



ANNO UNDECIMO

# GEORGII IV. REGIS.

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## *Cap. xlv.*

An Act for more effectually cleansing, paving, lighting, watching, regulating, and improving the Township of *Little Bolton* in the County Palatine of *Lancaster*. [29th May 1830.]

**W**HEREAS an Act was passed in the Thirty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for inclosing, dividing, and allotting a certain Common or Waste Ground called Bolton Moor, and other the Commons and Waste Grounds within the Township of Great Bolton in the County Palatine of Lancaster; and for widening, paving, lighting, watching, cleansing, and regulating the Streets, Lanes, Passages, and Places within the Towns of Great Bolton and Little Bolton; and for supplying the said Towns with Water, and for providing Fire Engines and Firemen, and for preventing Nuisances, Encroachments, and Annoyances; and for licensing and regulating Hackney Coaches and Chairs, in the said Towns*: And whereas the Streets, Squares, Lanes, Roads, Passages, Highways, and public Places within the Township of *Little Bolton* have been lighted, and the Inhabitants of the said Township supplied with Gas, by the *Bolton Gas Light and Coke Company*, incorporated by an Act passed in the First Year of the Reign of His present Majesty, intituled *An Act for lighting with Gas the Towns of Great and Little Bolton in the County Palatine of Lancaster, at a Price or Sum paid by Agreement between the said Gas Light and Coke Company* and

32G.3. c. 71.  
1 G. 4. c. 57.  
[Local.] 11 M



and the Trustees for lighting, paving, and otherwise improving the said Township of *Little Bolton*, and the Inhabitants thereof respectively: And whereas considerable Sums of Money have been borrowed on the Credit of the Rates authorized to be laid and collected under and by virtue of the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, so far as it extends to the Town and Township of *Little Bolton*, which are still due and owing; and other Debts and Sums of Money have been contracted and are now owing under the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, so far as it extends to the said Town and Township of *Little Bolton*: And whereas the better to enable the same Sums of Money and Debts to be paid and discharged, and for the better cleansing, paving, repairing, lighting, watching, regulating, and improving the said Township of *Little Bolton*, it is expedient that the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, so far as it extends to the Town and Township of *Little Bolton*, should be repealed, and that further, better, and additional Powers and Provisions should be granted instead thereof, but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the *Thursday* in the Eleventh whole Week next after the passing of this Act, the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, so far as the same relates to the said Town and Township of *Little Bolton*, shall be and the same is hereby repealed, and this Act shall thereupon commence and take effect.

Recited Act repealed as far as relates to *Little Bolton*.

Commencement of Act as to certain Parts.

II. Provided always, and be it further enacted, That this Act shall commence and take effect from the passing thereof, as to the first Election of Trustees for executing the same, and all Matters and Things relating to or connected with such Election.

Trustees.

III. And be it further enacted, That *Richard Ainsworth, James Fletcher, James Monks, Edmund Askworth, Ralph Mangnall, Robert Barlow, Thomas Thompson, Robert Darbishire, Thomas Whitehead, Arthur Morris, John Livesey, John East, Abraham Hough, Stephen Blair, William Dean, Andrew Kinnear, William George Taylor, and John Barrow*, together with the Boroughreeve for the Time being of the said Township of *Little Bolton*, and Twelve other Male Persons who shall have attained the Age of Twenty-one Years, to be elected and appointed at the Times and in the Manner herein directed, shall be Trustees for carrying this Act into execution, it being intended that the Number of Trustees (including the Boroughreeve for the Time being of the said Township of *Little Bolton*) for carrying this Act into execution shall be Thirty-one in Number.

Qualification of Trustees.

IV. And be it further enacted, That no Person (except the Boroughreeve for the Time being of the said Township of *Little Bolton*) shall be capable of acting as a Trustee under this Act, unless he shall be the Occupier of a Messuage, House, Building, Lands, Tenements,



Tenements, or Hereditaments within the said Township of *Little Bolton*, which in the last Assessment made for the Relief of the Poor of the said Township of *Little Bolton*, in the Year ending on the Thirty-first Day of *March* next preceding the Election, shall be rated severally or in the whole at and upon the yearly Value of not less than Thirty Pounds, or unless he shall be the Occupier of a Messuage, House, Building, Lands, Tenements, or Hereditaments within the said Township of *Little Bolton*, which in the last Assessment made for the Relief of the Poor of the said Township of *Little Bolton*, in the Year ending on the Thirty-first Day of *March* next preceding the Election, shall be rated at and upon any less yearly Value than Thirty Pounds, and as well as being such Occupier as last aforesaid, shall also, in his own Right or in Right of his late or then present Wife, be the Owner and in the actual Possession or Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, within the said Township of *Little Bolton*, of the yearly Value of Thirty Pounds at the least, clear of Reprizes and Incumbrances, and which under such last Assessment shall be rated severally or in the whole at and upon the yearly Value of not less than Thirty Pounds.

V. And be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act who shall be or become bankrupt or insolvent, nor during the Time he shall hold any Office or Place of Profit, or have any Share or Interest, either directly or indirectly, in any Bargain or Contract for furnishing, supplying, or selling any Article, Matter, or Thing to be employed or made use of for the Purposes of this Act, nor during the Time he shall keep a Victualling House or other House of public Entertainment, or shall sell Wine, Cider, Beer, Ale, spirituous or other strong Liquors by Retail: Provided always, that such of the said Trustees under this Act, as are or shall be Justices of the Peace, may act as Justices of the Peace in the Execution of this Act, notwithstanding their being Trustees; and no Person shall become disqualified to act as a Trustee under this Act by reason only of his being the Treasurer to the Trustees under this Act, or of his being a Creditor on the Rates or Assessments to be raised and levied under the Powers of this Act.

Disqualification of Trustees.

VI. And be it further enacted, That no Person shall be capable of acting as a Trustee for carrying this Act into execution (except in administering the Oath or Affirmation herein contained, and to be taken or made and to be subscribed by Trustees for carrying the same Act into execution,) until he shall have taken and subscribed before any Two or more of such Trustees, at a Meeting to be holden by virtue of this Act, (and who are hereby required and authorized to administer the same to each other,) an Oath, or, being a Quaker, until he shall have made and subscribed an Affirmation, in the Form or to the Effect next following; (that is to say,)

Trustees not to act until they have taken the following Oath.

‘ I *A. B.* do swear, [*or, being one of the People called Quakers, do* Oath.  
 ‘ 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



passed in the Eleventh Year of the Reign of His Majesty King George the Fourth, intituled [here set forth the Title of this Act]

So help me GOD!

[On being Quakers, omit the Words 'So help me God?']

And such Trustees shall and they are hereby required to cause an Entry or Memorandum to be made, in the Book of their Proceedings, of the taking, making, and subscribing of the said Oath or Affirmation.

Penalty on Persons not qualified acting as Trustees.

VII. And be it further enacted, That if any Person not being qualified according to the Directions of this Act, or having ceased to be qualified according to the Directions of this Act, or being disqualified by any of the Causes herein mentioned, or not having taken and subscribed such Oath as aforesaid, or, being a Quaker, not having made and subscribed such Affirmation as aforesaid, or holding any Office or Place of Profit (save and except the Office of Treasurer), or being concerned in any Bargain or Contract as aforesaid, shall act as such Trustee in the Execution of the Powers hereby given, or any of them, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to be recovered on the Information or Prosecution of any Person whomsoever, with full Costs of Suit, in any of His Majesty's Courts of Record at Westminster or Court of Common Pleas at Lancaster, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, Privilege, or Wager of Law, nor more than One Imparance, shall be allowed; and every Person so sued or prosecuted by reason of not being so qualified shall prove that he was, at the Time of acting, qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor, that such Person acted as such Trustee in the Execution of this Act; and the Money so to be recovered shall, after the Payment of the Costs and Charges attending the Recovery thereof, be paid to the Treasurer to be appointed by virtue of this Act, to be by him applied to the Purposes of this Act: Provided always, that all Acts and Proceedings of every Person acting as such Trustee in the Execution of this Act, although not duly qualified as aforesaid, or being disqualified as aforesaid, previous to his being convicted of any such Offence, shall, notwithstanding such Conviction, be as good, valid, and effectual as if such Person had been duly qualified or had not been disqualified to act as a Trustee according to the Directions of this Act.

Acts of Trustees to be valid, although they were not duly qualified.

Trustees to be a Corporation.

VIII. And be it further enacted, That the Trustees for carrying this Act into execution shall be a Body Corporate and Politic, by the Name of "The Trustees for improving the Township of Little Bolton," and by that Name shall and may have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, and the several Lands, Buildings, Tenements, and Hereditaments, Properties, Monies, Articles, Matters, and Things, belonging to the Trustees under the said recited Act of the Thirty-second Year of the Reign of His late Majesty, so far as the same related to the said Town and Township of Little Bolton, shall be and the same are hereby



hereby vested in the Trustees for executing this Act; and every Person in whom any Lands, Buildings, Tenements, or Hereditaments are vested in Trust for the said Trustees under the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, so far as the same related to the said Town and Township of *Little Bolton*, shall stand and be seised and possessed thereof in Trust for the Trustees under this Act, and for the Purposes of this Act, and shall convey and dispose of the same to such Person, and for such Uses, Intents, and Purposes, and in such Manner, as the Trustees under this Act shall direct or appoint.

IX. And be it further enacted, That every Male Person who, at the Time of the First or any future Election of Trustees for executing this Act, shall have attained the Age of Twenty-one Years, and who shall be the Occupier of any Messuage, House, Building, Lands, Tenements, or Hereditaments within the said Township of *Little Bolton*, rated in the last Assessment made for the Relief of the Poor of the said Township of *Little Bolton*, in the Year ending on the Thirty-first Day of *March* next preceding the Election, at and upon any yearly Value not amounting to Fifty Pounds, shall be entitled to give One Vote, in manner herein directed, for any One or more of the Trustees to be elected at the said First and any future Election of Trustees for carrying this Act into execution; and every such Occupier of any such Messuage, House, Building, Lands, Tenements, or Hereditaments rated in such last Assessments at and upon any yearly Value amounting to Fifty Pounds and upwards (whether in One or in more than One Sum or Charge), shall be entitled to give One such Vote for every Twenty-five Pounds of such yearly Value, so nevertheless that no such Occupier shall be entitled to give more than Six Votes: Provided always, that no Person shall be entitled to vote on the First Election aforesaid unless he shall, previous to such Election, have fully paid the Poor's Rates in which he shall have been rated in the said Township of *Little Bolton* during such preceding Year; and no Person shall be entitled to vote on any Election of Trustees under this Act, after the said First Election, unless he shall have fully paid the Poor's Rates in which he shall have been rated in the said Township of *Little Bolton* during the Year ending on the Thirty-first Day of *March* next preceding every such future Election, and also the Rates in which he shall have been rated under this Act during such preceding Year.

X. Provided always, and be it further enacted, That in case of any Assessment on any Messuage, House, Building, Lands, Tenements, or Hereditaments occupied by Two or more Persons in Partnership, every Person constituting such Partnership may (subject to the Provisions herein contained) vote for the Trustees under this Act according to the Proportion and Amount which shall be borne by him of the joint Charge; and where One only of such Persons shall attend to vote, he shall be entitled to vote according to and in respect of the whole joint Charge; and every Person constituting such Partnership shall be eligible to be a Trustee under this Act, so far as the Amount of the Assessment upon such Messuage, House, Building, Lands, Tenements, or Hereditaments, according to the Election

Qualification  
of Voters.

All Partners  
may vote and  
be eligible as  
Trustees as  
far as Assess-  
ment extends.



Lists herein-after mentioned, and so far as every such Partner's Share and Interest therein, will extend.

Previous to the first Election of Trustees, a List to be prepared of all Persons eligible as such.

XI. And be it further enacted, That for the First Election of Trustees for executing this Act, to make the total Number of Trustees Thirty-one, including the Boroughreeve for the Time being of the said Township of *Little Bolton*, the Clerk of the Trustees for executing the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, so far as the same related to the said Town and Township of *Little Bolton*, shall and he is hereby required to prepare an alphabetical List, to be called "The Election List," of the Names, Residences, and Descriptions of the several Persons who, under the Provisions of this Act, may be respectively eligible to be elected Trustees for this Act; and the said List shall be publicly exhibited in the Town Hall in *Little Bolton* aforesaid, and also a Copy thereof affixed to the outer Door of the Town Hall aforesaid, on or before the Fifth Friday next after the passing of this Act; and if the Name of any Person eligible to be elected a Trustee shall be omitted in such List, it shall be lawful for the Person whose Name shall be so omitted, or for any Person entitled to vote at such Election, to give Notice thereof in Writing under his Hand, stating the Name, Residence, and Description of the Person whose Name is so omitted, to the said last-mentioned Clerk, on or before the Sixth Friday after the passing of this Act; and such Clerk shall and he is hereby required, in case of any such Omission and Notice, to prepare a List, to be called "The Supplementary Election List," of the Names, Residences, and Descriptions of the Persons whose Names are so omitted; and such Supplementary List shall be publicly exhibited in the Town Hall in *Little Bolton* aforesaid, and also a Copy thereof affixed on the outer Door of the Town Hall aforesaid, on or before the Seventh Friday next after the passing of this Act; but no Election of any Person as a Trustee under this Act whose Name shall be inserted in any such List, and who shall be duly qualified to be a Trustee under this Act, on any Election whatsoever of Trustees under this Act, shall be void or voidable by reason of the Name of any other Person duly qualified to be elected a Trustee under and according to the Provisions of this Act being omitted in any such Lists.

First Election of Trustees.

XII. And be it further enacted, That the Persons entitled to vote as aforesaid are hereby required to assemble and meet together in the Town Hall, or at some other convenient Place within the said Township of *Little Bolton*, in the Ninth Week next after the passing of this Act, on some Day, between the Hours of Nine and Eleven of the Clock in the Forenoon, to be named by the Clerk of the Trustees acting under the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, for the said Town and Township of *Little Bolton*, or by any One or more of such Trustees, for the Purpose of electing so many new Trustees as, together with the Trustees before named, or such of them as shall then be living, will make the total Number of Trustees Thirty-one, including the Boroughreeve for the Time being of the said Township of *Little Bolton*, Four Days previous Notice of such Meeting (exclusive of the Day of Notice and Day of Meeting) having been given by the Clerk of the said Trustees



under the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, for the said Town and Township of *Little Bolton*, or any One or more of such Trustees, by affixing such Notice on the outer Door of the Town Hall aforesaid, and by advertising such Notice in One or more of the *Bolton* or *Manchester* Newspapers, which Notice he and they is and are hereby required to give; and as soon as Nine of the Persons so entitled to vote at such Meeting shall be assembled, and the Time appointed for holding such Meeting shall have arrived, the Boroughreeve of the said Township of *Little Bolton*, if present, shall take the Chair at such Meeting; but if the said Boroughreeve is not present, then the Persons present at such Meeting and entitled to vote shall, by a Majority of Votes, to be testified by a Show of Hands, or by a Division if necessary, appoint some One of those present who shall be entitled to vote at such Election to be the Chairman of such Meeting; and at the said Meeting, One Hour, and no more, from the Time the Chair may have been taken, shall be allowed for receiving Votes and Proposals as hereinafter mentioned, during which Time each of the Persons present and entitled to vote at such Meeting (not being less than Nine as aforesaid) shall and may vote for and propose any One or more of the Number of Trustees then to be elected, by writing down the Name of the Person he may so vote for and propose; and the Name of the Person so voted for and proposed shall be handed to the Chairman of the said Meeting, who shall immediately thereupon announce each of such Names to the Meeting; and at the Expiration of the Time for the Reception of such Votes and Proposals as aforesaid, the Chairman shall forthwith examine and compare the Names of all the Persons voted for and proposed with the said Election List, and shall count such of them as may be correct, and if they do not exceed the Number of Trustees then to be elected, they shall be Trustees for carrying this Act into execution; but if they exceed such Number, then no more Persons shall be admitted into the Room or Place where such Meeting shall be held, and the whole of the Names so voted for and proposed and found correct as aforesaid shall be put into a Box by the said Chairman, and by him drawn out one by one, and as they are so drawn out they shall be proposed to the Meeting and voted for; and the Number of Votes for and against each shall be put down in Writing by the Chairman; and those Persons who, upon the Termination of such last-mentioned voting, shall be found to have the greatest Number of Votes, shall, to the Extent of the Numbers of Trustees to be then elected, be Trustees for carrying this Act into execution; and in case of an Equality of Votes at the said Meeting, including the Chairman's Vote, then the Chairman shall have and give another or casting Vote; and the Chairman of the said Meeting shall and he is hereby required, on the First Election of the said Trustees, to leave with the Clerk of the said Trustees acting under the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, for the said Town and Township of *Little Bolton*, or at the Office of such Trustees, and on every subsequent Election with the Clerk of the Trustees under this Act, within Two Days after such Election, a List, to be in all Cases signed by the Chairman of the said Meeting, of the Names, Residences, and Descriptions of the Persons elected at such Meeting; and the said Clerk to whom the same shall

be



be delivered shall and he is hereby required, as soon as conveniently may be after such List shall be so delivered to him, to cause the same to be published, by affixing a Copy thereof on the outer Door of the Town Hall aforesaid, within Fourteen Days next after the Delivery of such List.

How long Trustees shall remain in Office.

XIII. And be it further enacted, That the whole Number of the said Trustees named in this Act, and who shall be first elected as aforesaid, shall continue in Office (except in case of Death, Refusal to act, or ceasing to be qualified,) until the Fourth Friday in the Month of October One thousand eight hundred and thirty-one, on which Day Ten of such Trustees shall go out of Office; and in like Manner, on the Fourth Friday in the Month of October One thousand eight hundred and thirty-two, Ten more of such Trustees so named and first elected shall go out of Office; and on the Fourth Friday in the Month of October One thousand eight hundred and thirty-three, the Remainder of the said Trustees so named and first elected (except the Boroughreeve for the Time being of the said Township of *Little Bolton*) shall go out of Office: Provided always, that the Number of such Trustees as shall have died, refused to act, or ceased to be qualified in the Course of the Year ending on each such Fourth Friday in October One thousand eight hundred and thirty-one and One thousand eight hundred and thirty-two, shall be taken and reckoned as Part of the Ten Trustees going out of Office at those Periods respectively; and upon such Fourth Friday in every such Month of October Ten new Trustees shall be elected, in manner herein-after provided, to supply the Places of the Ten Trustees so going out of Office; and such new Trustees to be so respectively elected at the several Periods aforesaid shall continue in Office for the Space of Three Years respectively from the Time of such Election, and no longer (except in case of Death, Refusal to act, ceasing to be qualified, or Re-election) and always afterwards, on the Fourth Friday in the Month of October in each and every succeeding Year, Ten Trustees shall be elected, in manner herein-after provided, in the Room or Stead of the Ten who will go out of Office according to the Provisions of this Act; and such Ten Trustees to be so from Time to Time elected shall continue in Office for the Space of Three Years, and no longer (except in case of Death, Refusal to act, Disqualification, or Re-election): Provided always, that all or any of the Ten Trustees going out of Office in Rotation as aforesaid shall be immediately and in each succeeding Year eligible to be re-elected.

Election of their Successors.

How the Routine of quitting Office by the first elected Trustees shall be determined.

XIV. And be it further enacted, That in order to determine which of the said Trustees named in this Act, and first elected, shall make up the Number of Ten going out of Office in the Months of October in the Years One thousand eight hundred and thirty-one and One thousand eight hundred and thirty-two, (after reckoning such Trustees as shall have died, refused to act, or ceased to be qualified,) the Clerk of the Trustees under this Act is hereby required at a Meeting of such Trustees, to be by them held on the First Friday in the Month of September in each of the said Years, to write the Names of such of the said Trustees named in this Act and first elected (except the Boroughreeve for the Time being as aforesaid) upon distinct Pieces of Paper,

of



of equal Size, each Paper containing the Name of One of such Trustees only; and all the said Papers shall be rolled up in the same Form as near as may be, and shall be put into a Box, and the requisite Number of Papers to make up the Number of retiring Trustees shall be drawn out of such Box by such Clerk, one by one, and those of the said Trustees whose Names shall be upon the Papers so drawn out shall complete the Number of Ten Trustees going out of Office on such Fourth *Friday* in such Month of *October* in the Years One thousand eight hundred and thirty-one and One thousand eight hundred and thirty-two respectively.

XV. And be it further enacted, That for the Election of the said Trustees under this Act to supply the Places of those annually going out of Office, or dying, refusing to act, or ceasing to be qualified as aforesaid, the Trustees under this Act, or their Clerk, shall annually, in like Manner as by this Act directed with respect to the said First Election of the said Trustees under this Act, prepare a List, to be called "The Election List," of Persons respectively eligible to be elected Trustees under this Act, and such Trustees or Clerk shall thereupon properly mark and distinguish, not only the Names of such Trustees from Time to Time going out of Office, but also the Names of the remaining Trustees for the Time being; and such List, so marked and distinguished, shall be publicly exhibited in the Town Hall aforesaid, and also a Copy thereof affixed to the outer Door of the Town Hall aforesaid, on or before the First *Friday* in the Month of *October* in each and every Year; and if the Name of any Person eligible to be elected a Trustee under this Act shall be omitted in such List, and Notice thereof in Writing, signed by the Party giving the same, stating the Name, Residence, and Description of the Person so omitted, shall be given by the Person whose Name shall be so omitted, or by any Person entitled to vote in the Election of such Trustees, to the said Clerk, or left at the Office of the Trustees under this Act, on or before the Second *Friday* in the Month of *October* in any Year, then such Trustees or their Clerk shall and they and he are and is hereby required annually, in like Manner as by this Act directed with respect to the said First Election of Trustees, to prepare a List, to be called "The Supplementary Election List;" and such Supplementary List shall, on or before the Third *Friday* in the Month of *October* in every Year, be publicly exhibited in the Town Hall aforesaid, and a Copy thereof affixed on the outer Door of the Town Hall aforesaid; and all Meetings for the Elections of Trustees for supplying the Places of those annually going out of Office, or dying, refusing to act, or ceasing to be qualified as aforesaid, shall be held on the Fourth *Friday* in the Month of *October* in each and every Year, at the Town Hall, or some other convenient Place within the said Township of *Little Bolton*, between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon, to be named by the Clerk to the Trustees under this Act, or by any Five or more of such Trustees, Four Days previous Notice of such Meetings (exclusive of the Day of Notice and the Day of Meeting) having been given by the Clerk to such Trustees under this Act, or by any Five or more of such Trustees, by affixing such Notice on the outer Door of the Town Hall aforesaid, and by adver-

For electing  
Trustees on  
Vacancies.



tising such Notice in One or more of the *Bolton* or *Manchester* Newspapers, which Notice he and they is and are hereby required to give; and all such Elections of Trustees shall in all other respects be effected in like Mode as is by this Act directed for the First Election of the Trustees for carrying this Act into execution, or as near thereto as Circumstances will admit of.

Expences of Elections.

XVI. And be it further enacted, That the reasonable Costs and Expences to be from Time to Time incurred in and about the Preparation and Publication of the said Lists, and all other necessary Expences attending such Elections as aforesaid, shall be paid and discharged by and out of the Monies to be from Time to Time raised and received under and by virtue of this Act.

For remedying Default in Elections.

XVII. And be it further enacted, That if at any Time or Times hereafter, in consequence of any Neglect or Omission in the Preparation of the said Election Lists, or in exhibiting and publishing the same, or in holding the said Meetings, or any of them, or in electing the said Trustees according to the Provisions of this Act, the said First or any other Election of such Trustees shall not be made on the Day herein limited for that Purpose, then it shall be lawful for the Trustees acting under the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, so far as the same related to the said Town and Township of *Little Bolton*, or their Treasurer or Clerk, in respect of such First Election, and for the Clerk of the Trustees under this Act, or for any Five or more of such Trustees, in case of any such Neglect or Omission in any subsequent Election, and he and they is and are hereby respectively required, within Ten Days after the Day on which the Act for the Time being so neglected or omitted ought to have been done, to appoint a new and other Period and Day within and upon which such Act and all subsequent Acts necessary to such Election shall be done; and the Election to be made in pursuance of such Appointment shall be as good and effectual as if the same had been duly made and completed within the Time herein limited for that Purpose; and if any second or further Neglect or Omission shall arise in doing the said neglected or omitted Act and such subsequent Acts as aforesaid, or any of them, within the Periods and on the Days to be appointed as aforesaid under the Authority of this Act, then such Trustees or Treasurer or Clerk as aforesaid for the Time being, when such Neglect or Omission shall have arisen, shall from Time to Time, as soon as conveniently may be, but in no Case later than Ten Days from the Time when the Act last neglected or omitted ought to have been done according to their last Appointment, appoint a new and other Period and Day within and upon which the same Act and any remaining Acts necessary to the said Election shall be done, until the said Election shall be completed according to the true Intent and Meaning hereof.

All Arrears of Rates under former Act may be recovered by new Trustees.

XVIII. And be it further enacted, That every Person from whom any Arrears of Rates laid or assessed or payable by virtue of the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, so far as the same related to the said Town and Town-

ship



ship of *Little Bolton*, shall remain and be liable to the Payment thereof in all respects as such Person was liable before the passing of this Act, or would have been liable if the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, so far as the same related to the said Town and Township of *Little Bolton*, had not been repealed, and was still in force; and all such Rates and Arrears of Rates shall be paid to and received by the said Trustees under this Act, or their Collector appointed or to be appointed as herein mentioned, and shall and may be recovered in the same Manner and by the same Ways and Means as if such Rates or Arrears of Rates had been laid or assessed or had accrued or become due under and by virtue of this Act, and as the Rates under this Act may be recovered and levied by virtue of this Act; and each and every Treasurer, Collector, or other Person in whose Hands, Custody, or Controul any Money received or collected under or by virtue of the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, so far as the same related to the said Town and Township of *Little Bolton*, shall be at the Time of the Commencement of this Act, shall be and remain liable to pay and account for the same to the said Trustees for executing this Act in the same Manner as if such Money had come to their or any of their Hands by virtue of this Act, and under the like Penalties as are by this Act inflicted in like Cases in respect of the several Persons receiving any Monies by virtue of this Act.

Treasurer,  
&c. to pay  
over Money  
to new Trus-  
tees.

XIX. And be it further enacted, That all Persons who shall have been employed under the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, so far as the same related to the said Town and Township of *Little Bolton*, and all other Persons who shall have in their Custody or Possession any Book, Account, Conveyance, Deed, Parchment, Paper, Writing, Article, Matter, or Thing belonging to the said Trustees under the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, so far as the same related to the said Town and Township of *Little Bolton*, shall deliver over the same to the said Trustees under this Act in like Manner and under the like Penalties as are by this Act inflicted in like Cases in respect to the several Persons having the Possession of any Book, Writing, Article, Matter, or Thing under or by virtue of this Act.

Books, &c.  
under former  
Act, to be  
given up to  
new Trustees.

XX. And be it further enacted, That all Bonds, Conveyances, Deeds, Covenants, Agreements, Contracts, Stipulations, and Securities made to or by or entered into on account of the Trustees acting under the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, so far as the same related to the said Town and Township of *Little Bolton*, by any Person to or with the same Trustees, according to the Provisions of the same Act, shall, notwithstanding the Repeal of the said Act, so far as the same related to the said Town and Township of *Little Bolton*, subsist and continue, and shall remain in full Force, and be carried into effect by and with the said Trustees under this Act, and shall be and continue available in all Courts of Law and Equity, for such Term and in such Manner as, according to the Tenor thereof respectively, the same would have subsisted

Contracts  
under former  
Act to sub-  
sist.



subsisted and continued and ought to have been carried into effect by and with the said Trustees under the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, so far as the same related to the said Town and Township of *Little Bolton*; and all Bargains, Contracts, Agreements, or Notices made, entered into, or given by the said Trustees acting under the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, so far as the same related to the said Town and Township of *Little Bolton*, with or to any Person, for any Purpose relating to the said Town and Township of *Little Bolton*, or to the Execution of the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, so far as the same related to the same Town and Township, shall remain in full Force and Effect, and shall be observed and kept by the said Trustees under this Act, and by the other respective Parties to such Contracts, Agreements, or Notices, according to the Terms, Stipulations, and the true and equitable Intent and Meaning thereof, notwithstanding such Repeal as aforesaid of the said recited Act, so far as the same related to the said Town and Township of *Little Bolton*; and all Acts, Orders, and Proceedings of every Person who has acted as a Trustee in the Execution of the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, so far as it extended to the said Town and Township of *Little Bolton*, shall, notwithstanding such Person may not have been duly and legally appointed a Trustee under the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, be and remain as good, valid, and effectual as if such Person had been duly and legally appointed a Trustee for executing the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, for the said Town and Township of *Little Bolton*, according to the Directions of the said recited Act of the Thirty-second Year of the Reign of His said late Majesty.

Books under former Act to be Evidence under this Act.

XXI. And be it further enacted, That all Books of the said Trustees under the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, so far as the same related to the said Town and Township of *Little Bolton*, kept for entering the Proceedings at Meetings of the same Trustees relative to the same Town and Township, and all Entries therein kept according to the Directions or Provisions of the same Act, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, so far as the same related to the said Town and Township of *Little Bolton*, had not been repealed.

First and other Meetings of Trustees.

XXII. And be it further enacted, That the First Meeting of the said Trustees hereby named and appointed, and to be elected as aforesaid, shall be held at the Town Hall, or at some other convenient Place in the Township of *Little Bolton* aforesaid, to be appointed by the Clerk to the said Trustees acting under the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, so far as the same related to the said Town and Township of *Little Bolton*,  
on



on the *Friday* in the second whole Week next after such First Election of Trustees as aforesaid, at the Hour of Eleven of the Clock in the Forenoon; at which Meeting, so soon as Five or more of such Trustees shall have assembled, and the Chairman shall have taken the Chair at such Meeting, such Chairman shall take or make and subscribe, before the other of such Trustees present at such Meeting, the Oath or Affirmation herein-before prescribed, and after he shall have so taken or made and subscribed the same, he shall and may administer the like Oath or Affirmation to the other of such Trustees present at such Meeting; and when such Chairman and any other Four or more of such Trustees shall have so taken or made and subscribed such Oath or Affirmation as aforesaid, the said Trustees under this Act, or any Five or more of them, shall and may proceed to carry this Act into execution; and the Trustees under this Act shall afterwards meet in the same Place, or at such other convenient Place within the said Township of *Little Bolton* as the said Trustees shall from Time to Time appoint, on the First *Friday* in every Month, between the Hours of Ten and Eleven of the Clock in the Forenoon, for the Purpose of carrying this Act into execution, without any Notice being given of such Meetings; and the said Trustees under this Act shall at all their Meetings defray their own Expences.

XXIII. And be it further enacted, That all Acts, Rules, Orders, Resolutions, and Proceedings of the said Trustees in the Execution of this Act, which shall be had, made, or done at any Meeting to be held in pursuance of this Act, at which Five or more of such Trustees shall be present, and in which the Majority of such Five or more Trustees shall concur, shall be as valid and effectual as if all the Trustees for executing this Act had been present at such Meeting and had concurred therein, (except such Acts, Rules, Orders, Resolutions, and Proceedings as are by this Act particularly directed to be executed or done by any other Number of Trustees, or in any other Manner); and all Powers and Authorities granted to or vested in such Trustees, or directed to be done by them, shall and may from Time to Time be exercised, done, or transacted by the major Part of them present at the Meetings to be holden in pursuance of this Act, the whole Number present not being less than Five (except such Powers or Authorities as are by this Act particularly directed or authorized to be executed or done by any other Number of Trustees, or in any other Manner;) and at every such Meeting for putting this Act into execution, the Boroughreeve of *Little Bolton*, if he shall be present, shall be the Chairman thereof; but if the said Boroughreeve be absent, or if he shall refuse to be such Chairman, then such one of the Trustees present as they shall by a Majority of Votes appoint, shall be the Chairman thereof (it being hereby enacted, that the Votes of the Trustees, in all Cases under this Act, shall be testified by Show of Hands, or if necessary by Division); and if upon any Question there shall be an Equality of Votes of the Trustees assembled, including the Chairman's Vote, then the Chairman shall have and give another or casting Vote; and at every other Meeting to be held in pursuance of this Act, the Chairman of such Meeting, or any One of the Trustees, shall and he is hereby authorized and required to administer to such of the Trustees as shall not have taken

All Acts of Trustees to be done at Meetings, Five present being a Quorum.

Chairman of Meetings.



or made and subscribed the Oath or Affirmation before, the Oath or Affirmation hereby required to be taken or made and subscribed by the said Trustees.

Orders not  
to be revoked  
without  
Notice.

XXIV. Provided always, and be it further enacted, That no Order, Rule, Resolution, or Proceeding had, made, or done at any Meeting held in pursuance of this Act, at which there shall have been Five or more of the said Trustees present, shall be revoked, suspended, or altered at any subsequent Meeting (except at a Special Meeting to be called for that express Purpose), unless Notice of the Intention to make such Revocation, Suspension, or Alteration shall have been given by some one of the Trustees under this Act at a previous Meeting of such Trustees, and shall have been entered in their Book of Proceedings, nor unless Notice of such Intention shall have been given by affixing such Notice on the outer Door of the Town Hall aforesaid Four Days (exclusive of the Day of Notice and Day of Meeting) at the least before the Meeting at which such Revocation, Suspension, or Alteration is intended to be made, nor unless Five at least of such Trustees present at such last-mentioned Meeting shall concur in such Revocation, Suspension, or Alteration.

Meetings on  
Emergencies.

XXV. And be it further enacted, That if at any Time it shall be thought necessary that a Meeting of the Trustees under this Act should be holden on an earlier Day than the First *Friday* in the Month immediately subsequent to the last Meeting, then and in such Case it shall be lawful for such Trustees, or any Three or more of them, or for their Clerk, on Application in Writing of any Three or more of such Trustees, (and which he and they is and are hereby required to do on such Application,) to appoint such Meeting for such earlier Day, and of which Meeting, and of the Time and Purpose thereof, Four Days previous Notice (exclusive of the Day of Notice and Day of Meeting) shall be given by affixing such Notice on the outer Door of the Town Hall aforesaid, and by advertising the same in One of the *Bolton* or *Manchester* Newspapers; but no other Business shall be transacted at any such Special Meeting than what shall have been specified in such Notice as aforesaid: Provided always, that all such Meetings shall be held between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon.

Proceedings  
to be entered  
in Books.

XXVI. And be it further enacted, That the Clerk to the Trustees under this Act shall cause fair and regular Entries to be made, in a Book to be kept for that Purpose, of all the Acts, Orders, and Proceedings of such Trustees relative to the Execution of this Act; and the Chairman of every Meeting, and the Clerk to such Trustees, shall always subscribe their Names at the End of the said Proceedings; and the said Clerk shall enter in the said Book the Names of at least Five of such Trustees who are actually present at any such Meeting; and all Entries in such Book, being signed as aforesaid, shall be deemed Originals, and shall be admitted as Evidence in all Courts and upon all Occasions whatsoever; and at any of their Meetings such Book shall be open to the Inspection of every such Trustee; and every such Trustee, and every Person rated and assessed for the Purposes of this Act, and every Creditor on the Rates hereby



authorized to be made, shall at all seasonable Times be permitted to inspect the same *gratis*, and to have true Copies of any of the Entries in such Book, paying for such Copies after the Rate of Sixpence for every Seventy-two Words.

XXVII. And be it further enacted, That it shall be lawful for the Trustees under this Act from Time to Time to nominate and appoint One or more Person or Persons to be their Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors of the Rates herein-after mentioned, and such other Officers, Agents, and Servants as such Trustees shall think necessary for the Execution of this Act; and such Trustees shall and may take such Security for the due Execution of the respective Offices by such Person and Persons as aforesaid, as they shall think proper; and it shall be lawful for such Trustees from Time to Time to remove or suspend any of such Officers as they shall see Occasion, and to re-appoint any of such Officers, or appoint another or others in the Room of any of them who shall be so removed or suspended, or who shall die, or who shall refuse or decline such Offices, 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, Wages, or other Allowances to the said Officers respectively, and also to such other Person as shall be aiding and assisting such Trustees in the Execution of this Act, as to such Trustees shall seem reasonable; provided that on the Removal, Death, Refusal, or Resignation of every Clerk, Treasurer, and Collector, Notice be previously given of the Time and Place of Meeting for the Purpose of filling up the Vacancy or Vacancies thereby occasioned, by affixing such Notice on the outer Door of the Town Hall aforesaid, and by advertising such Notice in One or more of the *Bolton* or *Manchester* Newspapers, Four Days at least (exclusive of the Day of Notice and Day of Meeting) before the Election and Appointment of every such Clerk, Treasurer, and Collector as aforesaid.

Trustees may appoint Officers and take Security.

XXVIII. And be it further enacted, That every Clerk, Collector, and other Officer appointed under and by virtue of the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, for the said Town and Township of *Little Bolton* (save and except the Treasurer), shall hold and enjoy such their respective Offices and Employments until removed therefrom by the Trustees for executing this Act; and each and every such Clerk, Collector, and other Officer shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations, in all respects whatsoever, as if he had been appointed by virtue of this Act.

Old Officers (except the Treasurer) to continue until new ones appointed.

XXIX. And be it further enacted, That it shall not be lawful for the Trustees under this Act to continue or appoint the Person who has been or may be appointed their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, nor to continue or appoint any

Treasurer and Clerk not to be the same Person.



any Person who has been or may be appointed such Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, to be the Clerk for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place of Profit or Trust under such Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person 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* or Court of Common Pleas at *Lancaster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, Wager of Law, nor more than One Imparlance, shall be allowed.

Penalty on Officers taking Fees, or being concerned in Contracts.

XXX. And be it further enacted, That if any Clerk, Treasurer, Collector, or other Officer or Person employed by the Trustees under this Act, 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 such Trustees), for or on account of any thing done by virtue of this Act, or for forbearing to do any thing ordered or directed by such Trustees, 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 such Trustees for the Purposes of this Act, (unless with the Knowledge, Consent, and Approbation of such Trustees,) every such Person so offending shall forfeit and pay the Sum of Fifty Pounds for every such Offence to any Person who shall sue for the same by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster* or Court of Common Pleas at *Lancaster*, within Three Calendar Months after the Offence committed, with full Costs of Suit, in which Suit or Prosecution no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Accounts to be kept of Receipts and Disbursements.

XXXI. And be it further enacted, That the said Trustees under this Act shall and they are hereby required from Time to Time and at all Times to order and direct a Book or Books to be provided and kept by their Clerk or Treasurer for the Time being, in which Book or Books such Clerk or Treasurer shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of this Act, and of the several Articles, Matters, and Things for which any Sum of Money shall have been disbursed, laid out, and paid; and such Book or Books shall at all seasonable Times be open to the Inspection of such Trustees,



Trustees, or any Creditor of the Rates or Assessments granted by this Act, without Fee or Reward, and such Trustees and such Creditors shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk or Treasurer shall refuse to permit or shall not permit such Trustees or Creditors, or any of them, to inspect the same at all seasonable Times, or to take such Copies or Extracts as aforesaid, such Clerk or Treasurer shall for every such Refusal forfeit and pay any Sum not exceeding Five Pounds.

XXXII. And be it further enacted, That all such Officers and Persons so appointed or to be appointed as aforesaid shall under their Hands, at such Time and in such Manner as the Trustees under this Act shall direct, deliver to such Trustees, or to such Person as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also all the Monies which shall have been received by such Officer or other Person respectively by virtue of and for the Purposes of this Act, and how much thereof hath been paid and disbursed by Order of such Trustees, and for what Purposes, together with proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their respective Hands to such Trustees, or to such Person or Persons as they shall appoint; and if any such Officer or Person shall not make and render such Account, or produce and deliver up the Vouchers relating to the same, or make Payment as aforesaid, or shall not deliver to such Trustees, or to such Person as they shall appoint, within Ten Days after being thereunto required by such Trustees, all Books, Papers, and Writings in his Custody or Power relative to the Execution of their respective Offices, Trusts, and Duties, or shall refuse or neglect to pay such Monies as upon the Balance of any Account shall appear to be in their respective Hands to such Trustees, or as they shall direct or appoint, then and in any of the Cases aforesaid such Trustees may and they are hereby authorized and empowered to bring or cause to be brought any Action against the Officer or Person so neglecting or refusing as aforesaid, in order for the Recovery of the Monies that shall be in the Hands of such Officer or Person respectively; or if Complaint be made by such Trustees, or by any Person by them appointed, of any such Neglect or Refusal, to any One Justice of the Peace for the said County of *Lancaster*, such Justice may and he is hereby authorized and required, by a Warrant under his Hand and Seal, to cause the Officer or Person so refusing or neglecting 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 upon Oath, or, being one of the People called *Quakers*, upon Affirmation, (which Oath or Affirmation such Justice is hereby empowered and required to administer,) it shall appear to such Justice that any of the Monies which shall have been collected and raised or received by virtue of this Act shall be in the Hands of such Officer or Person, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by a Warrant

Officers to  
account.

[*Local.*]

11 Q

under



under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person respectively, together with the Costs and Charges of such Distress and Sale, to be settled and ascertained by such Justice, rendering the Overplus (if any) to the Party so distrained, or leaving the same at the Place where the Distress shall be made; and if no Goods or Chattels of such Officer or Person can be found sufficient to answer and satisfy the said Money and the Charges of selling the Goods and Chattels so distrained, then and in either of the Cases aforesaid such Justice shall commit every such Offender to the Common Gaol or House of Correction for the Hundred of *Salford*, there to remain until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with such Trustees, and shall have paid such Composition in such Manner as they shall appoint (which Composition such Trustees are hereby empowered to make), or until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to such Trustees: 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 Three Calendar Months.

Books to be settled annually, and to lie open for Inspection.

XXXIII. And be it further enacted, That after such Accounts shall have been delivered in by such Officer or Person in manner aforesaid, the same shall on every First *Friday* in the Month of *August*, from Year to Year, be examined, audited, and settled, and a general Balance struck by the Trustees under this Act for the Year ending on the Twenty-fourth Day of *June* immediately preceding such First *Friday* in the Month of *August* in every Year; and such Accounts shall lie open at the Office of the Clerk or Treasurer of such Trustees, or such other convenient Place as such Trustees shall direct, for the Inspection of any Person or Persons interested in the same, without Fee or Reward, every Day (except *Sunday*) between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon, for the Space of Fourteen Days before the same shall be signed by such Trustees; and after such Accounts shall have been signed, the same shall be final and conclusive in all respects and to all Intents and Purposes whatsoever, unless an Appeal shall be prosecuted against such Accounts at the General Quarter Sessions of the Peace to be holden by Adjournment within the Hundred of *Salford* in and for the said County of *Lancaster*, next after such Accounts shall be so signed, (unless such Sessions shall be holden within Fourteen Days next after such Accounts shall be so signed, and in that Case to the next subsequent Sessions to be holden as aforesaid,) nor unless Notice in Writing of such Appeal, stating the Items objected to and the particular Grounds of Objection, shall be given by the Appellant to the Clerk of the said Trustees under this Act Fourteen Days at least before the Sessions at which such Appeal is intended to be prosecuted, nor unless such Appellant shall, within Two Days next after such Notice shall have been given, cause Recognizance to be entered into before some Justice of the Peace of the said County of *Lancaster*, by himself, and Two sufficient Sureties in the Sum of Twenty Pounds each, to try such Appeal, and to abide the Order and Award of the Justices at such Sessions thereon, and



to pay such Costs as shall be awarded at such Sessions; and the said Justices, upon due Proof of such Notice and Recognizance having been given and entered into, shall in a summary Way hear and determine the Subject Matter of such Appeal at such General Quarter Sessions of the Peace to be holden within the said Hundred of *Salford*, or, if they shall think fit, adjourn the Hearing thereof until the next General Quarter Sessions of the Peace for the said County to be holden by Adjournment within the said Hundred of *Salford*, and then and there determine the same, and shall and may award such Costs to the Party appealing or prosecuting such Appeal, or to the Respondent defending such Appeal, as the said Justices shall think proper; and all such Orders and Determinations of the said Justices at such Sessions shall be final and conclusive upon all Parties, to all Intents and Purposes whatsoever, and shall not be removable by Certiorari or otherwise into any of His Majesty's Courts of Record at *Westminster* or elsewhere.

XXXIV. And be it further enacted, That in case of the Death of any such Officer or other Person to be appointed as aforesaid, or of his becoming bankrupt, before he shall have delivered up all Books, Papers, Writings, and other Things concerning the Office or relating to the Execution of this Act, then and in every such Case the Executors or Administrators of such respective Officer or other Person, or the Assignee of his Estate and Effects, or other Persons possessing the same or in whom the same have or hath vested, shall deliver up to the said Trustees under this Act, or to any Person appointed by them to demand and receive the same, all such Books, Papers, Writings, and other Things; and in case of Nondelivery of such Books, Papers, Writings, and other Things, for the Space of Ten Days after the same shall be demanded, it shall be lawful for such Trustees to commence and prosecute any Action or Suit in any of His Majesty's Courts of Record at *Westminster* or Court of Common Pleas at *Lancaster* against such Executors, Administrators, Assignees, or other Person possessing the Estate and Effects which did belong to such deceased Person or Bankrupt, for Recovery of Damages for the Nondelivery of such Books, Papers, Writings, and Things, together with full Costs of Suit.

For recovering Books, &c. from Executors or Assignees of Officers dying or becoming bankrupt.

XXXV. And be it further enacted, That the Trustees under this Act shall yearly, after the First *Friday* in the Month of *August* in every Year, and before the Second *Friday* in the Month of *September* in every Year, make out a general Statement of their Receipts and Expenditure, and of the Monies due to and owing by them, as well as of the State of the several Matters and Things under their Controul and Management, for the Year ending on the Twenty-fourth Day of *June* then immediately preceding; and such Statement shall be signed by the Treasurer for the Time being of such Trustees, and so signed shall, within Fourteen Days next after the same shall be so made out and signed, be advertised in One or more of the *Bolton* or *Manchester* Newspapers, and a Copy thereof affixed on the outer Door of the Town Hall aforesaid.

Trustees to make and publish general annual Statements of Receipts, Expenditure, &c.

XXXVI. And



Trustees  
may appoint  
Committees.

XXXVI. And be it further enacted, That for more effectually carrying this Act into execution it shall be lawful for the Trustees under this Act, and they are hereby authorized and empowered, out of their own Body, annually or otherwise, from Time to Time to appoint such and so many Committees, either of a permanent or special Nature, as such Trustees may think fit, for any of the Purposes that may arise under this Act, which in the Discretion of such Trustees will be better managed and regulated by means of such Committees: Provided always, that of the proposed Appointment of any Committee of a permanent Nature, Notice shall be given by the Clerk of such Trustees by affixing such Notice on the outer Door of the Town Hall aforesaid Ten Days at least (exclusive of the Day of Notice and Day of Meeting) before the Meeting at which such Appointment shall be proposed to be made.

Trustees to  
prescribe  
Regulations  
of Commit-  
tees.

XXXVII. And be it further enacted, That the Trustees under this Act, upon every Appointment of every such annual and other Committee, shall declare how many shall be competent to act, and shall also then and from Time to Time afterwards prescribe such Rules, Orders, and Regulations for the Government thereof respectively, and for the Periods of their respectively continuing in Office, and for supplying any Vacancy or Vacancies which may from Time to Time arise in such Committees respectively, as to such Trustees may appear requisite or proper; and all such annual and other Committees, immediately upon their respective Appointments, shall have full Power and Authority to act in the several Matters confided to them, according to the Provisions of this Act; and the Rules, Orders, and Regulations to be from Time to Time prescribed by such Trustees, and all Acts and Proceedings of such Committees respectively, in the Execution of this Act, pursuant to such Rules, Orders, and Regulations, shall be as valid and effectual as if the same had been done at any General Meeting or Meetings of such Trustees.

Committees  
to enter their  
Proceedings,  
and report  
the same to  
Trustees.

XXXVIII. And be it further enacted, That at all Meetings of the said annual and other Committees as aforesaid, the said Committees respectively shall, by a Majority of Votes, appoint One of their respective Bodies to be Chairman for the Day; and all the said Committees shall duly enter their Proceedings in a proper Book or Books to be by them respectively kept for that Purpose, and such Proceedings shall be signed by the Chairman presiding at the Meetings of the said Committees respectively when such Proceedings may have been had; and all such Books shall at all reasonable Times be open to the Inspection of any of the Trustees under this Act; and any of such Trustees, although not appointed on such Committees, shall be at full Liberty to be present at any of the Meetings of the said Committees, but shall not be entitled to vote on any Question to be determined by them, or to take any Part in their Proceedings; and the said Committees respectively shall yearly and every Year, and not later than Ten Days next after their going out of Office, report in Writing to such Trustees the whole of their Proceedings during the preceding Year.

XXXIX. And



XXXIX. And be it further enacted, That it shall be lawful for the Trustees under this Act, and they are hereby authorized and empowered, from Time to Time and at any Time hereafter, to cause the Streets, Squares, Highways, Lanes, Roads, Passages, and Places in the said Township of *Little Bolton*, or any of them, (except as herein-after excepted,) although the same or any of them shall not be public Highways, to be well and sufficiently lighted with Oil or with Gas, or in some other Manner, and for that Purpose to use and employ all Lamp Posts, Lamp Irons, Lamps, and all other Articles, Matters, and Things which at the Time of the Commencement of this Act shall be used for that Purpose, and vested in the said Trustees by virtue of this Act, and from Time to Time hereafter to purchase and provide such and so many Glass Lamps of such Sorts and Sizes, and also such and so many Lamp Irons and Lamp Posts, as they shall judge necessary, and to direct the same respectively to be or remain affixed or set up upon or against the Walls, Posts, or Palisades of all or any of the several Houses or Buildings, or upon or against any other Walls, or in or upon such other Places within the said Township of *Little Bolton* (except as herein-after excepted), and to be altered, taken down, or renewed, in such Manner as they shall think fit, and to cause such Lamps, or any of them, to be lighted either with Gas or with Oil, or otherwise, at such Times and Seasons of the Year, and on such Evenings, and on such Hours of the Evening, and to be kept burning for so many Hours, as to them shall seem necessary or proper for the well and sufficiently lighting of all or any of the said Streets, Squares, Highways, Lanes, Roads, Paths, Passages, and Places within the said Township of *Little Bolton* (except as herein-after excepted); and it shall be lawful for the said Trustees under this Act from Time to Time to contract with any Gas Light Company now or hereafter to be established within the said Township of *Little Bolton* or in the Neighbourhood thereof, or with any other Person, Body Politic or Corporate, for lighting the said Township of *Little Bolton* (except as herein-after excepted) with Gas or with Oil, or otherwise, for any Number of Years or other Time (not exceeding Four Years at any One Time), and upon such Terms and Conditions in all respects, as such Trustees shall from Time to Time think proper.

Provision  
for lighting  
the Streets,  
&c.

Power to  
contract for  
lighting.

XL. And whereas the said *Bolton Gas Light and Coke Company* are willing and desirous to continue to supply Gas for lighting the Streets, Lanes, Roads, Passages, Highways, and public Places within the said Township of *Little Bolton*, and the Inhabitants thereof, at the same Rate that they at present do; be it therefore enacted, That it shall not be lawful for the said Gas Light and Coke Company at any Time hereafter to raise the Price or Sum charged for Gas supplied and furnished by such Company for lighting the Streets, Squares, Lanes, Roads, Passages, Highways, and public Places within the said Township of *Little Bolton*, and supplied and furnished by such Company to any of the Inhabitants thereof, above the Rate or Sum at present charged for the same: Provided always, that if at any Time or Times it shall appear to the Trustees under this Act that too high a Price is charged by the said *Bolton Gas Light and Coke Company* for such Supply of Gas as aforesaid, that then the

*Bolton Gas Light and Coke Company* not to charge a higher Rate for Gas than they at present do.

Regulating  
the Rate of  
Charge.

[*Local.*]

11 R

Rate



Rate thereof shall be from Time to Time regulated and paid by the average Price charged by and paid to the several Gas Companies respectively for supplying with Gas the Towns, Boroughs, and Townships of *Warrington, Wigan, Blackburn, Burnley, Chorley, Bury, Heywood, Rochdale, Oldham, Ashton under Lyne, Manchester, and Liverpool*, such Average to be taken at the Rate charged and paid during the Twelve Calendar Months immediately preceding the Objection being taken by the said Trustees as aforesaid.

Act not to protect Persons, &c. lighting with Gas, from being indicted for a Nuisance.

**XLI.** Provided always, and be it further enacted, That the Powers and Provisions in this Act contained shall not extend or be construed to extend to protect any Body Politic or Corporate, or any Person, making, furnishing, or supplying any Gas used, burnt, or consumed within the said Township of *Little Bolton* for lighting any Street, Square, Highway, Lane, Road, Path, Passage, or Place, or any House, Manufactory, or other Building therein, or any of the Servants, Officers, or Workmen of any such Body Politic or Corporate, or other Person as aforesaid, from any Indictment or Prosecution for a public or private Nuisance in respect of any Works, or the Means which shall be employed by them in making the said Gas or using the same, or furnishing any such Gas Light, nor from any Action for any Injury or Damage sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury or Damage shall proceed from the Preparation or the Use of the same Gas, or the Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Penalty on Persons conveying Washings into any Canal, &c.

**XLII.** Provided always, and be it further enacted, That if any Body Politic or Corporate, or any Contractor, or any other Person whomsoever, shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow, any Washings, or other waste Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of any Gas Works, or in the Manufacture or Process of making or procuring such Gas, into any Canal, Reservoir, Aqueduct, Feeder, Pond, Pool, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Act or Thing to the Water contained in any such Canal, Reservoir, Aqueduct, Feeder, Pond, Pool, or Springhead, Well, Drain, Sewer, or Ditch, then and in every such Case such Body Politic or Corporate, or such Contractor, or other Person, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or 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* or Court of Common Pleas for the said County of *Lancaster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlanee, shall be allowed, and the whole thereof shall be paid to the Person annoyed, injured, or damaged by any such Proceeding as aforesaid, who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Six Calendar Months from the Time that such Annoyance, Nuisance,



Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall have been sued for or recovered or not, 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 Canal, or any Reservoir, Aqueduct, Feeder, Pond, Pool, Spring-head, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, 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 to whom the same shall belong, or by any other Person whomsoever, to such Body Politic or Corporate, or Contractor or Person, and such Body Politic or Corporate, or Contractor or Person, shall not, within Twenty-four Hours after such Notice shall have been given to them or him as aforesaid, stop, hinder, or prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being drained, emptied, 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 such Body Politic or Corporate, Contractor, or Person shall forfeit and pay the Sum of Twenty Pounds for each and every Day during which such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things shall be so emptied, drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, 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 such and the 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 any Person annoyed, injured, or damaged by any such last-mentioned Act, who shall be the Informer, or to such other Person as in the Judgment of the Justice before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any Act so done or committed.

XLIII. 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 by any Body Politic or Corporate, or Contractor or other Person as aforesaid, such Body Politic or Corporate, or Contractor or Person, shall, at their or his own Expence, immediately after receiving Notice in Writing from any Inhabitant of the said Township of *Little Bolton*, or any other Person, of 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 such Body Politic or Corporate, Contractor or Person, shall not, within Twenty-four Hours after such Notice in Writing being given of any such Escape of Gas, effectually stop and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case such Body Politic or Corporate, or Contractor or Person, shall for every such Offence forfeit and pay the Sum of Five Pounds for each and every Day, after the Expiration of Twenty-four Hours from the Time of giving any such Notice, during which the Gas shall be suffered

Provision for  
stopping the  
Escape of  
Gas.



suffered to escape as aforesaid; which Penalty shall be paid to the Informer, or to the Person who in the Judgment of the Justice before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage thereby.

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

XLIV. 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 Street, Square, Highway, Lane, Road, Path, or other Passage or Place in the said Township of *Little Bolton*, shall be so laid at the greatest practicable Distance, and wherever the Width of the Carriageway in such Street, Square, Highway, Lane, Road, Path, or other Passage or Place will allow thereof, at the Distance of Four Feet at least from the nearest Part of any Water Pipe already laid down or hereafter to be laid down for the Conveyance of Water in, under, through, along, across, or round any of the said Streets, Squares, Highways, Lanes, Roads, Paths, Passages, or other Places in the said Township of *Little Bolton*, unless in Cases where it shall be unavoidably necessary to lay the Pipes for the Conveyance of Gas across any Water Pipes, in which Cases the said Pipes for the Conveyance of Gas shall, if practicable, be laid at a Distance of at least Six Inches under or over such Water Pipes; and in such Cases the said Pipes for the Conveyance of Gas so crossing the said Water Pipes shall be at least Six Feet in Length, so that no Joint of any of the said Pipes for the Conveyance of Gas shall be nearer to any Part of the said Water Pipes than Three Feet at least; and in laying down the said Pipes for the Conveyance of Gas, the Person to whom the same shall belong shall in no Case join Two or more Pipes for the Conveyance of Gas 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 or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively, air-tight, and in all and every respect prevent the said Gas from escaping therefrom or from any Part thereof, upon pain of forfeiting for every such Offence the Sum of Five Pounds, which shall be paid to any Person annoyed or damaged by any such last-mentioned Act, who shall be the Informer, or to any other Person who in the Judgment of the Justice before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed, and which shall be levied and recovered as any other Penalty is by this Act directed to be levied and recovered.

To prevent Escape of Gas and Contamination of Water, &c.

XLV. And be it further enacted, That whenever the Water of any Company of Proprietors of Waterworks shall be contaminated or affected by the Gas of any Body Politic or Corporate, or any Person as aforesaid, such Body Politic or Corporate, or other Person as aforesaid, shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, and the same shall be applied to and for the Use and Benefit of the Company of Proprietors affected thereby; and in case any such Water shall be contaminated or affected by Gas in any Way whatsoever, then and in every such Case such Body Politic or Corporate,



Corporate, or other Person as aforesaid, shall, within Twenty-four Hours next after Notice thereof in Writing signed by the Manager or Chief Clerk for the Time being of and for such Company, to be left at the usual Office or Place of transacting the Business of such Body Politic or Corporate, or at the last or usual Place of Abode of such other Person as aforesaid, 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 such Water; and in case such Body Politic or Corporate, or other Person as aforesaid, shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof such Notice shall be given as aforesaid, that then and in every such Case such Body Politic or Corporate, or other Person as aforesaid, shall, on every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to the Treasurer for the Time being of the Company of Proprietors affected, for the Use and Benefit of the same Proprietors, over and above the before-mentioned Penalty of Twenty Pounds, the Sum of Ten Pounds for each and every Day during which the Water of the said Company shall be and remain contaminated, tainted, or affected by any such Gas as aforesaid; and such Penalty and Penalties and Costs shall be paid to the Treasurer for the Time being of such Company of Proprietors.

XLVI. And whereas it may be or become a Question upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the said Gas; be it therefore enacted, That in every such Case it shall be lawful for any Company of Proprietors of Waterworks to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of such Body Politic or Corporate, or other Person as aforesaid, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of such Body Politic or Corporate, or other Person as aforesaid; and if it shall appear that the said Water has been contaminated by any Escape of Gas from any of the Mains, Pipes, Conduits, or Apparatus of such Body Politic or Corporate, or other Person as aforesaid, the Costs and Expences of the said Digging, Search, Examination, and Repair of the Pavement of the Street which shall be taken up or disturbed, shall be borne and paid by such Body Politic or Corporate, or other Person as aforesaid; 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 Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, Conduits, or Apparatus of such Body Politic or Corporate, or other Person as aforesaid, then and in such Case the said Water Company shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to such Body Politic or Corporate, or other Person as aforesaid, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of such Body Politic or Corporate, or other Person as aforesaid, in and by such Search or

For ascertaining if the Water is contaminated.



Examination, and also to the Pavement of the said Streets so broken or disturbed in such Search or Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice of the Peace as aforesaid.

Penalty for breaking of Lamps, &c.

XLVII. And be it further enacted, That if any Person shall wilfully, wantonly, or maliciously remove, take away, break, throw down, destroy, or otherwise deface, damage, or injure any Lamp, Pipe, Post, Pillar, Pilaster, Lamp Iron, Lamp Cover, or Furniture thereof, or other Article, Matter, or Thing, already set up under the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, for the said Township of *Little Bolton*, or that shall be set up by Order of the Trustees under this Act, or in pursuance of any Contract made by such Trustees, or by any Person at his own Expence, under the Authority of this Act, or any Pipe, Post, Pillar, Pilaster, Lamp Iron, Cover, or other Furniture thereof, or any Plug or other Apparatus, Matter, or Thing belonging to the Trustees under this Act, or shall wilfully, wantonly, or maliciously extinguish the Light of any such Lamp, it shall be lawful for any Justice of the Peace for the said County of *Lancaster*, and he is hereby required, upon Oath made (or upon Affirmation if made by a Quaker) of the Commission of any such Offence, to issue a Warrant for apprehending the Party accused; or it shall be lawful for any Person who shall see any such Offence committed to apprehend, and for any other Person to assist in apprehending, the Offender, and by the Authority of this Act, and without any other Warrant, to deliver him into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace for the said County; and upon the Party accused being brought before such Justice, such Justice shall proceed to examine upon Oath (or, being a Quaker, upon Affirmation,) any Witness who shall appear to give Evidence touching such Offence; and if the Party so accused shall be convicted of any such Offence, 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, together with the Costs of Conviction, and the Offender shall also make Satisfaction for the Damages so done; and in case such Offender shall not upon such Conviction pay such Forfeiture by him incurred as aforesaid, and make such Satisfaction as aforesaid, the Justice before whom such Offender shall be convicted is hereby empowered to commit him to the Common Gaol or House of Correction for the Hundred of *Salford*, there to be kept to hard Labour for any Space of Time not exceeding Three Calendar Months.

Damages to be paid for Lamps broken accidentally.

XLVIII. And be it further enacted, That if any Person shall carelessly or accidentally break, throw down, or damage any of the said Lamps already hung or set up, or to be hereafter hung or set up as aforesaid, or the Irons or other Furniture thereof, or any Pipe, Post, Pillar, Pilaster, Cover, or other Furniture thereof, or any Plug or other Apparatus, Matter, or Thing belonging to the said Trustees under this Act, and shall not immediately, upon Demand, 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 *Lancaster*, upon Complaint thereof to him made by any credible Person, to summon before such Justice the Party who shall be complained of for doing such Damage as aforesaid, and upon hearing the Allegations and Proofs on both Sides, or Nonappearance of the Party so complained of, to award such Sum of Money as the Damage to be proved shall amount unto, together with the Costs of such Summons and the Conviction thereon; and in case of Refusal or Neglect to pay any of the Sums of Money so awarded, and the said Costs, within Five Days after Demand, and to cause the same to be recovered in such Manner as Fines, Penalties, and Forfeitures are by this Act directed to be recovered.

XLIX. And be it further enacted, That it shall be lawful for the Trustees under this Act, and they are hereby required, from Time to Time, when and as often as they shall think it expedient, to provide and set up Watch-houses and Watchboxes in such Situations as they shall judge proper and expedient in any of the Streets, Squares, Highways, Lanes, Roads, Paths, and other Passages or Places in the said Township of *Little Bolton*, (except as herein-after excepted,) and to appoint and employ a sufficient Number of able Men as Watchmen, Patroles, Superintendants, and Beadles, as well for the Day as Night, as they shall judge expedient and necessary to be employed for the Security and good Order of the same Township; and all such Watchmen, Patroles, Superintendants, and Beadles shall be sworn in by any One of His Majesty's Justices of the Peace for the said County of *Lancaster* to act as Constables for preserving the Peace, and preventing Robberies and other Felonies, and apprehending Offenders against the Peace; and the Men so sworn in shall, within the said Township of *Little Bolton*, have all such Powers, Authorities, Privileges, and Advantages, and be liable to all such Duties and Responsibilities, and subject to such Penalties for Breach of Duty and Misconduct, as any Constable within his Constablewick has or is subject or liable to.

Power to Trustees to employ Watchmen, &c.

L. And be it further enacted, That the Trustees under this Act shall and may from Time to Time fix what Wages or other Allowances shall be paid or given to such Watchmen, Patroles, Superintendants, and Beadles, and frame such Orders and Regulations as such Trustees shall deem expedient relative to the general Government of the Men so to be appointed, and the Places of their Residence, and all such other Orders and Regulations relative to the said Watchmen, Patroles, Superintendants, and Beadles, as the said Trustees under this Act shall from Time to Time deem expedient; and such Trustees may at any Time suspend or dismiss from their Employment any Man belonging to the said Establishment, whom they shall think remiss or negligent in the Discharge of his Duty, or otherwise unfit for the same; and when any Man shall be so dismissed, and Notice thereof in Writing from the Clerk or other Officer of such Trustees shall be given to or left for him at his last or usual Place of Abode, or shall cease to belong to the said Establishment, all Powers vested in him as a Constable by virtue of this Act shall immediately cease.

Trustees may fix Wages, &c. of Watchmen, &c.

LI. And



Duties of  
Watchmen,  
&c.

LI. And be it further enacted, That the said Watchmen, Patroles, Superintendants, and Beadles shall and they are hereby required, during the Time they shall respectively be on Duty, to apprehend all loose, idle, and disorderly Persons whom they shall find disturbing the public Peace, or whom they shall have just Cause to suspect of any evil Design, and all Persons whom they shall find between Sunset and the Hour of Six of the Clock in the Morning lying in any Street in the said Township of *Little Bolton*, or loitering therein, and not giving a satisfactory Account of themselves, and to detain and lodge them in any Watch-house or other Place of Security within the said Township of *Little Bolton* which shall be provided or appointed for that Purpose by the said Trustees under this Act, 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, or until they shall give Bail for their Appearance before a Justice of the Peace, if the Boroughreeve for the Time being or the Two Constables for the Time being of the said Township of *Little Bolton*, or any or either of them, shall deem it expedient to take Bail in the Manner herein-after mentioned.

Borough-  
reeve and  
Constables  
may take  
Recogni-  
zances in  
certain Cases.

LII. And be it further enacted, That it shall be lawful for the Boroughreeve for the Time being or for either of the Two Constables for the Time being of the said Township of *Little Bolton* to take Recognizances, without any Fee or Reward, from any Person who shall be brought before them or any of them at any Time upon any Charge not amounting to Felony, for the Appearance of such Person before any Justice of the Peace for the said County of *Lancaster*, at such Place to be specified in the Recognizance, within the Space of Seven Days next after such Recognizance shall be taken; and every Recognizance so taken shall be of equal Obligation on the Parties entering into the same, and liable to the same Proceedings for the estreating thereof, as if the same had been taken before a Justice of the Peace; and such Boroughreeve or Constables shall enter in a Book to be kept for that Purpose the Names, Residences, and Occupations of the Parties, and their Sureties, if any, entering into such Recognizances, together with the Conditions thereof, and the Sums respectively acknowledged, and shall lay the same before such Justice as shall be present at the Time and Place when and where the Parties are required to appear; and if the Parties do not appear at the Time and Place required, or within One Hour after, the Justice shall cause a Record of the Recognizance to be drawn up, to be signed by such Boroughreeve or Constable as aforesaid, and shall return the same to the next General or Quarter Sessions, or the Adjournment thereof for the Hundred of *Salford*, with a Certificate at the Back thereof, signed by such Justice, that the Parties have not complied with the Obligation therein contained; and the Clerk of the Peace for the said County of *Lancaster*, or his Deputy, shall make the like Extracts, Schedules, and Returns of every such Recognizance as of Recognizances forfeited in the Sessions of the Peace; and if the Parties not appearing shall apply by any Person on their Behalf to postpone the Hearing of the Charge against them, and the Justice shall think fit to consent thereto, the Justice shall be at liberty to enlarge the Recognizances to such further Time as he shall appoint;



appoint; and when the Matter shall be heard and determined, either by the Dismissal of the Complaint or by binding the Parties over to answer the Matter thereof at the Sessions, or otherwise, the Recognizances for the Appearance of the Parties before a Justice shall be discharged without a Fee.

LIII. And be it further enacted, That if any of the said Watchmen, Superintendants, Patroles, or Beadles so appointed or employed as aforesaid shall not observe and perform all the Orders, Rules, and Regulations made by the Trustees under this Act 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 a Sum not exceeding Five Pounds; and it shall be lawful for any Justice of the Peace for the said County of *Lancaster*, upon Complaint against any such Watchman, Patrole, Superintendant, or Beadle, of any such Neglect or Misconduct, to commit any such Watchman, Patrole, Superintendant, or Beadle to the Common Gaol or House of Correction for the Hundred of *Salford*, there to remain for any Time not exceeding Three Calendar Months.

Penalty on Watchmen, &c. for Neglect of Duty.

LIV. And be it further enacted, That if any Victualler or Keeper of any House, Shop, Room, or other Place for the Sale of any Liquors, whether spirituous or otherwise, shall knowingly harbour or entertain any such Watchman, Patrole, Superintendant, or Beadle as aforesaid, or permit any such Watchman, Patrole, Superintendant, or Beadle to remain in his House, Shop, Room, or other Place, during any Part of the Time appointed for his being on Duty, every such Victualler or Keeper as aforesaid shall, on Conviction before any Justice of the Peace for the said County of *Lancaster*, forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Penalty for harbouring Watchmen, &c. during the Time they should be on Duty.

LV. And be it further enacted, That it shall be lawful for the Trustees under this Act to give such Rewards in Money to the Watchmen, Patroles, Superintendants, and Beadles respectively to be appointed as aforesaid, who may conduct themselves with any particular Merit, or who may be disabled or wounded in the Execution of their Office, as such Trustees shall think reasonable, such Money to be paid out of the Monies to be raised by virtue of this Act.

Power to reward disabled Watchmen, &c.

LVI. And be it further enacted, That it shall be lawful for the Trustees under this Act, and they are hereby required, from Time to Time to appoint and employ any proper Person to be and act as a Scavenger, and to purchase or hire any Cart or other Carriage, and also any Horse, for cleansing the Streets, Squares, Highways, Lanes, Roads, Paths, and other Passages and Places within the said Township of *Little Bolton*, and for carrying all Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil away from the same, and from Time to Time to order and direct on what Days and at what Times in every Week the particular Streets, Squares, Highways, Lanes, Roads, Paths, and other Passages and Places within the said Township shall be cleansed, and the Dirt, Dust, Dung, Cinders, Ashes, Rubbish,

Trustees to appoint or contract with Scavengers.

[*Local.*]

11 T

Filth,



Filth, and Soil carried away therefrom, and how and in what Manner the same shall be carried away, and where the same shall be deposited, and to give such Orders and Directions to any such Scavenger as shall appear necessary to such Trustees; or otherwise it shall be lawful for such Trustees from Time to Time to contract with any Person willing to act as such Scavenger for the cleansing of the said Streets, Squares, Highways, Lanes, Roads, Paths, and other Passages and Places within the same Township, and for carrying all Dirt, Dust, Cinders, Ashes, Rubbish, Filth, and Soil away from the same, at such Times and in such Manner as shall appear expedient to such Trustees.

Scavenger's  
Duty.

LVII. And be it further enacted, That the Person employed by or contracting with the Trustees under this Act for cleansing the several Streets, Squares, Highways, Lanes, Roads, Paths, and other Passages and Places within the said Township of *Little Bolton*, or the Person employed by or acting under the Directions of such Person so contracting with such Trustees, shall, on such Days and at such Times as such Trustees shall from Time to Time appoint, sweep and collect together all Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil in such Streets, Squares, Highways, Lanes, Roads, Paths, and other Passages and Places, and also all public Footways, within the said Township of *Little Bolton*, and shall also bring or cause to be brought a Cart or other proper Carriage into such Streets, Squares, Highways, Lanes, Roads, Paths, and other Passages and Places within the said Township of *Little Bolton*, where such Cart or other Carriage can pass, and shall immediately take the Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil from such several Streets, Squares, Highways, Lanes, Roads, Paths, public Footways, and other Passages and Places within the said Township of *Little Bolton*, and put the same into such Cart or Carriage; all which Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil such Person shall then immediately, or as soon as may be, carry away or cause to be carried away to the Place appointed by the said Trustees under this Act for the depositing the same, upon pain of forfeiting and paying any Sum not exceeding Five Pounds for every Offence or Neglect therein; and the Person so employed or contracting as aforesaid shall cause the Words "Scavenger's Cart" to be painted in large Roman Letters on the Front or on some conspicuous Part of every Cart or Carriage used for the Purpose aforesaid, on pain of forfeiting and paying any Sum not exceeding Twenty Shillings for every Neglect therein.

Penalty on  
casting Rub-  
bish into the  
Streets.

LVIII. And be it further enacted, That if any Person whatsoever shall lay, place, deposit, throw, or cast, or cause or permit to be laid, placed, deposited, thrown, or cast, any Dust, Dirt, Dung, Offal, Rubbish, Ashes, or other Filth whatsoever into or in any Street within the said Township of *Little Bolton*, (with the Exception of such Ashes as may be laid down upon any Foot Pavement in Time of Frost for the Prevention of Accidents, and with such further Exceptions as are herein-after specified,) every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings; or if any Person whatsoever shall throw or cast, or cause to be thrown or cast, any Dust, Dirt, Dung, Offal, Rubbish, Ashes, or other Filth,



or any Animal or Carcass, or any noxious or offensive Materials or Ingredients, or any other Substance whatsoever, into any common Sewer, Drain, Sink, public or private Well, Pump, Canal, Pond, Pool, or Reservoir for Water within the said Township of *Little Bolton*, (except such Night Soil or other Filth as may be conveyed into any common Sewer from any Watercloset within the said Township of *Little Bolton*;) every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

LIX. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to subject any Person whomsoever to any Penalty by this Act inflicted for or on account of any Dirt or Rubbish being laid or placed in any such Street as aforesaid in the Course of erecting, pulling down, altering, or repairing any Building, so as there be full and sufficient Space, in the Opinion of the Trustees under this Act, left in or at the Side of the Street where such Dirt or Rubbish shall lie or be placed, for Carriages to pass and repass, and a sufficient Way be kept clean for Foot Passengers by the Person laying or causing such Dirt or Rubbish to be laid or placed as aforesaid, and so as a sufficient Light be at his own Expence set and maintained at the Place where such Dirt or Rubbish shall be so laid or placed, from Sunset to Sunrise, to prevent any Accident to Passengers or Cattle, and so as such Dirt or Rubbish be inclosed and fenced about in such Manner and within such Time as such Trustees, or any Officer or other Person appointed by them in that Behalf, shall, by any Notice to be by them or him given to such Person, direct and appoint, and so as such Dirt or Rubbish be removed, at the Expence of the Person so laying or causing the same to be laid, within such Time as shall be expressed in any Notice to be in like Manner given by the said Trustees under this Act, or any such Officer or other Person appointed by them in that Behalf; and in case the same shall not be removed according to such Notice, the Person so making Default shall (in addition to any Penalty herein in that Behalf imposed) forfeit and pay any Sum not exceeding Twenty Shillings a Day for every Day such Dirt or Rubbish shall be unfenced or shall continue unremoved after the Expiration of the Time specified in such Notice, and any Sum not exceeding Twenty Shillings for every Night such Light shall not be set and maintained as aforesaid.

Penalty not to extend to Rubbish occasioned by building.

LX. And be it further enacted, That no Person shall take or carry away, or cause to be taken or carried away, any Dust, Dirt, Dung, Offal, Rubbish, Ashes, or other Filth (other than such Rubbish or Dirt occasioned by Buildings as aforesaid) out of any of the said Streets, except the Person so to be by the said Trustees under this Act appointed or contracted with as Scavenger for the Purpose of cleansing the same, upon pain of forfeiting and paying any Sum not exceeding Twenty Shillings for every such Offence.

No Dirt, &c. to be taken from the Streets except by the Scavenger.

LXI. And be it further enacted, That the several and respective Occupiers of Houses and Buildings, with the Yards, Gardens, Pleasure Grounds, and other Appurtenances next adjoining the several Streets, Squares, Highways, Lanes, Roads, Ways, Paths, and other public Passages and Places within the said Township of *Little Bolton*,

Occupiers of Houses, &c. to sweep Snow from Footways.

the



the Churchwardens and Chapelwardens of every Church or Chapel, the Owner of every Dead Wall and other Fences and vacant Pieces of Land (not used as Arable, Meadow, or Pasture only), the Trustee, Treasurer, and Minister of every Meeting House or Place of Public Worship, or any One or more of them, and the Person who for the Time being shall be the ostensible Director or Manager of every Hospital, School, Theatre, or other public Building respectively, situate or being next adjoining the same several Streets, Squares, Highways, Roads, Lanes, Paths, and other public Passages and Places, shall and they are hereby required, when any Snow shall have fallen, to cause the same, with as little Delay as possible, to be well and sufficiently swept and removed from the several Footpaths or Foot Pavements along the whole Length of the Front of their respective Houses, Buildings, and Premises aforesaid (except as aforesaid), and to the full Extent of the said Footpaths or Foot Pavements before, behind, and on the Side or Sides of the same respectively; and every such Occupier or other Person as aforesaid making Default therein shall for every such Offence forfeit and pay the Sum of Five Shillings.

Trustees to  
pave or repair  
the Streets,  
&c.

LXII. And be it further enacted, That it shall be lawful for the Trustees under this Act, and they are hereby required, from Time to Time to cause the present or any future Streets, Squares, Highways, Lanes, Roads, Paths, Ways, and other public Passages and Places within the said Township of *Little Bolton* to be paved, made, repaired, amended, raised, lowered, widened, or altered both in the Carriage and Foot Ways, and to be from Time to Time amended and kept in good Repair, upon such Levels, and in such Manner, and with such Sorts and Kinds of Materials as they shall judge necessary and proper; and also to cause all or any of the Streets, Squares, Highways, Lanes, Roads, Ways, Paths, and other public Passages and Places within the said Township of *Little Bolton* to be watered at such Seasons and Times as such Trustees shall direct, and to provide such Engines, Carts, and Labour for that Purpose as such Trustees shall think proper and requisite; and also to cause all Encroachments, Obstructions, Nuisances, and Annoyances therein or thereon to be removed, and Drains, Sinks, Gutters, and Watercourses to be made for conveying Water off and from the said Streets, Squares, Highways, Lanes, Roads, Ways, Paths, and other public Passages and Places, in such Manner as such Trustees shall think proper; and no Person shall at any Time take up the Pavement, Flags, or other Materials of such Street, Square, Highway, Lane, Road, Way, Path, or other public Passage or Place, or make or cause to be made any Alteration in the Form of such Street, Square, Highway, Lane, Road, Way, Path, or other public Passage or Place, or the Pavements, Flags, or other Materials thereof, without the Consent of such Trustees first had and obtained, upon pain of forfeiting for every such Offence any Sum not exceeding Forty Shillings; and in case the Offender shall not, within Seven Days after Notice by the Clerk or other Officer of such Trustees given to or left in Writing at the last or usual Place of Abode of such Offender, cause the same to be reinstated, it shall be lawful for any Officer of such Trustees, by their Authority, to reinstate the same; and the Expence attending the doing thereof shall be borne and paid by such Offender, the same to be recovered in like  
Manner

No Person to  
alter Pavement,  
&c.  
without  
Consent of  
Trustees.



Manner as the Rates or Assessments are by this Act directed to be recovered.

LXIII. And be it further enacted, That the Trustees or Commissioners of such of the several Turnpike Roads as pass within the said Township of *Little Bolton* (save and except such of the several Turnpike Roads as pass and lie within the higher End of *Little Bolton* aforesaid) shall be exonerated and discharged from the Repairs of such Parts of the said Roads respectively as lie within the said Township of *Little Bolton* (except as aforesaid), and the same shall from thenceforth cease to belong to the said Turnpike Roads, or to be under the Controul or Management of the Trustees or Commissioners thereof, and shall from Time to Time thereafter be repaired, maintained, supported, and kept in repair by the Trustees for executing this Act: Provided always, that such Portion of the Turnpike Road leading from or near the House called or known by the Sign of the *Whitsters Arms*, in *Little Bolton* aforesaid, to or near the *Crown Inn* Public House in *Horwich* aforesaid, as passes and lies within the said Township of *Little Bolton*, shall, until such Portion of such last-mentioned Turnpike Road, by the Erection of Houses and Buildings on each Side thereof, be made to form a Street communicating with the present public Street called *Chorley Street*, in *Little Bolton* aforesaid, belong to such last-mentioned Turnpike Road, and be under the Controul and Management of the Trustees or Commissioners thereof, and shall be kept in repair and maintained by the Trustees or Commissioners thereof in such and the same Manner as they would have been liable to repair and maintain the same in case this Act had not been passed; and also such Portion of the Turnpike Road leading from a Place called *Abigail Bromileys*, in the Township of *Halliwell*, to the Turnpike Road leading from *Bolton* to *Blackburn*, at a certain Place between *Boardman's Platting* and a certain Place called *Wright's Lane End*, in *Little Bolton* aforesaid, as passes and lies within the said Township of *Little Bolton*, shall, until such Portion of such Turnpike Road, by the Erection of Houses and Buildings on each Side thereof, be made to form a Street communicating with the present public Street called *Blackburn Street*, in *Little Bolton* aforesaid, belong to such Turnpike Road, and be under the Controul and Management of the Trustees or Commissioners thereof, and shall be kept in repair and maintained by the Trustees or Commissioners thereof in such and the same Manner as they would have been liable to repair and maintain the same in case this Act had not been passed.

Turnpike Roads to be repaired by Trustees.

Proviso as to Portions of Roads herein described.

LXIV. Provided always, and be it further enacted, That the Company of Proprietors of the *Great* and *Little Bolton* Waterworks, and the said Company of Proprietors of the *Bolton* Gas Light and Coke Company, and every Person who shall be rated or assessed for the Purposes of this Act for or in respect of any Messuage, Building, Land, Tenement, or Hereditament within the said Township of *Little Bolton*, shall be in respect of the same Messuage, Building, Land, Tenement, or Hereditament, exonerated, released, and discharged from the Payment of all Rates and Assessments whatsoever, and Performance of Statute Duty, or Composition for the same, for or towards or in respect of the Repair and Amendment of all or any of the public

Persons paying Rates under this Act to be exempt from Highway Rates.



Highways in the said Township of *Little Bolton*, or any Costs, Charges, or Burthens, in respect thereof, except any Arrears of Rates or Compositions as may be due from such Person or Persons respectively.

Trustees may cause new Pavements, &c. to be made, at the Charges of Owners or Occupiers of Houses, &c.

LXV. And be it further enacted, That it shall be lawful for the Trustees under this Act, and they are hereby empowered, to cause all of the present and future Streets, Squares, Lanes, Roads, Paths, Ways, Courts, Passages, and Places within the said Township of *Little Bolton*, not paved, flagged, soughed, cleansed, and put into good Order and Condition as aforesaid, or any Part or Portion thereof, which shall have any Buildings, Tenements, Yards, or inclosed Places, whether the same shall be in a continuous Line or not, at the Side or respective Sides thereof, to the Extent of One Half of their whole Length, including in such Length the Width of cross Streets, if any, to be paved, flagged, soughed, drained, cleansed, repaired, amended, and put into good Order, in such Manner and with such Materials, and with such Sewers, Soughs, Gutters, Sinks, Drains, or Watercourses, and on such Levels and with such Declivities and Falls, as to such Trustees shall seem meet and necessary; and the Charges and Expences attending or in any Manner relating to such new Pavements, Flaggings, Drainings, Soughings, Cleansings, Sewers, Soughs, Gutters, Sinks, Drains, or Watercourses, and putting into good Order and Condition, shall be paid and reimbursed to such Trustees by the Owners or Occupiers of the Houses, Buildings, Ground, or Land within or adjoining the said Streets, Squares, Lanes, Roads, Paths, Ways, Courts, Passages, and Places as aforesaid, each such Owner or Occupier paying an equal Share or Proportion thereof, according as such new Pavement, Flagging, Draining, Soughing, Cleansing, or Repairing, and such Sewers, Soughs, Gutters, Sinks, Drains, or Watercourses, are or is or shall be either before, behind, or at the Side of his House, Building, Ground, or Land as aforesaid, each such Share to be ascertained by such Trustees, or by such Person as shall be appointed by them in that Behalf; and if any such Owner or Occupier shall at any Time neglect or refuse to pay such Charges and Expences, the same shall and may be levied by Distress and Sale of the Goods and Chattels of such Owner or Occupier, by Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Lancaster*, in like Manner as the Rates herein-after directed and required to be raised and levied are directed to be recovered, the Overplus, if any, of the Monies to arise thereby, after deducting such Charges and Expences as aforesaid, and the Costs and Expences attending such Distress and Sale, being returned to such Owner or Occupier; or it shall be lawful for such Trustees to recover such Charges and Expences from every such Owner or Occupier by Action at Law in any of His Majesty's Courts at *Westminster*, or Court of Common Pleas at *Lancaster*, or in any other Court whatsoever.

Notice to be given before paving is done by Trustees.

LXVI. Provided always, and be it further enacted, That before the Trustees under this Act shall cause such Streets, Squares, Lanes, Roads, Ways, Paths, Courts, Passages, and Places within the said Township of *Little Bolton* as last aforesaid to be paved, flagged, drained, soughed, cleansed, repaired, amended, supported, and put into good Order and Condition as aforesaid, they shall in the first



place cause their Clerk, or other Person to be appointed by them in that Behalf, to give or leave a Notice in Writing to the Owner or Occupier of every House, Building, Land, Ground, or Hereditament within or adjoining to such Streets, Squares, Lanes, Roads, Paths, Ways, Courts, Passages, or Places so to be paved, flagged, drained, soughed, cleansed, and put into good Order and Condition as aforesaid, or if any such Owner cannot be found within the said Township, and any such House, Building, Land, Ground, or Hereditament shall be unoccupied, then to fix Notice upon the Premises, the Owner of which cannot be found, and which shall be unoccupied as aforesaid, requiring every such Owner or Occupier to pave, flag, drain, sough, cleanse, repair, amend, and put the same (inclusive of all Streets, Squares, Lanes, Roads, Paths, Ways, Courts, Passages, or Places leading into, out of, over, or across the same,) into good Order and Condition, in such Manner, and with such Materials, Sewers, Soughs, Gutters, Sinks, Drains, or Watercourses, as they shall direct; and in case any such Owner or Occupier shall neglect or refuse so to do, pursuant to such Notice, for the Space of Six Calendar Months next after the Receipt of such Notice, then such Trustees are hereby required to cause the same (inclusive as aforesaid) to be done, and to recover the Costs, Charges, and Expences thereof from such Owner or Occupier, in case of Refusal to pay the same, in such Manner as herein is mentioned; but such Notice as aforesaid to any such Occupier or Owner for the Time being shall be available against all future Occupiers and Owners of such Hereditaments respectively, and it shall not be necessary, on account of any Change in the Occupation or Ownership thereof, to give any new or further Notice or Notices for the Purposes aforesaid.

LXVII. Provided always, and be it further enacted, That it shall be lawful for the Occupier of every House, Building, Tenement, Parcel of Ground or Land, or other Hereditaments within or adjoining to the said Streets, Squares, Lanes, Roads, Paths, Ways, Courts, Passages, or Places so to be paved, flagged, drained, soughed, cleansed, and put into good Order and Condition as aforesaid, being a Tenant at Rack Rent, who, being thereunto required, shall pay the Costs, Charges, and Expences of doing and executing such Works as aforesaid, or whose Goods or Chattels shall be distrained and sold for Payment thereof as aforesaid, to retain and deduct out of his Rent all his Costs, Charges, and Expences which he shall bear, pay, or be put unto in respect of any such Works as aforesaid, and the Landlord or Proprietor of every such House, Building, Tenement, Ground, Land, or other Hereditament so held at Rack Rent, is hereby required to allow the same accordingly; and in all Cases where Houses, Buildings, Tenements, Grounds, Lands, or other Hereditaments are held upon Leases for Lives perpetually renewable, or for the Term of Ninety-nine Years, or any longer Term, such Retention and Deduction shall be made against the Party so holding, and not against those entitled to the reversionary Interest in the Houses, Buildings, Tenements, Grounds, Lands, or other Hereditaments: Provided also, that no such Occupier shall at any Time be required to pay, or be subject or liable to pay, any greater Sum for or towards such Costs, Charges, and Expences, than the Amount of the Rent actually due  
and

Occupiers  
may retain  
Expences of  
paving, &c.  
from Rents.



and payable by such Occupier to the Landlord of the Premises occupied by him; but nothing herein contained shall prevent or hinder the Trustees under this Act from recovering the whole Amount of such Costs, Charges, and Expences immediately from the respective Owners or Proprietors of the Premises aforesaid.

Owners of Land, or of Chief Rents issuing out of Land adjoining to Streets, &c., not to vote as Trustees, respecting paving such Streets.

LXVIII. Provided always, and be it further enacted, That no Person being the Owner or Occupier of any Land or Buildings within or adjoining to any Street, Square, Lane, Road, Way, Path, Court, Passage, or Place proposed to be made a Highway, or to be paved, repaired, soughed, and put into good Order as aforesaid, or within Fifty Yards of the same, or being entitled unto any Chief Rent or other Rent issuing out of any such Land or Buildings, shall be entitled to vote as a Trustee under this Act touching the declaring of any such Street, Square, Lane, Road, Way, Path, Court, Passage, or Place to be a public Highway, or touching the paving, repairing, or soughing the same or any Part thereof.

Trustees to declare Streets Highways, after being paved by them, on Application of any Owner.

LXIX. And be it further enacted, That when the Trustees under this Act shall have caused any Street, Square, Lane, Road, Path, Way, Court, Passage, or Place, or any Part or Portion thereof, within the said Township of *Little Bolton*, to be paved, flagged, drained, soughed, cleansed, repaired, amended, and put into good Order and Condition, or the same shall have been so done by any other Person to the Satisfaction of such Trustees, then and in such Case such Trustees shall and they are hereby required, upon the Application of the Owner or Owners, or of the greater Part in Value of the Owners of the Soil of such Street, Square, Lane, Road, Path, Way, Court, Passage, or Place, or of such Part or Portion thereof as aforesaid, to declare such Street, Square, Lane, Road, Path, Way, Court, Passage, or Place, or such Part or Portion thereof as aforesaid, not before public, to be a public Highway; and thenceforth the same shall be deemed and taken to be a public Highway to all Intents and Purposes.

Width of Footways in Streets hereafter to be laid out to be regulated according to the Width of the Streets.

LXX. And be it further enacted, That in all Streets to be hereafter made and laid out within the said Township of *Little Bolton*, which shall be of greater Width than Six Yards and shall not exceed the Width of Eight Yards, there shall be made and laid out, on each Side of such Streets, good and sufficient Footways of the Width of Four Feet at the least; and in all Streets to be hereafter made and laid out within the said Township of *Little Bolton*, which shall exceed the Width of Eight Yards and shall not exceed the Width of Ten Yards, there shall be made and laid out, on each Side of such Streets, good and sufficient Footways of the Width of Five Feet at the least; and in all such Streets as shall exceed the Width of Ten Yards and shall not exceed the Width of Twelve Yards, there shall be the like Footways, on each Side of the said Streets, of the Width of Six Feet at the least; and in all such Streets as shall be of greater Width than Twelve Yards, there shall be the like Footways, on each Side of such Streets, of the Width of Seven Feet at least.

Width of Streets, how computed.

LXXI. And be it further enacted, That the Width of the said several Streets shall, with respect to the making of any such Footway.

as



as aforesaid, be computed from Side to Side, and without and beyond the Limits of all Areas or Cellar Holes, Steps, Windows, and other Projections.

LXXII. And be it further enacted, That it shall be lawful for the Trustees under this Act, or any Person to be appointed by them in this Behalf, during such Time as any of the Streets, Squares, Highways, Lanes, Roads, Paths, or other Passages or Places within the said Township of *Little Bolton* shall be under Repair, or during the making or repairing of any Sewers or Drains therein, to cause such and so many Bars, Posts, Rails, and Chains, or other Obstruction, to be fixed, set up, and placed across or in any of the said Streets, Squares, Highways, Lanes, Roads, Paths, or other Passages or Places, to prevent the passing of Carriages, Horses, and Cattle whilst such Works and Repairs are in progress, as to such Trustees shall seem proper; and if any Person shall throw down, break, remove, damage, or injure any of the said Bars, Posts, Rails, or Chains, or other Obstructions, without the Authority or Consent of the said Trustees under this Act, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Power to place Bars across Streets under repair.

LXXIII. And be it further enacted, That it shall be lawful for the said Trustees under this Act from Time to Time to erect and set up in such Parts of the said Streets, Squares, Highways, Lanes, Roads, Paths, and other public Passages and Places as such Trustees may think necessary, any Posts, Pillars, Stones, Rails, Bars, Chains, or any other Fence or Fences, either permanent or temporary, for the Purpose of preserving any of the Footways within the said Township of *Little Bolton* clear from Annoyance by Horses, Cows, Swine, or other Cattle, and for the Purpose of keeping off Carriages from any of the said Footways, for the Prevention of Accidents, and also to paint, repair, and replace any such Posts, Pillars, Stones, Rails, Bars, Chains, or other Fence or Fences, from Time to Time, whenever it shall be requisite so to do.

Power to set up Posts for guarding Footways.

LXXIV. And be it further enacted, That it shall be lawful for the Trustees under this Act from Time to Time hereafter to cause such and so many common Sewers, Drains, Vaults, Culverts, and Watercourses, public Wells or Pumps, of such Materials, Dimensions, and Forms as they may think sufficient and necessary, to be constructed and made in, along, or across any of the Streets, Squares, Highways, Lanes, Roads, Paths, or other Passages or Places within the said Township of *Little Bolton*, and also to cause any of the common Sewers, Drains, Vaults, Culverts, and Watercourses, Wells or Pumps, which now are or hereafter shall be within the same Township, to be altered, enlarged, repaired, cleansed, or completed when and so often as such Trustees shall deem proper, and also, for any of the said Purposes, from Time to Time to cause to be dug, carted, and carried out of or brought into the said Streets, Squares, Highways, Lanes, Roads, Paths, or other Passages or Places, or any of them, such Gravel, Stones, Bricks, and other Materials as they shall think necessary, and also to cause such and so many Gutters or Openings to be made therein for the carrying off and conveying the Filth, foul and

Power to make common Sewers.

[Local.]

11 X

other



If Owners of Land through which Sewers are taken be dissatisfied, they may apply to the Quarter Sessions.

other Waters, from the Houses built or to be built in or adjoining to such Streets, Squares, Highways, Lanes, Roads, Paths, or other Passages or Places, into the said Sewers, Drains, and Vaults, as such Trustees shall deem necessary and expedient for that Purpose; and in case it shall be found necessary for completing any of the aforesaid Sewers, Drains, Vaults, Culverts, and Watercourses, Wells or Pumps, to carry and continue the same into and through any inclosed Lands or Grounds lying within the said Township of *Little Bolton*, it shall be lawful for such Trustees to carry and continue the same into and through the said Lands or Grounds accordingly, such Lands or Grounds respectively not being occupied as Courts, Yards, Gardens, or Orchards, or as Avenues or Approaches to any Dwelling House: Provided always, that if the Owner of any such Lands or Grounds into, through, or in which any such Sewer, Drain, Vault, Culvert, or Watercourse, Wells or Pumps, shall be made, carried, or continued by such Trustees as aforesaid, shall be injured or damnified thereby, and such Owner shall refuse to treat or cannot agree with such Trustees as to the Recompence or Compensation to be paid for such Injury or Damage, then such Owner may apply to the next or second General or Quarter Sessions of the Peace to be holden by Adjournment within the Hundred of *Salford* in and for the said County of *Lancaster*; and the Justices of the Peace at such Sessions shall have Power to direct the Jury which shall attend at such Sessions for the Trial of Traverses to inquire into and assess the Recompence Money which ought to be paid to such Owner for such Injury or Damage as aforesaid, and thereupon the Justices in such Sessions shall adjudge and order such Recompence so found and assessed by the Jury to be paid to such Owner accordingly; and such Inquiry and Judgment shall be final to all Intents and Purposes; and the said Justices shall and may award, order, and adjudge Costs to either Party, as they shall think proper; and all Costs, Charges, and Expences in or about the making, enlarging, widening, raising, altering, removing, repairing, cleansing, or scouring such Sewers, Drains, Vaults, Culverts, and Watercourses, Wells or Pumps, shall be borne and defrayed out of the Monies to be raised by the Rates or Assessments to be made by virtue of this Act.

Consent to be had for turning private Drains into common Sewers.

LXXV. And be it further enacted, That it shall be lawful for the Trustees under this Act to authorize and empower any Person at any Time hereafter, at his own Expence, to turn or carry any new private or Branch Drain into any common Sewer, Drain, Vault, Culvert, or Watercourse already made or which shall be made by virtue of this Act; but if any Person shall at any Time hereafter turn or carry any such new private or Branch Drain into any such common Sewer, Drain, Vault, Culvert, or Watercourse, without the Licence and Consent of such Trustees first had and obtained, every Person so offending in the Premises shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Sewers to be made in certain Streets upon Request.

LXXVI. Provided always, That in case the present or future Owners of Land adjoining to the Streets in the said Township of *Little Bolton* called *Bridge Street* and *Saint George's Street*, or the greater Part in Value thereof, shall be desirous that common Sewers and



and Drains shall be made in, along, or across such Streets or either of them, and of such their Desire shall give Notice in Writing to such Trustees, then such Trustees shall, within Three Calendar Months next after such Notice, cause such common Sewers and Drains to be made in, along, and across such Streets as may be necessary, or allow such Owners, or the greater Part in Value thereof as aforesaid, at the Expence of such Owners or the greater Part in Value thereof as aforesaid, to make the same under the Direction of such Trustees, and according to such Plan as shall be approved of by such Trustees.

LXXVII. And be it further enacted, That all private Drains which now do, or which, by Permission of the Trustees under this Act, hereafter shall issue into any of the public Sewers, Drains, or Vaults, shall be made, repaired, and cleansed by or under the Inspection and Direction of and according to such Plan as shall be approved of by the proper Officer of the said Trustees under this Act, at the Costs and Charges of the Owner or Occupier of the Lands or Tenements to which the said private Drains do or shall respectively belong; such Costs and Charges, if paid by the said Trustees under this Act, to be recovered by them in like Manner as the Rates to be raised by virtue of this Act are directed to be recovered.

Private  
Drains to be  
cleansed.

LXXVIII. And be it further enacted, That it shall be lawful for the Trustees under this Act from Time to Time to direct and cause the Course of any Gutter or Channel running in or through the said Streets, Squares, Highways, Lanes, Roads, Paths, and other Passages or Places, or any of them, within the said Township of *Little Bolton*, to be turned, tunnelled, or covered over or altered in such Manner as they shall think proper, and to direct the Grates already placed or hereafter to be placed over any Sewer to be removed and replaced in such Manner and at such Place as they shall think most proper; all which shall from Time to Time be done at the Expence of such Trustees, and paid for out of the Money arising by virtue of this Act, any Law, Usage, or Custom to the contrary notwithstanding.

Course of  
Gutters to be  
turned if  
necessary.

LXXIX. Provided always nevertheless, and be it further enacted, That nothing in this Act shall extend or be construed to extend to prevent or hinder the Company of Proprietors of the *Great and Little Bolton Waterworks*, from Time to Time and as often as may be necessary, the full Power and Authority to break up the Soil and Pavement of any Streets, Ways, Lanes, Passages, and Places within the said Town of *Little Bolton*, and to do all other Acts which by an Act passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act for supplying with Water the Towns of Great Bolton and Little Bolton, and the Township of Sharples, in the Parish of Bolton-le-Moors in the County Palatine of Lancaster*, the said Company are authorized and empowered to do.

Not to pre-  
vent Water  
Companies  
from taking  
up Pave-  
ments.

5 G. 4. c. 130.

LXXX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to take away, prejudice, lessen, or affect any of the Powers, Privileges, or Authorities now belonging to the Company of Proprietors of the *Great and Little Bolton Waterworks*, under or by virtue of any Act

For Protec-  
tion of the  
Bolton  
Waterworks  
Company.

or



or Acts now in force, or otherwise howsoever; and in case by the opening, making, raising, widening, or altering any of the said Streets, Lanes, Passages, or other Places, or by laying Soughs, Sewers, Drains, or any other Thing, it shall become necessary to alter, raise, take up, remove, relay, or repair any of the Trunks, Mains, Pipes, or other Works of the said Company of Proprietors, then and in every such Case the said Trustees under this Act, or their Clerk, shall, previously to the Commencement of any such Alteration or Work, give or cause to be given to the said Company of Proprietors Six Days Notice in Writing, to be left at the Office of the said Company in *Bolton* aforesaid, in order that full Time and Opportunity may be afforded to the said Company to alter, raise, take up, remove, relay, or repair the said Pipes as aforesaid, and which said Pipes shall be altered, raised, taken up, removed, relaid, or repaired by the said Company out of the Funds arising under this Act; and if there shall be any Dispute between such Trustees and the said Company, the same shall from Time to Time be ascertained and settled by a Justice of the Peace for the said County of *Lancaster*, upon the Application of either Party; and in case such Costs, Charges, and Expences shall remain unpaid for the Space of Ten Days next after the Day on which the same shall have been so ascertained and settled as aforesaid, and Demand made thereof by or on behalf of the said Company of Proprietors from the Treasurer for the Time being of such Trustees, the same shall and may be recovered from such Trustees by the said Company of Proprietors by Distress and Sale of the Goods and Chattels of such Trustees, or of their Treasurer, in manner herein-after directed; and the Signature of the said Justice to the Amount so by him ascertained and settled as aforesaid shall be conclusive Evidence of the Amount of such Debt or Demand; and in case the said Company shall not, within a reasonable Time after Notice given as aforesaid, alter, raise, take up, remove, relay, or repair such of their said Trunks, Mains, and Pipes as may be necessary to be altered, raised, taken up, relaid, or repaired as aforesaid, then and in every such Case such Trustees may do so.

Not to prevent the Gas Company from taking up the Pavements, &c.

1 G. 4. c. 57.

LXXXI. Provided always nevertheless, and be it further enacted, That nothing in this Act shall extend or be construed to extend to prevent or hinder the Proprietors of the *Bolton Gas Light and Coke Company* from having full Power and Authority to break up the Soil and Pavement of any Streets, Ways, Lanes, Passages, and Places within the said Town of *Little Bolton*, and to do all other Acts which by an Act passed in the First Year of the Reign of His present Majesty, intituled *An Act for lighting with Gas the Towns of Great and Little Bolton in the County Palatine of Lancaster*, the said Company are authorized and empowered to do.

Saving the Rights of the Gas Company.

LXXXII. Provided always, and be it further enacted, That in case of the opening, making, raising, widening, or altering any of the said Streets, Lanes, Passages, or other Places, or by laying Soughs, Sewers, Drains, or any other Thing, it shall become necessary to alter, raise, take up, remove, relay, or repair any of the Trunks, Mains, Pipes, or other Works of the *Bolton Gas Light and Coke Company*,



Company, then and in every such Case the said Trustees shall, previously to the Commencement of any such Alteration or Work, give or cause to be given to the said Company Six Days Notice in Writing, to be left at the Office of the said Company in *Great Bolton* aforesaid, in order that full Time and Opportunity may be afforded to the said Company to alter, raise, take up, remove, relay, or repair the said Trunks, Mains, and Pipes as aforesaid, and which said Trunks, Mains, and Pipes shall be altered, raised, taken up, removed, relayed, or repaired by the said Company out of the Monies to be raised out of the Funds arising under this Act; and if there shall be any Dispute between the said Trustees and the said Company, the same shall from Time to Time be ascertained and settled by a Justice of the Peace for the said County of *Lancaster*, upon the Application of either Party; and in case the Amount which shall be so settled and ascertained shall remain unpaid for Ten Days next after the Day on which the same shall have been so ascertained and settled as aforesaid, and Demand thereof made by or on behalf of the said Company from the Treasurer for the Time being of the said Trustees, the same shall and may be recovered from the said Trustees by the said Company as any other Debt or Demand may be recoverable against them; and the Signature of the said Justice to the Amount so by him ascertained and settled as aforesaid shall be conclusive Evidence of such Debt or Demand; and in case the said Company shall not, within a reasonable Time after Notice to be given as aforesaid, alter, raise, take up, remove, relay, or repair such of their said Trunks, Mains, and Pipes as may be necessary to be altered, raised, taken up, relaid, or repaired as aforesaid, then and in every such Case the said Trustees may do so.

LXXXIII. And be it further enacted, That whenever and so often as the Company of Proprietors of the *Great and Little Bolton* Waterworks, or the *Bolton* Gas Light and Coke Company, shall have broken up, removed, or disturbed the Stones, Ground, Soil, or Pavement of any Streets, or any Part thereof, in the said Township of *Little Bolton*, such Company shall immediately thereafter reinstate and make good such Stones, Ground, Soil, and Pavement, and the Ground, Soil, and Pavement immediately adjoining thereto, in a good, perfect, permanent, and sound State and Condition, to the Satisfaction of the Trustees under this Act, or their Surveyor or other Officer appointed for that Purpose; and such Company shall carry or cause to be carried away all surplus Earth, Filth, Rubbish, and other Matters occasioned thereby, at their own Costs and Charges; and during the Time that such Works are carried on by such Company, and such Ground, Soil, or Pavement is reinstated as aforesaid, such Company shall provide proper Watchmen, with necessary Lights at Night, and otherwise guard such Works so as to prevent any Damage or Inconvenience happening to Passengers, Cattle, or Carriages; and in case such Company shall, in any Case, neglect or make any Default in making good and reinstating such Ground, Soil, or Pavement as aforesaid, or in removing any Rubbish occasioned thereby, or in placing or setting up such Light, or in guarding such Works as aforesaid, then and in every such Case the said Company shall, for every such Neglect or Default, forfeit and pay any Sum not

Gas or  
Water Com-  
panies to re-  
instate Pave-  
ments.

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exceeding



exceeding Five Pounds; and it shall be lawful for the Trustees under this Act, or their Surveyor or other Officer as aforesaid, to reinstate and make good such Ground, Soil, and Pavement in manner aforesaid, and the Costs, Charges, and Expences thereof shall be reimbursed and paid to such Trustees by such Company; the same Costs, Charges, and Expences, in case of Dispute, to be settled and ascertained by a Justice of the Peace for the said County of *Lancaster*, upon the Application of either Party; and in case such Costs, Charges, and Expences shall remain unpaid for the Space of Ten Days next after the Day on which the same shall have been so ascertained and settled as aforesaid, and Demand made thereof by or on behalf of such Trustees from the Clerk or Treasurer for the Time being of such Company, the same shall and may be recovered from such Company by Distress and Sale of the Goods and Chattels of such Company, or their Treasurer for the Time being, together with the Costs and Charges of and incident to and attending such Distress and Sale, by Warrant under the Hand and Seal of any Justice of the Peace for the said County, which Warrant such Justice is hereby required to grant; and the Signature of the said Justice to the Amount of such Costs, Charges, and Expences so by him ascertained and settled as aforesaid, shall be conclusive Evidence of the Amount thereof.

Names of  
Streets to be  
put up, and  
Houses to be  
numbered.

LXXXIV. And be it further enacted, That the Trustees under this Act shall and may cause to be painted, engraved, or otherwise described and placed on a conspicuous Part of any House or Building at or near each End, Corner, or Entrance of every Street, Square, Highway, Lane, Road, Path, Court, and other public Passage and Place within the said Township of *Little Bolton*, the Name by which such Street, Square, Highway, Lane, Road, Path, Court, or other public Passage or Place now is or shall be called or known, and also cause every House and Building in the said several Streets, Squares, Highways, Lanes, Roads, Paths, Courts, and other public Passages and Places to be marked and numbered with Figures, either on the Door thereof or otherwise, and in such Manner as they shall think most proper for distinguishing the same; and if any Person shall wilfully destroy, obliterate, deface, remove, or, without the Consent of such Trustees for that Purpose first obtained, alter any such Name, Number, or Figure, or any Part thereof, or cause or procure the same to be so done, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Numbers of  
Houses to be  
renewed by  
Occupiers.

LXXXV. And be it further enacted, That when any such Number or Figure painted or placed on any House or other Building within the said Township of *Little Bolton*, or on the Door thereof, shall by Accident, Decay, or otherwise be defaced or rubbed out, the Occupier of such House or Building shall immediately cause the same Number or Figure to be painted or placed on such House or other Building, or on the Door thereof; and in case of Neglect or Refusal to comply therewith, every such Occupier shall forfeit and pay for every such Offence any Sum not exceeding Twenty Shillings.

Cellar Open-  
ings to be  
covered or

LXXXVI. And be it further enacted, That the Owner or Occupier of every Building within the said Township of *Little Bolton* shall, at his



his own Expence, cause the Cellar Openings of the same, or Areas to the Front of any Street in the said Township of *Little Bolton*, to be well and sufficiently covered over and fastened down or guarded by a good and sufficient Railing, of such Materials and Dimensions and in such Manner and Form as the Trustees under this Act shall direct; and such Railing shall from Time to Time be repaired or altered, at the like Expence, in such Manner as such Trustees shall direct, under a Penalty of any Sum not exceeding Forty Shillings for each Offence, Neglect, or Refusal.

secured by  
Rails.

LXXXVII. And be it further enacted, That it shall be lawful for the Trustees under this Act from Time to Time to cause every Penthouse, Porch, Shed, projecting Window, Palisade, Rail, Post, Sign, Pole, Stall, Hook, Spout, Step, Area, Cellar Hole, Cellar Window, Cellar Door, and Hatchway, and all Teagles, Cranes, and Windlasses, and the Arms thereof, for raising or lowering any Articles, Matters, or Things, which shall be fixed on or against any Building, and all other Obstructions and Projections whatsoever not hereinbefore particularly specified, which, at the Time of passing this Act, are already erected, affixed, set up, or laid down against or in front of any Houses or other Buildings whatsoever in any of the Streets within the said Township of *Little Bolton*, and which, in the Judgment of such Trustees, shall be considered public Annoyances or Nuisances by reason of their projecting into or over, or encroaching upon, or otherwise annoying or endangering the public Passage along any of the same Streets, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, by any Person acting under the Authority of such Trustees, in such Manner as shall be thought most proper and expedient by such Trustees; such Trustees nevertheless first causing Thirty Days Notice in Writing, under the Hand of their Clerk or other Officer, to be given to the respective Owners or Occupiers of such Houses or other Buildings, of their Intention to take down, fill up, remove, alter, or reform such Obstructions, Projections, or Annoyances respectively, and causing as little Damage to be done in the effecting of every such Removal or Alteration as aforesaid, as the Nature of the Case will allow, and also defraying the whole Costs and Charges of executing the same; and such Trustees shall, out of the Monies to be raised for the Purposes of this Act, pay or tender to every Person who shall be injured by their Proceedings in removing any such Obstruction and Projection, or executing any of the Powers last aforesaid, such Recompence as they shall think proper; and in case such Persons shall be dissatisfied with the Recompence so tendered or offered, he may appeal to the then next Quarter Sessions of the Peace to be holden for the said County of *Lancaster* by Adjournment within the Hundred of *Salford*, and the Justices of the Peace at such Sessions shall have Power to direct the Jury which shall attend at such Sessions for the Trial of Traverses to inquire into and assess the Recompence Money which ought to be paid to such Person for such Injury as aforesaid, and thereupon the Justices at such Sessions shall adjudge and order such Recompence so found and assessed by the Jury to be paid to such Person or Persons accordingly, and such Inquiry and Judgment shall be final to all Intents and Purposes; and the said Justices shall and may award,  
order,

For removal  
of existing  
Projections.



order, and adjudge Costs to either Party, as they shall think proper ; provided that nothing herein contained shall subject such Trustees to the Payment of any Recompence for removing, taking down, filling up, carrying away, altering, or reforming such of the said Obstructions or Projections as are Encroachments upon or over any such Streets as aforesaid.

For removal  
of future  
Projections.

LXXXVIII. And be it further enacted, That the several Occupiers of the Houses and other Buildings situate in the several Streets within the said Township of *Little Bolton* are hereby authorized and required, at their own respective Costs and Charges, within Thirty Days next after their respectively receiving Notice in Writing from the Clerk or other Officer of the said Trustees under this Act, to cause the Water from the Roofs, Cornices, and Penthouses of their respective Houses or other Buildings to be carried down by proper and sufficient Pipes, to be fixed to and down the Sides of the same Houses and Buildings in such Manner as shall be directed by such Trustees, and to cause every Penthouse, Porch, Shed, projecting Window, Palisade, Rail, Post, Sign, Pole, Stall, Hook, Spout, Step, Cellar Window, Cellar Door, Hatchway, and Area, and all Teagles, Cranes, and Windlasses, and the Arms thereof, for raising or lowering any Articles, Matters, or Things, which shall be fixed on or against any Building, and other Obstructions and Projections whatsoever not herein-before particularly specified, which shall in future be erected, set up, affixed, or laid down against or in front of their respective Houses or other Buildings, and which, in the Judgment of such Trustees, shall be considered public Annoyances or Nuisances by reason of their projecting into or encroaching upon or over or otherwise annoying or endangering the public Passage along any of the Streets within the said Township of *Little Bolton*, to be taken down, filled up, removed and carried away, or otherwise altered or reformed, in such Manner as shall be directed by such Trustees ; and in case the Occupier of any such House or other Building as aforesaid shall neglect or refuse to cause the Water to be carried down from the Roof, Cornice, or Penthouse of any such House or other Building as aforesaid, within such Time and in such Manner as in such Notice shall be directed, or to cause any such Penthouse, Porch, Shed, projecting Window, Palisade, Rail, Post, Step, Cellar Window, Cellar Door, Hatchway, Area, Teagle, Crane, Windlass, or the Arm thereof, or any other Obstruction or Projection whatsoever not herein-before particularly specified, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, within such Time and in such Manner as in such Notice shall be directed, then and in every such Case it shall be lawful for such Trustees to cause the same to be forthwith done by any Person acting under their Authority ; and the Costs and Charges attending the same, having been ascertained by some Justice of the Peace for the said County, shall and may be recovered from the Occupier of such House or Building in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered ; and when so recovered, the same shall be paid to the Treasurer of such Trustees, to be applied to the general Purposes of this Act ; and it shall be lawful for the Occupier of any such House or other Building, being a Tenant at Rack Rent, and having either  
paid



paid such Costs and Charges in the first instance, or having repaid the same to such Trustees, or whose Goods and Chattels may have been distrained for the same, to deduct and retain the Amount thereof out of his Rent, and the Proprietor or Landlord of every such House or other Building so held at Rack Rent is hereby required to allow the same accordingly; and in case such Costs, Charges, and Expences shall exceed the Amount of such Rent, then the Excess shall forthwith be repaid to such Occupier by such Proprietor or Landlord; and in case of Refusal or Neglect, after Demand, then such Excess may be levied by Distress and Sale of the Goods and Chattels of such Proprietors or Landlord, by Warrant under the Hand and Seal of any Justice of the Peace for the said County, together with the Expences of such Warrant, Distress, and Sale: Provided always, that in Cases where the Encroachment, Obstruction, Annoyance, or Nuisance so removed or altered shall have been originally occasioned by such Occupier, he shall bear the Expence of altering or removing the same.

LXXXIX. And be it further enacted, That if any Cellar Door, Trap Door, Hatchway, or Flap Window, leading into or giving Light or Air to or placed over any Cellar, Vault, or Office under Ground, within the said Township of *Little Bolton*, shall at any Time be left open in the Evening or in the Night, or shall not be effectually and substantially secured so as to prevent Accidents; or if any Grate or other Covering placed over any Opening in the Footpath, Flagway, or Pavement, and used for putting Coals or other Articles into any Cellar or other Place under Ground, or for any other Purpose, shall at any Hour of the Day or Night be left open, or shall not be well and effectually fastened down and secured so as to prevent Accidents; then and in every of the said Cases the Occupier of such Cellar, Vault, Office, or other Place under Ground as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Cellar Windows and Grates to be secured.

XC. And be it further enacted, That the several Occupiers of Houses, Buildings, Yards, Gardens, and Lands within the said Township of *Little Bolton*, and every of them, are hereby respectively authorized and required, at their own Costs and Charges, from Time to Time, within Fourteen Days next after their respectively receiving Notice in Writing from the Clerk or other Officer of the Trustees under this Act, to cause all the Doors and Gates leading into the several Houses, Buildings, Yards, Gardens, and Lands in their respective Occupations (and not being Cellar Doors or Trap Doors), which now do or shall hereafter open outwards, and when open shall project into or over any of the Streets within the said Township of *Little Bolton*, to be altered so as that the same Doors or Gates shall not thenceforth open outwards into any of the said Streets; and if any such Occupier of any of the aforesaid Premises shall neglect or refuse to make the Alteration required by such Notice in any such Door or Gate, within the Period specified by such Notice, such Occupier making Default therein shall forfeit and pay the Sum of Five Shillings a Day for every Day during which any such Door or Gate shall be suffered to remain opening outwards after the Expiration of the Time specified in such Notice: Provided never-

Doors and Gates not to open outwards.

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theless,



theless, that where the Occupier of any such House, Building, Yard, Garden, or Land, shall cause any such Door or Gate to be duly altered in pursuance of such Notice as aforesaid, it shall be lawful for him, if a Tenant at Rack Rent, to deduct and retain out of his Rent the reasonable Charges of altering the same, and the Proprietor or Landlord of such House, Building, Yard, Garden, or Land, is in every such Case hereby required to allow the same accordingly: Provided also, that it shall be lawful for such Trustees to allow to such Occupier or such Proprietor all or any Part of the Expence of making any such Alteration, if such Trustees shall consider it reasonable so to do.

Trustees may direct the Construction of Chimneys.

XCI. And be it further enacted, That all Cotton Spinners, Dyers, Printers, Machine Makers, Velvet Dressers, Brewers, Bakers, Smiths, Founders, Boiler Makers, Soapboilers, Pipe Makers, and other Artificers and Manufacturers making use of Fires casting up large Quantities of Smoke or Flame within the said Township of *Little Bolton*, shall construct and build the Chimney of their respective Works of such Height, not exceeding Thirty Yards in Height, as the said Trustees under this Act, at any Meeting, shall order and direct, for the Purpose of preventing as much as may be the same being a Nuisance; and the Owner and Occupier of all and every Fire Engine and Steam Engine within the said Township of *Little Bolton* shall construct and build the Fireplace and Chimney thereof according to such Plan as shall be approved of and directed by such Trustees, in such Manner as most effectually to destroy and consume the Smoke arising therefrom; and every such Cotton Spinner, Dyer, Printer, Machine Maker, Velvet Dresser, Brewer, Baker, Smith, Founder, Boiler Maker, Soapboiler, Pipe Maker, or other Artificer or Manufacturer, or such Owner or Occupier of any such Engine, who shall neglect or refuse to construct, build, or continue to keep his Chimney or Fireplace according to such Plan as shall be approved of and directed by such Trustees in the Manner aforesaid, for the Space of Three Months after Notice in Writing for that Purpose, signed by the Clerk or any other Officer of the said Trustees, shall be given to him or left at his Dwelling House or last or usual Place of Abode, or within such longer Period of Time as such Trustees shall consider reasonable and direct, shall forfeit and pay the Sum of Forty Shillings for every Week that he shall neglect or refuse to construct, build, or continue to keep every such Chimney or Fireplace according to such Plan, Direction, and Manner aforesaid.

For removal of Slaughterhouses, &c.

XCII. And be it further enacted, That if any Slaughterhouse, Swinestye, Necessary House, Dunghill, or Sewer, or any Dung, Carrion, Offal, Blood, Soil, Filth, or Rubbish, or any other noisome Matter whatsoever, in or near any of the Streets within the said Township of *Little Bolton*, shall be considered by any of the Inhabitants of the same Township as a Nuisance or Annoyance, it shall be lawful for the said Trustees under this Act from Time to Time, upon Complaint thereof being made to them by any such Inhabitant, to inquire into the Matter complained of, and if they shall deem the same to be a Nuisance or Annoyance, then they are hereby empowered and required, by Notice in Writing under the Hand of their Clerk or  
other



other Officer, to order such Nuisance or Annoyance to be removed by the Person causing or occasioning the same within such Time as shall be specified in such Notice; and in case the same shall not be removed according to such Notice, the Person who shall be so ordered to remove the same, and shall neglect so to do, shall forfeit and pay the Sum of Five Shillings a Day for every Day the same shall continue unremoved after the Expiration of the Time specified in such Notice: Provided always, that when any Person, thinking himself aggrieved by such Order as aforesaid, shall give Notice to such Trustees or their Clerk of his Intention to appeal against the said Order, and shall enter into a Recognizance within the Time and in the Manner herein-after mentioned and provided for in respect of Appeals against any Matter or Thing to be done in pursuance of this Act, such Person shall not be subject or liable to pay any such Penalty or Forfeiture until the Expiration of Fourteen Days next after the Hearing and Determination of such Appeal, and the Confirmation thereupon of the said original Order of the said Trustees under this Act.

XCIII. And be it further enacted, That if any Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle shall be found straying in any of the Streets within the said Township of *Little Bolton*, the Owner thereof shall for every such Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Head of Cattle, forfeit and pay any Sum not exceeding Five Shillings; and it shall be lawful for any Officer appointed by the Trustees under this Act to impound any such Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle found straying as aforesaid, in any Pound such Trustees may provide, and which they are hereby authorized and empowered to provide and maintain within the said Township of *Little Bolton* for common Use by the Inhabitants thereof, or in any other public Pound in the same Township of *Little Bolton*, and to detain the same in such Pound until the said Penalty, and the Expence of impounding, feeding, and keeping the same in the Pound, shall be fully paid and satisfied; and if in any such Case the said Penalty and Expences shall not be paid within Three Days after such Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle shall be so impounded, it shall be lawful for any Person who shall be appointed by such Trustees for that Purpose to sell or cause the same to be sold, and the Costs and Charges of impounding, feeding, and keeping such Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle in Pound, and of selling the same, and the said Penalty, shall be defrayed by such Sale; and the Overplus (if any) of the Monies arising by such Sale shall be paid to the Owner of the said Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle, upon Demand: Provided always, that whether such Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle so found straying shall be impounded as aforesaid, or otherwise, the Owner thereof shall nevertheless forfeit and pay for every such Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Head of Cattle so found straying as aforesaid, the said Sum of Five Shillings.

For impounding Cattle suffered to stray.

XCIV. And



Punishing  
Persons  
guilty of  
Pound  
Breach.

XCIV. And be it further enacted, That in case any Person shall release or attempt to release any Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle, or any other Article, Matter, or Thing, which shall be seized for the Purpose of being impounded under the Authority of this Act, from the Pound or Place where the same shall be so impounded, or shall pull down, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock or Bolt belonging thereto or with which the same shall be fastened, or shall rescue or release, or shall attempt to rescue or release, any Distress or Levy which shall be made under the Authority of this Act, until or before such Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle, Article, Matter, or Thing, so seized or impounded, or such Distress or Levy so made, shall be discharged by due Course of Law, every Person so offending shall, upon Conviction thereof before any One of His Majesty's Justices of the Peace for the said County of *Lancaster*, either upon Confession of the Party offending or upon the Oath of One credible Witness, and which Oath the said Justice is hereby authorized and empowered to administer, be committed by such Justice, by Warrant under his Hand and Seal, to the Common Gaol or House of Correction of the said Hundred of *Salford*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

For punish-  
ing Misbe-  
haviour in  
Drivers of  
Carriages.

XCV. And be it further enacted, That if any Driver of any Waggon, Cart, Dray, Sledge, or other Carriage of the like Description, (except Carriages on Springs, and driven by some Person holding the Reins thereof,) shall ride upon the Shafts or upon any other Part of such Carriage, or any of the Horses, Asses, Mules, or Cattle drawing the same, or shall drive the same faster than a Walk in any of the said Streets within the said Township of *Little Bolton*; or if the Driver of any Carriage whatsoever shall be at such a Distance from the same during its Passage through any Part of the same Township as not to possess the complete Direction over the Horse or Beast drawing the same; or if any Person shall place any Cart or other Carriage athwart or across any such Street; or if the Driver of any empty or unloaded Waggon, Cart, or other such Carriage, shall refuse or neglect to turn aside and make way for any Coach, Chaise, or loaded Carriage of any such or other Description, or, when driving any Waggon, Cart, Sledge, or other Carriage, shall not readily and promptly turn the same out of the Road on meeting any Horse or Carriage, so as to leave proper and sufficient Quarter for such Horse or Carriage; or if any Person, when driving any sort of Carriage whatsoever, and meeting any other Carriage, shall not keep his Carriage on the Left or Near Side of the Street, or shall in any Manner wilfully prevent any other Person from passing him or any Carriage under his Care within any such Street, or by Negligence or Misbehaviour prevent or interrupt the free Passage of any Carriage or of His Majesty's Subjects within any such Street, or when riding any Horse or Beast, or driving any Carriage of any sort or kind, shall ride or drive the same furiously, so as to endanger the Life or Limb of any Person, or drive the same against and injure or damage any Curb Stone or Foot Pavement or Causeway, or any Post placed up to protect the same; or if any Person acting as the Driver of Two Carts or other Carriages shall drive the same, when  
under



under the Care and Superintendance of One single Person, in any of the said Streets, with more than One Horse each; or if any Person shall drive more than Two Carts or Carriages attached together in any of the same Streets; or if any Person shall drive any Two Carts or Carriages attached together in any of the same Streets, without having the Horse of the hinder Cart attached by a Rein or Reins to the Back of the Cart which shall be foremost, or without having the hinder Cart attached to the Cart which shall be foremost by Chains extending directly from each Side of the foremost Cart to the Shafts of the hindmost Cart, and of such Length only as to leave a Space of not more than Four Feet between the Back of the foremost Cart and the Shafts of the hindmost Cart; or if any Person shall haul or draw, or cause to be hauled or drawn, upon any Part of the said Streets any Tree or Piece of Timber, or any Stone, otherwise than upon a wheeled Carriage, or shall suffer any Part of any Tree or other Piece of Timber to drag upon any Part of the said Streets; or if any Person shall carry or convey any Timber of Twenty Feet long or upwards upon any Waggon, Cart, or other Carriage through any of the said Streets, without having or being attended by One Person besides the Driver for the Purpose of guiding and who shall guide such Timber, and shall prevent the same from striking against any Person, or against any House, Shop, Wall, or other Building, while the same is so conveyed through any of the said Streets; then and in every such Case every such Driver, Rider, or other Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings; and every such Offender may, by the Authority of this Act, with or without Warrant, be apprehended by any Trustee under this Act, or any Officer or other Person appointed by the Trustees under this Act, who shall see the Offence committed; and it shall be lawful for the Person so apprehending such Driver, Rider, or other Person, to cause him to be conveyed or delivered to a Police Officer, in order to be brought before some Justice of the Peace for the said County of *Lancaster*, to be dealt with according to Law.

XCVI. And be it further enacted, That if in any Street within the said Township of *Little Bolton*, any Person shall leave or suffer to stand or continue any Waggon, Cart, Dray, or other Carriage of the like Description, either in the Night or in the Day-time, either loaded or unloaded, or with or without Horses, for any longer Time than for the necessary loading or unloading thereof, and except whilst the same shall be loading or unloading, or in case the same shall not during such Time be placed so as to interrupt the public Passage as little as possible; or shall leave or suffer to stand or continue any Stage Coach, Diligence, Post Chaise, or other Carriage of the like Description, longer than may be necessary for the taking up or setting down of any Passenger, or for loading or unloading of his Luggage; or shall lay, place, or suffer to remain any Timber, Iron, Bricks, Stones, Slates, Tiles, Sand, Lime, Mortar, Hay, Straw, Coals, Boards, Casks, Tubs, Barrels, Goods, Wares, Merchandize, Materials, Articles, Matters, or Things whatsoever, longer than shall be necessary for removing and housing the same; then and in every such Case every such Person, and the Owner of every such Waggon, Cart, Dray, Coach, Chaise, or other Carriage, or of any such Timber, Iron, Bricks, Stones, Slates, Tiles, Sand, Lime, Mortar, Hay, Straw, Coals,

Penalty for  
Obstructions  
in the Streets.



Boards, Casks, Tubs, Barrels, Goods, Wares, Merchandize, Materials, Articles, Matters, or Things, shall for every Offence in any of the aforesaid Particulars forfeit and pay any Sum not exceeding Forty Shillings; provided that only One Penalty shall be levied for One and the same Offence.

For Protec-  
tion of Foot-  
ways.

XCVII. And be it further enacted, That if any Person shall run, draw, or drive or carry any Truck, Wheel, Sledge, Wheelbarrow, Handbarrow, Bier, or Carriage whatsoever, or any Milk Can, on any of the Foot Pavements or other Footways in any of the Streets or Places, or on any open, waste, or uninclosed Land on the Side thereof, within the said Township of *Little Bolton*, except only for the Purpose of crossing the same; or shall roll any Cask or Tub thereon, except for the Purpose of crossing the same as aforeseaid; or shall drag or carry any Timber or Log of Wood, or any Ladder, or any Stone or Metal, or any other bulky Article, over, along, or upon the same; or shall set or place any Furniture, Goods, Wares, or Merchandize, or any Cask, Tub, Barrel, Box, Pail, Bucket, Stool, Bench, Stall, Show Board, Basket, or Goods of any kind, or erect, set up, or place any Blind, Shade, Covering, or Awning, (except such Blind, Shade, Covering, or Awning shall be Nine Feet at least in Height in every Part thereof from the Surface of the Ground, and shall extend over the whole of such Footway or Causeway,) or any other Matter or Thing, in the Front of or before any House, Shop, or other Building, so as in any other Way to cause any Obstruction or Impediment on any such Footway or Causeway; or if any Person shall slide upon any such Footway or Causeway; or if any Persons shall, by standing, loitering, or remaining in Groups on any such Footway or Causeway (without some reasonable and good and sufficient Cause) obstruct or incommode, hinder or prevent, the free Passage of any such Footway or Causeway; or shall wilfully ride, lead, or drive on any such Footway or Causeway any Horse, Mule, Ass, Swine, Sheep, or other Beast or Cattle of any kind whatsoever, or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding, driving, or leading, to go thereon; or tie or fasten any Horse or other Beast or Cattle to any Door, Wall, Post, Tree, or other Thing whatsoever, so that such Horse, Beast, or Cattle can go or stand across or upon any such Footway or Causeway; or shall set, place, hang up, or otherwise expose to Sale the Carcass of any Calf, Sheep, Swine, Cattle, or Beast, or any Part thereof, or any Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff, or any other Matter or Thing, in or upon or so as to project over or upon any Footway, or beyond the Line of or on the Outside of the Window of the House or Shop at which the same shall be so hung up or placed or exposed to Sale, or so as to obstruct or incommode the Passage of any Person on any of the said Footways or Causeways; or shall in any other Manner obstruct or incommode, hinder or prevent, the free Passage of any such Footway or Causeway; then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

For prevent-  
ing Nui-  
sances.

XCVIII. And be it further enacted, That if any Person shall, in any Street in the said Township of *Little Bolton*, expose for Sale, or sell, or fodder any Horse, Ass, Pig, Sheep, Bull, Cow, or other Beast



or Cattle, except in such Place or in such Manner as shall be appointed for that Purpose; or exhibit or place for Exhibition any Caravan or other Carriage containing any Animal or other public Show, or in any other Manner exhibit or cause to be exhibited any public Show, except in such Place as shall be appointed for that Purpose; or expose or show any Stallion, except in such Place as shall be appointed for that Purpose; or shoe, bleed, or farry any Horse or Beast (except in case of Accident); or clean or dress any Horse or other Beast; or turn loose or suffer to be at large any Horse, Ass, Sheep, Bull, Cow, Swine, Goat, or other Beast, or any Bulldog, Mastiff, or other ferocious Dog of any other Species, not being muzzled; or permit or suffer any Dog whatsoever to go at large after any public Notice given by the said Trustees under this Act, during such Time as such Notice shall direct Dogs to be confined on account of any Suspicion of the Existence of canine Madness (and which said Dogs so at large such Trustees are hereby authorized to destroy and direct to be destroyed); or wash or clean or make or repair any Coach, Chaise, Waggon, Cart, Dray, Sledge, Wheelbarrow, or other Carriage, or the Wheels, Body, Springs, or other Part of any Coach, Chaise, Waggon, Cart, Dray, Sledge, Wheelbarrow, or other Carriage (except such Carriages as may want immediate repairing from any sudden Accident on the Spot, or which cannot conveniently be removed for that Purpose); or shall mischievously or wantonly let off or fire any Musket, Gun, or Pistol, or other Fire-arms; or make or assist in making any Bonfire, or set fire or let off or throw any Cracker, Squib, Rocket, or other Firework; or play at Football, or any other Game, to the Annoyance of any Inhabitant or Passenger; or fly any Kite, or run any Race, or play at Pitch and Toss; or burn, dress, or cleanse any Cask or Wheel; or hoop or fire, cleanse, wash, or scald, any Cask or Tub; or burn, dress, sweep, or cleanse any Piece of Cork; or hang out or cause to be hung out any Linen or Clothes; or being a Blacksmith, Whitesmith, or Nailmaker, or other Person occupying a Blacksmith's, Whitesmith's, or Nailmaker's Shop, situate in or near any of the said Streets within the said Township of *Little Bolton*, and having a Door or Window or other Opening fronting or opening into or towards the same, shall not, by good and close Doors and Shutters, as the Case may require, every Evening, not later than Half an Hour after Sunset, bar and prevent the Light from such Shop shining into or upon any of the said Streets; or if any Person shall hew, saw, bore, or cut any Timber or Stone; or shall kill or slaughter, or singe, scald, or dress, or shall cause or procure to be killed or slaughtered, or singed, scalded, or dressed, any Beast, Swine, Ox, Cow, Calf, Sheep, Lamb, or other Cattle, either wholly or in part, in any such Street, or in any Shop or other Place adjoining and exposed to any such Street; or cause or permit any Offal, Blood, Filth, or other offensive Matter to run from any Slaughterhouse, Shambles, Butcher's Shop, Swinestye, or Dunghill, into any such Street; or kill or slaughter or dress within the said Township of *Little Bolton* any unsound Swine, Ox, Cow, Calf, Sheep, Lamb, or other Beast or Cattle, and which shall be unwholesome Meat, for the Purpose of Sale; or sell or offer or expose for Sale within the said Township of *Little Bolton* any unwholesome Fish or Meat; or use any false or deficient Weights or Measures; or if any  
Person



Person being a licensed Publican or Victualler, or being a Dealer in Beer, Ale, Cider, or other strong Liquors by Retail, within the said Township of *Little Bolton*, shall not erect or construct, with Flags or other proper Materials, in some convenient and proper Situation, and as little exposed as possible, about such Public House or Victualling House, a Recess or Convenience, with proper Drains from the same, for making water against, so as effectually to prevent any unnecessary and indecent Exposure of the Person; or if any Person in any of the said Streets shall sift, screen, wet, slack, or mix any Lime; or fix up any Flowerpot or Bowpot or Pots at any Window, without sufficiently guarding the same so as to prevent their being thrown or blown down; or shall not well and effectually guard and secure, by a proper and sufficient Arching or other Covering over, or by a Wall, Rail, or Fence around, his Canal, Reservoir, Pond, or Dam of Water within or near any of the said Streets, so as effectually to prevent Accidents to Persons and Cattle by reason of any such Canal, Reservoir, Pond, or Dam being left uncovered or unguardedly open; or shall cause or instigate any Dog Battle or Dogs to fight, or aid in or abet any such Dog Fight; or shall fight any pitched or other Battle or Prize Fight, or aid in or abet any such pitched Battle or Prize Fight; or bait or cause to be baited any Bull, Bear, Badger, or other Animal, or aid or abet the same, in any Part of the said Township of *Little Bolton*; or wilfully, wantonly, mischievously, or maliciously break, or abet or assist in breaking, any Glass or Window Pane or Window therein; or shall bathe in any open or exposed Situation in the said Township of *Little Bolton*; or shall indecently expose his or her Person; or shall write or describe any obscene or indecent Language or Figure on any Wall, Door, Post, or public Place within the said Township of *Little Bolton*; or post or distribute any indecent or obscene Handbill, Notice, or Placard, or expose to Sale or distribute any indecent or obscene Print, Ballad, or Pamphlet, within the same Township; or affix any Posting Bill or other Paper to or against any Dwelling House, Wall, or Building, without the Consent of the Owner or Occupier thereof, or write upon or otherwise deface or mark the same by means of Chalk, Paint, or any other Material whatsoever; or if any Person or Persons shall, within the Distance of Two hundred Yards from any Dwelling House situate in or near any Street within the said Township of *Little Bolton*, burn any Rags or Bones, or other offensive Substance, for making Manure, Ivory or other Black, or Ammoniac, or for any other Purpose of Trade, Manufacture, or Commerce, to the Annoyance of any Inhabitant of the said Township of *Little Bolton*, or whereby any such Inhabitant shall be annoyed; or place, deposit, or keep any Night Soil, or the Emptyings, Cleansings, or Filth taken from any Privy, Drain, or Cesspool, or the Refuse, Offal, Garbage, Filth, or Sweepings of any Slaughterhouse, or any Soap Lees, Ammoniacal Liquor, or any other noisome or offensive Matter whatsoever, in or upon any open or inclosed Ground within the aforesaid Distance from any such Dwelling House as aforesaid, to the Annoyance of any Inhabitant of the said Township of *Little Bolton*, or whereby any such Inhabitant shall be annoyed, otherwise than during the Time of the same being removed; each and every Person so offending in any of such Cases, or the Owner or Proprietor of any such Horse, Beast, Cattle, Carriage, Goods,



Goods, Matter, or Thing aforesaid, as the Case may be, (in any of such Cases where the Person actually offending cannot be found or discovered,) or the Person causing any of such Offences, Matters, or Things to be committed or done, shall for each and every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

XCIX. And be it further enacted, That if any Person shall empty or begin to empty any Slaughterhouse, Swinestye, Boghouse, or Privy in the said Township of *Little Bolton*, or carry or cause to be carried any Night Soil, Carrion, Offal, Blood, Filth, or other offensive Matter in or through any of the Streets within the same Township of *Little Bolton*, except between the Hours of Twelve of the Clock in the Night and Seven of the Clock in the Morning from *Lady Day* to *Michaelmas Day* in every Year, or except between the Hours of Twelve of the Clock in the Night and Nine of the Clock in the Morning from *Michaelmas Day* to *Lady Day* in every Year; or shall leave or suffer any Night Soil, Carrion, Offal, Blood, Filth, or other offensive Matter to remain either in any Cart or other such Carriage, or otherwise, in any Street in the said Township of *Little Bolton*, after the Hour of Seven of the Clock in the Morning on any Day from *Lady Day* to *Michaelmas Day* in every Year, or after the Hour of Nine of the Clock in the Morning on any Day from *Michaelmas Day* to *Lady Day* in every Year; or shall at any Time use any Cart or Carriage without having a proper Covering or Boards called Flash Boards, for the Removal of such Night Soil, Carrion, Offal, Blood, Filth, or other offensive Matter, in order to prevent the same from slopping or spilling, or shall at any Time negligently slop or spill any Night Soil, Carrion, Offal, Blood, Filth, or other offensive Matter out of any Cart, Tub, or otherwise, in or over any Street in the said Township of *Little Bolton*, or in any other respect improperly, carelessly, or negligently remove the same, or shall use for any such Purpose in the same Township any Cart or Carriage at any Time or Hour, save and except between the Hours of Twelve of the Clock at Night and Seven of the Clock in the Morning on any Day from *Lady Day* to *Michaelmas Day* in every Year, or except between the Hours of Twelve of the Clock in the Night and Nine of the Clock in the Morning on any Day from *Michaelmas Day* to *Lady Day* in every Year; or if any Person shall at any Time put or place any Night Soil, Carrion, Offal, Blood, Filth, or other offensive Matter in any Situation in any of the said Streets, or in any other Situation, public or private, in the same Township, to the Annoyance of any Inhabitant thereof, or whereby any such Inhabitant shall be annoyed; or if any Person having been employed in emptying or removing such Night Soil, Carrion, Offal, Blood, Filth, or other offensive Matter, shall not well and carefully sweep and cleanse the Place in or upon which such Night Soil, Carrion, Offal, Blood, Filth, or other offensive Matter shall have been placed, or over which the same shall have been carried, in any of the said Streets, or in any other Situation, public or private, in the same Township, and remove such Sweepings therefrom before the said Hour of Seven of the Clock in the Morning in any Day from *Lady Day* to *Michaelmas Day* in every Year, and before the Hour of Nine of the Clock in the Morning on any Day from *Michaelmas Day* to *Lady Day* in every Year; every Person so

Regulations  
as to Night  
Soil, &c.

[Local.]

12 B

offending



offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and the Owner of any Cart, Carriage, Horse, or Beast employed in and about emptying or removing such Night Soil, Carrion, Offal, Blood, Filth, or other offensive Matter (except within the Hours and with the covered Carts or Carriages before allowed), or the Employer of any Person who shall offend in any of the Cases aforesaid, shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence; and it shall be lawful in any of the Cases aforesaid for any Officer or other Person employed by the Trustees under this Act, (and he is hereby strictly charged, required, and directed so to do,) without any Warrant or other Authority than this Act, to seize, take, and carry away, or cause to be seized, taken, and carried away, all such Night Soil, Carrion, Offal, Blood, Filth, or other offensive Matter which shall be so left in any of the said Streets after such Hours in the Morning as aforesaid, and the same, and the Matters and Things wherewith the same shall be mixed, so seized as aforesaid, shall belong to and become the Property of the said Trustees under this Act.

Penalties on firing Chimneys.

C. And be it further enacted, That if any Person shall set fire to, or cause, permit, or suffer the Chimney of any House, Workshop, Outhouse, or other Building in the said Township of *Little Bolton* to be on fire, the Person setting fire to the same, or the Occupier of every such House, Workshop, Outhouse, or other Building, or of any Part thereof, from whence such Fire shall commence or happen, shall forfeit and pay for every such Offence any Sum not exceeding Ten Shillings.

Proprietors of Cottages to provide Necessary Houses for Occupiers thereof.

CI. And be it further enacted, That the several Proprietors or Owners of Cottages and other small Tenements in the said Township of *Little Bolton* shall and they are hereby required to provide and keep in repair such and so many Necessary Houses or Privies, with such proper Doors and Coverings to the same, as the Trustees under this Act shall consider requisite for the Use of the Tenants or Occupiers thereof; and if such several Proprietors or Owners shall not provide and keep in repair such Necessary Houses or Privies, with such Doors and Coverings to the same, within One Month next after Notice in Writing for that Purpose from the Clerk of such Trustees, then and in every such Case every such Proprietor or Owner making Default shall forfeit and pay any Sum not exceeding Five Pounds for each such Necessary House or Privy, and Door or Covering to the same, which shall not be so provided and kept in repair, and any further Sum, not exceeding Five Shillings, for every Week during which each such Necessary House or Privy, or such Door or Covering to the same, shall not be provided after the Expiration of such Notice.

Trustees may maintain Town Hall, &c.

CII. And whereas the Trustees under the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, for the said Town and Township of *Little Bolton*, some Time since purchased or leased certain Lands in *Little Bolton* aforesaid, and erected a Town Hall, House, Offices, Buildings, and Places thereupon; be it further enacted, That the said Town Hall, House, Offices, Buildings, and



and Places shall be maintained and used as a Town Hall and Public Offices, and Offices for holding the Meetings and transacting the Business of the Trustees under this Act, and for the holding of such other public Meetings and transacting such other public Business, relating to the said Township of *Little Bolton*, as such Trustees shall from Time to Time direct and appoint, and as a House for the Deputy Constable for the Time being of the said Township of *Little Bolton*, and for Lock-up Houses and other Places of Security wherein to lodge any Nightwalkers, Felons, Malefactors, Vagrants, Disturbers of the Peace, and other Offenders within the said Township, until they can be conveniently carried before some Justice of the Peace to be examined and dealt with according to Law ; and it shall be lawful for the Trustees under this Act to provide Land and Buildings fit and convenient for the Deposit of the Dirt, Dung, Ashes, and other Filth to be swept and collected under the Authority of this Act, and for the Accommodation and Deposit of all Horses, Carts, Fire Engines, Tools, Implements, and other Articles, Matters, and Things to be used and employed by or by the Direction of the said Trustees under the Authority of this Act, and for all or any of such Purposes to purchase or hire any Lands, Messuages, or Buildings, or any Part of any Messuages or Buildings, which shall by the said Trustees under this Act be considered necessary, of and from any Person or Persons who shall be willing to sell or let the same, or otherwise to purchase or hire Ground from any Person or Persons who shall be willing to sell or let the same, and to cause any new Erection or Building to be made upon any Land or Ground which shall be so purchased or hired, and from Time to Time to let, surrender, give up, or sell the same, as well as all or any of the said present Town Hall, House, Offices, Buildings, and Lands erected, built, purchased, or provided by the Trustees under the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, the said Offices, and all other the Premises aforesaid, and to purchase or hire any other Lands, Messuages, or Buildings, Parts of Messuages or Buildings, or Land or Ground whereon to erect any Building or Buildings for any of the Purposes aforesaid ; and the said Trustees under this Act are hereby authorized and empowered to take and accept any Lease or Conveyance of such Lands, Messuages, or Buildings, or Parts of Messuages or Buildings, Land or Ground, to them the said Trustees, in Trust for the Purposes aforesaid, and in like Manner to make any Assignment or Conveyance of any such Place, Messuages, or Buildings, or Parts of Messuages or Buildings, Land or Ground, that they may think proper to sell as aforesaid ; and it shall be lawful for the said Trustees under this Act from Time to Time to make and establish such Rules, Orders, and Provisions for the Use and Management of such Town Hall, Public Office, Watch-houses, Lock-up Houses, or other Place, and for airing, warming, lighting, cleansing, and repairing the same, and for the Use and Management of any such Lands and Buildings, and to make such Allowance to the Keeper of the same Town Hall and Public Office, for his or their necessary Attendance and Trouble about the same, as shall from Time to Time appear expedient to such Trustees.

CIII. And



Trustees may  
provide Fire  
Engines, &c.

CIII. And be it further enacted, That it shall be lawful for the said Trustees under this Act from Time to Time to provide and maintain, or contribute to the Expence of providing and maintaining, Fire Engines, Pipes, Buckets, or other Things belonging thereto, in good working Repair and Order, and from Time to Time to purchase any new Engine, Pipes, Buckets, or other Things belonging thereto, which they shall consider necessary for the Use of the said Township of *Little Bolton*, and to hire or contribute to the Hiring of Firemen and other proper Persons to attend to such Engines, and to pay and defray all Costs and Charges, Salaries, Allowances, Wages, and other Expences attending the same respectively, out of the Rates and Monies to be levied, raised, and received by virtue of this Act.

Water Com-  
pany to de-  
liver Keys of  
Pipes.

CIV. And to the end that in Cases of Fire a Supply of Water may be more easily and readily obtained, be it further enacted, That it shall be lawful for the Trustees under this Act from Time to Time, at their own Expence, to require the Company of Proprietors of the *Great and Little Bolton Waterworks* to deliver a Key or Keys of the Mains, Plugs, and Service Pipes belonging to the said Company of Proprietors within the said Township of *Little Bolton* to such Persons as such Trustees shall order and direct to receive the same, such Key and Keys to be kept by such Person in such Place within the said Township of *Little Bolton* as such Trustees shall appoint; and in case the said Company of Proprietors shall refuse or neglect to deliver such Key or Keys for Three Days after any such Request to such Person as aforesaid, they shall forfeit and pay for every such Refusal any Sum not exceeding Five Pounds.

Trustees may  
enter into  
Contracts.

CV. And be it further enacted, That it shall be lawful for the Trustees under this Act from Time to Time to enter into any Contract for doing any of the Works by this Act authorized to be done, or for furnishing any Materials, Labour, or other necessary Matters and Things whatsoever for the Performance thereof, or for any other of the Purposes of this Act, with any Person who shall be willing to undertake and engage in the same: Provided always, that no such Contract shall be made for a longer Term than Seven Years from the making thereof, and that before any such Contract shall be entered into, Ten Days Notice shall be given in One or more of the *Bolton* or *Manchester* Newspapers, expressing the Purpose of the Contract intended to be made, in order that Persons willing to undertake the same may make Proposals to such Trustees, at a certain Time and Place in such Notice to be specified; and all such Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time when the said Works are to be completed, together with the Penalties to be incurred in case of Nonperformance thereof, and the same shall be signed by some Five or more of the said Trustees under this Act, and shall be under their Common Seal, and shall be signed by the Person so contracting to perform such Works respectively; and Copies of all such Contracts shall be entered in a Book to be kept for that Purpose by the Clerk of such Trustees.

CVI. And



CVI. And be it further enacted, That it shall be lawful for the Trustees under this Act from Time to Time to compound and agree with any Person, or Body Politic or Corporate, who shall have entered into any Contract with such Trustees in pursuance or under the Authority of this Act, for any Penalty contained in any such Contract, or in any Bond or other Security for the Performance thereof, or for or on account of any Breach or Non-performance of any such Contract, Bond, or other Security, for such Sum of Money, or other Recompence, as such Trustees shall think proper.

Trustees may compound for Breach of Contract.

CVII. And be it further enacted, That nothing in this Act, or in any Deed, Contract, Lease, or other Instrument hereby authorized to be entered into or made by the Trustees for executing this Act, or any of them, shall extend to charge the Person of any Trustee executing any such Deed, Contract, Lease, or other Instrument, or the Heirs, Executors, or Administrators of such Trustee, or any of them, or his or their or any of their own proper Lands and Tenements, Goods and Chattels, with or for the Performance of any of the Covenants, Conditions, or Agreements in the same Deed, Contract, Lease, or other Instrument contained on the Part of the same Trustees or any of them; but the Amount of all Costs, Charges, Damages, and Expences which shall or may be recovered in any Suit or Suits at Law or in Equity against the Trustees under this Act, or any of them, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of any such Deed, Contract, Lease, or other Instrument, or the Covenants, Conditions, or Agreements therein contained, and also all the Costs, Charges, Damages, and Expences which such Trustees shall bear, pay, expend, or be put to, or which shall be occasioned to them for or by reason or means of any such Deed, Contract, Agreement, Lease, or other Instrument, or any Covenant, Condition, and Agreement therein contained, or any Action or Suit to be brought or prosecuted by or against them or any of them thereupon, shall respectively be paid and discharged by and out of the Monies to be raised or to arise or be received by virtue of this Act.

Trustees exempted from personal Responsibility in Contracts, &c.

CVIII. And for raising Money to enable the Trustees under this Act to cleanse, pave, widen, amend, repair, maintain, light, watch, regulate, and improve the Streets, Squares, Highways, Lanes, Roads, Paths, Passages, and Places within the said Township of *Little Bolton*, and to carry into execution the several other Powers, Provisions, Authorities, and Directions of this Act; be it further enacted, That it shall be lawful for the Trustees under this Act, and they are hereby authorized and empowered, to raise and levy annually, or oftener if such Trustees shall think proper, such Sum of Money as they shall think necessary, by a Rate or Assessment to be made by or under the Direction of such Trustees, and to be levied upon the Tenants or Occupiers of Houses, Warehouses, Shops, Cellars, Vaults, Foundries, Furnaces, Mills, Factories, Engine Houses, Print Works, Dye Works, Iron Liquor, or other chemical Works, Breweries, Brew-houses, Countinghouses, Granaries, Coach-houses, Stables, and other Buildings, Erections, Wharfs, Quays, Brick Crofts, Rope Walks,

Rates.

[*Local.*]

12 C

Yards,



Yards, Gardens, Lands, Tenements, and Hereditaments within the said Township of *Little Bolton*, according to the annual Value of the same respectively, such annual Value to be from Time to Time settled, ascertained, and fixed by such Trustees, or as they shall direct or appoint; which Rates or Assessments shall be signed and allowed by Five or more of such Trustees; but the whole Sum to be raised under such Rates or Assessments shall not exceed in any One Year, such Year to commence and be computed from the Twenty-fourth Day of *June* yearly and every Year, the Sum of Three Shillings and Sixpence in the Pound upon such annual Rent or Value; and the Money or Monies to be so rated or assessed on such Tenants or Occupiers shall from Time to Time become due and payable half-yearly, by Two equal Portions in every Year, commencing and to be computed as last aforesaid, the first of which half-yearly Payments or Portions shall become due and payable immediately after the Twenty-fourth Day of *June* in every Year, or so soon after that Day as such Rates and Assessments shall be signed and allowed by such Trustees as aforesaid, and the remaining half-yearly Payment or Portion thereof shall become due and payable on the Twenty-fifth Day of *December* in every Year; or such Money to be so rated or assessed shall from Time to Time become due and payable in such other Manner as such Trustees shall think fit and direct; and the same Money shall by such Tenants or Occupiers be paid to and levied and collected by the Collector for the Time being of the said Rates or Assessments, or other Person appointed by such Trustees to collect the same.

Houses, &c. in the Higher End of *Little Bolton* and the Land there to be rated at Four Fifths of annual Value.

CIX. And whereas all that Part of the said Township of *Little Bolton* situate, lying, and being on the northerly Side of *Astley Brook*, running under the Hundred Bridge called *Astley Bridge*, is called the *Higher End of Little Bolton*, and is divided and separated from the rest of the said Township of *Little Bolton* by Part of the Township of *Sharpley*; and the *Higher End of Little Bolton* aforesaid is at such a Distance from the rest of the said Township of *Little Bolton*, that it has not derived nor will derive any Benefit and Advantage from such of the Provisions of the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, or of this Act, as relates to the lighting and watching of the said Town and Township of *Little Bolton*: And whereas it is equitable that the Houses, Mills, Works, and other Buildings, Erections, Lands, Tenements, and Hereditaments in the *Higher End of Little Bolton* aforesaid, and also the Mains, Trunks, Pipes, and Works of every Body Politic or Corporate, or Person, for conveying and supplying Gas or Water to the Inhabitants of the said Township of *Little Bolton*, and also the Arable, Pasture, and Meadow Land within the said Township of *Little Bolton*, should not be charged or rated in any Rate or Assessment under this Act to the full Amount of the annual Value thereof; be it therefore enacted, That all and every the Houses, Mills, Works, and other Buildings, Lands, Tenements, and Hereditaments in the *Higher End of Little Bolton* aforesaid, and also the Mains, Trunks, Pipes, and Works of every Body Politic or Corporate, or Person, for conveying and supplying Gas or Water to the Inhabitants of the said Township of *Little Bolton*, and also all and every the



the Arable, Pasture, and Meadow Land within the said Township of *Little Bolton*, shall be charged and rated in every Rate and Assessment under this Act at and upon Four Fifth Parts of the annual Value thereof, and no more, such annual Value in all Cases to be settled and ascertained by the Trustees under this Act: Provided always, that such of the Provisions of this Act as relate to lighting and watching the Streets, Squares, Highways, Lanes, Roads, Paths, Passages, and Places within the said Township of *Little Bolton*, shall not, nor shall any of them, extend to or be put into execution within the *Higher End of Little Bolton* aforesaid or any Part thereof.

Lighting and watching not to extend to Higher End of Little Bolton.

CX. And be it further enacted, That if any Tenant or Occupier of any of the Premises aforesaid shall neglect or refuse to pay any Sum of Money on him charged or rated or assessed, or to which he shall become liable by virtue of this Act, to the said Collector or other Person, for the Space of Ten Days after Demand thereof in Writing by such Collector or other Person as aforesaid, either delivered personally or left at the last or usual Place of Abode or Occupation of such Tenant or Occupier, or on the Premises for which such Person shall be so charged, rated, or assessed, or any Part thereof, then and in every such Case it shall be lawful for such Collector or such other Person as aforesaid, by Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Lancaster*, which Warrant the said Justice is hereby authorized and required to grant upon due Proof on Oath (and which Oath any such Justice is hereby empowered to administer) or Confession made before him of the said Demand and Nonpayment of such Sum of Money so rated or assessed, with the Assistance of some Constable or other Peace Officer, to enter into any Dwelling House, Building, Land, Tenement, or Hereditament in the Occupation of the Person so neglecting or refusing to pay such Sum of Money so rated or assessed, and there or elsewhere to distrain the Goods and Chattels of such Person, and to sell and dispose of the Goods and Chattels so distrained, or such Part thereof as will be sufficient to pay the said Sum of Money so rated or assessed, together with all the Costs and Charges of the said Warrant and other Proceedings, and of making, keeping, and selling such Distress, rendering the Overplus (if any) of the Money to be raised by such Distress and Sale, together with what shall remain unsold, to the Owner of such Goods and Chattels, on Demand; or otherwise it shall be lawful for the Trustees under this Act to recover any such Rate or Assessment so due and payable by virtue of this Act, exceeding the Sum of Twenty Pounds, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, or Court of Common Pleas at *Lancaster*, or in any other Court whatsoever, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed; but no such Warrant shall be issued for Recovery of any such Rate or Sum of Money until a Summons or Notice in Writing, requiring the Person from whom such Rate or Sum of Money shall be sought to be recovered, to appear before some Justice of the Peace of the said County of *Lancaster*, and to shew Cause why such Rate or Sum of Money should not be paid, shall have been given to him personally, or left at his usual Place

Recovery of Rates.

Place



Place of Abode, or on the Premises in respect of which such Rate or Sum of Money shall be payable.

Form of  
Summons.

CXI. And be it further enacted, That the said Summons or Notice to appear before any such Justice shall be in the Words or to the Effect following (*mutatis mutandis*); that is to say,

‘ *Lancashire* } To \_\_\_\_\_ of the Township  
 ‘ to wit. } of \_\_\_\_\_ in the said County.  
 ‘ I, One of His Majesty’s Justices of the Peace in and for the said  
 ‘ County, do hereby summon and require you personally to be  
 ‘ and appear at [*naming the Place*], in the said County, on  
 ‘ the \_\_\_\_\_ Day of \_\_\_\_\_ at the Hour of \_\_\_\_\_ of the  
 ‘ same Day, before me, or such other of His Majesty’s Justices of the  
 ‘ Peace of the said County as shall be then and there present, then  
 ‘ and there to shew Cause why you refuse to pay to the Collector or  
 ‘ other the Person authorized to receive the same the Sum [*or*  
 ‘ several Sums] of \_\_\_\_\_ being a Rate [*or* respective  
 ‘ Rates] made upon you for or in respect of certain Buildings,  
 ‘ Lands, or Hereditaments occupied by you in the Township of  
 ‘ *Little Bolton* for the Year [*or* Years]  
 ‘ under and by virtue of a certain Act of Parliament made and passed  
 ‘ in the Eleventh Year of the Reign of His Majesty King *George*  
 ‘ the Fourth, intituled [*here insert the Title of this Act*]; and if you  
 ‘ fail to appear at the Time and Place aforesaid, you will be pro-  
 ‘ ceeded against as if you had appeared and not shewn Cause for  
 ‘ such Refusal. Given under my Hand the \_\_\_\_\_ Day  
 ‘ of \_\_\_\_\_

Form of  
Warrant.

CXII. And be it further enacted, That the Warrant of Distress for the Nonpayment of any Rates or Assessments to be made under or by virtue of this Act may include One or more Person or Persons, and shall be in the Words or to the Effect following (*mutatis mutandis*); that is to say,

‘ *Lancashire* } To the Collector or Collectors of the Rates made  
 ‘ to wit. } by the Trustees for executing an Act passed in  
 ‘ the Eleventh Year of the Reign of His Majesty King  
 ‘ *George* the Fourth, intituled [*here insert the Title of this*  
 ‘ *Act*], and also to the Constables and other Peace Officers  
 ‘ of the said Township.  
 ‘ WHEREAS the under-named Persons, now or late Inhabitants,  
 ‘ Landlords, Tenants, or Occupiers of Houses, Buildings, Lands,  
 ‘ Tenements, or Hereditaments, or Parts of Houses, Buildings, Lands,  
 ‘ Tenements, or Hereditaments, within the Township of *Little Bolton*  
 ‘ aforesaid, have been duly rated and assessed under the Authority  
 ‘ of the said Act, and there is now due from them respectively the  
 ‘ several Sums of Money at or opposite their Names herein-after  
 ‘ respectively set down, which they have respectively refused or neg-  
 ‘ lected to pay, as appeareth upon due Proof upon Oath to me, One  
 ‘ of His Majesty’s Justices of the Peace for the said County of *Lan-*  
 ‘ *caster*; and the said several Persons having been summoned to appear  
 ‘ before me [*or* \_\_\_\_\_ One of His Majesty’s Justices of  
 ‘ the Peace for the said County of *Lancaster*] to answer the Premises,  
 ‘ and



‘ and not having shewn any sufficient Cause why such Sums of Money  
 ‘ should not be paid, these are therefore in His Majesty’s Name to  
 ‘ will and require you, or any of you, forthwith to levy the said  
 ‘ several Sums herein-before mentioned by Distress and Sale of the  
 ‘ respective Goods and Chattels of the Persons aforesaid, rendering to  
 ‘ them respectively the Overplus (if any), the reasonable Charges of  
 ‘ such Summonses, Warrants, Distresses, Sales, and Keeping being first  
 ‘ deducted; and if no sufficient Distress can be had or taken, that  
 ‘ then you certify the same to me, to the end that such further Pro-  
 ‘ ceedings may be had as the Law doth authorize or direct; and I  
 ‘ do hereby strictly charge and command all and singular the Con-  
 ‘ stables and other His Majesty’s Peace Officers for the said Town-  
 ‘ ship to be aiding and assisting in all Things relating to the Pre-  
 ‘ mises. Given under my Hand and Seal this Day  
 ‘ of

Names.	Sum due.
—	—
	£ s. d.
‘ A. B.            -    -    -	
‘ C. D.            -    -    -	

CXIII. Provided always, and be it further enacted, That no greater or further Charge shall be made by any Person whomsoever for any Summons or Warrant for Recovery of any Sum or Sums of Money for the said Rates or Assessments, not exceeding in each Case the Sum of Forty Shillings, or for any Informations, Orders, Oaths, Hearings, or other Proceedings relative thereto, by or before any Justice of the Peace, than One Shilling for each such Summons, and Three Shillings for each such Warrant. Restraining Charges for Summonses, &c. for Rates.

CXIV. Provided always, and be it further enacted, That no Rate or Assessment shall by virtue of this Act be charged on or made payable by any Person for or on account or in respect of any Church or Chapel, or any Meeting House duly licensed for Religious Worship, or any Almshouse or Hospital, or any Building or Part of any Building used, occupied, and appropriated exclusively for the gratuitous Education of the Poor, or for any public Charity. Exemption from Rates.

CXV. And be it further enacted, That every Person being a Landlord or Tenant, who shall let his House, Building, or Tenement within the said Township of *Little Bolton* in separate Apartments or Parts, or ready-furnished, or to a Lodger, shall for the several Purposes of this Act be deemed and taken to be the Occupier thereof, and may be rated and assessed accordingly: Provided always, that every Person renting or occupying any such Part or separate Apartments, or any ready-furnished House, or any other Building or Tenement as aforesaid, shall in the first place be liable to the Payment of the said Rates or Assessments, and all Arrears thereof, to be recovered in manner herein directed; and the respective Persons so renting or occupying any such Part or separate Apartment, or any furnished House or other Building or Tenement, who shall pay such Rates or Assessments, or any Arrears thereof, or from whom the Rates where Houses are let to several Tenants.

[Local.]



same shall be recovered in pursuance of this Act, shall and may deduct the same from and out of the Rent due and payable or to become due and payable by him to such respective Landlord or Tenant of such Houses, Buildings, or Tenements; and the Receipt of the Collector or Receiver of the Rates for such Payment shall be a sufficient Discharge for and to all and every such Occupier to his immediate Landlord for so much Money as he shall pay, or shall be recovered on his Goods and Chattels respectively, by virtue of this Act: Provided always, that no such Lodger shall at any Time be required to pay, or be subject or liable to pay, any greater Sum for or towards the Discharge of the said Rates or any of them, or the Arrears thereof, than the Amount of the Rent actually due and payable by such Lodger to the Landlord or Tenant of the Premises occupied by him: Provided also, that nothing in this Act contained shall extend or be construed to extend to affect or make void any Contract, Covenant, or Agreement made between any Landlord and Tenant touching or concerning the Payment of the Rates or Assessments to be made, raised, levied, and received by virtue of this Act, or in any other respect whatsoever.

Empty Property exempted.

CXVI. Provided always, and be it further enacted, That the Rates or Assessments aforesaid shall not be payable for or in respect of any Property hereby made liable to be rated or assessed for or during the Time the same shall be empty or unoccupied.

Rates to be apportioned on Persons removing.

CXVII. And be it further enacted, That in all Cases where any Person shall remove from or quit any Property which shall be rated or assessed by virtue of this Act, such Person shall be liable to pay all such Rates or Assessments which shall have become due during the Time he occupied the same; and in all Cases where any Person shall come into or occupy any such Property as aforesaid, out of or from which any other Person who shall have been rated or assessed for the same shall be removed, or which at the Time of making such Rate or Assessment was empty and unoccupied, or which after the making of such Rate or Assessment shall have been erected, built, or altered, the same shall for and in respect of his Occupation thereof be liable only to any such Rate or Assessment in proportion to the Time he shall occupy the same, in the same Manner as if he had been originally rated or assessed for such Property, which Proportion shall be calculated from the Twenty-fourth Day of *June* in every Year; and the same, in case of any Dispute concerning the same, shall be settled, ascertained, and fixed by the Trustees under this Act, in such Manner as they shall judge reasonable; all which Proportions shall be recoverable in like Manner as herein-before directed for the Recovery of Rates and Assessments under this Act; and that such Rates or proportionate Parts of such Rates may be recovered from all such Persons as aforesaid, on Proof of his Occupancy of such Property charged and chargeable therewith as aforesaid, notwithstanding his Name shall not have been inserted in or added to such Rates or Assessments by the Trustees under this Act.

Trustees may inspect Poor's Rates.

CXVIII. And be it further enacted, That it shall be lawful for the Trustees under this Act, or any Person by them authorized,



from Time to Time to inspect every of the Poor's Rates for the said Township of *Little Bolton*, and the Assessments by which the same are regulated and made, and to take Copies of or Extracts therefrom respectively; and such Trustees may in their Discretion adopt the same or any Part thereof, or otherwise as they shall see proper for the Purposes of this Act; and which Inspection and Copies the Overseer or other Person having the Custody thereof respectively is hereby required to permit and suffer to be made and taken without Fee or Reward, and on Refusal thereof, he so refusing shall forfeit and pay for every Offence any Sum not exceeding Five Pounds.

CXIX. And be it further enacted, That it shall be lawful for the Trustees under this Act from Time to Time to amend any Rate or Assessment to be made by virtue of this Act, by inserting therein the Name of any Person who ought to have been rated, or who, since the making thereof, may have become liable to be rated, or by striking out the Name of any Person who ought not to have been rated therein, or by raising or reducing any Assessment therein, or by making such other Alterations or Amendments therein as will in the Judgment of such Trustees make such Rate or Assessment conformable to the true Intent and Meaning of this Act; and that no such Alteration or Amendment so to be made by such Trustees in any such Rate or Assessment shall be held to vitiate the same or render it less operative.

Trustees may amend Rates.

CXX. And be it further enacted, That on Application made to the Trustees under this Act by any Person rated to any Rate or Assessment by virtue of this Act or by virtue of the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, so far as regards the said Town and Township of *Little Bolton*, to be discharged therefrom, it shall be lawful for such Trustees, on it being made appear to them that such Person is unable through Poverty to pay such Rate or Assessment, to order and direct that such Person shall be excused from the Payment of such Rate or Assessment, and to strike out his Name therefrom; and the Sum at which such Person was so rated in such Rate or Assessment shall not thereafter be collected, nor shall any Person be charged therewith, or in any Manner called or liable to account for the same, or for omitting to collect the same.

Poor Persons may be discharged from Rates.

CXXI. 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 of the Trustees under this Act, 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 shall, within Five Days after Demand, deliver a true Copy of such Rates or Assessments, or any of them, or any Portion thereof, to any such 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 Sixpence for every One hundred Words.

Rates may be inspected, and Copies thereof demanded.

CXXII. And



Power to  
mortgage  
the Rates.

CXXII. And for the more speedily and effectually enabling the said Trustees under this Act to execute the Purposes of this Act, be it further enacted, That it shall be lawful for such Trustees, 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 Five thousand Pounds, upon the Credit of the said Rates and Assessments hereby authorized to be laid and collected, and of the Buildings, Lands, and Premises, or any Part thereof, which may be vested in such Trustees for the Time being; and in the Event of the same Sum or Sums of Money or any Part thereof being repaid by such Trustees, to borrow and take up at Interest in like Manner any other Sum of Money, and so *toties quoties*, but so nevertheless that there shall not be owing upon the Security aforesaid, at any One Time, more than the aggregate Sum of Five thousand Pounds; and by any Writing under their Common Seal, and also under the Hands of any Five or more of such Trustees, to mortgage, demise, grant, or assign the same Rates or Assessments, Buildings, Lands, and Premises, or any Part thereof, to the Person who shall advance or lend such Money, or his Trustee, as a Security for the Money so to be borrowed, together with such lawful Interest for the same as the Trustees under this Act and the Parties lending such Money shall agree upon; and the Charges and Expences of such Security shall from Time to Time be defrayed by such Trustees out of the Monies to be received by virtue of this Act; and every such Mortgage shall be in the Words or to the Effect following; (that is to say,)

Form of  
Mortgage.

‘ Number .  
 ‘ BY virtue of an Act passed in the Eleventh Year of the Reign of  
 ‘ King *George* the Fourth, intituled [*here set forth the Title of*  
 ‘ *this Act*], We, whose Hands are hereunto subscribed, being  
 ‘ or more of the Trustees acting in the Execution of the said Act,  
 ‘ in consideration of the Sum of \_\_\_\_\_ advanced  
 ‘ and lent by \_\_\_\_\_ upon the Credit and for the  
 ‘ Purposes of the said Act, and paid by him [*or her, or them, as the*  
 ‘ *Case may be,*] to the Treasurer of the said Trustees, do by this  
 ‘ Instrument, to which the Common Seal of the Trustees under the  
 ‘ said Act is affixed, 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, and also of the Buildings and  
 ‘ Premises thereby vested in the said Trustees, as the said Sum of  
 ‘ \_\_\_\_\_ doth or shall bear to the whole Sum  
 ‘ borrowed and to be borrowed by virtue of the said Act upon the  
 ‘ Credit of the same Rates and Assessments, Buildings and Premises;  
 ‘ to be had and holden from the Day of the Date of these Presents,  
 ‘ until the said Sum of \_\_\_\_\_ with Interest for the  
 ‘ same, by half-yearly Portions, after the Rate of  
 ‘ *per Centum per Annum*, shall be fully repaid and satisfied. In  
 ‘ witness whereof the Common Seal of the said Trustees under the  
 ‘ said Act is hereunto affixed, and we have hereunto set our Hands,  
 ‘ the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our  
 ‘ Lord \_\_\_\_\_

And



And every such Mortgage shall be valid and effectual in the Law to all Intents and Purposes whatsoever; and all such Mortgages shall be numbered, commencing with Number One, and so proceeding in arithmetical Progression in respect of each such Mortgage.

CXXIII. Provided always, and be it further enacted, That no Sum of Money shall be borrowed and taken up at Interest on Credit of the said Rates, Assessments, Buildings, Lands, and Premises, or any of them, or any Part thereof, unless the same shall have been determined upon and ordered at a Meeting of the Trustees under this Act, Notice of which Meeting, and of the Object and Purpose thereof, shall have been given by affixing such Notice on the outer Door of the Town Hall aforesaid, and by Advertisement in One or more of the *Bolton* or *Manchester* Newspapers, Fourteen Days at least (exclusive of the Day of Notice and Day of Meeting) before such Meeting shall be held.

No Money to be borrowed on Mortgage without previous Notice.

CXXIV. And be it further enacted, That the several Persons to whom any such Mortgages shall have been made shall be severally entitled to their respective Quota of the said Rates and Assessments, Buildings, Lands, and Premises, in proportion to the annual Amount of the Interest of the Monies borrowed on Mortgage, without any Preference by reason of the Priority of Date of any such Mortgage, or on any other Account whatsoever.

No Preference in Payment of Mortgages.

CXXV. And be it further enacted, That a Book shall be provided by the Trustees under this Act, and kept by their Clerk, 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 reasonable Times, without Fee or Reward.

Register Book to be kept of Mortgages.

CXXVI. And be it further enacted, That it shall be lawful for any Person entitled for the Time being to any Mortgage for the Money which shall be so borrowed as aforesaid, or his Executors, Administrators, or Assigns (as the Case may be), at any Time, by Writing under his Hand and Seal, to assign or transfer the same to any Person, being a Subject of this Realm; and every such Assignment or Transfer shall be in the Form or to the Effect following; (that is to say,)

Mortgages may be transferred.

‘ I *A. B.* of [or I *C. D.* of Executor  
 ‘ or Administrator of *A. B.* late of or otherwise;  
 ‘ as the Case may happen to be], in consideration of the Sum of Form of  
 ‘ to me paid by *E. F.* of Mortgage.  
 ‘ do hereby assign and transfer unto the said *E. F.*, his Executors,  
 ‘ Administrators, and Assigns, a certain Security bearing Date the  
 ‘ Day of in the Year of our Lord  
 ‘ under the Hands of  
 ‘ or more of the Trustees for putting in execution an Act passed in  
 ‘ the Eleventh Year of the Reign of His Majesty King *George* the  
 ‘ [Local.] 12 *E* ‘ Fourth,







paid off shall, from and after the End of the said Six Calendar Months, cease and be no longer paid or payable, unless the 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 Six Calendar Months, shall nevertheless be payable, on Demand, by the Persons entitled to receive the same.

CXXIX. And be it further enacted, That all Money to arise and be received by or from the Rates or Assessments authorized to be made, levied, and collected by virtue of this Act, or which may be borrowed upon the Credit or Security of the said Rates or Assessments authorized to be raised, levied, and collected by virtue of this Act, and of the said Buildings and Premises authorized by this Act to be made, erected, and provided by the Trustees under this Act, within and for the said Township of *Little Bolton*, and all Penalties and Forfeitures to be recovered or levied, and all other Monies received by virtue of this Act (unless in Cases otherwise expressly directed), shall be paid, applied, and disposed of, in the first place, in paying and defraying all Expences and Charges which shall be incurred or in any Manner incident to and attending the applying for and obtaining and passing this Act; and in the second place, in paying and discharging all the Interest which shall be due or from Time to Time become due on any Monies borrowed and raised under the Authority of this Act, and under the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, so far as it extended to the said Town and Township of *Little Bolton*, such Interest to be paid according to the Rate agreed upon, by half-yearly Payments in each and every Year; and after full Payment and Satisfaction thereof, then in paying and discharging all Sums due and owing which have been borrowed and raised under the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, as regards the said Town and Township of *Little Bolton*, and all Interest due thereon, and all other Debts, Rents, and Sums of Money incurred, expended, due, or owing under the said recited Act of the Thirty-second Year of the Reign of His said late Majesty, as regards the said Town and Township of *Little Bolton*, and in paying the Purchase Monies and annual Rent for, and the Costs, Charges, and Expences of and attending or incident to the purchasing of any Messuages, Houses, Buildings, Lands, Tenements, or Hereditaments, or any Estate, Right, or Interest of or in any Messuages, Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, which by this Act are authorized to be purchased by the said Trustees under this Act within the said Township of *Little Bolton*, and in erecting, building, and completing, and afterwards from Time to Time repairing and keeping in repair and improving the said Buildings, Erections, Conveniences, Matters, and Things authorized by this Act to be erected, built, made, and provided, and in cleansing, paving, widening, amending, repairing, maintaining, lighting, watching, regulating, and improving the Streets, Squares, Highways, Lanes, Roads, Paths, Passages, and Places within the said Township of *Little Bolton*, and in reducing, paying off, and dis-

Application  
of Rates and  
other Monies.



discharging the several Principal Sums of Money which shall be borrowed upon Credit or Security of the same Rates or Assessments, Buildings, Erections, and Premises, and in and for carrying into full and complete Execution in all other respects the Intents, Purposes, Powers, and Provisions of this Act.

All Monies arising under this Act to be paid to the Treasurer.

CXXX. And be it further enacted, That all Monies whatsoever which shall be raised and collected by Order of the Trustees under this Act, or which shall be by them for the Purposes of this Act borrowed on Mortgage, or which shall be otherwise payable to them under any of the Provisions of this Act, shall from Time to Time be paid to the Treasurer of such Trustees under this Act; and no Sum or Sums of Money shall be disbursed or paid by such Treasurer on behalf or on account of such Trustees, without some general or special Order in Writing signed, at a Meeting of such Trustees to be held in pursuance of this Act, by the Chairman of such Meeting.

Power to contract for the Purchase of Lands and Buildings.

CXXXI. And be it further enacted, That it shall be lawful for the Trustees under this Act and they are hereby empowered from Time to Time to contract and agree for the absolute Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments within the said Township of *Little Bolton*, with any Body Politic, Corporate, or Collegiate, or Ecclesiastical, Corporation Aggregate or Sole, or any Tenant for Life or in Fee Tail, General or Special, or for any Term of Years absolute or determinable on any Life or Lives, or with any Feoffee in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whomsoever, not only for and on behalf of themselves, their Heirs, Executors, Administrators, and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femmes Covert, or other Persons under any Disability of acting for themselves, or with any Femmes Covert seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest, or with any others the Owners or Proprietors for the Time being of any Messuages, Buildings, Lands, Tenements, or Hereditaments, not exceeding Four Statute Acres of Land, for the Purposes of this Act, within the said Township of *Little Bolton*, or of any Part of such aforesaid several Premises, or of any Estate, Right, and Interest therein, who shall be willing to sell the same, which the said Trustees under this Act shall consider proper and necessary to be purchased for all or any of the Purposes of this Act, or as shall be necessary or requisite for the due Execution hereof, and the several Powers herein contained; and it shall be lawful for the same Trustees to hold such Messuages, Buildings, Lands, Tenements, and Hereditaments, or any Term, Right, and Interest therein, so purchased, without incurring or being subject to any Penalties or Forfeitures of the Statutes of Mortmain, or of any other Law or Statute whatsoever; and it shall be lawful for the Trustees under this Act to take down or alter all or any of such Messuages, Houses, Buildings, Tenements, and Hereditaments so to be purchased, or any Part of the same respectively, and also to appropriate



appropriate all or any Part thereof, or of the Land or Ground which shall be cleared by the taking down of any such Messuages or Buildings, for all or any of the Purposes aforesaid, as the same Trustees shall think fit.

CXXXII. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, and all Tenants in Fee Simple, for Life, or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust for charitable and other Purposes, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees and Persons whomsoever, not only for and on behalf of themselves, their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, or other Persons under any Disability of acting for themselves, and to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest, and for all and every other Person and Persons whomsoever, who is, are, or shall be seised, possessed of, or interested in any Messuages, Buildings, Lands, Tenements, or Hereditaments, or entitled to any Estate, Right, Title, Lien, Charge, or Interest whatsoever in or to any Messuages, Buildings, Lands, Tenements, or Hereditaments within the said Township of *Little Bolton*, or any Part thereof, which shall be thought necessary by the Trustees under this Act to be purchased for the Uses and Purposes of this Act, to treat, contract, and agree with such Trustees for a Lease or Leases, or for the absolute Sale thereof or of any Part thereof, and of all and every Estates, Rights, Titles, Terms, and Interests whatsoever of, in, and to the same, unto the Trustees under this Act, for the Purposes of this Act, and to demise, convey, and assign the same respectively unto such Trustees and their Successors for the Purposes of this Act; and all Contracts, Leases, Assignments, Bargains, Sales, Conveyances, and other Assurances which shall be so made by virtue and in pursuance of this Act shall, without any Fine, Recovery, or other Conveyances or Assurances in the Law whatsoever, and without Inrolment or Registry, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Party or Parties so conveying but also to convey all the Estate, Right, Title, Interest, Use, Trust, Property, Possession, Claim, and Demand whatsoever of their said several and respective Cestuique Trusts, and all Persons whomsoever claiming or having Title to claim by, from, through, or under them or any of them, and all Persons entitled in Remainder or Reversion expectant on any particular Estates, and the same shall be deemed and considered to bar all Dower of the Wife of such Party, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and of the Issue of the same Party claiming under them or any of them respectively, any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding; and all such Corporations and Persons hereby empowered to treat, contract, agree, sell, demise,

[*Local.*] 12 F convey,

Bodies Politic, &c. empowered to sell.



convey, and assign as aforesaid, and every of them, are and is and shall be hereby indemnified for what he, she, or they shall do by virtue and in pursuance of this Act.

Form of Conveyance to the Trustees.

CXXXIII. And be it further enacted, That all Sales, Conveyances, and Assurances of any Messuages, Buildings, Lands, Tenements, Rents, or Hereditaments, or any Estate or Interest therein, to be made to the Trustees under this Act, and their Successors, shall be made in the Form or to the Effect following, *mutatis mutandis*; (that is to say,)

‘ I [or We, as the Case may be,] of  
 ‘ in consideration of the Sum  
 ‘ of to me [or us] paid by the Trustees  
 ‘ under an Act passed in the Eleventh Year of the Reign of His  
 ‘ Majesty King *George* the Fourth, intituled [here set forth the Title  
 ‘ of this Act], do hereby grant and convey to the said Trustees and  
 ‘ their Successors all [here describe the Premises to be conveyed], and  
 ‘ all my [or our] Estate, Right, Title, Term, and Interest in and to  
 ‘ the same, and every Part thereof, to hold to the said Trustees, and  
 ‘ their Successors, henceforth for ever, or [as the Case may be] during  
 ‘ all the Remainder of my [or our] Term, Estate, and Interest in the  
 ‘ said Premises. In witness whereof I [or we] have hereunto set  
 ‘ my Hand and Seal [or our Hands and Seals, or our Common Seal,  
 ‘ as the Case may be,] this Day of in the  
 ‘ Year of our Lord .’

And every such Sale, Conveyance, Assignment, and Assurance, either in the Form or to the Effect aforesaid, or in such other Form or to such other Effect as the Nature of the Consideration to be paid for the same, and the other Circumstances relative thereto, may in the Judgment of the Trustees under this Act from Time to Time seem to require, shall be good, valid, and effectual to all Intents and Purposes whatsoever.

Mortgagees not in Possession to assign Mortgages to Trustees.

CXXXIV. And be it further enacted, That every Person, Body Politic, Corporate, or Collegiate, who shall have any Mortgage on such Messuages, Buildings, Lands, Tenements, or Hereditaments (not being in Possession of the said Premises by virtue of such Mortgage or Mortgages), shall, on Tender of the Mortgage Money and Interest due thereon, together with the Amount of Six Calendar Months Interest on the Principal Money, by the Trustees under this Act, or their Clerk, immediately convey, assign, and transfer such Mortgage to such Trustees, or to such Person as they shall appoint; or in case such Mortgagee shall have Notice in Writing from such Trustees or their Clerk, that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage at the End or Expiration of Six Calendar Months, then on Payment of the Principal and Interest so due on such Mortgage, such Mortgagee shall convey, assign, and transfer the said Mortgage, and his Interest in the Premises, to such Trustees, or to such Person as they shall appoint in Trust for them; but in case such Mortgagee shall refuse to convey or assign on such Tender or Payment as aforesaid, then



then all Interest on every such Mortgage shall, from the Time of such Tender or Expiration of such Notice, cease and determine.

CXXXV. And be it further enacted, That if any Money shall be contracted or agreed to be paid for the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments to be purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Body Politic, Corporate, Collegiate, or Ecclesiastical, Tenant for Life or in Tail, Trustees, Feme Covert, Infant, Lunatic, or Idiot, or any other Person under any Disability or Incapacity, such Money, in case the same shall amount to or exceed the Sum of Two hundred Pounds, shall with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the Trustees for improving the Township of *Little Bolton*, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King *George the Fourth*, intituled *An Act for better securing Money and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, to the Intent that such Money may be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person who would have been entitled to the Rents and Profits of the said Messuages, Buildings, Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Messuages, Buildings, Lands, Tenements, or Hereditaments, or affecting other Messuages, Buildings, Lands, Tenements, or Hereditaments standing and being settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Buildings, Lands, Tenements, or Hereditaments which shall be conveyed and settled to, for, or upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Messuages, Buildings, Lands, Tenements, or Hereditaments which shall be purchased, taken, or used for the Purposes of this Act stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application made thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated

Application  
of Purchase  
Money when  
amounting  
to 200l. or  
upwards.

1 G. 4. c. 35.

or



or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid, by Order of the said Court, to the Party or Parties who would for the Time being have been entitled to the Rents and Profits of the said Messuages, Buildings, Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application of Purchase Money when less than 200*l.* and exceeding 20*l.*

CXXXVI. Provided always, and be it further enacted, That if any Money so contracted or agreed to be paid for any Messuages, Buildings, Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes of this Act, and belonging to any Corporation or to any Person under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person for the Time being entitled to the Rents and Profits of the Messuages, Buildings, Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, or of his Guardian or Committee, in Cases of Infancy, Idiocy, Lunacy, or other Incapacity, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in the Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees to be named by the Person making such Option, and approved by Five or more of the said Trustees under this Act, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Money, and the Dividends and annual Produce arising thereon, may be applied in the Manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Application of Purchase Money not exceeding 20*l.*

CXXXVII. Provided also, and be it further enacted, That where such Money so contracted or agreed to be paid as aforesaid shall not exceed the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person who would for the Time being have been entitled to the Rents or Profits of the Messuages, Buildings, Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the Trustees under this Act shall think fit; or in Cases of Infancy, Lunacy, Idiocy, or other Incapacity, the same shall be paid to his Guardian or Committee, and to and for the Use and Benefit of such Person so entitled respectively.

Persons in Possession to be deemed entitled.

CXXXVIII. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, or of any Estate, Right, or Interest in any Messuages, Buildings, Lands, Tenements, or Hereditaments,



ditaments, to be purchased in pursuance of this Act, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities or Government or Real Securities to be purchased with any such Money, the Person who shall have been in Possession of such Messuages, Buildings, Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person, or under the Possession of such Person, shall be deemed and taken to have been lawfully entitled to such Messuages, Buildings, Lands, Tenements, or Hereditaments, or Part, Estate, Right, or Interest therein, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the said Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of the same Bank Annuities or Government or Real Securities, shall be paid, applied, and disposed of accordingly, unless it shall appear to the said Court that such Possession was a wrongful Possession, and that some other Person was lawfully entitled to such Messuages, Buildings, Lands, Tenements, or Hereditaments, or to some Part, Estate, or Interest therein.

CXXXIX. And be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Corporation entitled to any Messuages, Buildings, Lands, Tenements, or Hereditaments, or of any Part, Estate, Right, or Interest therein, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, or to be applied in the Purchase of other Messuages, Buildings, Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all such last-mentioned Purchases, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the Trustees under this Act, who shall from Time to Time, out of the Monies to be raised and received by virtue of this Act, pay such Sums of Money for such Purposes as the said Court shall direct.

Court may order the Costs of Purchases from incapacitated Parties to be paid by the Trustees.

CXL. And be it further enacted, That upon Payment or legal Tender of such Sum of Money as shall have been contracted or agreed for between the Parties for the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments, or any Part, Estate, Right, or Interest in any Messuages, Buildings, Lands, Tenements, or Hereditaments, which shall be purchased by virtue or in pursuance of this Act, either to the Person or Party respectively entitled to receive the same Monies, or, where the Provisions of this Act shall so require or allow, into the Bank of *England*, for the Purpose of being disposed of in the Manner by this Act directed, all and every the Premises, Estate, Right, or Interest for or in respect whereof such Monies shall have been so paid or tendered, shall thenceforth absolutely vest in the Trustees under this Act, for the Purposes for which the same are by this Act authorized to be purchased and taken; and such Trustees shall be deemed in Law to be in the actual Possession thereof to all

Property to vest in Trustees on Payment of the Purchase Money.



Intents and Purposes whatsoever, freed and discharged of and from all former and other Estates, Rights, Titles, Interests, Claims, and Demands whatsoever; any Law, Statute, Usage, or Custom to the contrary in anywise notwithstanding.

Empowering Trustees to sell Lands, &c. not wanted.

CXLI. And whereas Messuages, Buildings, Lands, Tenements, or Hereditaments vested in or which may be purchased by the Trustees under this Act, by virtue of the Provisions of this Act, may be found not necessary or may not be wanted for the Purposes thereof; be it therefore further enacted, That it shall be lawful for such Trustees, or any Five or more of them, assembled at any of their Meetings under the Authority of this Act, to sell and dispose thereof; and in that Case such Trustees, or any Five or more of them, shall by Indenture under their Hands and Seals, and also under the Common Seal of such Trustees, grant and convey, by way of absolute Sale in Fee Simple, or for such other Estate as they may have therein, for a Consideration in Money, all or any Part or Parts of the Messuages, Buildings, Lands, Tenements, and Hereditaments vested in or which may have been so purchased, and which shall not be wanted by such Trustees for the Purposes of this Act; and upon Payment of the Money which shall arise by or from the Sale of such Messuages, Buildings, Lands, Tenements, or Hereditaments, or of any Part or Parts thereof, it shall be lawful for the Treasurer for the Time being of such Trustees to sign and give a Receipt for the Money for which the same shall be sold, which Receipt shall sufficiently discharge any Person for the Money therein and thereby expressed or acknowledged to be received; which Money shall be applied as Part of the Funds placed under the Management of such Trustees; and such Person, having *bond fide* paid the same, shall not afterwards be answerable or accountable for any Loss, Misapplication or Nonapplication of any Purchase Money, or any Part thereof.

Restraining Trustees from purchasing more than Four Statute Acres of Land from incapacitated Persons, &c.

CXLII. And whereas the Trustees under this Act are enabled to purchase Four Statute Acres of Land by virtue of this Act, for the different Purposes thereof, and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all other Persons whomsoever, are empowered to sell such Quantity or Number of Four Statute Acres to such Trustees: And whereas it is expedient to restrain such Trustees from selling any such Lands so purchased from any Body Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for and on behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, and again purchasing other Lands from the same or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or on behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, and Per-



sons to whom or for whose Benefit Lands are limited in strict Settlement, or other Persons being under legal Disability or Incapacity, in lieu or stead of the Lands so sold; be it therefore enacted, That it shall not be lawful for the Trustees under this Act to purchase from any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Trustee or Feoffee in Trust for charitable or other Purposes, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, more than such Four Statute Acres; and in case such Trustees should afterwards sell the Whole or any Part of such Four Statute Acres so purchased, it shall not be lawful for such Trustees to purchase of or for the same or any other Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Trustee or Feoffee in Trust for charitable or other Purposes, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, to sell to such Trustees any other Lands in lieu or stead of those Four Statute Acres, or any Part thereof, so sold or disposed of by such Trustees.

CXLIII. Provided always, and be it further enacted, That no Messuages, Lands, or Hereditaments, or any Estate or Interest therein, shall be purchased, hired, sold, or granted by the Trustees under this Act, by virtue of the Powers of this Act, unless the same shall have been determined upon and ordered at a Meeting of such Trustees, Notice of which Meeting, and of the Object and Purpose thereof, shall have been given by affixing such Notice on the outer Door of the Town Hall aforesaid, or by Advertisement in One or more of the *Bolton* or *Manchester* Newspapers, Fourteen Days at least (exclusive of the Day of Notice and Day of Meeting) before such Meeting shall be held.

Lands, &c.  
not to be  
purchased or  
sold without  
previous No-  
tice.

CXLIV. And be it further enacted, That when and as often as any Sum of Money shall be directed or ordered to be paid by the Trustees under this Act to any Person as or by way of Compensation or Satisfaction for any Damage, Spoil, or Injury of any Nature or Kind whatsoever done or committed by such Trustees, or any Person acting by or under their Authority, or for any Costs or Expences relating thereto, not herein-before otherwise provided for and directed, and such Sum of Money shall not be paid by such Trustees to the Party or Parties entitled to receive the same within Ten Days after Demand in Writing shall have been made for that Purpose, then and in every such Case the Amount of such Compensation or Satisfaction, Costs or Expences, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in such Trustees by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by any Justice

Compensa-  
tion for Da-  
mages, &c.  
by Trustees  
to be levied  
by Distress  
of the Goods,  
&c. vested in  
them or their  
Treasurer.



Justice of the Peace for the said County of *Lancaster*, (which Warrant such Justice is hereby authorized and required to grant under his Hand and Seal,) on Application made to him for that Purpose by the Party entitled to receive such Sum of Money as or by way of Compensation or Satisfaction for any Damage, Spoil, or Injury as aforesaid, or for any Costs or Expences as aforesaid; and in case any Overplus shall remain after Payment of such Sum of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to such Trustees, or to their Treasurer for the Time being, as the Case may be; and it shall be lawful for such Treasurer to retain, out of any Monies which he may have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or been put unto by virtue of any Warrant as aforesaid.

Trustees may order Prosecutions for public Nuisances, and pay the Expences out of the Rates.

CXLV. And be it further enacted, That it shall be lawful for the Trustees under this Act to order and direct any Prosecution against any Person for any public Nuisance whatsoever which shall be committed or suffered within the said Township of *Little Bolton*, or for any Resistance, or for the aiding or inciting any Resistance, to the Execution of this Act, or to any Person acting in the Execution or under the Authority thereof, or for any Offence committed against this Act, or for any Encroachment or Obstruction laid, placed, erected, or made in or upon the said Streets or upon the Footpaths within the said Township of *Little Bolton*, or any Part thereof, and also to bring, prosecute, and defend any Action, Appeal, or other legal Proceeding for or concerning the Protection of such Trustees or their Committee, or any Person employed or acting in or relative to the Execution or under the Authority of this Act; and the Costs and Charges of and attending all such Prosecutions, Actions, Appeals, and Defences, shall be paid out of the Monies to be raised and received under and by virtue of this Act.

Lamps, &c. vested in Trustees.

CXLVI. And be it further enacted, That the Right and Property of, in, and to all the Land, Ground, and Buildings to be purchased or held by the Trustees under this Act, and all Lamps, Lamp Irons, Posts, Pillars, Pilasters, and all Materials, Matters, and Things which shall be purchased and provided under the Authority of this Act for the Purpose of lighting the said Township of *Little Bolton*, or any public or private Buildings or other Places therein, either by or by the Order of the said Trustees under this Act, or by any Gas Light Company or other Person as aforesaid, in pursuance of any Contract between such Trustees and such Gas Light Company or other Person, and of and in all Fire Engines, and Pipes, Buckets, Materials, Implements, and other Things belonging to the Use or Practice thereof, and of, in, and to all the Horses, Carts, Carriages, Tools, Clothes, Arms, Implements, and Materials to be purchased, provided, or gotten for the Watchmen, Scavengers, Firemen, or other Persons employed under the Authority of this Act, and of, in, and to all other Articles, Matters, and Things whatsoever to be purchased or provided by such Trustees



Trustees for the Purposes of this Act, and also of, in, and to all the Dust, Dirt, Dung, Ashes, and other Filth to be swept, gathered, seized, and collected under the Authority of this Act, shall be held and deemed to belong to and to be the Property of, and the same are hereby vested in the Trustees under this Act for the Time being; and such Trustees shall and may cause any Action to be brought, or direct any Bill of Indictment to be preferred, as the Case may require, against any Person who shall trespass upon, deface, damage, injure, or destroy the said Ground or Buildings, or who shall steal, take or carry away, detain, deface, damage, injure, or destroy any of the said several other Articles and Things so hereby vested in such Trustees as aforesaid, or any of them, or any Part thereof; and in all such Actions and Bills of Indictment it shall be sufficient to state generally that the same Articles, Matters, and Things are the Property of "The Trustees for improving the Township of *Little Bolton*"; and such Trustees shall have full Power and Authority from Time to Time to sell by public Auction or otherwise all or any Part of the said Articles, Matters, and Things which shall not be wanted for the Purposes of this Act, and the Money arising therefrom shall be applied to the Purposes of this Act.

CXLVII. And be it further enacted, That if any Person shall obstruct, assault, hinder, or molest any of the Trustees under this Act, or any Treasurer, Clerk, Collector, Workman, or Agent, or any Watchman, Constable, Night Patrole, Beadle, or other Officer or Person whomsoever, who is or shall be appointed or employed by virtue of this Act or any Order made in pursuance thereof, in the Execution or Performance of his Duty, or in the Execution of any of the Works, Matters, or Things to be done by virtue or under the Authority of the same respectively, or shall aid or incite any Person so to obstruct, assault, hinder, or molest, every Person so offending, being thereof convicted by any One of His Majesty's Justices of the Peace for the said County of *Lancaster*, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

Penalty on obstructing Persons employed in the Execution of this Act.

CXLVIII. And be it further enacted, That where any Damages or Charges are directed or authorized to be paid or recovered, in addition to any Penalty, for any Offence in this Act mentioned, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled and determined by the Justice of the Peace by or before whom any Offender shall be convicted of any such Offence, who is hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels in manner by this Act directed for the levying of any Penalties or Forfeitures.

Damages and Charges in Cases of Dispute to be settled by Justices.

CXLIX. And be it further enacted, That in all Cases wherein any Penalty or Forfeiture hereby imposed is made recoverable by Information before a Justice of the Peace, it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act to summon the Party complained against, and any Witness the Justice may think proper, before him, or any other

Justices may proceed by Summons in the Recovery of Penalties, and may summon Witnesses.

[*Local.*]

12 H

Justice



Justice of the Peace for the said County, who, on such Summons, is required to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, whether he be present or absent, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons, without Information, shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing was exhibited.

Directions as to the Manner of serving Summons and Notices.

CL. And be it further enacted, That in all Notices and Summons which by this Act are directed or required to be given or served, or which are or may be required to be given or served by any Rules or Orders in pursuance of this Act, or for carrying into execution any of the Powers and Provisions of this Act, or any of such Rules or Orders, where the Manner of serving such Notices or Summons is not otherwise particularly directed by this Act, the Service of any such Notice or Summons, either upon the Person to whom the same ought to be given, or by delivering the same, or a true Copy thereof, to some Inmate at his Dwelling House or last or usual Place of his Abode, shall be a good and sufficient Service of any such Notice or Summons; and in all Cases whatsoever where any such Notice or Summons ought to be given to Two or more Persons for or respecting the joint Act or Omission of any such Persons (whether such Persons be in Partnership in Trade or not), when jointly concerned in any such Act or Omission, the like Service of any such Notice or Summons on any One of such Partners or Persons shall be also a good and sufficient Service thereof.

What shall be deemed good Service upon Trustees.

CLI. And be it further enacted, That in all Cases wherein it may be necessary for any Person or Party to serve any Summons or any Notice, or any Writ or other Proceeding at Law or in Equity, upon the said Trustees under this Act, Service thereof respectively upon any Two of such Trustees, or delivered to some Inmate at their last or usual Places of Abode, or upon the Clerk or Treasurer of such Trustees, or left at the Office of such Clerk or Treasurer, or delivered to some Inmate at his last or usual Place of Abode, or at the Office of such Trustees, or in case the same respectively shall not be found or known, then Service upon any other Agent or Officer employed by such Trustees, or delivered to some Inmate at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Trustees under this Act.

Recovery and Application of Penalties.

CLII. And be it further enacted, That all Offences whatsoever which, by virtue or under the Authority of this Act, or by or under any Rule, Regulation, or Order to be made in pursuance or by 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 or before any Justice of the Peace for the said County of *Lancaster*, in a summary Way, upon Information or Complaint (whether the same shall be in



Writing or not) made within Three Calendar Months next after the committing of such Offences respectively; and upon any such Information or Complaint as aforesaid the said Justice shall summon the Party accused, and such Witness as may by such Justice be thought proper or necessary, to appear before him, or any other Justice of the Peace for the said County, who is required to examine into the Matter of such Information and Complaint; and if, upon Confession of the Party accused, on the Oath of any credible Witness (whether the Party accused be present or absent), the Party accused shall be convicted of having committed such Offence, then and in every such Case the Penalty, Fine, or Forfeiture hereby made payable in respect of such Offence, together with the Costs of Conviction, to be ascertained by the Justice making such Conviction, shall be forthwith paid by the Party so convicted as aforesaid; and in case such Party so convicted shall refuse or neglect to pay the same forthwith, then (except in Cases otherwise provided for by this Act) the same shall and may, by Warrant under the Hand and Seal of any Justice of the Peace for the said County (which he is hereby required to grant), be levied and recovered, together with the Costs of Conviction and Recovery thereof, to be ascertained by such Justice, by Distress and Sale of the Goods and Chattels of such Offender, rendering the Overplus of the Money arising by such Sale, if any, upon Demand, to the Party whose Goods and Chattels shall be distrained; the whole of which Penalties, not herein directed to be otherwise applied, shall be paid to the Treasurer of the Trustees under this Act, to be applied to the Purposes of this Act (save and except in the Cases where such Trustees shall be subject or liable to any Penalties under this Act, the Application of which Penalties is not herein-before particularly provided for, in which Case the said Penalties shall be paid to the Overseers of the Poor of the said Township of *Little Bolton*, for the Use and Benefit of the Poor thereof); and it shall be lawful for the said Justice so convicting to order the Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the said Offender shall give sufficient Security, to the Satisfaction of such Justice, for his Appearance before such Justice, or any other Justice of the Peace for the said County, on such Day as shall be appointed for the Return of such Warrant of Distress, such Day not being more than Five Days from the taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if, upon the Return of such Warrant, it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty, Fine, or Forfeiture, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to any such Justice, either upon the Confession of the Offender, or otherwise, that the Offender hath not sufficient Goods or Chattels whereon such Penalty, Fine, or Forfeiture, and such Costs as aforesaid, can be levied were such Distress or Warrant to be issued, such Justice shall not be required to issue the same; and thereupon it shall be lawful for the said Justice and he is hereby required, by Warrant under his Hand and Seal, to commit such Offender to the Common Gaol or House of Correction for the County, Hundred, or Place wherein the Offence shall be committed,



committed, there to remain, without Bail or Mainprize, for any Term not exceeding Three Calendar Months, or unless such Offender shall sooner fully pay such Penalty, Fine, or Forfeiture, and all Costs attending such Proceedings as aforesaid, or shall otherwise be discharged by due Course of Law; and if any Person charged with any Offence against this Act shall refuse to disclose his Name, the necessary Proceedings may be had against him before any Justice of the Peace, for any Penalty imposed by this Act, by a Description of his Person and the Offence committed, without there being any Necessity for stating his Name.

Form of Conviction.

CLIII. And for the more easy and speedy Conviction of Offenders against this Act, or against any Order, Rule, or Regulation to be made in pursuance or by the Authority of this Act, be it further enacted, That a Conviction in the Form or to the Effect following shall be good; (that is to say,)

‘ *Lancashire* } **BE** it remembered, That on the  
 ‘ to wit. } Day of in the Year  
 ‘ of our Lord  
 ‘ is [*or are, as the Case may be,*] convicted before me, [*or us, as the*  
 ‘ *Case may be,*] of His Majesty’s Justices of  
 ‘ the Peace for the County of *Lancaster*, of having [*here state the*  
 ‘ *Offence, and the Time and Place when and where the same was com-*  
 ‘ *mitted*], contrary to an Act [*or contrary to* duly made  
 ‘ in pursuance of an Act, *as the Case may be,*] passed in the Eleventh  
 ‘ Year of the Reign of His Majesty King *George* the Fourth, intituled  
 ‘ [*here insert 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 . Given  
 ‘ under my Hand and Seal [*or our Hands and Seals, as the Case*  
 ‘ *may be,*] the Day and Year first above written.’

For securing transient Offenders.

CLIV. And be it further enacted, That it shall be lawful for any of the Trustees under this Act, or any Officer under this Act respectively, and such Person as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person (being unknown to such Trustee or Officer) who shall commit any Offence against this Act, and to deliver him into the Custody of any Peace Officer, in order to be secured and conveyed before any Justice of the Peace for the said County of *Lancaster*; and such Justice is hereby required to proceed and act with respect to such Offender according to the Provisions of this Act.

Penalty on Witnesses for Default.

CLV. And be it further enacted, That if any Person shall be summoned as a Witness to give Evidence before any Justice of the Peace touching any Matter contained in any Information or Complaint for any Offence against this Act, or against any Rule, Order, or Regulation as aforesaid, either on behalf of the Prosecution or on behalf of the Person 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 Costs or Expences,



pences, without a satisfactory Excuse being given for such Non-appearance, or appearing shall refuse to be examined on Oath, (or, being a Quaker, on solemn Affirmation,) which Oath or Affirmation any Justice of the Peace is hereby expressly authorized and required to administer in all Cases whatsoever where the Provisions of this Act require the Oath or Affirmation of any Witness to be had in any Proceedings before such Justice, and to give Evidence touching the Matter in question before such Justice, then and in every such Case every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

CLVI. And be it further enacted, That no Person whomsoever shall be disqualified from being a competent Witness, or from being admitted to give Evidence in any Action, Information, Prosecution, Appeal, Cause, or Proceeding whatsoever authorized by or relating to the Execution of this Act, or any Rule, Regulation, Order, or Determination made in pursuance thereof, by reason of paying or being charged with or liable to pay any of the Rates or Assessments hereby authorized to be charged, levied, made, or assessed, or any other Rate or Assessment within the said Township of *Little Bolton*, or being one of the Trustees for putting this Act into execution, or holding any Office or Employment under such Trustees.

Persons paying Rates, &c. may be Witnesses.

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

Distress not to be avoided for Want of Form.

CLVIII. 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 against any Rule or Order made by Authority thereof, 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 Proceeding whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere; any Law or Statute to the contrary thereof in anywise notwithstanding.

Proceedings not to be quashed nor removed by Certiorari.

CLIX. And be it further enacted, That no Plaintiff shall recover in any Action to be commenced against any Person for any thing done or to be done in pursuance or under the Authority of this Act, unless Notice in Writing shall have been given to the Defendant, Thirty Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff, specifying the Cause of such Action; nor shall the Plaintiff recover in any such Action if Tender of Amends shall have been made to him or to his Attorney, by or on the Behalf of the Defendant, before the commencing of such Action; and in case no such Tender shall have been made, it shall

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



be lawful for the Defendant 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 shall think fit, whereupon such Proceeding, Order, and Judgment shall be had, made, and given in and by such Court as in any other Actions where the Defendant is allowed to pay Money into Court.

Appeal to  
Quarter Ses-  
sions.

CLX. Provided always, and be it further enacted, That any Person who shall think himself aggrieved by any Rate or Assessment rated or assessed in pursuance of this Act, having first applied to the said Trustees under this Act for Relief, and having deposited in the Hands of the Collector of the said Rate or Assessment, or of other the Person appointed by the Trustees under this Act to receive the same, the Amount of such Rate or Assessment which shall have been charged, rated, or assessed upon him in pursuance of this Act, may at any Time within Four Calendar Months next after any such Rate or Assessment shall have been signed and allowed by such Trustees, upon giving such Notice as next herein-after mentioned, appeal to the Justices of the Peace for the said County of *Lancaster* at the General or Quarter Sessions of the Peace to be holden by Adjournment within the Hundred of *Salford* in the said County of *Lancaster*, which shall first happen next after Notice of such Appeal given as aforesaid; and any Person who shall think himself aggrieved by any Order or Judgment made or given in pursuance of any Rule or Order made in the Manner herein-before directed, or by the Order or Determination of any Justice of the Peace, or by any thing done in pursuance of this Act, may, within Four Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace of the said County of *Lancaster* at the General or Quarter Sessions of the Peace to be holden by Adjournment within the said Hundred of *Salford*; such Appellant against such Rate or Assessment having first given at least Ten clear Days Notice in Writing of his Intention of making such Appeal, and of the Time and Place thereof, and of the Matter and Grounds thereof, to the said Trustees; and such Appellant against such Order or Judgment as aforesaid having first given at least Fourteen clear Days Notice in Writing of his Intention to make such Appeal, and the Time and Place thereof, and of the Matter and Grounds thereof, to such Trustees and to the Party against whom such Appeal shall happen to be made or whose Interests may be affected by such Appeal; and every such Appellant as aforesaid, within Two Days next after such Notice, causing Recognizances to be entered into before some Justice of the Peace of the said County of *Lancaster*, by himself, and Two sufficient Sureties in the Sum of Fifty Pounds each, to try such Appeal, and to abide the Order and Award of the Justices at such Sessions thereon, and to pay such Costs as shall be awarded at such Sessions; and thereupon the said Justices, upon due Proof of such Payment and Application, and of such Notice and Recognizance having been made, given, and entered into, shall in a summary Way hear and determine such Complaint at such General or Quarter Sessions of the Peace to be holden within the said Hundred of *Salford*, or, if they think proper, adjourn the Hearing thereof until the next General or Quarter Sessions of the Peace for the said County to be holden by Adjournment within the  
said



said Hundred of *Salford*, and, if they see Cause, may reduce such Rate or Assessment, or may mitigate any Forfeitures or Fines, and may order any Money to be returned which shall have been paid or levied in pursuance of such Rule, Regulation, Order, or Determination, and shall and may award such Restitution, Damages, and Costs to the Party appealing or prosecuting such Appeal, or such Costs to the Respondent or Party defending such Appeal, as the said Justices shall think proper; and all such Orders and Determinations of the said Justices at such Sessions shall be final, binding, and conclusive upon all Parties to all Intents and Purposes whatsoever, and shall not be removable by Certiorari or otherwise into any of His Majesty's Courts of Record at *Westminster* or elsewhere.

CLXI. And be it further enacted, That upon all Appeals from any Rate or Assessment made in pursuance of this Act, the Court of General or Quarter Sessions of the Peace shall and such Court is hereby authorized and required (in all Cases where they shall see just Cause to give Relief) to amend such Rate or Assessment, either by inserting therein or striking out the Name of any Person, or by altering the Sum therein charged on any Person, or in any other Manner which the said Court shall think necessary for giving such Relief, and without quashing or wholly setting aside such Rate or Assessment, or rendering it less operative in other Respects.

On Appeal from Rate, the Quarter Sessions may amend without quashing it.

CLXII. And be it further enacted, That no Action or Suit shall be commenced or prosecuted against any Person for any thing 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; and all such Actions and Suits shall be laid and tried in the County or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant in any such Action or Suit may 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 Ten Days Notice thereof shall have been given as aforesaid, or after sufficient Satisfaction shall have been made or tendered as aforesaid, or after the Time herein-before 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 herein-before authorized, then and in every of the said Cases the Jury shall find a Verdict for the Defendant; and upon such Verdict being given, or if the Plaintiff shall have become nonsuited, or suffer a Discontinuance of such Action after the Defendant shall have appeared thereto, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff, then and in every such Case the Defendant shall have his Costs, and shall have such and the like Remedy for recovering the same as any Defendant hath for recovering Costs of Suit in other Cases by Law.

Limitation of Actions.

CLXIII. And



Penalties to extend to all Streets, &c., though not Highways.

CLXIII. And be it further enacted, That wherever by this Act any Penalty or Fine is imposed or authorized to be imposed for or in respect of any Act, Matter, or Thing done, omitted, neglected, or suffered to be done by any Person in any Street or Streets in the said Township of *Little Bolton*, and the Word "Street" or the Word "Streets" is there used, the like Penalty or Fine, or Liability thereto, shall extend to every such Act, Matter, or Thing done, omitted, neglected, or suffered to be done, and to every Person doing, omitting, neglecting, or suffering to be done, any such Act, Matter, or Thing in any present or future Street, Square, Highway, Lane, Road, Court, Alley, Passage, or Place within the said Township of *Little Bolton*, whether the same shall be a public Highway or not.

Defining the Meaning of certain Words.

CLXIV. And be it further enacted, That wherever this Act hath used Words importing the singular Number or the masculine Gender only, yet this Act shall be understood to include several Matters as well as one Matter, and several Persons as well as one Person, and Females as well as Males, and Bodies Corporate as well as Individuals, unless it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction; and wherever any Forfeiture or Penalty is payable to a Party aggrieved, it shall be payable to a Body Corporate in every Case where such Body shall be the Party aggrieved.

Saving Manorial Rights.

CLXV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend in any Way to change, lessen, abridge, impeach, annul, prejudice, or destroy any Rights, Privileges, Jurisdictions, Immunities, Franchises, Powers, and Authorities belonging or in anywise appertaining to the Lord of the Manor of *Little Bolton* aforesaid, but he shall hold Courts and Leets, and receive and exercise and enjoy all such other Emoluments, Payments, Duties, Rights, Immunities, Franchises, Privileges, Jurisdictions, Powers, and Authorities, either in respect of the Courts or Leets of the said Manor, or otherwise howsoever, and receive, use, exercise, and enjoy all such other Emoluments, Payments, Duties, Rights, Immunities, Franchises, Privileges, Jurisdictions, Powers, and Authorities, in the same Manner, and to the same Extent as in Right of the said Manor he was legally entitled to hold and keep, take, receive, collect, recover, use, exercise, and enjoy the same respectively before the passing of this Act.

Public Act.

CLXVI. 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.