



ANNO SEXTO

GEORGIIV. REGIS.

Cap. lxxiii.

An Act for watching and lighting the Townships or Vills of *Hanley* and *Shelton* in the Parish of *Stoke-upon-Trent* in the County of *Stafford*.

[20th May 1825.]

WHEREAS the Townships or Vills of *Hanley* and *Shelton* in the Parish of *Stoke-upon-Trent* in the County of *Stafford*, forming an important Part of the District called *The Staffordshire Potteries*, are situate partly within the Manor of *Newcastle-under-Lyme*, Parcel of the Duchy of *Lancaster*, and are very populous, and Places of considerable Trade: And whereas the Streets, Highways, Lanes, Passages, and public Places within the said Townships or Vills are not watched or lighted, and it would tend materially to the Safety, Comfort, and Convenience of the Inhabitants thereof, and of all Persons resorting to and travelling through the same, if the said Streets, Roads, Lanes, Passages, and other public Places were watched and lighted; but the same cannot be effected without the Aid 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 Commons, in this present Parliament assembled, and by the Authority of the same, That the Officiating Minister or Ministers for the Time being of the said Townships or Vills, or either of them, His Majesty's Justices of the Peace for the Time being acting for the County of *Stafford*, the Chancellor for the Time being of the Duchy of *Lancaster*, the Steward for the Time being of the said

Appoint-
ment of Com-
missioners.

[Local.]

21 P

Manor

Manor of *Newcastle-under-Lyme*, and also every Person whatsoever who now is or hereafter shall be in his own Right, or in the Right of his late or present Wife, in the actual Enjoyment, Possession, and Receipt of the Rents and Profits of Land situate within the said Townships or Vills, or one of them, of an Estate of Inheritance, or for a Life or Lives, of the clear yearly Value of One hundred Pounds, and every other Person being an Occupier of Lands, Tenements, or Hereditaments, or an Inhabitant of or carrying on Business or exercising some Profession or Calling, within the said Townships or Vills, or one of them, who now is or hereafter shall be in his own Right, or in the Right of his late or present Wife, in the actual Enjoyment, Possession, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of an Estate of Inheritance, or for a Life or Lives, of the yearly Value of One hundred Pounds, or who now does or shall hereafter rent Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of the yearly Value of One hundred Pounds, or who now is or shall hereafter be in his own Right, or in the Right of his late or present Wife, in the actual Enjoyment, Possession, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of an Estate of Inheritance, or for a Life or Lives, of the yearly Value of Fifty Pounds, and who in addition thereto now does or shall hereafter rent Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of the yearly Value of Fifty Pounds, or who now does or hereafter shall own and rent Messuages, Lands, Tenements, or Hereditaments as last aforesaid in any other relative Proportion, so that there shall be in the whole a renting and Ownership of Property as aforesaid of the Value of One hundred Pounds *per Annum*, or who now is or shall hereafter be in his own Right or in the Right of his late or present Wife in the actual Enjoyment, Possession, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of an Estate of Inheritance, or for a Life or Lives, of the yearly Value of Fifty Pounds, and who also now does or shall hereafter occupy and retain in his own Possession the whole of the same Messuages, Lands, Tenements, or Hereditaments, shall be and they are hereby constituted, appointed, and declared to be Commissioners for putting and carrying the several Purposes of this Act into execution.

In Cases of
Partnership.

II. Provided always, and be it further enacted, That where Two or more Persons carrying on any Trade, Profession, or Calling in Partnership together within the said Townships or Vills, or one of them, shall as such Partners rent or be seised of any Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of the yearly Value of One hundred Pounds, then and in that Case any One of such Partners, as they shall determine, shall be and he is hereby constituted, appointed, and declared a Commissioner for putting and carrying into execution the several Purposes of this Act; and that where Two or more Persons carrying on any Trade, Profession, or Calling in Partnership together within the said Townships or Vills, or one of them, shall as such Partners rent or be seised of any Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of the yearly Value of Two hundred Pounds, then and in that Case any Two
of

of such Partners, as they shall determine, shall be and they are hereby constituted, appointed, and declared Commissioners for putting and carrying into execution the several Purposes of this Act; and where Three or more Persons carrying on any Trade, Profession, or Calling in Partnership together within the Townships or Vills, or one of them, shall as such Partners rent or be seised of any Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of the yearly Value of Three hundred Pounds, then and in that Case any Three of such Partners, as they shall determine, shall be and they are hereby constituted, appointed, and declared Commissioners for putting and carrying into execution the several Purposes of this Act: Provided nevertheless, that nothing herein contained shall extend or be deemed or be construed to extend to qualify, authorize, or empower any Person or Persons whomsoever to act as a Commissioner in the Execution of this Act for or in respect of any Lands, Messuages, Tenements, or Hereditaments which are excluded and exempted from the Operation of this Act, so long as the same shall remain and continue excluded and exempted as herein-after mentioned, although the said Lands, Messuages, Tenements, and Hereditaments are situate within the said Townships or Vills, or one of them.

III. Provided always, and be it further enacted, That no Person (except the Officiating Minister or Ministers for the Time being of the said Townships or Vills, or either of them, His Majesty's Justices of the Peace for the Time being acting for the said County of *Stafford*, the Chancellor for the Time being of the Duchy of *Lancaster*, and the Steward for the Time being acting in and for the said Manor of *Newcastle-under-Lyme*) shall be capable of acting as a Commissioner in the Execution of this Act (except in administering the Oath or Affirmation herein-after mentioned) until he shall have taken and subscribed, before any Five or more of the Persons qualified as aforesaid present at any Meeting to be held by virtue of this Act, an Oath or Affirmation in the Words or to the Effect first herein-after mentioned; (that is to say,)

Commis-
sioners to
take an Oath.

I *A. B.* do swear [*or*, being one of the People called Quakers, do solemnly affirm], That I am truly and *bonâ fide* in my own Right [*or* in the Right of my Wife, late or present, *as the Case may be*,] now in the actual Enjoyment, Possession, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments within the Townships or Vills of *Hanley* and *Shelton* in the Parish of *Stoke-upon-Trent* in the County of *Stafford*, or one of them, of an Estate of Inheritance, or for a Life or Lives [*as the Case may be*], of the clear yearly Value of One hundred Pounds above Reprizes; *or* that I am the Tenant of Messuages, Lands, Tenements, or Hereditaments within the Townships or Vills of *Hanley* and *Shelton* in the Parish of *Stoke-upon-Trent* in the County of *Stafford*, or one of them, of the yearly Value of One hundred Pounds; *or* that I am truly and *bonâ fide* in my own Right [*or* in the Right of my Wife, late or present, *as the Case may be*,] in the actual Enjoyment, Possession, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments within the Townships or Vills of *Hanley* and *Shelton* in the Parish of *Stoke-upon-Trent* in the County of *Stafford*, or one of them, of an Estate of Inheritance, or for a Life or Lives [*as*

the

' *the Case may be*], of the clear yearly Value of Fifty Pounds, or other Sum
 ' of Money [*as the Case may be*], above Reprizes, and also am the Tenant
 ' of other Messuages, Lands, Tenements, or Hereditaments within the
 ' said Townships or Vills, or one of them, of the yearly Value of Fifty
 ' Pounds, or other Sum of Money [*as the Case may be*], making together
 ' the yearly Value of One hundred Pounds; *or* that I am truly and *bonâ*
 ' *fide* in my own Right [*or* in the Right of my Wife, late or present, *as*
 ' *the Case may be,*] in the actual Enjoyment, Possession, and Receipt of the
 ' Rents and Profits of Messuages, Lands, Tenements, or Hereditaments
 ' within the Townships or Vills of *Hanley* and *Shelton* in the Parish of
 ' *Stoke-upon-Trent* in the County of *Stafford*, or one of them, of an Estate
 ' of Inheritance, or for a Life or Lives [*as the Case may be*], of the clear
 ' yearly Value of Fifty Pounds above Reprizes, and that I do also occupy
 ' and retain in my own Possession the whole of the same Messuages,
 ' Lands, Tenements, or Hereditaments; *or* that I and my Partner or
 ' Partners [*naming him or them, as the Case may be*] are in the actual
 ' Enjoyment, Possession, and Receipt of the Rents and Profits of Mes-
 ' suages, Lands, Tenements, or Hereditaments within the Townships or
 ' Vills of *Hanley* and *Shelton* in the Parish of *Stoke-upon-Trent* in the
 ' County of *Stafford*, or one of them, of an Estate of Inheritance, or for
 ' a Life or Lives, of the clear yearly Value of One hundred Pounds [*or* Two
 ' hundred Pounds, *or* Three hundred Pounds, *as the Case may be,*]
 ' above Reprizes; *or* that I and my Partner or Partners [*naming him or*
 ' *them, as the Case may be*] are the Tenants of Messuages, Lands, Tene-
 ' ments, or Hereditaments within the Townships or Vills of *Hanley* and
 ' *Shelton* in the Parish of *Stoke-upon-Trent* in the County of *Stafford*, or
 ' one of them, of the yearly Value of One hundred Pounds [*or* Two
 ' hundred Pounds, *or* Three hundred Pounds, *as the Case may be*]; and that
 ' I will truly and impartially, according to the best of my Skill and Judg-
 ' ment, execute and perform all and every the Powers and Authorities
 ' reposed in me as a Commissioner by virtue of an Act passed in the Sixth
 ' Year of the Reign of His Majesty King *George* the Fourth, intituled
 ' [*here insert the Title of this Act*]. So help me GOD.'

[*Or, being a Quaker, omit the Words "So help me God."*]

And an Entry or Minute shall be made in the Book of Proceedings of the Commissioners of the taking and subscribing such Oath or Affirmation, and of the Date of administering the same.

Oath to be
taken by the
Minister and
others.

IV. Provided always, and be it further enacted, That the Officiating Minister or Ministers for the Time being of the said Townships or Vills, or either of them, His Majesty's Justices of the Peace for the Time being acting for the said County of *Stafford*, the Chancellor for the Time being of the Duchy of *Lancaster* (not being a Peer of the Realm), and the Steward for the Time being of the said Manor of *Newcastle-under-Lyme*, shall not act as Commissioners or a Commissioner in any Case in the Execution of this Act (except in administering the Oaths or Affirmations herein-before and herein-after mentioned) until they and he shall have taken and subscribed, before any Five or more of the Persons named or qualified as aforesaid present at any Meeting to be held by virtue of this Act, an Oath or Affirmation in the Words or to the Effect following; (that is to say,)

' I A. B.

I *A. B.* do swear [*or, being one of the People called Quakers, do solemnly affirm*]. That I will truly and impartially, according to the best of my Skill and Judgment, execute and perform all and every the Powers and Authorities reposed in me by virtue of an Act passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, intituled [*here insert the Title of this Act*]. So help me GOD.

[*Or, being a Quaker, omit the Words, 'So help me God.'*]

And an Entry or Minute shall be made in the Book of Proceedings of the Commissioners of the taking and subscribing of such Oath or Affirmation, and of the Date of administering the same.

V. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act who is or shall be a Victualler, or who shall sell Ale, Wine, Cider, or any Spirituous Liquors by Retail, or during the Time he shall hold or enjoy any Office or Place of Profit under this Act, or be concerned in any Contract made by virtue or in pursuance of this Act, or in any Case wherein he shall be in anywise personally or beneficially interested in the Matter in question (except as a Creditor on the Rates or Assessments); but such of the said Commissioners as are Justices of the Peace may act as Justices of the Peace in the Execution of this Act notwithstanding their being Commissioners.

No Victualler,
&c. to act as
Commis-
sioner.

VI. Provided always, and be it further enacted, That if any Person not being qualified as aforesaid, or not having taken and subscribed the Oath as aforesaid; or, being a Quaker, not having made and subscribed the Affirmation as aforesaid, or being in any Manner disqualified as aforesaid, shall act as a Commissioner in the Execution of this Act, except in administering the Oaths herein-before mentioned, every such Person shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster* by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparance, shall be allowed; and every Person so sued or prosecuted shall prove that he was at the Time of acting qualified as aforesaid, or otherwise shall pay the said Penalty and Costs, without any further Proof or Evidence being given on the Part of the Plaintiff or Prosecutor than that such Person hath acted as a Commissioner in the Execution of this Act: Provided always, that all Acts and Proceedings of any Person acting as a Commissioner in the Execution of this Act, though not duly qualified, done previously to his being so convicted, shall be as valid and effectual as if such Person had been duly qualified as aforesaid.

Penalty on
disqualified
Persons act-
ing.

VII. And be it further enacted, That the said Commissioners shall meet at the *Swan Inn* in *Hanley* aforesaid, or at such other Place within the Limits of this Act as they may think fit, on the Third *Friday* next after the passing of this Act, or as soon after as conveniently may be, between Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon, and shall then and there proceed to carry this Act into execution; and in case none or a less Number than Five of the said Commissioners shall attend such Meeting, then such Meeting shall be deemed to be adjourned to the next Day, and so *toties quoties* until a sufficient Number of the said Commis-

Meetings of
the Commis-
sioners.

sioners shall attend at such Meeting to act in the Execution of this Act; and the said Commissioners shall and may at such Meeting, and at their several Meetings to be holden for the Purpose of carrying this Act into execution, from Time to Time adjourn, and appoint their next Meeting to be held at the same Place, or at such other Place within the Limits of this Act, and at such Time, as the said Commissioners shall from Time to Time order and direct, provided that no Adjournment shall be made for a longer Time than Three Calendar Months; and if at any Meeting held under or by virtue of this Act there shall not appear a sufficient Number of Commissioners to act or to adjourn, or if a sufficient Number of Commissioners shall assemble, but shall not adjourn such Meeting, the Clerk or Clerks to the said Commissioners shall from Time to Time, as often as such Case shall happen, adjourn such Meeting to some other Day within Twenty-one Days then next following, to be holden at the same Place: Provided always, that no Business shall be done or proceeded upon by the said Commissioners at any Meeting to be held under this Act before Ten of the Clock in the Forenoon, nor shall any Meeting be appointed to be held at any later Hour than Seven of the Clock in the Afternoon of the Day on which such Meeting may be appointed to be holden; and at the First Meeting which shall be held for putting this Act in execution One of the Commissioners present thereat shall by the Majority of the Commissioners then present be appointed Chairman, to whom any one other of such Commissioners shall and he is hereby authorized and required to administer an Oath or Affirmation in the Words or to the Effect herein mentioned, and such Chairman shall or may immediately afterwards administer the requisite Oath or Affirmation to the other Commissioners then present; and at every other Meeting to be held in pursuance of this Act a Chairman shall or may in like Manner be appointed, and the Chairman for the Time being, or any one of the Commissioners, shall and he is hereby authorized and required to administer at any General or Special Meeting (to such of the Commissioners as shall not have taken the requisite Oath or Affirmation before) the Oath or Affirmation hereby required to be taken by the said Commissioners; and in all Cases where there shall be an Equality of Votes upon any Question, including the Vote of the Chairman, such Chairman shall have an additional or casting Vote; and at all such Meetings the Commissioners present shall pay and defray their own Expences.

*Proceedings
by Five or
more Com-
missioners
to be valid.*

VIII. And be it further enacted, That the Powers and Authorities by this Act given to, and all the Provisions, Matters, and Things by this Act directed and authorized to be done by, the Commissioners for executing the same, shall and may be executed and done by or before any Five or more of the said Commissioners assembled at any Meeting to be held in pursuance of this Act, and shall be of as full Force and Effect as if executed or done by or before all the Commissioners (except in Cases where any such Power, Authority, Provision, Matter, or Thing is by this Act particularly directed or authorized to be executed or done by any other Number of Commissioners, or in any other Manner); and all Acts, Orders, Proceedings, and Determinations of the Commissioners acting in the Execution of this Act, made at any such Meeting consisting of Five or more Commissioners, wherein the major Part of the Commissioners present at such Meeting shall concur, shall be as valid and effectual as if all the Commissioners present at such Meeting had concurred therein.

IX. And

IX. And be it further enacted, That the Clerk or Clerks of the said Commissioners shall cause Notice of all Meetings to be held in pursuance of this Act (except where it shall be herein otherwise directed) to be inserted in One or more Newspaper or Newspapers usually circulated within the said Townships or Villis at least Seven Days before the Day appointed for any Meeting, or such other Notice thereof shall be given and published by the said Clerk or Clerks in such Manner as the said Commissioners or any Five or more of them shall from Time to Time order and direct.

Notice of Meetings.

X. Provided always, and be it further enacted, That if it shall at any Time be thought necessary to hold a Meeting before the Time at which a Meeting is herein-before directed or required to be held as aforesaid, then and in such Case it shall be lawful for the said Commissioners, or any Two or more of them, although not assembled at a Meeting, and independent of their Clerk or Clerks, to call an earlier Meeting, of which at least Three Days previous Notice shall be given in the Manner herein mentioned.

Meetings on Emergencies.

XI. And be it further enacted, That the Clerk or Clerks to the said Commissioners shall cause fair and regular Entries to be made, in a Book or Books to be kept for that Purpose, of all the Acts, Orders, and Proceedings of the said Commissioners relative to the Execution of this Act, and the Chairman of every Meeting shall subscribe his Name at the End of the said Proceedings; and the said Clerk or Clerks shall enter in the said Book or Books the Names of the Commissioners who are actually present at any such Meeting; and all Entries in such Book or Books, being signed as aforesaid, shall be deemed original Entries, and shall be admitted as Evidence in all Courts whatsoever, and by all Judges, Justices, and others; and such Book or Books shall be kept by the Clerk or Clerks to the said Commissioners, and shall at all seasonable Times be open to the Inspection of all and every the said Commissioners, and all and every other Persons and Person who shall be rated and assessed for the Purposes of this Act, and of the Creditors on the said Rates, without Fee or Reward.

Proceedings to be entered.

XII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to nominate and appoint a Clerk or Clerks, a Treasurer or Treasurers, a Collector or Collectors of the Rates herein-after mentioned, and such other Officers as the said Commissioners shall think necessary for the Execution of this Act; and the said Commissioners shall and may require and take such Security from every such Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors, and other Officers so to be appointed, for the Execution of their respective Offices, as the said Commissioners shall think necessary; and it shall be lawful for the said Commissioners from Time to Time to remove any such Officers, and to appoint another or others in the Room of any of them who shall be so removed, or who shall die, or resign such Office, or become incapable of acting therein, and also out of the Monies to be raised as herein-after mentioned to make and pay such Salaries or other Allowances to the said Officers respectively, and also to such other Person or Persons as shall be aiding and assisting the said

Appointment of Officers.

said Commissioners in the Execution of this Act, as to the said Commissioners shall seem reasonable.

Clerk not to act as Treasurer, and vice versa.

XIII. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to appoint the Person or Persons who may be appointed to act as their Clerk or Clerks, or his or their Partner or Partners, or any Person or Persons in the Service or Employ of such Clerk or Clerks or of his or their Partner or Partners, to be the Treasurer or Treasurers for the Purposes of this Act, or to appoint the Person or Persons who may be appointed Treasurer or Treasurers, or his or their Partner or Partners, or any Person or Persons in the Service or Employ of any such Treasurer or Treasurers or of his or their Partner or Partners, to be the Clerk or Clerks of the said Commissioners; and if any Person or Persons shall act in both Capacities for the Purposes of this Act, or if any Person or Persons, being the Partner or Partners of any such Clerk or Clerks, or being in the Service or Employ of any such Clerk or Clerks or of his or their Partner or Partners, shall act as Treasurer or Treasurers, or being the Partner or Partners of any such Treasurer or Treasurers, or being in the Service or Employ of any such Treasurer or Treasurers or of his or their Partner or Partners, shall act as Clerk or Clerks in the Execution of this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster* by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Officers to account.

XIV. And be it further enacted, That all such Persons as shall have been so appointed to any of the Offices aforesaid shall, at such Times and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners, or to such Persons as they shall appoint, just Accounts in Writing of all Matters committed to their Charge by virtue of this Act, and also of all Monies received by such Persons respectively by virtue or for the Purposes of this Act, showing how much thereof hath been disbursed by Order of the said Commissioners, and for what Purposes, together with Vouchers for such Payments, and shall also deliver up all Books, Papers, and Writings relating to the Execution of this Act which shall be in their Custody or Power, and likewise pay all such Monies as shall remain in their respective Hands to the said Commissioners, or to such Person or Persons and at such Times as the said Commissioners shall appoint; and if any such Officer or Person shall not render such Account, or produce and deliver the Vouchers relating to the same, or shall not, within Fourteen Days after being thereunto required by Notice in Writing from the said Commissioners or any Five of them, deliver to them, or to such Person or Persons as they shall appoint, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or shall refuse or neglect to pay over such Monies as upon the Balance of any such Account as aforesaid shall appear to be in his Hands unto the said Commissioners, or otherwise as they shall appoint, then and in any of the Cases aforesaid, upon Complaint upon Oath made by One or more of the said Commissioners, or by any Person acting under their Authority, of any such Neglect or Refusal, unto any Justice of the Peace for the County or Place where such Officer or Person making

making default shall be or reside, such Justice may and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Defaulter to be brought before him, and upon his appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath, it shall appear to such Justice that any Monies collected and raised by virtue of this Act shall remain in the Hands of or be due from such Defaulter, such Justice is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Monies, together with all reasonable Charges, to be levied by Distress and Sale of the Goods and Chattels of such Defaulter; but if no Goods and Chattels of such Defaulter can be found sufficient to answer the said Monies and Charges aforesaid, or if it shall appear in manner aforesaid to such Justice that such Defaulter shall have neglected to render and give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act shall be in his Custody or Power, and he shall have neglected or refused to deliver the same as aforesaid, then and in any of the Cases aforesaid such Justice shall commit such Defaulter to the Common Gaol or Prison of the County or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he shall give and make a just Account and Payment as aforesaid, or until he shall compound with the said Commissioners, and shall have paid the Composition agreed upon in such Manner as the said Commissioners shall appoint (which Composition the said Commissioners or any Ten or more of them are hereby empowered to make and receive), or until he shall deliver up such Books, Papers, and Writings as aforesaid to the said Commissioners: Provided always, that no Person so committed shall be detained in Prison for Want of sufficient Distress only for a longer Space of Time than Six Calendar Months: Provided nevertheless, that neither the Imprisonment of any such Defaulter as aforesaid, nor any Release or Discharge from Prison of any such Defaulter under or in pursuance of any Composition agreed upon between him and the said Commissioners, shall in any respect discharge or release the Surety or Sureties of such Defaulter from any Security, Obligation, or Liability which the said Surety or Sureties may have given or made to the said Commissioners; nor shall any Clause, Matter, or Thing herein contained extend or be construed to extend to take from the said Commissioners or deprive them of any Remedy or Proceeding at Law or in Equity which they might otherwise have for the Recovery of any Money due or owing to them from any such Defaulter as aforesaid, or for the Recovery of any Books, Papers, Vouchers, or Writings in his Custody or Power in anywise relating to the Execution of this Act.

XV. And be it further enacted, That in case of the Death of any Officer before he shall have paid and fully satisfied all the Monies which he shall have received by virtue of this Act, or made such Composition for the same as aforesaid, then and in every such Case the Executors or Administrators of such Officer so dying shall pay and satisfy the same out of the Estate and Effects of such Officer unto the said Commissioners, or any Person appointed by them in that Behalf, in like Manner as other Debts are directed by Law to be discharged by such Executors or Administrators, and also shall deliver up all Books, Papers, Writings, and other

Executors
to account.

Things concerning his Office, or relating to the Execution of this Act; which shall have come to the Hands of such Executors or Administrators; and in case of the Nonpayment of such Monies, or the Nondelivery of such Books, Papers, Writings, and Things, for the Space of Twenty-one Days after Demand made thereof in Writing by or on the Behalf of the said Commissioners, it shall be lawful for the said Commissioners to commence and prosecute an Action or Actions in any of His Majesty's Courts of Record at *Westminster* against such Executors or Administrators for the Recovery of the said Monies, Books, Papers, and Writings, or for the Recovery of Damages for the Detention of such Books, Papers, Writings, and Things, in which Action or Actions full Costs of Suit shall be recoverable by the said Commissioners.

Penalty on
Officers taking
Rewards
or making
Contracts.

XVI. And be it further enacted, That if any Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors, or other Officer or Officers employed by the said Commissioners for the Purposes of this Act shall exact, demand, take, or accept any Fee, Emolument, or Reward whatsoever (other than such Salary or Allowance as shall be appointed and allowed by the said Commissioners) for or on account of any thing done by virtue of this Act, or for forbearing to do any thing ordered or directed by the said Commissioners, or on any other Account whatsoever relative to his Employment or Duty, or shall be concerned or interested in any Bargain or Contract made by the said Commissioners for the Purposes of this Act, every Person so offending shall be incapable of afterwards serving or being employed under the said Commissioners, and shall forfeit and pay any Sum not exceeding Fifty Pounds for every such Offence.

Mode of
keeping
Accounts.

XVII. And be it further enacted, That the said Commissioners shall and they are hereby required from Time to Time, and at all Times hereafter, to order and direct a Book or Books to be provided and kept by their Clerk or Clerks for the Time being, in which Book or Books such Clerk or Clerks shall enter or cause to be entered true and regular Accounts of all Sums of Money which shall be received, paid, laid out, and expended in pursuance of the Powers and Provisions of this Act by, for, or on account of the said Commissioners, and of the several Articles, Matters, and Things for which such Sums of Money shall have been paid, laid out, and expended; which Book or Books shall at all seasonable Times be open, without Fee or Reward, to the Inspection of the said Commissioners, and any Creditor or Creditors on the Rates hereby granted, and any Person or Persons who shall be rated to the same; and the said Commissioners and Creditors and such Persons rated as aforesaid, or any of them, may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof respectively, without paying any thing for the same; and in case the said Clerk or Clerks shall at any Time refuse to permit or shall not permit the said Commissioners or such Creditors or Persons so rated as aforesaid, or any of them, to inspect the same Book or Books, or to take such Copies or Extracts as aforesaid, he or they shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

For holding
General
Annual
Meetings.

XVIII. And be it further enacted, That a General Meeting of the said Commissioners shall be held on the First *Tuesday* in the Month of *March* in

in every Year, which shall be called the Annual General Meeting of the said Commissioners; and the said Commissioners shall yearly and every Year, at such Annual General Meeting or some Adjournment thereof, (which said Adjournment or Adjournments shall be also held within the said Month of *March*,) produce, state, examine, and settle the Accounts of all and every Sums and Sum of Money which shall, during the Year preceding the said Annual General Meeting, have been received or paid by or on their Account in pursuance of the Powers and Provisions of this Act, and also the Accounts of all Debts which at the Time of such Meeting shall be due and owing to or by the said Commissioners; and an Abstract of the same Accounts shall yearly and every Year, within One Month next after such Accounts have been examined and finally settled as aforesaid, be published in One or more Newspaper or Newspapers usually printed or circulated within the said Townships, and also in any other Manner, if the said Commissioners shall so direct and appoint.

XIX. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time and at all Times hereafter to erect, provide, or procure a fit and convenient House or Houses, or other Building or Buildings, with Rooms therein fit for the Accommodation of the said Commissioners, the Head Constable or Head Constables, the Constables of the Night and Watchmen, together with Cells or proper Places for the Confinement and safe keeping of Persons in Custody, with separate Apartments for the Male and Female Prisoners, until such Time as they shall or can be brought or taken before a Justice of the Peace for the said County of *Stafford* to be dealt with according to Law, and also from Time to Time to provide and set up Watch Boxes in such Situations within the said Townships or Vills as the said Commissioners shall judge proper and expedient; and it shall be lawful for the said Commissioners from Time to Time to make and establish such Rules, Orders, and Provisions for the Use and Management of such House or Houses, Building or Buildings, Cells, and other Places, and Watch Boxes, and for airing, warming, lighting, cleansing, and repairing the same, as shall from Time to Time appear expedient to the said Commissioners.

Power to
provide a
Public Office
&c.

XX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners and they are hereby authorized and empowered to nominate annually some Person, being a resident Inhabitant in one of the said Townships or Vills, to be Chief Bailiff of the said Townships or Vills, who shall be sworn in a Constable of the said Townships or Vills, and One or more other Person or Persons, whether a resident Inhabitant or resident Inhabitants or otherwise, to be Head Constable or Head Constables of the said Townships or Vills, and such Number of Persons to be Assistant or Deputy Constables of the said Townships or Vills as the said Commissioners in their Discretion shall think proper; which Chief Bailiff, Head Constable or Head Constables, and Assistant or Deputy Constables shall be sworn in and appointed by One or more Justice or Justices of the Peace acting for the County of *Stafford*, or by such Person or Persons as have usually heretofore sworn in and appointed the Constable or Constables for the said Townships or Vills; and such Head Constable or Head Constables, and Assistant or Deputy Constables, from Time to Time, with the Consent of such Justice or Justices, to remove and

Power to
appoint Chief
Bailiff, &c.

displace,

displace, and other Persons to nominate in their Stead, who shall be sworn in and appointed as aforesaid ; and also that it shall be lawful for the said Commissioners, and they are hereby empowered and required from Time to Time, when and as often as they shall think it expedient, to appoint and employ such and so many Watchmen and Night Patroles as they shall judge expedient and necessary to be employed for the Security and Order of the said Townships or Vills, and such Watchmen and Night Patroles from Time to Time to remove and displace, and to appoint others in their Stead, and also to order and direct how many of the said Watchmen and Night Patroles shall attend nightly within the said Townships or Vills, and how such Watchmen and Night Patroles shall be armed, and at what Stations they shall be placed, for what Number of Hours they shall watch, and how often they shall go their Rounds, and also to fix and determine what Salaries, Wages, or other Allowance shall be respectively paid or given to the said Head Constable or Head Constables, Assistant or Deputy Constables, Watchmen, and Night Patroles for their Services ; and the said Commissioners are hereby empowered to make all such further Orders and Regulations from Time to Time for the better Government and Direction of the said Head Constable or Head Constables, Assistant or Deputy Constables, Watchmen, and Night Patroles as the Nature of their Services shall appear to them to require.

Duties of
Watchmen.

XXI. And be it further enacted, That the said Watchmen and Night Patroles shall use their best Endeavours not only to prevent Fires, but also to prevent Murders, Burglaries, Robberies, and other Outrages, Disorders, and Breaches of the Peace, and to that end they are hereby respectively empowered and required to arrest and apprehend all Vagrants, Disturbers of the Peace, and all disorderly and suspected Persons who shall be found misbehaving or wandering within the said Townships or Vills, and to lodge them in any Watch-house or other Place of Security within the said Townships or Vills which shall be provided or appointed for that Purpose by the said Commissioners, to be there safely kept and detained until they can conveniently be carried before some Justice of the Peace to be examined and dealt with according to Law ; and all such Watchmen and Night Patroles shall be sworn in as Constables before some Justice of the Peace acting for the said County of *Stafford*, and they are hereby respectively constituted Constables of the said Townships or Vills from the Times of their respective Appointments during the respective Periods of their continuing in such Employment ; and they shall have and are hereby respectively invested during such Periods with such and the same Powers, Authorities, Privileges, and Protections as Constables are invested with and entitled to by Law.

Penalty on
Watchmen
for Neglect
of Duty.

XXII. And be it further enacted, That if any of the said Watchmen or Night Patroles so employed as aforesaid shall at any Time wilfully neglect to attend to their respective Times of Service, to keep Watch within the said Townships or Vills at the Hour appointed by the said Commissioners for their Attendance thereon, or shall depart from or cease keeping Watch during the several Hours appointed by the said Commissioners for the Continuance of the same, or shall neglect to arrest, apprehend, or detain any Vagrant, Disturber of the Peace, or other disorderly Person found misbehaving or wandering within the said Townships or Vills, or shall

shall not observe and perform all the Orders, Rules, and Regulations made by the said Commissioners for their Conduct and Government in their aforesaid Employment, or shall in any other Manner neglect their Duty or misbehave, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Twenty Shillings, and also shall be immediately dismissed from his said Employment, if the said Commissioners shall think proper.

XXIII. And be it further enacted, That if any Victualler, Alehouse Keeper, or other Person selling Spirituous or other Liquors, shall entertain or harbour in his or her House or Premises any Watchman or Night Patrole during any of the Hours or Times appointed for the Attendance on Duty of such Watchman or Night Patrole by virtue of this Act, then every such Victualler, Alehouse Keeper, or other Person so offending, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalty on Persons harbouring Watchmen.

XXIV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to cause such Rewards in Money to be paid to the said Constables, Watchmen, or Night Patroles, or any of them, who may be disabled, wounded, or hurt in the Execution of their aforesaid Duties, as the said Commissioners shall think proper and reasonable.

Disabled Watchmen may be rewarded.

XXV. And be it further enacted, That if any Person or Persons who-soever shall at any Time or Times obstruct, hinder, molest, or interrupt any Watchman, Night Patrole, or other Person who shall be employed by or under the Authority of the said Commissioners, by virtue or in pursuance of this Act, in the Exercise of any of the Powers hereby granted, or in the Performance or Execution of any Works or other Duties, Matters, or Things whatsoever by this Act directed or authorized to be done, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty on interrupting Watchmen, &c.

XXVI. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, and at all Times after the passing of this Act, to cause the Streets, Highways, Lanes, Passages, and other public Places within the said Townships or Vills, or either of them, to be well and effectually lighted, either with Gas, Oil, or otherwise, at such Seasons and Times as the said Commissioners shall judge proper; and the said Commissioners and any other Persons acting under their Authority are hereby empowered, if they shall think it expedient so to do, to cause Mains, Pipes, or other Works for the Conveyance of Gas to be laid and carried along, through, and under the Streets, Highways, Lanes, Passages, and other public Places within the said Townships or Vills, or either of them, and for that Purpose to break up any Pavements, Flags, Soil, or other Materials of any of the said Streets, Highways, Lanes, Passages; and other public Places, and to cause such and so many Lamp Irons, Lamp Posts, Pillars, Pilasters, and Pipes, as they shall judge necessary, to be affixed or set up upon or against the Walls or Pallisades of all or any of the Houses or Buildings, or any other Walls or Fences within the said Townships or Vills, or either of them, or in or upon any of the Carriage-

Power of lighting.

ways or Footways within the said Townships or Vills, or either of them, in such Situations, and at such Distances, and in such Manner as the said Commissioners shall think proper; and to cause so many Glass or other Lamps, with such Sorts of Burners, and of such Dimensions, Constructions, and Qualities as the said Commissioners shall think proper, to be provided and affixed upon or to such Lamp Irons, Lamp Posts, Pillars, or Pilasters, or any of them, and to cause the same Lamp Irons, Lamp Posts, Pillars, Pilasters, and Lamps, or any of them, to be from Time to Time taken down, removed, altered, repaired, renewed, or replaced, when and as often as they shall think proper, and to cause such Lamps, or any of them, to be lighted at such Seasons of the Year, on such Evenings, and at such Hours of the Evening, and to be kept burning for so many Hours as shall be thought expedient by the said Commissioners: Provided nevertheless, that nothing herein contained shall extend to authorize the said Commissioners to cause any Pipe or Pipes for the Conveyance of Gas to be affixed or continued upon or against the Wall of any House within the said Townships or Vills, or either of them, without the Consent of the Occupier of such House having been previously obtained in that Behalf.

Commis-
sioners to re-
pair Damage
done by
affixing
Lamps or
taking up
Pavements.

XXVII. Provided always, and be it further enacted, That if any Injury or Damage shall be occasioned to any Wall, Rail, or Building by the affixing, setting up, taking down, altering, or removing any Lamp, Lamp Iron, or any Fastening thereof, the said Commissioners shall cause the said Injury or Damage to be well and sufficiently repaired, and the Expences attending the same shall be paid out of the Money to be raised by virtue of this Act; and also, that the said Commissioners shall forthwith repair and make good any Pavements and Roads which shall or may be broken up by them or by their Authority for the Purpose of laying down or repairing any Mains, Pipes, or other Works, and shall carry away the Rubbish occasioned thereby, and shall also cause every Trench or Opening which shall be made by them or by their Authority, for the repairing or laying down of any such Mains, Pipes, or other Works, and every Place where the Ground shall be broken up by them, to be fenced and guarded, and proper Lights to be set up at or near the same during the Night, so as to prevent Accident; and if after such Pavements or Roads shall have been so repaired and made good, the same shall within Six Calendar Months thereafter give way or require relaying or repairing, in consequence of such Pavements or Roads having been broken up for the Purpose of laying down or repairing such Mains, Pipes, or other Works, the same shall be done and performed by and at the Expence of the said Commissioners.

Power to
contract for
lighting.

XXVIII: And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to enter into any Contract or Contracts with any Company of Proprietors, or other Person or Persons, to light the said Streets, Highways, Lanes, Passages, and other public Places, or any of them, with Gas, Oil, or otherwise, for such Periods and upon such Terms and Conditions as to the said Commissioners shall seem proper and expedient, and for the said Commissioners to provide and set up all Works necessary for such Purpose, or to authorize and permit such Company of Proprietors, or other Person or Persons, to provide and set up the

the same, in like Manner as the said Commissioners are authorized in that Behalf.

XXIX. And be it further enacted, That all the Posts, Pillars, Pilasters, Lamps, &c. Lamp Irons, and Lamps, which from Time to Time shall be erected, set up, or furnished for the public lighting of the said Townships or Vills or any Part thereof, either by or by the Order of the said Commissioners or by any such Company or Person or Persons as aforesaid, in pursuance of any Contract or Contracts between the said Commissioners and such Company or Person or Persons, shall (subject only to such Power as in or by any such Contract or Contracts may be reserved to such Company or Person or Persons as aforesaid to remove and carry away to their own Use any of the said Posts, Pillars, Pilasters, Lamp Irons, and Lamps which may have been previously erected or furnished at their Expence, in the Event of there being a Discontinuance of the Contracts between the said Commissioners and such Company or Person or Persons) be held and deemed to belong to and be the Property of, and the same are hereby vested in, the said Commissioners for the Time being; and it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to cause any Action or Actions to be brought, or direct any Bill or Bills of Indictment or other Proceeding to be preferred or taken, as the Case may require, against any Person or Persons who shall steal, take or carry away, detain, deface, damage, injure, or destroy the several Articles and Things so hereby vested in the said Commissioners as aforesaid, or any of them, or any Part or Parts thereof; and in all Actions and Bills of Indictment and other Proceedings whatsoever, it shall be sufficient to state generally that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or such Bill or Bills of Indictment or other Proceeding shall be preferred or taken, is or are the Property of the Commissioners for watching and lighting the Townships or Vills of *Hanley* and *Shelton*, in the Parish of *Stoke-upon-Trent* in the County of *Stafford*, without stating or specifying the Names of all or any of the said Commissioners.

XXX. And be it further enacted, That if any Person or Persons shall wilfully or maliciously break, throw down, or otherwise deface or damage any Lamp or Lamps which shall have been set up or continued by or by the Order of the said Commissioners, or by such Company or Person or Persons as aforesaid, for the public lighting of any Part of the said Townships or Vills, or any Post, Pillar, Pilaster, Lamp Iron, Cover, or other Furniture thereof, or shall wilfully extinguish the Light or Lights of any such Lamp or Lamps, it shall be lawful for any Justice or Justices of the Peace for the said County of *Stafford*; and he and they is and are hereby required, upon Oath made of the Commission of any such Offence, to issue a Warrant for apprehending the Party or Parties accused, and for bringing him before some Justice or Justices of the Peace for the said County, or it shall be lawful for any Person or Persons who shall see any such Offence committed to apprehend, and for any other Person or Persons to assist in apprehending, the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to deliver him, her, or them into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice or Justices of the Peace for the said County; and upon the Party or Parties accused being brought before such Justice

or

or Justices, such Justice or Justices shall proceed to examine upon Oath any Witness or Witnesses who shall appear to give Evidence touching such Offence or Offences; and if the Party or Parties so accused shall be convicted of such Offence or Offences, either upon Confession or upon such Evidence as aforesaid, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and the Offender or Offenders shall also make full Satisfaction to the said Commissioners for the Damages so done, which Damages such Justice or Justices is and are hereby empowered and required to ascertain and assess; and the same, when so assessed, may be levied and recovered from such Offender or Offenders in the Manner herein-after directed for the Recovery of the Penalties incurred by virtue of this Act, and when so recovered the same shall be paid to the Treasurer of the said Commissioners, to be applied in repairing such Damage, and the Surplus (if any) in aid of the Expences of watching and lighting the said Townships or Villis.

Damages to be paid for Lamps broken accidentally.

XXXI. And be it further enacted, That if any Lamp or Post, Pillar, Pilaster, Lamp Iron, or any Furniture of or belonging to the same, which shall have been at any Time set up by or by the Order of the said Commissioners for the public lighting of any Part of the said Townships or Villis, shall by or through the Carelessness, Negligence, or Misconduct of any Person or Persons whomsoever be broken, thrown down, or otherwise destroyed, defaced, or damaged, and the said Person or Persons so offending shall not immediately upon Demand made by any Officer of the said Commissioners make Satisfaction for the Damage done thereto, then and in every such Case it shall be lawful for any Justice of the Peace for the said County of *Stafford*, upon Complaint thereof to him made, to summon before him the Party or Parties who shall be complained of for doing such Damage as aforesaid, and upon hearing the Allegations and Proofs on both Sides, or upon the Contempt in not appearing of the Party or Parties so complained of, to award such Sum or Sums of Money as the Damage proved on Oath before such Justice shall amount unto; and in case of Refusal or Neglect to pay any of the Sums of Money so awarded within Seven Days after Demand, then the same shall and may be levied and recovered from the Party or Parties against whom the said Award shall be made, in the Manner herein directed for the Recovery of Penalties incurred by virtue of this Act, and when so recovered the same shall be paid to the Treasurer of the said Commissioners, to be applied in repairing such Damage, and the Surplus (if any) in aid of the Expences of watching and lighting the said Townships or Villis.

Gas Pipes to be laid Four Feet from Water Pipes, and in a particular Manner.

XXXII. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Streets, Passages, or Places within the Limits of this Act, shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway in such Streets, Passages, or Places will allow thereof, at the Distance of Four Feet at least, from the nearest Part of any Water Pipe already laid down for the Conveyance of Water in, under, through, along, or round any of the said Streets, Passages, or Places, except in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the said Water Pipes, in which Case the said Gas Pipes shall be laid over and above the said Water Pipes

at

at the greatest practicable Distance therefrom, and shall form therewith a Right Angle, and in such Cases the said Gas Pipes so crossing the said Water Pipes shall be at least Nine Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Four Feet at least; and the said Commissioners, or any Company, Contractors, or other Persons supplying Gas, in laying down the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round the said Streets, Passages, or Places by virtue of this Act, shall in no Case join Two or more Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials, and shall also make and keep all and every such Pipes, and all Pipes connected and communicating therewith, and all the Screws, Joints, Inlets, Apertures, and Openings therein respectively, air-tight, and in all and every respect prevent the said Gas from escaping therefrom, and from any Part thereof, upon pain of forfeiting for every Offence the Sum of Twenty Pounds.

XXXIII. And be it further enacted, That whenever the Water in any Water Pipes shall be contaminated or affected by any Gas supplied by the said Commissioners, or any Company of Contractors, or other Person or Persons whomsoever, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises, within the Limits of this Act, the said Commissioners, or Company of Contractors, or Persons, shall forfeit and pay for every such Offence a Sum not exceeding Two hundred Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered; and in case any such Water shall be contaminated or affected by Gas in any Way whatever, that then and in every such Case the said Commissioners, or Company of Contractors, or Persons as aforesaid shall, within Twenty-four Hours next after Notice thereof in Writing signed by any of the Directors, or by the Treasurer or by a Manager or Chief Clerk for the Time being of and for the Company, or by the Person or Persons to whom such Water Pipe shall belong, or any Person or Persons supplied with such Water, to be left at the usual Office or Place of transacting Business of the said Commissioners, or Company of Contractors, or Persons, cause the most proper and effectual Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting the Water; and in case the said Commissioners, or Company of Contractors, or Persons, shall not within Twenty-four Hours next after each and every Notice so left as aforesaid effectually stop and prevent Gas from escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, that then and in every such Case the said Commissioners, or Company of Contractors, or Persons, shall on each and every Complaint whereof Notice shall be given as aforesaid forfeit and pay to the Treasurer for the Time being, or to any One of the Directors for the Time being of the Company, or to the Person or Persons to whom the Pipe containing such Water shall belong, over and above the before-mentioned Penalty of Two hundred Pounds, to be recovered as aforesaid, the Sum of Twenty Pounds for each and every Day during which the

Commis-
sioners to
prevent Es-
cape of Gas
and Contami-
nation, &c.
of Water.

Water of the said Company or Persons shall be and remain contaminated, tainted, or affected by the Gas of the Commissioners, or Company of Contractors, or Persons; and in default of Payment thereof as aforesaid such Penalty or Penalties shall and may be recovered by Information to be exhibited on Oath of One credible Witness by and in the Name of the Treasurer, or by and in the Name of the Manager or Chief Clerk for the Time being of the Company, or by and in the Name of any One or more of the said Company, or of the Person or Persons to whom the Pipe shall belong, at the Option of the Parties prosecuting such Information against the said Commissioners, or Company of Contractors, or Persons, before any Justice of the Peace for the County or Place where the Offence shall be committed, with Costs, to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Treasurer of the said Commissioners, or of the said Company of Contractors or Persons, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and such Penalty or Penalties and Costs, when so levied, shall be paid to the Treasurer or to One of the Proprietors for the Time being of the Company, or to the Person or Persons to whom the Water Pipe shall belong.

For ascer-
taining if
the Water be
contami-
nated.

XXXIV. And whereas it may be or become a Question, upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the Gas of the said Commissioners, or Company of Contractors, or Persons; be it therefore enacted, That in every such Case it shall and may be lawful to and for the Company or Persons to whom the Pipe containing the Water shall belong to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Commissioners, or Company of Contractors, or Persons, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Commissioners, or Company of Contractors, or Persons; and if it shall appear that the said Water has been contaminated by any Escape of Gas of the said Commissioners, or Company of Contractors, or Persons, the Costs and Expences of the said digging, Search, and Examination, and Repair of the Pavement of the said Streets, Passages, or Places which shall be taken up or disturbed, shall be borne and paid by the said Commissioners, or Company of Contractors, or Persons; which Costs and Expences shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said Commissioners, or Company of Contractors, or Persons respectively, then and in such Case the said Company or Persons causing such Search to be made shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the said Commissioners, Company of Contractors, or Persons respectively any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Commissioners, or Company of Contractors, or Persons, in and by such Search and Examination, and also to the Pavement of the said Streets, Passages, or Places so broken up or disturbed in such Search or Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined,

determined, if necessary, by such Justice or Justices of the Peace as aforesaid.

XXXV. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up within the Limits of this Act the said Commissioners, or any Company or Companies or other Person or Persons so laying down or setting up, or causing to be laid down or set up, such Gas Pipes or any of them, or making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises, within the Limits of this Act, shall immediately after Notice given to them or him by Parol or in Writing by any Inhabitant or Inhabitants, or other Person or Persons whomsoever, of any such Escape of Gas, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Commissioners, or any Company or Companies, or other Person or Persons as aforesaid shall not within Twenty-four Hours next after such Notice given effectually stop and prevent any future Escape, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Commissioners, or the Company or Companies, or other Person or Persons as aforesaid, shall for every such Default forfeit and pay the Sum of Five Pounds for each Day, after the Expiration of Twenty-four Hours from the Time of giving any such Notice, during which the Gas shall be suffered to escape as aforesaid; which Penalty or Penalties shall from Time to Time be recoverable in a summary Way, on the Oath or Affirmation of some credible Witness or Witnesses, by Information to be laid before some Justice or Justices of the Peace for the County or Town in which the same Pipes shall be situate, and shall and may be recovered and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the Treasurer to the said Commissioners, or of the Goods and Chattels of such Company or Companies or other Person or Persons as aforesaid.

For preventing the Escape of Gas.

XXXVI. And be it further enacted, That if any Person or Persons shall wilfully or maliciously remove, take away, destroy, damage, or injure any or any Part of any Pipe, Plug, or other Apparatus, Goods, Chattels, or Effects belonging to the said Commissioners, or such Company of Contractors, or Persons as aforesaid, or shall wilfully or maliciously waste any of the Inflammable Air or Gas supplied by the said Commissioners, or Company of Contractors, or Persons, any Persons so offending in any of the respective Premises shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, and Twice the Amount of the Damage done or occasioned by such Conduct, which shall be recovered in like Manner as Part of the said Penalty.

Penalty on damaging Gas Pipes.

XXXVII. And be it further enacted, That if the said Commissioners, or any Company or Companies, or any other Person or Persons whatsoever, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises, within the Limits of this Act, shall at any Time drain or convey, or cause or suffer to be drained or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever which shall arise or be made in the Prosecution of the said Gas Works

Penalty for conveying Washings into any Sewers, Streams, &c.

Works into any River, Brook, or running Stream, Canal, Reservoir, Aqueduct, Feeder, Pond, or Springhead, or into any Drain, Sewer, or Ditch communicating with any of them, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any of them, whereby the Water contained therein or any Part thereof shall or may be soiled, fouled, or corrupted, then and in every such Case the said Commissioners, or any such Company or Companies, or other Person or Persons as aforesaid shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty and Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster* by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance, shall be allowed; and such Penalty shall be paid to the Person or Persons who shall inform, or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable if the same be sued for after the Expiration of Twelve Calendar Months from the Time when such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased: Provided also, that above and in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall or shall not be sued for or recovered), in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Springhead, or into any Drain, Sewer, or Ditch communicating with any of them, or any such Annoyance, Nuisance, or Injury, Damage, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons whomsoever to the said Commissioners, or to the Company or Companies, or any of them, or other Person or Persons as aforesaid, and the said Commissioners, or Company or Companies, or other Person or Persons shall not within Twenty-four Hours after such Notice given stop and prevent all and every such Washings, waste Liquids, noisome or offensive Liquids, Substances, or Things from being drained, conducted, or conveyed, or from running or flowing, in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Commissioners, or the Company or Companies or other Person or Persons so offending, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, noisome or offensive Liquids, Substances, or Things shall be so drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, or such other Annoyance, Nuisance, Injury, or Damage, Act or Thing, shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

Commissioners liable to be indicted for a Nuisance.

XXXVIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person from proceeding by Indictment or otherwise against the said Commissioners,

Commissioners, or any Body or Bodies Politic or Corporate, or other Person or Persons making, furnishing, or supplying any Gas used, burnt, or consumed for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises, within the Limits of this Act, or against any of their Officers, Servants, or Workmen, in respect of any Works, or the Means which shall be employed by them or any of them in making the said Gas and using the same in furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Action against the said Commissioners, Body or Bodies Politic or Corporate, Company of Proprietors, or Person or Persons as aforesaid, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury shall proceed from the Preparation or the Use of the same Gas, or Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

XXXIX. And for raising Money to defray the Expences of obtaining and passing this Act, and carrying the same into execution, be it further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered from Time to Time, when and so often as they shall think it necessary, to make or charge or levy, or cause to be made or charged or levied, a just and equitable Pound Rate or Assessment under the Name and by the Description of "The Public Watching and Lighting Rate," upon all and every the Persons and Person who for the Time being shall inhabit, use, or occupy any Houses, Shops, Warehouses, Manufactories, Mills, Lime Kilns, Brick Kilns, Slip Houses, Stables, Coach-houses, Barns, Sheds, Cellars, Vaults, Counting-houses, Offices, or other Buildings or Tenements, or any Yards, Gardens, Orchards, or Wharfs, within the said Townships or Vills; and all such Rates and Assessments shall from Time to Time be made upon and according to the parochial Valuation of the said Houses, Shops, Warehouses, Manufactories, Mills, Lime Kilns, Brick Kilns, Slip Houses, Stables, Coach-houses, Barns, Sheds, Cellars, Vaults, Counting-houses, Offices, and other Buildings and Tenements, Yards, Gardens, Orchards, and Wharfs, which shall from Time to Time be made in the Parish of *Stoke-upon-Trent* for the Regulation of the Assessment for the Relief of the Poor.

Power to levy a Rate.

XL. Provided always, and be it further enacted, That no Rates or Assessments whatsoever shall be made in pursuance of this Act upon any Person or Persons for or in respect only of his, her, or their being the Occupier or Occupiers of any Dwelling House which in the said parochial Valuation for the Time being shall be stated to be under the annual Value of Four Pounds, nor upon any Person or Persons whomsoever for or in respect of the North *Staffordshire* Infirmary, or for or in respect of the Market House in *Hanley* aforesaid, or any Buildings, Stalls, Shambles, Bulks, Sheds, and other Conveniences which the Trustees under an Act passed in the Fifty-third Year of the Reign of His late Majesty King *George* the Third, *For establishing and regulating the Market, and for enlarging and improving the Market Place, at Hanley in the County of Stafford*, may deem necessary or convenient to be erected, put up or used for the Purposes of the said Market, or for or in respect of the National School or the *British* School, or any free School or Building appropriated

How Premises are to be rated.

exclusively to the gratuitous Education of the Poor, any thing hereinbefore contained to the contrary in anywise notwithstanding; and such Rate as hereinbefore mentioned shall not exceed in any One Year Sixpence in the Pound upon such parochial Valuation of any Houses, Shops, Warehouses, Manufactories, Mills, Lime Kilns, Brick Kilns, Slip Houses, Stables, Coach-houses, Barns, Sheds, Cellars, Vaults, Counting-houses, Offices, and other Buildings and Tenements, Yards, Gardens, Orchards, and Wharfs, where such Valuation shall not exceed Six Pounds *per Annum*; and such Rate shall not exceed Ninepence in the Pound upon such parochial Valuation of any Houses, Shops, Warehouses, Manufactories, Mills, Lime Kilns, Brick Kilns, Slip Houses, Stables, Coach-houses, Barns, Sheds, Cellars, Vaults, Counting-houses, Offices, and other Buildings and Tenements, Yards, Gardens, Orchards, and Wharfs, where such Valuation shall not exceed Eight Pounds *per Annum*; and any such Rate shall not in any Case exceed in the whole in any One Year One Shilling in the Pound upon such parochial Valuation: Provided further, that a Deduction or Allowance in the Proportion of Twenty-five Pounds *per Centum* shall be made or allowed in every such Rate or Assessment for, upon, or on account of every House, Shop, Warehouse, Manufactory, Mill, Lime Kiln, Brick Kiln, Slip House, Stable, Coach-house, Barn, Shed, Cellar, Vault, Counting-house, Office, or other Building or Tenement, or any Yard, Garden, Orchard, or Wharf, within the said Townships or Vills, which shall not be situated within Three hundred Yards of any Range of public Lights or Lamps to be placed up or erected under or by virtue of this Act, or the Powers herein contained; and that it shall and may be lawful for the said Commissioners, upon Application from the Owner or Owners, Occupier or Occupiers of any House, Shop, Warehouse, Manufactory, Mill, Lime Kiln, Brick Kiln, Slip House, Stable, Coach-house, Barn, Shed, Cellar, Vault, Counting-house, Office, or other Building or Tenement, or any Yard, Garden, Orchard, or Wharf, within the said Townships or Vills, which shall not be situated within Five hundred Yards of any Range of public Lights or Lamps to be placed up or erected as aforesaid, to make a further Deduction or Abatement in the Proportion of Twenty-five Pounds *per Centum* from any Rate or Assessment to be made under or by virtue of this Act, or the Powers herein contained, for, upon, or in respect of any such House, Shop, Warehouse, Manufactory, Mill, Lime Kiln, Brick Kiln, Slip House, Stable, Coach-house, Barn, Shed, Cellar, Vault, Counting-house, Office, or other Building or Tenement, or any Yard, Garden, Orchard, or Wharf.

Mode of charging Houses let in separate Apartments.

XLI. Provided also, and be it further enacted, That where any House shall be divided into Two or more separate Tenements, Stories, or Apartments, and shall be occupied or inhabited by Two or more Persons or Families, the same shall nevertheless be subject to the Rates granted by this Act, and the Landlord or Proprietor of every such House shall be assessed to, and liable to pay the said Rates: Provided further, that no Rate or Assessment to be made by virtue of this Act shall be valid or of any Force or Effect until the same shall have been signed by Five or more of the said Commissioners; and after such Rates or Assessments shall have been so signed as aforesaid the same shall and may respectively be demanded, collected, and received by such Collector or Collectors as the said Commissioners, by Warrant under the Hands and Seals of any Five or more of them, shall from Time to Time nominate and appoint for that

Purpose,

Purpose, and the said Collector or Collectors are hereby respectively invested with full Power and Authority to demand, collect, and receive the same.

XLII. And be it further enacted, That it shall be lawful for the said Commissioners, from Time to Time to amend any Rate or Assessment to be made by virtue of this Act, by inserting therein the Name or Names of any Person or Persons who ought to have been rated, or by striking out the Name or Names of any Person or Persons who ought not to have been rated therein, or by making such other Amendments therein as will in the Judgment of the said Commissioners make such Rate or Assessment conformable to the true Intent and Meaning of this Act; and no such Amendment so to be made by the said Commissioners in any such Rate or Assessment shall be held to vitiate the same. Commis-
sioners may
amend Rates.

XLIII. And for ascertaining the Mode in which the said Rates or Assessments are to be paid in Cases where a Change of Tenancy shall take place during the Year for which such Rates or Assessments shall be laid, be it further enacted, That in all Cases where any Person or Persons shall have removed from or quitted any House, Building, or other Property for or in respect of which he, she or they shall have been rated or assessed, or was or were liable to be rated or assessed, by virtue of this Act, such Person or Persons shall be liable to pay a Portion of the Rates or Assessments to which such Person or Persons would have been subject or chargeable in case he, she, or they had not removed from or quitted the same; and in all Cases where any Person or Persons shall enter into the same Occupation of any House, Building, or other Property liable to be rated by virtue of this Act, out of or from which any other Person or Persons who shall have been rated or assessed for the same shall have removed, or which at the Time of making such Rates or Assessments was or were empty or unoccupied, the Person or Persons so entering into the Occupation of the same shall be liable to pay a Portion of such Rates or Assessments, in proportion to the Time during which he, she, or they shall occupy the same, in like Manner as if he, she, or they had been originally rated or assessed for such House, Building, or other Property, all which respective Portions in case of Dispute shall be settled and ascertained by the said Commissioners, or by any One or more of His Majesty's Justices of the Peace for the said County of *Stafford*, on the Application of any Parties interested therein. Apportion-
ment of
Rates.

XLIV. And be it further enacted, That if any Person or Persons shall refuse or neglect to pay any Sum or Sums of Money on him, her, or them rated or assessed by virtue of this Act, for any of the Purposes hereof, to the Collector or Collectors of such Rates or Assessments to be appointed by the said Commissioners for the Time being, for the Space of Ten Days after a personal Demand thereof made by such Collector or Collectors or any of them, or a Demand in Writing made under the Hands of any such Collector, left at the last or usual Place of Abode of such Person or Persons, or on the Premises for which such Person or Persons shall be rated or assessed, or any Part thereof, then and in every such Case it shall be lawful for such Collector or Collectors, or any of them, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said County of *Stafford* (which Powers for
Recovery of
Rates.
Warrant

Warrant or Warrants the said Justice or Justices is and are fully authorized and required to grant upon due Proof on Oath or Confession made before him or them of the Demand and Nonpayment of such Rate or Assessment), with the Assistance of any Constable or other Peace Officer to enter into any Dwelling Houses, Buildings, or Premises in the Occupation of the Person or Persons so neglecting or refusing to pay such Rate or Assessment, and then to distrain the Goods and Chattels of such Person or Persons, and the Distress so taken to impound, keep, and detain; and if the full Amount of the Monies so distressed shall not be paid within Three Days after such Distress being made, together with the Costs and Charges incurred about the same, then such Collector or Collectors is and are fully authorized to sell the Goods and Chattels so distrained, or such Parts thereof as will be sufficient to pay the said Rate or Assessment, together with the Costs and Charges of the said Warrant, and of making, keeping, and selling such Distress, returning the Surplus (if any) of the Money arising by such Sale to the Owner or Owners of such Goods and Chattels, on Demand, or otherwise it shall be lawful for the said Commissioners to recover any such Rate or Assessment so due and payable by virtue of this Act by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Persons
aggrieved
may appeal.

XLV. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment which shall be made in pursuance of this Act, such Person or Persons, having first paid such Rate or Assessment, shall or may apply for Relief in the Premises to the said Commissioners at their First or Second Meeting to be holden next after he, she, or they shall have paid the same; and the said Commissioners are hereby authorized and empowered, if they shall think such Person or Persons aggrieved, to give such Relief in the Premises as to them shall seem reasonable; and if any Person or Persons shall be dissatisfied with the Order or Determination of the said Commissioners thereupon, then such Person or Persons may appeal against such Order or Determination to any One of His Majesty's Justices of the Peace for the said County of *Stafford*, and if either Party shall be dissatisfied with the Decision of such Justice, then the Party so dissatisfied may appeal against such Decision to the Justices for the General Quarter Sessions of the Peace for the said County of *Stafford*, within the Time and in the Manner herein-after directed in that Behalf.

Rates may
be inspected.

XLVI. And be it further enacted, That Duplicates of all Rates and Assessments laid or assessed by virtue of this Act shall be deposited with the Clerk or Clerks of the said Commissioners, who shall permit any Person rated by virtue of this Act, or any Creditor on any of the said Rates or Assessments, to inspect the same, or to take Copies thereof, at all reasonable Times, upon Payment of One Shilling; and such Clerk or Clerks shall, within Fourteen Days after Demand, deliver a true Copy of such Rates or Assessments, or any of them, or any Portion thereof, to any Person rated as aforesaid, or any such Creditor on the said Rates, having been first paid for the making of such Copy after the Rate of Four-pence for every Seventy-two Words.

XLVII. And

XLVII. And for the more speedily and effectually enabling the said Commissioners to execute the general Purposes of this Act, be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time when they shall think it expedient, to borrow and take up at Interest any Sum or Sums of Money not exceeding in the whole the Sum of Three thousand Pounds upon the Credit of the said Rates and Assessments hereby authorized to be laid and collected, and by any Writing or Writings under the Hands and Seals of the said Commissioners, or any Eleven or more of them, to mortgage, grant, or assign the same Rates or Assessments, or any Part or Parts thereof, to the Person or Persons who shall advance or lend such Money, as a Security or Securities for the Money so lent, together with Interest for the same; and a separate and distinct Mortgage shall be made in respect of each and every Sum of One hundred Pounds so lent; and every such Mortgage shall be in the Words or to the Effect following; (that is to say),

Power to mortgage the Rate.

‘ No.

Form of Mortgage.

‘ BY virtue of an Act passed in the Sixth Year of the Reign of King
 ‘ *George* the Fourth, intituled [*here set forth the Title of this Act*]
 ‘ we whose Hands and Seals are hereunto set, being
 ‘ [*or more*] of the Commissioners acting in the Execution of the said
 ‘ Act, in consideration of the Sum of _____
 ‘ advanced and lent by _____ upon the Credit
 ‘ and for the general Purposes of the said Act, and paid by him [*or her*
 ‘ *or them, as the Case may be*] to the Treasurer or Treasurers of the said
 ‘ Commissioners, do hereby grant, bargain, sell, and assign unto the said
 ‘ _____ Executors, Administrators, and Assigns, such
 ‘ Proportion of the Rates and Assessments authorized by the said Act to
 ‘ be assessed and collected as the said Sum of _____
 ‘ doth or shall bear to the whole Sum authorized to be borrowed by
 ‘ virtue of the said Act upon the Credit of the same Rates and Assess-
 ‘ ments, to be had and holden from the Day of the Date of these
 ‘ Presents until the said Sum of _____ with Interest
 ‘ for the same after the Rate of _____ *per Centum per*
 ‘ *Annum*, shall be fully repaid and satisfied. In witness whereof we have
 ‘ hereunto set our Hands and Seals the _____ Day of
 ‘ in the Year of our Lord _____

And every such Mortgage shall be valid and effectual in Law; and all such Mortgages shall be numbered, beginning with Number One, and so proceeding in arithmetical Progression.

XLVIII. And be it further enacted, That a Book or Books shall be provided by the said Commissioners, and kept by their Clerk or Clerks, in which shall be entered and registered Copies of all Mortgages made in pursuance of this Act, which Book shall be open to the Inspection of the several Holders of Mortgages made by virtue of this Act, and their respective Executors, Administrators, and Assigns, at all seasonable Times, without Fee or Reward.

Books to be provided.

XLIX. And be it further enacted, That it shall be lawful for the several Persons entitled for the Time being to any of the Mortgages for the Money which shall be borrowed as aforesaid, or their respective Executors,

Mortgages may be transferred.

cutors, Administrators, or Assigns, as the Case may be, at any Time by Writing under their respective Hands and Seals, to assign or transfer the same to any Person or Persons, being a Subject or Subjects of this Realm; and every such Assignment or Transfer shall be in the Form or to the Effect following; (that is to say,)

Form of
Transfer.

‘ I *A. B.* of _____ being entitled to the Sum of _____
 ‘ by virtue of a Mortgage bearing Date _____
 ‘ the _____ Day of _____ in the Year of our Lord _____
 ‘ _____ under the Hands and Seals of _____
 ‘ _____ of the Commissioners for putting in execution an Act
 ‘ passed in the Sixth Year of the Reign of His Majesty King *George* the
 ‘ Fourth, intituled [*here set forth the Title of this Act*], upon the Credit
 ‘ of certain Rates and Assessments payable by virtue of the said Act, do
 ‘ hereby, in consideration of the Sum of _____ to me
 ‘ paid by _____ assign and transfer unto the said
 ‘ Executors, Administrators, and Assigns, all my Right and Interest in
 ‘ and to the said Principal Sum of _____ thereby secured,
 ‘ and all Interest now due and hereafter to grow due thereon, and all
 ‘ Arrears thereof: In witness whereof I have hereunto set my Hand and
 ‘ Seal the _____ Day of _____ in the Year of our Lord _____.

Transfers to
be registered.

Which Transfers shall, within Fourteen Days after the Date thereof, be produced to the Clerk or Clerks of the said Commissioners, who shall cause an Entry or Memorial to be made thereof, containing the Date, Names of the Parties, and the Sum of Money thereby transferred in the said Register Book to be kept for entering Copies of the original Mortgages; and after such Entry made, but not before, every such Assignment shall entitle the Assignee or Assignees, and his, her, and their Executors, Administrators, and Assigns, to the Benefit of the Monies thereby assigned or transferred, without any further Registry or Memorial thereof except as aforesaid.

Creditors to
be paid by
Lot.

L. And in order that no undue Preference may be given in paying off the aforesaid Mortgages, be it further enacted, That when and so often as the said Commissioners shall think it expedient to pay off One or more of the said Mortgages, they shall cause the several Numbers of all the Mortgages granted and then in force, to be written upon distinct Pieces of Paper of an equal Size, and all such Papers shall be rolled up in the same Form, and be put into a Box, and the Clerk or Clerks of the said Commissioners shall, in the Presence of Five or more of the said Commissioners, draw out of the said Box one of the said Numbers for every Sum of One hundred Pounds then intended to be paid off by the said Commissioners, and thereupon the Mortgage or Mortgages corresponding with the Number or Numbers which shall be so drawn shall be accordingly paid off by the said Commissioners; and after every such Ballot the said Commissioners shall cause Notice signed by their Clerk or Clerks to be given to the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot, which Notice shall express the Principal Sum to be paid off, and that the same will be paid, together with the Interest due thereon, at a Place to be specified in such Notice, at the Expiration of Three Calendar Months from the Day of giving such Notice as aforesaid; and the Interest of the Principal Money to be paid off shall from and after the End of the said Three Calendar
 Months

Months cease and be no longer paid or payable, unless such Money shall be demanded pursuant to such Notice and not paid, but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the End of the said Three Calendar Months, shall nevertheless be payable on Demand.

LI. And be it further enacted, That in case the said Commissioners shall at any Time be able to borrow or take up any Sum or Sums of Money at a lower Rate of Interest than shall happen to be payable upon any of the original or other Mortgages which may have been granted by the said Commissioners, and which may happen to be then existing, it shall be lawful for the said Commissioners from Time to Time to charge the said Rates or Assessments in manner aforesaid with any Sum or Sums of Money to be borrowed at such lower Rate of Interest, and the Interest thereof at such lower Rate as aforesaid, and therewith to pay off and discharge any of the said original or other Mortgages bearing a higher Rate of Interest, according to the Directions and Regulations herein-before prescribed for paying off Mortgages.

Money may be borrowed at lower Interest to pay off existing Mortgages.

LII. And for making effectual Provision for the paying off of all the said Mortgages, be it further enacted, That whenever any Sum or Sums of Money shall from Time to Time be borrowed by way of Mortgage in pursuance of this Act, then and in every such Case the said Commissioners are hereby required to cause not less than One Twentieth Part of the Money so borrowed to be invested in the Purchase of Stock in the Public Funds, in the Names of Three or more of the said Commissioners, and to cause all the Dividends or Proceeds of such Stock, when and as the same shall become due and be received, to be also invested in like Manner in the Purchase of like Stock, the Dividends and Proceeds whereof shall also be applied in manner aforesaid, in order that the same may accumulate and form a Sinking Fund for the Discharge of all the Mortgages which shall have been granted by virtue of the Powers of this Act and not otherwise satisfied; and when and so soon as such Sinking Fund shall have accumulated to a Sum sufficient for the Discharge of all the said Mortgages then remaining unsatisfied, but not before, the said Commissioners are hereby authorized and required to cause the Stocks forming such Fund to be sold and disposed of, and out of the Money arising from the Sale thereof to pay off and discharge all the said Mortgages which shall then remain unsatisfied; and the said Commissioners are hereby expressly required not to cause or permit such Sinking Fund or any Part thereof to be diverted or applied to any other Purpose whilst any of the said Mortgages remain unsatisfied, but if the said Sinking Fund or any Part thereof shall remain after all the said Mortgages have been satisfied, then the same shall and may be applied by the said Commissioners for the general Purposes of this Act.

Sinking Fund for paying off Mortgages.

LIII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to compound and agree with any Person or Persons, or Body or Bodies Politic or Corporate, who shall have entered into any Contract or Contracts with the said Commissioners in pursuance or under the Authority of this Act, for any Penalty or Penalties contained in any such Contract or Contracts, or in any Bond or Bonds, or other Security or Securities for the Performance thereof, or for or on

Composition for Breach of Contracts.

account

account of any Breach or Non-performance of any such Contract or Contracts, Bond or Bonds, or other Security or Securities for such Sum or Sums of Money or other Recompence as the said Commissioners shall think proper.

Application
of the Rates.

LIV. And be it further enacted, That all the Monies which shall be raised by virtue of this Act, from and by the Rates and Assessments herein-before authorized to be assessed and levied; and all the Monies which shall be borrowed on Mortgage of the same Rates and Assessments, and all the Monies which are herein directed to be applied to the general Purposes of this Act; in regard to the Disposal of which no specific Directions are herein given, shall be and the same are hereby vested in the said Commissioners, and the same shall from Time to Time and at all Times be applied and disposed of by or under the Orders of the said Commissioners in manner following; that is to say, in payment of the Expences incurred in the obtaining and passing of this Act, and of the Interest of the Principal Monies to be borrowed on the Credit of the said Rates and Assessments, and of the Expences of watching and lighting the several Streets, Highways, Lanes, Passages, and other public Places within the said Townships or Vills; and of the Persons to be employed therein, and of all other Expences to be incurred by the said Commissioners or by their Direction in carrying into execution the Provisions of this Act, and the Powers vested in them by the same, and lastly in the Payment of the said Principal Monies so to be borrowed.

Treasurer to
receive and
pay Monies
by Order of
Commis-
sioners.

LV. And be it further enacted, That all Monies whatsoever which shall be raised and collected by Order of the said Commissioners by or from any of the aforesaid Rates or Assessments, or which shall be by them borrowed on Mortgage for the Purposes of this Act, or which shall be otherwise payable to them under any of the Provisions of this Act, shall be paid from Time to Time into the Hands of the Treasurer or Treasurers of the said Commissioners for the Time being; and that no Sum or Sums of Money shall be disbursed or issued by the Treasurer or Treasurers of the said Commissioners, on the Behalf or on account of the said Commissioners, without an Order in Writing, signed at a Meeting of the said Commissioners, to be held in pursuance of this Act, by the Chairman of such Meeting for the Time being.

Recovery
and Applica-
tion of
Penalties.

LVI. And be it further enacted, That all Offences whatsoever which by virtue or under the Authority of this Act are or shall be subject to or punishable with any pecuniary Penalties, Fines, or Forfeitures, for the Recovery of which no express Provision is herein-before made, shall and may in every Case be heard, adjudged, and determined by and before any One or more Justice or Justices of the Peace for the said County of *Stafford* in a summary Way, upon Information or Complaint made and exhibited in Writing (and which shall in every Case be made and exhibited within Six Calendar Months at the furthest next after the committing of such Offences respectively, and not afterwards); and upon any such Information or Complaint as aforesaid the said Justice or Justices shall examine into the Matter thereof; and if upon the Confession of the Party or Parties accused, or on the Oath of any One or more credible Witness or Witnesses, the said Party or Parties accused shall be convicted of having committed such Offence or Offences, then and in every such Case the Penalty or

Penalties

Penalties hereby made payable in respect of such Offence or Offences, together with the Costs of Conviction, to be ascertained by such Justice or Justices, shall be forthwith paid by the Party or Parties so convicted as aforesaid; and in case such Party or Parties so convicted shall refuse or neglect to pay the same forthwith, then the said Penalty or Penalties shall and may, by Warrant or Warrants under the Hand and Seal or Hands and Seals of any such Justice or Justices (which he or they is and are hereby empowered and required to grant), be levied and recovered, together with the Costs of Conviction and Recovery thereof, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of such Offender or Offenders, wherever such Goods or Chattels can be found, rendering the Overplus of the Money arising by such Sale (if any) to the Party or Parties whose Goods or Chattels shall be so distrained; one Half of all which Penalties, not herein directed to be otherwise applied, shall be paid to the Informer, and the other Half shall be paid to the Treasurer or Treasurers of the said Commissioners for the Time being, to be applied for the general Purposes of this Act; and it shall and may be lawful for the said Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his or their Appearance before the said Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Twenty-eight Days from the Time of taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties and such Costs as aforesaid, and the same shall not be forthwith paid, then it shall be lawful for such Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the House of Correction for the said County of *Stafford*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, or until such Offender or Offenders shall have fully paid such Penalty or Penalties, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law.

LVII. And for the more easy Conviction of Offenders against this Act, be it further enacted, That a Conviction in the Form or to the Effect following shall be good, without alleging more than the Substance of the Offence; (that is to say,) Conviction of Offenders.

BE it remembered, That on the _____ Day of _____ in the _____ Year of our Lord One thousand eight hundred and _____ Form of Conviction.
 is or are [*as the Case may be*] convicted before me or us [*as the Case may be*], One, or _____ [*as the Case may be*] of His Majesty's
 Justices of the Peace for the County of *Stafford*, of having [*here state the Offence, and the Time and Place when and where the same was committed*] contrary to an Act of Parliament passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, intituled [*here insert*
 [Local.] _____ 21 Y _____ the

' *the Title of this Act*], for which Offence I or we [*as the Case may be*]
 ' do adjudge the said to have forfeited the Sum of
 ' [*here state the Amount of the Penalty, Fine, or Forfeiture for the Offence*],
 ' according to the said Act of Parliament. Given under my Hand and
 ' Seal or our Hands and Seals [*as the Case may be*] the Day and Year
 ' first before written.'

Witnesses
 may be sum-
 moned.

LVIII. And be it further enacted, That if any Person shall be summoned as a Witness to give Evidence before any Justice or Justices of the Peace touching any Matter contained in any Information or Complaint for any Offence against this Act, either on behalf of the Prosecution or on behalf of the Person or Persons accused, and shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum of Money for his or her Costs and Expences, without a satisfactory Excuse being given for such Non-appearance, or appearing shall refuse to be examined upon Oath, and which Oath any Justice or Justices of the Peace is and are hereby expressly authorized and required to administer, in all Cases whatsoever where the Provisions of this Act require the Oath of any Witness or Witnesses to be had in any Proceeding before such Justice or Justices, and to give Evidence touching the Matter in question before such Justice or Justices, then and in every such Case every such Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

Persons pay-
 ing Rates, &c.
 may be Wit-
 nesses.

LIX. And be it further enacted, That no Person whosoever shall be disqualified from being a competent Witness, and being admitted to give Evidence in any Actions, Informations, Prosecutions, Appeals, Causes, or Proceedings whatsoever relating to the Execution of this Act, by reason of his paying or being charged with or liable to pay any of the Rates or Assessments hereby authorized to be made, or any other Rate or Assessment within the said Townships or Vills, or by reason of his being an Inhabitant of the said Townships or Vills or either of them, or being one of the Commissioners for putting this Act in execution, or holding any Office under the said Commissioners.

Distress not
 to be avoided
 for Want of
 Form.

LX. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor shall the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect of Form in any Proceeding relating thereto, nor a Trespasser or Trespassers *ab initio* on account of any subsequent Irregularity in the prosecuting of such Distress, but the Person or Persons aggrieved by such Irregularity may recover Satisfaction for special Damages in an Action upon the Case.

Appeal.

LXI. Provided always, and be it further enacted, That any Body or Bodies Politic or Corporate, or any Person or Persons whosoever, thinking himself, herself, or themselves aggrieved by any Rate or Assessment laid and assessed under or by virtue of this Act, or by any Determination or Judgment made or given by any Justice or Justices of the Peace in pursuance of this Act, or by any Payment made by the said Commissioners,

or by their Authority, or by any other Matter or Thing done by the said Commissioners or otherwise in the Execution of this Act, may, within Six Calendar Months after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at some General or Quarter Sessions of the Peace to be holden for the said County of *Stafford* or other the County or Place where the Cause or Matter of Appeal shall arise, the said Party or Parties Appellant having given at least Fourteen Days Notice in Writing of his, her, or their Intention of making such Appeal, and of the Matter and Cause thereof, to the Party or Parties against whom such Appeal shall happen to be made, or whose Interest may be affected by such Appeal, except where the Appeal shall be made against any such Rate or Assessment as aforesaid, or against any other Act, Matter, or Thing made or done by the said Commissioners, or by any Justice or Justices of the Peace, and then to the Clerk or Clerks of the said Commissioners, and within Four Days after such Notice causing a Recognizance to be entered into before some Justice of the Peace for the said County, by Two sufficient Persons in the Sum of Twenty Pounds each, conditioned for the Party or Parties Appellant trying such Appeal, and abiding the Order and Award of the Justices at such General or Quarter Sessions thereon, and paying such Costs as shall be awarded at such Sessions; and thereupon the Justices present at any such General or Quarter Sessions, upon due Proof upon Oath of such Notice and Recognizance having been given and entered into as aforesaid, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and the said Justices shall have Power to award such Restitution, Damages, and Costs to the Party or Parties appealing or prosecuting such Appeal, or such Costs to the Respondent or Party or Parties defending such Appeal, as the said Justices shall think proper; and all such Determinations of the said Justices at such Sessions shall be final, binding, and conclusive upon all Parties, and to all Intents and Purposes whatsoever.

LXII. Provided always, and be it further enacted, That on any Appeal from or against any Rate or Assessment to be made in pursuance of or for any of the Purposes mentioned in this Act, the Justices of the Peace at the General or Quarter Sessions of the Peace to which such Appeal shall happen to be made, may alter and amend any such Rate or Assessment, in such Manner as they shall think necessary for giving Relief to any Party or Parties injured or aggrieved thereby, without quashing or altering any such Rate or Assessment with respect to any other Persons mentioned in the same; but if upon any such Appeal it shall by such Justices be thought necessary to set aside the whole Rate or Assessment, then and in such Case it shall be lawful for such Justices so to do, and to order a new Rate or Assessment to be made in the Manner herein-before directed.

Justices on Appeal may alter or quash Rates.

LXIII. And be it further enacted, That no Order, Verdict, Rate, Assessment, Judgment, Conviction, or other Proceeding touching or concerning any Offence against this Act, or any other of the Matters aforesaid, shall be quashed or vacated for Want of Form only, or be removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary thereof in anywise notwithstanding.

Proceedings not to be quashed nor removed by Certiorari.

LXIV. And

Commissioners may sue and be sued in the Name of their Clerk.

LXIV. And be it further enacted, That the said Commissioners shall and may sue and be sued, plead and be impleaded, appeal and be appealed against, and otherwise proceed and be proceeded against at Law or otherwise, in the Name of any One of the said Commissioners or of their Clerk or Clerks for the Time being; and all Actions or Suits, Appeals, and other Proceedings whatsoever, which may be brought or prosecuted by Order of the said Commissioners for the Recovery of any Rate or Rates, Assessment or Assessments, or Sum or Sums of Money whatsoever, which shall be due or payable by virtue of this Act, or for or in respect of any other Matter or Thing relating to this Act or the Execution thereof, shall or may be brought and prosecuted in the Name of any One of the said Commissioners, or of the Clerk or Clerks of the said Commissioners for the Time being; and that no Actions, Suits, Appeals, or other Proceedings which may be brought or prosecuted by or against the said Commissioners or any of them by virtue or on account of this Act, in the Name of any One of the said Commissioners or of their Clerk or Clerks, shall abate or be discontinued by the Death or Removal of such Commissioner, Clerk or Clerks, or by any Act or Default of such Clerk or Clerks done or suffered without the Direction or Consent of the said Commissioners, but such Commissioner, or the Clerk or Clerks of the said Commissioners for the Time being, shall always be deemed Plaintiff or Defendant, Appellant or Respondent, as the Case may be, in such Actions, Suits, Appeals, or other Proceedings: Provided always, that every such Commissioner or Clerk or Clerks in whose Name any Action, Suit, Appeal, or other Proceeding may be commenced, prosecuted, or defended, in pursuance of this Act, shall always be reimbursed, out of the Monies to be raised by virtue of this Act, all Costs, Charges, and Expences which he shall sustain or become chargeable with by reason of his being so made Plaintiff, Defendant, Appellant, or Respondent therein; and such Commissioner, Clerk or Clerks, shall not be personally answerable for the Payment of the same or any Part thereof, unless such Action, Suit, Appeal, or other Proceeding shall arise in consequence of his own Neglect or Default, or shall have been brought or commenced or be defended without the Order of the said Commissioners.

Commissioners indemnified when acting legally.

LXV. Provided always, and be it further enacted, That no Contract which shall be made by the said Commissioners for any of the Purposes of this Act shall be binding upon the said Commissioners as Individuals, or in their private Capacities, nor shall any of the said Commissioners personally, or their respective Estates, Goods, Chattels, or Effects, be answerable for or subject to the Payment of any of the Mortgages to be granted in pursuance of this Act; and that all and every the Commissioners acting in the Execution of this Act shall from Time to Time, and at all Times hereafter, be fully indemnified, from and out of the Monies to be raised under and by virtue of this Act, of and from all Costs, Charges, Damages, and Expences which they or any of them, or their Treasurer or Treasurers, Clerk or Clerks as aforesaid, shall or may pay, sustain, or be put unto for or by reason of any Action, Suit, or Proceeding which may be had, sued, commenced, or prosecuted against them, or any or either of them, for any Matter or Thing which may be by them respectively legally done in and about the Execution of this Act, and the Trusts reposed in them under the same.

LXVI. And

LXVI. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Party for any thing done in pursuance of this Act unless Notice in Writing shall have been given to the Defendant or Defendants, Twenty-eight Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action if Tender of sufficient Amends shall have been made to him, her, or them, or his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Plaintiffs not to recover without Notice, or after Tender of Amends.

LXVII. And be it further enacted, That no Action or Suit shall be commenced or prosecuted against any Person or Persons for any thing done or to be done in pursuance or under the Authority of this Act after the Expiration of Six Calendar Months next after the Fact committed or the Cause of Action has ceased and determined, except as may be herein otherwise directed; and all such Actions and Suits shall be laid and tried in the County where the Cause of Action shall have arisen, and not elsewhere; and it shall be sufficient for the Defendant or Defendants in any such Action or Suit to plead the General Issue, and give this Act and the special Matter in Evidence at any Trial which shall be had thereupon, and that the Matter or Thing for which such Action or Suit shall be so brought was done in pursuance and by the Authority of this Act; and if upon such Trial such Matter or Thing shall appear to have been so done, and if such Action or Suit shall have been brought before Twenty-eight Days Notice shall have been given, or after sufficient Satisfaction shall have been made or tendered as aforesaid, or after the Time hereinbefore limited for bringing the same, or if the same shall be brought in any other County or Place than as aforesaid, or if such Action shall be proceeded in after sufficient Money shall have been paid into Court as hereinbefore authorized, then and in any of the said Cases the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict being given, or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of such Action or Suit after the Defendant or Defendants shall have appeared thereto, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall have Double Costs, and shall have such and the like Remedy for recovering the same as any Defendant hath for recovering Costs of Suit in any other Cases by Law; provided nevertheless, that in the Case of paying Money into Court as aforesaid the Defendant or Defendants shall be entitled to Double Costs from the Time of such Payment only.

Limitation of Actions.

LXVIII. And be it further enacted, That in all Cases of Notices or Demands in Writing directed or required by this Act to be given or served, or which shall or may be necessary for carrying into execution

Direction as to Service of Notices, &c.

[Local.]

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any

any of the Powers of this Act, the Service of any such Notice or Demand by delivering the same or a true Copy thereof to the Person or Persons to whom the same ought to be given, or by leaving the same or a true Copy thereof at his, her, or their Dwelling House or usual or last Place of Abode, shall be a valid and effectual Service thereof, except only in Cases where personal Service is herein-before expressly required.

Expences of this Act.

LXIX. And be it further enacted, That the Costs, Charges, and Expences of obtaining and passing this Act and incident thereto, and the Interest of the Money which shall have been advanced for those Purposes, shall be paid and discharged by the Commissioners aforesaid by and out of the first Monies hereby authorized to be raised by them.

Respecting Etruria and Part of Cobridge.

LXX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to affect or include within the Operation of this Act such Part of the said Township of *Shelton* as is called *Cobridge*, or such Part of the said Township as is called *Etruria*, or any of the Estates and Lands now belonging to *Josiah Wedgwood* Esquire which lie on the South-west Side of the Turnpike Road leading from *Stoke-upon-Trent* to *Cobridge*, formerly called *Old Field Lane*, or on the West Side of the Turnpike Road leading from *Newcastle-under-Lyme* to *Leek*, or any Houses, Shops, Warehouses, Manufactories, Mills, Lime Kilns, Brick Kilns, Slip Houses, Stables, Coach-houses, Barns, Sheds, Cellars, Vaults, Counting-houses, Offices, or other Buildings or Tenements, or any Yards, Gardens, Orchards, or Wharfs, which now are or hereafter may be erected or made on the said Estates and Lands or any Part thereof, until the said Commissioners, and the major Part in annual Value (according to the Assessment for the Relief of the Poor of the Parish of *Stoke-upon-Trent* aforesaid) of the Owners of Houses or other Property upon and within the said excepted Limits which under the Powers of this Act may be the Subject of Rate or Assessment for the Purposes thereof, shall, by Writing under their Hands, consent and agree that the Whole or such Part or Parts of the said excepted Estates and Limits as shall from Time to Time be specified in such Consent and Agreement may participate in the beneficial Purposes of this Act, and be and become subject to the several Powers, Provisions, Rules, Regulations, Matters, and Things herein contained, and to the Payment of the Rates hereby authorized to be imposed.

Respecting the Rectory of Stoke-upon-Trent.

LXXI. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to affect or include within the Operation of this Act any Houses, Shops, Warehouses, Manufactories, Mills, Lime Kilns, Brick Kilns, Slip Houses, Stables, Coach-houses, Barns, Sheds, Cellars, Vaults, Counting-houses, Offices, or other Buildings or Tenements, or any Yards, Gardens, Orchards, or Wharfs, which now are or hereafter may be erected or made on any Part of the present Glebe Lands belonging to the Rectory of *Stoke-upon-Trent*, which are within the said Township of *Shelton*, until the said Commissioners and the major Part in annual Value (according to the Assessment for the Relief of the Poor of the Parish of *Stoke-upon-Trent* for the Time being) of the Occupiers of the several Houses or other Property upon the said Glebe Lands which under the Powers of this Act may be the Subject of Rate or Assessment for the Purposes thereof, and the Rectors of the said

said Parish of *Stoke-upon-Trent* for the Time being, shall, by Writing under their Hands; consent and agree that the Whole or such Part or Parts of the said Tenements and Premises erected or made upon the said Glebe Lands as shall from Time to Time be specified in such Consent and Agreement may participate in the beneficial Purposes of this Act, and be and become subject to the several Powers, Provisions, Rules, Regulations, Matters, and Things herein contained, and to the Payment of the Rates hereby authorized to be imposed: Provided further, that immediately after any such Consent and Agreement shall have been made as aforesaid the Rectors for the Time being of the said Parish of *Stoke-upon-Trent* shall thereupon be and become and may thenceforth for ever act as Commissioners for the Purposes of this Act, each such Rector first taking and subscribing the like Oath which is herein-before directed to be taken and subscribed by the Officiating Minister or Ministers of the said Townships or Vills, or either of them, before he shall act as a Commissioner, and be subject to the like Penalties in case of Default.

LXXII. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to alter, lessen, prejudice, or affect the Powers or Authorities, Rights or Interests, of the Trustees under the said Act passed in the Fifty-third Year of the Reign of His late Majesty King *George* the Third, for establishing and regulating the Market and for enlarging and improving the Market Place at *Hanley* in the County of *Stafford*, save and except so far as the same may be affected by the due and legal Exercise and Discharge of the Powers for watching and lighting herein contained, and for laying down and constructing Mains, Pipes, and other Works under or through the said Market Place and the Avenues and Approaches thereto, and breaking up and relaying any Pavements, Flags, or Soil for those Purposes, or any of them.

Saving Rights
of Trustees
of Market.

LXXIII. Provided also, That nothing in this Act contained shall extend or be construed to extend to alter, lessen, prejudice, or affect the Rights or Interests of the King's most Excellent Majesty, His Heirs or Successors, as Lord of the said Manor of *Newcastle-under-Lyme*, or to alter, lessen, prejudice, or affect the Rights or Interests of the Lord or Lords for the Time being of the Manor of *Hanley* in the said Parish of *Stoke-upon-Trent* in the said County of *Stafford*.

Rights of the
King, or of
the Lord of
the Manor of
Hanley, not
to be affected.

LXXIV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Public Act.

