

ZC197

16 & 17 GEORGE V.—SESSION 1926.

MANCHESTER SHIP CANAL (GENERAL POWERS)
ACT 1926.

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A N A C T

To empower the MANCHESTER SHIP CANAL COMPANY to construct railways and divert a footpath ; to provide for the sub-division of the shares of the Company ; and for other purposes.

[ROYAL ASSENT, 4TH AUGUST, 1926.]

WHEREAS the Manchester Ship Canal Company (in this Act referred to as "the Company") were incorporated by the Manchester Ship Canal Act 1885 and by virtue of the powers conferred by that Act and subsequent Acts own and carry on an undertaking which comprises the Manchester Ship Canal the Bridgewater Canals and certain docks lands and premises in the City of Manchester the City of Salford and elsewhere and certain railways in connection with the said canals docks lands and premises :

Preamble

- 10 And whereas the issued capital of the Company consists of four hundred thousand Manchester Ship Canal perpetual five pounds per centum Preference shares of ten pounds each four hundred thousand Manchester Ship Canal Ordinary shares of ten pounds each and one million and sixty-one thousand two hundred
15 and thirty pounds Manchester Ship Canal Corporation three and a-half per centum Preference stock :

And whereas it is expedient that the Company should be authorised to construct and maintain the railways in the urban

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district of Ellesmere Port and Whitby and in the rural district of Wirral hereinafter respectively described and to divert a footpath in the said urban district and to acquire lands for those purposes:

And whereas it is expedient that the said issued capital of 5 the Company so far as it consists of shares should be sub-divided into four million Ordinary shares of one pound each and four million perpetual five pounds per centum Preference shares of one pound each:

And whereas by the Manchester Ship Canal Act 1920 (here- 10
inafter referred to as "the Act of 1920") it was provided that notwithstanding anything contained in the Lands Clauses Consolidation Acts Amendment Act 1860 the powers of the Company of raising money by borrowing should not be reduced in consequence or in respect of the existence of any rent charges which were 15
payable at the date of the passing of the Act of 1920 or which the Company had at that date contracted to pay:

And whereas since the passing of the Act of 1920 the Company have created further rent charges as consideration for the purchase of lands acquired by them and certain of such further rent 20
charges were in course of negotiation at the date of the passing of the Act of 1920 but the Company had not at that date contracted to pay them:

And whereas it is expedient that provisions similar to the said provisions of the Act of 1920 should be enacted with reference 25
to the said further rent charges:

And whereas it is expedient that the other provisions contained in this Act should be enacted:

And whereas the purposes of this Act cannot be effected 30
without the authority of Parliament:

And whereas Plans and Sections showing the lines or situations and levels of the works authorised by this Act and also a Book of Reference containing the names of the owners and lessees

or reputed owners and lessees and of the occupiers of the lands required for the purposes of the said works were duly deposited with the respective Clerks of the Peace for the Counties of Chester and Lancaster and are hereinafter respectively referred to as the
5 deposited Plans Sections and Book of Reference :

MAY IT THEREFORE PLEASE YOUR MAJESTY

That it may BE ENACTED and BE IT ENACTED by the KING'S MOST EXCELLENT MAJESTY by and with the advice and consent of the Lords Spiritual and Temporal and
10 Commons in this present Parliament assembled and by the authority of the same as follows :—

PART I.—PRELIMINARY.

1. This Act may be cited as the Manchester Ship Canal (General Powers) Act 1926. Short Title.

15 2. This Act is divided into Parts as follows :—

Act divided
into Parts.

PART I.—PRELIMINARY.

PART II.—WORKS AND LANDS.

PART III.—SUB-DIVISION OF SHARES.

PART IV.—MISCELLANEOUS PROVISIONS.

20 3. The following Acts and parts of Acts (that is to say)—
The Lands Clauses Acts ;

Incorporation
of Acts.

The Companies Clauses Acts 1845 to 1889 ;

The Railways Clauses Consolidation Act 1845 (except
Section 47 thereof) ; and

25 Part I. (Construction of a Railway) of the Railways Clauses
Act 1863 (except Sections 6 7 and 8 of that Act)

so far as the same are applicable for the purposes of and are not
varied by or inconsistent with this Act are incorporated with and
form part of this Act.

Interpretation.

4. In this Act the following words and expressions 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 Company" means the Manchester Ship Canal Company;

"The Undertaking" means and includes the undertaking carried on by the Company upon or in connection with their canals docks and railways and the real and personal property lands works and appliances acquired or provided by or vested in them for the purposes thereof;

"The railways" means the Railways (Nos. 1 and 2) by this Act authorised;

"The tribunal" means the Arbitrator or other tribunal to whom the question of compensation is referred under the Lands Clauses Acts;

"The existing capital" means the capital of the Company issued at the date of the passing of this Act;

"The existing Ordinary shares" means the Ordinary shares of ten pounds each in the existing capital created and issued at the date of the passing of this Act;

"The existing Preference shares" means the perpetual five pounds per centum Preference shares of ten pounds each in the existing capital created and issued at the date of the passing of this Act;

"The existing shares" means the existing Ordinary shares and the existing Preference shares;

"Converted Ordinary shares" means the shares into which the existing Ordinary shares are sub-divided by virtue of this Act;

"Converted Preference shares" means the shares into which the existing Preference shares are sub-divided by virtue of this Act;

The expression "converted shares" means the converted Ordinary shares and the converted Preference shares.

PART II.—WORKS AND LANDS.

5. Subject to the provisions of this Act the Company may in the County of Chester make and maintain in the lines and situations and according to the levels shown on the deposited Plans and Sections the railways hereinafter described with all proper sidings approaches works and conveniences connected therewith. The railways hereinbefore referred to and authorised by this Act are:

Power to make railways.

10 A Railway (No. 1) (4 furlongs 5·8 chains or thereabouts in length) in the urban district of Ellesmere Port and Whitby commencing by a junction with the Shropshire Union Railway of the London Midland and Scottish Railway Company (leased to the Company) near the bridge carrying North Road over the said Shropshire Union Railway and terminating in the enclosure Numbered 23 in the Parish of Netherpool on the 2500
15 Ordnance Map (Edition of 1911) Cheshire Sheet XXIII. 14.

20 A Railway (No. 2) (1 mile and 0·2 chain or thereabouts in length) commencing in the said urban district of Ellesmere Port and Whitby by a junction with the Railway (No. 1) by this Act authorised in the enclosure Numbered 9 in the Parish of Netherpool on the said Ordnance Map and terminating in the enclosure Numbered 101 in the Parish of Hooton in the rural district of Wirral on the 2500 Ordnance Map (Edition of 1911) Cheshire Sheet XXIII. 10.

25 6. Subject to such of the provisions of the Railways Clauses Consolidation Act 1845 and of Part I. (relating to the construction of a railway) of the Railways Clauses Act 1863 as are incorporated with this Act in reference to the crossing of roads on the level the Company may in the construction of the railways carry the
30 same with a single line only whilst the railways shall consist of a single line and afterwards with a double line only across and on the level of the road numbered on the deposited Plans 16 in the urban district of Ellesmere Port and Whitby and 1 in the parish of Hooton (rural district of Wirral).

Power to cross road on the level.

6. *Manchester Ship Canal (General Powers) Act 1926.*

Power to lay down additional lines of rail crossing road on the level.

7. (1) In addition to the railways the Company may at any time and from time to time for the purposes of the Undertaking lay down maintain and use such lines of rail as they may deem necessary or expedient crossing on the level the road in the urban district of Ellesmere Port and Whitby and the parish of Hooton in the rural district of Wirral known as North Road at any point or points between the junction of North Road and Rossmore Road and a point two thousand one hundred and fifty yards or thereabouts measured in a north-westerly direction along North Road from such junction. 5 10

(2) The provisions contained in this Act (other than the Section thereof of which the marginal note is "Power to cross road on the level") and the parts of Acts incorporated therewith with respect to the construction maintenance and use of the railways where the same are to be carried across roads on the level shall apply to the construction maintenance and use of any lines of rail to be laid down under the powers of this Section. 15

Provisions as to level crossings.

8. If at any time after the construction and opening for traffic of Railway No. 1 or Railway No. 2 by this Act authorised or of any line of rails laid down under the powers of the Section of this Act of which the marginal note is "Power to lay down additional lines of rail crossing road on the level" the Minister of Transport shall deem it necessary in the interests of public safety to make any requirement with respect to the working of traffic on so much of any such railway or line of rails as is laid across any road on the level or to require the provision of gates at any such level crossing the Company shall comply with any such requirements which may be made by the said Minister. 20 25

Power to divert footpath.

9. (1) Subject to the provisions of this Act the Company may make in the lines or situations shown on the deposited Plans the following footpath diversion (that is to say):— 30

A diversion in the urban district of Ellesmere Port and Whitby of the footpath leading from Overpool to Ellesmere Port such diversion commencing by a junction with the said footpath at a point three hundred yards or thereabouts measured along the said footpath in a westerly direction from Rossmore Road and terminating by a junction with Rossmore 35

Road at a point seven hundred and fifty yards or thereabouts measured in a south-westerly direction along Rossmore Road from the junction of that road with North Road ;

(2) The Company may at any time after the passing of this Act stop up so much of the said footpath as is situate eastward of Rossmore Road.

(3) The Company may subject as hereinafter provided stop up so much of the said footpath as is situate between the commencement of the diversion thereof by this Act authorised and Rossmore Road Provided that such stopping up shall not take place until two justices shall have certified that the new footpath has been completed to their satisfaction and is open for public use.

(4) As from the date of the stopping up of the portion of footpath referred to in sub-Section (2) of this Section or (in the case of the portion of footpath referred to in sub-Section (3) of this Section) as from the date of the certificate referred to in the said sub-Section (3) (as the case may be) all rights of way over or along the existing portions of footpath respectively shall be extinguished and the Company may appropriate and use for the purposes of the undertaking the site of the portions of footpath stopped up as far as the same are bounded on both sides by lands of the Company :

Provided that the Company shall make full compensation to all parties interested in respect of any private rights of way extinguished by virtue of this Section and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

10. Subject to the provisions of this Act the Company in constructing the railways and the diversion of footpath by this Act authorised may deviate laterally from the lines or situations thereof as shown on the deposited Plans to any extent not exceeding the limits of deviation shown on those Plans and may in constructing the railways deviate vertically from the levels thereof as shown on the deposited Sections to any extent not exceeding ten feet upwards or downwards.

Limits of deviation.

11. The Company during the execution and for the purposes of the powers of this Act may break up and interfere with and also temporarily stop up divert and interfere with any road

Temporary stoppage of roads.

for the purpose of executing such powers and may for any reasonable time prevent all persons other than those bona fide going to or returning from any house in the road from passing along and using the same Provided that the Company shall provide reasonable access for foot passengers bona fide going to or from any such house. 5

"As to repair
of substituted
footpath.

12. The footpath in the urban district of Ellesmere Port and Whitby referred to in the Section of this Act of which the marginal note is "Power to divert footpath" as diverted under the powers of that Section shall be repaired and maintained by 10 and at the expense of the body or persons responsible for the repair and maintenance of footpaths in the said urban district.

Period for
completion of
railways.

See S. 22/36
S. 25/45
S. 16/50

Penalty
imposed unless
railways opened
within time
limited.

See S. 22/36
S. 25/45
S. 16/50

13. If the railways are not completed within ten years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for making and completing the railways or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

Extended to
15 1976
see now
Act 1 1966
S. 18

14. If the Company fail within the period limited by this Act to complete the railways the Company shall be liable to a 20 penalty of Fifty pounds a day for every day after the expiration of the period so limited until the railways are completed and opened for public traffic or until the sum received in respect of such penalty amounts to five per centum of the estimated cost of the works and the said penalty may be applied for by any land- 25 owner or other person claiming to be compensated or interested in accordance with the provisions of the next following Section of this Act and in the same manner as the penalty provided in Section 3 of the Railway and Canal Traffic Act 1854 and every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such Court or Judge as is 30 specified in that Section to an account opened or to be opened in the name of the Paymaster-General for and on behalf of the Supreme Court in the bank and to the credit specified in such warrant or order and shall not be paid thereout except as herein- after provided but no penalty shall accrue in respect of any time 35 during which it shall appear by a certificate to be obtained from the Minister of Transport that the Company were prevented from

see above

completing or opening such line by an unforeseen accident or circumstances beyond their control. Provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

- 5 15. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the Application of penalty.
"London Gazette" shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement
10 construction or abandonment of the railways or any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such
15 manner and in such proportions as to the High Court may seem fit and if no such compensation is payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid has been found sufficient to satisfy all just claims in respect
20 of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall if a Receiver has been appointed or the Company are insolvent or the railway or railways in respect of which the penalty has been incurred or any part thereof has
25 been abandoned be paid or transferred to such Receiver or be applied in the discretion of the Court as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be repaid or retransferred to the Company.

- 30 16. The railways and all lines of rails laid down by the Company under the powers of the Section of this Act of which the marginal note is "Power to lay down additional Railways to form part of the undertaking." lines of rail crossing road on the level" shall for the purposes of tolls rates and charges and all other purposes whatsoever be part of the Undertaking.

- 35 17. Subject to the provisions of this Act the Company may enter upon take and use such of the lands delineated on the Power to purchase lands.

deposited Plans and described in the deposited Book of Reference as they may require for the purposes of the works by this Act authorised.

Correction of errors in deposited Plans and Book of Reference.

18. 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 Book of Reference the Company after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices acting for the County of Chester or for the County of Lancaster (as the case may be) for the correction thereof and if it appear to the justices that the omission mis-statement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is mis-stated or wrongly described and such certificate shall be deposited with the clerks of the peace for the said counties and a duplicate thereof shall also be deposited with the clerk of the district council of the district in which the lands affected thereby are situate and (as respects lands in a rural district) with the clerk of the parish council of the parish in which such lands are situate and such certificate and duplicate respectively shall be kept by such clerks of the peace and clerks of district and parish councils respectively with the other documents to which the same relate and thereupon the deposited Plans and Book of Reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Company to take the lands and execute the works in accordance with such certificate.

Owners may be required to sell parts only of certain property.

19. And whereas in the construction of the works by this Act authorised or otherwise in the exercise by the Company of the powers of this Act it may happen that portions only of the property shown or partly shown on the deposited Plans and thereon numbered 21 in the urban district of Ellesmere Port and Whitby will be sufficient for the purposes of the Company and that such portions or some other portions less than the whole can be severed from the remainder of the said property without material detriment thereto therefore the following provisions shall have effect :—

(1) The owner of and persons interested in the said property or each or any of them are hereinafter included in the term "the owner";

5 (2) If for twenty-one days after the service of notice to treat in respect of a specified portion of the said property the owner shall fail to notify in writing to the Company that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Company such portion only
10 without the Company being obliged or compellable to purchase the whole the Company paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise;

15 (3) If within such twenty-one days the owner shall by notice in writing to the Company allege that such portion cannot be so severed the tribunal shall in addition to the other questions required to be determined by it determine whether the portion of the said property specified in the notice to treat can be severed from the remainder without material detriment thereto
20 and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Company have compulsory powers of purchase) can be so severed;

(4) If the tribunal determine that the portion of the said property specified in the notice to treat or any such other
25 portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Company the portion so determined to be severable without the Company being obliged or compellable to purchase the whole the Company paying such sum for the
30 portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal;

(5) If the tribunal determine that the portion of the said property specified in the notice to treat can notwithstanding
35 the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the determina-

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tion of any matters under this Section shall be borne and paid by the owner ;

(6) If the tribunal determine that the portion of the said property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not it shall determine that any other portion can be so severed) the Company may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice ;

(7) If the tribunal determine that the portion of the said property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Company in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and its final determination think fit.

The provisions of this Section shall be in force notwithstanding anything in the Lands Clauses Consolidation Act 1845 contained and nothing contained in or done under this Section shall be held as determining or as being or implying an admission that the said property or any part thereof is or is not or but for this Section would or would not be subject to the provisions of Section 92 of the Lands Clauses Consolidation Act 1845.

The provisions of this Section shall be stated in every notice given thereunder to sell and convey the said property.

Power to enter upon property for survey and valuation.

20. The Company and their engineers surveyors officers contractors and workmen may from time to time at all reasonable times in the day upon giving in writing for the first time twenty-four hours' and afterwards from time to time twelve hours' previous notice enter upon and into the lands houses and buildings by this Act authorised to be taken and used as aforesaid or any of them for the purpose of surveying and valuing the said lands houses and buildings without being deemed trespassers and without being subject or liable to any fine penalty or punishment

on account of entering or continuing upon any part of the said lands houses and buildings.

21. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) 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.

Persons under disability may grant easements &c.

22. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease on the thirty-first day of December One thousand nine hundred and twenty-nine.

Period for compulsory purchase of lands.

23. All private rights of way over any lands which shall under the powers of this Act be acquired compulsorily shall as from the date of such acquisition be extinguished. Provided that the Company shall make full compensation to all parties interested in respect of any such rights and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

As to private rights of way over lands taken compulsorily.

24. Notwithstanding anything contained in this Act or in the Acts incorporated therewith or shown upon the deposited Plans and Sections the Company shall not enter upon take or use any lands belonging to the London Midland and Scottish Railway Company or construct any works upon or acquire any right in or easement over such lands or any part thereof save with the consent of the said London Midland and Scottish Railway Company under their Common Seal.

For protection of the London Midland and Scottish Railway Company.

PART III.—SUB-DIVISION OF SHARES.

Sub-division of
shares in
existing capital.

25. (1) Notwithstanding anything contained in Section 8 (Capital) of the Manchester Ship Canal Act 1885 the existing Capital shall as from the date of the passing of this Act be divided into eight million shares of one pound each and one million and sixty-one thousand two hundred and thirty Manchester Ship Canal Corporation three and a half per centum Preference Stock. 5

(2) Each of the existing Ordinary shares shall be and is hereby sub-divided into ten Ordinary shares of one pound each and each of the existing Preference shares shall be and is hereby sub-divided into ten perpetual five pounds per centum Preference shares of one pound each and such alterations in the Register of Shareholders as may be necessary for giving effect to the provisions of this Section shall be made therein. 10 15

(3) So much of Section 2 (Power to issue portion of capital as Preference Capital) of the Manchester Ship Canal Act 1887 as provides that the Ordinary shares and Preference shares of the Company shall bear certain specified numbers is hereby repealed and the Company may attach to the converted shares such numbers as they may think fit. 20

Converted
shares to confer
like rights as
existing shares.

26. The respective holders for the time being of the converted shares shall be entitled in respect thereof to the like rights privileges and priorities in all respects as those to which if this Act had not been passed they would have been entitled in respect of the existing shares for which the converted shares held by them are substituted by virtue of this Act. 25

As to shares
not fully paid up.

27. If any of the existing shares shall not at the date of the passing of this Act have been fully paid up the respective holders of the converted shares substituted for such existing shares by virtue of this Act shall be liable in respect of each of such converted shares to pay one-tenth of the amount remaining to be paid up on each of such existing shares. 30

Shares to be
held on same
trusts &c.

28. The converted shares to which any person shall become entitled under the provisions of this Act shall be held in the same 35

rights upon the same trusts and subject to the same powers provisions charges and liabilities as those upon or to which the existing shares for which such converted shares are substituted were held or were subject immediately before the date of the passing
5 of this Act and shall be dealt with applied and disposed of accordingly and so as to give effect to and not to revoke any deed will or other instrument disposing of or affecting any such existing shares and trustees executors or administrators or other persons under disability shall and may accept such converted shares in
10 substitution for the existing Ordinary shares or existing Preference shares as the case may be in the existing capital held by them and may retain dispose of or otherwise deal with the same as fully and freely in all respects as they might have retained disposed of or otherwise dealt with such existing Ordinary shares or existing
15 Preference shares.

29. (1) The Company shall call in the certificates of the existing shares and shall free of charge at their option either

Provisions as to exchange of certificates.

(a) issue in exchange for those certificates to the respective proprietors thereof certificates of converted Ordinary shares or
20 converted Preference shares (as the case may be) for the respective amounts to which those proprietors are under this Act respectively entitled; or

(b) endorse on the certificates of the existing shares particulars as to the shares into which such existing shares are sub-divided
25 by virtue of this Act.

(2) In the event of the Company deciding to issue new certificates no proprietor shall be entitled to a new certificate until he shall have delivered up to the Company to be cancelled the existing certificate for which such certificate is to be substituted. Provided
30 that if any such existing certificate has been lost or destroyed the new certificate shall be issued upon such terms as to evidence of loss or destruction and indemnity as the directors may think sufficient.

(3) Until the issue of such new certificates or the making of
35 such endorsement as aforesaid on existing certificates the existing certificates shall (according to the amounts of converted Ordinary shares or converted Preference shares (as the case may be) sub-

stituted by this Act for the existing Ordinary shares or existing Preference shares which they respectively represent) have and possess the same rights and advantages as if they were certificates for those respective amounts of converted Ordinary shares or converted Preference shares (as the case may be) Provided that if 5 any holder of any existing shares neglect or omit to send or deliver to the Company his existing certificates for the period of one year after notice in writing sent by registered letter to such holder at the address appearing in the shareholders' address book the Company may suspend the payment of any dividend declared or made pay- 10 able upon, or in respect of the converted Ordinary shares or converted Preference shares (as the case may be) to which such holder is entitled under the provisions of this Act until such existing certificates are sent or delivered to the Company or are proved to the reasonable satisfaction of the directors to have been 15 lost or destroyed and until such indemnity as the directors may think fit shall have been given.

As to transfers.

30. (1) All transfers or other dispositions of any of the existing shares shall after the passing of this Act and notwithstanding the provisions thereof be valid and have due effect given to them 20 respectively as transfers of the amount of converted Ordinary shares or converted Preference shares (as the case may be) which is substituted under the provisions of this Act for the existing shares thereby expressed to be transferred or disposed of although 25 the instrument transferring or disposing of such shares shall describe the same by the name or denomination which the shares transferred or disposed of had before sub-division under the provisions of this Act.

(2) The bequest of or any covenant or provision in any will deed or agreement relating to any specific nominal amount of any 30 of the existing shares shall be held to apply to a nominal amount of converted Ordinary shares or converted Preference shares (as the case may be) equal to that into which such existing shares are converted by virtue of this Act.

Qualification of Directors.

31. As from the date of the passing of this Act the quali- 35 fication of a director (other than a director appointed by the Corporation) shall be the possession in his own right of not less than ~~two~~ thousand shares in the capital of the Company and

Repealed

Ad A 1966

S. 14 (2)

See S. 14(1)

Have
(S. 48) 50

Section 19 (Qualification of directors) of the Manchester Ship Canal Act 1885 is hereby repealed.

32. (1) At all general meetings of the Company every holder of converted Ordinary shares or converted Preference shares shall be entitled to vote according to the following scale:—

As to rights of voting in respect of sub-divided shares.

Number of Shares held.	Number of Votes.
Not less than 10	1 vote.
More than 10 and not more than 100	1 vote for the first 10 Shares and 1 additional vote for each complete multiple of 10 Shares beyond the first 10 Shares.
More than 100 and not more than 1000	10 votes for the first 100 Shares and 1 additional vote for each complete multiple of 50 Shares beyond the first 100 Shares.
More than 1000	25 votes for the first 1,000 Shares and 1 additional vote for each complete multiple of 100 Shares beyond the first 1,000 Shares.

(2) For the purposes of Section 75 of the Companies Clauses Consolidation Act 1845 the scale of voting prescribed by this Section shall be the prescribed scale of voting as respects the converted Ordinary shares and the converted Preference shares.

PART IV.—MISCELLANEOUS PROVISIONS.

33. Notwithstanding anything contained in the Lands Clauses Consolidation Acts Amendment Act 1860 the powers of the Company of raising money by borrowing shall not be reduced in consequence or in respect of the existence of any rent charges which were payable at the date of the passing of this Act or which the Company had at that date contracted to pay.

Borrowing powers not to be reduced in respect of granting of rent-charges.

34. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

Costs of Act.