



ANNO UNDECIMO

GEORGII IV. REGIS.

Cap. xlvii.

An Act to amend several Acts for supplying the Town of *Manchester* with Gas, and for regulating and improving the same Town.

[29th *May* 1830.]

WHEREAS an Act was passed in the Thirty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for cleansing, lighting, watching, and regulating the Streets, Lanes, Passages, and Places within the Towns of Manchester and Salford in the County Palatine of Lancaster; for widening and rendering more commodious several of the said Streets, Lanes, and Passages; and for other Purposes therein mentioned:* 32G.3. c.69. And whereas another Act was passed in the Fifth Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for better lighting with Gas the Town of Manchester in the County Palatine of Lancaster:* 5 G.4. c. 133. And whereas another Act was passed in the Ninth Year of the Reign of His said present Majesty, intituled *An Act to amend several Acts for cleansing, lighting, watching, improving, and regulating the Towns of Manchester and Salford in the County Palatine of Lancaster:* 9G.4. c.117. And whereas the Directors acting in execution of the said second recited Act, and pursuant to the Authority therein in that Behalf contained, have raised the Sum of Thirty-five thousand Pounds, and have expended such Sum for the Purposes of the same Act, and are thereby enabled to afford and do afford a considerable Supply of Gas within and for the said Town of *Manchester* and the Neighbourhood and Environs thereof, as intended

[Local.] 12 K by

by the said last mentioned Act: And whereas by the extended Use of Gas both publicly and privately, and the increased and constantly increasing Demand for the same within the Limits aforesaid, a larger Supply of Gas has become requisite, and further Expence has been incurred, and is still necessary, to enable the said Directors to supply the Demands aforesaid, and to accomplish fully the Purposes of the said second recited Act: And whereas the better to enable the said Directors to repay the Monies they have already raised and expended, and to meet such further Expence as aforesaid, it is expedient that they should be authorized to raise a further Sum of Money, and that certain of the Provisions in the said second recited Act in other respects contained should be amended: And whereas some of the Provisions in the said first and third recited Acts contained, so far as they relate to the said Town of *Manchester*, are found defective and inconvenient in Practice, and amended Provisions are desirable in lieu thereof; and several new and additional Provisions have become requisite, as well with respect to the lighting, cleansing, watching, paving, and otherwise regulating and improving the said Town of *Manchester*, as also for better laying and recovering the Rates to be for those Purposes raised therein; but the said several Objects cannot be effected without the Aid of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Powers, Authorities, Provisions, Regulations, Directions, Privileges, Penalties, Forfeitures, Restrictions, Matters, and Things whatsoever, contained in the said second recited Act, to be executed and carried into Effect by the Directors now acting in execution thereof, and to be hereafter from Time to Time appointed according to the said second and third recited Acts, except so far as the same are altered or varied by the said third recited Act and this Act, shall extend and be construed to extend to, and operate and be in force for the Purposes of this Act, as fully and effectually to all Intents and Purposes as if the same and every Part thereof were repeated and re-enacted in this Act, and were made Part thereof; and the said second and third recited Acts and this Act shall, as to the said Gas Works, and all Matters and Things whatsoever connected therewith, except as aforesaid, be construed as One Act.

Extending the Provisions of 5 G. 4. c. 133. and 9 G. 4. c. 117. to this Act.

Power to borrow a further Sum not exceeding 25,000*l.*

II. And be it further enacted, That it shall and may be lawful for the said Directors to borrow and take up at Interest, in addition to the Money which they were authorized and empowered to raise by and under the said second recited Act, any Sum or Sums of Money, and in such Proportions as they shall think fit, not exceeding in the whole the further Sum of Twenty-five thousand Pounds; which said further Sum or Sums, and every Part thereof, when raised, shall be laid out in carrying into Execution the several Purposes expressed and contained in the said second recited Act and this Act relative to the said Gas Works and every Matter connected therewith; and the Person or Persons who shall lend or advance such further Sum, or any Part thereof, and receive a Mortgage or Mortgages in the Form or to the Effect in the said second recited Act mentioned or contained,

tained, and his, her, or their Executors, Administrators, and Assigns, and the Person or Persons who shall have lent and advanced the said former Sum, or any Part thereof, and received a Mortgage or Mortgages as aforesaid, and his, her, and their Executors, Administrators, and Assigns, shall respectively be entitled to, and have, hold, receive, take, and enjoy, the said Works and the Property and Effects thereof, and the Rents, Profits, and Monies arising therefrom, in the Proportions which the Sum and Sums of Money advanced and lent by the said several Persons respectively do and shall bear to the whole Sum at any Time or Times borrowed on the Credit thereof by virtue of the said second recited Act and this Act; and all and every the Persons and Person whosoever who shall advance any such further Sum or Sums as aforesaid, and their respective Executors, Administrators, and Assigns, shall have the same Powers, Authorities, and Privileges, and shall be subject to the same Provisions and Regulations, as are contained in the said second recited Act, in all respects as if they were or had been respectively Lenders of Money under the same, except as such Powers, Authorities, Privileges, Provisions, and Regulations, or any of them, are altered by this Act.

III. And be it further enacted, That from and after the passing of this Act so much and such Part of the said second recited Act as relates to the Recovery by the Directors therein mentioned of the Sum or Sums of Money due from any Person or Persons contracting or agreeing to take or using or enjoying the Benefit of Gas in their private Dwellings, Shops, Inns, Warehouses, or other public or private Buildings or Manufactories, shall be and the same is hereby repealed; and thenceforth in case any Person or Persons who shall contract with the said Directors, or agree to take, or shall use or enjoy, or who shall have contracted for, agreed to take, or used or enjoyed, the Benefit of Gas in their private Dwellings, Shops, Inns, Warehouses, or other public or private Buildings or Manufactories, shall refuse or neglect for the Space of Ten Days after personal Demand, or Demand in Writing left at the Place of Abode or Business of such Person or Persons, to pay the Sum or Sums of Money, Rent or Rents due for the same, to the said Directors, their Treasurer, Collector, or other Person duly authorized in that Behalf, such Sum or Sums of Money, Rent or Rents, shall be levied and recovered upon and from all and every the Persons and Person so refusing or neglecting, by Distress and Sale of their, his, or her Goods and Chattels, by Warrant under the Hand and Seal of any one Justice of the Peace acting in and for the said County of *Lancaster*, wheresoever such Goods and Chattels may be, within the same County, rendering the Overplus, if any, of the Monies to be raised by such Distress and Sale, on Demand, to the Owner or Owners of such Goods and Chattels, together with what may remain unsold, after the necessary Charges of making such Distress and Sale shall be first deducted; and such Warrant may include One or more Persons, and shall be in the Form or to the Effect herein prescribed for the Recovery of Rates, *mutatis mutandis*, or such Sum or Sums, Rent or Rents, with full Costs of Suit, may be recovered in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Common Pleas for the County of *Lancaster*, by Action of Debt or on the Case, Bill, Plaint, or Information, wherein

Recovery of
Gas Rents.

no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

So much of
5G.4. c.133.
as relates to
the paying
off Securities
repealed, and
new Powers
granted.

IV. And be it further enacted, That from and after the passing of this Act, such Part of the said second recited Act as relates to the paying off and discharging the Principal Monies due on any Assignments and Securities granted under the Authority of such Act, and which Part is in the Words following; *videlicet*, “and in the next place in paying off and discharging the Principal Monies due on any Assignments and Securities granted under the Authority of this Act, such Payments to be made rateably amongst all the Holders of such Assignments and Securities after the Rate of Five Pounds *per Centum per Annum* on the Amount of the Principal Sum mentioned in each Assignment or Security, and thereby secured: Provided always, that it shall be lawful for the said Directors at any Meeting to be holden according to the Directions of this Act, (Notice of such intended Meeting and of the Purposes thereof being first given by their Clerk, Four Days before the holding thereof, by Advertisement in Two at least of the *Manchester* Newspapers,) if they shall think fit, instead of paying the said Principal Monies rateably amongst all the Creditors, to determine by Lot to which of such Creditors the Whole or any Portion thereof shall be paid, and to pay the same to such Creditor or Creditors only, with the Consent in Writing of all the Holders of Assignments and Securities,” shall be, and the same is hereby repealed; and thenceforth, out of the Monies received and to be received by the said Directors by virtue of the said second recited Act (except the Monies borrowed and to be borrowed under the Authority of the said second recited Act and this Act), and which shall from Time to Time remain after making the several Payments by the said second recited Act directed to be made prior to the paying off and discharging of the Principal Monies due on any Assignments or Securities granted under the Authority of the said second recited Act, and after keeping down the Interest on the Sums to be borrowed under the Authority of this Act, the said Directors shall appropriate such a Sum annually as shall be equal to One Twentieth Part of the Monies which at the Time of such Appropriation shall have been borrowed on any Assignments and Securities granted or to be granted under the Authority of the said second recited Act and this Act, as a Sinking Fund for the Liquidation of the said Monies so borrowed and to be borrowed as aforesaid, and shall apply the Monies to be so annually appropriated as a Sinking Fund as aforesaid in the Manner hereinafter mentioned; (that is to say,) as soon as conveniently may be, in every Year after such Appropriation shall have been made, the said Directors shall, by Advertisement in some Two at least of the *Manchester* Newspapers, give Notice thereof, and shall apply the Sinking Fund for the Time being appropriated, or so much thereof as may be necessary, in or towards paying off and discharging such of the Monies for the Time being due on such Assignments and Securities as aforesaid, as within Two Calendar Months next after the said Notice shall be required to be paid off by the Holders thereof: Provided nevertheless, that if the said Sinking Fund shall not be sufficient to satisfy the whole of the Monies for the Time being

required

required to be paid off as aforesaid, then and in such Case the said Directors shall determine by Lot, or in such other Manner as they in their Discretion shall think fit, to or towards the Liquidation of which of the Debts required to be paid off the said Sinking Fund shall be applied, and shall apply the same accordingly: Provided nevertheless that if the said Sinking Fund shall be more than sufficient to satisfy the said Monies for the Time being required to be paid off as aforesaid, then and in such Case the said Directors shall determine by Lot, or in such other Manner as they in their Discretion shall think fit, to or towards the Liquidation of which of the Debts for the Time being due on any of the Assignments and Securities aforesaid, and which shall not have been required to be paid off, the said Sinking Fund shall be applied, and shall apply the same accordingly; and so much of the Monies received and to be received by the said Directors under the said second recited Act (except the Monies borrowed and to be borrowed as aforesaid), and which shall from Time to Time remain after making the several Payments by the said second recited Act directed to be made, prior to the paying off and discharging of the Principal Monies due on any Assignments and Securities granted under the Authority of the said second recited Act, and after keeping down the Interest on the Sums to be borrowed under the Authority of this Act, and after making such annual Appropriation as a Sinking Fund as hereinbefore is mentioned, shall be the Monies which after the passing of this Act shall be to be paid over, pursuant to the said third recited Act, to the *Manchester* Commissioners, being the Commissioners appointed and to be appointed, and for the Time being acting for the said Town of *Manchester* under the said third recited Act, or to their Treasurer.

V. And be it further enacted, That from and after the passing of this Act the Time for the annual Publication of the Accounts of the said Directors, which by the said second recited Act is limited to be within Six Days after the Allowance of such Accounts, shall be and the same is hereby extended to any Period at the Discretion of the said Directors not exceeding One Calendar Month from and after such Allowance, notwithstanding any thing in the said last mentioned Act contained to the contrary.

Extension of
Period for
annual Pub-
lication of
Gas Ac-
counts.

VI. And be it further enacted, That from and after the passing of this Act the said first and third recited Acts, and all the Powers, Authorities, and Provisions, Privileges, Penalties, and Forfeitures, Matters and Things whatsoever, respectively therein contained, as the same may be when taken collectively, and except as such Powers, Authorities, Provisions, Privileges, Penalties, Forfeitures, Matters and Things are repealed or altered by this Act, shall extend and be construed to extend to, and operate and be in force, as fully and effectually, for the general Purposes of this Act, as if the same were herein repeated and re-enacted and made Part hereof; and the said first and third recited Acts and this Act shall be construed and applied collectively and together; and the several Purposes and Intents of the said Acts respectively, as the same may be when so construed and applied, shall be put and carried into Execution by the said *Manchester* Commissioners; and in order the more

Provisions
of first and
third recited
Act to ap-
ply to this
Act, and the
Three Acts
to be con-
strued col-
lectively.

effectually to carry the same several Acts into execution, the Committee and Committees of a permanent or special Nature, appointed and to be from Time to Time appointed by the said Commissioners under and by virtue of the said third recited Act, and which it is thereby provided shall not remain in Office for any longer Period than One Year from the Time of their Appointment, shall and may remain in Office for the Period of their respective Appointment, and until another Committee or other Committees shall be appointed in their Stead.

Repeal of Provisions in first and third recited Acts as to Notices of Meetings of Commissioners.

VII. And be it further enacted, That from and after the passing of this Act so much and such Part of the said first recited Act as relates to the Notice of the Meetings of the Commissioners therein mentioned, to the Publication thereof in Two at least of the *Manchester* Weekly Newspapers, and to the Proclamation thereof by the common Bellman, and also so much and such Part of the said first recited Act as relates to the Notice thereby directed to be given of the Time and Place of meeting of the said Commissioners for filling up any Vacancy or Vacancies in the several Offices therein mentioned by Advertisement in the *Manchester* Weekly Newspapers, and by Publication on the Door of the Collegiate Church of *Christ* in *Manchester*, and on the Door of *Trinity* Chapel in *Salford*, and also so much and such Part of the said third recited Act as relates to the Notice thereby directed to be given of the Meetings of the said Commissioners, shall with respect to the said Town of *Manchester* be and the same are hereby respectively repealed.

Notices of Meetings.

VIII. And be it further enacted, That of all Meetings of the said *Manchester* Commissioners to be held after the passing of this Act, for putting into execution the general Purposes of the said first and third recited Acts and this Act, Notice signed by the said Commissioners or any Nine or more of them, or by their Clerk or Clerks, shall be given by Advertisement in some Two at least of the *Manchester* Newspapers, as the said Commissioners shall direct, Three Days at least previous to the holding of such Meetings, clear of the Days of Advertisement and of the Days on which such Meetings may be to be held.

Officers of Commissioners not to keep Public Houses.

IX. And be it further enacted, That from and after the passing of this Act all the Officers, Agents, and Servants in the Employ of the said *Manchester* Commissioners, who may be Keepers directly or indirectly of any Inn, Tavern, or Public House, shall during the Time they may be such Keepers cease to be such Officers, Agents, or Servants, and be ineligible to any other Employment or Service under the said Commissioners; and the said Commissioners shall not at any Time thenceforth hire or employ any Person being a Keeper directly or indirectly of any Inn, Tavern, or Public House as aforesaid.

Penalty on superior Officers taking any Rewards other than Salaries.

X. And be it further enacted, That if any Law Clerk or other Clerk, Treasurer, Comptroller, Collector, or other like Officer, employed by the said *Manchester* Commissioners for the Purposes of the said first and third recited Acts and this Act, shall exact, demand, take, or accept any Fee, Emolument, or Reward whatsoever,

soever, (other than such Salary or Allowance, Reward or Compensation, as shall be appointed and allowed by the said Commissioners, or by the said first and third recited Acts or this Act,) for or on account of any thing done by virtue of such Acts or any of them, or for forbearing to do any thing ordered or directed by the said Commissioners, or on any other Account whatsoever relative to his Employment or Duty, or shall be concerned or interested in any Bargain or Contract made by the said Commissioners for the Purposes of the said last mentioned Acts or any of them (unless with the Consent and Approbation of the said Commissioners), every Person so offending shall forfeit and pay the Sum of Fifty Pounds for every such Offence, to any Person or Persons 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.

XI. And be it further enacted, That if any Watchman, Patrol, Superintendent, Conductor, Inspector, Streetkeeper, or other like Agent or Servant employed by the said *Manchester* Commissioners for the Purposes of the said first and third recited Acts and this Act, shall exact, demand, take, or accept any Fee, Emolument, or Reward whatsoever, (other than such Salary or Allowance, Reward or Compensation, as shall be appointed and allowed by the said Commissioners, or by the said first and third recited Acts or this Act,) for or on account of any thing done by virtue of such Acts or any of them, or for forbearing to do any thing ordered or directed by the said Commissioners, or on any other Account whatsoever relative to his Employment or Duty, or shall be concerned or interested in any Bargain or Contract made by the said Commissioners for the Purposes of the said last mentioned Acts or any of them (unless with the Consent and Approbation of the said Commissioners), every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty on inferior Servants of Commissioners taking Rewards other than Salary allowed.

XII. And be it further enacted, That the several and respective Occupiers of Houses and Buildings with the Yards and other Appurtenances next adjoining the several Streets, Lanes, Highways, Passages, and other Public Places within the said Town of *Manchester*, the Churchwardens and Chapelwardens of every Church or Chapel, the Owner or Owners of any Dead Wall and other Fences and vacant Pieces of Land, the Trustee or Trustees, Treasurer, Owner, Occupier, and Minister of every Meeting House or Place of Public Worship, or any One or more of them, and the Person or Persons who for the Time being shall be the ostensible Director or Directors, Manager or Managers, of every Hospital, School, Theatre, or other Public Building respectively situate or being next adjoining the same several Streets, Lanes, Highways, Passages, and other Public Places, shall and they are hereby required to cause the several Footways along the whole Length of the Front of their respective Houses, Buildings, and Premises aforesaid, and to the full Extent of the said Footways before, behind, and

Occupiers of Houses to cleanse Footways every Morning except Sundays.

on

on the Side or Sides of the same respectively, to be well and sufficiently cleansed every Morning (except on *Sundays*) before the Hour of Nine of the Clock; and every such Person making default therein shall for every Offence forfeit and pay the Sum of Five Shillings.

Commissioners may compound for such cleansing as aforesaid.

XIII. And be it further enacted, That it shall be lawful for the said Commissioners, from Time to Time as they shall think proper, to compound by the Year or otherwise with all and every the Occupiers of Houses or Buildings or other Persons within the said Town hereby made liable to the cleansing of Footways, for relieving the Person or Persons so compounding from the Burden of such cleansing, and from all Penalties for any Neglect thereof, at or for such Sum or Sums of Money as the said Commissioners and such Person or Persons shall agree upon in that Behalf, upon Condition, nevertheless, that such Composition Monies shall always be paid in advance.

Occupiers to lay Sand before their Houses in Time of Frost and Snow.

XIV. And be it further enacted, That in case of any Frost or Snow the several and respective Occupiers of Houses and Buildings, and all other Persons by this Act made liable to the cleansing of Footways next adjoining to their several and respective Premises, shall and they are hereby required, before Nine of the Clock in every Morning during the Continuance of such Frost and Snow, well and sufficiently to lay, scatter, and spread Sand, Ashes, Dust, or other proper Materials on the Footways before their respective Premises, for the preventing of Accidents thereon; and every such Occupier or other Person making default therein shall for every such Offence forfeit and pay the Sum of Five Shillings.

The Mode of scavenging the Town may be altered.

XV. And be it further enacted, That notwithstanding any thing in the said first recited Act contained it shall and may be lawful for the said *Manchester* Commissioners from Time to Time to alter and re-arrange the Mode therein prescribed for scavenging and cleansing the said Town of *Manchester*, or to adopt such new and other Mode of scavenging and cleansing the same as to them the said Commissioners shall seem most effectual.

Regulations as to removing Night Soil,

XVI. And be it further enacted, That from and after the passing of this Act so much and such Part of the said third recited Act as relates to the emptying of any Boghouse, taking away any Night Soil, using any Carts for those Purposes, except within the Hours therein mentioned, and to the Penalties and Punishments by such Act imposed for or relative to Offences in those respects, shall be and the same is hereby repealed; and thenceforth if any Person shall empty or begin to empty any Boghouse or Boghouses, or take away any Night Soil, Carrion, Offal, Blood, or other Filth from any House, Slaughter-house, Building, or Place within the said Town of *Manchester*, or shall use any Carts or Carriages for the Removal thereof, without having a proper Covering, or Boards called Flash Boards, to prevent the same from slopping or spilling, or shall come with any Carts or Carriages for the like Purpose at any Time or Hour save and 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*

Michaelmas in every Year, or between Twelve of the Clock in the Night and Nine of the Clock in the Morning from *Michaelmas* to *Lady Day* in every Year, or if any Person shall put or cause to be put, or cast out of any Cart, Tub, or otherwise, any Night Soil, Carrion, Offal, Blood, or other Filth as aforesaid, into any of the Streets or other Public Places within the said Town of *Manchester*, it shall be lawful for any Officer to be for that Purpose appointed by the said Commissioners (and he is hereby strictly charged and required so to do), without any Warrant or other Authority than this Act, to apprehend and carry any and every such Offender to any Lock-up House or other Place of Confinement, and thence convey such Offender, as soon as conveniently may be, before some Justice of the Peace for the County of *Lancaster*, who upon Oath or Affirmation made of such Offence as aforesaid may convict every such Offender in any Sum not exceeding Twenty Shillings, and in case of Nonpayment of such Sum shall commit every such Offender to the House of Correction for the Hundred of *Salford* for any Time not exceeding Ten Days, to be computed from the Day of Commitment; and the Owner or Owners of any Cart, Carriage, Horse, or Beast employed in or about emptying or removing such Night Soil, Carrion, Offal, Blood, or other Filth as aforesaid, or coming for that Purpose, except within the Hours and with the covered Carts or Carriages above allowed, or the Employer or Employers of any Person or Persons who shall so put or cast out any Night Soil, Carrion, Offal, Blood, or other Filth as aforesaid, shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence; and it shall be lawful for any Officer of the said Commissioners as aforesaid, without any other Authority than this Act, to seize such Carts or Carriages, or the Horses or Beasts drawing the same, with the Geers, Harness, and Accoutrements, and remove and take such Carts, Carriages, Horses, or Beasts, Geers, Harness, and Accoutrements, to such Place within the said Town of *Manchester* as may be by the said Commissioners for such Purposes appointed, there to be detained until the Owner or Owners, Employer or Employers, shall pay the said Penalty, together with any Costs, Charges, and Expences incurred in and about the Seizure, removing, and keeping of such Carts, Carriages, Horses, Beasts, Geers, Harness, and Accoutrements; and in case such Carts, Carriages, Horses, Beasts, Geers, Harness, and Accoutrements shall not be demanded, and the said Penalty, and all such Costs, Charges, and Expences, shall not be paid, within Five Days next after such Seizure, then it shall be lawful for the said *Manchester* Commissioners to order the same to be appraised and sold, and the Money arising therefrom shall be applied in Payment of such Penalty, Costs, Charges, and Expences, and the Overplus (if any) shall be paid to the Owner or Owners, when he or they shall apply for the same.

XVII. And be it further enacted, That in case any Person or Persons shall see any Offence committed by wilfully or maliciously breaking, throwing down, displacing, taking away, extinguishing, damaging, or spoiling any Lamp put up or to be put up by the said *Manchester* Commissioners, or the Posts, Irons, or other Furniture or Materials thereof, or damaging, breaking, or destroying any Fire Engine, or any Bucket, or any Utensil, or the Materials thereof, or

[Local.]

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Persons seeing Lamps or other Property of Commissioners wilfully broken or injured, may apprehend any Offenders.

Punishment
of Offenders.

any of the Implements or other like Properties of the said Commissioners, then and in any such Case it shall be lawful for any such Person or Persons who shall see such Offences committed as aforesaid to apprehend, and for any other Person or Persons to assist in apprehending, the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to deliver him, her, or them into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice or Justices of the Peace for the said County; and upon the Party or Parties accused being brought before such Justice or Justices, such Justice or Justices shall proceed to examine upon Oath (or, being a Quaker, upon Affirmation,) any Witness or Witnesses who shall appear to give Evidence touching such Offence or Offences; and if the Party or Parties so accused shall be convicted of such Offence or Offences, either upon Confession or upon such Evidence as aforesaid, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and shall also make full Satisfaction to the said Commissioners for the Damages so done; and in case such Offender shall not upon such Conviction pay such Forfeiture or Forfeitures by him or her incurred as aforesaid, and make such Satisfaction as aforesaid, the Justice or Justices before whom such Offender shall be convicted is and are hereby empowered to commit him or her to the Common Gaol or House of Correction for the County, Hundred, or Place, there to be kept to hard Labour for any Space of Time not exceeding Three Calendar Months.

For provid-
ing Horse or
Foot Patrol.

XVIII. And be it further enacted, That for the further Protection of the said Town it shall and may be lawful for the said *Manchester* Commissioners, and they are hereby authorized, either alone or together with any other Person or Persons representing any adjoining Place or Places, from Time to Time to appoint and employ for Night or Day Service, in the said Town of *Manchester* or in the Neighbourhood thereof, any Mounted or Foot Patrol, and to pay or join with such other Person or Persons as aforesaid in paying them such Salaries or Wages as the same Commissioners may think proper, and to provide and keep a proper Number of Horses, and furnish and supply the necessary Arms and other Appointments for such Patrol; and the said Patrol shall from Time to Time be under the Direction and Management of such Commissioners, or of such other Person or Persons as the said Commissioners shall think best.

Watchmen
and Patrol
to be consid-
ered Con-
stables.

XIX. And be it further enacted, That all Watchmen, Patrol, Superintendents, and Substitutes, appointed or employed or to be appointed or employed by the said *Manchester* Commissioners, shall be considered as Constables, and be sworn as such before some Justice of the Peace for the said County of *Lancaster*, and shall, while in the Execution of their Offices, be invested with the same Powers, Authorities, Privileges, and Immunities as any Constable is invested with or has or enjoys by Law, and shall be subject to the like Penalties, Pains, and Forfeitures for Misconduct as Constables are subject to.

XX. And

XX. And be it further enacted, That if any Watchman, Patrol, or Superintendent appointed or employed by the said Commissioners, or any Substitute of such Watchman, Patrol, or Superintendent, shall at any Time be guilty of any Neglect or Misconduct in the Execution of his Duty, every such Watchman, Patrol, Superintendent, or Substitute so offending shall forfeit and pay for every such Offence any Sum not exceeding Twenty Shillings.

Penalty on Watchmen, &c. for Misconduct.

XXI. And be it further enacted, That in case any Watchman, Patrol, or Superintendent appointed or employed by the said Commissioners, or any Substitute of such Watchman, Patrol, or Superintendent, shall be guilty of any Neglect or Misconduct in the Execution of his Duty, every such Watchman, Patrol, Superintendent, or Substitute shall, besides being liable to any pecuniary Penalty by this Act or otherwise provided in that Behalf, be deemed guilty of a Misdemeanor, and shall and may for such Misdemeanor be subject to a Punishment by Indictment at the Assizes or Quarter Sessions of the said County of *Lancaster*; and the said Commissioners shall and may pay the Costs of and attending such Indictment and the Prosecution thereof; and also that it shall and may be lawful for any Justice of the Peace for the said County, upon Complaint against any such Watchman, Patrol, Superintendent, or Substitute, of any such Neglect or Misconduct, to commit any such Watchman, Patrol, Superintendent, or Substitute to the House of Correction for the Hundred of *Salford*, for any Time not exceeding Three Calendar Months, but so that no Person shall be more than once punished or prosecuted for One and the same Offence; nevertheless it shall be lawful to and for such Justice as aforesaid to dismiss any Complaint, upon a summary Proceeding against any such Watchman, Patrol, Superintendent, or Substitute, to the Intent that such Watchman, Patrol, Superintendent, or Substitute may be proceeded against by Indictment, in which case such Dismission shall be certified by the said Justice upon the Information against any such Watchman, Patrol, Superintendent, or Substitute, and the same shall not be a Bar to any Indictment to be afterwards preferred.

For punishing Misconduct of Watchmen and Patrol.

XXII. And be it further enacted, That if any Person shall obstruct or assault any Watchman, Patrol, Superintendent, or Substitute, to be appointed or employed by the said Commissioners, in the Execution of his Duty, every Person so offending, upon being thereof convicted before any Justice of the Peace for the said County, shall be liable to a Penalty, at the Discretion of the said Justice, not exceeding Ten Pounds; or such Justice may, on Conviction upon any Information or Complaint preferred at the Instance of the said *Manchester* Commissioners, commit any such Offender to the House of Correction for the Hundred of *Salford*, for any Time not exceeding Three Calendar Months.

Penalty on Persons assaulting or obstructing Watchmen.

XXIII. And be it further enacted, That if any Victualler or Keeper of any Public House, or any other Housekeeper, shall knowingly harbour or entertain, or suffer to remain in his or her House, any such Watchman, Patrol, Superintendent, or Substitute as aforesaid, during any Part of the Time appointed for his being on Duty, every such

Penalty on harbouring Watchmen during the Time of Duty.

Victualler

Victualler or Housekeeper shall on Conviction forfeit and pay for the First Offence any Sum not exceeding Twenty Shillings, and for the Second and every other Offence of the same Kind any Sum not exceeding Five Pounds.

Commissioners may compensate Officers for Injuries sustained in execution of their Duty.

XXIV. And be it further enacted, That it shall and may be lawful for the said *Manchester* Commissioners and they are hereby authorized from Time to Time to make Provision for, and to appoint and determine upon any Reward or Compensation to be given to, any of their Firemen, Watchmen, Patrol, Superintendents, and other Officers, Agents, and Servants who may be injured or disabled in the Execution of his or their Duty.

Commissioners may hire Assistants at Fires.

XXV. And be it further enacted, That it shall be lawful for the said Commissioners, or any Officer by them appointed in that Behalf, and they as well as such Officer are and is hereby required, at and during any Fire or Fires which may happen in the said Town, to hire any Number of Men to assist the Firemen in the Employ of the said Commissioners in managing the Fire Engines, and endeavouring to extinguish such Fires; and the Owners or Occupiers of the Houses, Buildings, or Tenements where such Fires happen, as well as of adjoining Houses, Buildings, or Tenements, shall pay to the said Commissioners any Sum not exceeding Fifteen Pounds for any One Fire, towards the Expences of the Attendance of the said Assistants; and in case of Difference as to the Amount to be so paid, or the Parties by whom the same shall be paid, any Justice of the Peace for the said County shall and he is hereby authorized and required, upon the Application of the said Commissioners, to inquire into the Premises, and the Facts and Circumstances thereof, upon Proof on Oath if he shall so require; and upon such Inquiry the said Justice shall and may award and order any Amount or Amounts to be paid not exceeding in the whole Fifteen Pounds for any One Fire as aforesaid, and by whom and in what Proportions the same shall be paid; and if the Amount or Amounts which may be so awarded and ordered, or any Portion thereof respectively, be not forthwith paid, the same may be recovered as Fines, Penalties, and Forfeitures are by this Act directed to be recovered.

Cooks Shops and other like Places not to be kept open after certain Hours at Night, nor to be opened before certain Hours in the Morning.

XXVI. And be it further enacted, That no Cook's Shop, Room, or other Place of that Description, for the Sale of ready-cooked Victuals, or of any Drink in the Character of Tea, Coffee, or other like Liquors, within the said Town, shall be kept open after the Hour of Twelve of the Clock on any *Saturday* Night, or after the Hour of Eleven of the Clock on any other Night during the Year, nor shall be opened before Four of the Clock in the Morning between *Lady Day* and *Michaelmas*, or before Six o'Clock in the Morning between *Michaelmas* and *Lady Day*; and if any Person or Persons keeping or having the Care or Management of any such Shop, Room, or Place, open or keep the same open contrary to the Provisions hereof, or if the same be shut, and such Person or Persons have or permit any other Person to be or remain therein in the Evening after the Hours limited as aforesaid, or in the Morning earlier than the Hours also limited as aforesaid, except the Servant or Servants, every Person

so offending shall for the First Offence forfeit and pay the Sum of Five Shillings, and for the Second and every other similar Offence any Sum not exceeding Forty Shillings.

XXVII. And be it further enacted, That it shall and may be lawful to and for the said *Manchester* Commissioners at any Time or Times to provide, erect, place, and maintain such and so many Machines for the weighing of Waggons, Carts, and other Carriages, in such convenient Place or Places within the said Town of *Manchester* as they shall think fit, and also to provide or purchase such Buildings or Lands as may be necessary for those Purposes; and to appoint, and from Time to Time remove and again appoint, any Person or Persons to attend such Machine or Machines, who shall weigh all Waggons, Carts, and other Carriages brought thereto, and make Entries in Books to be by him or them for that Purpose kept of the Weights thereof, and deliver Tickets specifying the same Weights to the Drivers of such Carriages; and to appoint and regulate the Fees to be taken by the Person or Persons so attending from the Drivers of such Carriages for weighing the same, and to allow the Whole or any Part of such Fees to such Person or Persons, or at the Discretion of the said Commissioners, to pay and allow such Person or Persons a Salary or Salaries, and apply the said Fees to the general Purposes of this Act; and also to make and establish such Rules and Regulations for the Management of the said Machine or Machines, or relative thereto, and the Conduct of the Person or Persons attending the same, as the said Commissioners shall think proper.

Weighing
Machines to
be provided.

XXVIII. And be it further enacted, That the Driver of every Waggon, Cart, or other Carriage shall, at the Request of the Buyer or Seller of the Goods, Wares, Merchandize, or other Matters constituting the Loading thereof, or of the Person or Persons on whose Behalf the same shall be consigned, or their respective Agents, take such Carriage with the Loading thereof to be weighed at any of the Machines to be so erected as aforesaid, for which no additional Charge shall be made, unless such Waggon, Cart, or Carriage shall for the Purpose aforesaid be required to go a greater Distance from the regular Course of the Road by which it would be otherwise necessary to pass in the conveying the Goods in such Waggon, Cart, or Carriage than Half a Mile, including the going to and returning from any such Machine, in which Case the Owners of such Waggon, Cart, or Carriage shall be allowed an additional Charge of Two-pence for every Horse which shall be used in drawing the same, and a further Charge of the like Amount for every additional Half Mile that any such Waggon, Cart, or Carriage shall be taken out of the direct and regular Road for the Purpose aforesaid; and that all such additional Charges for Carriage, together with the Fees to be paid for weighing any such Waggon, Cart, or Carriage, shall be paid and borne by the Person or Persons requiring the same to be weighed as aforesaid.

Drivers to
take Carts,
&c. to be
weighed.

XXIX. And be it further enacted, That in case the Driver or other Person having the Charge of any such Waggon, Cart, or Carriage shall not, upon being so requested as aforesaid, take the same to such Weighing Machine as hereinbefore is directed, or shall

Penalty for
refusing to
do so.

[*Local.*]

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refuse

refuse to assist in the weighing of the same in such Manner as such Drivers are used and accustomed to do, every Person so offending, and being thereof convicted before any One Justice of the Peace for the said County, shall forfeit and pay, to the Person or Persons requiring such Waggon, Cart, or Carriage to be weighed as aforesaid, any Sum of Money which such Justice shall direct, not exceeding Forty Shillings, and the Party aggrieved and entitled to such a Penalty shall be deemed a competent Witness for the Proof of such Offence.

Penalty for
Frauds in
weighing.

XXX. And be it further enacted, That if any Owner or Driver or Owners or Drivers of any Waggon or Waggons, Cart or Carts, or other Carriage or Carriages, conveying Coals, Hay, or other Goods, Wares, or Merchandize to the said Town of *Manchester*, at any Time after the passing of this Act, who shall weigh his, her, or their Waggon or Waggons, Cart or Carts, or other Carriage or Carriages, at any Weighing Machine to be erected or provided as aforesaid, shall, at or before the Time of weighing the same, place or knowingly have any Article, Matter, or Thing in or about such Waggon, Cart, or Carriage other than and besides the proper Loading thereof; or shall alter any Ticket denoting the Weight of any such Waggon, Cart, or Carriage, or of the Loading thereof; or shall make or use, or be privy to the making or using, any false or fraudulent Ticket respecting the Weight of any such Waggon, Cart, or Carriage, or the Loading thereof; or, after the weighing of any such Waggon, Cart, or Carriage, with the Loading of the same, shall dispose of or remove any Part of such Loading, and shall afterwards deliver or dispose of, or attempt to deliver or dispose of, the Residue of such Loading as being the full Loading denoted by such Ticket, or shall be guilty of any other fraudulent Contrivance touching the Weight of any Waggon, Cart, or Carriage, or the Loading thereof; or shall, after the same and the Loading thereof have been so weighed, change the Wheels thereof, and put or place on lighter Wheels, or make any Alteration, or do any other Matter or Thing to the said Waggon, Cart, or other Carriage, before the same shall be brought back to the same Machine to be again weighed without the Loading thereof; or if such Owner or Driver, Owners or Drivers, of any such Waggon or Waggons, Cart or Carts, Carriage or Carriages, which shall have been weighed, with the Loading thereof, at any Machine as aforesaid, shall neglect or refuse to bring back the same without Alteration to be again weighed at the same Machine, upon being paid such Allowance for the same as hereinbefore is mentioned, in case of it being necessary to deviate from the proper Road of such Waggon, Cart, or Carriage for the weighing of the same; or if the Master or Keeper of any Weighing Machine in the said Town of *Manchester* shall weigh any Waggon or Waggons, Cart or Carts, or other Carriage or Carriages, knowing that any thing has been added to the proper Loading thereof, so as to increase the Weight of the same; or if the Master or Keeper of any such Weighing Machine shall wilfully neglect to weigh any Waggon or Waggons, Cart or Carts, or other Carriage or Carriages that shall come to be weighed, according to the Turns in which Application shall be made for that Purpose, or shall not fairly and truly weigh the same, with or without the Loading thereof, as the
Case

Case may be, and deliver to the Purchaser or Purchasers of such Coals, Hay, or other Goods, Wares, or Merchandize, or any other Person interested therein, or the Agent of any such Person, on Application for that Purpose, a Ticket or Account containing the true Weight of the said Waggon, Cart, or other Carriage, and also the Weight of the Contents thereof, or shall give to the Driver of such Cart or other Carriage a false Ticket or Account of the said Waggon, Cart, or other Carriage, or shall knowingly assist in or connive at any Fraud to be committed or attempted in or concerning the weighing of any such Waggon, Cart, or other Carriage, or the Loading thereof, or any false Report or Representation of the Weight of the same; or if any other Person or Persons whosoever shall knowingly act or assist in the committing of any Fraud respecting the Weight of any Waggon, Cart, or Carriage, to be weighed or stated or represented to be weighed at any such Machine, or the Loading thereof, or in committing any of the Offences hereinbefore mentioned, respecting any such Waggon, Cart, or Carriage which shall be weighed or brought to be weighed at any such Machine, or which shall be alleged to have been weighed at any such Machine; then and in every such Case or Cases the Person or Persons from Time to Time offending, and being convicted thereof, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, nor less than Ten Shillings.

XXXI. And be it further enacted, That it shall and may be lawful for the said *Manchester* Commissioners, by Order or Resolution at any of their Meetings, to cause all present and future Streets, Ways, Lanes, Passages, Courts, Squares, and Places within the said Town of *Manchester*, not repairable or maintainable at the Expence of the Inhabitants at large of the said Town, which are or may be unpaved, out of Repair, or incomplete in any other respect, or in anywise obstructed, and which shall have Messuages or Dwelling Houses or other Buildings or Tenements, or be inclosed, either in a continuous Line or not, to the Extent of One Half of their whole Length, including in such Length the Width of cross Streets, if any, to be freed from Obstruction, and to be levelled, paved, repaired, and otherwise completed with such Footways, Gutters, Sinks, Drains, Sewers, and Watercourses as to them the said Commissioners shall seem necessary.

Commissioners empowered to order Streets &c. to be paved when One Half is built or inclosed;

XXXII. And be it further enacted, That with respect to any of the said present or future Streets, Ways, Lanes, Passages, Courts, Squares, and Places within the said Town of *Manchester* which may be unpaved, out of Repair, incomplete, or obstructed as aforesaid, and exceed the Length of Eighty Yards, wherever any Portion of Eighty Yards or upwards of any of them respectively shall have Messuages, Dwelling Houses, or other Buildings or Tenements, or be inclosed, either in a continuous Line or not, to the Extent of One Half in Length of such Portion, including cross Streets as aforesaid, then and in such Case, and from Time to Time so often as the same shall happen, it shall and may be lawful for the said *Manchester* Commissioners in like Manner to cause such Portion to be freed from Obstruction, and levelled, paved, repaired, and otherwise completed, with Footways, Gutters,

or whenever any Portion of Streets exceeding Eighty Yards in Length is built or inclosed.

Gutters, Sinks, Drains, Sewers, and Watercourses; and in case any Portion less than Eighty Yards of such of the said Streets, Ways, Lanes, Passages, Courts, Squares, and Places as exceed that Length shall remain after any Portion of any of them respectively may have been paved and completed by the said Commissioners under the Provisions of this Act, and such remaining Portion shall afterwards have Messuages or Dwelling Houses or other Buildings or Tenements, or be inclosed to the Extent and in Manner aforesaid, then and in such Case, and from Time to Time as often as the same shall happen, it shall and may be lawful for the said Commissioners to cause such remaining Portion to be in like Manner paved and completed.

Before any paving by Commissioners, Notice to be given to Occupiers of Houses, &c. requiring them to pave.

XXXIII. Provided always, and be it further enacted, That before the said *Manchester* Commissioners shall cause any Street, Way, Lane, Passage, Court, Square, or Place, or any Portion thereof respectively, to be levelled, paved, repaired, or otherwise completed, in such Manner as to the said Commissioners shall seem necessary as aforesaid, they shall cause their Surveyor or other Officer to give or leave Notice in Writing under his Hand to or at the Dwelling House or Place of Business of the Owner or Occupier for the Time being of each and every Messuage or Dwelling House, Building or Tenement, within or adjoining to such Street, Way, Lane, Passage, Court, Square, or Place, or Portion of them respectively, as may be intended to be levelled, paved, repaired, and completed as aforesaid, or if any such Owner cannot be found within the said Town, and any such Messuage or Dwelling House, Building or Tenement, 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 level, pave, repair, and otherwise complete the same in such Manner as the said Commissioners may think necessary, and to such Extent as they may respectively be, either before, behind, or at the Corner, End, or Side of his, her, or their Messuage or Dwelling House, Building or Tenement (as the Case may be); and in case any such Owner or Occupier shall neglect or refuse for the Space of Six Calendar Months next after the Receipt of such Notice, or the fixing thereof as hereinbefore expressed, to level, pave, repair, and complete the same, as he, she, or they may be required as aforesaid, that then and in every such Case it shall and may be lawful to and for the said Commissioners and they are hereby required to cause the same to be done, and to recover the Costs, Charges, and Expences thereof from such Owner or Occupier in the Manner herein mentioned; and such Notice, having been given to the Owners or Occupiers for the Time being, or fixed upon the Premises as aforesaid, shall be available against all future Occupiers and Owners of the Premises respectively, and it shall not be necessary on account of any Change in the Occupation or Ownership to give or fix any new or other Notice or Notices for the Purposes aforesaid.

Commissioners may recover Costs of paving.

XXXIV. Provided always, and be it further enacted, That the Costs, Charges, and Expences of and attending the Work to be done or executed by or by Order of the said *Manchester* Commissioners, in paving and completing any Street, Way, Lane, Passage, Court, Square, or Place, or any Portion thereof respectively as aforesaid, shall

shall be paid and reimbursed to the said Commissioners by the Owners or Occupiers of the Messuages or Dwelling Houses, Buildings, Tenements, and Inclosures within or adjoining to such Street, Way, Lane, Passage, Court, Square, and Place, and such Portions thereof as aforesaid, each such Owner or Occupier paying a due Share and Proportion thereof, according as such Street, Way, Lane, Passage, Court, Square, Place, or Portion is or shall be before, behind, or at the Corner, End, or Side of his, her, or their Messuages or Dwelling Houses, Tenements or Inclosures as aforesaid, such Share and Proportion to be ascertained and settled by or under the Direction of the said Commissioners; and if any such Owner or Occupier shall at any Time refuse or neglect to pay such Costs, Charges, and Expences, for Fourteen Days after the same shall have been demanded by or on behalf of the said Commissioners, the same shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of such Owner or Occupier in the Manner herein directed for the levying and recovering of Rates, the Overplus, if any, of the Monies to arise thereby, after deducting such Costs, Charges, and Expences, and the Costs of and attending such Distress and Sale, being returned to such Owner or Occupier, on Demand; provided that no more of such Costs, Charges, and Expences be levied in any One Year from any such Occupier, not being an Owner, than the fair annual Value of the Tenement occupied by him or her, such Value to be from Time to Time ascertained as the said Commissioners may determine.

XXXV. Provided always, and be it further enacted, That notwithstanding any thing herein contained to the contrary, it shall and may be lawful for the said *Manchester* Commissioners, when and as often as they think fit, to forbear from compelling the Payment of all or any Part of such Costs, Charges, and Expences as aforesaid, for any Period, at the Discretion of the said Commissioners, not exceeding Three Years from the Time the same first became payable, the Owner or Occupier towards whom such Forbearance shall be exercised paying Interest on the Amount forborne after the Rate of Four Pounds *per Centum per Annum*, during the Period of Forbearance, and the said Commissioners taking such Security as they think fit for the Payment of such Costs, Charges, Expences, and Interest.

Commissioners may for a Time forbear compelling Payment of Costs in certain Cases.

XXXVI. Provided always, and be it further enacted, That it shall and may be lawful for all and every Occupier and Occupiers to deduct and retain, out of his, her, or their Rent or Rents, all such Costs, Charges, and Expences as he, she, or they shall bear, pay, or be put unto in respect of any levelling, paving, and other Work to be done as aforesaid, and the Landlord or Proprietor, Landlords or Proprietors, is and are 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 be forthwith repaid to such Occupier or Occupiers by such Landlord or Proprietor, Landlords or Proprietors; and in case of Refusal or Neglect for the Space of Seven Days after the Demand to pay the same, then such Excess may be levied by Distress and Sale of the Goods and Chattels of such Landlord or Proprietor, by Warrant under the Hand and Seal of any

Occupiers authorized to deduct Expences of paving, &c. from Rent.

Justice of the Peace for the said County, together with the Expences of such Distress and Sale; but in Cases where Messuages or Dwelling Houses, Buildings or Tenements, are held upon Leases for Lives, perpetually renewable, or for the Term of Ninety-nine Years, or any longer Term, whereof Twenty Years shall be unexpired, the Party or Parties so holding shall be deemed and taken to be the Landlord or Proprietor, Landlords or Proprietors, and not the Party or Parties entitled in Reversion.

Commissioners not to vote touching declaring Streets Highways, or being levelled and paved, if interested.

XXXVII. 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, Way, Lane, Passage, Court, Square, or Place, or Portion thereof respectively, which shall be proposed to be made a Highway or Highways, or to be levelled, paved, repaired, and completed, under any of the Provisions herein or in the said first recited Act contained, or within One hundred Yards of the same, or being entitled to any Chief Rent or other Rent issuing out of any such Land or Building, shall be entitled to vote as a Commissioner touching the declaring of any such Street, Way, Lane, Passage, Court, Square, or Place, or any Portion thereof respectively, to be a Highway or Highways, or touching the levelling, paving, repairing, and completing thereof or of any Part thereof: Provided nevertheless, that no Commissioner or other Person to be appointed on any Committee for carrying into effect the Orders of the said Commissioners relative to the Measures aforesaid shall be hereby prevented from acting upon such Committee.

Streets, after being paved by Commissioners, to be Highways.

XXXVIII. And be it further enacted, That when the said Commissioners shall have caused any Street, Way, Lane, Passage, Court, Square, or Place, or any Portion of them respectively, within the said Town of *Manchester*, to be levelled, paved, repaired, and completed, to the Satisfaction of the said Commissioners, and the Costs, Charges, and Expences attending the same shall have been paid and satisfied or secured by the Owners or Occupiers of the Messuages or Dwelling Houses, Buildings or Tenements, within or adjoining to the same, then and in every such Case every such Street, Way, Lane, Passage, Court, Square, and Place, and Portion thereof respectively, shall thenceforth be deemed and taken to be a Public Highway to all Intents and Purposes, and as such shall be repaired at the Expence of the Inhabitants at large of the said Town of *Manchester*.

No Street to be laid out of less Width than Eight Yards.

XXXIX. And be it further enacted, That no Street, Way, Lane, Court, or Square, to be made or laid out within the said Town of *Manchester* after the passing of this Act, shall be of less Width than Eight Yards, such Width being to be computed in addition to and beyond all Areas, Steps, Windows, and other Projections.

Act not to discharge Inhabitants from general legal Liability to repair Streets.

XL. And be it further enacted, That nothing herein contained shall extend or be deemed or construed to extend to exempt the Inhabitants of the Township or Parish of *Manchester*, or any other Person or Persons, Body Politic or Corporate, from the Repair of any Highways to the Repair of which such Inhabitants, Person or Persons, Body Politic or Corporate, were or was, could or might be, liable, by any

any Act or Acts, Verdict or Verdicts in any Court or Courts of Justice, Custom, or other good and lawful Cause of Obligation; but that all such Inhabitants, Persons, Bodies Politic and Corporate, shall, notwithstanding any thing herein contained, be charged and chargeable with the Repairs and Maintenance of all such Highways as last aforesaid, in as full and ample a Manner as they could or might be respectively charged with and liable to if this Act had not been passed.

XLI. Provided always, and be it further enacted, That it shall not be lawful for the Trustees of any Turnpike Road to collect any Tolls, or to expend any Money in paving, repairing, or improving any of the Streets or Public Places, within the Limits of this Act. Tolls not to be collected, &c.

XLII. And be it further enacted, That it shall be lawful for the said Commissioners, or any Officer for that Purpose appointed, during such Time as any of the said Streets, Ways, Lanes, Passages, or Public Places within the said Town shall be under Repair, or during the making or repairing of any Sewers or Drains therein, to cause so many Bars, Posts, Rails, and Chains as the said Commissioners shall think proper to be fixed, set up, and placed across or in any of the said Streets, Ways, Lanes, Passages, or Public Places, to prevent the passing of Persons and Carriages, Horses and Cattle, whilst such Works and Repairs are in progress; and if any Person or Persons shall throw down, break, remove, damage, or injure any of the said Bars, Posts, Rails, or Chains, every Person so offending shall for every such Offence forfeit and pay the Sum of Forty Shillings. Power to place Bars across Streets whilst under repair.

XLIII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to erect and set up, in such Parts of the said Streets, Ways, Lanes, Passages, and Public Places as they 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 Town clear from Annoyance by Horses, Cows, Swine, or other Cattle, at Fairs and Markets, and for the Purpose of keeping off Carriages, Horses, and Cattle from any of the said Footways, and 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 appear to be requisite. Power to set up Posts for guarding Footways.

XLIV. And be it further enacted, That from and after the passing of this Act no Person shall at any Time take up the Pavement, Flags, or other Materials of any Street, Way, Lane, Passage, Square, or other Place within the said Town which may be repaired at the Expence of the Inhabitants at large thereof, or make or cause to be made any Alteration in the Form of any such Street, Way, Lane, Passage, Square, or Place, or the Pavement, Flags, or other Materials thereof, without the Consent and Approbation of the said Commissioners first had and obtained in Writing, upon pain that every Person so taking up the said Pavements, Flags, or other Materials, or any Part thereof, or making such Alteration, without such Consent and Approbation, shall for every such Offence forfeit and Pavements not to be taken up without Consent of Commissioners.

and pay the Sum of Forty Shillings; and in case the Person or Persons so taking up any such Pavements, Flags, or other Materials shall not, within Seven Days after Notice in Writing from the said Commissioners or their proper Officer given to or left at the last or usual Place of Abode of such Person, cause the same to be reinstated, it shall be lawful for the said Commissioners to reinstate the same, and the Expence thereof shall be borne and paid by the Person so offending, to be recovered in like Manner as the Rates are by this Act directed to be recovered; provided that nothing in this Act contained shall curtail or prejudice the Privileges and Authorities of any Public Company or other Body or Person specially authorized by Law to take up the said Pavements, Flags, or other Materials.

Repeal of first recited Act as to Removal of Steps and other Projections.

XLV. And be it further enacted, That from and after the passing of this Act so much and such Part of the said first recited Act as relates to the taking down and Removal, as well of Signs, Sign Irons, Sign Posts, and Boards, as of such Posts, Bars, and Chains as the said Commissioners shall think useless and inconvenient, and also to the taking away, removing, or altering Steps, Bulks, Show Glasses, Show Boards, Balconies, Porches, Windows, Window Frames, and Steps or Doors opening or leading from the Footways into Vaults or Cellars, shall be and the same is hereby repealed.

Power to round off Corners of Buildings in certain Cases.

XLVI. And be it further enacted, That it shall and may be lawful to and for the said *Manchester* Commissioners, after Three Calendar Months Notice in Writing from them or their proper Officer to the Occupier and Occupiers of the Building or Buildings which is, are, or shall be situate at the Corner of any Streets, Ways, Lanes, Passages, or Public Places which now are or may hereafter be repaired by the Inhabitants at large of the said Town of *Manchester*, to round off the Corners of any such Buildings in order to the more convenient Passage in such Streets, Ways, Lanes, Passages, or Public Places, provided that no Corner be so rounded off unless one or both of the Streets forming the same be of less Width than Ten Yards at their Junction, and also that no such rounding off be in any Case done so as to remove more of the Building thereby affected than would be comprehended within the Space of Six Feet from the previously existing Corner, (save with the Consent in Writing of the Owner and Occupier of such Building for that Purpose first had and obtained).

Compensation for Injury to be sustained by rounding off Corners, to be paid before Commencement of Work.

XLVII. Provided always, and be it further enacted, That the said *Manchester* Commissioners shall not be at liberty to do or commence any such rounding off where the Expence thereof, including the Compensation to be paid as hereinafter mentioned, will exceed the Sum of Five hundred Pounds; and that within that Amount the said Commissioners, out of the Monies to be raised for the general Purposes hereof shall, previously to any such rounding off being done or commenced, make and give to the Owners, Proprietors, or Occupiers of the Buildings which may be thereby affected, proper Satisfaction or Compensation for the Injury, Loss, or Damage they may thereby sustain; and in case any such Owner, Proprietor, or Occupier shall be

be dissatisfied with the Compensation so given, he or she may appeal to then next Quarter Sessions of the Peace to be holden for the said County of *Lancaster* by Adjournment at *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 or Persons for such Injury 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 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, and adjudge Costs to either Party as they shall think proper; but no such rounding off shall be done or commenced until Compensation be paid for the same according to such Judgment.

XLVIII. And be it further enacted, That it shall and may be lawful for the said *Manchester* Commissioners at any Time to remove, take down, carry away, alter, or reform all and every or any of the present Steps leading to the present front or principal Door of any Dwelling House now standing within the said Town, and the Posts, Chains, Rails, and Palisadoes attached or belonging thereto, which shall project from the Wall of the same Dwelling House more in the whole than after the Rate of Half an Inch for and in respect of every Foot of Width of the Street, Way, Lane, Court, Square, or Place within or adjoining to which the same may be situate, so and in such Manner as that the said Steps, Posts, Chains, Rails, and Palisadoes, or any of them, shall not in any Case project from such Wall more than after the Rate aforesaid; they the said Commissioners nevertheless doing as little Damage in effecting every such Alteration as the Nature of the Case will require, and also defraying the whole Costs and Charges of executing the same; and the said Commissioners shall, out of the Monies to be raised for the general Purposes hereof, pay or tender to all and every the Persons and Person who shall be injured by their Proceedings in carrying away, altering, or reforming any such Steps, Posts, Chains, Rails, and Palisadoes as aforesaid, such Recompence as they shall think proper; and in case such Person or Persons shall be dissatisfied with the Recompence so tendered or offered, he, she, or they may appeal to the then next Quarter Sessions of the Peace to be holden for the said County, by Adjournment, within the Hundred of *Salford*; and the Justices of the Peace at such Sessions shall have Power to direct the Jury who 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 or Persons 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, and adjudge Costs to either Party, as they shall think proper; provided that nothing herein contained shall subject the said Commissioners to the Payment of any Recompence for carrying away, altering, or reforming of such of the said Projections as are Encroachments upon or over any Street, Square, Lane, Alley, Passage, or Public Place, in all which

Commis-
sioners may
alter present
Steps of
Front Doors
of Dwelling
Houses to a
prescribed
Scale.

[Local.]

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Cases

Cases the said Commissioners shall be empowered to carry away, alter, or reform the same at the Costs and Charges of the Owner or Owners, Tenant or Tenants of the Premises to which any of such Projections shall belong; and such Costs and Charges, having been ascertained by any one Justice of the Peace for the said County, shall and may be recovered from such Owner or Owners, Tenant or Tenants, in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered; and it shall be lawful for any Tenant or Tenants, having paid such Costs and Charges, or whose Goods and Chattels may have been distrained for the same, to deduct and retain the Amount thereof out of his or her Rent; and his or her Proprietor or Landlord, Proprietors or Landlords, is and are hereby required to allow the same accordingly, except only in Cases where the Encroachment, Obstruction, or Annoyance so altered or removed shall have been originally occasioned by such Tenant, in which case he or she shall bear the Costs and Charges of removing or altering the same; and in Cases of any Dwelling Houses where such Steps, Posts, Chains, Rails, or Palisadoes may be being held upon Leases for Lives perpetually renewable, or for the Term of Ninety-nine Years, or any longer Term, whereof Twenty Years shall be unexpired, the Party or Parties so holding, and not the Party or Parties entitled in Reversion, shall be deemed and taken to be the Proprietor or Landlord, Proprietors or Landlords.

Limiting the
Size of Steps
of Front
Doors.

XLIX. And be it further enacted, That no Step, Post, Chain, Rail, or Palisadoe shall hereafter be fixed or put in any of the present Streets, Ways, Lanes, Courts, Squares, or Places within the said Town of *Manchester* which do not exceed Six Yards in Width, nor shall any Step, Post, Chain, Rail, or Palisadoe be hereafter fixed or put in any other of the said present Streets, Ways, Lanes, Courts, Squares, or Places, except such Steps, Posts, Chains, Rails, or Palisadoes as may be for the Purpose of leading to or be connected with the front or principal Door of any Dwelling House in any of the said last mentioned Streets, Ways, Lanes, Courts, Squares, or Places; and no Step to lead to any Front Door of any Dwelling House, or any Post, Chain, Rail, or Palisadoe connected therewith, shall hereafter be fixed or put so as to extend more in the whole than after the Rate of One Quarter of an Inch for every Foot of the Width of such of the said present Streets, Ways, Lanes, Courts, Squares, or Places as exceed the Width of Six Yards, and do not exceed the Width of Ten Yards, nor so as to extend more than Half an Inch for and in respect of every Foot of the Width of such of the said present Streets, Ways, Lanes, Courts, Squares, and Places as exceed the Width of Ten Yards, and in no Case so as to extend more in the whole than Twenty-two Inches from the Line of the Dwelling House to or with which such Step, Post, Chain, Rail, or Palisadoe may belong or be connected; the Width of all the said present Streets, Ways, Lanes, Courts, Squares, or Places being to be computed in a Line across them from Building to Building at the Point where any such Step, Post, Chain, Rail, or Palisadoe may be; and in case any Step, Post, Chain, Rail, or Palisadoe leading to or connected with the Front Door of any Dwelling House shall hereafter be fixed or put in any of the present Streets, Ways, Lanes, Courts, Squares, or Places, the said *Manchester*

Commis-
sioners may
alter future
Steps of
Front Doors.

Commissioners

Commissioners shall and may from Time to Time carry away, alter, and reform the same, and every of them, so and in such Manner as that they or any of them shall not in any Case project from such Dwelling House more in the whole than after the Rate by this Act prescribed according to the Width of the Street, Way, Lane, Court, Square, or Place within which the same may be situate; and the Costs and Charges of such carrying away, altering, or reforming, having been ascertained by any Justice of the Peace of the said County, shall be paid by and may be by the said Commissioners recovered from such Owner or Owners, Tenant or Tenants, in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered; and it shall be lawful for any Tenant or Tenants, having paid such Costs and Charges, or whose Goods and Chattels may have been distrained for the same, to deduct and retain the Amount thereof out of his or her Rent; and the Proprietor or Landlord, Proprietors or Landlords, is and are hereby required to allow the same accordingly, except only in Cases where the Steps, Posts, Chains, Rails, or Palisadoes so carried away, altered, or reformed shall have been originally fixed or put up by such Tenant, in which Case he or she shall bear and pay such Costs and Charges; and in Cases of any Dwelling Houses where such Steps, Posts, Chains, Rails, or Palisadoes may be being held upon Leases for Lives perpetually renewable, or for the Term of Ninety-nine Years, or any longer Term, whereof Twenty Years shall be unexpired, the Party or Parties so holding, and not the Party or Parties entitled in Reversion, shall be deemed and taken to be the Proprietor or Landlord, Proprietors or Landlords.

L. And be it further enacted, That it shall be lawful for the said *Manchester* Commissioners at any Time to remove, take down, fill up, carry away, alter, or reform all and every or any of the present and future Steps not leading to the front or principal Door of any Dwelling House, and all and every or any of the present and future Posts, Chains, Rails, or Palisadoes not attached or belonging to any such last mentioned Steps, and also all and every or any of the present and future Bulks, Signs, Sign Boards, Sign Posts, Sign Irons, Show Glasses, Show Boards, Private Lamps, Balconies, Porches, Sheds, Penthouses, Windows, Window Frames, Shutters, Shutter Frames, Stalls, Stall Boards, Areas, Cellars, Cellar Holes, Cellar Windows, Cellar Doors, Hatchways, Scrapers, and other Obstructions and Projections whatsoever, into, upon, or over any of the present or future Streets, Ways, Lanes, Passages, or Public Places within the said Town which shall be repaired at the Expence of the Inhabitants at large thereof; and the said Commissioners shall, out of the Monies to be raised for the general Purposes hereof, pay or tender to all and every the Person and Persons who shall be injured by their Proceedings in removing any such Projections, or executing any of the Powers last aforesaid, such Recompence as they shall think proper; and in case such Person or Persons shall be dissatisfied with the Recompence so tendered or offered, he, she, or they 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

For Removal
of other
Projections.

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 or Persons 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, and adjudge Costs to either Party, as they shall think proper; provided that nothing herein contained shall subject the said Commissioners to the Payment of any Recompence for removing, taking down, filling up, carrying away, altering, or reforming such of the said Projections as are Encroachments upon or over any Street, Square, Lane, Alley, Passage, or Public Place, in all which Cases the said Commissioners shall be empowered to remove, take down, fill up, carry away, alter, or reform the same at the Costs and Charges of the Owner or Owners, Tenant or Tenants of the Premises to which such Projections shall belong; and such Costs and Charges, having been ascertained by any One Justice of the Peace of the said County, shall and may be recovered from such Owner or Owners, Tenant or Tenants, in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered; and it shall be lawful for any Tenant or Tenants, having paid such Costs and Charges, or whose Goods and Chattels may have been distrained for the same, to deduct and retain the Amount thereof out of his or her Rent; and his or her Proprietor or Landlord, Proprietors or Landlords, is and are hereby required to allow the same accordingly, except only in Cases where the Encroachment, Obstruction, or Annoyance so altered or removed shall have been originally occasioned by such Tenant, in which Case he or she shall bear the Costs and Charges of removing or altering the same; and in Cases of any Messuages, Buildings, or Tenements where such Encroachments, Obstructions, or Annoyances may be being held upon Leases for Lives perpetually renewable, or for the Term of Ninety-nine Years, or any longer Term, whereof Twenty Years shall be unexpired, the Party or Parties so holding shall be deemed and taken to be the Proprietor or Landlord, Proprietors or Landlords, and not the Party or Parties entitled in Reversion.

Commis-
sioners may
compensate
for building
in a parti-
cular Mode.

LI. And be it further enacted, That it shall be lawful for the said *Manchester* Commissioners, and they are hereby authorized and empowered, if it shall appear to them expedient for the Improvement of the said Town of *Manchester*, in Cases of Buildings being burnt or taken down, and being to be rebuilt or new fronted, to prescribe the Line in which the same and every Part thereof next adjoining any Street, Way, Lane, Passage, or Public Place shall be rebuilt or new fronted, and the same shall be rebuilt or new fronted accordingly; and the said Commissioners shall pay or tender to the Owner or other Person immediately interested in such rebuilding or new fronting such Recompence as they may think proper, to be settled in case of Difference as by this Act is directed with respect to the Recompence for rounding off Corners and Removal of Obstructions and Projections not being Encroachments; and in case any such Owner or Person immediately interested as

aforesaid

aforesaid shall not build according to such prescribed Line, he or she shall be liable, on the Prosecution of them the said Commissioners, who are hereby authorized to prosecute accordingly, to be indicted at the Assizes or any General or Quarter Sessions of the Peace to be holden in and for the said County, for a public Nuisance, and to be dealt with accordingly; and it shall and may be lawful for the said *Manchester* Commissioners, and they are hereby authorized and empowered, if it shall appear to them expedient for the Improvement of the said Town of *Manchester*, to enter into any Agreement relative to the Mode of erecting, building, or altering, or to the Line or Direction of the Fronts or Sides of any Houses or Buildings which now are or hereafter shall or may be erected or built within the said Town, with the Owners, Proprietors, or Occupiers thereof respectively, and to make or give such Satisfaction or Compensation for any Injury, Loss, or Damage which any such Owners or Proprietors or Occupiers may thereby sustain, as the said Commissioners shall think reasonable for the Object or Purpose of Improvement to be thereby obtained, and to pay such Satisfaction or Compensation out of the Monies to be raised for the general Purposes of this Act, so that in any one Instance the Satisfaction or Compensation shall not exceed the Sum of One hundred Pounds.

LII. And be it further enacted, That in case any House or other Building within the said Town shall, upon the View of the resident or stipendiary Magistrate for the Time being acting within or for the said Town, be pronounced to be in a ruinous or dangerous State, then and in every such Case it shall and may be lawful for the said Commissioners to cause the same to be properly fenced and guarded, and to give Notice in Writing to the Owner or Owners of or other Person or Persons interested in the Premises, if he, she, or they can be found in the said Town, and if not, then to cause Notice in Writing to be fixed upon the Premises, requiring him, her, or them to take down or repair such Premises, as the Case may require, within the Space of Twenty Days next ensuing the giving or fixing such Notice as aforesaid; and if the Owner or Owners or other Person or Persons interested as aforesaid shall not take down and repair the same within the said Space of Twenty Days after such Notice as aforesaid, then and in every such Case the said Commissioners are hereby authorized and required to take down or repair the Premises, or cause the same to be done; and the Costs and Charges of the said Fence, and of taking down and repairing as aforesaid, shall from Time to Time be paid by the said Owner or Owners, if he, she, or they can be met with in the said Town, to be recovered from him, her, or them, in case of Refusal to pay the same on Demand, by Distress and Sale of his, her, or their Goods and Chattels, by Warrant of any Justice of the Peace of the said County; and if such Owner cannot be met with in the said Town, or sufficient Distress of his or her Goods and Chattels cannot be had, then and in such Case the Person or Persons who shall at any Time thereafter occupy such House or Building, or the Ground whereon the same stood, shall pay the same, and he, she, and they is and are hereby authorized to deduct the Amount so paid out of his, her, and their Rent, the same to be recoverable from such Occupier or Occupiers by the like Means as are herein directed for the Recovery thereof

Commissioners may fence ruinous Houses, and cause Owners to take down and repair the same.

[Local.]

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from

from the said Owner or Owners; and such Owner and Owners is and are hereby required to allow every such Occupier and Occupiers all such Costs as he, she, and they may pay or sustain as aforesaid; but in Cases where any such Houses, Buildings, or Grounds are held upon Leases for Lives perpetually renewable, or for the Term of Ninety-nine Years, or any longer Term, whereof Twenty Years shall be unexpired, the Party or Parties so holding shall be deemed and taken to be the Owner or Owners, and not the Party or Parties entitled in Reversion.

Publicans
to place a
Recess
at Side of
Doors, &c.
as Commis-
sioners may
direct.

LIII. And be it further enacted, That all Licensed Publicans or Victuallers within the said Town shall, and they and every of them are and is hereby required, within Seven Days after Notice in Writing for that Purpose from the said Commissioners or their proper Officer, to erect and construct, with Flags and other Materials, in some convenient Situation about his, her, and their House, to be fixed upon by the said Commissioners or their proper Officer, a Recess or other Convenience, with proper Drains for the same, for making Water in or against, so as effectually to prevent any unnecessary and indecent Exposure of the Person; and if any such Publican or Victualler shall refuse or neglect to erect such Recess or Convenience within the said Space of Seven Days, then and in every such Case the said Commissioners are hereby authorized and required to erect the same; and the Costs thereof, if not paid by such Publican or Victualler, on Demand, shall and may be recovered by Distress and Sale of his or her Goods and Chattels, by Warrant of any Justice of the Peace for the said County.

Doors and
Gates not
to open
outwards.

LIV. And be it further enacted, That the several Occupiers of Houses, Buildings, Yards, and Lands within the said Town are hereby respectively required, at their own Costs and Charges, within Fourteen Days next after their respectively receiving Notice in Writing from the said Commissioners or their proper Officer, to cause all Doors and Gates leading into the several Houses, Buildings, Yards, and Lands in their respective Occupations, not being Cellar Doors or Trap Doors, which now do or shall hereafter open outwards, and when open do or shall project over or upon any of the Streets, Lanes, Highways, Passages, or Public Places within the said Town, to be altered, so as that the same Doors or Gates shall thenceforth not open outwards, or so as not to project over or upon any of the said Streets, Lanes, Highways, Passages, or Public Places; and if any such Occupier shall neglect or refuse to make the Alteration aforesaid, according to such Notice, he or she shall forfeit the Sum of Five Shillings a Day for every Day during which such Neglect or Refusal shall continue: Provided nevertheless, that where any such Occupier shall cause any Door or Gate to be altered in pursuance of Notice as aforesaid, it shall be lawful for him or her, if Tenant at Rack Rent, to deduct and retain out of his or her Rent the Charges of altering the same; and his or her Landlord is hereby required to allow the same accordingly; and it shall be lawful for the said Commissioners to allow to such Occupier or Landlord all or any Part of the Expence attending such Alteration, if the said Commissioners shall consider it expedient.

LV, And

LV. 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 Town, shall be left open in the Evening or in the Night, or shall not be effectually made and secured so as to prevent Accidents, or if any Grate, Grid, or other Covering placed over any Opening in the Flagging or Pavement, and used for putting Coals or other Articles into any Cellar or Place under Ground, or for any other Purpose, shall at any Hour of the Day or Night be left open, or not well and effectually fastened down and secured, and made in such Manner as to prevent Accidents, the Occupier of such Cellar, Vault, Office, or other Place shall for every such Offence forfeit and pay the Sum of Twenty Shillings.

Cellar Windows and Doors to be secured.

LVI. And be it further enacted, That the Proprietors of all and every the Canals and Rivers, and the Owners and Persons having the Controul and Management of any Buildings, vacant Lands, or other Places which present abrupt or dangerous Precipices, within the said Town of *Manchester*, shall, upon Notice in Writing from the said *Manchester* Commissioners, or any Officer of their Appointment, well and sufficiently rail and fence off such Canals, Rivers, Buildings, vacant Lands, and Places, for the Height of Four Feet on each Side thereof, except such Places leading to the said Canals and Rivers as shall be used as Wharfs and Landing Places, and in such Manner as the said Commissioners shall appoint; such Notice to be delivered to any Clerk of the said Proprietors at any Office of any such Canal or River, and given or left at the Dwelling House or Place of Business of the said Owners and other Persons; and in case any such Proprietors, Owners, and other Persons shall not, upon such Notice as aforesaid, fence off the said Canals, Rivers, Buildings, vacant Lands, and Places, or shall neglect to keep the Fences of the same in good and sufficient Repair and Condition, it shall be lawful to and for the said *Manchester* Commissioners to make or repair any Fences or Rails for the Purposes aforesaid; and the Expences thereof shall be paid and borne by the said Proprietors, Owners, or other Persons, and levied and recovered by Distress and Sale of their Goods and Chattels, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of any Justice of the Peace for the said County; or otherwise it shall be lawful for the said Commissioners to recover any such Expences by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Common Pleas at *Lancaster*, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance, shall be allowed.

Canals, Rivers, and dangerous Places to be fenced.

LVII. And be it further enacted, That from and after the passing of this Act so much and such Part of the said recited Act of the Thirty-second Year of His late Majesty King *George* the Third, as relates to the digging, making, enlarging, widening, raising, altering, removing, repairing, cleansing, and scouring of Sewers, Drains, and Vaults, shall be and the same is hereby repealed.

Repeal of first recited Act as to Sewers.

LVIII. And be it further enacted, That it shall and may be lawful for the said *Manchester* Commissioners, and they are hereby required, from

Empowering Commissioners to make

Main Sewers,
&c. and to
use, widen,
and enlarge
Private
Sewers for
the Purpose
of Commu-
nication;

from Time to Time and at all Times hereafter, to cause such and so many new Main and other Sewers, Drains, and Watercourses, Public Wells and Pumps, as they shall think necessary, to be made and dug in, along, under, or across any of the Streets, Ways, Lanes, Passages, Squares, and other Places within the said Town of *Manchester*, and to cause any of the Main and other Sewers, Drains, and Watercourses, and Public Wells and Pumps, which now are or hereafter may be within the said Town of *Manchester*, to be enlarged, widened, raised, sunk, altered, removed, repaired, cleansed, and scoured, when and in such Manner as to them shall seem meet; and to cause such and so many Gutters or Openings to be made in, upon, or under any of the said Streets, Ways, Lanes, Passages, Squares, and other Places as the said Commissioners may think necessary, for carrying off and conveying the Filth, Soil, and Water from the Houses and Buildings already built or to be built in or near the same, into the said Sewers, Drains, and Watercourses; and in all Cases wherein it shall appear to the said Commissioners necessary to make use of any Private Sewers or Drains, in order to form a Communication between any Public Sewers, Drains, or Watercourses, it shall be lawful to and for the said Commissioners to make use of any such Private Sewers or Drains for the Purpose of any such Communication; and in case any such Private Sewer or Drain shall not be sufficient for the Purpose aforesaid, it shall be lawful to and for the said Commissioners to widen and enlarge the same; and in case the said Commissioners shall at any Time find it necessary, it shall also be lawful for them to carry and continue any Sewers, Drains, and Watercourses into and through or under any inclosed Lands within the said Town, not being occupied as Courts or Yards, or as Avenues or Approaches to any Dwelling House.

and to con-
tinue Sewers
through in-
closed
Lands.

Private
Sewers not to
be widened,
nor inclosed
Lands enter-
ed, without
Notice to
Occupiers.

Compens-
ation to be
paid by Com-
missioners
for Injury
done to
Lands by
Commission-
ers.

LIX. Provided always, and be it further enacted, That no Private Sewer shall be widened or enlarged as aforesaid, nor shall any inclosed Lands be entered as aforesaid, without giving Seven Days previous Notice in Writing of the Intention so to do to the Occupier or Occupiers of the Land wherein such Private Sewer shall be or which may be affected by such Entry as aforesaid; and that in case within the said Seven Days Notice shall be given by such Occupier or Occupiers, or by the Owner or Owners of such Premises, or any other Person or Persons interested therein, of an Intention to appeal at the General Quarter Sessions of the Peace to be holden for the said County within the said Hundred of *Salford* next after the Time of serving such Notice, against the Order for so using, widening, or enlarging the said Sewers, or entering the said Lands, such Sewers shall not be so used, widened, or enlarged, nor such Lands entered, until the Matter of such Appeal shall have been heard and determined: Provided always, that if the Owners or Occupiers of any Lands or Grounds through which any Private Sewer to be used as aforesaid shall pass, or which shall be entered as aforesaid, shall be injured by the Proceedings of the said Commissioners in the Matters aforesaid, such Owners or Occupiers shall be entitled to and be paid a Recompence for the same; and if the said Owners or Occupiers and Commissioners cannot agree to such Recompence, such Owners or Occupiers may apply to the next General Quarter Sessions of the Peace to be holden by Adjournment within the said Hundred

of

of *Salford*; and the Justices of the Peace at such Sessions shall have Power to direct and shall direct the Jury then and there attending for the Trial of Traverses to assess the Recompence which ought to be paid to such Owners or Occupiers; and the said Justices shall order the Sum assessed to be paid accordingly, and may also order the Costs of and attending the Application to be paid by either Party to the other as they shall think proper; and the Order of the said Justices in the Premises shall be final; and all Expences of and attending the widening and enlarging such Private Sewers as aforesaid, and of carrying any Sewers through inclosed Lands as aforesaid, and afterwards of repairing, maintaining, cleansing, and scouring the same respectively, shall be borne and paid by the said Commissioners.

LX. Provided always, and be it further enacted, That it shall not be lawful to enter into any Dwelling House or other Building in order to make any such Communication by means of any such Private Sewers, or to widen or enlarge any such Private Sewers as aforesaid, without the Consent of the Occupier or Occupiers thereof for that Purpose first had and obtained.

Dwelling House not to be entered for that Purpose without Consent.

LXI. And be it further enacted, That it shall not be lawful to or for any Person or Persons, except the said *Manchester* Commissioners, or other Person or Persons by their Authority, to make, complete, alter, or open any Private Sough, or to repair any Sough which shall communicate with any Public Sewer, in any of the Public Streets, Highways, or Places within the said Town of *Manchester*, without giving to the said *Manchester* Commissioners Three Days previous Notice in Writing of the Intention so to do; and when any such Sough shall be so made or opened, the same shall be formed, completed, and repaired according to general Rules and Regulations to be made by the said Commissioners for that Purpose; and the Bottoms of such Soughs shall in all Cases be well and sufficiently made and laid with Bricks, Flags, or Stones; and if any Person shall make, complete, alter, open, or repair any such Private Sough, without giving such Notice as aforesaid, or shall not complete and repair the same according to the said general Rules and Regulations to be made as aforesaid, or shall neglect to make and lay the Bottom thereof with Bricks, Flags, or Stones as aforesaid, within a reasonable Time for such Purposes, every Person so offending shall forfeit and pay the Sum of Forty Shillings, and shall also be bound to complete and repair such Sough, and to make and lay the Bottom thereof in manner hereinbefore directed; and in case of neglecting so to do within Two Days after Notice in Writing for that Purpose from the Clerk or other Officer of the said Commissioners, the said Commissioners may cause the same to be done; and the Person or Persons so neglecting shall, upon Demand, pay to the said Commissioners, or the Person or Persons by them appointed in that Behalf, such Expence as shall be sustained and incurred therein; and in default of Payment the same shall be recovered in like Manner as the Penalties hereby imposed; and such Private Sough to be made by or at the Request of any Person or Persons other than the said *Manchester* Commissioners shall afterwards, at the Costs and Charges of such Person or Persons, be maintained, repaired, cleansed, and scoured by or under the Direction

No Private Sewer to be turned into Public Sewers without Notice to Commissioners.

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of the said Commissioners; such Costs and Charges to be recovered in the Manner before directed with respect to the Expences of making the said Soughs.

Commissioners may enter into Contracts.

LXII. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered from Time to Time to enter into any Contract or Contracts for doing any of the Works by the said first and third recited Acts and this Act authorized to be done, or for furnishing any Materials, Implements, Labour, or other necessary Matters and Things whatsoever, for the Performance thereof, or for any other of the Purposes of such Acts, or any of them, with any Person or Persons 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 every such Contract or Contracts so authorized to be made as aforesaid shall be reduced into Writing, and shall be under the Common Seal of the said Commissioners, and be signed by the Person or Persons contracting with them, and shall specify the several Works to be done, and the Prices to be paid for the same, and the Time or Times when the said Works are to be completed, together with the Penalties, if any, to be incurred in Cases of Non-performance of such Contracts respectively.

Composition for Breach of Contracts.

LXIII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to compound and agree with any Person or Persons who shall have entered into any Contract or Contracts with the said Commissioners, in pursuance or under the Authority of this Act, for any Penalty or Penalties contained in any such Contract or Contracts, or in any Bond or Bonds or other Security or Securities, for such Sum or Sums of Money or other Recompence as the said Commissioners shall think proper.

Commissioners exempted from personal Responsibility.

LXIV. 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 said *Manchester* Commissioners or any of them, shall extend to charge the Person or Persons of all or any of the said Commissioners executing any such Deed, Contract, Lease, or other Instrument, or the Heirs, Executors, or Administrators of the same Commissioners or any of them, or their own proper Lands and Tenements, Goods and Chattels, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in the same Deed, Contract, Lease, or other Instrument contained, on the Part of the same Commissioners 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 said Commissioners or any of them, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of such last mentioned Deed, Contract, Lease, or other Instrument, or the Covenants, Conditions, or Agreements therein contained; and also all the Costs, Charges, Damages, and Expences which the said Commissioners shall bear, pay, expend, or be put unto, or which shall be occasioned to them, for or by reason or means of any such Deed, Contract, Lease, or other Instrument, or the Covenants, Conditions, or

or Agreements therein contained, or any Action or Actions, Suit or Suits, to be brought or prosecuted by or against them or any of them thereupon, shall be respectively paid and discharged by and out of the Monies to be raised or to arise or be received by virtue of this Act.

LXV. And be it further enacted, That from and after the passing of this Act so much and such Part of the said first recited Act as relates to the contracting for, purchasing, hiring, building, or otherwise providing a House or Houses, Room or Rooms, or such other proper and convenient Place or Places as the said Commissioners should think proper, where the Business of the said Town might be transacted, where the Deputy Constable of the said Town should lodge, and where Military might be quartered, where the said Commissioners might meet, and where their Books, Papers, and Writings might be deposited, and to the surrendering, giving up, selling, or exchanging of the same, shall be and the same is hereby repealed.

Repeal of first recited Act as to providing Public Offices.

LXVI. And whereas the said Commissioners have erected a Town Hall in *Manchester* aforesaid, wherein to transact their Public Business, and for the better Accommodation thereof have purchased certain contiguous Buildings, and they at present hold by Lease a certain House also in *Manchester* now used as the Residence of the Deputy Constable of the same Town, and they have also purchased, or otherwise hold, certain Buildings and Lands for the Reception and Accommodation of the Carts, Fire Engines, and Horses, and also for the Deposit of the several other Properties, Matters, and Things of the said Town, by the said Commissioners provided and established; and on Part of the last-mentioned Lands the said Commissioners have also erected and fitted up certain Buildings as Guard Houses or Guard Rooms, with Stables and other Offices, for the Reception of Military within the said Town; and the said Commissioners have also built, or otherwise hold, certain Lock-up Houses in the said Town; be it therefore enacted, That it shall be lawful for the said Commissioners, from Time to Time and at all Times hereafter, in addition to the said Town Hall, and the said Guard Houses, Guard Rooms, Stables, Lock-up Houses, and all other the said present Buildings and Lands erected, built, purchased, held, or provided by the said Commissioners, in and for the said Town of *Manchester*, to provide and maintain any other fit and convenient Public Office or Offices within the said Town for holding the Meetings and transacting the Business of the said Commissioners, and for the holding of such other Public Meetings and transacting such other Public Business relating to the said Town as the said Commissioners shall from Time to Time direct or allow to be held or transacted therein, and also to provide and maintain a fit and convenient House for the Residence of the Deputy Constable of the said Town, and such and so many other Guard Houses or Guard Rooms, with Stables and other Offices, as the said Commissioners may think necessary for the general Reception and Accommodation of Military within the said Town; and further to provide and maintain such other Lock-up Houses, Watch-houses, or other Places of

Commissioners, having erected a Town Hall and other Buildings, empowered to maintain the same.

Security within the said Town, wherein may be lodged any Night-walkers, Felons, Malefactors, Vagrants, Beggars, and Disturbers of the Peace within the said Town, until they can be conveniently carried before some Justice of the Peace, to be examined and dealt with according to Law; and also to provide Lands 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 the said first and third recited Acts and this Act, or any of them, 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 Commissioners under the Authority of the said first and third recited Acts and this Act, or any of them; and for all or any of such Purposes, or other the Purposes of the same Acts or any of them, to purchase or hire any Lands, Messuages, or Buildings, or any Part of any Lands, Messuages, or Buildings, which shall by the said Commissioners 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 surrender, give up, sell, or exchange the same, as well as all or any of the said present Buildings and Lands erected, built, purchased, or provided by the said Commissioners, or now held by them, and to purchase or hire any other Lands, Messuages, or Buildings, or Parts of Messuages or Buildings, or Land or Ground whereon to erect any Building for the Purposes aforesaid; and the said Commissioners are hereby authorized and empowered to take and accept any Lease or Leases, Conveyance or Conveyances, Assignment or Assignments, of such Lands, Messuages, or Buildings, or Parts of Messuages or Buildings, Land or Ground, to them the said Commissioners and their Successors, for the Purposes aforesaid, and to make any Assignment or Assignments, Conveyance or Conveyances, of all or any of the said several Messuages or Buildings, or Parts of Messuages or Buildings, Land or Ground, that they may think proper to sell, give up, or exchange as aforesaid; and it shall be lawful for the said Commissioners from Time to Time to make and establish such Rules, Orders, and Provisions for the Use and Management of the said Town Hall and such Public Office or Offices, Deputy Constable's House, Guard Houses, Stables, Watch-houses, Lock-up Houses, or other Places of Security, 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 or Allowances to the Keeper or Keepers of the said Town Hall, Public Office or Offices, for his or their necessary Attendance and Trouble about the same, as shall from Time to Time appear expedient to the said Commissioners.

Teagles not to be hereafter erected higher than Walls of first or principal Story.

LXVII. And be it further enacted, That from and after the passing of this Act there shall not be erected on the Outside of any Warehouse or Building in any of the Streets, Ways, Lanes, Passages, or Public Places within the said Town, any Teagle, Crane, or other Machine or Instrument of that Description which shall be higher than the Walls of

of the first or principal Story of such Warehouse or Building; and the Occupier or Occupiers of any Warehouse or Building where such Teagle, Crane, or other Machine or Instrument shall be erected higher than as aforesaid, shall forfeit and pay any Sum not exceeding Five Pounds, and shall and he and they is and are hereby required, within Seven Days after Notice in Writing from the said Commissioners or their proper Officer for that Purpose, to take down and remove the same, and in case of Refusal or Neglect so to do shall forfeit and pay the Sum of Five Shillings, and the like Sum of Five Shillings for each and every Day the same may remain after the Expiration of the said Seven Days; and if any Person or Persons shall throw or cast any Goods, Wares, or Merchandize into any Street, Way, Lane, Passage, or Public Place within the said Town, for the Purpose of loading in or upon any Cart there, or in any other Manner, or for any Purpose whatever, from any Part of any Warehouse or other Building which may be higher than the first or principal Floor thereof, he, she, or they shall forfeit and pay for every such Offence any Sum not exceeding Twenty Shillings; and the Occupier or Occupiers of the Warehouse or other Building from whence the Goods, Wares, or Merchandize may be thrown as aforesaid shall also be liable to the like Penalty; provided that One Penalty only shall be levied and recovered for one and the same Offence.

LXVIII. And be it further enacted, That from and after the passing of this Act so much and such Part of the said first recited Act as relates to the setting on fire, or suffering to be set on fire, or taking fire, of any Chimney or Funnel for the conveying of Smoke, shall be and the same is hereby repealed; and thenceforth, if any Chimney or Chimnies, Funnel or Funnels, for the conveying of Smoke, within the said Town, shall at any Time or Times be suffered to be set on fire, or shall take fire, the Person or Persons occupying the House, Room, or Building to which the Chimney or Chimnies, Funnel or Funnels, suffered to be set on fire, or taking fire as aforesaid, shall belong, shall forfeit and pay any Sum not exceeding Twenty Shillings.

Penalty on Persons suffering Chimnies to take fire.

LXIX. And be it further enacted, That the burning of any Bricks or Tiles within the said Town of *Manchester*, in any Place there which may be nearer than Twenty Yards to any Street or other Public Place in the same Town, repaired by the Inhabitants at large thereof, shall be deemed and taken to be a common and public Nuisance.

Against burning Bricks or Tiles.

LXX. And be it further enacted, That if any Swine shall be permitted to stray or go at large within the said Town of *Manchester*, the Owner thereof shall forfeit and pay the Sum of Ten Shillings *per* Head; and it shall be lawful for any Officer to be appointed by the said Commissioners, or for any Constable, Beadle, or other Public Officer of the said Town, to seize any such Swine, and to drive the same to the Workhouse of the said Town of *Manchester*, or other Place to be for that Purpose appointed by the said Commissioners; and unless the said Penalty, together with the reasonable Expence of keeping such Swine, be paid within Fourteen Days next

For preventing Swine straying in the Streets.

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after the Time of seizing, every such Swine shall be forfeited for the Use of the Poor of the said Town of *Manchester*.

Provisions as to Nuisances, except burning Bricks, to extend to all Streets.

LXXI. And be it further enacted, That the several Provisions in the said first and third recited Acts and this Act contained respecting Nuisances in any Street, Highway, Footway, Passage, or Place within the said Town of *Manchester*, (except as to the Nuisance to arise from burning Bricks or Tiles,) shall extend to all such Streets, Highways, Footways, Passages, and Places, although the same shall not be repaired at the Expence of the Inhabitants at large of the said Town.

Commissioners may prosecute for Nuisances.

LXXII. And be it further enacted, That it shall and may be lawful to and for the said *Manchester* Commissioners to direct any Prosecution or Prosecutions at the Assizes or Quarter Sessions for the said County for any Public Nuisance whatsoever which shall be committed or suffered within the said Town of *Manchester*, or for or concerning any Resistance of or to the said Commissioners, or any of their Officers, Agents, or Servants, or of or to the Execution of any of the Powers and Authorities in the said first and third recited Acts and this Act or any of them contained, or of or to the Execution of any Order or Orders made or to be made in pursuance of such Powers or Authorities, and also to bring, prosecute, and defend any Action or Actions or other Legal Proceedings for or concerning the Protection of the said Commissioners, or their Committee or Committees, or any Person or Persons employed or acting in or relative to the Execution of such Powers and Authorities, and to direct and order the Expences of such Prosecutions, Actions, and Defences to be paid and borne by and out of the Monies to be received for the general Purposes of the said last mentioned Act.

For further preventing Nuisances.

LXXIII. And be it further enacted, That if any Person or Persons shall put or place any Flower Pot or other Matter or Thing on the Window Stones or other outside Part of any House or other Building in any of the Streets, Ways, Lanes, Passages, or Public Places within the said Town, so as to project over or upon any Footway, or beyond the Line of any such House or Building, or fix or put up any such Flower Pot or other Matter or Thing on any Window Stone or on the Outside of any Window without sufficiently guarding the same to prevent their being blown or thrown down; or shall in any of the said Streets, Ways, Lanes, Passages, or Public Places, sell or assist in selling by Auction or Public Sale any Goods, Wares, or Merchandize, or other Property or Effects whatsoever; or if any Chimney Sweeper or Chimney Sweepers shall throw any Soot or Dust in or into any of the said Streets, Ways, Lanes, Passages, or Public Places; or if any Person or Persons shall utter obscene or indecent Language in any of the Streets, Ways, Lanes, Passages, Squares, Markets, or other Places within the said Town, or post or distribute any indecent or obscene Hand Bill, Notice, or Placard within the said Town, or expose to Sale or gratuitously distribute any indecent or obscene Print or Pamphlet; or shall wilfully obstruct the free Passage of any Street, Footway, Causeway, Lane, Alley, Passage, Court, Square, or Place; each and every

every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

LXXIV. And be it further enacted, That from and after the passing of this Act if any Driver attending any Cart, Waggon, or other Carriage used for the Conveyance of Goods within and about the said Town of *Manchester*, and drawn by One Horse, or by Two Horses abreast, shall ride on the Shaft, or on any Part of any such Carriage other than on the Front thereof, or on a Box in front thereof to be for that Purpose provided, or shall so ride without having and at all Times using good and sufficient Reins to the Horse or Horses drawing the same; or if any such Driver as aforesaid, or the Driver of any Coal Cart, Waggon, or other Carriage of the like Description, having placed any such Carriage athwart or across any Street, Way, Lane, Passage, or Public Place within the said Town, shall allow the same to remain so placed for a longer Time than Ten Minutes for any Purpose whatsoever; every Person so offending shall for every such Offence forfeit and pay the Sum of Twenty Shillings; and the Owner of any such Cart, Waggon, or other Carriage, or the Person in whose Employ such Driver may be, shall also be liable to the like Penalty; provided that only One Penalty shall be levied for One and the same Offence.

Penalty on Drivers of Carts, &c. riding thereon, or obstructing the Way.

LXXV. And be it further enacted, That from and after the passing of this Act it shall not be lawful, within the said Town of *Manchester*, to use any Cart, Waggon, or other like Carriage, drawn by Two or more Horses, without having a Driver to each such Cart, Waggon, or Carriage; nor shall it be lawful to use more than Two of such Carriages drawn by One Horse, chained or otherwise connected together, nor to use Two of such Carriages drawn by One Horse each, connected as aforesaid, unless there be at least One Driver to every Two of such Carriages, nor unless in every Case where Two Carts, Waggons, or other such Carriages, drawn by One Horse each, are used, connected together, they be connected by means of a Chain, not exceeding Four Feet in Length, from each Side of the hindermost Part of the leading Cart, Waggon, or Carriage, to each Shaft of the hinder Cart, Waggon, or Carriage; and every Driver using any such Carts, Waggons, or other Carriages, contrary to the Provisions of this Act; shall for every such Offence forfeit and pay the Sum of Twenty Shillings; and the Owners of such Carts, Waggons, or Carriages, or the Person in whose Employ such Driver may be, shall also be liable to the like Penalty; provided that only One Penalty be levied for the same Offence.

Regulation as to Carts, Waggons, &c.

LXXVI. And be it further enacted, That it shall and may be lawful for the Officers to be for that Purpose appointed by the said Commissioners, and for all Churchwardens and Chapelwardens, Constables, and Beadles within and for the said Town, to patrol the Streets within the said Town on every *Sunday*, and to apprehend and secure, in the Place or Places of Security to be for such Purposes appointed by the said Commissioners, all disorderly Persons, Persons found loitering in Groups in the Streets to the Annoyance and Obstruction of Passengers, Persons playing at Pitch and Toss or any other Game

For better preventing Disturbance of Public Peace on Sundays.

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in the Streets or any other Public Places, Persons setting on Dogs to fight, or abetting and encouraging any Dog Fight, or by any Means disturbing the good Order and Public Peace of the said Town, and to conduct all such Persons, as soon as conveniently may be, before some Justice of the Peace for the said County of *Lancaster*; and it shall and may be lawful for such Justice to order any Person so brought before him, upon Proof of the Offence committed, to pay any Penalty not exceeding the Sum of Ten Shillings, as such Justice in his Discretion shall think fit, and upon Nonpayment thereof to commit such Person to the House of Correction for the County, Hundred, or Place, for any Time not exceeding Six Days, from whence such Person shall not be sooner liberated, except upon Payment of the Penalty ordered to be paid as aforesaid.

For securing
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Offenders.

LXXVII. And be it further enacted, That it shall and may be lawful for any of the said *Manchester* Commissioners, or their Collectors or other Officers respectively, and such Person or Persons 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 or Persons (being unknown to such Commissioners, Collectors, or other Officers,) who shall commit any Offence or Offences against the said first and third recited Acts or this Act, and take him, her, or them before any Justice or Justices of the Peace for the County or Place where the Offence or Offences shall be committed, or such Offender or Offenders shall be seized and apprehended; and such Justice and Justices shall and is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of the same Acts, or such of them as may respectively apply.

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LXXVIII. And be it further enacted, That it shall be lawful for any Person or Persons to be by the said Commissioners appointed for that Purpose to take Recognizance of Bail, or to accept such other temporary Security as the said Commissioners may approve of, from all or any Person or Persons who shall be apprehended in the Night-time, or during such Hours as Justices of the Peace may not be publicly sitting in the Execution of their Duties, upon any Charge or Offence under the said first and third recited Acts or this Act or any of them, not amounting to Felony; such Recognizance or Security to be conditioned for the Appearance of such Person or Persons before any Justice or Justices of the Peace for the said County, within such Time as may be therein stated, to answer for such Charge or Offence; and any Recognizance so to be taken as aforesaid shall be of equal Obligation to the Parties entering into the same, and liable to the like Proceedings, as if the same had been taken before any of His Majesty's Justices of the Peace; and if the Terms upon which any such Security may have been accepted as aforesaid be not complied with, the Matter or Thing which shall have been given in Security shall be forfeited for the Use of the said Commissioners; and all such Recognizances shall be taken without Fee or Reward.

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LXXIX. And whereas under and by virtue of the said third recited Act the said *Manchester* Commissioners, are amongst other Things, enabled to pay over to the Commissioners acting under an Act passed
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in the First and Second Years of the Reign of His present Majesty, intituled *An Act to improve Market Street in the Town of Manchester, in the County Palatine of Lancaster, and the Approaches thereto; and to amend an Act for building a Bridge across the River Irwell, from Water Street in the Township of Salford to Saint Mary's Gate in the Township of Manchester*, any such Sum and Sums of Money as the said *Manchester* Commissioners should, on the Recommendation of the Improvement Committee, from Time to Time think necessary, towards the Liquidation of the Debt for the Time being due and charged and chargeable upon the Highway Rates for the said Town of *Manchester*, in respect of Improvements then already effected therein by the said Commissioners acting in execution of the said last mentioned Act, the Amount thereof being limited as in the said third recited Act is mentioned; provided that such Sum and Sums of Money to be paid as last aforesaid should from Time to Time be applied by the Commissioners acting under the said Act of the First and Second Years of the Reign of His present Majesty, so and in such Manner as that the Ley Payers of the said Town of *Manchester* should, in proportion to the Amount thereof, be relieved from the Payment of the Highway Rates within the said Town for the then current or next succeeding Year: And whereas it is expedient to declare under what Circumstances, to what Limit, at what Times, and through what Forms, the said *Manchester* Commissioners may pay over Money to the said Commissioners acting in execution of the said Act of the First and Second Years of the Reign of His present Majesty, for the Purposes last aforesaid; be it therefore enacted, That from and after the passing of this Act, if the said *Manchester* Commissioners, acting upon the Recommendation of the said Improvement Committee, by reason of the Occurrence of severe, extraordinary, and general Commercial Pressure and Distress, shall deem it expedient to order an Appropriation to be made towards the Liquidation of the said Debt, and for the temporary Relief of the said Ley Payers, out of the Money to be by the said *Manchester* Commissioners received under the Authority of the said third recited Act and this Act, it shall and may be lawful for the said *Manchester* Commissioners, at any Annual Meeting, to order such Appropriation, to any Extent not exceeding in any One Year One Moiety or equal Half Part of the average Amount *per Annum* which for the Three Years next preceding such Annual Meeting shall have been actually paid over by the said Directors of the Gas Works of *Manchester* to the said *Manchester* Commissioners or their Treasurer, pursuant to the said third recited Act and this Act; and if such Commercial Pressure and Distress shall unexpectedly continue, so as to require further Relief, they may, in their Discretion, either at the next or any future Annual Meeting, order a further Appropriation out of the same Monies to any Extent not exceeding in any One Year One Moiety or equal Half Part of the average Amount *per Annum* which for the Three Years next preceding the Annual Meeting at which such further Appropriation shall be made shall have been actually paid over by the said Directors to the said *Manchester* Commissioners or their Treasurer as aforesaid; or the said *Manchester* Commissioners, in the event of the Continuance of such Distress as last aforesaid, may at any such Annual Meeting order such Appropriation of any Sum

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of Money not exceeding in any One Year the entire average Amount *per Annum* of the said Monies which may have been paid over for the Three Years next preceding such Annual Meeting; provided that in the latter Case no further or other such Appropriation shall in any event be made earlier than the Annual Meeting of the said Commissioners which shall be held next but one following; and provided also, that in the event of any such Appropriation towards the Relief of the said Debt on the Highway Rates aforesaid, the Ley Payers in the said Town of *Manchester* shall, in proportion to the Amount thereof, be relieved from the Payment of the Highway Rates within the said Town for the then current or next succeeding Year; and the Meeting to be from Year to Year held by the said *Manchester* Commissioners on the First *Friday* in the Month of *November*, for the Election of Ten Gas Directors and Ten Members of the said Improvement Committee, and no other, shall be deemed and taken to be the Annual Meeting at which any such Appropriation as aforesaid shall be ordered.

Such Payment not to be made unless confirmed at a Second Meeting of *Manchester* Commissioners.

LXXX. Provided always, and be it further enacted, That no Appropriation which may be ordered as aforesaid shall be made unless the same be approved of and confirmed by the said *Manchester* Commissioners at a Second Meeting to be by them held not earlier than One Calendar Month nor later than Two Calendar Months from the Annual Meeting at which such Order shall have been made, nor unless the Extent and Particulars of such Appropriation shall have been fully published, as well in the Notices of the Meeting at which such Order may be made as of the Meeting at which the same may be to be confirmed.

The Money paid over by Gas Directors to *Manchester* Commissioners to be applied in Improvements, subject to contingent Payment to Market Street Commissioners.

LXXXI. And be it further enacted, That subject to the contingent Appropriation towards the said Debt on the Highway Rates herein provided for, which when the same takes place shall always be considered as being to be paid out of the Money which from and after the passing of this Act may be by the said Directors from Time to Time paid over to the said *Manchester* Commissioners or their Treasurer, pursuant to the said third recited Act and this Act, the whole of the said Money to be paid over as last mentioned shall, notwithstanding any thing in such Acts or either of them contained to the contrary, be by the said *Manchester* Commissioners applied in and towards the Improvement of the said Town of *Manchester*, in the Manner in this Act expressed and contained, and, except as to the Improvements specified in the Schedule to this Act annexed, shall be subject to the Restrictions in the said third recited Act contained, where the estimated Cost of any Improvement will exceed Three hundred Pounds.

Authority to purchase Pay Bridges on the Approaches to the Town;

LXXXII. And be it further enacted, That it shall and may be lawful for the said Improvement Committee to contract for the Purchase, or to co-operate with any Public Body or any Person or Persons in contracting for the Purchase, of a Right for the Public to pass Toll-free over all or any of the present Pay Bridges at or on the Approaches to the said Town of *Manchester*; and with an ultimate View to such Purchase, in the meantime to buy, and in like Manner to co-operate

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in buying, any Share or Shares in such Bridges which may be offered for Sale; and it shall also be lawful for the said Improvement Committee to contribute with any other Public Body, or any Person or Persons, in or towards Improvements in Townships contiguous to the said Town of *Manchester* whereby the same Town will be benefited; and the said *Manchester* Commissioners shall also pay for any such Improvements as last aforesaid out of the said Monies hereby provided for the Improvement of the said Town; subject nevertheless to the Restrictions aforesaid, when the Amount of any of the said last-mentioned Improvements may exceed Three hundred Pounds.

and to contribute to Improvements in contiguous Places.

LXXXIII. And be it further enacted, That it shall be lawful for the Improvement Committee by virtue of the said third recited Act appointed, and to be appointed from and out of the said *Manchester* Commissioners, and for the Time being acting, to contract and agree with any Body or Bodies Politic or Corporate, Collegiate or Ecclesiastical, Corporations Aggregate or Sole, Tenant or Tenants in Fee Simple or for Life or Years, or in Fee Tail General or Special, or with any Feoffees in Trust for Charitable or other Purposes, Husbands, Testamentary or other Guardians, Committees for Idiots or Lunatics, Executors or Administrators, or other Trustees whomsoever, not only for and on Behalf of themselves and their respective Heirs, Executors, Administrators, and Successors, but also for and on Behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Idiots, Lunatics, 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, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments situate within the said Town, or of any Part or Parts of such said several Premises, or of any Estate, Right, or Interest therein, for the absolute Purchase of such several Premises or any of them, or any Part or Parts thereof, or of any Estate, Right, or Interest therein, which the said Improvement Committee shall consider proper and necessary to be purchased, for widening, opening, altering, or improving any of the Streets, Squares, Lanes, Alleys, Passages, and Places within the said Town of *Manchester*, or 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 to take down or alter all or any of such Messuages, Houses, Buildings, Walls, Tenements, and Hereditaments so to be purchased, or any Part or Parts of the same respectively, and also to appropriate all or any Part thereof, or of the Land or Ground which shall be cleared by the taking down of any such Messuages, Houses, Buildings, or Walls, for all or any of the Purposes aforesaid, as the said Improvement Committee shall think fit.

General Authority to purchase Land and Buildings for Improvements.

LXXXIV. Provided always, and be it further enacted, That it shall not be lawful for the said Improvement Committee to take or make use of any Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, for the Purposes of this Act, without the Consent in Writing of the Owners thereof, except such as are mentioned in the Schedule annexed to this Act, and except in such Cases where any

No Houses, &c. to be taken without Consent but those mentioned in the Schedule.

Houses or Buildings shall by the Owner or Owners thereof be taken down, wholly or in part, for the Purpose of being rebuilt or new fronted, or shall be burnt down; and Compensation shall be directed to be made to the Owners or Proprietors thereof, who shall be required by the said Commissioners to rebuild the same in such Manner as shall be an Improvement to the said Town, according to the Provisions hereinbefore contained.

Errors in Schedule not to prevent Execution of the Act.

LXXXV. And be it further enacted, That if any of the Houses, Buildings, Lands, Tenements, or Hereditaments which are mentioned or described in the Schedule to this Act annexed, or any of the Owners thereof, or of the Persons in whose Occupation or Possession the same or any Part thereof are or is stated or described to be, shall happen to be misnamed or inaccurately described, such Misnomer or inaccurate Description shall not prevent or retard the Execution of this Act, but the same Premises and every Part thereof shall and may be purchased and conveyed, disposed of and applied, to and for the Purposes of this Act, as fully and effectually as if the same were more properly named and described in the said Schedule; provided it shall appear to any Two Justices of the Peace for the County wherein the same Houses, Buildings, Lands, Tenements, or Hereditaments are situate, and be certified by Writing under their Hands, that such Omission, Misnomer, or inaccurate Description proceeded from Mistake only, or that the real Owners or Occupiers of such Houses, Buildings, Lands, Tenements, or Hereditaments had previous Notice that the same respectively would be wanted for the Purposes of this Act.

Purchase of Houses, &c. in Schedule to be made within Five Years.

LXXXVI. Provided always, and be it further enacted, That if the said Improvement Committee shall not within the Space of Five Years next after the passing of this Act agree for, or cause to be valued and paid for, in manner directed by this Act, the several Lands, Houses, Buildings, and other Premises mentioned in the Schedule to this Act annexed, or so much thereof as they shall deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers hereby given to them for that Purpose shall cease, determine, and be utterly void, except with the Consent of the Owners and Occupiers thereof respectively.

Commissioners may purchase Part of Properties only, unless required by Owners to purchase all.

LXXXVII. Provided also, and be it further enacted, That in every Case of any Messuage, House, Building, Wall, Land, Tenement, or Hereditament, with the Appurtenances thereto belonging, wherein it shall be found that Part only of such Property will be required for the Purposes of this Act, it shall be lawful for the said Improvement Committee to purchase such Part only of the said Premises respectively as shall be proper and necessary for such Purposes; but in case the Owner or Owners of such Property (either having an absolute Interest, or having an Interest in Trust for others as aforesaid,) shall be desirous of disposing of the whole thereof, then the said Improvement Committee shall and they are hereby directed and required to purchase the whole thereof accordingly; and the said Commissioners shall and they are hereby authorized and required, from and out of the Money hereby provided for the Improvement of
the

the said Town of *Manchester*, to pay the Money which the said Improvement Committee may have contracted or agreed to pay for the same to the Person or Persons entitled thereto, or into the Bank of *England*, in the Manner herein-after directed, for the Use of the same Person or Persons; and upon such Payment all the Estate, Use, Trust, and Interest of any Person or Persons in the purchased Premises shall thenceforth vest in the said Commissioners for the Use and Purposes of this Act.

LXXXVIII. And be it further enacted, That all Conveyances and Assurances of any Houses, Buildings, Lands, Tenements, Rents, or Hereditaments, or any Estate or Interest therein, to be purchased by the said Improvement Committee under or by virtue of this Act, shall be made to the said Commissioners in the Form or to the Effect following; (that is to say,) Form of
Conveyance.

‘ I , in consideration of the Sum of
 ‘ to me paid by the Commissioners acting
 ‘ in execution of 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*]; dō hereby grant and convey to the said Com-
 ‘ missioners all [*here describe the Premises to be conveyed*], and all
 ‘ my Estate, Right, Title, Term, and Interest to and in the same and
 ‘ every Part thereof; to hold to the said Commissioners and their
 ‘ Successors from henceforth for ever. In witness whereof I have
 ‘ hereunto set my Hand and Seal, this Day
 ‘ of in the Year of our Lord .’

And every such Conveyance, Assignment, and Assurance so made shall be good, valid, and effectual to all Intents and Purposes whatsoever; any Law, Statute, Usage, or Custom to the contrary thereof notwithstanding.

LXXXIX. And be it further enacted, That all and every Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, who shall have any Mortgage or Mortgages 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 said Commissioners or their Clerk, immediately convey, assign, and transfer such Mortgage or Mortgages to the said Commissioners, or to such Person or Persons as they shall appoint; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Commissioners or their Clerk that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage or Mortgages at the End or Expiration of Six Calendar Months, then, on Payment of the Principal and Interest so due on such Mortgage or Mortgages, such Mortgagee or Mortgagees shall convey, assign, and transfer the said Mortgage or Mortgages, and his, her, or their Interest in the Premises, to the said Commissioners, or to such Person or Persons as they shall appoint, in Trust for them; but in case such Mortgagee or Mortgagees shall refuse to
[Local.] 1° U convey Provisions
relative to
Mortgagees.

convey or assign, on such Tender or Payment as aforesaid, then all Interest on every such Mortgage shall, from the Time of such Tender or Expiration of such Notice, cease and determine: Provided always, that in case the Sum due upon every such Mortgage or Mortgages, with all Interest due thereon, shall amount to more than the real Value of such Messuages, Buildings, Lands, Tenements, or Hereditaments, or the Part or Parts thereof which shall be taken for the Purposes of this Act, then the said Commissioners shall not be liable to pay the Mortgagee or Mortgagees any more than the real Value of such Premises; which Value, in case the Parties cannot agree upon the same, shall be ascertained and settled by a Jury, in like Manner as the Value of other Lands or Hereditaments wanted for the Purposes of this Act is hereinafter directed to be ascertained and settled.

Corporate
Bodies em-
powered to
sell.

XC. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, Tenants in Fee Simple or for Life or for Years, or in Fee Tail, General or Special, and all Feoffees in Trust for Charitable and other Purposes, Husbands, Guardians, Committees for Lunatics and Idiots, Executors and Administrators, and other Trustees and Persons whomsoever, not only for and on Behalf of themselves and their respective Heirs, Executors, Administrators, and Successors, but also for and on Behalf of their respective Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, 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 or possessed of or interested in any Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments, or entitled to any Estate, Right, Title, Lien, Charge, or Interest whatsoever in or to any Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments situated within the said Town, whether the same shall be specified in the Schedule to this Act annexed or not, which the said Improvement Committee shall consider proper and necessary to be purchased for the Purposes of this Act, to contract and agree with the said Improvement Committee for a Lease or Leases or for the absolute Sale thereof or of any Part or Parts thereof, and of all and every Estates, Rights, Titles, Terms, and Interests whatsoever of, in, and to the same, unto the said Commissioners for the Purposes of this Act, and to demise, convey, and assign the same respectively unto the said Commissioners; and all such Contracts, Leases, Assignments, Bargains, Sales, Conveyances, and other Assurances shall, without any Fine, Recovery, or other Assurance in the Law whatsoever, and without Enrolment 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, Trust, Use, Property, Possession, Claim, and Demand whatsoever of their several 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;

Estates; and the same shall be deemed and considered to bar all Dower of the Wife or Wives of such Party or Parties, and all Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, and of the Issue and Issues of the same Party or Parties 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.

XCI. Provided always, and be it further enacted, That if any such Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, Tenants in Fee Simple or for Life or for Years, or in Fee Tail, General or Special, Feoffees, Husbands, Guardians, Committees, Executors, or Administrators, Trustees and other Person or Persons whomsoever in anywise interested in such Messuages, Buildings, Lands, Tenements, or Hereditaments required to be purchased and taken for the Purposes of this Act, and in the Schedule to this Act particularly mentioned and described, or any Occupier or Occupiers thereof sustaining any Loss, Injury, or Damage, (upon Notice to him, her, or them given, or left in Writing at the Dwelling House or Houses or usual or last Place or Places of Abode of the principal or head Officer or Officers of such Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporations, Tenants in Fee Simple, or for Life or for Years, or in Fee Tail, General or Special, Feoffees, Husbands, Guardians, Committees, Executors or Administrators, Trustees and other Person or Persons, or at the House of the Tenant or Tenants in Possession of such Messuages, Buildings, Lands, Tenements, or Hereditaments intended to be purchased and taken for the Purposes of this Act,) shall, for the Space of Fourteen Days next after such Notice given or left as aforesaid, neglect or refuse to treat and agree or shall not agree for the Sale of the said Premises, or by reason of Absence or Disability shall be prevented from treating and agreeing, or cannot be found or known, or shall not produce a clear Title to the Hereditaments they are in Possession of, or the Interest they claim therein, to the Satisfaction of the said Commissioners, then and in every such Case the said Commissioners shall cause the Value and Recompence to be made for such Messuages, Buildings, Lands, Tenements, or Hereditaments to be inquired into and ascertained by a Jury of Twelve indifferent Men of the County wherein the same Messuages, Buildings, Lands, Tenements, or Hereditaments shall be situate; and for the summoning and returning such Jury the said Commissioners are hereby empowered from Time to Time to issue out their Warrant or Warrants to the Sheriff of the said County, thereby commanding and requiring him to impanel, summon, and return an indifferent Jury of Twenty-four Persons qualified to serve upon Juries at the Sessions of the same County, and who are respectively seised and possessed of Freehold, Copyhold, or Leasehold Estates within the said County of the annual Value of Fifty Pounds, to appear before the said Sheriff at such Time and Place as in such Warrant or Warrants shall be appointed; and the said Sheriff is hereby required to impanel, summon, and return such Number accordingly to attend at the Time and Place so appointed, and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Sheriff is hereby empowered

On Persons refusing to treat or to sell, a Jury to be summoned to assess the Value.

empowered to swear Twelve to be a Jury for the Purposes aforesaid ; and in default of a sufficient Number of Jurymen, the said Sheriff shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, to the Number of Twelve ; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array ; and the said Sheriff is hereby also required and empowered, from Time to Time as Occasion shall be and require, to summon and call before the said Jury and examine upon Oath (which Oath the said Sheriff or his Under Sheriff is hereby empowered to administer) all and every Persons and Person who shall be thought necessary and proper to be examined as Witnesses or Witness touching or concerning the Premises ; and the said Sheriff shall also order and cause the said Jury to view the Places in question, if there be Occasion, and use all lawful Ways and Means, as well for his own as for the said Jury's better Information in the Premises, as the said Sheriff shall think fit ; and the said Jury shall assess the Damages and Recompence to be given for the said Messuages, Buildings, Lands, Tenements, or Hereditaments, to the respective Owner or Owners thereof, according to their respective Interests therein, and shall give in their Verdict thereupon ; and after the said Jury shall have inquired of and assessed such Damage and Recompence, and given in their Verdict, the said Sheriff shall thereupon order, adjudge, and determine the Sum or Sums of Money so assessed by the said Jury to be paid to the Person or Persons interested in the said Messuages, Buildings, Lands, Tenements, or Hereditaments, according to such Verdict or Inquisition of the said Jury.

Verdict of
the Jury to
be final.

XCII. And be it further enacted, That such Verdict or Inquisition of the said Jury, and the Judgment, Order, or Determination thereupon, so had and made, shall be final, binding, and conclusive to all Intents and Purposes against all Tenants in Fee Simple or for Life or for Years, Tenants in Tail, and all Infants, Issue unborn, Idiots, Lunatics, Femes Covert, Bodies Politic or Corporate, Corporations Aggregate or Sole, Trustees, Feoffees, Guardians, Committees, as well absent as present, claiming in Possession, Reversion, Remainder, or Expectancy, or otherwise, and against their several and respective Heirs, Successors, Executors, and Administrators, and against all other Person and Persons whomsoever ; and all and every such Owners and other Persons in anywise interested in such Messuages, Buildings, Lands, Tenements, or Hereditaments shall thereby be from thenceforth to all Intents and Purposes divested of all Right, Title, Claim, Remainder, Reversion, Interest, or Property of, in, to, or out of the same, and on Payment of the Money so assessed to the respective Persons entitled thereto, or their Agents, or upon paying the same into the Bank of *England* in manner by this Act directed ; and after such Payment it shall be lawful for the said Sheriff to cause the Premises in respect whereof such Money shall be assessed to be disposed of, and such Acts to be done thereto as if the Purchase thereof had been agreed upon or completed, and the said respective Premises were untenanted, and the Purchase or Consideration Money had been received by the Person or Persons entitled thereto ; and

thereupon the Premises shall absolutely vest in the said Commissioners, and they shall be and be deemed to be in the actual Seisin and Possession thereof to all Intents and Purposes whatsoever; and every Verdict, and Judgment thereupon as aforesaid, shall be transmitted to and fairly entered and kept amongst the Records of the Quarter Sessions of the Peace for the County wherein the same Messuages, Buildings, Lands, Tenements, or Hereditaments shall be situate, and a Duplicate of such Verdict or Judgment shall be kept by the Clerk to the said Commissioners for the Time being, and the same, or true Copies thereof, shall be admitted, received, and taken as Evidence and Proof in all Courts of Law and Equity in all Places whatsoever; and all Persons shall have recourse to them *gratis*, and may have Copies thereof, paying Sixpence for every One hundred Words, and so in proportion for any less Number of Words; and the said Sheriff acting in the Premises shall have Power from Time to Time to impose any reasonable Fine or Fines on any of the Persons who shall be summoned and returned on such Jury and shall not appear, without some sufficient Cause, or who shall refuse to be sworn on such Jury, or being so sworn shall refuse to give or shall not join in giving his Verdict, or shall in any other Manner wilfully neglect his Duty therein, contrary to the true Intent and Meaning of this Act, and on any Person or Persons who being summoned to give Evidence before the said Jury touching the Premises shall refuse or neglect to appear, after having been paid or tendered a reasonable Sum for his, her, or their Costs, Charges, and Expences, without some sufficient Excuse, or appearing shall refuse to be sworn or give Evidence, so as such Fine to be imposed on any Juryman or Witness shall not exceed the Sum of Ten Pounds for any One Offence.

XCIII. And be it further enacted, That in every Case where a Verdict shall be given by any such Jury for more Money than shall have been previously offered by the said Improvement Committee for or on Behalf of the said Commissioners as a Recompence or Satisfaction for any such Messuages, Buildings, Lands, Tenements, or Hereditaments as aforesaid, or for any such Estate, Right, or Interest therein, or for any Damages that may have been sustained by any Person or Persons as aforesaid, and in any Case where any Person or Persons, Party or Parties, shall have been prevented by Absence from *Great Britain* from entering into Treaty with the said Improvement Committee, all the Costs and Charges incurred in summoning, impanneling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, shall be borne by the said Commissioners out of the Monies hereby provided for the Improvement of the said Town; and in case such Costs and Expences shall not be paid to the Party or Parties entitled to receive the same within Ten Days next after Demand made thereof from the said Commissioners, then the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels vested in the said Commissioners, or any Goods or Chattels of the Treasurer or Treasurers of the said Commissioners, (unless such Treasurer or Treasurers shall pay such Costs and Charges, which he is hereby authorized to do,) under a Warrant to be issued

By whom
Jury shall
be paid.

[Local.]

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for

for that Purpose by any Justice of the Peace for the said County Palatine of *Lancaster*; which Warrant such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for that Purpose by the Party or Parties entitled to receive such Costs and Expences; and in every Case where a Verdict shall be given by any such Jury for no more or for less Money than shall have been previously offered on Behalf of the said Commissioners as such Recompence or Satisfaction as aforesaid, all the Costs and Charges incurred as aforesaid shall be borne in equal Proportions by the Party or Parties refusing or neglecting to treat or agree as before mentioned, and by the said Commissioners; and in all Cases where any Difference shall arise touching the Amount of the said Costs and Charges, the same shall be settled and ascertained by any Justice of the Peace for the said County Palatine of *Lancaster* not interested in the Matter in question, who is hereby authorized and required to examine into and settle the same, and to appoint a Time and Place for Payment thereof; and where the Costs shall be payable by the Party or Parties having had any such Disagreement or Dispute with the said Commissioners as aforesaid, the Amount thereof, having been first paid by the said Commissioners, may be deducted by them out of the Monies awarded to be paid to such Party or Parties as so much Money advanced for his, her, or their Use; and the Payment or Tender of the Balance of such Money shall be deemed and taken, to all Intents and Purposes whatsoever, to be a Payment or Tender of the whole Money awarded and adjudged to such Party or Parties; or otherwise, if such Costs and Charges be not paid upon Demand, after being so ascertained as aforesaid, the same may be recovered by the said Commissioners from the Party or Parties liable to the Payment thereof by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Common Pleas of the County Palatine of *Lancaster*, together with full Costs of Suit.

Lessees and Tenants for Years or at Will to deliver Possession on Six Months Notice.

XCIV. And be it further enacted, That every Lessee or Tenant for Years, or from Year to Year, or at Will, Mortgagee, and every other Person in Possession of any Messuages, Buildings, Lands, Tenements, or other Hereditaments which shall be purchased or taken by virtue and for the Purposes of this Act, shall deliver up the Possession of such Premises to the said Commissioners, or to such Person or Persons as they the said Commissioners shall appoint to take Possession of the same, upon having Six Calendar Months Notice from the said Commissioners or their Clerk to quit the same at such Time or Times as shall be required by such Notice, they the said Commissioners making such Satisfaction and Compensation to any such Tenant or Lessee or other Person as aforesaid (except a Mortgagee), in case he, she, or they shall be required to quit before the Expiration of his, her, or their Term or Interest in the Premises, as the said Commissioners shall deem just and reasonable; and in case any Dispute or Difference shall arise touching or concerning the same, such Satisfaction and Compensation shall be ascertained and settled by a Jury in such and the like Manner as the Satisfaction and Compensation to be made by the said Commissioners for the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments is and

are

are herein directed to be ascertained and settled in case of any Dispute or Difference about the same; and such Lessee, Tenant, or other Person aforesaid in Possession, shall, at such Time or Times as he, she, or they shall be required by the said Commissioners, peaceably and quietly deliver up the Possession of the said Premises to the said Commissioners, or to the Person or Persons authorized by them to take Possession thereof; and if any such Lessee, Tenant, or other Person aforesaid, so in Possession as aforesaid, shall refuse or neglect to deliver up such Possession, then and in every such Case it shall be lawful for the said Commissioners to issue their Precept or Precepts to the said Sheriff to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs and Charges as shall accrue from the issuing or Execution of such Precept or Precepts on the Person or Persons so refusing to deliver up Possession as aforesaid, by Distress and Sale of his, her, or their Goods and Chattels.

XCV. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or assessed by such Juries in manner aforesaid, for the Purchase of any such Houses, Buildings, Lands, Tenements, or other Hereditaments, or as a Compensation for Damages, as herein mentioned, to the Proprietor or Proprietors of such Houses, Buildings, Lands, Tenements, or other Hereditaments, or to such other Person as shall be interested therein or entitled to receive such Money or Compensation respectively, within One Calendar Month next after the same shall be so agreed for or assessed, or upon Payment of the said Sum or Sums of Money within the said One Calendar Month into the Bank of *England*, as hereinafter directed and required, for the Use of the Person or Persons entitled thereto, it shall be lawful for the said Commissioners, and their Agents, Workmen, and Servants, to enter upon such Houses, Buildings, Lands, Tenements, and other Hereditaments respectively, and then and thereupon such Houses, Buildings, Lands, Tenements, and other Hereditaments, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall thenceforth be vested in and become the sole Property of the said Commissioners, as Freehold of Inheritance, to and for the Purposes of this Act for ever; and such Payment shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail and other Estates in Reversion and Remainder of his or their Issue, and of every other Person whomsoever therein: Provided nevertheless, that in case any Person or Persons shall enter upon any such Premises for any of the Purposes of this Act, before such Payment or Deposit into the Bank of *England* as aforesaid shall have been made, every Person or Persons so offending shall forfeit and pay the Sum of Ten Pounds for every Day he, she, or they shall remain on the said Premises.

Commissioners may take Possession on Payment of Purchase Money.

XCVI. And

Power to sell
Messuages,
&c. not
wanted for
the Purposes
of this Act.

XCVI. And whereas some Part or Parts of the said Houses, Buildings, Lands, Tenements, or Hereditaments to be purchased, taken, or used as aforesaid may happen to be more than will be necessary for the Purposes of this Act; be it therefore enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to sell or dispose of and to convey, or cause to be sold or disposed of and conveyed, such Part or Parts of the said Houses, Buildings, Lands, Tenements, or Hereditaments to be vested in them by virtue or in pursuance of this Act, to any Person or Persons willing to contract, agree for, or purchase the same; and the Money arising therefrom shall be paid and applied for the Purposes of improving the said Town of *Manchester* as aforesaid.

First Offer
to be made
to the Person
from whom
the same
shall have
been pur-
chased.

XCVII. Provided always, and be it further enacted, That in case the said Commissioners shall think proper to sell or dispose of all or any of the same Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part or Parts thereof as may not be necessary to be made use of for the Purposes of this Act, they shall first offer the same (except any Space of Land which may be wanted for widening the Streets or Highways in the said Town) for Sale to the Person or Persons from whom the same shall have been purchased, or who shall have given or conveyed the same unto the said Commissioners; and if such Person or Persons shall then and thereupon refuse or shall not agree (except with respect to or on account of the Price thereof) to purchase the same respectively, on an Affidavit being made and sworn before a Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the said County Palatine of *Lancaster*, by some Person or Persons no way interested in the said Houses, Buildings, Lands, Tenements, or Hereditaments, stating that such Offer was made by or on Behalf of the said Commissioners, and that such Offer was then and there refused or not agreed to by the Person or Persons to whom the same was made, such Affidavit shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made and was refused or not agreed to by the Person or Persons to whom such Offer was made (as the Case may be); and in case such Person or Persons shall be desirous of purchasing such Houses, Buildings, Lands, Tenements, or Hereditaments, and he, she, or they and the said Commissioners shall differ or not agree with respect to the Price thereof, then the Price or Prices thereof shall be settled and ascertained by a Jury in such and the like Manner as any Sum or Sums of Money to be paid by the said Commissioners for the Purchase of any Houses, Buildings, Lands, Tenements, and Hereditaments is and are hereinbefore directed to be paid, to be settled and ascertained, in case of any Difference or Dispute about the same, and the same shall be recovered, levied, and applied in such and the like Manner, and the Costs and Expences of hearing and determining such Differences shall be borne and paid in like Manner, as hereinbefore directed, *mutatis mutandis*; and all the Money to arise by such Sale shall be applied for the Purposes of improving the said Town of *Manchester* as aforesaid, but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Nonapplication of such Purchase Money.

XCVIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments to be purchased, taken, or used by virtue of the Powers of this Act for the Purposes of this Act, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, as hereinbefore is mentioned, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privy of the Accountant General of His Majesty's Court of Exchequer at *Westminster*, to be placed to his Account there *ex parte* the Commissioners for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty, intituled *An Act for the better securing Monies 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 or Persons who would have been entitled to the Rents and Profits of the said Houses, Buildings, Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances; or Part thereof, as the said Court shall authorize to be paid, affecting the same Houses, Buildings, Lands, Tenements, or Hereditaments, or affecting other Houses, Buildings, Lands, Tenements, or Hereditaments standing 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 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 Houses, Buildings, Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making the 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 of Exchequer upon Application 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 such 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 or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements, and Heredita-

[*Local.*]

12 Y

ments

Application of Compensation Money if amounting to 200*l.*

1 G. 4. c. 35.

ments so hereby directed to be purchased, in case such Purchase or Settlement were made.

When less than 200*l.* and exceeding 20*l.*

XCIX. And be it further enacted, That if any Money so agreed or awarded to be paid for any Houses, Buildings, Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes of this Act, and belonging to any Corporation, or to any Person or Persons 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 or Persons for the Time being entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case 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 manner hereinbefore directed; or otherwise the same may be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Nine or more of the said Commissioners, (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 arising thereon may be applied in the Manner hereinbefore 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 Money not exceeding 20*l.*

C. And be it further enacted, That when such Money so agreed or awarded to be paid as aforesaid shall not exceed Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners shall think fit; or in case of Infancy, Idiocy, Lunacy, or other Incapacity, then the same shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Purchase Money may be paid into the Bank of England in certain Cases.

CI. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments to be purchased by virtue of this Act, or of any Estate or Interest therein, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, or in case such Person or Persons to whom such Sum or Sums of Money shall be awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Commissioners to
order

order the said Sum or Sums of Money so awarded as aforesaid 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, to be placed to his Account to the Credit of the Parties interested in the said Houses, Buildings, Lands, Tenements, or Hereditaments, (describing them,) subject to the Order, Controul, or Disposition of the said Court of Exchequer; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying therein for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

CII. 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 Houses, Buildings, Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Houses, Buildings, Lands, Tenements, or Hereditaments 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, the Person or Persons who shall have been in Possession of such Houses, Buildings, Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn 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 such Bank Annuities or Government or Real Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Persons in Possession deemed entitled to Purchase Money.

CIII. And be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Houses, Buildings, Lands, Tenements, or Hereditaments,

In Cases of Disability, Money to be

paid into
the Bank of
England.

ments, or any Part Estate, Right, or Interest therein, to be purchased or taken 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 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 Purchases from Time to Time to be made in pursuance of this Act, 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 said Commissioners, who shall from Time to Time, out of the Money hereby provided for the Improvement of the said Town, pay such Sums of Money for such Purposes as the Court shall direct.

Provisions of
first recited
Act as to
Rates re-
pealed.

CIV. And be it further enacted, That from and after the passing of this Act the several Powers, Authorities, and Provisions of the said first recited Act, relative to the making of Assessments, the paying, raising, apportioning, and recovering of Rates, and the Exemptions and the Powers of relieving therefrom, as expressed and contained in the same Act, shall be and the same are hereby respectively repealed; subject and without Prejudice nevertheless to the Recovery of all and every the Rates due and owing upon any Assessment or Assessments which may have been made under or by virtue thereof, or which may be to be recovered in like Manner, previous to the passing of this Act.

General Au-
thority for
Commission-
ers to raise
Rates.

CV. And be it further enacted, That for the Purpose of maintaining the present Town Hall, Fire-engine Houses, Guard Houses, Guard Rooms, Stables, Offices, Lock-up Houses, Watch-houses, and other Buildings and Places, and the Watchboxes, Fire Engines, Carts, and all other the Properties, Matters, and Things of and belonging to the said *Manchester* Commissioners, and of erecting, making, and providing all such other Buildings, Places, Lands, Matters, and Things as they the said Commissioners are by the said first and third recited Acts and this Act authorized to erect, make, and provide, and for ever afterwards keeping the same respectively in good Repair and Condition, and for defraying the Expences of lighting, cleansing, and watching the said Town, and supporting the Police thereof, as by the said several Acts authorized, and all Costs, Charges, and Expences incident or relating thereto, and also for doing, performing, and executing all other Powers, Authorities, Acts, Matters, and Things by the said several last-mentioned Acts authorized to be done, performed, and executed by the said *Manchester* Commissioners, it shall be lawful for the said Commissioners, and they are hereby authorized, empowered, and required, when and so often and in such Manner as they shall think necessary and proper, from Time to Time to make, charge, and levy, or cause to be made, charged, and levied, a Rate or Rates, Assessment or Assessments, upon the Tenants or Occupiers of all Houses, Shops, Workshops, Warehouses, Factories, Manufactories, Mills, Foundries, Printworks, Dyeworks, Breweries, Timber Yards, Coal Yards, Stone Yards, Rope Walks, Wharfs, Cellars, Vaults, Coach-houses, Stables, Gardens, and other Buildings, Works, Establishments, Yards, Lands, Tenements, and
Here.

Hereditaments, now situate, standing, and being within the said Town of *Manchester*, or which shall hereafter be built, erected, made, or established therein, according to the annual Rent or Value of the same respectively, to be ascertained, settled, and fixed as the said Commissioners may from Time to Time determine; provided always, that the whole Rate or Rates to be made and raised by virtue of this Act for the Purposes aforesaid shall never in any One Year exceed the Sum of One Shilling and Sixpence in the Pound upon such Rent or Value; and the Money or Monies to be so rated or assessed on the said Tenants or Occupiers shall be by them paid to and levied and collected by the Collector or Collectors, or other Person or Persons appointed by the said Commissioners to collect the same, and shall when collected be paid to the Treasurer or Treasurers for the Time being of the said Commissioners, and shall be and the same is and are hereby vested in the said Commissioners.

CVI. And be it further enacted, That it shall be lawful for the said Commissioners, or any Person or Persons by them authorized, from Time to Time, to inspect all and every or any of the Poor's Rates for the said Town of *Manchester*, and the Assessments by which the same are regulated and made, and to take Copies of or Extracts therefrom respectively, and from Time to Time to adopt all or any Part or Parts of such Assessments as and for the Assessments or Parts of the Assessments under and for the Purposes of the said Three several last mentioned Acts; and the Overseer or Overseers or other Person or Persons having the Custody of the said Poor's Rates and Assessments respectively is and are hereby required to permit and suffer such Copies or Extracts to be made and taken without Fee or Reward, and on Refusal thereof he or they so refusing shall forfeit and pay for every Offence any Sum not exceeding Forty Shillings.

Commissioners may inspect Poor Rates.

CVII. Provided always, and be it further enacted, That no Rate or Assessment whatsoever shall be made in pursuance of this Act upon any Person or Persons for or in respect only of his, her, or their being the Tenant or Tenants, Occupier or Occupiers of any Dwelling House, Cottage, Cellar, or other Building or Place used as a Dwelling House, under the annual Rent or Value of Four Pounds Ten Shillings, such annual Rent or Value to be from Time to Time settled and ascertained by the said Commissioners, either according to the Amount of Rent actually paid by such Tenant or Tenants, Occupier or Occupiers, or in such other Manner as the said Commissioners may determine; nor shall any Person be charged or rated in or by any Rate or Assessment made in pursuance of this Act, for or in respect only of his or her being Tenant or Occupier of any Dwelling House, or other Building or Tenement in the said Town, situated at a Distance exceeding One hundred Yards from the nearest Lamp in any Street or Place therein which shall be lighted under and by virtue of the said several last mentioned Acts, such Distance to be calculated from the Approach or Entrance to such Dwelling House, Building, or Tenement, at the Point adjoining the Street or Place within or near which the same may be situate, and to be exclusive of the Space

Exemptions.

[*Local.*]

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between

between such Approach or Entrance and the same Dwelling House, Building, or Tenement; nor shall any Person be charged or rated as aforesaid for or on account of any Arable, Meadow, or Pasture Land within the said Town, or any Land, Yard, Barn, Stable, or Building used for the Purpose of Husbandry only, nor for or on account of any Church, Chapel, Meeting House, or other Place solely and exclusively appropriated and used for Public Worship, or any Almshouse, within the said Town, or the Workhouse thereof, nor for any Buildings or Parts of Buildings solely and exclusively appropriated, used, and occupied for the Purposes of Public Charity, or for the Public Encouragement or Promotion of Art, Science, or Education; and none of the Buildings, Lands, or Properties of the said *Manchester* Commissioners and Gas Directors, or of either of those Bodies, shall at any Time after the passing of this Act be charged or rated in or by any Rate or Assessment made for the Relief of the Poor of the said Town, or in or by any other Rate or Assessment of the Denomination usually called Parochial.

Exemption
of Estate be-
longing to
the Free
Grammar
School.
32G.2. c.61.

CVIII. Provided also, and be it further enacted, That such Parts of the Trust Estate vested in the Feoffees of the Free Grammar School of *Manchester* as are by an Act made in the Thirty-second Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for discharging the Inhabitants of the Town of Manchester in the County Palatine of Lancaster from the Custom of grinding their Corn and Grain, except Malt, at certain Water Corn Mills in the said Town called 'The School Mills,' and for making a proper Recompence to the Feoffees of such Mills*, discharged and exempted from the Payment of all Taxes, Rates, Levies, Charges, Assessments, and Impositions whatsoever which were then or should be thereafter assessed or imposed upon the same, (the Land Tax, and the Rates or Duties on Houses, Windows, and Lights, and all future Aids or Taxes to the Government, only excepted,) shall be and are hereby declared to be discharged and exempted from the Payment of all Taxes, Rates, Levies, Charges, Assessments, or Impositions to be assessed, charged, imposed, or levied by virtue or in pursuance of this Act.

For pro-
tecting the
Manchester
Water-
works.

CIX. 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 *Manchester* and *Salford* Waterworks, under or by virtue of any Act or Acts now in force, or otherwise howsoever, or to assess, tax, or impose upon or make liable the said Company to any Rate or Assessment or to the Payment of any Sum or Sums of Money for the Purposes of this Act, in respect of the Trunks, Mains, Pipes, and Works of the said Company, now being or which at any Time hereafter shall or may be laid or placed in the Streets, Lanes, Passages, or other Places of the said Town of *Manchester*; and that 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,

Mains, Pipes, or other Works of the said Company, then and in every such Case the said *Manchester* Commissioners 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 *Manchester* aforesaid, in order that full Time and Opportunity may be afforded to the said Company to alter, raise, take up, remove, relay, or repair their said Trunks, Mains, and Pipes as aforesaid, and which said Trunks, Mains, and Pipes shall be altered, raised, taken up, removed, relaid, or repaired by the said Company out of the Monies to be raised for the general Purposes of this Act, and if there shall be any Dispute between the said Commissioners 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 to be so settled and ascertained 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 thereof made by or on Behalf of the said Company from the Treasurer for the Time being of the said Commissioners, the same shall and may be recovered from the said Commissioners 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 Commissioners may do so.

CX. And be it further enacted, That all Rates and Assessments made or assessed by virtue of this Act, or Duplicates thereof, at the Discretion of the said Commissioners, shall be deposited with the Comptroller, Clerk, or other Officer of the said Commissioners, who shall permit any Person included therein to inspect the same, or to take Copies thereof, upon Payment of One Shilling; and such Comptroller, Clerk, or other Officer shall, within Ten Days after Demand, deliver a true Copy of such Rates and Assessments, or any Portion thereof, to such Persons as aforesaid, having been first paid for the making of such Copy at the Rate of Sixpence for every One hundred Words; and in case such Comptroller, Clerk, or other Officer shall refuse to permit or shall not permit every such Person to inspect the same, or to take Copies thereof, or shall refuse or neglect to deliver such Copy within the said Ten Days, or at the Rate aforesaid, then and in every such Case every such Comptroller, Clerk, or other Officer shall forfeit and pay any Sum not exceeding Five Pounds.

Rates may be inspected and Copies demanded.

CXI. And be it further enacted, That it shall be lawful for the said Commissioners, either on the Application of any Person aggrieved, or without, from Time to Time to amend any Rate or Assessment to be made by virtue of this Act, by inserting therein the Name or Names of any Person or Persons who ought to have been rated, or to be then rated, or by striking out the Name or Names of any Person

Commissioners may amend Rates or Assessments.

or Persons who ought not to have been rated therein, or by making such other Amendments or Alterations therein as will in the Judgment of the said Commissioners make such Rate or Assessment conformable to the true Intent and Meaning of this Act; and no such Amendment so to be made by the said Commissioners shall vitiate the same, or render it less operative in other respects.

How Rates are to be paid when Houses are let in separate Apartments.

CXII. And be it further enacted, That any Person, being a Landlord or Tenant, who shall let his or her House in separate Apartments, or ready furnished, or partly so, to a Lodger or Lodgers, or who shall let his or her Warehouse or other Building or Tenement in separate Apartments, Stories, or Tenements, to any other Person or Persons, shall be considered as rated and assessed, and shall pay the Rates or Assessments by this Act directed to be levied or made, in such and the like Manner as if he, she, or they were the actual Occupier thereof; or the same may be recoverable by Distress and Sale of the Goods and Chattels of the Occupier or Occupiers thereof respectively, provided that such Occupier or Occupiers be not in any Case liable to the Payment of Rates or Assessments beyond the Amount of his, her, or their Rent or Rents actually due from him, her, or them, and that such Occupier or Occupiers, having paid any such Rates or Assessments, shall then be at liberty to deduct and retain the Amount he, she, or they may so pay, and all incidental Costs, from his, her, or their Rent or Rents; and the Landlord or Tenant entitled to such Rent or Rents shall allow such Deduction accordingly.

Rates to be apportioned on Persons removing from their Houses.

CXIII. And be it further enacted, That in all Cases where any Person shall remove from or quit any House, Shop, Warehouse, Factory, or Property whatsoever, which shall be rated or assessed by virtue of this Act, such Person shall be liable to pay the Rates or Assessments in proportion to the Time for which he or she occupied the same, in like Manner as if such Person had not removed from or quitted the same; and in all Cases where any Person shall come into or occupy any such House, Shop, Warehouse, Factory, or other Property as aforesaid, out of or from which any other Person rated as aforesaid shall be removed, or which at the Time of making such Rate or Assessment was or were empty, or which after the making of any such Rate or Assessment shall have been erected, built, or altered, every such Person shall, for and in respect of his, her, or their Occupation thereof, be liable to and pay such Rate or Assessment, in proportion to the Time for which he or she shall occupy the same, in the same Manner as if he or she had been originally rated or assessed for such House, Shop, Warehouse, Factory, or other Property; which said respective Proportions shall, in case of Dispute, be settled and ascertained by the said Commissioners.

Commissioners may relieve from Rates in certain Cases;

CXIV. Provided always, and be it further enacted, That it shall be lawful for the said *Manchester* Commissioners, if they shall think fit, by reason of the Poverty of any Person or Persons rated under this Act, either wholly or in part to excuse such Person or Persons from the Payment of any Rate or Rates under this Act, as the said Commissioners shall in their Discretion think proper, provided that no Person be so excused from more than One Year's Rate at once; and

and it shall also be lawful for the said Commissioners, if they think fit, to compound with the Owner or Owners of any Cottages or Dwelling Houses which under this Act may be respectively assessed at any Amount not exceeding Ten Pounds *per Annum*, for Payment of a Sum less than the Rates or Assessments thereon, the said Commissioners not accepting for any such Composition less than One Half of the whole Year's Rates, and such Owner and Owners paying the Amount of such Composition forthwith on the same being agreed upon; and in the event of the same not being so paid, the Tenants or Occupiers of every such Cottage or Dwelling House shall be and remain liable to the full Amount of such Rates and Assessments, and to the Powers and Remedies hereby provided for Recovery thereof, in such and the same Manner as if no such Composition had been attempted.

and may compound with Owners of Cottages, &c.

CXV. And be it further enacted, That if any Person or Persons rated or assessed, or who may be liable as aforesaid, shall neglect or refuse to pay his, her, or their Proportion of any of the said Rates or Assessments respectively for the Space of Fourteen Days next after personal Demand thereof, or Demand in Writing left at the usual or last Place of Abode or Place of Business of such Person or Persons, the same shall be levied and recovered upon and from all and every such Person or Persons so neglecting or refusing, by Distress and Sale of his, her, or their Goods and Chattels wheresoever they may be within the said County, by Warrant under the Hand and Seal of any One Justice of the Peace acting in and for the said County of *Lancaster*, to be granted upon Proof to the Satisfaction of the said Justice, by the Collector or other Person acting in that Behalf as aforesaid, of such Demand having been made, and of such Rates remaining unpaid as aforesaid; and the Overplus (if any) of the Monies to be raised by such Distress and Sale shall be returned to the Owner or Owners of the Goods and Chattels distrained and sold, together with what may remain unsold, after deducting all Charges attending such Distress and Sale: Provided always, that nothing herein contained shall prevent the said Commissioners from recovering any such Rate or Assessment, where the same amounts to or exceeds the Sum of Five Pounds, by Action of Debt or on the Case, or by Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Common Pleas at *Lancaster*, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance, shall be allowed.

Rates to be recoverable by Distress or Action.

CXVI. And be it further enacted, That in case any Person or Persons shall quit or be about to quit his, her, or their Houses, Buildings, Lands, Tenements, or Hereditaments, before he, she, or they shall have paid such Rates or Assessments, or such Portion or Portions thereof as may be then due from him, her, or them, by virtue of this Act, and shall refuse to pay the same upon Demand as aforesaid, then and in every such Case it shall be lawful for the said Collector or Collectors, or other Person or Persons as aforesaid, or any of them, by Warrant under the Hand and Seal of any One Justice of the Peace acting in and for the said County of *Lancaster*, which Warrant he is hereby authorized and required to grant upon Proof to his Satisfaction of such Removal, or that there is Reason to suspect the

Recovery of Rates from Persons removing.

[*Local.*]

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same,

same, to distrain the Goods and Chattels of any such Person or Persons wherever they may be in the said County, and sell the same, rendering the Overplus (if any), after having deducted the reasonable Costs, Charges, and Expences attending such Distress and Sale, together with the Rates or Assessments, or Portions thereof respectively which may be then due as last aforesaid, to the Owner or Owners of such Goods and Chattels respectively, upon Demand.

Warrant for
Recovery
of Rates.

CXVII. And be it further enacted, That the Distress or Distresses 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 by Warrant, in the Words or to the Effect following; (that is to say,)

‘ *Lancashire, to wit,* } To the Collector or Collectors of the Rates
‘ *Town of Manchester.* } made by the Commissioners for executing the
‘ Three several Acts following; (that is to say,) an Act
‘ made and passed in the Thirty-second Year of the Reign
‘ of His late Majesty King *George* the Third, intituled *An*
‘ *Act for cleansing, lighting, watching, and regulating the*
‘ *Streets, Lanes, Passages, and Places within the Towns of*
‘ *Manchester and Salford in the County Palatine of Lan-*
‘ *caster, for widening and rendering more commodious several*
‘ *of the said Streets, Lanes, and Passages, and for other Pur-*
‘ *poses therein mentioned*; another Act passed in the Ninth
‘ Year of the Reign of His present Majesty King *George* the
‘ Fourth, intituled *An Act to amend several Acts for cleansing,*
‘ *lighting, watching, improving, and regulating the Towns of*
‘ *Manchester and Salford in the County Palatine of Lan-*
‘ *caster*; and another Act passed in the Eleventh Year of
‘ the Reign of His said present Majesty, intituled [*here*
‘ *insert the Title of this Act*]; and also to the Constables
‘ and other Peace Officers of the said Town:

‘ WHEREAS the undersigned 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 Town of *Manchester*
‘ aforesaid, have been duly rated and assessed under the Authority of
‘ the said last mentioned Act, and there is now due from them
‘ respectively the several Sums of Money opposite their Names
‘ hereinafter respectively set down, which they have respectively
‘ refused or neglected to pay, as satisfactorily appeareth to me the
‘ undersigned, being One of His Majesty’s Justices of the Peace for
‘ the said County of *Lancaster*, upon the Oath of
‘ the Person appointed to collect the same; These
‘ are therefore to will and require you or any of you forthwith to
‘ levy the said several Sums hereinbefore 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 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
‘ Proceedings may be had as the Law doth authorize or direct: And
‘ all and singular the Constables and other Peace Officers for the
‘ said

‘ said Town are hereby strictly charged and commanded to be aiding
 ‘ and assisting in all Things relating to the Premises. Given under
 ‘ my Hand and Seal, this Day of

‘ Sums due.

‘ A. B.
 ‘ C. D.’

And the Clerk to the Justice granting any such Warrant shall be at liberty to charge the Sum of Sixpence, and no more, for the Name of each and every Person included therein whose Rates or Assessments sought to be thereby recovered shall not exceed Forty Shillings.

CXVIII. And be it further enacted, That the several Powers, Authorities, and Remedies by this Act provided for making Assessments, and for Recovery of the Rates authorized to be made and raised for the general Purposes of the said first and third recited Acts and this Act as aforesaid, shall from and after the passing of this Act be in like Manner applicable for the Purpose of raising and recovering the Proportion which the said *Manchester* Commissioners may be liable and bound to raise, of the Salary or Remuneration to be from Time to Time payable to the Justice of the Peace appointed and for the Time being acting under and by virtue of an Act made and passed in the Fifty-third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the more effectual Administration of the Office of a Justice of the Peace within the Townships of Manchester and Salford in the Hundred of Salford in the County Palatine of Lancaster, and to provide by means of a Rate on the said Townships and otherwise a competent Salary to a Justice of the Peace acting within the said Townships, and to enable the Constables of Manchester and Salford to take Recognizances in certain Cases.*

Remedies for Recovery of Police Rates applicable to Recovery of stipendiary Magistrate's Rate.

53 G. 3. c. 72.

CXIX. And be it further enacted, That all Monies to arise by or from the said Rate or Rates, Assessment or Assessments, and which may have been or may be received by the said Commissioners, or for them collected or paid to their Treasurer or Treasurers, and all Penalties and Forfeitures to be recovered or levied for Offences under the said recited Acts of the Thirty-second Year of His late Majesty King *George* the Third, and the Ninth Year of His said present Majesty, and this Act, or any of them, and other Monies received by the said Commissioners by virtue of this Act or otherwise, and not otherwise disposed of, shall be by the said Commissioners, or their Collector or Collectors, Treasurer or Treasurers, applied and disposed of, in the first place, towards paying and defraying the Expences and Charges which shall be incurred or in any Manner incident to and attending the Application for, preparing, obtaining, and passing this Act in the Manner herein provided, and then in paying and defraying the Charges and Expences which the said Commissioners and their Officers shall of necessity be put to in carrying the said last mentioned Acts into Execution, and for such Uses and Purposes as are therein expressed, and to and for no other Use, Intent, or Purpose whatsoever; and the Treasurer for the Time being to the said Commissioners shall and he is hereby authorized and required to pay and apply

Application of Money raised by Authority of this Act.

apply all such Monies as he or they shall respectively receive by virtue hereof to such Person or Persons, in such Manner, and at such Time and Times as the said Commissioners shall from Time to Time order, direct, or appoint; and the said Commissioners are hereby empowered to make such Order, Direction, or Appointment.

Justices may proceed on Summons with or without Information in Writing.

CXX. And be it further enacted, That it shall be lawful for any Justice of the Peace for the said County of *Lancaster* to receive Informations and Complaints against any Person or Persons for any Offence or Offences in respect of which any Penalty or Forfeiture is by the said first and third recited Acts and this Act, or any of them, imposed; and thereupon to summon the Party or Parties informed or complained against, and any Witness or Witnesses the said Justice may think proper, to appear before him at any Time and Place to be stated in such Summons, and on Proof of the Service of such Summons to hear and determine the Matter of every such Information and Complaint, and on Proof of the Offence to convict the Offender or Offenders, whether he, she, or they be present or not, and to adjudge him, her, or them to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, though no Information in Writing shall have been taken before such Justice: Provided that no such Information or Complaint against any Person or Persons by this Act rendered liable to the cleansing of Footways, for any Omission to do so, or for omitting to lay Sand or other Materials thereon in Time of Frost or Snow, or for any Offence relative to the Removal of Night Soil, Offal, Carrion, or other Filth, or by wilfully obstructing the free Passage of any Streets as aforesaid, be in any Case received or heard from any Persons or Person other than the Servants or Officers by the said Commissioners authorized in that Behalf, or One of them.

Mitigation, Recovery, and Application of Penalties.

CXXI. And be it further enacted, That the Justice or Justices of the Peace before whom any of the Fines, Penalties, or Forfeitures by the said recited Act of the Ninth Year of His said present Majesty or this Act imposed may be sought to be recovered, shall have such and the like Powers for the Mitigation thereof as are expressed and contained in the said recited Act of the Thirty-second Year of His said late Majesty King *George* the Third, relative to Fines, Penalties, and Forfeitures thereby imposed; and if any Person committing any Offence for which he or she may, under the said three last mentioned Acts or any of them, or any Rule, Order, or Bye Law made in pursuance of such Acts or any of them, be liable to any Fine, Penalty, or Forfeiture, shall not upon Conviction thereof pay the Fine, Penalty, or Forfeiture by him or her incurred, or the Amount to which the same may be so mitigated, together with the incidental Costs and Charges, the Justice or Justices before whom such Offender shall be convicted is and are hereby empowered to commit him or her to the Common Gaol or House of Correction for the Hundred, County, or Place, there to be kept to hard Labour for any Space of Time not exceeding Three Calendar Months; or such Fines, Penalties, and Forfeitures, or the Amounts to which they may be so respectively mitigated as aforesaid, shall and may, in the Discretion of such Justice or Justices, be recovered and recoverable by such and the like Means as Fines, Penalties, and Forfeitures are directed to be recovered

under or by virtue of the said recited Act of the Thirty-second Year of His said late Majesty King *George* the Third; and all Fines, Penalties, and Forfeitures which may after the passing of this Act be recovered for Offences under the said Three last mentioned Acts or any of them, the Application whereof is not otherwise directed, shall be received by the said Commissioners, and by them applied for the general Purposes of the same Acts.

CXXII. And be it further enacted, That in all Cases wherein by the said recited Acts or this Act it may be requisite or necessary for any Person or Persons to serve any Notice or Notices upon the said *Manchester* Commissioners, or any Writ or Writs or other Legal Proceedings or Proceedings in Equity, the Service thereof upon the Clerk of the said Commissioners, or at the Office of the said Commissioners, or left at the last or usual Place of Abode of the Clerk to the said Commissioners, and in case the Residence of the said Clerk be not known, then Service upon the Treasurer, or any Agent or other Officer employed by the said Commissioners, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Commissioners.

Directing what shall be deemed a Service of Notice, &c., on the Commissioners.

CXXIII. And be it further enacted, That from and after the passing of this Act so much and such Part of the said first-recited Act as relates to the Power of Appeal to the Justices of the Peace at any General or Quarter Sessions of the Peace for the said County, by any Persons thinking themselves aggrieved by any Rate or Assessment made in pursuance of the same Act, or by any Act, Order, Judgment, or Proceeding (other than such Rate or Assessment) of the said Commissioners, or of any Justice or Justices of the Peace, under the Authority of the said Act, shall be and the same is hereby repealed.

Repeal of first recited Act as to Appeal.

CXXIV. Provided always, and be it further enacted, That any Person or Persons who from and after the passing of this Act shall think himself, herself, or themselves aggrieved by any Rate or Assessment made and passed under or by virtue of this Act, having first applied to the said *Manchester* Commissioners for Relief, and having also deposited with the Collector or Collectors or other the Person or Persons appointed to receive the said Rates, the Amount of such Rate or Assessment as shall have been charged, rated, or assessed upon him, her, or them in pursuance of this Act, may at any Time within Four Calendar Months next after such Rate or Assessment shall have been allowed or passed by the said Commissioners, upon giving such Notice as next hereinafter provided, appeal to the Justices of the Peace of the said County of *Lancaster* at the General Quarter Sessions of the Peace to be holden by Adjournment within the Hundred of *Salford* which shall first happen next after Notice of such Appeal given as aforesaid; and any Person or Persons who shall think himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of any Rule, Bye Law, or Order made in the Manner by the said first and third recited Acts and this Act or any of them, or by the Order or Determination of any Justice or Justices of the Peace relative to such Acts or any of them, or by any

Power of Appeal.

thing done in pursuance of the same several Acts or any of them, (except in Cases where the Verdicts or Inquisitions of Juries are directed to be taken,) 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 Quarter Sessions of the Peace to be holden by Adjournment within the said Hundred of *Salford*; such Appellant or Appellants against such Rate or Assessment having first given at least Fourteen clear Days Notice in Writing of his, her, or their Intention of making such Appeal, and of the Time and Place thereof, and of the Nature, Matter, and Grounds thereof, to the said *Manchester* Commissioners; and such Appellant or Appellants against such Order, Determination, or Judgment as aforesaid having first given at least Fourteen clear Days Notice in Writing of his, her, or their Intention of making such Appeal, and the Time and Place thereof, and of the Nature, Matter, and Grounds thereof, to the said Commissioners, or the Party or Parties against whom such Appeal shall happen to be made, or whose Interest may be thereby affected; 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 or herself, 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 Hundred of *Salford*, and if they see Cause may reduce such Rate or Assessment, or may mitigate or altogether relieve from 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 or Parties appealing or prosecuting such Appeal, or such Costs to the Respondent or Respondents, Party or Parties 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.

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

CXXV. And be it further enacted, That upon all Appeals from any Rate or Assessment made in pursuance of this Act the said Court of General 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 or Names of any Person or Persons, or by altering the Sum or Sums therein charged to any Person or Persons, 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.

CXXVI. And be it further enacted, That all Costs, Charges, and Expences of and attending the applying for, preparing, obtaining, and passing of this Act shall be paid and discharged by the said *Manchester* Commissioners out of the first Monies to be by them raised and received, before any Part thereof be applied to any other Purpose. Expences of Act.

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

The SCHEDULE referred to by the foregoing Act.

So much of the Houses, Buildings, and Lands on the southerly Side of a certain Street in Manchester called Cross Street, or Red Cross Street, from and including a Dwelling House or Shop in the Occupation of Mrs. Ann Piccup on the westerly Side of Back King Street to and including a Dwelling House in the Occupation of Mr. Joynson, on the easterly Side of Princess Street, as will be necessary to make and form that Portion of Cross Street, or Red Cross Street aforesaid, of the Width of Fifteen Yards; and so much of the Houses, Buildings, and Lands on both Sides of Pool Street (being a Continuation of Cross Street or Red Cross Street), from the easterly Side of Princess Street and Tasle Street to the westerly Side of Brazen-nose Street, as will be necessary to make and form that Portion of Pool Street aforesaid of the Width of Fourteen Yards.

So much of the Houses, Buildings, and Lands on the South Side of a certain Street in Manchester called Saint Mary's Gate, from a Point near a Shop now or late in the Occupation of Cope up to Deansgate, and on the East Side of Deansgate from a Point near Riding's Court up to Saint Mary's Gate aforesaid, as will be necessary to make the Parts of Saint Mary's Gate and Deansgate at the same Sides respectively, within the Limits aforesaid, lineable with the adjoining Parts thereof respectively, and afterwards to round off the Angle formed by the remaining Parts of the said Houses, Buildings, and Lands to a Radius of Twelve Feet.

So much of the Houses, Buildings, and Lands projecting on or into both Sides of a certain Street in Manchester called Store Street as will be necessary to make and form the whole Length of the same Street of a Width uniform with that Part thereof which runs into London Road; and also so much of the Aqueduct over Store Street aforesaid, and of the Site of such Aqueduct, and of the Lands adjoining, as will be necessary to form a Footway Three Yards wide on each Side of Store Street aforesaid, in continuation of the other Footways there, by means of arched Passages through the Sides of such Aqueduct.

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So much of the Houses, Buildings, and Lands on the North Side of a certain Place in Manchester called Ducie Place as will be necessary to make and form that Side throughout of a Width equal to the present Width thereof at the widest Part; and also so much of the House or Shop and Land afterwards remaining on the same Side, and in Exchange Street, as will be necessary to round off the Corner thereof to a Radius of Nine Feet; and also so much of the Houses, Buildings, and Lands on the East Side of the same Place as will be necessary to make and form that Side throughout of a Width equal to the present Width thereof at the widest Part.

So much of the Houses, Buildings, and Lands projecting on or into both Sides of a certain Street in Manchester called Water Street, or Water Lane, commencing at and including a certain Shop in the Occupation of Thomas Michael Bowen, Optician, and thence to Saint Mary's Church, as will be necessary to make and form Water Street or Water Lane aforesaid of a Width uniform with that Part thereof in which the said Shop stands.

A Portion of the vacant Land on the easterly Side of the southerly End of a certain Street in Manchester called Mosley Street, at its Junction with the northerly Side of Dickenson Street, for the whole Length of such Land on the End or Side thereof running parallel with Mosley Street aforesaid, but not exceeding Four Yards in Depth for the first Nine Yards of that Side or End, and not exceeding Eight Yards in Depth for the Remainder thereof, terminating in Dickenson Street aforesaid, in order to be laid to and improve Mosley Street to that Extent.

So much of the Houses, Buildings, and Lands, on both Sides of that Part of a certain Street in Manchester called Charlotte Street, which runs between certain other Streets called Fountain Street and Back Mosley Street, as will be necessary to make the same Part of Charlotte Street aforesaid of a Width uniform with the Continuation thereof on the opposite Side of Back Mosley Street aforesaid; and also so much and such Parts of the said Houses, Buildings, and Lands afterwards remaining at the End of Charlotte Street next adjoining Fountain Street aforesaid as will be sufficient to round off the Angles of the last mentioned Buildings to Radii of Nine Feet.

So much of the Houses, Buildings, and Lands on the southerly Side of a certain Street in Manchester called Hanging Ditch, and between certain other Streets called Cannon Street and Old Millgate, as will be necessary to make Hanging Ditch aforesaid for the whole Length of the said Houses and Buildings of a Width not exceeding Thirteen Yards and a Half from the southerly Corner of the Building now standing on the easterly Side of a certain other Street called Half Street; and also so much and such Parts of the said Houses, Buildings, and Lands in Hanging Ditch, afterwards remaining, as will be sufficient to round off the Angles thereof into

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Cannon Street and Old Millgate to Radii of Fifteen Feet; and also so much and such Parts of the Houses, Buildings, and Lands on the opposite side of Cannon Street as will be necessary to round off the Angle thereof into Hanging Ditch aforesaid to a Radius of Thirty Feet.

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