and Council and the Corporation:

And upon payment of such (if any) agreed gross sum as last aforesaid, the Chancellor and Council may

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grant and assure such last-mentioned estate, right, and interest to the Corporation, their successors and assigns, for the purposes of this Act:

Provided that the lands so granted and assured as last aforesaid shall remain subject to all the commonable and other rights (except those of Her Majesty, her heirs and successors,) which immediately before such grant and assurance affected the same, until such rights shall have ceased and become extinguished by the payment or deposit of the compensation for the same in manner provided by "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869."

As to the application of purchase moneys.

(3.) With respect to any gross sum of money which under this section shall become payable in consideration of any sale thereby authorised, the following provisions shall have effect; that is to say,

Each such sum shall be paid into the hands of the Receiver General of the Revenues of the Duchy, or of his deputy or deputies, and a receipt shall be given by him or them for the same:

And such sum shall be applicable and dealt with, to all intents and purposes, as if it were the purchase money of lands sold by the Chancellor and Council under the authority of "The Duchy of Lancaster Lands Act, 1855." And the Chancellor and Council shall for the purposes of this Act have and be entitled to the benefit of all such powers and provisions in reference to moneys invested in bank annuities under this present section as, under "The Duchy of Lancaster Lands Act, 1855," they are entitled to, concerning moneys invested in bank annuities under that Act.

As to the enrolment of deeds.

(4.) Any lands, hereditaments, estate, right, or interest conveyed, or assured, or released by the Chancellor and Council by virtue of any of the foregoing provisions of this section shall be so conveyed, assured, or released in the name of Her Majesty, her heirs or successors, in right of the Duchy, and by deed or writing under the seal of the Duchy; and every such deed or writing shall be enrolled in the Court of the Duchy of Lancaster within six calendar months from the date thereof.

As to easements.

(5.) In this section "land" or "lands" includes any right, interest, or easement in, over, or upon any land, building, or hereditament.

Owners may be required to sell part only of certain premises.

50. And whereas, in the construction of the works by this Act authorised, it may happen that portions only of the lands, buildings, or manufactories shown on the deposited plans will be sufficient for the purposes of the same, and that such portions may be severed from the remainder of the said properties without material detriment thereto: Therefore, notwithstanding section 92 of "The Lands Clauses Consolidation Act, 1845," the owners of and persons interested in the lands, buildings, or manufactories described in the second schedule to this Act, and whereof parts only are required for the purposes of this Act, may, if such portions can, in the judgment of the jury, arbitrator, or other authority assessing or determining the compensation under that Act, be severed from the remainder of the said properties without material detriment thereto, be required to sell and convey to the Corporation the portions only of the premises so required without the Corporation being obliged or compellable to purchase the whole or any greater portion thereof, the Corporation paying for the portions required by them, and making compensation for any damage sustained by the owners thereof by severance or otherwise.

Power to alter and divert sewers, &c.

51. The Corporation from time to time may stop up, alter, and divert, either temporarily or permanently, all sewers, drains, mains, and pipes in the borough which they find it necessary or convenient for any of the purposes of this Act so to interfere with, making to all persons who sustain any damage thereby compensation in that behalf.

Power to stop up streets, &c.

52. The Corporation may stop up, alter, or interfere with, either temporarily or permanently, all streets, roads, lanes, ways, courts, and passages within the limits of land to be acquired, or within the limits of deviation shown upon the deposited plans, and may permanently remove all bars, gates, erections, buildings, or obstructions upon or across any of the streets, roads, lanes, ways, courts, or passages which they are authorised by this Act to improve, widen, alter, stop up, or interfere with.

Soil of streets, &c. to vest in Corporation.

53. The site and soil of the streets, courts, and passages comprised within the limits of the lands to be acquired under this Act, as marked upon the deposited plans, and the fee simple and inheritance thereof, and any leasehold or other interest or easement therein, shall from and immediately after the purchase by the Corporation of the lands on both sides thereof, be wholly and absolutely vested in the Corporation, free from any rights of way or easements in or over the same.

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Limit of time for compulsory purchase.

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

Provision for dwellings for labouring classes.

55. In case fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes, as tenants or lodgers, are taken by the Corporation under the powers of this Act, the Corporation shall, before displacing such persons (unless the Corporation and such persons otherwise agree) procure sufficient accommodation elsewhere for such persons; provided always, that if any question arise as to the sufficiency of such accommodation, the same shall be determined by a justice.

Expenses and receipts under this part of this Act.

56. The expenses to be incurred under the provisions of this part of this Act for bridges over the River Irwell, except the proposed bridge over the River Irwell from Whit Lane to Lower Broughton Road, shall be paid and borne out of the borough fund or borough rate; all other expenses which may be incurred, and all receipts which may accrue from sale of lands or otherwise under the provisions of this part of this Act in respect of lands or premises in the Salford district, the Broughton district, or the Pendleton district respectively, shall be charged or carried (as the case may be) to the respective accounts of those districts, and shall be charged on or credited to the separate township funds of those districts respectively:

The Corporation from time to time by order shall determine the apportionment of all expenses and receipts for the purposes of this section, and their determination shall be final:

Separate accounts shall be kept of the expenses and receipts so charged or credited in the case of each township fund:

The expenses to be incurred for the proposed bridge, which is excepted as in this section before mentioned, shall be paid and borne out of the Pendleton township fund.

PART III.—BORROWING.

Power to borrow on security of borough rate and gasworks.

57. The Corporation, in the manner and form (mutatis mutandis) provided by the Act of 1862 for borrowing on the security of the borough rate and gasworks, may from time to time borrow at interest, on the security of the borough rate and of the gasworks, for any purposes of the gasworks, and for any purposes the expense of which is by this Act directed to be borne by the borough fund or borough rate, and for any purposes authorised by the former Acts or this Act as to which special provision is not in those Acts or this Act otherwise made, any sums of money which, in addition to the

sums now due and owing or authorised to be borrowed on that security as aforesaid, shall not exceed the sum of two hundred and fifty thousand pounds; and in the event of any part of such last-mentioned sum being repaid by the Corporation, except by means of the sinking fund, or out of the purchase money of any lands sold by the Corporation under the provisions of this Act, the Corporation may reborrow the same, and for securing the repayment of the moneys so borrowed or reborrowed, with interest for the same, the Corporation may, in the manner and form (mutatis mutandis) provided by the Act of 1862, assign over the borough rate and gasworks, or any part thereof, to any persons who advance or lend money to the Corporation.

Power to borrow on security of Salford rates.

58. For the purpose of carrying the former Acts and this Act into execution within the Salford district, save as regards the gasworks and waterworks, and save as is by those Acts or this Act otherwise provided, the Corporation, in the manner and form (mutatis mutandis) provided by the Act of 1862 for borrowing on the security of the Salford district rates, may from time to time borrow at interest, on the security of the rates and assessments authorised to be made and levied within the Salford district, and of the market places, and the tolls, rents, and profits thereof, and of the buildings, lands, and premises, and all other property for the time being of the Salford district (excepting the waterworks, water rents, and water rates), and on the security of the annuity of two thousand five hundred and thirty pounds from the gasworks by the Act of 1862 secured to be paid to the Salford district, any sums of money which, in addition to the sums of money now due and owing or authorised to be raised on that security as aforesaid, shall not exceed the sum of four hundred and sixty-eight thousand pounds; and in the event of any part of such last-mentioned sum being repaid by the Corporation, except by means of the sinking fund, or out of the purchase money of any lands sold by the Corporation under the provisions of this Act, the Corporation may reborrow the same; and for securing the repayment of the sums so to be borrowed or reborrowed, with interest for the same, the Corporation may, in the manner and form (mutatis mutandis) provided by the Act of 1862, assign over the said rates, assessments, and other property and sources of income above mentioned to any persons who advance or lend such money.

Power to borrow on security of Brougthon rates.

59. For the purpose of carrying the former Acts and this Act into execution within the Broughton district, save as regards the gasworks and waterworks, and save as is by those Acts otherwise provided, the Corporation, in the manner and form (mutatis mutandis) provided by the Act of 1862 for borrowing on the security

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of the Broughton district rates, may from time to time borrow at interest, on the security of the several rates and assessments authorised to be made and levied within the Broughton district, and of all other property for the time being of the Broughton district, any sums of money which, in addition to the sums of money now due and owing or authorised to be raised on that security as aforesaid, shall not exceed the sum of fifty-five thousand pounds; and in the event of any part of such last-mentioned sum being repaid by the Corporation, except by means of the sinking fund, or out of the purchase money of any lands sold by the Corporation under the provisions of this Act, the Corporation may reborrow the same; and for securing the repayment of the sums so to be borrowed or reborrowed, with interest for the same, the Corporation may, in the manner and form (mutatis mutandis) provided by the Act of 1862, assign over the said rates and assessments and property to any persons who advance or lend such money.

Power to borrow on security of Pendleton rates.

60. For the purpose of carrying the former Acts and this Act into execution within the Pendleton district, save as regards the gasworks and waterworks, and save as is by those Acts otherwise provided, the Corporation, in the manner and form (mutatis mutandis) provided by the Act of 1862 for borrowing on the security of the Pendleton district rates, may from time to time borrow at interest, on the security of the several rates and assessments authorised to be made and levied within the Pendleton district, and of all other property for the time being of the Pendleton district, any sums of money which, in addition to the sums of money now due and owing or authorised to be raised on that security as aforesaid, shall not exceed the sum of one hundred and seventy thousand pounds; and in the event of any part of such last-mentioned sum being repaid by the Corporation, except by means of the sinking fund, or out of the purchase money of any lands sold by the Corporation under the provisions of this Act, the Corporation may reborrow the same; and for securing the repayment of the sums so to be borrowed or reborrowed, with interest for the same, the Corporation may, in the manner and form (mutatis mutandis) provided by the Act of 1862, assign over the said rates and assessments and property to any persons who advance or lend such money.

Sinking fund.

61. There shall, from and after the first day of January one thousand eight hundred and eighty-five, be annually set apart as a sinking fund a sum being not less than one pound ten shillings per centum on the aggregate amount borrowed under this Act; and such sinking fund shall be paid as follows:

As to sums borrowed on the security of the borough rate and of the gasworks, out of the borough rate or profits of the gasworks;

As to sums borrowed on the security of the district rates or other property or income of the Salford, Broughton, or Pendleton districts respectively, out of the district rates of such districts respectively.

Land sold to be free from mortgages.

62. When any land, rents, or property is or are sold, demised, or otherwise disposed of by the Corporation, the same shall, in the hands of any person or body corporate to whom the same shall have been sold, and his or their heirs, executors, administrators, successors, and assigns, be absolutely free from all claims, charges, or obligations in respect of any mortgages granted or issued under this Act, and such person or body corporate shall not be bound to see to or inquire into the application by the Corporation of the money arising from such sale, demise, or disposition, or be in any way responsible for the non-application thereof.

Miscellaneous.

Annuities to be personal estate.

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

Amendment of sect. 401 of Act of 1862.

64. Section 401 of the Act of 1862 shall, as to any mortgages hereafter to be issued in pursuance thereof for the purposes of this Act or of the former Acts, be construed as if Schedule (I.) to the said Act annexed had been mentioned therein instead of Schedule (H.), and any mortgages heretofore issued in pursuance of the said section, and in accordance with the form in the said Schedule (I.) applicable thereto, shall be valid for all purposes, notwithstanding the error in the said section of the Act of 1862, in the description of the said Schedule (I.)

Coupons for interest on mortgages.

65. The Corporation may from time to time, if they think fit, issue to holders of their mortgages, coupons for the interest from time to time to fall due thereon in such form as the Corporation think fit, so as every coupon do refer to the mortgage to which it relates, and do specify the amount and time of payment of one half-year's interest to fall due on the principal money secured by the mortgage, and be authenticated by the signatures of two persons thereunto expressly authorised by the Corporation (which authorisation shall be presumed until the contrary is shown), and on presentation to the treasurer of a coupon he shall pay to the person presenting it the amount of interest thereon expressed and thereby appearing to be payable, and on audit of the treasurer's accounts

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the coupon shall be accepted as a sufficient warrant for his payment of the amount for which it was issued, but the treasurer shall not be bound to make any payment of interest beyond the amount of the moneys of the Corporation then in his hands and applicable in that behalf.

Corporation not to be affected by trusts of annuities or mortgages.

66. The Corporation shall not be bound to see to the execution of any trust, whether express or implied or constructive, to which any annuity or mortgage granted under this Act may be subject; and the receipt of the party in whose name any such annuity or mortgage stands in the register of annuities and mortgages shall from time to time be a sufficient discharge to the Corporation for any money payable in respect of such annuity or mortgage, notwithstanding any trusts to which such annuity or mortgage may then be subject, and whether or not the Corporation have had notice of such trust, and the Corporation shall not be bound to see to the application of the money paid upon such receipt.

Protection of lenders.

67. Any person lending or paying money to the Corporation or their treasurer shall not be bound or entitled to inquire as to the observance by them of any provision of this Act, or be bound to see to the application or be answerable for any loss or non-application of such money, or of any part thereof.

Arrears may be enforced by appointment of a receiver.

68. Payment of the principal or interest, or principal and interest, due and in arrear on mortgages granted under this Act or the former Acts, or of arrears of any annuity, may be enforced by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal due on any mortgage or mortgages, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than ten thousand pounds.

Saving of priority of existing securities.

69. Nothing in this Act contained shall in anywise prejudice or affect the rights of the holders of existing annuities, mortgages, or bonds of the Corporation.

Annual return of sinking fund to Local Government Board.

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

invested for the sinking fund has been applied during the same period, and the total amount remaining invested at the end of the year; and in the event of any wilful default in making such return, such town clerk shall be liable to a penalty not exceeding twenty pounds. If it appear to the Local Government Board, by such return or otherwise, that the Corporation have failed to set apart the sum required by this Act for the sinking fund, or have applied any portion of the moneys set apart for that fund to any purposes other than those authorised by this Act, the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made, shall be set apart and invested as part of the sinking fund; and such order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the Court of Queen's Bench.

PART IV.—AMENDMENT OF ACTS.

Street and Building Regulations within the Borough.

Duration of approval of streets and buildings.

71. If a new street approved by the Corporation and intended to be a public street is not made and opened for public use within two years from the time of approval, the approval shall at the expiration of that period cease to operate, and fresh notice and approval shall as to so much of the street as is not completed be requisite as if notice and approval had never been given.

If a new street approved by the Corporation and not intended to be a public street is not made and completed so as to be fit for use within three years from the time of approval, the approval shall at the expiration of that period cease to operate, and fresh notice and approval shall as to so much of the street as is not so completed be requisite as if notice and approval had never been given.

If an intended new building approved by the Corporation is not completed within three years from the time of approval, the approval shall at the expiration of that period cease to operate, and fresh notice and approval shall be requisite as if notice and approval had never been given.

Width of new streets.

72. Every new street which does not exceed four hundred and forty yards in length shall be not less than twelve yards wide throughout, and every new street which exceeds that length shall be not less than fourteen yards wide throughout, unless the Corporation otherwise order. The full length of every intended new

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street shall be shown on the plans for laying out a property when they are deposited.

Height of buildings in street.

73. The Corporation may from time to time by byelaws prescribe the heights of buildings hereafter to be constructed within the borough.

Party walls.

74. The party walls dividing one house from another erected after the passing of this Act shall be carried up to and properly pointed on the underside of the top purlins, and shall be made solid with good lime mortar.

Amendment of sect. 22 of Act of 1871 (materials for houses).

75. Section twenty-two of the Act of 1871 shall be construed as if the words "and the quality of the mortar" were inserted after the word "materials" in the said section mentioned.

Roofs.

76. The roof or flat of every new building, and every gutter, dormer, and other work or construction connected therewith, except the doors, door frames, windows and window frames of such dormer and other construction, shall be formed of or externally covered with incombustible materials to the satisfaction of the engineer, except in special cases when otherwise allowed by the Corporation.

Prevention of damp from foundations.

77. Where any new house shall be erected, the soil shall, if the engineer so require, be excavated and removed to the depth of fifteen inches at the least from the floor line, and if the engineer so require, a layer of concrete, clinkers, or other proper hard material, of the thickness prescribed by the Corporation or the engineer, shall be spread thereon and well rammed before the floor is laid; and every new house and every house which is pulled down to or below the ground floor and rebuilt, shall have a course of lead, slate, or other impervious material for a damp course laid immediately above the ground line on each external wall, and shall be ventilated beneath the ground floor to the satisfaction of the engineer.

Drainage of subsoil, &c.

78. The drainage of every new house shall be so constructed either with additional earthenware pipes or otherwise as to drain the subsoil of the buildings whenever the dampness of the site appears to the engineer to make this necessary, and all rain water shall be so drained or conveyed from the roofs, cornices, and other parts of buildings as to prevent its dripping to the ground, or causing dampness in the walls, or being a nuisance to passengers.

Amendment of the Act of 1870 (plans and height of room).

79. Section 41 of the Act of 1870 shall be repealed, and in lieu thereof it shall be enacted as follows; viz.,

Unless in special and exceptional cases in which the Corporation otherwise consent, the back and side or gable of every new

dwelling-house shall be in every part thereof distant nine feet six inches at the least, measured at a right angle thereto, from the side of the street or passage nearest thereto, and no building exceeding ten feet six inches in height, measured from the level of such street or passage, shall be erected within such distance; and wherever any open space has been left as a drying-ground at the rear or side of any building, for the erection of which the sanction of the Corporation has been obtained, such space shall never afterwards be built upon without the approval of the Corporation.

Section 58 of the Act of 1870 shall be construed as if the words "or other building" were inserted therein after the word "dwelling-house."

Buildings erected contrary to Act may be taken down or altered.

80. It shall be lawful for the Corporation, after giving fourteen days notice to the owner and occupier, to cause any building or part thereof which is hereafter built or rebuilt contrary to the provisions of this Act to be taken down, and rebuilt or altered according to the provisions of this Act, and the expenses of and attending the same shall be repaid to the Corporation by the owner; provided that if notice that a building or part thereof has been built or rebuilt is given to the Corporation by the owner, occupier, or builder thereof, the notice to be given by the Corporation under this section shall not be given by them unless within three weeks from the giving of notice to them as aforesaid by such owner, occupier, or builder.

Nothing herein shall prejudice the right of the Corporation to put in force any of the provisions of any of the former Acts.

Where a certificate has been refused under the provisions of section 66 of the Act of 1870, the powers of the Corporation under this section shall not be exercised unless within three months after such refusal.

Sanitary Regulations.

Report of officer of health on courts, alleys, &c.

81. If the Corporation, on the report of the medical officer of health, are of opinion that any court or alley, or any premises within the borough, is or are unfit for human habitation, or in a state dangerous or injurious to health, they may refer such report to the engineer, who shall report to them whether such court, alley, or premises, or any and what part thereof, ought to be demolished or altered.

Order thereon for demolition or alteratio

82. The Corporation may, upon any such report by the engineer, cause complaint to be made before a justice of the matter reported,

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and such justice shall thereupon issue a summons requiring the owner of the premises, or the builder or other person in default, to appear at a time and place to be stated in the summons to answer such complaint, and if at the time and place appointed in such summons the said complaint be proved to the satisfaction of the justice before whom the same is heard, such justice shall make an order in writing on such owner, builder, or person directing the demolition or alteration, as the case may be, of any such premises, or of so much thereof as the case may require, within such time as such justice considers reasonable, and may also, if he think fit, make an order for the payment of the costs incurred by the Corporation up to and inclusive of the time of hearing; and in default of the premises being demolished or altered in the manner and within the time limited by and according to the exigency of the said order, the Corporation may forthwith enter the premises to which the order relates, and demolish or alter the premises complained of, and do whatever may be necessary to execute the said order, and may also remove the materials to a convenient place, and subsequently sell the same as they think fit, and the amount of expenses incurred by the Corporation in carrying into effect the said order, and in disposal of the said materials, shall be determined and settled by the engineer, and may be recovered by the Corporation from the owner of the said premises, or other person in default, either by action at law, or in manner provided by the Act of 1862 and this Act for the recovery of charges and expenses, and for charging the same on lands or buildings (but subject, in case the same are charged on the premises, to any subsisting charge on the same premises):

Provided always, that prior to the making of a complaint and issue of a summons as herein provided, the person complained of shall have notice to appear before the Health Committee of the Corporation, to show cause why such proceedings should not be taken:

Provided also, that where the order of a justice obtained under the last preceding section requires the alteration of any premises which have received the sanction of the Corporation, within seven years next preceding the date of such order, such alteration shall be effected at the expense of the Corporation:

Provided also, that no justice being a member of the council shall be competent to act as a justice for the purposes of this section.

Any notice, summons, or order under this section to be served or made upon the owner of any premises, may, if the owner does

not reside within the borough, be served on his agent or receiver for the receipt or collection of the rent of such premises; and if it be made to appear to the justice in any case that service of any such notice, summons, or order cannot be made upon the owner nor upon any such agent or receiver, the justice may direct service thereof in the manner provided by the Act of 1862, section 432, for the service of notices by post, or upon the occupier of premises, or by affixing the same on the premises, and such service shall be valid and effectual for all purposes.

Corporation to pay compensation.

83. If the requirements of the order of the justice involve the total demolition and not the improvement of the premises specified therein, the owner may require the Corporation to pay the value of the premises as old materials and of the site thereof, such compensation to be ascertained and applied as in the case of the purchase of any premises by the Corporation by two justices not being members of the council, and the site of the said premises shall, on payment or tender to the party entitled to receive the same of the compensation agreed upon or awarded, or upon payment thereof into the Bank of England in the manner prescribed by "The Lands Clauses Consolidation Act, 1845," be absolutely vested in the Corporation.

Premises may be taken down by owner.

84. If the order be that the premises shall be improved, the owner if he think fit may, instead of effecting the works required, take down the premises.

Buildings on the cleared sites to be approved by Corporation.

85. No building or erection shall be made on any part of any site from which any building or erection shall be hereafter removed under this part of this Act, except with the previous consent of the Corporation, and in accordance with plans and elevations previously approved by them.

Compensation to tenants.

86. Where at the time of making any order for the demolition of any premises, the premises specified therein, or any part thereof, are or is subject to any lease of which less than twenty-one years remain unexpired, or to any tenancy from year to year, or for a year or for any less term, the Corporation shall give notice to every lessee or tenant, stating the time at which such lease or tenancy shall be determined, and if such lessee or tenant, if the premises had been purchased by the Corporation under the provisions of "The Lands Clauses Consolidation Act, 1845," would have been entitled to compensation by reason of the determining of his lease or tenancy, the Corporation shall make such compensation to such lessee or tenant for the determining of his

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lease or tenancy as in case of difference shall be settled by two justices.

Byelaws for sanitary and other purposes.

87. The Corporation may make byelaws for the following purposes:

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

For causing the destruction of articles infected;

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

For preventing the sale of infected articles;

For giving power of entry for disinfecting purposes;

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

For regulating the use of bicycles and velocipedes in public streets and places, and prescribing precautions to be adopted by persons so using them;

For regulating the cleansing and keeping clean, and use of privies, tubclosets, and cesspools.

Byelaws to be subject to approval by the Local Government Board.

88. All byelaws hereafter to be made by the Corporation for the purposes of this Act shall be subject to confirmation by the Local Government Board, and the provisions of section forty-six of "The Sanitary Law Amendment Act, 1874," with respect to the confirmation and publication of byelaws and so much of the said section as makes unnecessary the confirmation of byelaws by any authority other than the Local Government Board, shall apply to the byelaws so made.

Lodging houses.

89. The Corporation may, in addition to the regulations authorised to be made under the Sanitary Act, 1866, in regard to houses and parts of houses let in lodgings or occupied by members of more than one family, require every occupier of or person letting such houses and parts of houses to provide proper and sufficient bedsteads and bedding, and to keep the same in a clean and wholesome condition to the satisfaction of the medical officer of health, subject to the same penalties in case of default as by the said Act are provided for the breach of the regulations thereby authorised.

Small dwellings.

90. The Corporation by order or orders, with respect to small dwelling-houses which consist of not more than four living and sleeping rooms, may prescribe the number of persons by whom such rooms may respectively be lawfully occupied, having regard to the dimensions and construction thereof, and may require the

occupiers of such houses permanently to mark on such houses, in manner prescribed by any such order, the number so prescribed, and the occupier of such dwelling-house in default of compliance with any such order, by either permitting occupation by more than the prescribed number of persons or by omitting to mark or keep marked a dwelling-house in the prescribed manner, shall for every such offence forfeit any sum not exceeding five pounds, and for a continuing offence any sum not exceeding forty shillings for every day during which the offence continues.

Penalty for not removing manure, &c.

91. Section 36 of the Act of 1867 shall be repealed.

If at any time it appear to the inspector of nuisances that any accumulation of manure, dung, soil, or filth, or other offensive or noxious matter whatsoever, is in such a condition as to render it necessary for the public health that it should be removed, he shall give notice to the person to whom the same belongs, or to the owner or occupier of the premises whereon it exists, to remove the same; and if the person to whom such notice has been given fails to comply with such notice within twenty-four hours from the service thereof upon him, he shall be liable to a penalty not exceeding five pounds, and to a continuing penalty not exceeding forty shillings for every day that he shall make default.

The Corporation may from time to time remove, sell, and dispose of any matter in respect of which default in obeying any such notice is made, and any proceeds of the sale thereof shall be carried to the district fund account of the district within which the premises are situate.

Power to Corporation to empty privies, &c.

92. It shall be lawful for the Corporation to carry away and empty at any time, by day or by night, any tub used by them for the reception of the contents of any privy, cesspool, or ashpit.

Any provision of the former Acts relating to privies shall apply to tubclosets.

Privies, &c. common to several houses.

93. In all cases where any ashpit, privy, or tubcloset is used in common by the tenants or occupiers of two or more dwelling-houses, such tenants or occupiers shall keep the same in a clean and wholesome condition to the satisfaction of the medical officer of health or inspector of nuisances for the borough, and shall be jointly and severally liable in case of default to a penalty not exceeding forty shillings, and to a continuing penalty not exceeding twenty shillings for every day during which the offence shall be continued.

Regulation tubs for privies, &c.

94. The owner of every dwelling-house in which tubs are used in the privies shall obtain the regulation size from tubs the Corpora-

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tion, who shall from time to time determine the cost to be paid for the same; and in case the owner of any dwelling-house use any tub not obtained from the Corporation, he shall for every such offence forfeit any sum not exceeding forty shillings, and be liable to a continuing penalty not exceeding twenty shillings for every day during which such offence is continued.

Charge for emptying privies, &c. of rubbish, &c.

95. The Corporation may, in addition to any other remedy, make a reasonable charge on the occupier of the building to which a privy, tubcloset, cesspool, or ashpit belongs for the emptying or removal of any rubbish or material other than the ordinary contents thereof.

Removal of corpses to mortuaries

96. If it appear to the satisfaction of the Corporation that in any premises or place where a corpse is lying there is no proper accommodation for it until interment, or that there is reason to apprehend any injurious effects from its being kept there, they may cause it to be removed to any building or room provided for that purpose. Any constable or other person appointed by the Corporation may enter any such premises or place, and do or assist in doing all things necessary or proper in that behalf, and if access thereto is refused, a justice may, if he thinks fit, on application of the Corporation, or of a constable or other person appointed by the Corporation, grant a warrant for forcibly entering the same.

Disused burial-grounds.

97. The Corporation, and any rector, vicar, commissioners, churchwardens, overseers, or other person or persons concerned, may from time to time enter into and execute such agreements as they think fit for the enclosing, laying out, planting, putting into, and keeping in proper sanitary condition and good order and otherwise regulating any disused burial-ground by the Corporation, and the Corporation may from time to time make byelaws for preventing nuisances therein and for regulating the use thereof.

AS TO MARKETS.

Penalty for selling cattle except in the market.

98. All markets and fairs for the sale of horses or other cattle shall be held in the cattle market and not elsewhere, and if any person (whether he be a licensed horse dealer or not), without the written consent of the Corporation, sells or exposes for sale any horse or other cattle in any market, street, highway, or public place other than the cattle market, he shall for every such offence forfeit a sum not exceeding forty shillings: Provided, that nothing herein contained shall prevent the owner of any horse, or any licensed horse dealer on behalf of such owner, from selling or exposing the same for sale by auction on his own premises, or from showing or

trying any horse preliminary to any such sale or intended sale thereof.

Market inspectors, &c. may be made constables.

99. The Corporation may cause the inspectors of markets and fairs, and all persons appointed to assist them permanently or otherwise, and all park rangers and gardeners, to be sworn before a justice as constables, and the persons so sworn shall have all such powers, authorities, and privileges, and shall perform and be liable to all such duties and responsibilities as constables appointed under the Municipal Corporations Acts, and shall be deemed to be constables of the police force for the purposes of the Act of 1862.

Apprehension of persons ill-treating animals in the market.

100. If any person wantonly or cruelly tortures, beats, illtreats, or abuses any animal in any market-place, slaughter-house, or fair ground, any officer of the market or fair on view thereof, without any warrant other than this Act, may apprehend him and take him before a justice of the peace to be dealt with according to law.

As to Museums, Libraries, &c.

Museums and libraries may be closed on special occasions.

101. The Corporation may by order from time to time and on such special occasions as they think fit, and after not less than three days notice to be given by advertisement or otherwise as they think fit, and for such a period as they prescribe, close the whole or any part of any museum or library under their control against the public, and may on such occasions admit to any such museum or library, or any part thereof, the members of any society, or of any public or private institution, or persons being attendants at or supported by any public or private institution, or such other persons as the Corporation think fit, and the admission of every individual to any such museum or library, or any part thereof, on such occasions shall be without payment, but shall in other respects be on such terms as may be directed by the Corporation.

As to Dwellings for Servants of the Corporation.

Power to provide dwellings for firemen, &c.

102. The Corporation may from time to time appropriate any land belonging to or held by them and thereon erect dwellings, or purchase by agreement or take at a rent dwellings, for firemen, scavengers, workmen, and others employed by them, and may appropriate for that purpose, and improve, alter, and enlarge any buildings belonging to or held by them, and repair and fit up any buildings so erected, provided, or appropriated.

Summary recovery of possession.

103. Where any fireman, scavenger, workman, or other person employed by the Corporation after being discharged from his employment continues to occupy any building provided by the

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Corporation for persons employed by them after one week's notice in writing from the Corporation to quit and deliver up possession of the same, a justice may, on proof of the facts, without summons, by warrant authorise a constable to enter the building and to remove therefrom the fireman, scavenger, workman, or other person and his family, and his and their goods and chattels, and to deliver the possession of the building to the Corporation.

Police Clauses.

Penalty on removing notice boards, &c.

104. Section 422 of the Act of 1862 shall be repealed, and in lieu thereof be it enacted, that if any person unlawfully destroys, pulls down, injures, or defaces any board or convenience for reception of advertisements, placards, or bills, or any advertisement, placard, or bill affixed thereto, or any placard or notice issued or put up by or under the direction of the Corporation, or any notice of the position of a fireplug, or any board, notice, or paper provided by the Corporation on which any byelaw or part of a byelaw of the Corporation is painted or placed, he shall for every such offence be liable to a penalty not exceeding forty shillings.

Burning of bricks, &c.

105. Every person who shall, without the consent of the Corporation, cart or carry to any place within sixty yards from any dwelling-house situate in or near any street any clay or materials for the purpose of being used for making and burning bricks, shall, on the complaint of the Corporation, be liable to a penalty not exceeding five pounds for every offence.

Licenses of drovers and porters.

106. Any license to be granted by the Corporation under section two hundred and ninety-nine of the Act of 1862 to a porter or drover shall be for such time as the Corporation therein appoint, and may be revoked or suspended by the Corporation at any time, and so much of section three hundred and four of the same Act as relates to the revocation or suspension of any such license shall be repealed.

Weighing machines.

107. After the passing of this Act no public weighing machine which is not in use at the passing of this Act shall (unless in substituion for a similar machine in use at the passing of this Act) be set up or used by any person without the license of the Corporation.

The Corporation, if they think fit, may prohibit the use of any public weighing machine in use at the passing of this Act, making compensation to the owner thereof.

Nothing in this section shall interfere with the use by any railway or canal company of any weighing machine belonging to

such company, or being in any premises or place belonging to or occupied by such company, or interfere with the use by any person of any weighing machine on his own premises for which use no fee or reward is received or demanded by him, or interfere with the use by any person or company of any weighing machine on premises of which such person or company is for the time being the owner, lessee, or occupier, and which weighing machine is for the time being bonâ fide used in weighing the goods, wares, or merchandise for the purposes of or in connexion with the manufacture, trade, or business carried on by or on account of such owner, lessee, or occupier, either alone or jointly with any other person or company, or interfere with the use of any portable weighing machine.

As to the Stipendiary Magistrate and Petty Sessions Court Acts.

Power to increase salary of clerks for borough and divisional business.

108. Section one hundred and sixteen of the Act of 1870 shall be repealed, and sections twenty and twenty-two of "The Manchester Division Stipendiary Justice Act, 1854," shall be construed as if the words "one thousand" had been inserted therein respectively in lieu of the words "five hundred."

Salary of stipendiary justice.

109. Sections fifteen and sixteen of "The Manchester Division Petty Sessions Court Act, 1866," are hereby repealed.

It shall be lawful for the justices of the said division and the Corporation to pay to the stipendiary justice for the time being appointed pursuant to "The Manchester Division Stipendiary Justice Act, 1854," out of the funds and moneys by the said Act made applicable for that purpose, and out of the borough fund of the said borough, and in such proportions as shall from time to time be determined by the said justices and Corporation by way of salary, a sum not exceeding fifteen hundred pounds in any one year.

Nothing herein shall prejudice any right of the existing stipendiary justice.

Provision for additional stipendiary justice.

110. If the justices of the Manchester division of the county of Lancaster and the Corporation, by resolutions approved by one of Her Majesty's Principal Secretaries of State, determine that it is expedient that an additional stipendiary justice shall be appointed to act within the said division, it shall be lawful for Her Majesty, her heirs and successors, in right of her Duchy and county palatine of Lancaster, by and with the advice of her Chancellor and Council of the said Duchy, from time to time to appoint a separate stipendiary justice for the borough of Salford, who shall have all the jurisdiction, powers, duties, and liabilities of a

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stipendiary justice under "The Manchester Division Stipendiary Justice Act, 1854," and "The Manchester Division Petty Sessions Court Act, 1866," but who shall not act beyond the limits of the borough unless at the request of and as deputy for the other stipendiary justice.

When a separate stipendiary justice is appointed for the borough of Salford he shall be paid by the Corporation such salary, not exceeding fifteen hundred pounds in any year, as the Corporation from time to time determine at or before the time of his appointment, and the Corporation shall not be liable to contribute to the salary of the other stipendiary justice.

The salary of any person appointed under the provisions of this section at a less salary than one thousand five hundred pounds may from time to time be increased by the Corporation to any amount not exceeding the said sum, but the Corporation shall not at any time have power to reduce the salary of any such person without his consent.

Provisions of Acts to apply to new stipendiary justice.

111. All the provisions of the said Acts, so far as they are not inconsistent with and are applicable for the purposes of this Act, shall apply with reference to the qualification, appointment, powers, duties, and privileges of such stipendiary justice.

A justice appointed under the provisions of this Act shall be called "the stipendiary justice for the borough of Salford," and the other stipendiary justice appointed under the said Acts shall be called "the stipendiary justice for the division of Manchester."

Application of moneys received for recognizances taken and estreated in the division of Manchester and in the borough respectively.

112. Section thirty-six and (so far as it relates to moneys received for estreated recognizances) section 37 of "The Manchester Division Stipendiary Justice Act, 1854," shall be repealed.

It shall be lawful for the Chancellor and Council of the Duchy of Lancaster, for the time being, and they are hereby required from time to time to make orders upon the receiver-general of the said Duchy to pay over the amount of moneys which shall or may be hereafter levied or received to Her Majesty's use upon or by reason of recognizances taken and estreated:

(A.) In the division of Manchester as defined by the said Act, to the treasurer for the time being of the fee fund of the justices for the said division by the said Act authorised to be raised and maintained, or if there be no such treasurer to the clerk for divisional business in the said Act referred to, the same to be by such treasurer or clerk carried to the account and to be applied in aid and as part of the said fee fund;

(b.) In the borough, to the treasurer of the borough, as part of the borough fund;

anything in an Act passed in the first year of the reign of Queen Anne, intituled "An Act for the better support of Her Majesty's "Household, and of the Honour and Dignity of the Crown," or any other law or statute to the contrary notwithstanding: Provided, that nothing herein contained shall control or abridge the powers of the said Chancellor and Council to relieve or mitigate estreated recognizances and levies made therein in certain cases of hardship and distress as they are used to do.

PART V.—MISCELLANEOUS.

Correction of errors in deposited plans and books of reference.

113. If there be any omission, mis-statement, or wrong description of any lands, or of the owners, lessees, or occupiers of any lands shown on the deposited plans, or specified in the deposited books of reference, the Corporation, after giving ten days notice to the owners, lessees, and occupiers of the lands in question, may apply to two justices for the correction thereof, and if it appear to such justices that the omission, mis-statement, or wrong description arose from mistake, they shall certify the same accordingly, and they shall in their certificate (which shall be given in duplicate) state the particulars of the omission, and in what respect any such matter is mis-stated or wrongly described, and one part of such certificate, with the other documents to which it relates, shall be deposited with the clerk of the peace for the county of Lancaster, and the other part thereof shall be deposited with the town clerk, and such certificate and duplicate respectively shall be kept by such clerk of the peace and town clerk respectively with the other documents to which the same relate, and thereupon the deposited plans and books of reference shall be deemed to be corrected according to such certificate, and the Corporation may take the lands and execute the work in accordance with such certificate.

Plans, &c. to be open for inspection.

114. A copy of the deposited plans and books of reference respectively, and of any certificate given under the last preceding section, shall be kept by the town clerk, who shall permit all persons interested in any property proposed to be taken under the powers of this Act to inspect the same at reasonable times, and to make copies and extracts of and from the same respectively, free of all charge, and shall permit all other persons to do the like 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.

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Copies of plans, &c. to be evidence.

115. Copies of the deposited plans and books of reference, and of any alteration or correction thereof or extract therefrom, certified by the clerk of the peace of the county of Lancaster or by the town clerk, which certificate such clerk of the peace and town clerk respectively shall give to all parties interested when required, shall be received in all courts of justice or elsewhere as primâ facie evidence of the contents thereof.

Certain plans to be property of Corporation.

116. All plans, sections, specifications, and estimates prepared by any architect, surveyor, engineer, or other person for any building or work authorised by the Corporation and intended to be carried out by or for the Corporation, shall, when approved by or delivered to the Corporation, be the property of the Corporation.

Corporation may charge for superintendence of works.

117. Where the Corporation may charge the several owners of any buildings or lands with the expenses of the execution by them of works or incidental thereto under the authority of this Act, or of the former Acts, the Corporation may include in such charge a commission not exceeding the rate of five per centum on the amount of such expenses in respect of the cost to the Corporation of the surveying and superintendence of those works.

Power to take easements by agreement.

118. Persons empowered by "The Lands Clauses Consolidation Act, 1845," to sell and convey, or release lands, may, if they think fit, subject to the provisions of that Act, and of the Lands Clauses Consolidation Acts Amendment Acts, and of this Act, grant to the Corporation any easement, right, or privilege (not being an easement of water) required for the purposes of this Act, in, over, or affecting any such lands, and the provisions of the said Acts with respect to lands and rentcharges, so far as the same are applicable in this behalf, shall extend and apply to such grants, and to such easements, rights, and privileges as aforesaid respectively.

Power to erect statues, fountains, &c.

119. The Corporation may from time to time place and maintain in a street or court any such statue, monument, ornamental or drinking fountain or trough, as they think fit, and if any person without lawful excuse (proof whereof shall lie on him) damages, defaces, or makes any mark on the same or on any work appurtenant thereto, or pollutes or makes unfit for drinking by man or animal any water in any such fountain or trough, or washes in or permits to enter into that water any dog or other animal under his charge or accompanying him, he shall be guilty of an offence against this Act, and shall for every such offence be liable on summary conviction to a penalty not exceeding forty shillings.

Power to apply lands for purposes of Act.

120. The Corporation may from time to time appropriate and use for any of the purposes of this Act any lands for the time being vested in them.

Town clerk, &c. may appoint deputy.

121. The town clerk, the borough treasurer, and the engineer respectively may from time to time, with the approval of the Corporation, appoint a deputy, and delegate to such deputy the performance of all or certain of the duties of his office under any Act of Parliament for the time being in force within the borough or under any byelaw of the Corporation.

Compensation to firemen.

122. If any fireman employed by the Corporation in the discharge of his duty suffers bodily injury or loss of life, the Corporation may give to him or to his widow and children (if any), or any of them, such compensation, by way of annuity or otherwise, as they think fit.

Service of notices on the council.

123. Every summons or other document which, under the provisions of any Act for the regulation of municipal corporations, or under the former Acts or this Act, is ordered or required to be served upon or delivered at the place of abode or residence of any member of the town council may be served by forwarding the same through the post prepaid, addressed to him at his usual or last known place of abode, provided that such notice or document be posted in time for delivery according to the usual course of postal delivery on the day on which such summons or other document should by law be served.

Recovery of charges and expenses from owners and occupiers.

124. All charges and expenses which are under this Act or the former Acts payable by or recoverable from the owner or occupier of any land or building, or any other person, shall, if not paid on demand, be recoverable by the Corporation, with interest thereon from the expiration of one month after such demand, at a rate to be determined by the Corporation, not exceeding five pounds per centum per annum, either as a debt from such owner, occupier, or person, in any court of competent jurisdiction, or by distress and sale of the goods and chattels within the borough of such owner or occupier, or other person, and any justice may issue his warrant accordingly.

Further provision as to byelaws and penalties.

125. The penalties, damages, and costs in respect of any offence committed without the limits of the borough against the provisions of the former Acts or of this Act, or against any byelaw made under the provisions of the former Acts or of this Act, shall be recoverable before any two justices having jurisdiction in the county or place where such offence was committed.

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The production of a written or printed copy of any byelaws purporting to be authenticated by the written, printed, or impressed signature of the town clerk shall be evidence of the existence of such byelaws, and that all preliminaries requisite to the making and operation thereof have been duly observed and fulfilled.

Where a person commits any offence against any of the provisions of any of the former Acts or of this Act, for which no penalty is expressly provided by such Acts or by byelaws in force for the time being, such person shall be liable to a penalty not exceeding forty shillings.

Whenever, under the provisions of any of the former Acts or of this Act, a person is committed to prison, whether in default of payment or of distress or otherwise, the court may direct that such imprisonment be with or without hard labour, at their discretion.

The last proviso to section 416 of the Act of 1862 shall be repealed, and whenever any penalty or forfeiture is incurred by the Corporation the amount thereof shall be paid and accounted for, according to the provisions of section 31 of the Act of eleventh and twelfth of Her Majesty, cap. forty-three.

Saving as to repeals.

126. The repeal by this Act of any enactment shall not affect the validity, invalidity, effect, or consequences of anything already done or suffered, or any existing status or capacity, or any right or title already acquired or accrued, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, claim, or demand, or any indemnity, or the proof of any past act or thing.

Form of orders by Corporation.

127. Where the Corporation are authorised by either of the former Acts or by this Act to prescribe or direct or consent to anything to be done or omitted, or the mode of doing anything, and such Act does not define the manner in which the prescription or direction is to be given, such prescription or direction or consent may be given by an order of the council.

Expenses not otherwise charged to be borne by borough fund.

128. All costs, charges, and expenses incurred by the council in carrying out the provisions of this Act not by this Act specifically charged on any other fund or rate, shall be borne by the borough fund or borough rate.

Apportionment of common expenses.

129. Subject to any special provisions of this Act, where any expenditure under this Act is incurred for purposes common to two or more districts, the Corporation as they think fit may apportion the same between such districts, and if the same has been paid out of the borough fund or borough rate, the sum apportioned to each

district shall be repaid to the Corporation out of the township fund of such district.

Powers of Act cumulative.

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

Saving rights of Corporation.

131. Except as by this Act expressly provided, nothing in this Act shall be held to diminish any of the rights, powers, privileges, or authorities vested in or enjoyed or exercised by the Corporation under their charter or the Acts of Parliament relating to the borough.

Saving rights of the Duchy of Lancaster.

132. Nothing contained in this Act shall extend or operate to authorise the Corporation to take, use, enter upon, or in any manner interfere with any land, soil, water, or hereditaments, or any manorial rights or any other rights of whatsoever description belonging to Her Majesty in right of her Duchy of Lancaster, without the consent in writing of the Chancellor for the time being of the said Duchy first had and obtained (which consent the said Chancellor is hereby authorised to give), or take away, prejudice, or diminish any estate, right, privilege, power, or authority vested in or enjoyed or exerciseable by Her Majesty, her heirs or successors, in right of her said Duchy.

Expenses of Act.

133. The costs, charges, and expenses of and incidental to the applying for, obtaining, and passing this Act shall be paid by the Corporation out of the borough fund or borough rate.

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SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

LIST OF TRAMWAY TOLLS FOR ANIMALS AND GOODS.

Animals.	Per Mile. s.	d.
For every horse, mule, or other beast of draught or burden - -	0	3
For every ox, cow, bull, or head of cattle - - - -	0	3
For calves, pigs, sheep, and small animals - - - -	0	2

Goods and Minerals.		
For all coals, culm, cannel, limestone, chalk, lime, slates, clay, iron-stone, undressed or scabbled stones for building, pitching, and paving, slag, stone, salt, sand, cinders, and all undressed materials for the repair of public roads, per ton - - - -	0	3
For all iron, pig iron, bar iron, rod iron, sheet iron, hoop iron, plates of iron, slabs, billets and rolled iron, wrought iron not otherwise specifically classed herein, and for heavy iron castings (including railway chairs), tiles, bricks, coke, charcoal, dung, manure, and compost, per ton - - - - - -	0	4
For all timber or wood, per ton - - - - -	0	3
For all sugar, grain, corn, flour, hides, dyewoods, earthenware, staves, deals, and metals (except iron), nails, anvils, vices, and chains, and for light iron castings, per ton - - -	0	5
For all cotton and other wools, drugs, manufactured goods, and all other wares, merchandise, fish, articles, matters, or things, per ton	0	6
For every carriage of whatever description - - - -	1	0

Small Parcels.	Any Distance.	
For any parcel not exceeding in weight seven pounds - -	0	3
For any parcel exceeding seven and not exceeding fourteen pounds in weight - - - - - - -	0	5
For any parcel exceeding fourteen but not exceeding twenty-eight pounds in weight - - - - - -	0	7
For any parcel exceeding twenty-eight but not exceeding fifty-six pounds in weight - - - - -	0	9
For any parcel exceeding fifty-six but not exceeding five hundred pounds in weight the Corporation, their lessees or licensees, may demand any sum they think proper.		

Regulations as to Tolls.

In respect of tolls for animals and goods the Corporation, their lessees or licensees, may demand and take for any less distance than three miles tolls and charges as for three miles.

For a fraction of a mile beyond three miles, or beyond any greater number of miles, the Corporation, their lessees or licensees, may demand tolls and charges on animals and goods for such fraction in proportion to the numbers of quarters of a mile contained therein, and if there be a fraction of a quarter of a mile, such fraction shall be deemed a quarter of a mile.

For a fraction of a ton the Corporation, their lessees or licensees, may demand tolls according to the numbers of the quarters of a ton in such fraction, and if there be a fraction of a quarter of a ton, such fraction shall be deemed a quarter of a ton.

With respect to all articles, except stone and timber, the weight shall be determined according to the usual avoirdupois weight.

With respect to stone and timber, fourteen cubic feet of stone, forty cubic feet of oak, mahogany, teak, beech, or ash, and fifty cubic feet of any other timber, shall be deemed one ton weight, and so in proportion for any smaller quantity.

Provided always, that articles sent in large aggregate quantities, although made up of separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed small parcels, but such term shall apply only to single parcels in separate packages.

Single Articles of Great Weight.

	s.	*d.*
For any boiler, cylinder, or single piece of machinery, or single piece of timber or stone, or other single article, the weight of which, including the carriage, exceeds four tons but does not exceed eight tons, per ton - - - - -	3	0

For any single piece of timber, stone, machinery, or other single article, the weight of which with the carriage exceeds eight tons, the Corporation, their lessees or licensees, may demand such sum as they think fit.

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THE SECOND SCHEDULE.

Describing Lands, Buildings, or Manufactories of which Portions only are required.

Township or Parish.	Numbers on deposited Plans (all inclusive).
Pendleton - - -	10 to 13, 13a to 13c, 18 to 20, 81, 82 to 84, 94, 99a to 99c, 99g, 101, 111, 112, 190, 285.
Pendlebury (detached) -	55 to 70.
Broughton - - -	397, 403 to 411, 414 to 427, 429 to 445, 447 to 489, 491 to 497, 1139 to 1142.
Salford - - -	638, 639, 765, 785, 820, 863 to 872, 970, 972, 1028, 1048 to 1052, 1089, 1119.

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