ZC197

7 EDWARD VIL-SESSION 1907.

THE MANCHESTER SHIP CANAL (BRIDGEWATER CANAL) ACT 1907.

ARRANGEMENT OF SECTIONS.

Preamble.

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ANACT

To authorise the working of Mines and Minerals under and adjacent to the portion of the Bridgewater Canal extending from Monton Bridge in the County of Lancaster to Leigh in the same County; and for other purposes.

[ROYAL ASSENT, 4TH JULY, 1907.]

WHEREAS by the Act 32 Geo. II. cap. 2 (in this Act called "the Act of 1759") and the Act 33 Geo. II. cap. 2 (in this Act called "the Act of 1760") and the Act 2 Geo. III. cap. 2 (in this Act called "the Act of 1762") and the Act 35 Geo. III. cap. 44 (in this Act called "the Act of 1795") or by some or one of those Acts the Most Noble Francis Duke of Bridgewater (in this Act called "the Duke") was empowered to make and maintain certain navigable cuts or canals together constituting the Canal now known as and in this Act referred to as "the 10" Bridgewater Canal" extending from Leigh in the County of Lancaster to Manchester in the same County and to Runcorn in the County of Chester and was also empowered to acquire compulsorily the lands required for the purposes of the said navigable cuts or canals:

And whereas under and by virtue of the said Acts the Duke constructed the said navigable cuts or canals having acquired the necessary lands therefor:

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Preamble.

And whereas a portion of so much of the Bridgewater Canal as extends from Monton Bridge in the County of Lancaster to Leigh aforesaid was constructed by the Duke in pursuance of the Act of 1795 and there is included in that Act a provision that nothing therein contained shall prejudice the right of any person 5 to any mines or minerals within or under the cut by that Act authorised or any towing path belonging thereto so that in working such mines or carrying away such minerals no obstruction shall be given to the making or using the said cut or any other of the works by the said Act authorised or any injury 10 or damage be done thereto but no such provision is contained in the Act of 1759 or in the Act of 1760 or in the Act of 1762:

And whereas the Bridgewater Canal was acquired by the Manchester Ship Canal Company (in this Act called "the "Company") in pursuance of "The Manchester Ship Canal Act 15 "1885" and was assured to them subject to a reservation of the mines and minerals lying within and under such Canal and the towing paths belonging thereto but so that in working such mines and minerals no obstruction should be caused to the Bridgewater Canal or the towing paths thereof:

And whereas by Section 23 of "The Manchester Ship Canal" Act 1885" the Company are required to maintain and keep the Bridgewater Canal thoroughly repaired and dredged and in good working order and condition and to preserve the supplies of water to the same so that the whole of such Canal may be at all times kept open and navigable for the use of all persons desirous to navigate or use the same without any unnecessary hindrance interruption or delay:

And whereas valuable mines and minerals are known to exist under and adjacent to the portion of the Bridgewater Canal 30 extending from Monton Bridge to Leigh (which portion with the towing paths banks and works belonging thereto is in this Act called "the Leigh Canal") and the owners of such mines and minerals desire to work and get the same:

And whereas the working and getting of the said mines and 35 minerals by the owners thereof under existing conditions would be at the risk of serious injury to the Leigh Canal and of

The Manchester Ship Canal (Bridgewater Canal) Act 1907.

obstruction to the traffic thereon and the Company having no power to inspect the workings of such mines and minerals might not be able to ascertain whether the Leigh Canal was endangered or likely to be endangered by the working and getting thereof until actual injury had been caused to the Canal and traffic thereon had been obstructed:

And whereas it is expedient and would be to the public advantage that the owners of the said mines and minerals or such of them as desire to avail themselves of the provisions of this Act should be authorised to work the same subject to the provisions for the protection of the Leigh Canal and for the prevention of obstruction to the traffic thereon and otherwise in this Act contained:

And whereas the purposes of this Act cannot be effected 15 without the authority of Parliament:

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 20 Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):—

- 1. This Act may be cited as "The Manchester Ship Canal Short Title." (Bridgewater Canal) Act 1907."
- 2. In this Act unless inconsistent with the subject or Interpretation.

The expression "minerals" means any mines or seams of coal or other minerals or substances;

The expression "supporting minerals" means any minerals in respect of which the Company are entitled to a right of support for the Leigh Canal;

The expression "mine owner" means a person who would for the time being be entitled to work and get supporting minerals [8]

if the Company had no right of support in respect thereof for the Leigh Canal;

The expression "his supporting minerals" when used in connection with the term "mine owner" means the supporting minerals which the mine owner would for the time being be entitled to work and get if the Company had no right of support in respect thereof for the Leigh Canal;

The expression "surface works" means a: works acts or things made or done on or from the surface as distinguished from works acts or things made or done underground;

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The expression "the Bridgewater Undertaking" means that Undertaking as defined by Section 6 of "The Manchester Ship "Canal Act 1885" together with the Canal diversions and Branch Canal authorised by that Act and "The Manchester "Ship Canal (Various Powers) Act 1890" or by one of those 15 Acts.

Power to work supporting minerals:

3. Subject to the provisions of this Act it shall be lawful for any mine owner to work and get his supporting minerals without being obliged to leave support for the Leigh Canal.

Conditions subject to which the power to work supporting minerals may be exercised.

- 4. The powers conferred by the Section of this Act of 20 which the marginal note is "Power to work supporting minerals" shall not be exercised by any mine owner except upon and subject to the terms conditions obligations and restrictions following (that is to say):—
 - (i) Before any mine-owner commences to exercise the said 25 powers and as a condition precedent to such exercise the following things shall be done namely:—
 - (a) Adequate security shall be given to the Company for the due observance and performance by the mine-owner of the terms conditions obligations and restrictions imposed by 30 this Act in respect of the working and getting of his supporting minerals and for the payment to the Company of all sums of money which may become due and payable to the Company by the mine-owner under the provisions of this Act and also (if so required by the Company) adequate 35

security for payment of any moneys which shall become payable by the mine-owner to the Company under the provisions of sub-Section (ii) of this Section.

Such first-mentioned security shall be so given that it shall continue for such period as may be reasonably necessary to provide for any subsidence of the Leigh Canal occasioned by such working and getting whether the subsidence takes place during the working and getting or after the termination thereof.

If any question shall arise between the Company and the mine owner as to the adequacy of any security to be given as aforesaid or as to the period for which such first-mentioned security as aforesaid shall continue such question shall be determined by arbitration as hereinafter provided.

Provided that the mine owner shall not by reason of the cesser of any security given by him be released from any obligation or liability imposed upon him by or under any other provision of this Act;

(b) A Plan shall be supplied to the Company showing the surface area of the land under which the mine owner proposes to work under the provisions of this Act and shall if so required by the Company be verified to the satisfaction of the Company and nothing contained in this Act shall authorise the working of minerals in or under any lands not comprised in the surface area so shown;

(c) If the said surface area shall include or adjoin or be within a distance of four hundred and fifty yards from the north side or two hundred yards from the south side of any portion of the Leigh Canal an easement of the nature hereinafter mentioned shall be granted to the Company in perpetuity over all lands lying within a distance of thirty yards from either side of that portion of the Leigh Canal or over such part of those lands as the Company may require.

Such easement shall be granted and the title of the grantor to make the grant shall be established to the satisfaction of the Company free of all expense to the Company;

Provided that it shall be lawful for the Company and the

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process are an inter-process of the process of the

grantor or his successors in title from time to time by agreement in writing to add to or alter the provisions of such grant on such terms and conditions as they shall consider reasonable and proper;

- (d) The easement mentioned above shall be an easement for the Company and all persons authorised by them from time to time and at all times if and whenever they think fit to enter upon the lands over which the easement is granted and thereon to erect build repair and maintain such walls works and embankments and do such acts and things as in the 10 opinion of any Engineer for the time being employed by the Company may be necessary or proper for the purpose of repairing or maintaining or preventing anticipated damage or injury to the Leigh Canal or of ensuring that the Leigh Canal shall at all times be kept open and navigable for 15 the use of all persons desirous to navigate or use the same without any interruption or delay due to the working or getting of supporting minerals under the provisions of this Act or as the Company may be required to erect build repair maintain or do under the Section of this Act of which 20 the marginal note is "Surface works to be executed by the "Company at the request of mine owners";
- (ii) The mine owner shall pay to the Company at the expiration of each year of the period hereinaner mentioned such a sum (if any) as with the tolls (if any) payable to the 25 Company in respect of (a) minerals and merchandise (other than minerals or merchandise purchased or acquired from the mine owner by the Company for their own purposes) passing during that year over the Canals of the Bridgewater Undertaking to and from the colliery worked by the mine owner or the wharves 30 yards or premises connected therewith and (b) any other merchandise passing during that year over the aforesaid Canals purchased or acquired by the mine owner for his own purposes shall represent such a yearly sum as may be agreed upon between the Company and the mine owner or as in default of 35 agreement shall be determined by arbitration as hereinafter provided to be reasonable having regard to the rights proposed to be exercised by the mine owner. The period during which such payment shall continue shall be such as may be agreed upon between the Company and the mine owner or as in 40

default of such agreement shall be determined by arbitration as aforesaid.

Provided that nothing in this sub-Section shall prevent the Company and any mine owner from agreeing for the payment by the mine owner to the Company of a sum in gross in composition for any yearly sums which might otherwise under the provisions of this sub-Section become payable by the mine owner to the Company;

(iii) The mine owner shall on demand pay to the Company all costs charges and expenses incurred by the Company of or in connection with any surface works (whether precautionary or otherwise) which shall be executed by the Company at the request of the mine owner as hereinafter mentioned or which shall in the opinion of any Engineer for the time being employed by the Company be necessary or proper owing to or in consequence or in anticipation of the workings of the mine owner for the purpose of keeping open and navigable the Leigh Canal or reconstructing or preserving or protecting any roads or bridges belonging thereto and also all purchase-money paid or payable by the Company for any land easement right privilege or power acquired or purchased by the Company under the powers of the Section of this Act of which the marginal note is "Power to Company to acquire easements and lands in certain " cases" (but exclusive of the purchase-money for any minerals lying under such lands at a lower depth than thirty-six feet from the surface unless the owner shall require the Company to purchase the same) for the purpose of protecting the Leigh Canal from any injury (actual or anticipated) caused by or consequential on the workings of the mine owner and all costs charges damages and expenses incurred by the Company in connection with any such purchase or otherwise under the said Section.

Provided that upon payment by the mine owner of the purchase-money for any minerals so purchased by the Company at a lower depth than thirty-six feet from the surface such minerals shall become the absolute property of the mine owner and he shall have the same powers with respect thereto as if they formed part of his supporting minerals within the meaning of this Act;

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(iv) The mine owner shall indemnify the Company against any loss damages costs charges or expenses of whatever description and howsoever occurring which the Company may incur or sustain arising out of or in anywise due to the exercise by the mine owner of the rights and powers conferred by this Act in respect of the working and getting of his supporting minerals.

Provided that the Company shall if so required by the mine owner either defend at the expense and costs of the mine owner any action or proceedings brought against the Company 10 or allow the mine owner in the name of the Company but at his own expense and costs to defend the same and the said expense and costs and any damages or costs recovered by any person commencing any such action or proceedings shall be borne and paid by the mine owner;

(v) The mine owner shall within six months from the date when the security first mentioned in sub-Section (i) (a) of this Section shall be given to the Company furnish the Company with a Plan or Plans showing the then existing workings (if any) in his minerals under or within a distance of four hundred 20 and fifty yards from the north side or two hundred yards from the south side of the Leigh Canal and the portion of the surface area delineated on the Plan to be supplied under sub-Section (i) (b) of this Section under which he proposes to work minerals within the next following six months and shall thereafter so 25 long as the mine owner shall continue to work under the provisions of this Act any minerals under or within the distances aforesaid from the Leigh Canal once at least in every period of six months after furnishing such Plan or Plans of workings colour such Plan or Plans in such a manner as to 30 show the portion of such minerals so worked as aforesaid since the last preceding period and the portion of such minerals which he proposes to get within the next following six months and shall renew such Plan or Plans when necessary and shall also if so required from time to time furnish the Company with 35 a section or sections showing the thickness and approximate depth below the surface of such minerals;

(vi) The mine owner shall at all times allow the Company or any person or persons nominated or authorised by the Company in that behalf to make from time to time an inspection of the mine workings for the time being worked by him under or within a distance of four hundred and fifty yards from the north side or two hundred yards from the south side of the Leigh Canal and shall afford every facility for such inspection and shall pay all the costs and expenses of the Company of and incident to such inspection. Provided that no mine owner shall under the provisions of this sub-Section become liable to pay in respect of any period of twelve consecutive months a sum exceeding fifty pounds;

(vii) All Plans relating to mine workings furnished in pursuance of this Act shall be drawn on a scale of not less than forty-four yards to an inch and shall if required be verified by a statutory declaration to be made by the agent for the time being of the mine owner;

(viii) The mine owner shall if and so far as required by the Company and so far as reasonably practicable (but subject and without inejudice to the rights of any third party) permit surplus water pumped from minerals worked by the mine owner under this Act or from any other minerals worked by him from the same colliery or works and not required by such mine owner for the purposes of his colliery or works or of the mine owner's estate to flow into the canals belonging to the Company or one of them or into any stream leading thereto.

If any question shall arise between the Company and the mine owner as to the practicability of permitting any such water so to flow as aforesaid such question shall be determined by arbitration as hereinafter provided;

(ix) The mine owner shall afford to the Company such other reasonable facilities for the execution of surface works as may in the opinion of any Engineer for the time being employed by the Company be necessary or proper for the purpose of enabling the Company to comply with any obligations imposed upon them either by this Act or by Section 23 of "The Manchester Ship Canal Act 1885" and shall also if and so far as required by the Company afford to the Company reasonable facilities for enabling water pumped by the mine owner from his minerals to flow into any Canal of the Company or into any stream leading thereto.

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10 The Manchester Ship Canal (Bildgewater Canal) Act 1907.

Power for the Company to determine rights if conditions not observed.

5. If it shall be proved to the satisfaction of an Arbitrator to be appointed under the provision in that behalf hereinafter contained that any mine owner has neglected or failed to observe or comply with any term condition or restriction imposed upon him by this Act and that the Company have served upon such mine owner a notice specifying the particular neglect or default complained of and (if the neglect or default was capable of being made good or remedied) requiring the mine owner to make good or remedy the neglect or default and in any case requiring the mine owner to make compensation in money for the neglect or 10 default and that the mine owner has for three months after such service failed to make good or remedy the neglect or default (if it was capable of being made good or remedied) and to make reasonable compensation in money to the satisfaction of the Company for the neglect or default then it shall be lawful for the 15 Company to determine the right of such mine owner to exercise the powers and authorities conferred upon him by this Act by giving a notice in writing to that effect to the mine owner and thereupon the right of the mine owner to exercise the powers and authorities conferred by this Act shall cease and determine 20 but so that any security given and any right easement or facility granted to the Company under this Act in respect of the working and getting of minerals by the mine owner shall remain in force.

Company to anticipate and make good damage to Leigh Canul.

- 6. The Company shall from time to time without 25 unnecessarily interfering with the traffic on or the navigation of the Leigh Canal
 - (a) execute and do such surface works as may be reasonably necessary and practicable with a view of preventing and anticipating damage or injury to the Leigh Canal or any roads 30 or bridges belonging thereto by reason or in consequence of the exercise by any mine owner of any of the powers or authorities by this Act conferred in respect of the working and getting of supporting minerals;
 - (b) forthwith make good any such damage or injury which 35 may have occurred.

Persons injured by obstruction to compensated.

7. The mine owner shall make compensation to all Leigh Canal to be persons using the Leigh Canal for any loss damages costs charges or expenses which such persons may incur or sustain by reason of

any obstruction or interruption of the user of the Leigh Canal for purposes of navigation due directly or indirectly to the exercise by the mine owner of the rights and powers conferred by this Act in respect of the working and getting of his supporting minerals.

8. The Company shall at all reasonable times allow the õ Leeds and Liverpool Canal Company or any person or persons workings by nominated or authorised by the last mentioned Company in that Leeds and behalf to inspect any Plans and Sections supplied by the mine Company. owner to the Company under the provisions of the Section of this 10 Act whereof the marginal note is "Conditions subject to which "the power to work supporting minerals may be exercised" and the Leeds and Liverpool Canal Company or any such person or persons as aforesaid shall in the event of any obstruction or stoppage of the Leigh Canal due directly or indirectly to the 15 exercise by the mine owner of the rights and powers conferred by this Act in respect of the working and getting of the supporting minerals be entitled to make at reasonable times during such obstruction or stoppage and within a period of one month thereafter inspection of the mine workings of the mine owner under or 20 within a distance of four hundred and fifty yards from the north side or two hundred yards from the south side of the Leigh Canal and the mine owner shall afford every reasonable facility for such inspection.

Inspection of Plans and mine Liverpool Canal

9. The Company shall from time to time on the request in 25 writing of any mine owner exercising the power of working and getting his supporting minerals conferred by this Act and at the request of his expense execute any surface works which it may be in the power of the Company to execute and which may reasonably be required by such mine owner for the purpose of protecting the 30 Leigh Canal or making good any damage done thereto and if and whenever the Company shall fail to execute such surface works the mine owner shall be entitled to do so and the Company shall afford all reasonable facilities to the mine owner for that purpose.

Provided that if any question shall arise between the 35 Company and any mine owner as to any requirement of such mine owner under this section such question shall be determined by arbitration as hereinafter provided.

Surface works to be executed by the Company at mine owners.

12 The Manchester Ship Canal (Bridgewater Canal) Act 1907.

Company to provide stopgates.

- 10. (1) The Company shall forthwith after the passing of this Act in accordance with a Plan signed for the purpose of identification by Francis Wiswall on behalf of the Company and by William Edward Willink on behalf of the Leeds and Liverpool Canal Company construct at the junction of the Leigh Canal with the 5 Leeds and Liverpool Canal an efficient stop gate similar in character and design to the existing stop gate at the Barton Swing Aqueduct.
- (2) The Company shall at all times efficiently maintain in good working order and condition and when necessary use the 10 said stop gate to be constructed under the provisions of sub-Section (1) of this Section and the said existing stop gate therein referred to.

User of Bridgewater Canal. 11. Nothing contained in this Act shall prejudice or affect any liability with reference to the maintenance of the Bridgewater 15 Canal or otherwise imposed upon the Company by Section 23 of "The Manchester Ship Canal Act 1885."

Arbitration.

12. Any question between the Company and any mine owner which under the foregoing provisions of this Act is to be determined by arbitration shall be referred to the decision of a 20 single Arbitrator who shall in default of agreement between the mine owner and the Company be appointed on the application of either party by the Board of Trade. The costs and expenses of the Company of and incidental to any such reference shall unless the Arbitrator is of opinion that the conduct of the Company in 25 causing or bringing about such reference was unreasonable be borne and paid by the mine owner. Subject to the foregoing provisions of this Section the provisions of "The Arbitration Act "1889" shall apply to any such reference.

Power to Company to acquire easements and lands in certain cases.

13. (1) The Company may by agreement acquire and persons 30 empowered by the Lands Clauses Acts or otherwise enabled to sell and convey or release lands may subject to the provisions of those Acts and of this Act grant to the Company in fee simple in consideration either of a sum in gross or of any yearly or other rent any such lands or any casement right privilege or power 35 (not being an easement right or privilege of water in which persons other than the grantors have an interest) in or over any

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The Manchester Ship Canal (Bridgewater Canal) Act 1907.

such lands which the Company may require for the purpose of protecting the Leigh Canal or of making good any damage done thereto and the provisions of the said Acts with respect to lands and rent charges so far as the same are applicable in this behalf shall extend and apply to such grants and to such lands easements rights privileges and powers respectively.

(2) If by reason of the working of minerals under or near to the Leigh Canal that Canal has subsided or is in immediate or urgent danger of subsidence the Company with the sanction in 10 writing of the Board of Trade given subject to such terms and conditions (if any) as that Board may think fit and under the hand of the Secretary or an Assistant Secretary of that Board may enter upon take and use any lands within forty yards from either side of the Leigh Canal or from any side of any lay bye for 15 the time being in existence in connection therewith over which an easement shall not have been granted to the Company under sub-Section (i) (c) of the Section of this Act of which the marginal note is "Conditions subject to which the power to work supporting minerals may be exercised" and which 20 may be necessary in order to enable the Company to execute such works or do such things as may be necessary to enable them to remedy or prevent such subsidence and to keep up the level of the waterway of the Leigh Canal and the height of the towing-paths and works connected therewith. Provided always 25 that before or at the same time as the Company make application for such sanction as aforesaid in respect of any such lands as aforesaid they shall give to the owners of and other persons having any estate or interest in such lands notice in writing of such application and that if upon representations made to the Board of 30 Trade by such owners or other persons that Board shall be satisfied that the proposed entry taking or user is not actually necessary for the purpose of remedying or preventing subsidence and keeping up the level of the waterway of the Leigh Canal and the height of the towing paths and Works connected therewith the 35 sanction of the Board of Trade under this sub-Section shall be withheld.

: (3) The Company shall make full compensation to all persons interested in any lands entered upon taken or used by the Company under the powers of the last preceding sub-Section of this 40. Section the amount of such compensation to be determined in

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accordance with the provisions of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement except those contained in the sixteenth seventeenth and eighteenth Sections of "The Lands Clauses Consolidation "Act 1845" and as soon as may reasonably be after taking or entering upon any such lands the Company shall give notice in writing to all parties interested or entitled to sell such lands specifying the lands which the Company have so taken or entered upon and shall by such notice demand from the parties upon whom the notice is served particulars of their estate and interest 10 in the said lands specified in the notice and of the claims made by them in respect thereof and every such notice shall state that the Company are willing to treat for the purchase of the lands specified in the notice and as to the compensation to be made to all parties in respect of the taking of and entering upon such 15 lands and the notices so given shall be deemed to be the notices referred to in the nineteenth and subsequent Sections of "The "Lands Clauses Consolidation Act 1845."

- (4) The provisions of Section 92 (No party to be required to sell part of a house) of "The Lands Clauses Consolidation Act 20 "1845" shall apply with respect to any taking of land by the Company under the provisions of sub-Section (2) of this Section.
- (5) The Company shall not be obliged to purchase any minerals under any lands acquired by them under the powers of this Section unless the owner of such minerals shall so require.

Repealing Parts of Acts of 1759, 1760, 1762 and 1795. 14. So much of Section 4 of the Act of 1759 as provides that contracts agreements sales conveyances and assurances shall be enrolled with the officers or persons respectively mentioned in that Section and the provisions of the Act of 1760 of the Act of 1762 and of the Act of 1795 which respectively incorporate such 30 portion of the said Section are hereby repealed.

For the protection of the Postmaster-General. 15. Nothing in this Act shall prejudice or affect the rights of the Postmaster-General in relation to the Bridgewater Canel under "The Telegraph Act 1868" or under an Indenture dated the tenth day of December One thousand eight hundred and 35 eighty and made between the Trustees of the Will of the Duke of the first part The Right Honourable Francis Charles Granville Egerton Earl of Eliesmere of the second part the Bridgewater

Navigation Company Limited of the third part and The Right Honourable Henry Fawcett then Her late Majesty's Postmaster-General of the fourth part or under "The Manchester Ship Canal "Act 1885" or operate in such a manner as to interfere with or 5 involve additional expense in the exercise of any such rights.

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16. Any mine owner exercising the power of working and getting his supporting minerals conferred by this Act shall cease rights in minerals. to be entitled at any time afterwards to exercise in relation to such working and getting any powers whether statutory or other-10 wise which may be exerciseable by him otherwise than under this Act but save as aforesaid nothing in this Act contained shall take away prejudice or affect any subsisting rights whether statutory or otherwise of any person or persons to any minerals or any subsisting right which he or they may have to work and get 15 the same.

As to existing

17. The provisions of sub-Section (2) of Section 121 (For the protection of the Rochdale Canal Company and their of Rochdale traffic) of "The Manchester Shir County Advantage and their Canal Company traffic) of "The Manchester Ship Canal Act 1885" shall apply and their traffic. and have effect if and whenever owing to the exercise of any of 20 the powers conferred by this Act the portion of the Bridgewater Canal extending from Manchester to Runcorn shall become unavailable for the passage of vessels passing from or destined for the Rochdale Canal which would otherwise have used such portion of the Bridgewater Canal.

For protection

18. Nothing in this Act contained shall affect the Etherstone Estate of the Trustees of George Clarke's Charity situate in the Township of Pennington in the Parish of Leigh in the County of Lancaster or the mines and minerals thereunder or any subsisting rights in respect of such Estate mines and minerals.

For protection of George Clarke's

19. The costs charges and expenses of and incident to the 30 preparation obtaining and passing of this Act or otherwise in relation thereto shall be borne by the Company.

Custs of Act.

THE MANCHESTER SHIP CANAL (BRIDGEWATER CANAL)

ACT 1907.

ANACT

To authorise the working of Mines and Minerals under and adjacent to the portion of the Bridgewater Canal extending from Monton Bridge in the County of Lancaster to Leigh in the same County; and for other purposes.

[ROYAL ASSENT, 4TH JULY, 1907.]

7 EDWARD VII.—Session 1907.

GRUNDY, KERSHAW, SAMSON AND CO.,

Manchester,

Evlicitors.

DYSON AND CO.,

9, Great George Street, Westminster, S.W.

Parliamentary 19