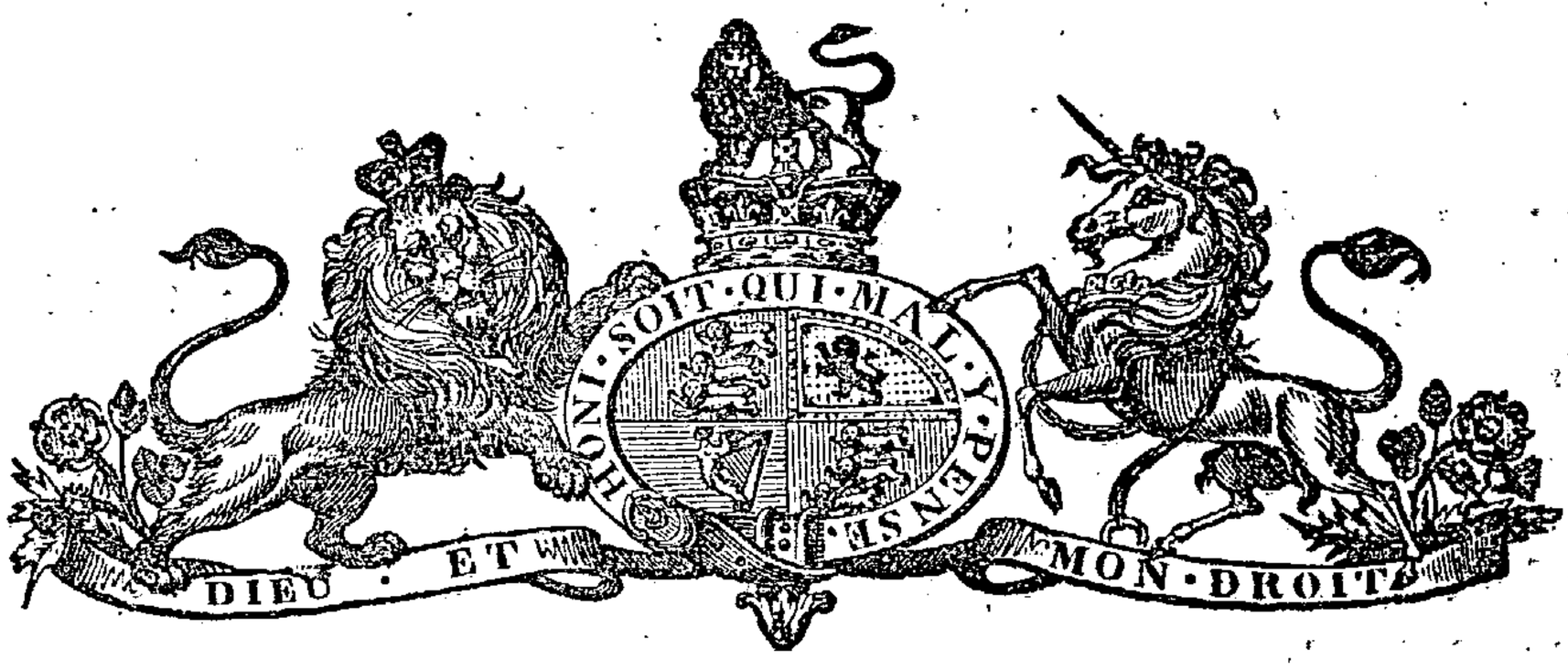


ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

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Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

Council of Borough of Stockport to carry Act into execution.

I. That the Mayor, Aldermen, and Burgesses of the Borough of *Stockport*, by the Council of the said Borough, shall be and they are hereby empowered to carry this Act and the several Powers thereof into execution.

Certain Provisions of 10 & 11 Vict. c. 16. incorporated with this Act.

II. That "The Commissioners Clauses Act, 1847," with respect to the Mortgages to be executed by the Commissioners (except the Eightieth, Eighty-second, and Eighty-fourth Sections thereof) shall, so far the same is not inconsistent with the Provisions of this Act, be and the same hereby is incorporated with this Act; and in construing the said Act for the Purposes of this Act the Expression "the Commissioners" shall mean "the Council," and the Word "Clerk" or the Words "Clerk to the Commissioners" shall mean the Town Clerk of *Stockport*, and the Expression "the Office of the Commissioners" shall mean "the Office of the Town Clerk;" and the Forms of Mortgage and Transfer of Mortgage may be according to the Forms respectively contained in Schedules B and C to the said Act, or to the like or any other Form or Effect.

Power to Council to appoint Committee to carry Act into execution.

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

Service of Notices.

IV. That any Summons, Notice, or Writ, or other Proceeding at Law or in Equity, requiring to be served upon the Mayor, Aldermen, and Burgesses, or upon the Council, may be lawfully served by delivering the same personally to the Town Clerk, or by leaving the same at the Office of the Town Clerk.

Authentication of Notices.

V. That any Summons, Demand, or Notice, or other such Document under this Act, may be in Writing or in Print, or partly in Writing and partly in Print; and if the same require Authentication by the Mayor, Aldermen, and Burgesses, or by the Council, the Signature thereof by the Town Clerk shall be a sufficient Authentication.

VI. That

Power to borrow Money.

VI. That it shall be lawful for the Council, in order to pay off and discharge any Security or Securities now existing, or at any Time hereafter to be existing, from Time to Time to borrow at Interest, upon such Terms as they shall think proper, on the Credit of the said Rate authorized by the said Act, First of *Victoria*, Chapter One hundred and twenty-nine, or of any Part thereof, and of the Borough Rate, or of any Part thereof, and of any Property vested in or belonging to the Mayor, Aldermen, and Burgesses, or which may be acquired by them under or by virtue of either of the said Acts, or of this Act, or otherwise howsoever, or of any Part thereof, or upon the said Rates, or any Part or Parts thereof respectively, either together or separately, or upon the said Property, or any Part thereof, either alone or together with the whole or any Part or Parts of One of such Rates, any Sum or Sums of Money which shall not exceed in Amount the Principal Sum or Sums from Time to Time intended to be paid off, and also for the respective Purposes of the said Acts and of this Act, or any or either of them, from Time to Time to borrow at Interest, upon such Terms as they shall think proper, on the Credit of the said Rates, or either of them, or any Part or Parts of either of them, or on Security of the said Property or any Part thereof, either alone or together with the said Rates, or One of them, or some Part or Parts of One or both of them, such Sums of Money as are by the said Acts authorized to be borrowed for the respective Purposes thereof; and in the event of all or any Part of such Monies being repaid by the Council out of any Monies not borrowed by them, it shall be lawful for the Council again to borrow the Amount so paid off, or any Part thereof, and so from Time to Time; and for securing the Repayment of the Money so from Time to Time to be borrowed, with Interest, the Council may assign over the said Rate authorized by the said Act, First *Victoria*, Chapter One hundred and twenty-nine, and the Borough Rate, or either of the said Rates, or any Part thereof respectively; or may charge and mortgage the said Property or any Part thereof, either alone or jointly with the said Rates or either of them, or any Part thereof respectively, in manner hereafter mentioned, to the Person who shall advance or lend such Money, or to his Trustees: Provided always, that nothing herein contained shall be construed to empower the Mayor, Aldermen, and Burgesses to borrow Money on Mortgage of the Lands, Tenements, and Hereditaments vested in them, without the Consent of the Lords Commissioners of Her Majesty's Treasury, or any Three of them, first had and obtained.

Mayor, &c. not to borrow on Mortgage of their Lands without Consent of Treasury.

Expenses of Mortgages.

VII. That the Expenses of every such Assignment and Mortgage, and all other Expenses incident to the carrying this Act, and the several Powers and Authorities herein contained, into execution, shall from Time to Time be provided for and paid by the Council.

VIII. If

As to Repayment of Money borrowed, where no Time fixed.

VIII. If in any existing Mortgage or Assignment granted under the Provisions contained in the said Acts or either of them, or in any Mortgage or Assignment hereafter to be granted under the Provisions contained in the said Acts or either of them, or in this Act, no Time be fixed for the Repayment of the Money secured thereby, the Party entitled to such Mortgage or Assignment may, at the Expiration or at any Time after the Expiration of Twelve Months after the Date of such Deed, demand Payment of the Principal Money thereby secured, with all Arrears of Interest, upon giving Six Months previous Notice for that Purpose, and in the like Case the Council may at any Time pay off the Money borrowed on giving the like Notice; and every such Notice shall be in Writing or Print, or both; and if given by a Creditor shall be delivered to the Town Clerk or left at the Town Clerk's Office, and if given by the Council shall be given either personally to such Creditor or left at his Residence, or if such Creditor be unknown to the Council, or cannot be found after diligent Inquiry, such Notice shall be given by Advertisement in the *London Gazette* and in some Newspaper published in the Borough of *Stockport* or in the County of *Chester*.

Application of Monies.

IX. That, subject to the Rights, Powers, and Remedies of any Mortgagees or Incumbrancers under the said Acts, First of *Victoria*, Chapter One hundred and twenty-nine, and Tenth and Eleventh of *Victoria*, Chapter Two hundred and eighty-four, it shall be lawful for the Council from Time to Time to apply any of the Monies which may from Time to Time be raised, levied, borrowed, or received by the Council under or by virtue of any of the Provisions contained in the said Acts and in this Act, or in any or either of them, to any of the Purposes authorized by the said Acts or either of them, or to any of the Purposes of this Act; and with respect to any other Monies whatsoever which may have come or shall or may come to the Hands of the Council, and may or shall be otherwise unapplied, it shall be lawful for the Council to apply the same to any of the Purposes of the said Acts or either of them, or of this Act, and in carrying, in such Manner and at such Time and Times as the Council shall from Time to Time direct and appoint, such Purposes into full and complete Execution, with all such Powers so to do as are respectively given by the said Acts and by this Act, or by any or either of them, and in making or effecting any Works or Improvements in the Borough of *Stockport* for the making or effecting of which Power may at any Time be possessed by the Mayor, Aldermen, and Burgesses, or Council.

Section 127 of 1st Vict. c. cxxix. repealed.

X. That the Provisions of the Local and Personal Act, First *Victoria*, Chapter One hundred and twenty-nine, contained in the One hundred and twenty-seventh Section thereof, with respect to Money

Money to be expended in the Purchase of Houses, &c., except authorized at a Special Meeting of Ratepayers, shall be repealed, but without Prejudice to any Acts or Proceedings heretofore done, had, or transacted under or pursuant to any of the said Provisions hereby repealed.

Furnaces, where practicable, to be constructed to consume their own Smoke.

XI. That from and after the First Day of *January* next, every Furnace employed or to be employed in the working of Engines by Steam, and every Furnace employed or to be employed in any Mill, Factory, Dye House, Iron Foundry, Glass House, Distillery, Brewery, Bakehouse, Gasworks, or other Building used for the Purposes of Trade or Manufacture (although a Steam Engine be not used or employed therein), shall, in all Cases where the same shall be practicable, be constructed so as to consume or burn the Smoke arising from such Furnace; and if any Person shall after the said First Day of *January* next use any Furnace which shall not be so constructed as to consume or burn its own Smoke, or shall so negligently use any Furnace constructed to consume or burn its own Smoke as that the Smoke arising therefrom shall not be effectually consumed or burnt, or shall carry on any Trade or Business which shall occasion any noxious or offensive Effluvium, or otherwise annoy the Neighbourhood or Inhabitants, without using the best practical Means for preventing or counteracting such Annoyance, every Person so offending shall forfeit and pay any Sum not exceeding Forty Shillings for and in respect of every Day during which such Furnace or Annoyance shall be so used and continued after One Month's Notice shall have been given to him by the Council to remedy or discontinue the same, such Sum to be recovered and applied in such and the like Manner as the several Penalties imposed by the said Acts of the First *Victoria*, Chapter One hundred and twenty-nine, and Tenth and Eleventh *Victoria*, Chapter Two hundred and eighty-four, or any or either of them, are recoverable and applicable: Provided always, that if it shall appear to the Satisfaction of any Justice that the negligent Use of any Furnace so constructed as aforesaid is attributable to, and has been done or permitted by or under the Authority of some Agent, Servant, or Workman of the Owner or Occupier thereof, and without the Consent, Concurrence, or Knowledge of such Owner or Occupier, it shall be lawful for such Justice to summon or cause to be summoned such Agent, Servant, or Workman before him, or some other Justice authorized in that Behalf to answer for such Offence; and such Agent, Servant, or Workman shall be liable to the Penalty for such Offence herein-before provided; and such Justice may convict such Agent, Servant, or Workman in lieu of such Owner or Occupier, or such Justice may, if he shall so think fit, direct any Penalty to be divided and paid between the Owner or Occupier, and the Agent, Servant, or Workman, in such

Proportions as the Justice of the Case may in his Judgment demand: Provided also, that no Means for the Prevention or Consumption of Smoke shall be deemed practicable within the Meaning of this Act, as regards their Application to any Dye Pan, Dye Vat, or Dye Vessel used for the dying of Linen, Cotton, Silk, Wool, Woollens, or any Material or Fabric thereof, unless it shall be proved to the Satisfaction of any Justice, or in case of Appeal to the Satisfaction of the Court of Quarter Sessions, that such Means have been successfully applied in the Case of Pans, Vats, or Vessels used in the dying of similar Goods or Materials.

Power to Justices to order infected Dwellings to be cleansed.

XII. That on its being ascertained that any contagious or infectious Disease has occurred in any Lodging House, or in any Dwelling House or Cellar, situated in any narrow, densely inhabited, or ill ventilated Situation, or in any other Place where there may be reasonable Apprehension of such Disease spreading or continuing, it shall be lawful for any Two Justices to cause the remaining Lodgers or Occupants of any such Lodging House, Dwelling House, or Cellar, to be removed, and to order and direct all such proper Measures to be taken for disinfecting and cleansing such House or Cellar as to such Justices shall appear necessary for the Preservation and Security of the Inhabitants in the Neighbourhood against the Danger of Contagion or Infection; and in order to the Measures hereby authorized being carried into effect, it shall be lawful for any Officer of Police, or other Person appointed by such Justices, to enter any such House or Cellar, and to do or assist in doing all Matters and Things necessary for the Purposes aforesaid; and in the event of Access to such House or Cellar for any such Purpose being refused, it shall be lawful for any Two Justices to grant, if necessary, a Warrant for forcibly entering the same.

Rate authorized to be made by 1 Vict. c. cxxix. to be made and collected as Borough Rate, pursuant to Provisions of 5 & 6 W. 4. c. 76., 7 W. 4. & 1 Vict. c. 81., and 8 & 9 Vict. c. 110.

XIII. And with respect to the said Rate by the said Act, First of *Victoria*, Chapter One hundred and twenty-nine, authorized to be made, increased, assessed, altered, amended, levied, paid, collected, compounded for, and recovered, be it enacted, That it shall be lawful for the Council to order the said Rate to be made, increased, assessed, altered, amended, levied, paid, collected, compounded for, and recovered, and in all respects regulated in the same or the like Manner, or as near thereto as the Nature of the Case will admit, as a Borough Rate in the Nature of a County Rate, authorized to be made, levied, and collected by the Councils of Boroughs by the Act or Acts to provide for the Regulation of Municipal Corporations in *England* and *Wales*, and by any other Statutes now in force or hereafter to be passed in such Behalf; and that all the Provisions for making, assessing, levying, and collecting such Borough Rate in the Nature of a County Rate, contained in such Statutes or any of them, shall apply

to

to the said Rate authorized by the said Act, First of *Victoria*, Chapter One hundred and twenty-nine, as fully and effectually to all Intents and Purposes as if the same Rate had been specially referred to in such Provisions for making, assessing, levying, and collecting such Borough Rate in the Nature of a County Rate.

Nothing to affect Provisions contained in Sect. 146. of 1 Vict. c. cxxix.

XIV. Provided always, That nothing in this Act contained shall prejudice or affect the Provisions contained in the One hundred and forty-sixth Section of the said Local and Personal Act, First *Victoria*, Chapter One hundred and twenty-nine, with respect to the Increase of Rates chargeable under that Act.

Power of the Council to make Byelaws not affected.

XV. That nothing in this Act contained shall prejudice or affect the Power of the Council to make Byelaws under the Act or Acts to provide for the Regulation of Municipal Corporations in *England* and *Wales*.

Saving Rights of the Lords of the Manor of Stockport.

XVI. That nothing in this Act contained shall prejudice or affect any of the Rights, Powers, Authorities, or Privileges of the Mayor, Aldermen, and Burgesses, as Lords of the Manor and Barony of *Stockport*, or other the Lords of the said Manor for the Time being.

Commencement of Act.

XVII. That this Act shall commence and come into operation on the First Day of *September* One thousand eight hundred and fifty-three.

Limits of Act.

XVIII. That the Limits of this Act shall be the whole of the Borough of *Stockport*.

Interpretation of Terms.

XIX. In this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; that is to say,

The Word "Person" or the Word "Persons" shall include Corporations, whether aggregate or sole:

The Word "Borough" shall mean the Borough of *Stockport* as defined by the Act passed in the Fifth and Sixth Years of the Reign of His said late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales:

The Words "Mayor, Aldermen, and Burgesses" shall mean the Mayor, Aldermen, and Burgesses of the Borough of *Stockport*:

The Word "Council" shall mean the Council of the Borough of *Stockport*:

The Words "Town Clerk" shall mean the Town Clerk of the Borough of *Stockport*:

The

The Word "Justice" shall mean any of Her Majesty's Justices of the Peace of the Borough of *Stockport*; and if any Person or Persons shall be appointed by Her Majesty to be the salaried Police Magistrate or Magistrates of the Borough, or of any District thereof, the Word Justice shall include each and every Person so appointed:

The Words "Police Magistrate" shall mean the Person who for the Time being may be appointed by Her Majesty to be the salaried Police Magistrate of the Borough, and in case more than One Person shall be appointed Police Magistrate of the Borough, the same Words shall mean and include each and every Person so appointed:

The Word "House" shall mean Dwelling House:

The Word "Owner" shall mean the Party in possession or receipt of the Rents or Profits of any Tenement.

Railway Companies allowed One Month to appeal against Rates.

XX. That the Period within which any Railway Company may appeal against any Rate made under the Authority and for any of the Purposes of this Act, or of any of the recited or incorporated Acts, shall be One Month after the Amount of such Rate is demanded from the Secretary or any One of the Directors of such Company: Provided always, that such Demand shall be sufficient if made by Letter, addressed to the Secretary of such Company, and sent by Post.

Saving Rights of the Manchester, Sheffield, and Lincolnshire, and the London and North-western Railway Companies.

XXI. That (except as herein or in the said Acts incorporated herewith expressly provided) nothing herein contained shall extend or be construed to prejudice, diminish, alter, or take away any of the Privileges, Rights, Powers, Franchises, Hereditaments, or Authorities of or belonging to or vested in the "*Manchester, Sheffield, and Lincolnshire* Railway Company," and the "*London and North-western* Railway Company."

Expenses of Act.

XXII. That the Costs, Charges, and Expenses attending or incident to the obtaining and passing of this Act shall be paid by the Council out of the Borough Fund of the said Borough.

Short Title.

XXIII. That the Short Title of this Act shall be "The *Stockport* Amendment Act, 1853," which shall be a sufficient Description thereof in all Acts of Parliament, and legal and other Documents.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1853.