



ANNO QUINTO & SEXTO

VICTORIÆ REGINÆ.

Cap. cvi.

An Act for the Improvement, good Government,
and Police Regulation of the Borough of
Liverpool. [16th July 1842.]

WHEREAS an Act was passed in the Twenty-first Year of the Reign of His Majesty King *George* the Second, intituled *An Act for the building a Church in the Town of Liverpool in the County Palatine of Lancaster, and for enlightening and cleansing the Streets of the said Town, and for keeping and maintaining a Nightly Watch there*: And whereas by the said Act certain Commissioners were empowered to cause a Rate or Rates, not exceeding Twelve-pence in the Pound yearly, to be levied, for the Purpose of lighting and watching and cleansing the said Town: And whereas an Act was passed in the Second Year of the Reign of His Majesty King *George* the Third, intituled *An Act for building Two new Churches, and providing Burial Places, within the Town of Liverpoole in the County Palatine of Lancaster; and for the better preserving the Pavements of the Streets in the said Town; and for ascertaining the Fares and Prices to be paid Carters, Carmen, Hackney Coachmen, and Chairmen, and for regulating their Behaviour, within the said Town*: And whereas an Act was passed in the Twenty-sixth Year of the Reign of His said Majesty King *George* the Third, intituled *An Act for opening, making, widening, and altering certain* [Local.] *Streets,*

- Streets, Passages, and Places within the Town of Liverpool in the County Palatine of Lancaster, for supplying the said Town with fresh and wholesome Water, for removing and preventing Nuisances and Annoyances therein, for appointing additional Market Places, and for extending so much of the Powers of an Act of the Second Year of His present Majesty as relates to Hackney Coachmen, Chairmen, Carters, and Porters, to a certain Distance beyond the Liberties of the said Town: And whereas an Act was passed in the Twenty-eighth Year of the Reign of His said Majesty King George the Third, intituled*
- 28 G. 3. c. 13. *An Act for enlarging and varying some of the Powers contained in certain Acts of Parliament relating to the watching, lighting, and cleansing of the Streets and other Places within the Town of Liverpool, and for removing and preventing Nuisances and Annoyances therein: And whereas An Act was passed in the First Year of the Reign of His*
- 1 G. 4. c. 13. *Majesty King George the Fourth, intituled An Act for reviving, extending, and varying the Powers of an Act passed in the Twenty-sixth Year of His late Majesty King George the Third, for making and widening certain Streets, Passages, and Places in the Town of Liverpool in the County Palatine of Lancaster, and for several other Purposes in the said Act mentioned, and also for further improving the said Town: And whereas an Act was passed in the Seventh Year of the Reign*
- 7 G. 4. c. 57. *of His said Majesty King George the Fourth, intituled An Act for widening and improving certain Streets in the Town of Liverpool in the County Palatine of Lancaster, for the further Prevention of Nuisances and Annoyances in the said Town, for the Regulation of Weighing Machines, Weights, and Measures, and the Establishment of a Fire Police therein: And whereas by the said Act certain Commissioners were empowered, by and out of any Monies which might be received by them from any Directors of Fire Offices who might be disposed to contribute to the Establishment, and by and out of an annual Rate, not exceeding One Halfpenny in the Pound, to pay the annual Rent therein mentioned, and all Costs, Charges, and Expences to be incurred from Time to Time in the Maintenance and Establishment of the Fire Police: And whereas an Act was passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of His late Majesty King William the Fourth, intituled*
- 5 & 6 W. 4. c. 54. *An Act for altering, amending, and extending the Powers and Provisions of an Act of the Sixth Year of His late Majesty King George the Fourth, for the Regulation of Buildings in the Town of Liverpool, and for other Purposes therein mentioned; and for granting further and additional Powers for the Improvement and Regulation of the said Town, and the Preservation of Property therein from Fires and otherwise: And whereas an Act was passed in the Session held in the Sixth and Seventh Years of the Reign of His said late Majesty King*
- 6 & 7 W. 4. c. 93. *William the Fourth, intituled An Act for extending and improving the Maintenance of the Fire Police in the Borough of Liverpool: And whereas an Act was passed in the First Year of the Reign of Her present Majesty Queen Victoria, intituled An Act for altering, amend-*
- 7 W. 4. & 1 Vict. c. 98. *ing, improving, and extending the Provisions of certain Acts of Parliament relating to the Town of Liverpool in the County Palatine of Lancaster: And whereas by the said Act it was (amongst other things) enacted, that the said recited Act of the Seventh Year of the Reign of King George the Fourth, and the said recited Local*

Act of the Sixth and Seventh Years of the Reign of King *William* the Fourth, together with certain other Acts therein mentioned, and all the Powers, Provisions, and Things therein contained, should extend to and be in full Force and Operation throughout the whole of the said Borough, as extended, fixed, and determined by an Act of the Fifth and Sixth of *William* the Fourth, to provide for the Regulation of Municipal Corporations: And whereas, under and by virtue of the said Act to provide for the Regulation of Municipal Corporations in *England* and *Wales*, so much of the said Act of the Twenty-first Year of the Reign of His Majesty King *George* the Second as relates to the Appointment, Regulation, Powers, and Duties, or to the Assessment or Collection of any Rate to provide for the Expences, of any Watchmen, Constables, Patrol, or Police, has ceased and been determined; and by the said Act to provide for the Regulation of Municipal Corporations in *England* and *Wales* the Rate to be levied for the said Purposes of lighting and cleansing, under the said Act of the Twenty-first Year of the Reign of His Majesty King *George* the Second, was limited not to exceed such Proportion of the said Rate of Twelve-pence in the Pound yearly as should appear to have been expended for such Purposes of lighting and cleansing by an Amount of the average yearly Expenditure during the last Seven Years: And whereas, under the Provisions and Authority of the said Act to provide for the Regulation of Municipal Corporations, the Commissioners appointed under and by virtue of the said recited Act of the Twenty-first Year of the Reign of King *George* the Second, at a Meeting duly called and held for that Purpose, did transfer, in Writing under their Hands and Seals, all the Powers vested in them as such Commissioners under the said Act to the Body Corporate of the Borough: And whereas under the Provisions and Authority of the same Act the Commissioners appointed under and by virtue of the said Act of the Seventh Year of the Reign of King *George* the Fourth, at a Meeting duly called and held for that Purpose, did in like Manner transfer all the Powers vested in them as such Commissioners to the Body Corporate of the said Borough: And whereas by the said Act to provide for the Regulation of Municipal Corporations in *England* and *Wales* it was enacted, that it should be lawful for the Council of any Borough, in any Part of which there was a Local Act for the lighting thereof, to make an Order that any Part of such Borough, not being within the Provisions of any Local Act for the lighting thereof, should, from and after a certain Day, to be named in such Order, be taken to be within the Provisions of such Local Act or Acts for lighting any Part of such Borough as the Common Council should specify in such Order, and after such Day the Part named in such Order should be within the Provisions of the Act or Acts so specified, so far as related to lighting, or to any Rates authorized to be levied for the Purpose of lighting, as fully as if such Part had been originally named in such Act or Acts, any thing in such Act or Acts to the contrary notwithstanding; and it was provided that every Part named in such Order should be lighted in the like Manner as those Parts which, before the making of such Order, were within the Provisions of such Local Act, and that the Rate to be raised for the Purpose of defraying the Expences of lighting any Part so named in such Order should not exceed the average Expence in

5 & 6 W. 4.
c. 76.

in the Pound of the lighting of the other Parts of such Borough : And whereas the Council of the Borough, by an Order made under the Provisions and Authority of the same Act to provide for the Regulation of Municipal Corporations, ordered that every Part of the said Borough, as the same was then extended and enlarged, which was not within the Provisions of certain Local Acts for the lighting of the said Borough, should be and be taken to be within the Provisions of such Act : And whereas the Provisions of the said recited Acts relating to the Improvement, good Government, and Police Regulation of the Borough of *Liverpool* have been found to be in some respects defective, and in other Instances insufficient for the Purposes thereby intended : And whereas it would tend to the general Benefit of the Inhabitants of the said Borough, and to the Improvement thereof, if such of the Provisions contained in the said recited Acts as relate to the Improvement, good Government, and Police Regulation of the said Borough were repealed, and other Provisions were enacted and made in lieu thereof : And whereas there is now an efficient Constabulary Force for the said Borough, under a Head Constable and other Officers, which Force has been embodied and established under the Council of the said Borough by the Watch Committee, in pursuance of the Provisions of the said Act to provide for the Regulation of Municipal Corporations in *England* and *Wales* : And whereas there is now a salaried Police Magistrate for the said Borough, appointed in pursuance of the said Act ; and according to the Directions of the said Act fit and suitable Offices, called "The Police Office," have been provided for the Purpose of transacting the Business of the Justices of the said Borough, and fit Persons have been appointed by the said Justices to be their Clerks : And whereas it is expedient that further Provision should be made for the Regulation of the Police Force of the said Borough : May it therefore please Your Majesty that it may be enacted ; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act of the Twenty-first Year of the Reign of King *George* the Second (except so much thereof as relates to the building and Support of the Church therein mentioned, which excepted Part is comprised in the first and following Sections of the said Act up to the Thirty-first Section inclusive, and except so much thereof as relates to the causing to be made and settled yearly, half-yearly, or other Rates or Assessments for the Charges and Expences of cleansing, lighting, and watching, which further excepted Portion is comprised in Part of the Forty-fifth Section of the said Act), and also the said recited Act of the Second Year of the Reign of King *George* the Third (except such Part thereof as relates to the building of Two Churches, which excepted Part is comprised in the First and following Sections of the said Act up to the Fiftieth Section inclusive), and also the said recited Act of the Twenty-sixth Year of the Reign of King *George* the Third (except the Provisions therein contained relating to the using of public Squares or Parts of Streets as and for public Market Places, and the Sorts and Species of Goods and Provisions for which the same may be used), and also the said recited Act of the Twenty-eighth Year of the Reign of King *George*

Repeal of
Parts of
former Acts.

George the Third, and also the said recited Act of the First Year of the Reign of King *George* the Fourth (except such Part thereof as relates to the Boundaries of the Borough and Parish of *Liverpool*, and the Jurisdiction of Justices and Coroners, and the Right to the Freedom of the Borough within such Boundaries, and the Repair of the Boundary Streets, which excepted Part is comprised in the Twenty-fifth, Twenty-sixth, and Twenty-seventh Sections of the same Act), and also the said recited Act of the Seventh Year of the Reign of King *George* the Fourth (except so much thereof as gives Powers to Justices relative to Balances, Weights, and Measures, and to the inflicting of Penalties for false or defective Weights or Measures, and which excepted Part is comprised in the Thirty-ninth Section of the said Act), and also the said recited Act of the Session held in the Fifth and Sixth Years of the Reign of King *William* the Fourth, and also the said recited Act of the Session held in the Sixth and Seventh Years of the Reign of King *William* the Fourth, and also the said recited Act of the First Year of the Reign of Her present Majesty, except such Part thereof as extends the said Act of the Seventh *George* the Fourth and the Sixth and Seventh of *William* the Fourth to the whole of the said present Municipal Borough, which Part is comprised in the First Section of the said Act, and except such further Part as relates to the Court of Passage of the said Borough of *Liverpool*, and which further excepted Part is comprised in the Tenth, Eleventh, and Twelfth Sections of the said Act, shall, from and after the Day appointed for the Commencement of this Act, be and the same are hereby repealed, except as to any Acts, Deeds, Matters, or Things made or done before or upon such Day, and any Offences committed before or upon the same Day, all which Acts, Deeds, Matters, and Things, and Offences, shall be dealt and proceeded with, and the Offences punished, as if this Act had not been passed, save only so far as herein-after is expressly provided concerning the same.

II. And be it enacted, That, for better enabling the Council to carry into execution the several Powers and Provisions of this Act, it shall be lawful for them from Time to Time to appoint such Clerks, Collectors, Assessors, and other Officers as they shall think fit, with such Salaries and Allowances as the Council shall think reasonable, and to remove such Clerks, Collectors, Assessors, and other Officers, and appoint others in their Stead.

Council to
appoint
Clerks and
other Officers.

III. And whereas it is provided by the said Act of the First Year of the Reign of Her Majesty Queen *Victoria*, that the Clerks to the Justices of the said Borough should be paid by Salaries instead of Fees, which Provision it is expedient should be continued; be it therefore enacted, That it shall be lawful for the Council to fix and pay from Time to Time fit and proper Salaries to the present and future Clerks to the Justices of the said Borough, and that all Fees now payable to or received by, or which would be henceforth payable to such Clerks, shall be collected and paid over once in every Month by such Clerks to the Treasurer of the said Borough; and if the Amount of the Fees to be so paid to the Treasurer shall exceed the said Salaries, it shall be lawful for the Council to order from Time to

Power to
pay the Jus-
tice's Clerks
by Salaries
instead of
Fees, &c.

Time a Portion of such Excess (not exceeding One hundred and Fifty Pounds *per Annum*) to be paid to the Mayor and the Police Magistrate for the Time being, to be applied to the Relief of indigent Persons, and to be deposited and kept as herein-after mentioned.

The Borough
Justices Poor
Fund.

IV. And whereas there is now at the Disposal of the said Justices a small Sum applicable to the Relief of poor Persons; be it enacted, That immediately from and after the Commencement of this Act the said last-mentioned Sum, and all Sums which shall from Time to Time be ordered by the said Council to be paid as before mentioned, shall be deposited and kept in some Bank, to be named by a Majority of the said Justices present at any Meeting to be held by them after the Commencement of this Act, and shall be called "The Borough Justices Poor Fund;" and that it shall be lawful for any Two Justices of the said Borough (One of whom shall be the Mayor or the Police Magistrate of the said Borough for the Time being), by an Order under their Hands, to authorize the Payment at such Bank, from Time to Time, of any Part of such Fund, for the Purpose of being applied to the Relief of such poor Persons as they shall deem fit Objects of Charity.

Offices of
Clerk and
Treasurer to
be separate.

V. And be it enacted, That neither the Person who shall hold the Office of Clerk to the Justices of the Borough, nor the Partner of such Clerk, nor any Person in the Service or Employ of such Clerk or of his Partner, shall be eligible to be the Treasurer of the Borough; and that neither the Person who shall be the Treasurer of the Borough, nor any Person in the Service or Employ of such Treasurer or of his Partner, shall be eligible to be the Clerk to the Justices of the Borough; and if any Person offend in any of the following Cases he shall forfeit One hundred Pounds; (that is to say,)

If any Person accept both the Office of Clerk to the Justices of the Borough and the Office of Treasurer of the said Borough:

If any Person, being the Partner of such Clerk, or in the Service or Employ of such Clerk or of his Partner, accept the Office of Treasurer, or act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer:

If any Person, being the Treasurer of the Borough, or the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, accept the Office of Clerk, or act as Deputy of such Clerk, or in any Manner officiate for such Clerk:

If any such Clerk or Treasurer hold any Place of Profit or Trust under the Council of the said Borough, other than that of Clerk to the Justices of the Borough or Treasurer of the Borough (as the Case may be):

And any Person may sue for such Penalty, either by Action of Debt or on the Case, in any of Her Majesty's Superior Courts of Record at *Westminster*, and shall, on Recovery thereof, be entitled to full Costs of Suit.

Officer tak-
ing Fees to
lose his Office,
and forfeit
50l.

VI. And be it enacted, That if any Clerk, Collector, or other Officer employed by the Council exact, take, or accept, on account of any thing done by virtue of his Office, or in relation to the Func-
tions

tions of the Council, any Fee or Reward whatsoever, other than the Salaries, Rewards, or Allowances allowed by the Council, or be in anywise concerned or interested in any Bargain or Contract made by the Council, he shall be incapable of being afterwards employed by the Council, and he shall forfeit Fifty Pounds to any Person who shall sue for the same as aforesaid. Penalty.

VII. And be it enacted, That the Council shall take, from all Officers in their Employ intrusted with the Receipt or Disbursement of Money, sufficient Security for the due Execution of their respective Offices, and for answering and paying, as the Council shall from Time to Time require, all Sums of Money which shall be by them respectively received, and also for their giving and making respectively true Accounts in Writing, from Time to Time, when required by the Council so to do, of all Monies by them respectively received or collected for the Purposes of this Act, and when, and of whom, and for what the same were so received or collected. Council to take Security from all Officers intrusted with Money.

VIII. And be it enacted, That every Officer appointed or employed by the Council by virtue of this Act shall, from Time to Time, when required by the Council, make out and deliver to them, or to any Person appointed by them for that Purpose, a true and perfect Account in Writing under his Hand of all Monies received by him on behalf of the Council; and such Account shall state how, and to whom, and for what Purpose such Monies have been disposed of; and, together with such Account, such Officer shall deliver the Vouchers and Receipts for such Payments; and every such Officer shall pay to the Treasurer of the Borough, or to any Person appointed by him to receive the same, all Monies which shall appear to be owing from such Officer upon the Balance of such Accounts. Officers to account.

IX. And be it enacted, That if any such Officer shall fail to render such Accounts, or to produce and deliver up all the Vouchers and the Receipts relating to the same in his Possession or Power, or to pay the Balance thereof, when thereunto required, or if for Three Days after being thereunto required he shall fail to deliver up to the Council, or to any Person appointed by them to receive the same, all Papers and Writings, Property, Effects, Matters, and Things, in his Possession or Power, relating to the Execution of this Act, or belonging to the Council, then, on Complaint thereof being made to any Justice acting within the Jurisdiction where such Officer may be found, such Justice shall, by Warrant under his Hand and Seal, cause such Officer to be brought before him, or if such Officer cannot be found, then in his Absence such Justice may hear and determine the Matter in a summary Way, and may adjust and declare the Balance owing by such Officer; and if it appear, either upon Confession of such Officer, or upon Evidence, or upon Inspection of the Accounts, that any Monies of the Mayor, Aldermen, and Burgesses are in the Hands of such Officer, or owing by him to the Mayor, Aldermen, and Burgesses, such Justice may order such Officer to pay the same forthwith; and if he shall fail to pay the Amount, it shall be lawful for such Justice to grant a Warrant to levy the same by Distress, or in default thereof to commit the Offender to Gaol, there to remain without Remedy against Officers failing to account.

without Bail for any Time not exceeding Three Months; and in any of the following Cases; (that is to say,)

If such Officer do not appear before such Justice at the Time appointed; or

If such Officer appear, but fail to make out such Account in Writing; or

If such Officer refuse to produce and deliver to the Justice the several Vouchers and Receipts relating to such Account in his Possession or Power; or

If such Officer refuse to deliver up any Books, Papers, or Writings, Property, Effects, Matters, or Things, relating to the Execution of this Act, or belonging to the Mayor, Aldermen, and Burgesses, in his Possession or Power,

Such Justice may lawfully commit such Offender to Gaol; and in every such Case of Commitment the Prisoner shall remain in Custody, without Bail, until he have made out and delivered such Accounts, and delivered up the Vouchers and Receipts (if any) relating thereto, in his Possession or Power, and have delivered up such Books, Papers, Writings, Property, Effects, Matters, and Things (if any) in his Possession or Power.

Commitment
not to dis-
charge Sure-
ties.

X. And be it enacted, That no such Proceeding against or Dealing with any such Officer as aforesaid shall deprive the Council of any Remedy which they might otherwise have against any Surety of such Officer.

Service of
Notice on
Council.

XI. And be it enacted, That any Summons, Notice, or Writ, or other Proceeding, at Law or in Equity, requiring to be served upon the Mayor, Aldermen, and Burgesses, or upon the Council, may be lawfully served by delivering the same personally to the Town Clerk, or by leaving the same at the Office of the Town Clerk.

Authentica-
tion of
Notices.

XII. And be it enacted, That any Summons, Demand, or Notice, or other such Document, under this Act, may be in Writing or Print, or partly in Writing or Print; and if the same require Authentication by the Mayor, Aldermen, and Burgesses, or by the Council, the Signature thereof by the Town Clerk shall be a sufficient Authentication.

Releases to
Witnesses.

XIII. And be it enacted, That in all legal Proceedings under this Act it shall be lawful for the Town Clerk, by Order of the Council, to grant general or other Releases for the Purpose of qualifying any Person in the Service of the Mayor, Aldermen, and Burgesses to give Evidence as a Witness; and every such Release or Discharge shall be under the Hand and Seal of the Town Clerk.

Tender of
Amends.

XIV. And with respect to Actions brought in respect of any Proceeding under the Provisions of this Act, be it enacted, That if, before an Action be brought, any Party having committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this Act, or by virtue of any Power or Authority hereby given, make sufficient Tender of Satisfaction, the Plaintiff shall not recover in any Action brought on account of such Irregularity, Trespass,

Trespass, or other wrongful Proceeding; and if no such Tender shall have been made it shall be lawful for the Party offending, by Leave of the Court where such Action shall be pending, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

XV. And whereas it is expedient, for the Purpose of widening the Streets, and of rendering the same more commodious, that the Council should be enabled to purchase all or any of the Houses and Ground mentioned in the Schedule marked (F.) annexed to this Act; be it therefore enacted, That, subject to the Provisions of this Act, it shall be lawful for the Council to enter upon and take, and for such Purpose to agree with the Owners of the Houses and Ground comprised in the Schedule (F.) to this Act annexed, for the absolute Purchase, for a Consideration in Money, of all or any of such Houses and Ground, or such Parts thereof as the Council may think proper, and of all subsisting Leases therein, and of all Rent-charges, Annuities, Mortgages, or Incumbrances affecting any such Houses or Ground, and all other Estates or Interests in such Houses or Ground, of what Nature or Kind soever, and to pay for the Purchase of such Houses or Ground, and of all Rent-charges, Annuities, Mortgages, or Incumbrances affecting the same, and of all other Estates or Interests therein, out of the Borough Fund of the Borough, such Sum or Sums of Money as shall be agreed upon between the Council and the Owners and other Persons interested therein, or awarded as herein-after mentioned.

Empowering Council to take Property in Schedule for Improvements.

XVI. And be it enacted, That it shall be lawful for all or any of the following Parties, being seised, possessed of, or entitled to any such House or Ground, or any such Estate or Interest therein as aforesaid, to sell and dispose and convey or release the same unto the said Mayor, Aldermen, and Burgesses of the said Borough of *Liverpool*, and to enter into all necessary Agreements for that Purpose; (that is to say,) all Corporations, Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Married Women seised in their own Right or entitled to Dower, Guardians, Committees of Lunatics and Idiots, Trustees or Feoffees in Trust for charitable or other Purposes, Executors and Administrators; and the Power so to sell and convey as aforesaid may lawfully be exercised by all such Parties, not only on behalf of themselves, and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of every Person entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, unborn, or not to be found, and as to such Married Women as if they were sole, and as to such Guardians on behalf of their Wards, and as to such Committees on behalf of the Lunatics and Idiots of whom they are the Committees respectively, and that to the same Extent as such Wives, Wards, Lunatics, and Idiots respectively could have exercised the same Power under the Authority of this Act if they had respectively been under no Disability, and as to such Trustees and Executors and Administrators on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Femmes Covert, or

Parties under Disability enabled to sell and convey.

other Persons, and that to the same Extent as such Cestuique Trusts respectively could have exercised the same Powers under the Authority of this Act if they had respectively been under no Disability.

Parties under Disabilities to exercise other Powers.

XVII. And be it enacted, That the Power herein-after given to release Lands from any Rent, Payment, Charge, or Incumbrance, and to agree for the Apportionment of any such Rent, Charge, or Incumbrance, shall extend to and may lawfully be exercised by every Party herein-before enabled to sell and dispose of, or convey and release Lands to the Mayor, Aldermen, and Burgesses.

Consideration to be in a gross Sum.

XVIII. And be it enacted, That, except as herein-after mentioned, the Consideration to be paid for the Purchase of any such Houses or Ground, or for any Damage done thereto, shall be in a gross Sum.

Acceptance of Compensation for Price of or Damage to Lands.

XIX. And be it enacted, That the Owners of any such Houses or Ground, or of any such Estate or Interest therein as aforesaid, and all Parties by this Act enabled to convey any such Houses or Ground, may agree to accept, and, subject to the Restrictions in this Act contained as to the Payment thereof, may accept, Satisfaction for the Value of such Houses or Ground, or any Interest therein, to which such Party shall be entitled; and, in addition to Compensation for the Value of such Houses or Ground, or of the Interest therein, to be so conveyed, such Parties shall be entitled to and may in like Manner accept Compensation for any Damage by them sustained, owing to the Exercise of the Powers of this Act.

Amount of Compensation to be ascertained by Valuation in case of Parties under Disability.

XX. And with respect to the Consideration Money to be paid for any Houses or Ground to be purchased from any Party under any Disability or Incapacity, and not having Power to sell or convey, except under the Provisions in this Act contained, and the Compensation Money to be paid for any permanent Damage or Injury to any such Houses or Ground, be it enacted, That such Consideration Money or Compensation shall not (except where the same shall have been determined by the Verdict of a Jury under the Provisions herein-after contained) be less than shall be determined by the Valuation of Two able practical Surveyors, one of whom shall be nominated by the Council, and the other by the other Party, and if Two such Surveyors cannot agree in the Valuation, then by such Third Surveyor as any Two Justices shall for that Purpose nominate; and each of such Two Surveyors, if they agree, or if not then the Surveyor nominated by the said Justices, shall annex to the Valuation a Declaration of the Correctness thereof.

Compensation to absent Parties to be ascertained by Valuation.

XXI. And with respect to the Compensation Money to be paid for any Houses or Ground to be purchased from any Party who, by reason of Absence, or from any other Incapacity or Accident, is prevented from treating, or cannot be found, and the Compensation Money to be paid for any permanent Injury to such Houses or Ground, be it enacted, That such Consideration or Compensation shall not be less than shall be determined by the Valuation of such able practical Surveyor as Two Justices shall nominate for that Purpose; and

and such Surveyor shall annex to the Valuation a Declaration of the Correctness thereof.

XXII. And be it enacted, That if any Person seised in Fee of, or entitled to dispose of absolutely for his own Benefit, any Houses or Ground authorized to be purchased for the Purposes of this Act, shall be willing to sell such Houses or Ground for a perpetual annual Rent-charge in lieu of a Sum in gross, such Person may lawfully sell and convey such Houses or Ground, or any Part thereof, unto the Mayor, Aldermen, and Burgesses, in consideration of an annual Rent-charge payable by the Mayor, Aldermen, and Burgesses to the Person so selling and conveying, and to his Heirs and Assigns.

Purchase of
Lands on
Chief Rents.

XXIII. And be it enacted, That the yearly Rents reserved by any such Conveyance shall be charged on the Borough Fund of the said Borough, and shall be paid by the Treasurer of the said Borough as such Rents become payable; and if at any Time any such Rents be not paid within Thirty Days after they so become payable, and after Demand thereof in Writing, the Person to whom any such Rent shall be payable may either recover the same from the Mayor, Aldermen, and Burgesses, with Costs of Suit, by Action of Debt, in any of the Superior Courts, or it shall be lawful for him to levy the same by Distress of the Goods and Chattels of the Mayor, Aldermen, and Burgesses.

Payment of
such Rents
to be charged
on Borough
Fund.

XXIV. And be it enacted, That all Conveyances of Houses or Grounds so to be purchased as aforesaid may be according to the Form in the Schedules (D.) and (E.) respectively to this Act annexed, or as near thereto as the Circumstances of the Case will admit; and all such Conveyances shall be effectual to vest the Houses or Ground thereby conveyed in the Mayor, Aldermen, and Burgesses, and shall operate to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Interest so thereby conveyed, and to bar and destroy all such Estates Tail, and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever, of and in the Houses and Ground comprised in such Conveyances, as shall have been purchased or compensated for by the Consideration therein mentioned; but although Terms of Years be thereby merged, they shall in Equity afford the same Protection as if they had been kept on foot, and assigned to a Trustee for the Mayor, Aldermen, and Burgesses, to attend the Reversion and Inheritance.

Form of
Conveyances.

XXV. And with respect to the Costs of the Conveyances of any such Houses or Ground purchased or taken by the Council, be it enacted, That all such Costs shall be borne by the Mayor, Aldermen, and Burgesses, and such Costs shall include all Charges and Expences incurred on the Part as well of the Seller as of the Purchaser of all Conveyances and Assurances of any such Houses or Ground, and of any outstanding Terms or Interests therein, and of deducing, evidencing, and verifying the Title to such Houses or Ground, Terms or Interests, and of making out and furnishing such Abstracts and attested Copies as the Council may require, and all other Expences

Cost of
Conveyances.

pences incident to the Investigation, Deduction, and Verification of such Title; and before the Mayor, Aldermen, and Burgesses enter into possession of the Houses or Ground so purchased or taken they shall pay the Amount of such Costs, and if there be any Dispute about the same they shall obtain an Order for the Taxation thereof as herein-after provided: Provided nevertheless, if within Seven Days after Notice in Writing from the Council the Parties from whom such Houses or Ground shall have been purchased do not deliver a Bill of their Costs to the Town Clerk, then the Mayor, Aldermen, and Burgesses shall not be prevented from entering into possession of such Houses or Ground, by reason of the Nonpayment of such Costs, or by reason of such Order for Taxation thereof not having been obtained.

Taxation of
Costs.

XXVI. And be it enacted, That if the Council and the Party entitled to any such Costs shall not agree as to the Amount thereof, such Costs shall be ascertained by the Court of Chancery, and for that Purpose either Party may apply to the Court by Petition, and thereupon the Court shall order such Costs to be referred to one of the Masters, to be taxed in the usual Manner; and upon Proof of such Service the Master shall proceed to tax such Costs accordingly, Notice of such Taxation being given to the other Party; and after the Taxation thereof it shall be lawful for the Court to order the Amount at which the same shall be so taxed, together with the Costs of Taxation, or so much of the same as shall be payable by the Mayor, Aldermen, and Burgesses, to be paid to the Party entitled thereto, and the same shall be paid accordingly; and the Expence of taxing such Costs, and of obtaining the Order referring the same to be taxed, shall be borne by the Mayor, Aldermen, and Burgesses unless on the Taxation One Sixth Part of the Costs be disallowed, in which Case the Expence shall be borne by the Party from whom the Houses or Ground shall have been purchased or taken.

Purchase
Money pay-
able to
Parties under
Disability
amounting to
200*l.* to be
deposited
in Bank of
England.

12 G. 1. c. 32.

XXVII. And for the Purpose of providing for the Deposit and Application of the Purchase Money or Compensation to be paid in respect of any such Houses or Ground which may belong to Parties under Disability, be it enacted, That if any such Purchase Money or Compensation shall be payable in respect of any such Houses or Ground, or any Interest therein, which any Corporation, Tenant for Life, or for any other partial or qualified Interest, Married Woman seised in her own Right or entitled to Dower, Guardian, Committee of Lunatic or Idiot, Trustee, Executor, or Administrator, or Person under any Disability, shall be entitled to, and shall, under the Powers of this Act, be enabled to convey or dispose of the same, shall, if it amount to or exceed the Sum of Two hundred Pounds, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there *ex parte* "The Mayor, Aldermen, and Burgesses of the Borough of *Liverpool*," pursuant to the Method prescribed by an Act of the Twelfth Year of the Reign of His Majesty King *George* the First, intituled *An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery, and to prevent the counterfeiting of East India Bonds and*

Indorsements

Indorsements thereon, as likewise Indorsements on South Sea Bonds, and pursuant to the General Rules and Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of His Majesty King George the Second, intituled An Act to empower the High Court of Chancery to lay out on proper Securities any Monies, not exceeding a Sum therein limited, out of the common and general Cash in the Bank of England belonging to the Suitors of the said Court, for the Ease of the said Suitors, by applying the Interest therefrom for answering the Charges of the Office of the Accountant General of the said Court; and such Monies shall remain so deposited until the same be applied to some One or more of the following Purposes; (that is to say,) 12 G. 2. c. 24.

Application
of Monies
deposited.

In the Purchase or Redemption of the Land Tax, or the Discharge of any Debt or Incumbrance affecting the Houses or Ground in respect of which such Money shall have been paid, or affecting other Houses or Ground settled therewith to the same or the like Uses, Trusts, or Purposes; or

In the Purchase of any other Houses or Ground to be conveyed, limited, and settled upon the like Uses, Trusts, and Purposes, and in the same Manner, as the Houses or Ground in respect of which such Money shall have been paid stood settled; or,

If such Monies shall be paid in respect of any Buildings taken under the Authority of this Act, in replacing such Buildings, or substituting others in their Stead, in such Manner as the Court of Chancery shall direct; or

In Payment to any Party becoming absolutely entitled to such Money.

XXVIII. And be it enacted, That such Money may be so applied as aforesaid upon an Order of the Court of Chancery made on the Petition of the Party who would have been entitled to the Rents and Profits of the Houses or Ground in respect of which such Money shall have been deposited; and until the Money can be so applied it may, upon the like Order, be invested by the said Accountant General in the Purchase of Three *per Centum* Consolidated or Three *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and until such Annuities or Securities shall be ordered to be sold or converted into Money for the Purposes aforesaid, the Interest, Dividends, and annual Proceeds thereof shall from Time to Time be paid to the Party who would for the Time being have been entitled to the Rents and Profits of the Houses or Ground; and the Order for such Investment and Application of the Interest, Dividends, and annual Proceeds thereof may be made on the like Petition. Order for Application.

XXIX. And with respect to any such Purchase Money or Compensation which shall not amount to the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, be it enacted, That the same shall either be paid into the Bank of *England*, and applied in the Manner herein-before directed with respect to Sums amounting to or exceeding Two hundred Pounds, or the same may lawfully be paid to Two Trustees, to be nominated by the Parties entitled to the Rents or Profits of the Houses or Ground in respect whereof the same shall be payable, such Nomination to be signified Sums from 20*l.* to 200*l.* to be deposited, or invested in Trustees.

[*Local.*]

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by Writing under the Hands of the Parties so entitled; and in case of the Coverture, Infancy, Lunacy, or other Incapacity of the Parties entitled to such Monies, such Nomination may lawfully be made by their respective Husbands, Guardians, Committees, or Trustees; but such last-mentioned Application of the Monies shall not be made unless the Council approve thereof, and of the Trustees named for the Purpose, such Approval to be signified in Writing under the Common Seal of the Mayor, Aldermen, and Burgesses; and the Money so paid to such Trustees, and the Produce arising therefrom, shall be by such Trustees applied in the Manner herein-before directed with respect to Money paid into the Bank of *England*, but it shall not be necessary to obtain any Order of the Court for that Purpose.

Sums not exceeding 20*l.* to be paid to Parties.

XXX. And with respect to any such Money which shall not exceed the Sum of Twenty Pounds, be it enacted, That the same shall be paid to the Parties who would for the Time being have been entitled to the Rents and Profits of the Houses or Ground in respect whereof the same shall be payable, for their own Use and Benefit; or in case of the Coverture, Infancy, Idiocy, Lunacy, or other Incapacity of any such Parties, then such Money shall be paid, for their own Use, to the respective Husbands, Guardians, Committees, or Trustees of such Persons.

Where Parties refuse to convey, or do not show Title, the Purchase Money to be deposited.

XXXI. And for the Purpose of providing for the Payment and Application in certain Cases of the Purchase Money or Compensation to be paid in respect of any such Houses or Ground not belonging to Parties under Disability, be it enacted, That in the following Cases, (that is to say,) if the Owner of any such Houses or Ground, or of any Interest therein, on Tender of the Purchase Money or Compensation either agreed or awarded to be paid, refuse to accept the same, or if any such Person fail to make out a Title to the Houses or Ground in respect whereof such Purchase Money or Compensation shall be payable, or to the Interest therein claimed by him, to the Satisfaction of the Council, or if such Owner be gone out of the Kingdom, or cannot be found, or be not known, or refuse to convey or release such Houses or Ground as directed by the Council, it shall be lawful for the Council to order the Purchase Money or Compensation payable in respect of such Houses or Ground, or any Interest therein, to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there to the Credit of the Parties interested in such Houses or Ground, (describing them, so far as the Council can do,) subject to the Control and Disposition of the said Court; and upon Receipt of such Money the Cashier of such Bank shall give to the Mayor, Aldermen, and Burgesses, or to the Party paying in such Money, a Receipt for such Money, specifying therein for what and for whose Use (described as aforesaid) the same shall have been received, and in respect of what Purchase the same shall have been paid in; and thereupon all the Interest in such Houses or Ground in respect whereof such Purchase Money or Compensation shall have been deposited shall vest absolutely in the Mayor, Aldermen, and Burgesses.

Application of Monies so deposited.

XXXII. And be it enacted, That upon the Application by Petition of any Party making claim to the Money so deposited as last aforesaid,

aforesaid, or any Part thereof, or to the Houses or Ground purchased or taken by the Council, or any Part thereof, or any Interest in the same, the said Court of Chancery may, in a summary Way, as to such Court shall seem fit, order such Money to be laid out or invested in the Public Funds, or may order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates, Titles, or Interests of the Parties making claim to such Money or Houses or Ground, or any Part thereof, and may make such other Order in the Premises as to such Court shall seem fit.

XXXIII. Provided always, and be it enacted, That where any Purchase Money or Compensation paid into the Court of Chancery under the Provisions of this Act shall have been paid in respect of any Lease for Lives or Years, or any Estate in Houses or Grounds less than the whole Fee Simple thereof, or of any Reversion dependent on any such Lease or Estate, it shall be lawful for the Court of Chancery, on the Petition of any Party interested in such Money, to order that the same shall be laid out, invested, accumulated, and paid in such Manner as the said Court may consider will give to the Parties interested in such Money the same Benefit therefrom as they might have legally had from the Lease, Estate, or Reversion in respect of which such Money shall have been paid, or as near thereto as may be.

Court of Chancery may direct Investment or Payment of Money in respect of Leases for Lives, Years, &c., or Reversions, as they may think just.

XXXIV. And it enacted, That if any Question arise respecting the Title to the Houses or Ground in respect whereof such Monies shall have been so paid or deposited as aforesaid, the Parties respectively in possession or receipt of the Rents of such Houses or Ground at the Time of such Houses or Ground being purchased or taken shall be deemed to have been lawfully entitled to such Houses or Ground until the contrary be shown to the Satisfaction of the Court; and unless the contrary be shown as aforesaid, the Parties so in possession, and all Parties claiming under them, or consistently with their Possession, shall be deemed entitled to the Money so deposited, and to the Dividends or Interest of the Annuities or Securities purchased therewith, and the same shall be paid and applied accordingly.

Party in possession to be deemed the Owner.

XXXV. And with respect to Costs in Cases of Monies deposited in the Bank of *England*, be it enacted, That the Court of Chancery may in all such Cases, except where Monies shall have been so deposited by reason of the wilful Refusal of any Party entitled thereto to receive the same, or to convey or release the Houses or Ground in respect whereof the same shall be payable, order the Costs of the following Matters, including therein all reasonable Charges and Expences incident thereto, to be paid by the Mayor, Aldermen, and Burgesses; (that is to say,) the Costs of the Purchase or of the taking or using of the Houses or Ground, or which shall have been incurred in consequence thereof, other than such Costs as are herein otherwise provided for, and the Costs of the Investment of such Monies in Government or Real Securities, and of the Re-investment thereof, or of the Government or Real Securities purchased therewith, in the Purchase of other Houses or Ground, and also the Costs of obtaining the proper Orders for any of the Purposes aforesaid, and of

Costs in Cases of Money deposited.

of the Orders for the Payment of the Dividends and Interest of the Government or Real Securities upon which such Monies shall be invested, and for the Payment out of Court of the Principal of such Monies, or of the Government or Real Securities whereon the same shall be invested, and of all other Proceedings relating thereto, except such as are occasioned by Litigation between adverse Claimants.

Payment of Price to be made previous to Entry, except to survey.

XXXVI. And be it enacted, That the Mayor, Aldermen, and Burgesses shall not, except by the Consent of the Owner and Occupier, enter upon any Houses or Ground which shall be required to be purchased or permanently used for the Purposes of this Act, until they shall either have paid to every Party having any Interest in such Houses or Ground, or deposited in the Bank of *England* in the Manner herein mentioned, the Purchase Money or Compensation agreed or awarded to be paid to such Parties respectively for their respective Interests therein: Provided always, that, for the Purpose merely of surveying such Houses or Ground, it shall be lawful for the Mayor, Aldermen, and Burgesses to enter upon the same without the previous Consent of the Owners, making Compensation for any Damage thereby occasioned to the Owners or Occupiers of such Houses or Ground.

Penalty on Mayor, &c. entering upon Lands without Consent, before Payment of the Purchase Money.

XXXVII. And be it enacted, That if the Mayor, Aldermen, and Burgesses shall, except as aforesaid, wilfully enter upon and take possession of any Houses or Ground which shall be required to be purchased for the Purposes of this Act, without such Consent as aforesaid, or without having made such Payment or Deposit as aforesaid, the Mayor, Aldermen, and Burgesses shall forfeit to the Party in possession of such Houses or Ground the Sum of Ten Pounds, over and above the Amount of any Damage done to such Houses or Ground by reason of such Entry and taking possession as aforesaid, such Penalty and Damage respectively to be recovered before Two Justices; and if the Mayor, Aldermen, and Burgesses shall, after Conviction in such Penalty as aforesaid, or after Notice from the Party in possession of such Houses or Ground, continue in unlawful Possession of any such Houses or Ground, the Mayor, Aldermen, and Burgesses shall be liable to forfeit the Sum of Twenty-five Pounds for every Day they shall so remain in possession as aforesaid, such Penalty to be recoverable by the Party in possession of such Houses or Ground, with full Costs of Suit, in any of the Superior Courts: Provided always, that nothing herein contained shall be held to subject the Mayor, Aldermen, and Burgesses to the Payment of any such Penalties as aforesaid, if they shall *bonâ fide* and without Collusion have paid or deposited the Compensation agreed or awarded to be paid in respect of the said Houses or Ground to any Person whom the Council may have reasonably believed to be entitled thereto, although such Person may not have been legally entitled thereto.

Decision of Justices not conclusive as to Right of Mayor, &c.

XXXVIII. And be it enacted, That on the Trial of any Action for any such Penalty as aforesaid the Decision of the Justices under the Provision herein-before contained shall not be held conclusive as to the Right of Entry on any such Houses or Ground by the Mayor, Aldermen, and Burgesses.

XXXIX. And

XXXIX. And be it enacted, That when the Council shall require to purchase any of the Houses or Ground which by this Act they are authorized to purchase or take, they shall give Notice thereof to all the Parties interested in such Houses or Ground, or enabled by this Act to sell and convey or release the same, or such of them as shall be known to the Council, and by such Notice shall demand from such Parties the Particulars of their Estate and Interest in such Houses or Ground, and of the Claims made by them in respect thereof; and every such Notice shall be in Writing, signed by the Town Clerk, and shall state the Particulars of the Houses or Ground so required, and shall state that the Council are willing to treat for the Purchase of the Interest of such Party in such Houses or Ground, and as to the Compensation to be made for the Damage that may be sustained by him by reason of taking the same for the Purposes of this Act.

Notice of Intention to take Houses or Ground.

XL. And be it enacted, That if for One Month after the Receipt of such Notice any such Party shall fail to state the Particulars of his Claim in respect of any such Houses or Ground, or to treat with the Council in respect of his Interest therein, or if such Party and the Council shall differ as to the Amount of the Compensation to be paid to such Party for any such Interest, or for any Damage that may be sustained by him by reason of the Execution of the Powers of this Act, the Amount of such Compensation shall be settled in the Manner herein-after provided for settling Cases of disputed Compensation.

Parties interested to state their Claims.

XLI. And be it enacted, That where, according to the Provisions of this Act, the Mayor, Aldermen, and Burgesses are authorized to enter upon and take possession of any Houses or Ground required for the Purposes of the said Improvements, or any of them, if the Owner or Occupier of any such Houses or Ground, or any other Person, refuse to give up Possession thereof, or hinder the Mayor, Aldermen, and Burgesses from entering upon or taking possession of the same, it shall be lawful for the Police Magistrate for the Borough for the Time being, on the Application of the Council, to issue his Precept to any Constable of the said Borough to deliver Possession of the same to the Person appointed in such Precept to receive the same; and upon the Receipt of such Precept the Constable shall deliver Possession of any such Houses or Ground accordingly; and the Costs accruing by reason of the issuing and Execution of such Precept, to be settled by any Justice, shall be paid by the Persons refusing to give Possession, and such Costs, if not paid on Demand, shall be levied by Distress, and the Constable shall, on the Warrant of such Justice, levy the same accordingly.

Proceedings in case of Refusal to deliver Possession of Lands.

XLII. And for the Purpose of making Provision for settling Cases of disputed Compensation arising under this Act, be it enacted, That if any Difference shall arise, or if no Agreement can be come to, between the Council and the Owners of any Houses or Ground, or of any Interest in any such Houses or Ground, taken or required for or injuriously affected by making the Improvements authorized by this Act, or by the Execution of any of the Powers hereby granted, (including among such Owners all Parties by this Act

Disputes as to Compensation to be settled by a Jury.

enabled to sell or convey Houses and Ground,) as to the Value of such Houses and Ground, or of any Interest therein, or as to the Compensation to be made in respect thereof, or if by reason of Absence any such Owner be prevented from treating, or if any such Owner fail to disclose or prove his Title to any such Houses or Ground, or of any Interest therein, or if by reason of any Impediment or Disability any such Owner be incapable of making any Agreement, Conveyance, or Release necessary for enabling the Council to take such Houses or Ground, or to proceed in the Execution of the Improvements hereby authorized, or if any such Difference arise as to the Amount of the Damages occasioned to any Houses or Ground in exercise of the Powers given by this Act, and for which any Party may be entitled to demand Compensation according to the Provisions of this Act, the Amount of the Compensation to be paid by the Mayor, Aldermen, and Burgesses in every such Case shall be settled by the Verdict of a Jury in the Manner herein-after mentioned.

Claims not exceeding 50*l.* to be settled by Two Justices.

XLIII. Provided always, and be it enacted, That if the Compensation claimed in any of the Cases mentioned in the preceding Enactment shall not exceed Fifty Pounds, the same shall be settled by Two Justices not being Members of the Council.

Notice by Mayor, &c. of Intention to have a Jury summoned.

XLIV. And be it enacted, That where it shall be necessary to refer any such Question to the Determination of a Jury, by reason of any such Difference as aforesaid, then, One Month at the least before issuing their Warrant for summoning a Jury as herein-after provided, the Council shall give Notice in Writing to the Party with whom such Difference shall have arisen of their Intention to cause such Jury to be summoned; and in such Notice the Council shall state what Sum of Money they are willing to give such Party for his Interest in such Houses or Ground, and for the Damage to be sustained by him by the Execution of the Powers of this Act.

Requisition, by Party claiming Compensation, that a Jury be summoned.

XLV. And be it enacted, That if any Party who shall be entitled to any Compensation in respect of any Houses or Ground, or of any Interest therein, taken for or injuriously affected by making the Improvements authorized by this Act, or by the Execution of any of the Powers hereby granted, shall desire the Amount of such Compensation to be determined by a Jury, it shall be lawful for such Party to give Notice in Writing to the Council of such his Desire, and he shall in such Notice state the Nature of the Interest claimed by him in respect of such Houses or Ground, and the Amount of the Compensation claimed by him in respect thereof; and unless the Council be willing to pay the Amount of Compensation so claimed, and shall enter into a written Agreement for that Purpose, then, within Twenty-one Days after the Receipt of any such Notice from any Party so entitled, they shall issue a Warrant, under the Common Seal of the Mayor, Aldermen, and Burgesses, to the Clerk of the Peace, to summon a Jury accordingly in the Manner herein mentioned.

Persons requesting Juries to

XLVI. Provided always, and be it enacted, That all Parties with whom the Council shall have any such Dispute, and who shall require
 2 a Jury

a Jury to be summoned as aforesaid, shall, before the Council shall be obliged to issue a Warrant for the summoning of such Jury, enter into a Bond to the Mayor, Aldermen, and Burgesses, in a Penalty of One hundred Pounds, to prosecute their Complaint, and to bear and pay their Proportion of the Costs and Expences of summoning and returning such Jury, and taking such Verdict, and of the summoning and Attendances of Witnesses, in case any Part of such Costs and Expences shall fall upon them the said Parties.

enter into Bonds to prosecute their Complaint and to pay Expences.

XLVII. And be it enacted, That in every Case in which any such Question of disputed Compensation shall be required to be determined by the Verdict of a Jury, the Council shall issue a Warrant, under the Common Seal of the Mayor, Aldermen, and Burgesses, to the Clerk of the Peace of the said Borough, requiring him to summon a Jury for that Purpose, and if such Clerk of the Peace shall enjoy any Office of Trust or Profit under the Mayor, Aldermen, and Burgesses, or shall be in anywise interested in the Matter in question, such Warrant shall be directed to the Coroner of the said Borough not interested as aforesaid, or if both the said Officers be so interested then to some Person free from personal Disability who shall be appointed in that Behalf by the Recorder of the said Borough, which Appointment the said Recorder is hereby authorized and empowered, and, at the Request in Writing of the Council required, in every such Case, from Time to Time to make.

Warrant for summoning Jury to be addressed to the Clerk of the Peace.

XLVIII. And be it enacted, That throughout the Enactments contained in this Act relating to the Reference to a Jury, where the Term "Clerk of the Peace" is used, the Provisions applicable thereto shall be held to apply to every Coroner or other Person lawfully acting in his Place; and in every Case in which any such Warrant shall have been directed to any other Person than the Clerk of the Peace, such Clerk of the Peace shall, immediately on receiving Notice of the Delivery of the Warrant, deliver over, on Application for that Purpose, to the Person to whom the same shall have been directed, or to any Person appointed by him to receive the same, the Jurors Book and Special Jurors List belonging to the Borough.

Provisions applicable to Clerk of the Peace to apply to Coroner.

XLIX. And be it enacted, That upon the Receipt of such Warrant the Clerk of the Peace shall summon a Jury of Twenty-four indifferent Persons, duly qualified to act as Common Jurymen in the Superior Courts, to meet at the Time and Place named in the Warrant for that Purpose.

Summoning of Jurymen.

L. And be it enacted, That out of the Jurors appearing upon such Summons a Jury of Twelve Persons shall be drawn by the Clerk of the Peace in such Manner as Juries for Trials of Issues joined in the Superior Courts are by Law required to be drawn; and if a sufficient Number of Jurymen do not appear in obedience to such Summons, the Clerk of the Peace shall return other indifferent Men, duly qualified as aforesaid, of the Bystanders, or others that can speedily be procured, to make up the Jury to the Number aforesaid; and all Parties concerned may have their lawful Challenges against any of the Jurymen, but no such Party shall challenge the Array; and the Persons so to be

Impanneling of Jury.

be summoned and returned are hereby required to appear before the Recorder at some Court of General or Quarter Sessions of the Peace to be holden for the Borough, or at some Adjournment thereof, as in such Warrant shall be appointed, and to attend from Day to Day until duly discharged.

Notice of Inquiry.

LI. And be it enacted, That Fourteen Days Notice of the Time and Place of the Inquiry shall be given in Writing by the Council to the other Party.

Recorder to preside, and Witnesses to be summoned.

LII. And be it enacted, That the Recorder shall preside on the said Inquiry; and the Party claiming Compensation shall be deemed the Plaintiff, and shall have all such Rights and Privileges as the Plaintiff is entitled to in the Trial of Actions at Law; and, if either Party so request in Writing, the Clerk of the Peace shall summon before the Recorder any Person considered necessary to be examined as a Witness touching the Matters in question; and on the like Request the Clerk of the Peace shall order the Jury, or any Six or more of them, to view the Place or Matter in controversy, in like Manner as Views may be had on the Trial of Actions in the Superior Courts.

Oath of Jurymen.

LIII. And be it enacted, That before the Jury proceed to inquire of and assess the Compensation or Damage in respect of which their Verdict is to be given they shall make Oath that they will truly and faithfully inquire of and assess such Compensation or Damage; and the Recorder shall administer such Oaths, as well as the Oaths of all Persons called upon to give Evidence.

Verdict of Jury to be for Purchase of Lands and for Damage, assessed separately.

LIV. And be it enacted, That such Jury shall deliver their Verdict for the Sum of Money to be paid for the Purchase of the Houses or Ground required for the Improvement of the said Borough, or of any Interest therein, belonging to the Party with whom such Questions of disputed Compensation shall so have arisen, and also the Sum of Money to be paid for the Injury done to the Houses or Ground of any such Party, by the Severance from such Houses or Ground of the Houses or Ground required for the Improvement of the Borough, and also the Sum of Money to be paid by way of Compensation for the Damage occasioned to any such Houses or Ground by reason of such Improvements, whether it be for Damage sustained before the Time of the Inquiry, or for future Damage, either temporary or permanent, or for any recurring Damage of which the Cause is then only in part obviated, and which cannot or will not be further obviated by the Council; and the Sums of Money to be paid for the Injury done by any such Severance as aforesaid, or by way of Compensation for any such Damage as aforesaid, shall in every such Case be assessed separately from the Value of the Houses or Ground, or the Sum to be paid for the Purchase thereof, or of any Interest therein.

Compensation Money to be apportioned.

LV. And be it enacted, That the said Jury shall, if thereunto required, settle what Share and Proportion of the Purchase Money or Compensation for Damages which shall be assessed as aforesaid shall be allowed to any Tenant or other Person having a particular Estate, Term,

Term, or Interest in the Premises, by way of Lease or otherwise, for his Interest therein.

LVI. And be it enacted, That in assessing the Sum of Money to be paid for the Purchase of any such Houses or Ground, the Value of any Interest in such Houses or Ground as shall have been heretofore rightfully purchased by the Council shall be first deducted. Value of Interest previously purchased to be deducted.

LVII. And be it enacted, That the Recorder before whom any such Inquiry shall be held shall give Judgment for the Purchase Money or Compensation assessed by such Jury; and the said Verdict and Judgment shall be signed by the Recorder, and, being so signed, shall be kept by the Clerk of the Peace among the Records of the Quarter Sessions of the said Borough; and such Verdicts and Judgments shall be deemed Records, and the same, or true Copies thereof, shall be good Evidence in all Courts and elsewhere; and all Persons may inspect the said Verdicts and Judgments, and may have Copies thereof or Extracts therefrom, on paying for each Inspection thereof One Shilling, and for every One hundred Words copied or extracted therefrom Sixpence. Verdict and Judgment to be recorded.

LVIII. And be it enacted, That on every such Inquiry before a Jury, where the Verdict of the Jury shall be given for the same or a greater Sum than the Sum previously offered by the Council, all the Costs of such Inquiry shall be borne by the Mayor, Aldermen, and Burgesses, but if the Verdict of the Jury shall be given for a less Sum than the Sum previously offered by the Council, one Half of the Costs shall be defrayed by the Owner of the Houses or Ground, and the other Half by the Mayor, Aldermen, and Burgesses: Provided always, that in every Case where, by reason of Absence in Foreign Parts, or of any Disability, the Owner of the Houses or Ground shall have been prevented from treating with the Council, all the Costs shall be borne by the Mayor, Aldermen, and Burgesses. Costs of the Inquiry.

LIX. And be it enacted, That such Costs shall be settled by the Recorder, and such Costs shall include all reasonable Costs, Charges, and Expences incurred in summoning, impannelling, and returning the Jury, taking the Inquiry, the Attendance of Witnesses, the Employment of Counsel, recording the Verdict and Judgment thereon, and otherwise incident to such Inquiry, and also the Expences of the Bond, if any, given by the Party at whose Instance the Inquiry shall have been taken for prosecuting his Claim and securing the Costs of such Inquiry; and with respect to any such Costs payable by the Mayor, Aldermen, and Burgesses, if within Seven Days after Demand such Costs be not paid to the Party entitled to receive the same, the same shall be recoverable by Distress and Sale of any Goods and Chattels of the Mayor, Aldermen, and Burgesses, and on Application to any Justice he shall give his Warrant accordingly; and with respect to any such Costs payable by the Owner of the Houses and Ground, or of any Interest therein, the same may be deducted out of any Money awarded by the Jury to be paid to such Owner as so much Money advanced for his Use, and the Payment of the Remainder Particulars of the Costs.

of such Money shall be a good Payment and Satisfaction of the whole thereof.

Penalty on Clerk of the Peace and Jury for Default.

LX. And be it enacted, That if the Clerk of the Peace make default in any of the Matters herein-before required to be done by him in relation to any such Trial or Inquiry, he shall forfeit Fifty Pounds for every such Offence; and if any Person summoned and returned upon any Jury under this Act, whether Common or Special, do not appear, or appear but refuse to make Oath, or in any other Manner unlawfully neglect his Duty, he shall, unless he show reasonable Excuse to the Satisfaction of the Recorder, forfeit a Sum not exceeding Ten Pounds; and every such Penalty payable by a Clerk of the Peace or a Juryman shall be applied in satisfaction of the Costs of the Inquiry, so far as the same will extend; and, in addition to the Penalty hereby imposed, every such Juryman shall be subject to the same Regulations, Pains, and Penalties as if such Jury had been returned for the Trial of any Issue joined in any of the Superior Courts.

Penalty on Witnesses making Default.

LXI. And be it enacted, That if any Person duly summoned to give Evidence upon any such Inquiry, and to whom a Tender of his reasonable Expences shall have been made, fail to appear at the Time and Place specified in the Summons, without sufficient Cause, or if any Person, whether summoned or not, who shall appear as a Witness, refuse to be examined on Oath touching the Subject Matter in question, every Person so offending shall forfeit a Sum not exceeding Ten Pounds.

Special Jurymen to be summoned at the Request of either Party.

LXII. And be it enacted, That if either Party desire any such Question of disputed Compensation as aforesaid to be tried before a Special Jury, and, before the Council have issued a Warrant under the Common Seal of the Mayor, Aldermen, and Burgesses to the Clerk of the Peace, give Notice in Writing of such Desire, such Question shall be so tried, and for that Purpose the Council shall, by a Warrant under the Common Seal of the Mayor, Aldermen, and Burgesses to the Clerk of the Peace, require him to nominate a Special Jury for such Trial, and thereupon the Clerk of the Peace shall, as soon as conveniently may be after the Receipt by him of such Warrant, summon both the Parties to appear before him, by themselves or their Attornies, at some convenient Time and Place (not being less than Five Days from the Service of such Summons) appointed by him, for the Purpose of nominating a Special Jury; and at the Place and Time so appointed the Clerk of the Peace shall proceed to nominate and strike a Special Jury in the Manner in which such Juries shall be required by the Laws for the Time being in force to be nominated or struck by the proper Officer of the Superior Courts, and the Clerk of the Peace shall appoint a Day for the Parties or their Agents to appear before him to reduce the Number of such Jury, and thereof shall give Four Days Notice to the Parties, and on the Day so appointed the Clerk of the Peace shall proceed to reduce the said Special Jury to the Number of Twenty, in the Manner used and accustomed by the proper Officers of the Superior Courts.

LXIII. And

LXIII. And be it enacted, That the Special Jury on such Inquiry shall consist of Twelve of the said Twenty who shall first appear on the Names being called over, the Parties having their lawful Challenges against any of the said Jurymen; and if a full Jury do not appear, or if after such Challenges a full Jury do not remain, then, upon the Application of either Party, the Recorder shall add to the List of such Jury the Names of any other disinterested Persons, qualified to act as Special or Common Jurymen, who shall not have been previously struck off the aforesaid List, and who may then be attending the Court, or can speedily be procured, so as to complete such Jury, all Parties having their lawful Challenges against such Persons; and the Recorder shall proceed to the Trial and Adjudication of the Matters in question by such Jury, and such Trial shall be attended in all respects with the like Incidents and Consequences as herein-before provided in case of a Trial by Common Jury.

Deficiency of Jurymen.

LXIV. And be it enacted, That any other Inquiry than that for the Trial of which such Special Jury may have been struck and reduced as aforesaid may be tried by such Jury, provided the Parties thereto respectively shall give their Consent to such Trial.

Other Inquiries before same Special Jury by Consent.

LXV. And be it enacted, That no Special Jurymen shall, without his Consent, be summoned or required to attend any such Proceeding as aforesaid more than once in any Year.

Special Jurymen not to attend more than Once.

LXVI. And with respect to any such Question of disputed Compensation or other Matter of Difference by this Act authorized to be referred to the Determination of Two Justices, be it enacted, That either Party may apply to such Justices in respect to any such Matter, and thereupon such Justices, in Presence of the Parties, or such of them as shall appear, (being duly summoned for that Purpose,) shall examine into the Matter in dispute, and shall award such an Amount of Compensation, or shall make such Determination in respect of the Matter so referred to them, as to them shall seem fit; and the Costs of every such Inquiry shall be in the Discretion of such Justices, and they shall settle the Amount thereof, and in default of Payment of such Costs as directed by such Justices the same shall be levied by Distress, and the said Justices shall issue their Warrant accordingly.

Reference of Dispute as to Compensation to Justices.

LXVII. And be it enacted, That if at any Time after the Mayor, Aldermen, and Burgesses shall have entered upon any Houses or Ground which, under the Provisions of this Act, the Council were authorized to purchase, and which shall be permanently required for the Improvement of the Borough, any Party shall appear to be entitled to any Estate, Right, or Interest, or Charge affecting such Houses or Ground, which the Council shall have failed or omitted duly to purchase or to pay Compensation for, then, whether the Period granted for the Purchase of Houses and Ground shall have expired or not, the Mayor, Aldermen, and Burgesses shall remain in the undisturbed Possession of such Houses or Ground, provided, within Six Calendar Months after Notice of such Estate, Right, Interest, or Charge, in case the same shall not be disputed by the Council, or in case the same shall be disputed, then within Six Calendar Months after

Council empowered to purchase the Interest in Lands the Purchase whereof may have been omitted by Mistake.

after the Right thereto shall have been finally established by Law in favour of the Party claiming the same, the Council shall purchase or pay Compensation for the same, and shall also pay to such Party, or to any other Party who may establish a Right thereto, full Compensation for the Mesne Profits or Interest which would have accrued to such Parties respectively in respect thereof during the Interval between the Entry of the Mayor, Aldermen, and Burgesses thereon and the Time of the Payment of such Purchase Money or Compensation by the Council, so far as such Mesne Profits or Interest may be recoverable in Law or Equity; and such Purchase Money or Compensation shall be agreed on or awarded to be paid in like Manner as, according to the Provisions of this Act, the same respectively would have been agreed on or awarded and paid in case the Council had purchased such Estate, Right, Interest, or Charge before the Mayor, Aldermen, and Burgesses entering upon such Houses or Ground, or as near thereto as Circumstances will admit.

How Value
of such Lands
to be esti-
mated.

LXVIII. And be it enacted, That in estimating any Compensation to be given for any such last-mentioned Houses or Ground, or any Estate or Interest in the same, or for any Mesne Profits therein, the Jury shall assess the same at such Price as they shall find to be the Value of such Houses or Ground, Estate or Interest, and Profits, without regard to any Improvements or Alterations made in the said Houses or Ground by the Council, and as though the Improvement in the Borough for which the said Houses or Ground had been purchased had not been made.

Corporation
to pay the
Costs of Liti-
gation as to
such Houses
and Grounds.

LXIX. And be it enacted, That, in addition to the said Purchase Money, Compensation, or Satisfaction, and before the Mayor, Aldermen, and Burgesses shall become absolutely entitled to any Estate, Interest, or Charge, or to have the same merged or extinguished for their Benefit, they shall, when the Right to any such Estate, Interest, or Charge shall be disputed, pay the full Costs and Expences of any Proceedings at Law or in Equity for the Recovery of the same to the Parties with whom any Litigation in respect thereof shall have taken place; and such Costs and Expences shall, in case the same shall be disputed, be settled by the proper Officer of the Court in which such Litigation took place.

Parties not
to be re-
quired to sell
Part of a
House.

LXX. And be it enacted, That no Party shall at any Time be required to sell or convey to the Mayor, Aldermen, and Burgesses a Part only of any House, if such Party be willing to sell and convey the whole thereof.

Power to re-
deem Mort-
gages.

LXXI. And with respect to any such Houses and Ground which shall be subject to any Mortgage, be it enacted, That the Council may purchase or redeem the Interest of the Mortgagee of such Houses and Ground, and that whether they shall have previously purchased the Equity of Redemption of such Houses and Ground or not, and whether the Mortgagee thereof be entitled thereto in his own Right or in Trust for any other Party, and whether he be in possession of such Houses or Ground by virtue of such Mortgage or not, and whether such Mortgage affect such Houses or Ground solely,

or jointly with any other Houses or Ground not required for the Purposes of this Act, and in order thereto the Council may pay or tender to such Mortgagee the Principal and Interest due on such Mortgage, together with his Costs and Charges, if any, and also Six Months additional Interest, and thereupon such Mortgagee shall immediately convey his Interest in the Houses or Ground comprised in such Mortgage to the Mayor, Aldermen, and Burgesses, or as the Council shall direct, or the Council may give Notice in Writing to such Mortgagee that they will pay off the Principal and Interest due on such Mortgage at the End of Six Months, computed from the Day of giving such Notice; and if they shall have given any such Notice, or if the Party entitled to the Equity of Redemption of any such Houses or Ground shall have given Six Months Notice of his Intention to redeem the same, then at the Expiration of either of such Notices, or at any intermediate Period, upon Payment or Tender by the Council to the Mortgagee of the Principal Money due on such Mortgage, and the Interest which would become due at the End of Six Months from the Time of giving either of such Notices, together with his Costs and Expences, if any, such Mortgagee shall convey or release his Interest in the Houses or Ground comprised in such Mortgage to the Mayor, Aldermen, and Burgesses, or as the Council shall direct.

LXXII. And be it enacted, That if, in either of the Cases aforesaid, upon such Payment or Tender, any Mortgagee shall fail to convey or release his Interest in such Mortgage as directed by the Council, or if he fail to adduce a good Title thereto to their Satisfaction, then it shall be lawful for the Council, at any Time after such Failure to pay into the Bank of *England*, in the Manner provided by this Act in Cases of Money directed to be deposited in such Bank, the Principal and Interest, together with the Costs, if any, due on such Mortgage, and also, if such Payment be made before the Expiration of Six Months Notice as aforesaid, such further Interest as would at that Time become due; and thereupon, as well as upon such Conveyance by the Mortgagee, if any such be made, all the Estate and Interest of such Mortgagee, and of all Persons in Trust for him, or for whom he may be a Trustee, in such Houses or Ground, shall vest in the Mayor, Aldermen, and Burgesses, and they shall be deemed to be in the actual Possession thereof, in case such Mortgagee were himself entitled to such Possession.

Deposit of
Mortgage
Money on
Refusal to
accept Re-
demption.

LXXIII. And with respect to any such mortgaged Houses or Ground which shall be of less Value than the Principal, Interest, and Costs secured thereon, be it enacted, That the Value of such Houses or Ground, or the Compensation to be made by the Council in respect thereof, shall be settled by Agreement between the Mortgagee of such Houses or Ground, and the Party entitled to the Equity of Redemption thereof, on the one Part, and the Council on the other Part; and if the Parties aforesaid fail to agree respecting the Amount of such Value or Compensation, the same shall be determined as in other Cases of disputed Compensation; and the Amount of such Value or Compensation, being so agreed upon or determined, shall be paid by the Mayor, Aldermen, and Burgesses to the Mortgagee,

Sum to be
paid when
Mortgage
exceeds Value
of Lands.

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in satisfaction of his Mortgage Debt, so far as the same will extend, and upon Payment or Tender thereof the Mortgagee shall convey or release all his Interest in such mortgaged Houses or Grounds to the Mayor, Aldermen, and Burgesses, as they shall direct.

Deposit of
Money when
refused on
Tender.

LXXIV. And be it enacted, That if, upon such Payment or Tender as aforesaid being made, any such Mortgagee fail so to convey his Interest in such Mortgage, or to adduce a Title thereto, to the Satisfaction of the Council, then they may pay the Amount of such Value or Compensation into the Bank of *England*, in the Manner provided by this Act in the Case of Monies required to be deposited in such Bank; and every such Payment or Deposit shall be accepted by the Mortgagee in satisfaction of his Mortgage Debt, so far as the same will extend, and shall be a full Discharge of such mortgaged Houses or Ground from all Money due thereon; and thereupon such Houses or Ground, as to all such Estate and Interest as were then vested in the Mortgagee, or any Person in Trust for him, shall become absolutely vested in the Mayor, Aldermen, and Burgesses, and they shall be deemed to be in the actual Possession thereof, in case such Mortgagee were himself entitled to the Possession thereof; nevertheless, all Rights and Remedies possessed by the Mortgagee against the Mortgagor by virtue of any Bond or Covenant or other Obligation, other than the Right to such Houses or Ground, shall remain in force in respect of so much of the Mortgage Debt as shall not have been satisfied by such Payment or Deposit.

Sum to be
paid where
Part only of
mortgaged
Lands taken.

LXXV. And with respect to any such mortgaged Houses or Ground of which only a Part shall be required for the Purposes of this Act, be it enacted, That if the Part so required be of less Value than the Principal Money, Interest, and Costs secured on such Houses or Ground, and the Mortgagee shall not consider the remaining Part of such Houses or Ground a sufficient Security for the Money charged thereon, or be not willing to release the Part so required, then the Value of such Part, and also the Compensation (if any) to be paid in respect of the Severance thereof, or otherwise, shall be settled by Agreement between the Mortgagee and the Party entitled to the Equity of Redemption of such Houses or Ground on the one Part, and the Council on the other Part; and if the Parties aforesaid fail to agree respecting the Amount of such Value or Compensation, the same shall be determined as in other Cases of disputed Compensation; and the Amount of such Value or Compensation, being so agreed upon or determined, shall be paid by the Mayor, Aldermen, and Burgesses to such Mortgagee, in satisfaction of his Mortgage Debt, so far as the same will extend, and thereupon such Mortgagee shall convey or release to them, or as they shall direct, all his Interest in such mortgaged Houses or Ground the Value whereof shall have been so paid; and a Memorandum of what shall have been so paid shall be indorsed on the Deed creating such Mortgage, and shall be signed by the Mortgagee; and a Copy of such Memorandum shall at the same Time (if required) be furnished by the Council, at the Expence of the Mayor, Aldermen, and Burgesses, to the Party entitled to the Equity of Redemption of the Houses or Ground comprised in such Mortgage Deed.

LXXVI. And

LXXVI. And be it enacted, That if, upon Payment or Tender to any such Mortgagee of the Amount of the Value or Compensation so agreed upon or determined, such Mortgagee shall fail to convey or release to the Mayor, Aldermen, and Burgesses, or as the Council shall direct, his Interest in the Houses or Ground in respect of which such Compensation shall so have been paid or tendered, or if he shall fail to adduce a good Title thereto to the Satisfaction of the Council, it shall be lawful for the Council to pay the Amount of such Value or Compensation into the Bank of *England* in the Manner provided by this Act in case of Monies required to be deposited in such Bank, and such Payment or Deposit shall be accepted by such Mortgagee in satisfaction of his Mortgage Debt, so far as the same will extend, and shall be a full Discharge of the Portion of the mortgaged Houses or Ground so required from all Money due thereon; and thereupon such Houses or Ground shall become absolutely vested in the Mayor, Aldermen, and Burgesses, as to all such Estate and Interest as were then vested in the Mortgagee, or any Person in Trust for him, and in case such Mortgagee were himself entitled to such Possession they shall be deemed to be in the actual Possession thereof; nevertheless, every such Mortgagee shall have the same Powers and Remedies for recovering and compelling Payment of the Mortgage Money, or the Residue thereof, (as the Case may be,) and the Interest thereof respectively, upon and out of the Residue of such mortgaged Houses or Ground, or the Portion thereof not required for the Purposes of this Act, as he would otherwise have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Houses or Ground originally comprised in such Mortgage.

Deposit of
such Money
when refused
on Tender.

LXXVII. And with respect to any such Houses or Ground which shall be charged with any Rent Service, Rent-charge, or Chief or other Rent, or other Payment or Incumbrance, be it enacted, That if any Difference shall arise between the Council and the Party entitled to any such Charge respecting the Consideration to be paid for the Release of such Houses or Ground therefrom, or from the Portion thereof affecting the Houses or Ground required for the Purposes of this Act, the same shall be determined as in other Cases of disputed Compensation.

Release of
Houses or
Ground from
Rent-charge.

LXXVIII. And be it enacted, That if Part only of the Houses or Ground charged with any such Rent Service, Rent-charge, Chief or other Rent, Payment, or Incumbrance, be required to be taken for the Purposes of this Act, the Apportionment of any such Charge may be settled by Agreement between the Party entitled to such Charge and the Owner of the Houses or Ground on the one Part, and the Council on the other Part, and if such Apportionment be not so settled by Agreement the same shall be settled by Two Justices; but if the remaining Part of the Houses or Ground so jointly subject be a sufficient Security for such Charge, then, with the Consent of the Owner of the Houses or Ground so jointly subject, such Owner not being under legal Disability or Incapacity, the Party entitled to such Charge may release therefrom the Houses or Ground required, on condition or in consideration of such other Houses or Ground remaining exclusively subject to the whole thereof.

Release of
Part of Lands
from Charge.

LXXIX. And

Deposit in
case of Re-
fusal to
release.

LXXIX. And be it enacted, That upon Payment or Tender of the Compensation so agreed upon or determined to the Party entitled to any such Charge as aforesaid, such Party shall execute to the Mayor, Aldermen, and Burgesses a Release of such Charge; and if he fail so to do, or if he fail to adduce a good Title to such Charge to the Satisfaction of the Council, they shall pay the Amount of such Compensation into the Bank of *England* in the Manner provided by this Act in the like Cases of Monies required to be deposited in such Bank, and thereupon the Rent Service, Rent-charge, Chief or other Rent, Payment, or Incumbrance, or the Portion thereof in respect whereof such Compensation shall so have been paid, shall cease and be extinguished.

The Charge
to continue
on Lands not
taken.

LXXX. And be it enacted, That if any such Houses or Ground be so released from any such Charge or Incumbrance, or Portion thereof, to which they were subject jointly with other Houses or Ground, such last-mentioned Houses or Ground shall alone be charged with the whole of such Charge, or with the Remainder thereof, as the Case may be, and the Party entitled to the Charge shall have all the same Rights and Remedies over such last-mentioned Houses or Ground for the whole or for the Remainder of the Charge, as the Case may be, as he had previously over the whole of the Houses or Ground subject to such Charge; and if, upon such Charge or Portion of Charge being so released, the Deed or Instrument creating or transferring such Charge be tendered to the Council for the Purpose, they shall affix the Common Seal of the Mayor, Aldermen, and Burgesses to a Memorandum of such Release, indorsed on such Deed or Instrument, declaring what Part of the Houses or Ground originally subject to such Charge shall have been purchased by the Council by virtue of this Act, and if the Houses or Ground be released from Part of such Charge, what Proportion of such Charge shall have been released, and how much thereof continues payable, or if the Houses or Ground so required shall have been released from the whole of such Charge, then that the remaining Houses or Ground are thenceforward to remain exclusively charged therewith; and such Memorandum shall be made and executed at the Expence of the Mayor, Aldermen, and Burgesses, and shall be Evidence in all Courts, and elsewhere, of the Facts therein stated, but not so as to exclude any other Evidence of the same Facts.

Where Part
only of Lands
under Lease
are taken
the Rent
to be appor-
tioned.

LXXXI. And with respect to any such Houses or Ground which shall be comprised in a Lease for a Term of Years unexpired, Part only of which Houses or Ground shall be required for the Purposes of this Act, be it enacted, That the Rent payable in respect of the Houses or Ground comprised in such Lease shall be apportioned between the Houses or Ground so required and the Residue of such Houses or Ground; and such Apportionment may be settled by Agreement between the Lessor and the Lessee of such Houses or Ground on the one Part, and the Council on the other Part; and if such Apportionment be not settled by Agreement between the Parties, such Apportionment shall be settled by Two Justices, and after such Apportionment the Lessee of such Houses or Ground shall, as to

all future accruing Rent, be liable only to so much of the Rent as shall be so apportioned in respect of the Houses or Ground not required for the Purposes of this Act; and the Lessor shall have all the same Rights and Remedies for the Recovery of such Rent as previously to such Apportionment he had for the Recovery of the whole Rent reserved by such Lease; and all the Covenants, Conditions, and Agreements of such Lease, except as to the Amount of Rent to be paid, shall remain in force with regard to that Part of the Houses or Ground which shall not be required for the Purposes of this Act, in the same Manner as they would have done in case such Part of the Houses or Ground had been included in the Lease.

LXXXII. And be it enacted, That every such Lessee as last
 aforesaid shall be entitled to receive from the Mayor, Aldermen, and
 Burgesses Compensation for the Damage done to him in his Tenancy
 by reason of the Severance of the Houses or Ground required from
 those not required, or otherwise by reason of the Execution of any
 of the Provisions of this Act. Tenants to be
compensated.

LXXXIII. And with respect to any such Houses or Ground
 which shall be in the Possession of any Person having no greater
 Interest therein than as Tenant at Will or Lessee for a Year, or
 from Year to Year, be it enacted, That at the Expiration of Six
 Months after receiving Notice to that Effect from the Council, or at
 any other Time, when required, after the Expiration of that Period,
 all such Persons shall respectively deliver up to the Council, or to
 the Person appointed by them to take possession thereof, any such
 Houses or Ground in their Possession required for the Purposes of
 this Act; and any such Notice shall be effectual, whether it be given
 with reference to the Time of the Commencement of such Tenant's
 holding or not, and whether such Notice be given before or after
 the Purchase of such Houses or Ground by the Council. Tenants at
Will or from
Year to Year
to cede Pos-
session on
Six Months
Notice.

LXXXIV. Provided always, and be it enacted, That if any such
 Person as last aforesaid be required to give up Possession of any
 Houses or Ground so occupied by him before the Expiration of his
 Term or Interest therein, he shall be entitled to Compensation for
 the Value of his unexpired Term or Interest in such Houses or
 Ground, or, if a Part only of such Houses or Ground be required,
 Compensation for the Damage done to him in his Tenancy by the
 Severance of the Houses or Ground required from those not re-
 quired; and the Amount of such Compensation shall be determined
 by Two Justices, in case the Parties differ about the same. Compen-
sation to such
Tenants.

LXXXV. And be it enacted, That if any such Person refuse to
 give up such Possession, it shall be lawful for the Council, after
 making Payment or Tender of such Compensation as herein-before
 mentioned, but not otherwise, to apply to the Police Magistrate for the
 Time being of the Borough, who, on such Application, shall issue his
 Precept to any Constable of the Police Force of the Borough to
 deliver up Possession of such Houses or Ground to the Person in
 such In case of
Refusal
to give Pos-
session.

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such Precept nominated to receive the same; and upon the Receipt of such Precept the said Constable shall deliver Possession of such Houses or Ground in obedience thereto; and the Party so refusing to give up Possession shall pay the Costs incurred in the issuing or Execution of such Precept, to be settled by any Justice, and if, on Demand, such Party shall fail to pay the same, they shall be levied by Distress, and the said Justice shall issue his Warrant accordingly.

Tenants at Will to the Corporation to quit on Notice.

LXXXVI. And be it enacted, That all Persons in possession of any House or Ground belonging to the said Mayor, Aldermen, and Burgesses which shall be required to be taken or used for the Purposes of this Act, and who shall have no greater Interest than as Tenants at Will, or Lessees for a Year, or as Tenants from Year to Year, shall respectively deliver up Possession of such Property to the Mayor, Aldermen, and Burgesses, or to such Person as the Council shall appoint to take possession of the same, at the Expiration of their several Interests by Law therein; and in case any such Tenant, or Lessee, or Person so in possession as aforesaid, shall refuse to give up such Possession as aforesaid, it shall be lawful for any Two Justices, not being Members of the Council, upon Complaint made to them on behalf of the said Mayor, Aldermen, and Burgesses, to issue their Precept to any Constable of the Police Force of the Borough to deliver up Possession of the said Premises to such Person as shall in such Precept be nominated to receive the same, and the said Constable is hereby required to deliver Possession of the said Premises accordingly, and to levy and satisfy such Costs as shall accrue upon or by reason of the issuing and Execution of such Precept on the Person so refusing to give Possession by Distress and Sale of his Goods and Chattels.

Compensation for Loss of Trade.

LXXXVII. And be it enacted, That full Compensation, by Payment of a Sum of Money in gross, shall be made by the said Mayor, Aldermen, and Burgesses, to every Occupier of or Person interested in respect of Loss of Trade and Improvements in any Shops, Inns, Taverns, or Retail Warehouses which are authorized to be purchased by virtue of this Act, for any Injury or Damage whatsoever to be sustained by him by reason of the Execution of any Power or Authority hereby given, whereby his Business shall be injured, and for the reasonable Expences of and incident to Removal, where Removal may be necessary, whether such Occupier or other Person shall be the Owner or not, and to all such Occupiers as aforesaid who may not claim Compensation in respect of Loss or Profits, and to all Occupiers of any Houses or Buildings authorized to be purchased by virtue of this Act, not consisting of Shops, Inns, Taverns, or Retail Warehouses, Compensation for all reasonable Expences of and incident to Removal, where Removal may be necessary, such Compensations respectively to be ascertained by Agreement with the said Council, or some Person on their Behalf; and in case of any Difference concerning the same, then such Compensation shall be ascertained by a Jury in like Manner as the Value of any Houses, Buildings, or Lands authorized to be purchased and taken by the said Mayor, Aldermen, and Burgesses is by this Act directed to be ascertained, and the Amount

of such Compensation shall be paid by the said Mayor, Aldermen, and Burgesses to such Occupiers and other Persons interested as aforesaid, previous to the Possession of the said Premises respectively being taken.

LXXXVIII. And be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses to award such Recompence to the Occupiers of Shops, Inns, and Taverns who were in the Possession of the same Six Months previously to the passing of this Act, for the reasonable Expences of Removal or other Damage sustained by such Occupiers in consequence of the Execution of the Powers of this Act, as to the said Mayor, Aldermen, and Burgesses shall appear to be just and reasonable, and their Decision with reference to such Recompence shall be final.

Compensation may be awarded to Occupiers of Shops, Inns, and Taverns.

LXXXIX. And be it enacted, That if any Party claim Compensation in respect of any unexpired Term or Interest under any Lease or Grant of any such Houses or Ground, the Council may require such Party to produce the Lease or Grant in respect of which such Claim shall be made, or the best Evidence thereof in his Power; and if, after Demand made in Writing by the Council, such Lease or Grant, or the best Evidence thereof, be not produced within a reasonable Time, the Party so claiming Compensation shall be considered as a Tenant holding only from Year to Year, and be entitled to Compensation accordingly.

Production of Leases.

XC. And be it enacted, That the Powers of the Council for the compulsory Purchase or taking of the Houses or Ground mentioned in the Schedule (F.) to this Act annexed, for the Purposes of this Act, shall not be exercised after the Expiration of Seven Years from the passing thereof.

Compulsory Purchase limited to Seven Years.

XCI. And whereas the rapidly increasing Population and Trade of the Borough of *Liverpool* may render many of the Streets in the said Borough too narrow for the convenient Despatch of Business and the Comfort of the Inhabitants, and it would be of great public Advantage if the Council were authorized to make such Alterations in the said Streets as they may from Time to Time think necessary; be it therefore enacted, That it shall be lawful for the Council to agree with the Owners of any House or of any Piece of Ground within the said Borough for the absolute Purchase, for a Consideration in Money, of any such House or Ground, or such Parts thereof as the Council shall think proper, and of all subsisting Leases therein, and of all Rent-charges, Annuities, Mortgages, or Incumbrances affecting any such House or Ground, and all other Estates or Interests in such House or Ground whatsoever, and to pay for the Purchase of such House or Ground, and of all Rent-charges, Annuities, Mortgages, or Incumbrances affecting the same, and of all other Estates or Interests therein, out of the Borough Fund of the Borough, such Sum or Sums of Money as shall be agreed upon between the Council and the Owners and other Persons interested therein; and the said Council, after such Purchase made as aforesaid, may order such House, or such Part or Parts thereof to be taken down and removed,

Council may purchase Houses or Ground for effecting additional Improvements.

removed, and the Site thereof, and such Piece of Ground so to be purchased by them, or any Part thereof, to be laid into the said Streets, for the widening, enlarging, and rendering more commodious the same, or to be otherwise disposed of for making new Streets, or otherwise for the Improvement of the Borough, as the Council shall think proper; and all Powers and Provisions herein contained for the Purchase and taking of the Houses or Ground mentioned in the said Schedule (F.), and for ascertaining the Value thereof, and any Damage sustained by the Persons interested therein, and for the Payment and Investment of the Purchase Monies, and for the Payment of the Expences attending the Purchase of any such Houses or Ground by the Council, save and except the Powers of the compulsory Purchase or taking of the Houses or Ground mentioned in the said Schedule (F.), shall be applicable to any such House, and the Ground occupied therewith, now hereby authorized to be purchased and taken as aforesaid, in the same Manner as if such House and Ground had been described in the said Schedule.

All the new Buildings to be erected according to a Plan and Elevation.

XCII. And be it further enacted, That all and every the Houses and Buildings to be erected and built in lieu of those authorized to be purchased and taken down by virtue of this Act shall be erected and built according to such Plan or Plans for the outside Front or Elevation thereof as the Council shall direct or appoint.

Authorizing the Alteration of Fronts of Houses in the Streets herein named, so as to make the same uniform.

XCIII. And be it enacted, That for the Purpose of rendering the several Streets called *Lord Street*, *James Street*, and *Pool Lane*, and the upper Part of the North Side of *Harrington Street*, which are in the central Part of the said Town of *Liverpool*, and form the principal Communications with the Docks there, more uniform and ornamental, it shall be lawful for the Council, from Time to Time and at all Times hereafter, to agree with the Owners and other Persons interested in any House on the North Sides of *Lord Street* and *James Street*, and on the East and West Sides of *Pool Lane*, and the North Side of *Harrington Street*, not required for the widening of the said Streets, for the taking down and rebuilding the Fronts of such Houses and Buildings according to a Plan and Elevation to be fixed by the Council, and to rebuild such Fronts accordingly, by and out of the Borough Fund of the said Borough, and to recede or bring forward the Front of any such House or Building, as the Case may require, so that one uniform Line and Range of Buildings may be formed on each Side of the said Streets respectively; and in case the Council shall not be able to agree with the Owners and other Persons interested in any House on the North Sides of *Lord Street*, *Harrington Street*, or *James Street*, or on the East or West Sides of *Pool Lane* aforesaid, as to the Amount to be paid for the taking down and rebuilding, bringing forward or receding, the Front of the same, according to such Plan and Elevation as aforesaid, such Amount shall be ascertained by a Jury in like Manner as the Value of any other Houses authorized to be purchased under and by virtue of this Act is directed to be ascertained; and upon the Assessment of the said Jury relative to the Amount to be paid for the taking down and building, bringing forward and receding, such Front as aforesaid, such other Proceedings shall be had and taken as are herein directed

upon

upon the Assessment of any other Money to be paid for the Purchase of any other Houses authorized to be purchased by virtue of this Act; and it shall be lawful for the Council, after any such Assessment as aforesaid, and upon Payment or Tender of the Money assessed, upon giving or causing Twelve Calendar Months Notice in Writing to be given to the Owners and other Persons interested in any such House as aforesaid, to order and direct the Front of any such House or Building to be taken down and rebuilt, brought forward or receded, according to such Plan and Elevation as aforesaid; and every Person who shall be ordered and directed by or on behalf of the Council to take down and rebuild, bring forward or recede, the Front of any such House or Building, and his Servants and Workmen, from and after the Expiration of such Twelve Calendar Months Notice as aforesaid, shall be and he is hereby authorized to enter into and upon the Premises, and to take down and rebuild, bring forward or recede, such Front accordingly, without being deemed in any respect a Trespasser, or liable to an Action for any Trespass in respect thereof.

XCIV. And be it enacted, That when any House or Building, any Part of which now projects beyond the regular Line of the Street, or beyond the Front of the House or Building on either Side thereof in any Street within the Borough, shall be taken down to be rebuilt or altered, the same shall be set back to the Line of the Street or the Line of the adjoining House or Building, in such Manner and according to such Elevation as the Council shall approve for the Improvement of such Street, and when the next House or Building shall not adjoin the House or Building to be so taken down, but shall be separated therefrom, then the same shall be set back to the Line of such Street: Provided always, that the Council shall make full Compensation to any such Owner for any Loss or Damage he may sustain in consequence of his House being set back according to the Provisions herein contained.

Projecting
Houses taken
down to be
set back.

XCV. And be it enacted, That the Sites of all Houses, and all Pieces of Ground, or any Parts thereof, which may be purchased by the Council, and laid into any of the Streets within the Borough, shall, when and so soon as the same shall be so laid into the said Streets, and for ever thereafter, form Part thereof, and of the public Highways, and shall be maintained and repaired and kept in repair in such and the same Way and Manner as the other Part of such Streets shall for the Time being be by Law maintained, repaired, and kept in repair; and all such Part of any Street as, in consequence of any Improvement made under the Authority of this Act, may not be longer wanted for such Street, shall remain vested in the Parties who at the Time of making such Improvements may by Law be entitled thereto, freed and discharged from the public Use thereof, but subject to the Right of the Commissioners for the better paving and Sewerage of the Town of *Liverpool*, at any Time within One Month after Notice in Writing, to remove and take away any Pavement or Flagging thereupon which may belong to them the said Commissioners: Provided always, that nothing herein contained shall authorize or empower the Council to demise, sell, or alienate any Land acquired by the said Mayor, Aldermen, and Burgesses under the

Ground
thrown into
Streets to be
public High-
ways.

Council not
to alienate
surplus Land
without the

Approbation
of the Trea-
sury.

Provisions of this Act, but which shall not be required for the Purposes thereof, otherwise than with the Approbation of the Lords Commissioners of Her Majesty's Treasury, or any Three of them, and as is provided by the said Act to provide for the Regulation of Municipal Corporations in *England* and *Wales*, and an Act passed in the Session of the Sixth and Seventh Years of the Reign of King *William* the Fourth, for the better Administration of the Borough Fund in certain Boroughs.

Houses built
contrary to
the Act to
be taken
down.

XCVI. And be it enacted, That it shall be lawful for the Council to cause any House or Building which shall be rebuilt or erected contrary to the Provisions of this Act to be taken down or regulated according to the Provisions of this Act, and the Expences of such Alterations shall be repaid to the Council by the Owner of the House or Building so altered or rebuilt.

Houses may
be set for-
ward.

XCVII. And be it enacted, That it shall be lawful for the Council to allow any Building to be advanced for the Purpose of improving the Line of the Street or Place in which such Building may be situate, or any Building adjacent thereto.

Houses to be
numbered,
and Streets
named.

XCVIII. And be it enacted, That it shall be lawful for the Council from Time to Time to cause the Houses and Buildings in the Streets within the said Borough to be numbered, and to cause to be affixed or painted in a conspicuous Part of some House, Building, or Place, at or near each End, Corner, or Entrance of every such Street, the Name by which such Street is to be known; and if any Person shall destroy, pull down, or deface any such Number or Name, or shall put up any Number or Name different to the Number or Name put by the Council, he shall forfeit a Sum not exceeding Forty Shillings for every such Offence.

Future Pro-
jections to be
removed on
Notice.

XCIX. And be it enacted, That if the Council shall consider any Porch, Shed, projecting Window, Step, Cellar, Cellar Door or Window, Sign, Sign Post, Sign Iron, Show Board, Window Shutter, Wall, Gate, or Fence, or any other Obstruction or Projection hereafter to be placed against or in front of any House or Building, to be an Annoyance, in consequence of the same projecting into, endangering, or rendering less commodious the Passage along any Street within the Borough, it shall be lawful for them to give Notice in Writing to the Owner or Occupier of such House or Building to remove such Obstruction or Projection, or to alter the same in such Manner as the Council shall think fit; and such Owner or Occupier shall, within Twenty-one Days after the Service of such Notice upon him, remove such Obstruction or Projection, or alter the same in such Manner as shall have been directed by the Council.

Existing Pro-
jections to be
removed, and
Compensa-
tion made.

C. And with regard to all Obstructions or Projections of a like Kind as those before mentioned, which have been erected or placed against or in front of any House in any Street or public Place before the passing of this Act, be it enacted, That it shall be lawful for the Council, if they shall consider any such Obstruction or Projection to be an Annoyance in consequence of the same projecting into, endangering, or rendering less commodious the Passage along any Street

within the Borough, to cause the same to be removed or altered as they shall think fit: Provided always, that the Council shall give Notice in Writing of such intended Removal or Alteration to the Owner and Occupier against or in front of whose House or Building such Obstruction or Projection shall be, One Month before such Alteration or Removal shall be commenced, and shall make reasonable Compensation to every Person who shall incur any Loss or Damage by such Removal or Alteration.

CI. And be it enacted, That the several Occupiers of Houses, Buildings, Yards, Gardens, and Lands within the Borough are hereby respectively required, at their own Costs and Charges, within Fourteen Days next after their respectively receiving Notice in Writing from the Council, signed by the Town Clerk, to cause all the Doors and Gates leading into the several Houses, Buildings, Yards, Gardens, and Land in their respective Occupations (and 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 within the said Borough, to be altered so as that the same Doors or Gates shall thenceforth open inwards and into their respective Premises; and if any such Occupier shall neglect or refuse to make the Alteration aforesaid according to such Notice, every Person so offending shall forfeit a Sum not exceeding 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, if a Tenant at a Rent equal to or exceeding Three Fourths of the net annual Value thereof, to deduct and retain out of his Rent the Charges of altering the same, and his immediate Landlord is hereby required to allow the same accordingly; and it shall be lawful for the Council to allow such Occupier or Landlord all or any Part of the Expence attending such Alterations, if the Council shall consider it expedient so to do.

Doors and
Gates to open
inwards.

CII. And be it enacted, That the Owner or Occupier of every House or Building in or adjoining any Street within the Borough shall, within One Month next after Service of any Order of the Council for that Purpose, put up, and for ever afterwards keep in good Condition, a Shute or Trough of the whole Length of such House or Building, with a Pipe or Trunk to be fixed to the Front or Side of such Building from the Roof to the Ground, to carry off the Water from the Roof thereof, in such Manner that the Water from such House shall not fall upon the Persons passing near the same.

Waterspouts
to be affixed.

CIII. And be it enacted, That the Owner or Occupier of any House or Building in any Street within the said Borough shall cause the Water to be conveyed from such House or Building, either by Drains or Tunnels below the Surface of the Pavement or Flagging of the Footpath, or by means of Iron Drain Gutters to be fixed in the Flagging or Pavement, and for that Purpose it shall be lawful for any such Owner or Occupier to take up so much of the Pavement or Flagging of any Street as may be requisite, and to lay down the said Drains or Tunnels, or fix the said Iron Drain Gutters, under the Direction

Under-
ground
Drains to be
formed.

Direction of the Commissioners for the better Paving and Sewerage of the Town of *Liverpool*, or their Surveyor; and all Damage which may be thereby occasioned to the Pavement or Flagging of the Foot-path or Carriageway shall be made good at the Expence of such Owner or Occupier.

Vaults and Drains to be substantially made.

CIV. And be it enacted, That all Vaults and Drains hereafter to be made under any Street within the said Borough shall be substantially made, and so as not to interfere with any Drains or Sewers under the Control of the Commissioners for the better Paving and Sewerage of the Town of *Liverpool*, without their Consent.

For preventing Danger to Passengers from ruinous Buildings.

CV. And whereas it frequently happens that Houses within the Borough are, either from litigated Titles thereto, or the Obstinacy, Neglect, or Poverty of the Owners thereof, or of the Parties interested therein, in so ruinous a Condition that Passengers are in danger of their Lives, or of some Injury, from the falling thereof, or of the Bricks or Timber or other Materials or Rubbish therefrom, and it also frequently happens that Houses erecting or repairing within the said Borough, or the Foundations of the same, are not sufficiently fenced or guarded from the Street so as to insure Safety to the Passengers; be it therefore enacted, That it shall be lawful for any Two Justices to order and direct any House therein, which, upon View of the same by the said Justices, may appear to be in a ruinous or dangerous State, to be properly fenced and guarded from the Street by a proper and sufficient Hoard or Fence, by and at the Expence of the Mayor, Aldermen, and Burgesses, until the said Premises shall be regularly and lawfully proceeded against by Presentment of the Grand Jury at the Sessions to be held for the said Borough, and taken down or repaired; and the Owners of such House shall reimburse and pay the Expences incurred by the said Mayor, Aldermen, and Burgesses in fixing or putting up every such Hoard or Fence which shall be so ordered and directed by the said Justices, and the Amount of the said Expences shall and may be recovered in like Manner as Penalties are recoverable by this Act.

For putting up Fences to guard Buildings under repair, &c.

CVI. And be it enacted, That all Persons whomsoever who have already caused to be taken down or partly taken down, or who at any Time hereafter shall take down or begin to take down, any House whatsoever within the said Borough, or cause the same to be so done, or who shall alter or repair, or begin to alter or repair, the outward or external Part of any such House, or cause the same to be so done, shall cause a proper and sufficient Hoard or Fence, with a convenient Platform and Hand-rail for Foot Passengers, to be erected and set up to guard all such Houses, and the Foundations of the same, from the Street in which the same may be situate, and shall continue such Hoard or Fence, Platform and Hand-rail, standing in good Condition during such Time as may be necessary for the public Safety, and shall light or cause the same to be well and sufficiently lighted, during the Night, so as to prevent Accidents; and if any such Person shall refuse or neglect to erect and set up any such Hoard or Fence, Platform and Hand-rail, as aforesaid, or shall not continue the same standing and in good Condition during the Time aforesaid, or shall not,

not, whilst the said Hoard or Fence, Platform and Hand-rail, is standing, keep the same sufficiently lighted in the Night, then and in any of the said Cases every such Person shall for every such Offence forfeit any Sum not exceeding Five Pounds ; and in case of a Refusal or Neglect on the Part of such Person to fence, guard, and light such Houses and Foundations as aforesaid, it shall and may be lawful for the Council, at the Expence of the Mayor, Aldermen, and Burgesses, to cause any such Houses and Foundations to be well and sufficiently fenced in, or the Fence or Hoard, Platform and Hand-rail, already erected and set up, to be well and sufficiently repaired, as the Case shall require, and such Fence or Hoard, Platform and Hand-rail, to be continued, and during their Continuance to be lighted as aforesaid ; and the Person so refusing or neglecting shall, on Demand, pay all the Charges and Expences of such fencing, repairing, and lighting, and in case of Nonpayment the same shall and may be recovered in like Manner as Penalties are recoverable by this Act.

CVII. And be it enacted, That if any Presentment shall be made by any Grand Jury, at any Court of General or Quarter Sessions, or if any Four or more Householders living near any House or Wall which may be in a ruinous or dangerous Condition shall, by Writing under their Hands, present to the Council that such House or Wall is in such ruinous or dangerous Condition, the Council, on Notice of such Presentment, shall cause a Survey of the said House or Wall to be made with all convenient Speed by the Surveyor or Assistant Surveyor of Buildings of the District of the said Borough within which the said House or Wall, or some Part thereof, shall be ; and if such Surveyor or Assistant Surveyor shall find that the said House or Wall is dangerous or ruinous, he shall immediately cause a proper Hoard or Fence to be put up, and shall cause Notice in Writing, or partly written and partly printed, to be given to the Owner or other Person interested therein, if such Owner or other Person interested can be ascertained and be found in the Borough, and if not, to be left at or fixed upon the Premises, requiring him to take down, secure, or repair such House or Wall within the Space of Twenty Days then next ensuing ; and if such Owner or other Person interested shall not begin to repair, take down, or secure the House or Wall within the said Space of Twenty Days after such Notice, and complete such Repairs, or taking down or securing, as speedily as the Nature of the Case will admit, then the Council shall cause such House or Wall, or so much thereof as shall be in such ruinous or dangerous Condition, to be taken down, repaired, or secured in such Manner as shall from Time to Time be thought requisite, and shall sell such of the Materials as may not be required in the rebuilding or securing, and out of the Monies arising therefrom shall retain all Charges of putting up any such Hoard or Fence, and of taking down, repairing, or securing such House or Wall, and of selling the Materials, or so much of such Charges as the Monies arising from any such Sale will extend to pay, and shall account for and pay over the Surplus to the Owner or other Person interested in such House or Wall, upon Demand.

The Corporation empowered to take down such Buildings as shall be presented as ruinous.

The Expence
to be levied
by Distress
on the Owner.

CVIII. And be it enacted, That if such Owner can be found within the Borough, and he shall, on Demand of the Charges aforesaid, neglect or refuse to pay the same, then such Charges may be levied by Distress, and any Justice may issue his Warrant accordingly.

Council may
sell the
Materials.

CIX. And be it enacted, That in case any such House or Wall as aforesaid, or any Part of the same, shall be pulled down by virtue of the Powers aforesaid, it shall be lawful for the Council to sell the Materials thereof, or of so much of the same as shall be pulled down, and to apply the Proceeds of such Sale in Payment of the Charges incurred in respect of such House or Wall, and the Council shall restore any Overplus arising from such Sale to the Owner of such House or Wall, on Demand; nevertheless, the Council, although they shall sell such Materials for the Purposes aforesaid, shall have the same Remedies for compelling the Payment of so much of the said Charges as may remain due after the Application of the Proceeds of such Sale as are herein-before given to them for compelling the Payment of the whole of the said Charges.

In default of
the Owner,
any subse-
quent Occu-
pier to be
liable.

CX. And be it enacted, That if such Owner cannot be found within the Borough, or sufficient Distress of his Goods and Chattels cannot be met with wherefrom such Charges may be levied, then the Person who shall at any Time thereafter occupy any such House, or the Ground whereon the same or any such Wall stood, as Tenant to such Owner, is hereby required to pay the same; and in default of Payment on Demand the same may be levied by Distress, and any Justice may issue his Warrant accordingly; and the Owner shall allow every such Occupier all Charges which he shall so pay, or which shall be levied by Distress from him out of the Rent from Time to Time becoming due to him, as if the same had been actually paid to him as Part of such Rent: Provided always, that no Occupier shall be liable to pay more Money in respect of such Charges as aforesaid than what he could lawfully deduct from the Rent due to such Owner at the Time of Demand made upon him for such Charges, in case he shall pay the same, or any Part thereof, on Demand, or at the Time of the issuing the Warrant of Distress, in case such Charges, or any Part thereof, shall be levied by Distress.

Occupier not
to pay more
than he can
deduct from
his Rent.

Cellar Open-
ings to be
secured ac-
cording to
the Direc-
tions of the
Commis-
sioners of
Paving or
Surveyors of
Highways.

CXI. And be it enacted, That the Cellar Entrances, Windows, or Openings of all Buildings to the Front of any Street, and the Coal and other Vaults under the Footway of any such Street, and the Entrances or Openings thereto from the Footway, shall be covered over, fastened down, or guarded, in such Manner and according to such Directions as shall be given in Writing to the Owner or Occupier thereof, by or on the Behalf of the Commissioners for paving and Sewerage, or by the Surveyor of the District, as to that Part of the Borough not under the Jurisdiction of the said Commissioners; and in case the Owner or Occupier of any such Building shall not cover over, fasten down, or guard, or cause Cellar Entrances and Windows, or Openings of the same, and the said Coal or other Vaults, and the Entrances or Openings thereto, to be covered over,
fastened

fastened down, and guarded, in such Manner and according to such Directions as shall be given respecting the same by or on behalf of the said Commissioners or Surveyors, as the Case may be, he shall forfeit and pay for each Offence the Sum of Five Pounds, to be levied and recovered as herein-after directed.

CXII. And be it enacted, That if any Building or Excavation, or any Land or Place, contiguous to any Street within the Borough, shall, for Want of sufficient Repair, Protection, or Inclosure, be dangerous to Passengers, it shall be lawful for the Council to cause the same to be repaired, protected, or inclosed, so as to prevent any Danger therefrom; and the Charges of such Repair, Protection, or Inclosure shall be repaid to the Council by the Owner of the Premises so repaired, protected, or inclosed, and in case of Nonpayment on Demand may be recovered in like Manner as Penalties are recoverable by this Act.

Dangerous Places to be repaired or inclosed.

CXIII. And be it enacted, That it shall be lawful for the Council, during such Time as any Street within the Borough is making or repairing, to close such Street, or any Part of the same, by such Ways or Means as they shall think fit.

Council may close Streets during Repairs.

CXIV. And whereas many Works, Acts, and Things are required by this Act to be done by the Owners and Occupiers of Houses, Buildings, or Land, and other Persons, for the Improvement of the Streets within the Borough, and for other Purposes herein-before mentioned, and it is necessary to provide for the Execution of all such Works, Acts, or Things in case the same shall not be done by the Persons required to do the same; be it enacted, That wherever any such Work, Act, or Thing shall not be done by the Owner or Occupier, or other Person required to do the same by the Provisions of this Act, in the Manner or at the Time prescribed by this Act, or by any Notice given by the Council for that Purpose in pursuance of this Act, or, if no Time shall be prescribed, within a reasonable Time, it shall be lawful for the Council to cause such Work, Act, or Thing to be done, and the Expences which shall be incurred by the Council in respect of such Work, Act, or Thing shall be repaid to them by the Owner, Occupier, or other Person by whom the same ought to have been done.

In default of the Party liable, the Council to execute Works, and re-cover over.

CXV. And be it enacted, That in all Cases where any such Work, Act, or Thing is required by this Act to be done by the Owner or Occupier of any House, Building, or Land, (without designating by which of the said Parties the same ought to be done,) and the Occupier of such House, Building, or Land shall be the Tenant of the same, at a Rent amounting to or exceeding Three Fourths of the net annual Value thereof, the Expences which shall be incurred by or recovered from the Occupier in respect of such Work, Act, or Thing shall be repaid to such Occupier by the Owner of the House, Building, or Land, and the Owner shall allow such Occupier the Amount of all such Expences out of the Rent from Time to Time becoming due to him, as if the same had been actually paid to him as Part of such Rent.

Occupiers to recover against Owners in certain Cases.

CXVI. And

Adjustment
between
Owners and
Occupiers.

CXVI. And be it enacted, That in all Cases, except as herein before mentioned, where any Work, Act, or Thing required by this Act to be done by the Owner or Occupier of any House, Building, or Land, (without designating by which of the said Parties the same ought to be done,) the Expences which shall be incurred by or be recovered from any such Owner or Occupier, in respect of such Work, Act, or Thing, shall be divided between the Owner and Occupier in the Proportion of the Value of their respective Interests in such House, Building, or Land; and in estimating the Value of such Interests the Owner shall be deemed to be entitled to such House, Building, or Land in Fee Simple, subject only to the Term or Interest of the Occupier therein; and if any such Owner or Occupier shall voluntarily or by Compulsion pay more than his Share of the Expences, estimated as aforesaid, of any such Work, Act, or Thing, the Excess shall be repaid to him by the Occupier or Owner, as the Case may be; and if the same be not so paid, on Demand, or if the Amount of the same shall be disputed, such Excess shall be ascertained and recovered in the same Manner as any Damages, for the ascertaining and Recovery of which no special Provision is contained in this Act, are directed to be ascertained and recovered; and if such Excess shall be payable by the Owner, he shall allow the same, or so much thereof as shall not be repaid by him to the Occupier, out of the Rent from Time to Time due or becoming due to him, as if the same had been actually paid to him as Part of such Rent.

Landing
Stages to be
enlarged.

CXVII. And whereas it is necessary to increase the public Accommodation for landing and embarking Passengers, Goods, Horses, and Carriages to and from *Liverpool*; be it therefore enacted, That the said Mayor, Aldermen, and Burgesses are hereby authorized and required, from and after the passing of this Act, forthwith, at their own Expence, to enlarge their present Landing Stage at *George's Pier* to the Width of Nine Feet, except at the Wheels, and there to the Width of Six Feet and Nine Inches, and thereby, or, at the Election of the said Mayor, Aldermen, and Burgesses, by means of a new Landing Stage of such Width as aforesaid extending the whole Length at least of their present Stage from the Tunnel at the said Pier, form a direct Communication with a Landing Barge, of such Length and Breadth and Depth as will enable Passengers, Goods, Horses, and Carriages to be landed and embarked, with Conveniences equal to those now existing, exclusive of the additional Accommodations in Breadth of Stage and Communications therewith hereby directed to be made: Provided always, and it is hereby declared, that no further Accommodations for Carriages and Horses than such as are herein expressly set forth shall be required to be made by or at the Expence of the said Mayor, Aldermen, and Burgesses; and the said Mayor, Aldermen, and Burgesses shall also, at the same Time, make the said Landing Barge in lieu of the present Landing Barge of the said Mayor, Aldermen, and Burgesses, with all proper Moorings and Fastenings; and the said Mayor, Aldermen, and Burgesses shall, in addition to the Barges, Stages, and Places for landing Passengers, Goods, and Carriages elsewhere now appropriated in *Liverpool* for that Purpose, maintain and keep the said Landing Stage at *George's Pier* and new Landing Barge in good Repair, and shall

shall employ and keep sufficient Men to work and place such Stage and Barge in Situations convenient for the Landing and Embarkation of Passengers, Goods, Horses, and Carriages as aforesaid, and shall construct and maintain Two Platforms of Stone, each of the Breadth of Six Feet, to enable Passengers conveniently to pass to and from the said Stage, one of such Platforms to extend from the said Landing Stage to the present Stairs on the North Side of the said Tunnel, and the other of the said Platforms to extend from the said Landing Stage to the present Slip on the South Side of the said Tunnel; and the said Mayor, Aldermen, and Burgesses shall enlarge the Two Flights of Stairs in the Face of the River Wall of *Saint George's Pier*, opposite to the public Baths, for the landing and embarking of Passengers; to the Breadth of Six Feet, or to such Breadth, not exceeding Six Feet, as may be practicable without Danger to the Foundation of the said Wall; and the said Mayor, Aldermen, and Burgesses shall hereafter maintain the said Flights of Stairs extended to such Breadth as aforesaid.

CXVIII. Provided always, and be it enacted, That the said Mayor, Aldermen, and Burgesses may construct new Flights of Stairs in the Face of the said Wall, in lieu of the present Flights, such new Flights being of the Breadth of Six Feet, and in case of the Erection thereof the same shall be maintained as aforesaid in lieu of the present Flights; and the said Mayor, Aldermen, and Burgesses shall order and regulate the Use of the said Landing Stage, Barge, Platforms, and Stairs, in such Way as that the Steam Boats plying to or from *Woodside* Ferry, immediately opposite to the said Town, shall at all Times be as much accommodated as the Steam Boats plying to or from the *Birkenhead* Ferry, or any other Ferry on the said River: Provided always, that such Landing Stage, Barge, and Platforms shall be in addition to any Works of a similar Description now provided, or authorized or required to be provided, by the Trustees of the *Liverpool* Docks.

New Stairs
may be made.

CXIX. Provided always, and be it enacted, That nothing herein contained with respect to the Accommodation aforesaid for the landing and embarking Passengers, Goods, Horses, and Carriages shall extend beyond the Estate of the said Mayor, Aldermen, and Burgesses, so as to oblige them to purchase the Right or Interest of any Party whomsoever, or any Lands, Tenements, or Hereditaments whatsoever.

New Accommodations
not to be
made beyond
the Estate of
the Corpora-
tion.

CXX. Provided always, and be it enacted, That nothing herein contained shall take away any Power now vested in the Council of the Borough of *Liverpool* enabling them to make Bye Laws, Orders, and Regulations concerning the Stairs, Stages, and other landing Conveniences hereby extended or authorized and required, and the Steam and other Boats resorting thereto, nor, save and except as herein-before provided as to the Steam Boats to and from *Woodside*, prejudice or affect the Power of the Council to regulate the Appropriation of the said landing Conveniences, and the Classification of the Boats to resort thereto, in anywise howsoever.

Saving Rights
of Council to
make Bye
Laws.

[Local.]

33 K

CXXI. And

Streets to be
cleansed.

CXXI. And be it enacted, That it shall be lawful for the Council from Time to Time to cause all or any of the Streets within the Borough to be cleansed, and the Dirt, Ashes, and Rubbish, except any such as shall be reserved by the Occupiers for their own Use, to be removed from any House or Premises within the Borough, at such Time and in such Manner as they shall appoint.

Occupiers
allowed to
use their own
Ashes.

CXXII. Provided always, and be it enacted, That it shall be lawful for any Occupier of any House or Premises within the Borough to keep and remove any such Dirt, Ashes, or Rubbish as shall be made on his own Premises, and shall be reserved for Manure, so as the same be not a Nuisance to the Inhabitants residing near such Premises.

Duties of
the Street
Scavengers
to be per-
formed under
Penalties.

CXXIII. And be it enacted, That the Persons employed by or contracting from Time to Time with the Council for cleansing the Streets within the Borough, or any of them, or for removing the Dirt, Ashes, and Rubbish from any House or Premises therein, shall be called the Scavengers; and such Scavengers or their Servants shall, on such Days, and at such Hours, and in such Manner, as the Council shall from Time to Time appoint, collect together all Dirt, Ashes, and Rubbish from all such Streets and Houses and Premises which they shall contract or be employed to collect Dirt, Ashes, and Rubbish from within the Borough, except such Dirt, Ashes, and Rubbish as shall be kept by the Occupiers of such Houses and Premises for their own Use, under the Provisions herein contained, and shall carry away the Dirt, Ashes, and Rubbish so collected to such Place as shall be appointed by the Council for the depositing of the same; and if any such Scavenger fail to remove any Dirt, Ashes, or Rubbish which he shall contract or be employed to remove, at the Time or in the Manner prescribed by the Council for that Purpose, or shall deposit any of such Dirt, Ashes, or Rubbish in any other Place than such as shall be appointed by the Council for that Purpose, he shall for every such Offence forfeit a Sum not exceeding Ten Pounds.

Penalty on
Occupiers
obstructing
Scavengers.

CXXIV. And be it enacted, That every Occupier of a House or other Building within the Borough shall forfeit any Sum not exceeding Forty Shillings for every Time he shall prevent any Scavenger or his Servants from removing any Dirt, Ashes, or Rubbish which such Scavenger is hereby authorized to remove from his House or Premises.

Penalty on
other Persons
than Sca-
vengers
removing
Dirt.

CXXV. And be it enacted, That if any Person other than the Scavenger for the Time being, or some Person employed by him, shall collect or carry away any Dirt, Ashes, or Filth from any Street within the Borough, or from any House or Building therein, except as aforesaid, he shall forfeit for every such Offence a Sum not exceeding Ten Pounds.

Occupiers
to cause
Footways to
be swept.

CXXVI. And be it enacted, That the respective Occupiers of Houses, Yards, and Lands within or adjoining the Streets within the said Borough shall once in every Day (*Sundays* excepted), before

Nine of the Clock in the Forenoon of each Day, cause to be swept and cleansed the Footways and Pavements in front or at the Side of their respective Buildings, Yards, and Lands; and every such Occupier making default herein shall for every such Offence forfeit a Sum not exceeding Five Shillings: Provided always, that for the Purpose aforesaid the Owner of any House let out into divided Apartments shall be deemed the Occupier.

CXXVII. And be it enacted, That it shall be lawful for the Council to cause the Footways in any public Street opposite to any unbuilt Land, or to any of the Churches and Chapels in the Borough, to be in like Manner swept and cleansed, and to defray the Expence thereof out of the Rate by this Act directed to be collected for the Purpose of cleansing the Borough.

Council may cause certain Footways to be swept;

CXXVIII. And be it enacted, That it shall be lawful for the Council to compound, for such Time as they think fit, with any Person liable to sweep or clean any Footway under the Provisions of this Act, for sweeping and cleansing the same in the Manner by this Act directed.

may compound for sweeping Footways;

CXXIX. And be it enacted, That it shall be lawful for the Council to cause any Footway within the Borough to be swept or cleansed in such Manner and at such Times as they shall think fit.

may cause Footways to be swept.

CXXX. And be it enacted, That if any Person shall, after public Notice given by the Mayor or Deputy Mayor of the Borough directing Dogs to be confined on account of Suspicion of Canine Madness, suffer any Dog to be at large within the said Borough during the Time specified in such Notice, every Person so offending shall for every Offence forfeit a Sum not exceeding Five Pounds.

Penalty on suffering Dogs to go at large after Notice.

CXXXI. And be it enacted, That it shall be lawful for any Constable or other Officer of the Police Force of the Borough to destroy any Dog or other Animal within the Borough reasonably suspected to be in a rabid State, or to have been bitten by any Dog or other Animal reasonably suspected to be in a rabid State.

Dogs suspected to be mad may be destroyed.

CXXXII. And be it enacted, That the Owner of any Dog or other Animal, who shall permit the same to go at large within the Borough, after having Information or reasonable Ground for believing it to be in a rabid State, or to have been bitten by any Dog or other Animal reasonably suspected to be in a rabid State, shall be liable to a Penalty not exceeding Five Pounds.

Penalty for suffering mad Dogs to be at large.

CXXXIII. And be it enacted, That if any Cattle shall at any Time be found at large within the Borough without any Person therewith claiming the same, it shall be lawful for any Constable or Peace Officer or Inhabitant of the Borough to seize and impound any such Cattle in any of the common Pounds of the Borough, or in such other Place as the Council shall appoint for that Purpose, and to detain the same therein until the Owner thereof shall, for each Animal so impounded, pay a Sum of Money not exceeding Five Shillings

Cattle straying about the Streets may be impounded.

Shillings to the Treasurer for the Time being of the Borough on account of the Borough Fund, and also the Sum of One Shilling to the Person impounding the same, besides the reasonable Expences of impounding and keeping and maintaining the same.

Power to provide Pounds.

CXXXIV. And be it enacted, That the said Council shall and they are hereby empowered to provide such Number of Pounds, and in such Situations within the Borough, as they may think proper, and to maintain the same for the common Use of the Inhabitants of the said Borough.

Power to sell stray Cattle for Penalty and Expences.

CXXXV. And be it enacted, That if the said Sums and Expences shall not be paid within Three Days after such impounding, it shall be lawful for the Pound Keeper, or such other Person as shall be appointed by the Council, to sell or cause any such Cattle to be sold; but previous to such Sale Seven Days Notice shall be given to or left at the Dwelling House or Place of Abode of the Owner of such Cattle so impounded of such intended Sale, if the Owner thereof, and the Residence of such Owner, shall be known, or if not, then Notice of such intended Sale shall be given by Advertisement to be inserted Seven Days before such Sale in some Newspaper published or circulated in the Borough; and the Money arising from such Sale, after deducting the said Sums and Expences aforesaid, and such other Expences as may attend the keeping and Sale of any such Cattle so impounded, shall be paid to the said Treasurer, to be by him paid to the Person whose Property the Animal so sold shall appear to have been, and which Money the said Treasurer for the Time being is hereby directed and required to pay, on Demand.

Power to seize Cattle, &c. on Footpaths, or in Gardens, &c.

CXXXVI. And be it enacted, That in case any Cattle shall be found upon any Footpath or Parapet, or trespassing in or upon any Garden, Field, or Land, within the Borough, with or without any Person leading, driving, using, or claiming the same, and whether any Person shall be riding upon such Cattle at the Time or not, it shall be lawful for any Constable or Peace Officer of the Borough, or any Inhabitant or Person residing in the said Borough, or the Owner or Occupier of the said Garden, Field, or Land, to seize and take, or cause to be seized and taken, such Cattle, and to carry, lead, or convey the same to any common Pound in the said Borough, or to any other Place which may be appointed by the Council for that Purpose, and to detain and sell the same in like Manner as hereinbefore is provided in the Case of Cattle being found at large without any Person therewith claiming the same, and in the meantime to detain the said Cattle, and afterwards to levy or distrain thereon as aforesaid as Part of the Goods and Chattels of the Owner thereof.

Punishment of Persons guilty of Pound Breach.

CXXXVII. And be it enacted, That in case any Person shall release or attempt to release, from the Pound or Place where the same shall have been impounded, any Cattle which shall be seized for the Purpose of being impounded under the Authority of this Act, or shall pull down, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock, Bolt, or Chain, or other Fastening belonging thereto, or with which the same shall be fastened or secured, or shall rescue or release, or attempt to rescue or release,
any

any Distress or Levy which shall be made under the Authority of this Act, until or before such Horse, Cattle, or Animal so seized or impounded, or such Distress or Levy so made, shall be discharged by due Course of Law, every Person so offending shall be committed by a Justice to the Common Gaol or House of Correction for the Borough, there to remain, without Bail or Mainprize, for any Time not exceeding Three Months.

CXXXVIII. And be it enacted, That if any Person shall be drunk within the said Borough he shall forfeit for every such Offence a Sum not exceeding Five Shillings; and if he shall not, immediately upon Conviction, pay such Fine, with Costs, it shall be lawful for the Justice before whom he is convicted to commit such Offender to the Gaol or House of Correction of the Borough for any Time not exceeding Three Days, unless such Fine and all Costs shall be sooner paid.

Penalty on Drunkenness.

CXXXIX. And be it enacted, That every Person who shall be drunk within the Borough, in any Street, and shall be guilty of any riotous or indecent Behaviour there, and also every Person who shall be guilty of any violent or indecent Behaviour in any Police Office or Police Station-house in the Borough, shall be liable to a Penalty of not more than Ten Pounds for every such Offence; and if he shall not, immediately upon Conviction, pay such Penalty, together with the Costs of the Conviction, it shall be lawful for the Justice before whom he is convicted to commit such Offender to the Gaol or House of Correction of the Borough for any Time not exceeding Fourteen Days, unless the said Penalty and all Costs be sooner paid.

Drunkards guilty of riotous or indecent Behaviour may be imprisoned.

CXL. And be it enacted, That if any Person shall wilfully set or cause to be set on fire any Chimney within the Borough, every Person so offending shall for every such Offence forfeit a Sum not exceeding Five Pounds; provided that nothing herein contained shall extend to any Case in which the Person so setting or causing to be set on fire any Chimney shall be liable to be indicted for Felony.

Penalty on wilfully setting any Chimney on fire.

CXLI. And be it enacted, That if the Chimney of any Person shall catch or be on fire within the Borough, every Person (being the Party occupying or using such Chimney) shall, so often as the same shall occur, forfeit a Sum not exceeding Ten Shillings: Provided always, that such Forfeiture shall not be incurred if such Person shall prove to the Satisfaction of the Justice before whom the Complaint shall be preferred that such Fire was in no ways owing to Omission, Neglect, Carelessness, or Fault of himself or Servant.

Penalty for having a Chimney on fire;

CXLII. And be it enacted, That every Person who shall wantonly Discharge any Fire-arm within the Borough shall forfeit a Sum not exceeding Five Pounds.

discharging Fire-arms.

CXLIII. And be it enacted, That after the First Day of *January* next every Person who within the Borough shall use any Dog or Goat

Dog Carts, &c. prohibited after 1st January.

[*Local.*]

33 L

Goat for the Purpose of drawing or helping to draw any Cart, Carriage, Truck, or Barrow, shall be liable to a Penalty of not more than Forty Shillings for the First Offence, and not more than Five Pounds for the Second or any following Offence.

Street Musicians to depart when desired to do so.

CXLIV. And be it enacted, That it shall be lawful for any Householder within the Borough, personally, or by his Servant, or by any Constable, to require any Street Musician or Singer to depart from the Neighbourhood of the House of such Householder, on account of the Illness of any Inmate of such House, or for other reasonable Cause; and every Person who shall sound or play upon any musical Instrument or sing in any Street near any House, after being so required to depart, shall be liable to a Penalty of not more than Forty Shillings.

Persons using Carriages without Driver's Consent liable to a Penalty.

CXLV. And be it enacted, That every Person who shall ride upon or cause himself to be carried or drawn by any Carriage within the Borough without the Consent of the Owner or Driver thereof shall be liable to a Penalty of not more than Five Shillings, and, if a Child apparently under the Age of Twelve Years, it shall be lawful for a Justice sitting at the Police Office to cause such Child to be detained until the Parent or Guardian can attend, for the Purpose of having such Child delivered into his Care, and if such Parent or Guardian do not attend before the closing of the Police Office for the Day it shall be lawful for the Justice to order such Child to be discharged.

Penalty on Persons firing Casks within 15 Yards of any Street, &c.

CXLVI. And be it enacted, That if any Person shall, in the making or repairing of any Cask, fire or burn out the same in any Street, or within Fifteen Yards from any Street, without such firing or burning out being sufficiently screened from such Street by some Building, Wall, or close Paling, without a Gate thereto, or, if with a Gate, without such Gate being closed and kept shut, every Person so offending shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Penalty on Persons hoisting Goods into Warehouses without proper Tackle;

CXLVII. And be it enacted, That if any Person shall hoist, lower, take in, or deliver any Cask, Puncheon, Barrel, Sack, Bag, or other Thing into or from any Warehouse, Building, Cellar, or Vault within the Borough, without proper and sufficient Ropes and other Tackle, in good Order and Condition, and fit for such hoisting, lowering, and taking in or delivering, and without slinging or otherwise effectually securing such Cask, Puncheon, Barrel, Sack, Bag, or other Thing, so as to prevent the same from slipping, breaking away, or falling, every Person so offending shall for every such Offence forfeit a Sum not exceeding Five Pounds.

and on Occupiers of Warehouses, &c. permitting Goods to be so hoisted in

CXLVIII. And be it enacted, That if any Owner or Occupier of any Warehouse, Building, or Room therein respectively, Cellar or Vault, within the Borough, or Master Porter, shall wilfully or negligently permit or suffer any Cask, Puncheon, Barrel, Sack, Bag, or other Thing to be hoisted, lowered, taken in, or delivered out of any Warehouse, Building, Cellar, or Vault, without having proper and sufficient

sufficient Ropes and other Tackle in good Order and Condition, and fit for such hoisting, lowering, taking in, or delivering, every Person so offending shall for every Offence forfeit a Sum not exceeding Ten Pounds: Provided that no Person shall be liable to the said Penalty other than the Party whose Duty it was to provide and have or keep sufficient Rope and Tackle for any of the Purposes aforesaid, and who shall be proved to have failed to provide or have or keep the same.

or delivered out of Warehouse, &c.

CXLIX. And be it enacted, That every Person shall be liable to a Penalty of not more than Forty Shillings who in any Street within the Borough of *Liverpool* shall commit any of the following Offences; (that is to say,)

Penalty of 40s. for certain Offences in the Streets.

Every Person who shall, to the Annoyance of the Inhabitants or Passengers, expose for Show, Hire, or Sale, (except in a Market lawfully appointed for that Purpose,) or feed or fodder, any Horse or other Animal; or shoe, bleed, or farry any Horse or Animal, except in Cases of Accident; or clean, dress, exercise, train, or break, or turn loose any Horse or Animal; or clean or wash any Carriage; or make or repair any Part of any Cart or Carriage, except in Cases of Accident, where Repair on the Spot is necessary; or show any Caravan or Carriage containing any Animal, or any other Show or public Entertainment, except in such Places as shall be appointed for those Purposes by the Mayor for the Time being; or in any Carriage or on Foot carry about any Placard, Notice, or Advertisement, whether written, printed, or painted upon or pasted to any Part of such Carriage, or any Board, or otherwise:

Every Person who shall suffer to go at large any unmuzzled ferocious Dog, or set on or urge any Dog or other Animal to attack, worry, or put in fear any Person, Horse, or other Animal:

Every Person who, by Negligence or ill Usage in driving Cattle, shall cause any Mischief to be done by such Cattle, or who shall in anywise misbehave himself in the Driving, Care, or Management of such Cattle; and also every Person who shall wantonly and unlawfully pelt, drive, or hunt any such Cattle; and every Person who shall wantonly abuse or maltreat any Cattle, or any Dog, Cat, or other Animal:

Every Person who shall singe, scald, or dress any Cattle, or any Part thereof, or shall slaughter any Cattle, except in the Case of any overdriven Cattle, or any Cattle which may have met with any Accident, and which it may be impossible to get to any Slaughter-house, and which the public Safety or other Circumstances may require to be killed on the Spot:

Every Person having the Care of any Waggon, Cart, or Carriage, who shall ride on any Part thereof, or on the Shafts, or on any Horse or other Animal drawing the same, without having Reins, and holding the same, or who shall not be in attendance upon the Near Side of the Horse or other Animal drawing such Carriage, or who shall be at such a Distance therefrom as not to have the complete and immediate Control over every such Horse or Animal by means of the Bridle, or shall be asleep while such Carriage shall be in motion:

Every

Every Person who in driving any Carriage, or having the Care or Conduct of any Carriage, shall not keep the same on the Left or Near Side of the Road, except in case of actual Necessity or some sufficient Reason for Deviation, or shall wilfully prevent any Person or Carriage from passing him, or any Carriage under his Care :

Every Person who shall ride or drive furiously, or so as to endanger the Life or Limb of any Person, or who, to the common Danger of the Passengers in any Thoroughfare, shall leave any Horse, whether attached to any Carriage or not, without some competent Person in the Care thereof :

Every Person who shall drive any Horse or other Animal drawing any Waggon, Cart, or other such Carriage at any faster Rate than a common Walk :

Every Owner of any Cart or other such Carriage having Side-boards or a Tail-board, who shall not cause the same to be well secured to the Body thereof :

Every Owner or Driver of any Cart or other Carriage who shall leave or suffer the same to stand or remain in any Street in the Night-time :

Every Person who shall cause any Carriage with or without Horses, or any Sledge, Truck, or Barrow, to stand longer than may be necessary for loading or unloading, or for taking up or setting down Passengers, except Hackney Carriages or Carts standing for Hire in any Place appointed for that Purpose; and every Person who by means of any Carriage or any Horse or other Animal, or any Cart, Sledge, Truck, or Barrow, shall wilfully interrupt any public Crossing, or wilfully cause any Obstruction in any Thoroughfare, or who while waiting for any Purpose shall refuse to cause such Carriage to be removed for the Purpose of any other Carriage taking up or setting down Persons, or for any other lawful Purpose, upon any reasonable Request :

Every Person engaged in taking up or setting down any Passenger or other Person, or in loading or unloading any Carriage, who shall not, during such taking up or setting down, or during such loading or unloading, place such Carriage as near as conveniently may be to that Side of the Street at which the taking up or setting down, or loading or unloading, is to be performed :

Every Person who shall draw any Timber, Stone, or other weighty Article along any Street without the same being placed upon or suspended from a wheeled Carriage proper for the Purpose (except snigging Timber, on the same being landed from any Ship, for a Distance not exceeding Two hundred Yards) :

Every Person who shall cause any Tree or Timber to be drawn in or upon a Timber Carriage without having to guide and direct the hind Wheels of such Carriage a Person above Eighteen Years of Age, and who shall be of sufficient Strength to guide and direct the same, by means of a Rope or Chain attached to the Steerer thereof :

Every Person who shall lead or ride or drive any Horse or Cattle, or draw or drive any Cart or Carriage, Sledge, Truck, or Barrow, upon any Footway or Curbstone, or fasten any Horse or other Animal so that it can stand across or upon any Footway :

Every Person who shall roll, draw, or carry any Cask, Tub, Hoop, or Wheel, or any Bag containing Soot or any other Article of Annoyance, or any Timber, Ladder, Plank, Pole, Log of Wood, or Showboard, or any Rod, Bar, or Bolt of Iron or other Metal, upon any Footway, except for the Purpose of loading or unloading any Carriage or of crossing the Footway :

Every Person who shall place or leave any Furniture, Goods, Wares, or Merchandize, or any Cask, Tub, Basket, Pail, or Bucket, or place or use any Standing-place, Stool, Bench, Stall, or Showboard, on any Footway, or shall place any Blind, Shade, Covering, or Awning over or along any such Footway or any Part thereof, unless such Blind, Shade, Covering, or Awning, and every Support thereof, shall be Eight Feet in Height at least, in every Part thereof from the Surface of such Footway, and shall extend over the whole of such Footway; provided that any such Blind, Shade, Covering, or Awning which shall extend over the whole Breadth of the Footway may be supported by any Pillars that may rest in or on the Curbstone of the Footway :

Every Person who shall place, hang up, or otherwise expose to Sale any Goods, Wares, Merchandize, Matter, or Thing whatsoever, so that the same shall project into or over any Footway, or beyond the Line of any House, Shop, or Building at which the same shall be so exposed :

Every Person who, after being made acquainted with the Regulations or Directions which the Mayor shall have made for regulating the Route of Cattle, Carriages, and Persons during the Time of Divine Service, and for preventing Obstructions during public Processions and on other Occasions herein-after specified, shall wilfully disregard or not conform himself thereunto :

Every Person who shall suffer any Goods or Merchandize or any Coal or Fuel intended for any House to remain in the Street for a longer Period than shall be necessary for the housing or removing thereof :

Every Person who shall place any Line, Cord, or Pole across any Street, or hang or place any Clothes thereon or otherwise across the Street, to the Danger or Obstruction of any Person :

Every Person who shall draw any Rope or Chain, by means of any Horse or otherwise, along or across any Street, for the Purpose of hoisting or lowering any Goods into or from any Building, to the Annoyance of any Inhabitant or Passenger :

Every common Prostitute or Nightwalker loitering or being in any Thoroughfare or public Place, for the Purpose of Prostitution or Solicitation, to the Annoyance of any Inhabitant or Passenger :

Every Person who shall wilfully and indecently expose his Person :

Every Person who shall sell or distribute, or offer for Sale or Distribution, or exhibit to public View, any profane, indecent, or obscene Book, Paper, Print, Drawing, Painting, or Representation, or sing any profane, indecent, or obscene Song or Ballad, or write or draw any indecent or obscene Word, Figure, or Representation, or use any profane, indecent, or obscene Language, to the Annoyance of any Inhabitant or Passenger :

[*Local.*]

33 M

Every

Every Person who shall use any threatening, abusive, or insulting Words or Behaviour, with Intent to provoke a Breach of the Peace, or whereby a Breach of the Peace may be occasioned:

Every Person, except the Guards and Postmen belonging to Her Majesty's Post Office in the Performance of their Duty, who shall blow any Horn, or use any other noisy Instrument, for the Purpose of calling Persons together, or of announcing any Show or Entertainment, or for the Purpose of hawking, selling, distributing, or collecting any Article whatsoever, or of obtaining Money or Alms:

Every Person who shall throw or discharge any Stone or other Missile to the Damage, Danger, or Annoyance of any Person, or make any Bonfire, or throw or set fire to any Fire-work:

Every Person who shall wilfully and wantonly disturb any Inhabitant by pulling or ringing any Door Bell or knocking at any Door without lawful Excuse:

Every Person who shall fly any Kite, or play at any Game, or trundle any Hoop, to the Annoyance of any Inhabitant or Passenger, or who shall make or use any Slide upon Ice or Snow to the common Danger of the Passengers, or who shall throw or leave any Orange Peel or other such Substance upon any Footway:

Every Person who shall carry the Carcase or any Part of the Carcase of any slaughtered Cattle upon the Footway, so as to obstruct, annoy, or incommode any Passenger, or who shall carry or cause to be carried, in any Manner howsoever, along any Street, the Carcase or any Part of the Carcase of any slaughtered Cattle without a sufficient Cloth covering the same:

Every Person who shall engage in or instigate or abet any Fight or Battle:

Every Person who shall cause any Dogs to fight, or instigate, aid, or abet any Dog Fight, or bait or abet the Baiting of any Cub, Bear, Badger, or any other Animal:

Every Person who shall wash, scald, or cleanse any Cask, or hoop any Cask or Tub, except coopering the same, on the public Quays, landed or delivered to be shipped, or in case of Accident, or hew, saw, bore, or cut any Timber or Stone, or slack, sift, or screen any Lime:

Every Person who shall throw or lay any Coals, Stones, Slates, Shells, Lime, Bricks, Timber, Iron, or other Materials (except Coals or Fuel for a reasonable Time only for housing the same, or Building Materials, or Rubbish thereby occasioned, which shall be placed or enclosed so as to prevent any Mischief happening to Passengers):

Every Person who shall beat or shake any Carpet, Mat, Cloth, Footbear, or Rug, after the Hour of Seven in the Morning from the First of *April* to the First of *October* inclusive in any Year, or after the Hour of Eight in the Morning during the rest of the Year.

Penalty of
40s. for cer-
tain other
Offences.

CL. And be it enacted, That every Person shall be liable to a Penalty of not more than Forty Shillings who within the said Borough

Borough shall commit any of the following Offences; (that is to say,)

Every Person who shall fix or place any Flower Pot or Box in any upper Window without sufficiently guarding the same against being blown or thrown down :

Every Person who shall throw or cast from the Roof or any Part of any House or other Building any Slate or Brick, or Part of any Slate or Brick, or any Wood, Rubbish, or other Material or Thing :

Every Person who, without the Consent of the Owner or Occupier, shall affix any Posting Bill or other Paper upon any Building, Wall, Fence, or Paling, or write upon, soil, deface, or mark any such Building, Wall, Fence, or Paling with Chalk or Paint or other Material, or in any other Way whatsoever, or wilfully break, destroy, or damage any Part of such Building, Wall, Fence, or Paling, or any Fixture or Appendage thereunto, or any Tree or Shrub or Seat in any public Walk or Garden, or deface or injure the Name or Description of any Street, or any Name, Number, or other Inscription on any House or Building, or on any Door or Window thereof :

Every Person who shall expose any thing for Sale in any Park or public Garden without the Consent of the Owners of such Park or public Garden, or other Person authorized to give such Consent :

Every Person who shall bathe in any public Situation so as to expose his Person :

Every Person who shall maliciously or wantonly pull down, break, or damage any Board whereon any Notice of any Property on Sale or to be let shall be painted, or deface or obliterate any Notice or any such Board, such Board being put up with the Consent of the Owners or Occupiers of the Land whereon the same may stand, or of the Building or Walk whereunto the same may be affixed or attached :

Every Person who, to the Danger of Passengers in any Thoroughfare, shall leave open any Vault or Cellar, or the Entrance from any Thoroughfare to any Cellar or Room under Ground, without a sufficient Fence or Hand-rail, or leave defective the Door, Window, or other Covering of any Vault or Cellar, or who shall not sufficiently fence any Area, Pit, Sewer, or Excavation left open in or adjoining to any Thoroughfare, or who shall leave such open Area, Pit, Sewer, or Excavation without a sufficient Light after Sunset to warn and prevent Persons from falling therein :

Every Person who shall throw or lay any Dirt, Litter, or Ashes, or any Carrion, Fish, Offal, or Rubbish, in any Street, or throw or cause any such Thing to fall into any Sewer, Pipe, or Drain, or into any Well, Stream, or Watercourse, Pond or Reservoir for Water, or cause or permit any offensive Matter to run from any Manufactory, Brewery, Slaughter-house, Butcher's Shop, or Dunghill into any Street or any uncovered Place, whether or not surrounded by a Wall or Fence: Provided always, that it shall not be deemed an Offence to lay Sand or other Materials in any Street in Time of Frost, to prevent Accidents,
or

or Litter or other Materials to prevent the freezing of Water in Pipes, or in case of Sickness to prevent Noise, if the Party laying any such Things shall cause them to be removed as soon as the Occasion for them shall cease :

Every Person who shall empty or begin to empty any Privy or Swinestye between the Hours of Six in the Morning and Twelve at Night, or remove along any Street any Matter from any Swinestye or Privy, Soap Lees, or other offensive Matter, between the Hours of Six in the Morning and Twelve at Night, or who shall at any Time use for any such Purpose any Carriage not having a proper Covering, or who shall wilfully or carelessly slop or spill any such offensive Matter in the Removal thereof, or who shall not carefully sweep and clean every Place in which any offensive Matter shall have been placed, slopped, or spilled ; and in default of the Apprehension of the actual Offender the Owner of the Cart or Carriage employed for any such Purpose shall be deemed to be the Offender : Provided always, that the foregoing Enactment shall not be construed to prevent the Commissioners of Paving and Sewerage within the Parish of *Liverpool* in the said Borough, or the Surveyors of Highways in the Townships and Parts of Townships within the said Borough, or any Person acting in their Service or by their Direction, from emptying or removing along any Street at any Time the Contents of any Sewer which they are authorized to cleanse or empty, and provided that nothing herein contained shall extend to the removing the Dung or Manure (if the same shall not be mixed with any Matter from any Swinestye or Privy) from any Stable, Shippon, or Cowhouse, or from any Middenstead which is used only for keeping such Manure, so that the same is put into such Carriage in some Field, Yard, or other private Place, and removed therefrom in the same, and not thrown or deposited in or upon any Street previously to being put into any such Carriage :

Every Person who shall keep any Pigstye to the Front of any Street, not being shut out from such Street by a sufficient Wall or Fence of Stone or Brick, or who shall keep any Swine in any Dwelling, or in any Place, so as to be a Nuisance to the immediate Neighbourhood thereof :

Every Person who shall, within the Distance of One hundred Yards from any Dwelling House, burn any Rags or any offensive Substance, so that the same shall be a common Nuisance :

Every Person who shall place or keep any offensive Matter in any inclosed or open Ground within One hundred Yards of any Dwelling House, so as the same may become a Nuisance or Annoyance to any Inhabitant, or who shall place any offensive Matter or Rubbish on any Land, open or inclosed, without the Consent of the Owner or Occupier thereof :

Every Person using a Forge, and having an Aperture opening towards any Street, who shall not close such Aperture every Evening within One Half Hour after Sunset, so as effectually to prevent the Light from shining through the same upon such Street ; provided that nothing herein contained shall extend to Forges below the Pavement of the Street :

Every

Every Person who shall hereafter erect or cause to be erected any Windmill within the Distance of Fifty Yards from any of the Streets, or continue any such Windmill to be so hereafter erected within such Distance :

Every Owner or Occupier of any House or other Building who shall suffer the Water from the Roof to pass to the Ground otherwise than by Pipes down such Buildings.

CLI. And be it enacted, That if any Person shall roast or burn any Root, Drug, or other Article or Thing in any House within the said Borough, and thereby cause offensive or injurious Smells or Vapours to be emitted therefrom, so as to become a common Nuisance within the said Borough, every Person so offending shall for every Offence forfeit a Sum not exceeding Five Pounds.

Penalty on Persons causing offensive Smells, &c.

CLII. And be it enacted, That it shall be lawful for the Council from Time to Time to procure the several Streets within the Borough, or such of them as they shall think proper, to be lighted by one or both of the present public Gas Companies in the said Borough, or by any other public Gas Company to be hereafter empowered and regulated by Act of Parliament, with Gas, Oil, or otherwise, at such Times as the said Council shall think fit, and, by themselves or their Contractors, to provide such Lamps, Lamp Posts, Lamp Irons, Pipes, and other Works as may be necessary for that Purpose.

Power to Council to light the Streets.

CLIII. And be it enacted, That it shall be lawful for the Council or their Contractors from Time to Time to cause such Lamp Irons, Lamp Posts, or other Posts to be put up or fixed upon or against the Walls or Palisadoes of any House (doing as little Damage as may be practicable thereto), or to be put up and erected in such other Manner within all or any of the said Streets within the Borough as the Council shall think proper, and also to cause such Number of Lamps of such Size and Sorts to be provided and affixed and put upon such Lamp Irons and Lamp Posts as they shall think necessary for lighting all or any of such Streets, and cause the same to be lighted by their Contractors with such Gas, Oil, or otherwise, as they shall think necessary.

Lamp Irons to be put up.

CLIV. And be it enacted, That if any Person shall wilfully break, throw down, or damage any Lamp, Lamp Iron, Lamp Post, or the Furniture thereof, or wilfully extinguish the Light of any such Lamp, it shall be lawful for any Person who shall see the Offence committed to apprehend, and also for any other Person to assist in apprehending, the Offender, and by the Authority of this Act, and without any Warrant, and to deliver him to any Constable, who is to keep him in safe Custody, and with all reasonable Despatch to convey him before any Justice; and such Justice shall examine upon Oath any Witness who shall appear or be produced to give Evidence touching such Offence; and if the Party accused shall be convicted of any such Offence, either by his Confession or upon such Evidence as aforesaid, he shall forfeit any Sum not exceeding Forty Shillings for every Lamp, Lamp Iron, or Lamp Post so broken, thrown down, or damaged, and shall also make full Satisfaction for the Damage which

Penalty for wilfully destroying or injuring Lamps

shall have been done thereby; and one Moiety of such Forfeiture shall be paid to the Person apprehending such Offender, and the other Moiety shall be paid to the Treasurer of the Borough for the Time being, to the Credit and on account of the Borough.

How Persons accidentally breaking Lamps are to be dealt with.

CLV. And be it enacted, That if any Person shall carelessly or accidentally break any of the said Lamps, Lamp Irons, or Lamp Posts, or do any other such Damage or Injury as herein-before is mentioned, and shall not, upon Demand, make Satisfaction for the Damage or Injury so done, it shall be lawful for any Justice to summon the Party complained of, and to examine the Matter of Complaint, and award such Sum of Money by way of Satisfaction for such Damage as such Justice shall think reasonable.

Power for the Council to contract for the Works directed to be done by this Act.

CLVI. And be it enacted, That for the Purpose of lighting the Borough, or any Part or Parts thereof, it shall be lawful for the Council from Time to Time to contract with any such Company or Companies as aforesaid for lighting the same Streets or any of them, or any Part thereof, either with Oil or with Gas, or with any other Material, or in any other Manner whatsoever, or for furnishing Lamps, Lamp Irons, Lamp Posts, and other Things necessary for the Purposes aforesaid, or any Materials for the same.

For Maintenance of a Fire Police.

CLVII. And whereas it is expedient that Provision should be made for the Maintenance and Support of the Fire Police of the Borough, be it therefore enacted, That it shall be lawful for the Council to erect and provide, in some convenient Situations in the Borough, or continue as now provided, such requisite Houses and Buildings for Firemen, and for the Reception and Custody of Fire Engines, Water Carts, and other Apparatus, and Stabling for Horses, as the Council shall think necessary, and from Time to Time to alter the Situations of the present and all future Fire Engine Stations; and the Expence of erecting and providing and fitting up such Fire Engine Stations, and also of keeping the same, and also all the present Fire Engine Stations in the Borough belonging to the Mayor, Aldermen, and Burgesses, so long as the same shall be continued, in good and proper Repair, together with a Sum equal to Five Pounds *per Centum per Annum* upon the Amount of the Expenditure for Buildings and Stations already incurred as or by way of Rent, shall be deducted from the Monies herein-after directed to be levied for the Support of the Fire Police, and be carried to the Account of the Borough Fund.

Council to provide Fire Engines, Firemen, &c.

CLVIII. And be it enacted, That it shall be lawful for the Council and they are hereby required to purchase or provide such Engines for extinguishing Fire, and such Water Buckets, Pipes, and other Apparatus for such Engines, and such Water Carts for supplying the same with Water, and such Fire Escapes and other Implements for Safety or Use in case of Fire, and to purchase, keep, or hire such Horses for drawing such Engines and Water Carts as they shall think fit, and to employ a proper Number of Persons to act as Superintendents and Firemen for directing and working the said Engines, and as Drivers for the said Engines and Water Carts, and to allow them

them such Salaries as they may think proper, with full Power and Authority to displace and remove such Superintendents, Firemen, and other Servants from Time to Time, and appoint others in their Stead, and also with full Power and Authority to regulate the Expenditure of the said Establishment, and from Time to Time to frame such Regulations for preventing Neglect or Abuse, and for rendering such Superintendents, Firemen, and other Persons employed in the said Fire Police efficient in the Discharge of their Duties, as the Council shall think fit, and generally to do all other Matters and Things which they may deem expedient with a view to the good Government and Utility of the said Fire Police.

CLIX. And be it enacted, That it shall be lawful for the Watch Committee of the Borough to permit such Engines, Implements, and Apparatus, and any Part of the Fire Police Establishment, to proceed beyond the Limits of the Borough for the extinguishing of Fire happening to Property in the Neighbourhood thereof; and the Owners of such Property shall in such Case defray the actual Expence that may be thereby incurred, and shall also pay to the Watch Committee a reasonable Charge for the Use of such Engines, Implements, and Apparatus, and for the Attendance of such Fire Police; and in case of Difference between the said Watch Committee and the Owners of the said Property, the Amount of the said Expences and Charge, as well as the Propriety of the said Engines, Implements, and Apparatus, and Fire Police, so proceeding as aforesaid for the extinguishing of such Fire (if the Propriety thereof be disputed,) shall be summarily determined by any Justice, whose Decision shall be final and conclusive on all Parties; and the Amount of the said Expences and Charge, in case of Dispute, may be fixed by the Justice, and shall be recovered in like Manner as any Penalties under this Act may be recovered.

Fire Police
going out of
the Borough.

CLX. And be it enacted, That it shall be lawful for the Council and they are hereby required, from Time to Time, out of any Monies which may be received by them from the Directors of Fire Offices, and from other Persons by this Act directed to contribute to the said Establishment, and out of the annual Rate not exceeding One Half-penny in the Pound by this Act authorized to be raised for or towards the Support of the said Fire Police, to pay the said annual Rent hereinbefore mentioned, and all Costs, Charges, and Expences to be incurred from Time to Time in the Maintenance and Establishment of the said Fire Police.

Rates for
Fire-police
not to
exceed One
Half-penny
in the Pound.

CLXI. And whereas some of the Firemen and Persons to be employed in the said Establishment, after they shall have been discharged by the Council, may obstinately and against the Will of the Council continue in the Occupation of the said Houses and Buildings so to be provided as aforesaid, to the great Inconvenience of the Council and to the Disadvantage of the Public; be it therefore enacted, That in all Cases where any Firemen or other Persons who shall have been employed by the Council in any Capacity in the said Fire Police Establishment, and who shall have been discharged by the Council therefrom, shall continue to occupy any of the said Houses or Build-

Discharged
Firemen or
Servants may
be turned out
of possession
of Houses.

ings

ings so to be provided as aforesaid, after One Week's Notice in Writing from the Council, signed by the Town Clerk, to quit and deliver up the Possession thereof, it shall be lawful for any Two Justices, and they are hereby required, on Proof on the Oath of One Witness of such Notice having been so given, by Warrant under their Hands and Seals, to order and direct the Constables of the Borough, or any Two of them, to enter into and upon the House or Building occupied by such discharged Fireman or other Person as aforesaid, and to remove him and his Family and Servants therefrom, and afterwards to deliver the Possession thereof to the Council, in such Manner and Form and as effectually to all Intents and Purposes as the Sheriff of the County of *Lancaster* could or might lawfully do under and by virtue of a Writ of Possession on a Judgment at Law.

Extraor-
dinary Ex-
pences of
Fires to be
paid to the
Superintend-
ent of Police
by Fire Offices
and Pro-
prietors un-
insured.

CLXII. And whereas in the Case of a Fire certain extraordinary Expences are incurred; (that is to say,) in Wages of the Fire Police consequent upon the Occasion in addition to their ordinary Allowance, and in the Pay of further Assistants necessarily employed on such Occasions, and in the Wear and Tear of Engines and Utensils, and by Damage and Injury sustained at such Fires: And whereas the Directors of various Fire Offices have voluntarily contributed to such extraordinary Expences, as well as to the original Cost of such Engines and Utensils, but other Fire Offices, although interested in the Preservation of Property in *Liverpool* endangered by Fires, have not, nor have the Proprietors of Property uninsured and so endangered, joined in contributing towards such extraordinary Expences: And whereas in the Case of a Fire happening it is expedient that all such extraordinary Expences as aforesaid should be borne expressly by and amongst the Persons interested in the Preservation of Property to which Assistance has been *bonâ fide* given or extended by such Police in case of such Fire; (that is to say,) such extraordinary Expence occasioned by any Fire should be borne equally by and amongst all the respective Insurance Offices who have insured against Fire Property to which Assistance has been *bonâ fide* given or extended as aforesaid by such Police Establishment against Fire, and by and amongst all the respective Owners or Proprietors of uninsured Property to which Property such Assistance as aforesaid has been *bonâ fide* given and extended by the said Police Establishment against such Fire as aforesaid, in fair and equal Proportions; be it therefore enacted, That all such extraordinary Expences as aforesaid in the Case of any Fire shall be paid to the Superintendent of the said Fire Police Establishment by the said respective Insurance Offices so having insured as aforesaid in proportion to the Amount by them respectively insured on such Property, and by the respective Proprietors of uninsured Property in proportion to the Value of such respective Property as aforesaid; provided that no such Office shall in any Case be liable to pay a larger Sum than the Amount by such Office insured, or than the Amount of the Property upon which the Insurance shall have been made by such Office, nor shall any Proprietor be liable to pay a larger Sum than the Amount of his Property uninsured; and that when any Property is insured at Two or more Insurance Offices each such Office shall only be liable in proportion to the respective Amounts by such Office insured; and if any Differ-

ence shall arise between the said respective Offices and Proprietors, or any of them, on the one part, and the said Superintendent on the other, as to whether any such Demand ought to be paid, or as to the Amount of any such Demand, then any Two Justices shall, on the Application of the said Superintendent, cause any Director, resident Agent of any such Insurance Office, or any such Proprietor so disputing as aforesaid to appear before them, on reasonable Summons or Notice in that Behalf, and shall, on hearing the Parties, settle whether any, and if any what, Amount ought to be paid to the said Superintendent by such Party as aforesaid; and if it shall appear to such Justices that any such Sum ought to be paid, the said Justices shall by their Order direct such Party as aforesaid to pay to the said Superintendent such Sum to them so appearing to be due, together (if the said Justices shall think fit) with reasonable Costs, to be fixed by the said Justices, and the said Party shall forthwith pay the same Sum and Costs to the said Superintendent accordingly.

Demands
to be settled
by Justices.

CLXIII. And be it enacted, That if any such Property as aforesaid be insured in any Insurance Office in an Amount materially less than the Value of the Property in hazard, according to a reasonable Estimate thereof for the Purpose of Insurance, such Insurance Office shall not be liable to pay or contribute towards the Expences aforesaid in respect of more than the Proportion which the Amount so insured may bear to the whole Value of such Property according to such Estimate as aforesaid; and the Owner of any such Property insured in any such Office or Offices in an Amount in the whole so less than its Value so estimated as aforesaid shall be liable to pay or contribute towards the Expences as aforesaid, in respect of the Residue of the Amount of the Value so estimated as aforesaid, as an uninsured Proprietor to that Extent, and shall be taken to be an Owner of uninsured Property to the Amount of such Residue for all the Purposes of this Act.

In case the
Property is
insured in
an Amount
materially
less than the
Value.

CLXIV. And be it enacted, That in case of any Proceedings before Two Justices against any such Insurance Office or Agent or Director as aforesaid, if it shall appear to the Satisfaction of such Justices that there is a *bonâ fide* Intention on the Part of any such Office to dispute the Validity of any such Insurance, then it shall be lawful for such Justices, if they think fit so to do, to adjourn the Proceedings from Time to Time to such Time or Times as they may think reasonable, for the Purpose of postponing their Decision until after any Trial or other Settlement of such Dispute as aforesaid.

Justices may
adjourn
their Pro-
ceedings, if
Insurance is
disputed.

CLXV. And be it enacted, That in default of Payment of the said Sum and Costs so ordered to be paid as aforesaid such Justices shall issue their Warrant to levy the same by Distress and Sale of the Goods and Chattels of the Person on whom such Order for Payment shall have been made.

In default of
Payment
Justices may
issue Warrant
to distrain.

CLXVI. And be it enacted, That no such Distress as aforesaid shall be deemed unlawful, nor the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Information, Summons, Order, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party distraining be deemed a Trespasser

No Distress
unlawful, nor
any Party
deemed a
Trespasser
ab initio,
for Want of
Form.

[Local.]

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ab initio on account of any Irregularity that shall afterwards be done by the Party so distraining, but the Person so aggrieved by any such Irregularity shall and may recover full Satisfaction for the special Damage by an Action upon the Case.

Recovery by
Action at
Law.

CLXVII. And be it enacted, That instead of proceeding for the Recovery of any such Demand by Summons, and proceeding thereon before such Justices as aforesaid, the said Superintendent may recover the same against any such Agent or any such Director or against any such Proprietor, in an Action of Debt, in the Name of such Superintendent, in which he may declare generally that the Defendant became and was indebted to him as Superintendent of the *Liverpool* Fire Police in a Sum of [stating it], for Assistance rendered to certain Property within the Meaning of a certain Act of Parliament, intituled [here set out the Title of this Act], which said Sum of Money the Defendant hath not paid; and such or the like Form of Declaration shall be deemed to be sufficient, without stating any other Matter whatsoever; provided that no such Action shall be maintainable when the Amount due is under Twenty Pounds.

Agent of
Insurance
Company
who has paid
may recover
back.

CLXVIII. And be it enacted, That any such Agent of any such Insurance Office who shall have paid any such Demand as aforesaid shall be entitled to recover the same back from such Insurance Office, or from the Company, Persons or Members composing the same, or from any Director of the same, in an Action for Money paid, or may set off the same in an Action brought against him by or on behalf of any such Insurance Office, or may repay himself out of any Monies of such Office and Company then or afterwards in his Hands.

Council
authorized to
grant Li-
cences to re-
tail Butchers
for private
Slaughter-
houses.

CLXIX. And whereas, by the said recited Act of the Twenty-sixth Year of the Reign of His Majesty King *George* the Third, the Common Council of the said Town were authorized and empowered to contract and agree for the Purchase of such Lands or Grounds within the Liberties of the said Town as they should judge proper to be appropriated to the Purpose of building Slaughtering-houses thereon, and all Persons whatsoever were thereby authorized to convey and assure such Lands or Grounds unto the Mayor, Bailiffs, and Burgesses of *Liverpool* aforesaid, and their Successors for ever, in order that the same might be sold or let for the sole Purpose of erecting thereon Buildings for the killing and dressing of Beasts, or that the said Mayor, Bailiffs, and Burgesses might have themselves the Power of erecting such Buildings, or any of them, at their own Option, and of demising or selling the same for the said Purpose, from which Period it was enacted, that no Beast or Cattle should be killed or dressed elsewhere in the said Town save in the same Buildings, under a certain Penalty therein specified: And whereas certain public Slaughter-houses have been erected in pursuance of the Provisions contained in the said Act: And whereas the said Act applied to the Borough as the same was limited prior to the passing of the Act to provide for the Regulation of Municipal Corporations in *England* and *Wales*, and the said Act hath not been extended to the new Parts of the Borough comprised therein as the same was extended, fixed, and determined by the said Act to provide for the Regulation

Regulation of Municipal Corporations in *England* and *Wales*, and the said public Slaughter-houses have been erected within the Limits of the Borough as the same were before the Extension of the Borough as aforesaid: And whereas it is expedient that the Council should be authorized and empowered to grant Licences for the killing of Cattle within the Borough, as the same was limited prior to the passing of the said Act, to retail Butchers, being Butchers who kill and cut up for Sale in their own Shops to ordinary Customers or for Shipping; be it therefore enacted, That the Council may, upon Application made to them for that Purpose, grant Licences from Time to Time to any such retail Butchers for the killing of Cattle within the Borough, as the same was limited prior to the passing of the Act for the Regulation of Municipal Corporations in *England* and *Wales*, for Sale in their respective Shops to their ordinary Customers or to Shipping, or for any other similar retail Butcher who shall be licensed by or under the Directions of the Council; and the Council shall have full Power to grant all such Licences herein-before mentioned or referred to, whether for the killing Cattle or the having Cattle killed as aforesaid, either absolutely or under such Conditions, Restrictions, and Regulations as may be prescribed by or under the Direction of the Council; provided that no such Licences shall be valid or effectual until the same shall be registered by or under the Directions of the said Council; and every Person obtaining such Licence, and being registered as aforesaid, shall be exempt from the Penalty imposed by the said Act of the Twenty-sixth Year of the Reign of King *George* the Third, but so far only that the said Act shall not hereafter affect the Right of any such retail Butcher to kill, dress, and cut up for Sale to ordinary Customers, or for Shipping, or to kill for any other similar retail Butcher, such retail Butchers being respectively licensed and registered as aforesaid.

CLXX. Provided always, and be it enacted, That it shall be lawful for the Justice before whom any Person licensed as aforesaid shall be convicted of killing or dressing any Beast or Cattle contrary to the said Act of the Twenty-sixth Year of the Reign of King *George* the Third, and the Provisions herein-before contained for Exemption therefrom as aforesaid, if such Justice shall in his Discretion think proper so to do, in addition to the Penalty imposed by the said Act of the Twenty-sixth Year of the Reign of King *George* the Third, to suspend, for any Period not exceeding Two Months, the Licence granted to such Person under this Act; and it shall also be lawful for any Justice, upon the Conviction of any Person for a second or other subsequent and like Offence, in addition to the Penalty imposed by the said Act of the Twenty-sixth Year of the Reign of King *George* the Third, to declare the Licence granted to such Person under this Act revoked, and the same shall thereupon stand determined accordingly; and whenever the Licence of any such Person shall be so revoked as aforesaid it shall be lawful for the Council to refuse to grant any further Licence to such Person.

Justice may suspend Licences of retail Butchers.

CLXXI. And be it enacted, That no Place shall be used or occupied as a Slaughter-house within such Parts of the Borough as were not

No Slaughter-houses in future to be

erected in the new Parts of the Borough without a Licence.

not comprised therein before the passing of the said Act to provide for the Regulation of Municipal Corporations in *England* and *Wales*, which has not been so used previously to the Commencement of this Act, or unless a Licence for the Erection thereof or for the Use and Occupation thereof as a Slaughter-house shall have been previously obtained; and in case any Person shall use as a Slaughter-house any Place within the said new Parts of the Borough not heretofore used as such, without having first obtained such Licence as aforesaid, such Person so offending shall for each Offence forfeit a Sum not exceeding Five Pounds for such Offence, and the like Penalty for every Day after the first upon which the said Offence shall be continued.

Council authorized to grant Licences to Butchers for Slaughter-houses in the new Parts of the Borough.

CLXXII. And be it enacted, That it shall be lawful for the Council, and they are hereby authorized and empowered, if they shall think proper so to do, but not otherwise, upon Application made to them for that Purpose, to grant Licences from Time to Time for the Erection of Slaughter-houses, or for the Use and Occupation of Buildings as Slaughter-houses, within the said new Parts of the Borough, to such Butchers, and upon such Terms and Conditions, as the Council shall think proper.

Slaughter-houses to be registered.

CLXXIII. Provided always, and be it enacted, That the several Slaughter-houses at present used within the said new Parts of the Borough shall, within Three Months after the Commencement of this Act, be registered by the respective Owners or Proprietors thereof at the Town Clerk's Office, under the Penalty of a Sum not exceeding Five Pounds for such Offence, and the like Penalty for every Day after the first upon which the said Offence shall be continued; and that in case any such Slaughter-houses shall be discontinued, the same shall not be again used as such without a Licence having been first duly taken out as herein-before mentioned with regard to any new Slaughter-houses to be hereafter set up, under the Penalty of a Sum not exceeding Five Pounds for such Offence, and the like Penalty for every Day after the first upon which the said Offence shall be continued.

Fee on such Licence.

CLXXIV. And be it enacted, That for every such Licence to any retail Butcher or for any Slaughter-house in the said new Parts of the Borough there shall be paid to the Town Clerk such Sum as the Council shall direct, not exceeding the Sum of Ten Shillings, and no Fee or Charge shall be paid for the registering of any such Licence.

Council may make Rules for the Cleanliness and Regulation of Slaughter-houses, and fix Penalties.

CLXXV. And be it enacted, That it shall be lawful for the Council from Time to Time to make such Bye Laws as to them may seem proper for the Preservation of Cleanliness in, and the better Regulation and Management of, all Places whatsoever within the Borough now used or to be used for the Purpose of or as Slaughter-houses, and also to fix and appoint such pecuniary Penalties for the Nonobservance or Nonperformance of such Bye Laws as the Council may think just and reasonable, not exceeding Five Pounds for any One Offence, to be recovered in like Manner as other Penalties under this Act may be recovered.

CLXXVI. And

CLXXVI. And whereas it is apprehended that the Practice of bringing into the Borough, and exposing for Sale therein, unsound and unwholesome Meat (not only in the public Streets, but in various Places other than the established Markets in the Borough) prevails to a great Extent, and there is Reason to believe that great Quantities of Cattle which have been smothered or have died in Vessels coming from *Ireland* and other Places are brought into the Borough or the Neighbourhood thereof and concealed, and the Carcases of the same cut up and sold as and for good and wholesome Meat; be it therefore enacted, That it shall be lawful for the Council, and they are hereby required, to nominate and appoint such and so many fit and proper Persons to be "Inspectors of Slaughter-houses and Meat" within the Borough, (and to see that the several Provisions of this Act are well and truly observed throughout the Borough,) with such Salaries and other Allowances to be paid out of the Borough Fund as the Council shall think proper.

Power for Council to appoint Inspectors of Slaughter-houses and of Meat.

CLXXVII. And be it enacted, That every such Inspector, before he shall enter upon the Duties of his Office, shall make and subscribe before the Mayor of the Borough or his Deputy a Declaration in the Words or to the Effect following; (that is to say,)

Inspectors to make a Declaration.

' I *A.B.*, One of the Inspectors of Slaughter-houses and Meat,
' appointed in pursuance of an Act of Parliament passed in the
' Year of the Reign of Her Majesty Queen *Victoria*,
' intituled *An Act [here set forth the Title of this Act]*, do declare,
' that I will diligently, impartially, and faithfully execute the said
' Office of Inspector of Slaughter-houses and Meat, and to the utmost
' of my Abilities endeavour to cause to be strictly observed the Pro-
' visions and Regulations prescribed in the said Act, and that with-
' out Favour or Affection, Prejudice or Malice, to any Person
' whomsoever.'

And the said Inspectors shall hold their several Offices during the Pleasure of the Council, and the Council shall have Power and Authority (if they shall think proper so to do) to fix the Districts within which the said Inspectors are to act within the Borough, and to do all Matters and Things relating in anywise to the Appointment and Direction of such Inspectors; and the Council are hereby authorized and required to provide One or more Office or Offices for the Use of the said Inspectors (in some convenient Place within the Borough), and to give Notice thereof in Two or more Newspapers of the Borough; and all Notices required by this Act to be given to such Inspectors may be left at the Office of the Inspector for whom the same is intended.

CLXXVIII. And be it enacted, That it shall be lawful for any of the Inspectors of Slaughter-houses and Meat, and they are hereby authorized and empowered, at all Times in the Day or Night, with or without any Servants or Assistants, to enter into and inspect any House or Place whatsoever now or at any Time hereafter kept or used for the slaughtering or killing of Cattle of any Kind within the Borough by any Person whomsoever, and also any Building, Shed, Yard, or Place belonging thereto, such House or Place not being the

Inspector may enter and inspect Slaughter-houses, &c.

actual Dwelling House of any Person, and then and there to examine, search for, and see if any Cattle or the Carcases of any such is or are deposited or have been brought there; and in case such Inspector as aforesaid shall find any Cattle, or the Carcases or Part of the Carcase of any such, which shall appear to be unsound or unwholesome, or not fit for the Food of Man, it shall be lawful for such Inspector to seize, take, and carry away, or direct the same to be seized, taken, and carried away, by any Servant or Assistant, for the Purpose of being further inspected and examined by competent Persons, according to the usual Course and Practice heretofore adopted in the Borough; and in case upon such Inspection and Examination such Cattle, Carcase or Part of a Carcase, shall be found, and be declared to be unsound or unwholesome, or not fit for the Food of Man, the same shall be immediately burnt or destroyed; and in case the Owner or Occupier of any such House or Place kept or used for the slaughtering or killing of Cattle, or of any Building, Shed, Yard, or Place belonging thereto, or any other Person, shall refuse, obstruct, or hinder such Inspector from entering into and inspecting the same, and examining, seizing, taking, carrying away, or destroying any such Carcase or Part of a Carcase which shall so appear and be found and declared to be unsound and unwholesome, or unfit for the Food of Man, every such Owner or Occupier or Person so offending shall forfeit a Sum not exceeding Five Pounds for each Offence.

Places of Deposit for smothered Cattle to be fixed, and Owners of Cattle to cause the same to be deposited, and to give Notice thereof.

CLXXIX. And be it enacted, That it shall be lawful for the Council, and they are hereby authorized and required, from Time to Time to fix and appoint some Place or Places within the Borough, for the Deposit and Reception of the Carcases of all Cattle which shall be brought to the Borough in any Vessel, and which shall have been smothered or have died on board the same; and the Owner or Person having the Care of any Cattle so brought to the Borough, which shall have been smothered or have died on board of any Vessel as aforesaid, shall, within Twelve Hours after the landing of the Carcases of all such Cattle, cause the same to be taken to and deposited in such Place or Places as shall have been so fixed and appointed for the Reception and Deposit thereof as aforesaid, and shall also cause immediate Notice of the same having been so deposited to be given to One of the Inspectors of Slaughter-houses and Meat, under the Penalty of a Sum not exceeding Twenty Pounds for each Offence.

Master of Vessel in which smothered Cattle may have been brought to give Information thereof.

CLXXX. And be it enacted, That the Master or other Person having the Charge or Command of any Vessel on board of which any Cattle brought to the Borough shall have been smothered or have died, shall, and he is hereby required, within Twelve Hours after the Arrival of such Vessel, give or cause Information to be given to One of the Inspectors of Slaughter-houses and Meat of such Cattle having been smothered or having died on board as aforesaid, under the Penalty of a Sum not exceeding Twenty Pounds.

Justices to order Carcases of

CLXXXI. And be it enacted, That it shall be lawful for any Justice, upon the Application of any Inspector of Slaughter-houses and

and Meat, and upon such Evidence as such Justice shall think fit to require, that such Cattle had been smothered or had died on board of any Vessel, by Warrant under his Hand and Seal, to cause such Part of the Carcases of such Cattle as shall appear to be improper for the Food of Man to be burnt or destroyed, or otherwise disposed of in such Way as to prevent the same from being exposed for Sale for the Food of Man, and to cause the Residue of such Carcases to be restored or delivered to the Owner of the said Cattle, or the Person who may have had the Care of the same.

smothered Cattle to be burnt or disposed of, so as to prevent same being exposed to Sale for Food.

CLXXXII. And be it enacted, That it shall be lawful for any Justice, upon Complaint on Oath made before him that there is Reason to believe that the Carcase of any Cattle which shall have been smothered or have died on board of any Vessel is deposited or concealed in any Place or on board any Vessel within the Borough, other than the Place fixed and appointed under the Authority of this Act for the Reception or Deposit thereof, by Warrant under his Hand and Seal, to cause such Place or Vessel to be searched; and in case any Carcase as aforesaid shall be found, it shall be lawful for the Person to whom such Warrant may be directed, and his Servants and Assistants, to seize, take, and carry away the same to such Place as shall have been appointed for the Reception and Deposit thereof; and it shall be lawful for the Justice before whom such Complaint as aforesaid shall have been made, and he is hereby required, to cause the said Carcase to be burnt or destroyed, or otherwise disposed of, as herein-before mentioned with regard to any other Carcase brought to and deposited in such Place as aforesaid by virtue of this Act.

Justices authorized to grant Warrants to search for smothered Cattle concealed.

CLXXXIII. And be it enacted, That it shall be lawful for any Inspector of Slaughter-houses and Meat, and he is hereby authorized and empowered, to examine and inspect any Meat hawked about for Sale in any of the Streets, or exposed for Sale in any other Place within the said Borough by any Person whatever; and if, upon such Examination and Inspection, any Meat shall appear to be unsound or unwholesome, or not fit for the Food of Man, it shall be lawful for such Inspector to seize, take, and carry away, or direct the same to be seized, taken, and carried away, by any Servant or Assistant, for the Purpose of being further inspected and examined by competent Persons; and if upon such Inspection and Examination such Meat shall be found and declared to be unsound or unwholesome, or not fit for the Food of Man, the same shall be immediately burnt or destroyed; and in case any Person shall refuse, obstruct, or hinder such Inspector from examining and inspecting, seizing, taking, carrying away, or destroying, any such Meat as aforesaid which shall so appear and be found and declared to be unsound and unwholesome, or unfit for the Food of Man, he shall forfeit and pay a Sum not exceeding Five Pounds for each Offence.

Inspectors empowered to inspect Meat hawked about or exposed for Sale.

CLXXXIV. And be it enacted, That if any Butcher, Dealer in Meat, or other Person, shall expose or offer for Sale in his Shop, Stall, Warehouse, or on any Part of his Premises, or otherwise, within the Borough, any unsound or unwholesome Meat, Fish, or other Provisions unfit for the Food of Man, every Person so offending shall for

Penalty for exposing for Sale unsound Meat or Provisions.

for every Offence forfeit a Sum not exceeding Forty Shillings, and such Meat, Fish, or other Provisions shall and may be seized, carried away, and dealt with by the Inspectors of Slaughter-houses and Meat in such Manner as is herein-before provided touching the seizing and Disposal of unsound Meat.

Licensing Carriages.

CLXXXV. And be it enacted, That it shall be lawful for the Council from Time to Time to license such Number of Hackney Carriages and Carts of any Kind or Description to ply for Hire within the Borough as they shall think fit.

Licences may be revoked for Misconduct.

CLXXXVI. And be it enacted, That any such Licence may, for the Misconduct of the Proprietors or Driver of such Hackney Carriage or Cart, be suspended or revoked by the Council as they shall deem right.

Persons applying for Licences to sign a Requisition for the same.

CLXXXVII. And be it enacted, That before any such Licence shall be granted under the Provisions of this Act, a Requisition for the same, in such Form as the Council shall from Time to Time provide for that Purpose, shall be made and signed by the Proprietor or One of the Proprietors of the Hackney Carriage or Cart in respect of which such Licence shall be applied for, and in every such Requisition there shall be truly specified and set forth the Christian Name and Surname and Place of Abode of the Person applying for such Licence, and of every Person who shall be a Proprietor or Part Proprietor of such Carriage or Cart, or who shall be concerned either solely or in Partnership with any other Person in the keeping, using, employing, or letting to Hire of such Carriage or Cart; and in case any Person on applying for such Licence shall neglect or omit to specify truly in such Requisition as aforesaid the Name of any Person who shall be a Proprietor or Part Proprietor of such Carriage or Cart, or who shall be concerned as aforesaid in keeping, using, employing, or letting to Hire of such Carriage or Cart, every Person so offending shall forfeit not exceeding Ten Pounds.

What shall be specified in the Licences.

CLXXXVIII. And be it enacted, That there shall be specified in every such Licence the true Christian Name and Surname and Place of Abode of the Person and of every Person who shall be a Proprietor or Part Proprietor of the Hackney Carriage or Cart in respect of which such Licence shall be granted, or who shall be concerned either solely or in Partnership with any other Person in the keeping, using, employing, or letting to Hire of such Carriage or Cart, and the Number which shall be painted or marked on the Plates to be fixed on such Carriage or Cart, together with such other Clauses and Conditions as the Council shall think fit.

Fee on such Licence.

CLXXXIX. And be it enacted, That for every such Licence there shall be paid to the Town Clerk such Sum as the Council shall direct, not exceeding the Sum of Ten Shillings.

Notice to be given by Proprietors of Hackney

CXC. And be it enacted, That so often as any Person named as the Proprietor or One of the Proprietors in any Licence to keep, use, employ, and let to Hire any Hackney Carriage or Cart under the

Provisions of this Act shall change his Place of Abode, he shall, within Seven Days next after such Change, give Notice thereof in Writing, signed by him, to the Town Clerk, specifying in such Notice his new Place of Abode, and such Proprietor shall at the same Time produce such Licence at the Office of the Town Clerk, who shall, by himself or some other accredited and proper Officer, indorse thereon and sign a Memorandum specifying the Particulars of such Change; and if any Person named as the Proprietor or One of the Proprietors of any Hackney Carriage or Cart in any such Licence as aforesaid shall change his Place of Abode, and shall neglect or omit to give Notice of such Change, or to produce such Licence in order that such Memorandum as aforesaid may be indorsed thereon, within the Time and in the Manner limited and directed by this Act, he shall forfeit any Sum not exceeding Forty Shillings.

Carriages of any Change of Abode.

Penalty 40s.

CXCI. And be it enacted, That if the Proprietor of any Hackney Carriage or Cart plying for Hire shall permit the same to be used as a Hackney Carriage or Cart plying for Hire within the Borough, without having obtained a Licence for such Carriage or Cart as aforesaid, or if any Person shall be found driving, standing, or plying for Hire with any Hackney Carriage or Cart for which such Licence as aforesaid shall not have been previously obtained, or shall lend or part with his Licence or Badge, every Person so offending shall forfeit and pay a Sum not exceeding Forty Shillings for every such Offence.

Penalty on Proprietor plying with Hackney Carriages without a Licence.

CXCII. And whereas it is expedient that the Drivers of Hackney Carriages and Carts, and Errand, Message, and Luggage Porters, plying for Hire within the Borough, should be licensed; be it therefore enacted, That every Person shall be licensed by the Council before he shall act as Driver of any Hackney Carriage or Cart, or as an Errand, Message, or Luggage Porter, and that every such Licence shall, within Seven Days after the granting thereof, be registered at the Town Clerk's Office (a Certificate of which Registry shall be given to every such Person upon Payment of such Sum as the Council may determine, not exceeding the Sum of One Shilling and Sixpence); and every Person neglecting to register his Licence shall forfeit for every such Neglect a Sum not exceeding Twenty Shillings.

Licensing Drivers of Carriages plying for Hire.

CXCIII. And be it enacted, That if any Person shall act as such Driver or Porter as aforesaid without having obtained such Licence, or shall lend or part with his Licence or Badge, or if the Proprietor of any such Hackney Carriage or Cart shall employ any Person as the Driver thereof who shall not have obtained such Licence, every such Person and every such Proprietor shall for every Offence respectively forfeit a Sum not exceeding Twenty Shillings.

Penalty on acting without such Licence.

CXCIV. And be it enacted, That if the Proprietor of any such Hackney Carriage or Cart shall permit or employ any licensed Person to act as the Driver thereof, then and in every such Case such Proprietor shall require to be delivered to him, and shall retain in

Proprietor to retain Licence of Drivers, &c. when in his Employ, and

to produce
the same
when sum-
moned.

Penalty on
Proprietor
for Neglect.

Proprietor
to return
Licence to
Driver when
quitting his
Service if he
has behaved
well; if other-
wise, Pro-
prietor to
summon
him.

Licences may
be suspended
and for cer-
tain Offences
revoked by
Justices.

his Possession, the Licence of such Driver during such Time as such Driver shall remain in his Employ; and in all Cases of Complaint where the Proprietor of a Hackney Carriage or Cart shall be summoned to attend before a Justice, or to produce the Driver, the Proprietor so summoned shall also produce the Licence of such Driver if he shall then be in his Employ; and if any Driver complained of shall be adjudged guilty of the Offence alleged against him, it shall be lawful for such Justice to make an Endorsement upon the Licence of such Driver, stating the Nature of the Offence and the Amount of the Penalty inflicted; and if any Proprietor shall neglect to require to be delivered to him, and to retain in his Possession, the Licence of any Driver during such Period as such Driver shall remain in his Employ, or shall refuse or neglect to produce such Licence as aforesaid, such Proprietor shall for every such Offence forfeit any Sum not exceeding Forty Shillings.

CXCV. And be it enacted, That when and so often as any Driver shall leave the Service of the Proprietor by whom he shall have been employed, and shall not have been guilty of any Misconduct, such Proprietor shall forthwith return to such Driver the Licence belonging to him; but if such Driver shall have been guilty of any Misconduct, then and in any such Case such Proprietor shall not return the Licence of such Driver, but shall give him Notice of the Complaint which he intends to prefer against him, and shall forthwith summon such Driver to appear before any Justice to answer the said Complaint; and such Justice, having the necessary Parties before him, shall inquire into and determine the Matter of Complaint; and if upon the Inquiry it shall appear that the Licence of such Driver has been improperly withheld, it shall be lawful for such Justice to direct immediate Re-delivery of such Licence, and to award such Sum of Money as he shall think proper to be paid by such Proprietor to such Driver by way of Compensation.

CXCVI. And be it enacted, That it shall be lawful for any Justice before whom any Driver, or Errand, Message, or Luggage Porter, shall be convicted of any Offence under this Act, if such Justice in his Discretion shall think proper, to suspend, for any Period not exceeding Two Months, the Licence granted to such Driver or Porter; and it shall also be lawful for any Justice, upon Proof that any Driver or Porter has been convicted of Felony, or upon the Conviction before him for a Second Offence of any Driver or Porter, to revoke the Licence granted to such Driver or Porter; and whenever the Licence of any Driver or Porter shall be suspended or revoked as aforesaid, it shall be lawful for any Justice to require any Proprietor to deliver up forthwith to such Justice the Licence of such Driver or Porter, if the same shall then be in his Possession, or to require such Driver or Porter to deliver up forthwith to such Justice his Licence and Badge; and if any Proprietor, Driver, or Porter shall, upon being so required, refuse or neglect to deliver up such Licence or Badge, or either of them, he shall forfeit any Sum not exceeding Five Pounds; and every Justice to whom any Licence or Badge shall be delivered up shall forthwith transmit the same to the Town Clerk, who shall, at the Expiration of the Period for

which any such Licence shall have been suspended, re-deliver such Licence with the Badge to the Person to whom it shall have been granted.

CXCVII. And be it further enacted, That in case any Driver of any Hackney Carriage or Cart plying for Hire, or other Carriage, public or private, shall at any Time, whilst he is driving, loading, unloading, or attending any such Carriage or Cart within the Borough, wilfully or negligently do or cause to be done any Hurt, Spoil, or Damage to the Person of any one, his Goods and Chattels, or shall be guilty of any Breach of the Peace or Misbehaviour in his Employment, then and in every such Case it shall and may be lawful for any Justice to issue his Warrant to apprehend any such Offender, and in a summary Way proceed to convict him of any such Offence, and to fine such Person so offending in any Sum not exceeding Five Pounds.

Coachmen, &c. doing any Injury, &c. may be fined any Sum not exceeding 5*l*.

CXCVIII. And be it enacted, That whenever the Proprietor or Driver of any Hackney Carriage or Cart plying for Hire, or any Errand, Message, or Luggage Porter, shall be convicted of taking and receiving as and for a Fare, or for the Work or Labour done by him, a greater Sum than is or shall be authorized by any Bye Law made under and by virtue of this Act, it shall be lawful to include in the Conviction of such Proprietor or Driver, or such Porter, an Order for the Payment of the Sum so overcharged, over and above the Penalty and Costs which shall be imposed for every such Offence, and upon Payment or Recovery of the said Overcharge to cause the same to be returned to the Party aggrieved, whose Evidence shall be admissible in Proof of the said Offence.

Order for Overcharge by Hackney Coachmen, &c. to be included in Conviction, and returned to aggrieved Party.

CXCIX. And be it enacted, That if any Person shall refuse to pay, on Demand, to any Proprietor or Driver of any Hackney Carriage or Cart plying for Hire, or to any Errand, Message, or Luggage Porter, such Fare or Rate as shall be authorized to be taken and received by the Bye Laws to be made as herein directed, such Fares or Rates may, together with Costs, be recovered as any Penalty imposed by this Act.

Recovery of Fares of Hackney Coaches, &c.

CC. And be it enacted, That if any Person shall cut, wilfully break, or injure any such Hackney Carriage or Cart plying for Hire, such Person shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and shall also pay to the Proprietor of such Hackney Carriage or Cart reasonable Satisfaction for the Damage sustained by the same.

Penalty for damaging the Coach.

CCI. And be it enacted, That the Proprietor of every Cart, whether public or private, shall paint or cause to be painted, in One or more straight Line or Lines, upon some conspicuous Part of the Right or Off Side of his Cart, or upon the Off Side Shaft thereof, before the same shall be used in any Street within the Borough, his Christian Name and Surname, or the Style and Title by which he is commonly designated, or the Style or Firm by which his Trade or Business is carried on, and the Town, Township, or other Place of his Abode, at full Length, and the Town, Township, or other Place of his Abode, at full Length, in thereon.

Penalty on Owners of Carts, &c. using them without the Name and Place of Abode or Trade being painted in thereon.

in large legible Letters, in White upon Black Ground, or Black upon White Ground, not less than One Inch in Height, and of a proportionate Breadth, and continue the same thereupon so long as such Cart shall be used as aforesaid; and every Proprietor of any Cart, who shall use or allow the same to be used within the said Borough as aforesaid, without the Name or Style, Title, Firm, or Description, painted thereon as aforesaid, or after such Name, Style, Title, Firm, or Description, or any Part thereof, shall have become and be illegible, shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

Penalty on Drivers of Carts, &c. not having the Owners Name thereon, &c.

CCII. And be it enacted, That if any Person shall drive or act as the Driver of any Cart, whether public or private, within the Borough, not having the Proprietor's Name, Style, Title, Firm, or Description painted and remaining legible thereon, and shall refuse to tell or discover the true Christian Name and Surname, and Place of Abode or Trade, of the Proprietor of the same, or to tell and make known his own Christian and Surname, and Place of Abode, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

Drivers of Carts, &c. to take them to Weighing Machines at Request of Buyers, in order to be weighed,

CCIII. And be it enacted, That the Proprietor or Driver of every Cart loaded with any Goods brought into the Borough to be sold therein shall, at the Request of the Buyer or Seller of any such Goods, or the Person on whose Behalf the same shall be consigned, or their respective Agents, take such Cart, with or without the Loading thereof, to be weighed at one of the Machines used within the Borough for the Purpose of ascertaining the Weight of Articles bought or sold; and if such Cart shall, for the Purposes 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 conveying the Goods laden therein than Half a Mile, including the going to and returning from such Machine, the Proprietor of such Cart shall be paid Two-pence for every Horse used in drawing the same, and a further Charge of the like Amount for every additional Half Mile that any such Cart shall be taken out of the direct Road for the Purpose aforesaid; and all such Charges for Carriage, together with the Tolls or Fees to be paid for weighing any such Cart, shall be paid by the Person requiring the same to be weighed; and such Charges for Carriage shall, if demanded, be paid before the Driver of such Cart shall be obliged to go out of his Way for the Purpose of having the same weighed.

Penalty for refusing.

CCIV. And be it enacted, That if the Proprietor or Driver or other Person having the Charge of any such Cart shall not, upon being requested as aforesaid, and being paid such Charges for Carriage as aforesaid, if demanded, take the same to such public Weighing Machine as herein-before is directed, or shall refuse to assist in the weighing of the same in such Manner as the Drivers of Carts are used and accustomed to do, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings to the Person requiring such Cart to be weighed; and such Person shall be deemed a competent Witness for the Proof of such Offence,

CCV. And

CCV. And be it enacted, That every Owner or Driver of any such Cart weighed at any such Weighing Machine as aforesaid, who shall commit any of the following Offences, shall be liable to a Penalty not exceeding Five Pounds for each Offence ; (that is to say,) Penalties on Owners or Drivers committing Frauds.

Every Owner or Driver who shall, at or before the Time of weighing any such Cart, place or knowingly leave any Matter or Thing in or about the same, other than the proper Loading thereof :

Every such Owner or Driver who shall alter any Ticket denoting the Weight of any such Cart or of the Loading of the same :

Every such Owner or Driver who shall make or use, or be privy to the making or using, any false or fraudulent Ticket respecting the Weight of any such Cart, or the Loading thereof :

Every such Owner or Driver who, after the weighing of any such Cart with the Loading of the same, shall remove any Part of such Loading, and afterwards dispose of or attempt to dispose of the Residue of such Loading, as being the full Loading denoted by such Ticket :

Every Owner or Driver of any such Cart who shall, after the same and the Loading thereof have been so weighed, change the Wheels thereof, or place thereon lighter Wheels, or make any Alteration, or do any other Act to such Cart before the same shall be brought back to the Machine to be again weighed without the Loading thereof :

Every such Owner or Driver who, when any such Cart shall have been weighed with the Loading thereof at any such Machine as aforesaid, shall not, if required, bring back the same, without Alteration, to be again weighed at the same Machine :

Every such Owner or Driver who shall be guilty of any other fraudulent Contrivance touching the Weight of any such Cart, or of the Loading thereof.

CCVI. And be it enacted, That if the Purchaser of any Goods or Merchandize conveyed in any Cart within the said Borough shall, after such Cart with the Loading thereof shall have been weighed at any Machine within the said Borough, and before the same shall be brought back to be re-weighed without the Loading thereof, change the Wheels thereof, and put on heavier Wheels, or make any Alteration in such Cart whereby the same may become heavier, every Person so offending shall forfeit for every such Offence a Sum not exceeding Five Pounds. Penalty on Purchaser committing Fraud in weighing.

CCVII. And be it enacted, That the Person for the Time being licensed or appointed to keep any such Weighing Machine shall forfeit any Sum not exceeding Ten Pounds in any of the following Cases ; (that is to say,) Penalties for Frauds committed by the Machine Keeper.

If he shall wilfully neglect, on Application, duly to weigh any Cart, with or without Loading (as the Case may be), that shall come to the Machine kept by him to be weighed :

If he shall not fairly weigh any such Cart, with or without Loading (as the Case may be) :

If he shall not deliver to the Purchaser of any such Loading, or any Person interested therein, on Application, a Ticket or Account containing the true Weight of such Loading :

[Local.]

If he shall give to the Driver of any such Cart a false Ticket or Account of the Weight of such Cart or the Loading thereof:

If he shall weigh any Cart, knowing that any thing had been added to the Loading thereof so as to increase the Weight of the same, or that the Wheels thereof had been changed between the Time of the same being weighed with its Loading and the Time of its coming back to be again weighed without its Loading, and shall not give immediate Notice thereof to the Person interested therein:

If he shall knowingly assist in or connive at any Fraud to be committed or attempted concerning the weighing of any such Cart or the Loading thereof, or shall make or connive at making any false Representation of the Weight of the same respectively.

Penalty on other Parties committing Fraud as to weighing.

CCVIII. And be it enacted, That if any Person shall knowingly act or assist in the committing of any Fraud respecting the weighing or Weight of any such Cart or the Loading thereof, 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, he shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Weighing Machines to be registered, and the Persons keeping them licensed.

CCIX. And whereas it is expedient that every Weighing Machine used within the Borough for the Purpose of ascertaining the Weight of any such Cart or the Loading thereof respectively should be registered, and Licences granted to keep the same; be it enacted, That it shall not be lawful for any Person to keep a Weighing Machine within the Borough for the Purpose of ascertaining the Weight of such Carts or the Loading thereof respectively, unless such Weighing Machine shall have been duly registered in the Office of the Town Clerk, nor unless such Person shall have been duly licensed, in the Manner herein-after mentioned, to keep the same for public Use.

Existing Weighing Machines to be registered within Sixty Days from Commencement of Act, and future Weighing Machines to be registered before they are used.

CCX. And be it enacted, That every Weighing Machine at present used within the Borough for the Purpose of ascertaining the Weight of such Carts or the Loading thereof respectively shall, within Sixty Days after the Commencement of this Act, be registered by the respective Owners or Proprietors thereof at the Town Clerk's Office, for which Registry the Fee of Two Shillings and Sixpence for each Weighing Machine shall be paid; and every Weighing Machine which shall hereafter be set up within the Borough for the Purpose aforesaid shall in like Manner be registered before the same shall be opened for public Use; and in case the Owner or Proprietor of any Weighing Machine at present used within the Borough shall omit or neglect to register the same within the Time aforesaid he shall forfeit for every such Omission or Neglect any Sum not exceeding Five Pounds; and in case the Owner or Proprietor of any such Weighing Machine to be hereafter set up within the Borough shall open the same for public Use, without having previously registered the same, he shall forfeit any Sum not exceeding Five Pounds, and also any Sum not exceeding Forty Shillings for every Day during which the same shall have been opened for public Use without having been registered.

CXI. And

CCXI. And be it enacted, That it shall be lawful for the Council, upon Payment of the Sum of Seven Shillings, to grant to any Person, whether the Owner or Proprietor of such Weighing Machine or not, upon the Application of such Owner or Proprietor, or with his Consent, a Licence to keep such Weighing Machine for the Use of the Public; and if any Person, whether the Owner or Proprietor of such Weighing Machine or not, shall open, or after the Expiration of Sixty Days from the Commencement of this Act continue, any such Weighing Machine for the Use of the Public, or shall permit or suffer the same to be used by the Public, without having previously obtained a Licence to keep the same, and which Licence shall be then in force, or after his Licence to keep such Weighing Machine shall have been suspended or revoked, every Person so offending shall for every such Offence forfeit any Sum not exceeding Ten Pounds, and also any Sum not exceeding Forty Shillings for every Day during which such Weighing Machine shall be permitted or suffered to be used by the Public, or shall be kept open for the Use of the Public.

Council of the Borough may grant Licences to keep Weighing Machines.

CCXII. And be it enacted, That every Person who shall be licensed under the Authority of this Act to keep any such Weighing Machine as aforesaid shall cause to be painted, in Roman Capital Letters Two Inches at the least in Height and of a proportionate and proper Breadth, on the Outside of the Front of the House or Building attached to the Weighing Machine which he shall be so licensed to keep, and so that the same shall be at all Times plainly and distinctly visible and legible, the Christian Name and Surname of such licensed Person, at full Length, together with the Words "Licensed Weighing Machine Keeper;" and such Person shall continue such Name and Words so painted as aforesaid during all the Time that he shall continue to keep such Weighing Machine; and if any Person so licensed as aforesaid shall neglect or omit to cause such Names and Words to be so painted as aforesaid, or shall neglect or omit to continue the same so painted as aforesaid according to the Directions of this Act, he shall forfeit the Sum of Ten Pounds for every such Offence.

Names of Weighing Machine Keepers to be written in front of the House where the Machine is kept.

CCXIII. And be it enacted, That it shall be lawful for the Justice before whom the Keeper of any such Weighing Machine as aforesaid shall be convicted of any Offence under this Act relating to his Conduct as such Keeper, if such Justice shall in his Discretion think proper so to do, to suspend, for any Period not exceeding Two Months, the Licence granted to such Keeper under this Act; and it shall also be lawful for any Justice, upon the Conviction of any Keeper of such Weighing Machine as aforesaid, for a Second or any subsequent and like Offence under this Act relating to his Conduct as such Keeper, to revoke the Licence granted to such Keeper under this Act; and whenever the Licence of any such Keeper shall be so revoked as aforesaid it shall be lawful for the Council to refuse to grant any further Licence to such Keeper.

Justices may suspend Licences to keep Weighing Machines.

CCXIV. And whereas it is expedient to establish a general Registry of Porters, not being Errand, Message, or Luggage Porters, and of Warehousemen, Lumpers, and Stevidores, in the Borough and at the Docks thereof, in order that Merchants and other Persons employing

Power to establish a Registry of Porters.

employing such Porters, Warehousemen, Lumpers, and Stevidores may have the Means of knowing the proper Names and actual Residences of such Persons when employed by them; be it therefore enacted, That it shall be lawful for the Council and they are hereby required from Time to Time to fix and appoint some convenient Place in the Borough as an Office for the Establishment of such Registry, and also the Persons who shall have the Charge of and shall keep such Registry, and the Mode in which the same shall from Time to Time be kept and conducted.

How Porters
are to be
registered.

CCXV. And be it enacted, That from and after the Establishment of such Registry it shall be lawful for any Person desirous of following the Trade or Business of such Porter, Warehouseman, Lumper, or Stevidore in the Borough, to register his Name and the Place of his Abode in such Registry, and that the Person appointed to keep and conduct such Registry shall give a Certificate of such Registration, printed or written, signed by such Person, containing the Christian and Surname in Words at Length, and also the Place of Abode, of every such Person so applying for Registration, together with the Number of his Name in the said Register, and the Date of such Registration, and for which Registration and Certificate such Sum as may be fixed by the said Council, not exceeding One Shilling, shall be paid by the Party requiring the same, before the Delivery thereof.

Persons
improperly
registering
or otherwise
misbehaving,
how to be
punished.

CCXVI. And be it enacted, That if any Person applying to be registered as aforesaid shall give any false Name or incorrect Description of his Place of Abode, or shall be guilty of Felony or any indictable Misdemeanor, or of habitual Drunkenness, or of being an idle and disorderly Person, it shall be lawful for any Justice, upon due Proof thereof before him upon Oath, to order and direct the Name of every such Person to be expunged from the said Registry, and thereupon the Name of every such Person so expunged shall be publicly exhibited, in a List to be fixed up in the Office appropriated for such Registry, for the Space of Three Months.

Penalties on
such Persons
giving false
Names, &c.

CCXVII. And be it enacted, That if any Person whose Name shall have been expunged from such Registry in manner aforesaid shall, after his Name shall have been so expunged, falsely represent himself as still registered therein, every Person so offending shall for every Offence forfeit not exceeding Forty Shillings,

Penalty on
Persons plying
as Porters
without being
licensed.

CCXVIII. And be it enacted, That no Person shall ply for Hire as such Porter, Warehouseman, Lumper, or Stevidore without being so registered, and any Person so plying shall for every Offence forfeit a Sum not exceeding Forty Shillings; Provided always, that nothing in this Enactment contained shall extend to any Porter, Warehouseman, Lumper, or Stevidore on account only of his being employed as such by the Trustees of the *Liverpool Docks*, under the Provisions of an Act passed in the Fourth Year of the Reign of Her present Majesty intituled *An Act for enabling the Trustees of the Liverpool Docks to erect Transit Sheds on the West Quay of the Prince's Dock, to make a Wet Dock with Warehouses on the Quays, and to construct other Works, and to raise a further Sum of Money; and for enlarging the Powers*

4 & 5 Vict.
c. 30.

of the Acts relating to the Docks and Harbour of Liverpool; and for other Purposes relating thereto.

CCXIX. Provided always, and be it enacted, That nothing herein contained shall prevent any Person from employing his own Servant or the Servant of any other Person as a Porter, although such Person be not a licensed or registered Porter. Persons may employ Servants as Porters.

CCXX. And be it enacted, That it shall be lawful for the Council from Time to Time to make such Bye Laws as they shall think fit for all or any of the Purposes following; (that is to say, Council empowered to make Bye Laws with respect to Hackney Carriages, Drivers, Porters, &c.;)

For regulating all Hackney Carriages and Carts plying for Hire within the Borough:

For regulating the Conduct of the Owners and Drivers thereof respectively in their several Employments, and whether they shall wear any and what Badges:

For regulating the Hours within which they may exercise their Calling:

For regulating the Numbers of such Hackney Carriages and Carts plying for Hire:

For regulating the Number of Persons to be carried by Hackney Carriages, and the Quantities and Weights of Goods to be carried in such Carts, and what Number of Horses or other Animals are to draw the same, and how such Hackney Carriages and Carts should be furnished or provided:

For fixing and altering the Stands of such Hackney Carriages and Carts, and the Distance to which such Hackney Carriages and Carts may be compelled to take Passengers or Goods not exceeding Eight Miles from the Borough, in the County Palatine of *Lancaster*, to be measured and ascertained from the Boundary of the Borough:

For fixing the Rates or Fares, as well for Time as Distance, to be paid for such Hackney Carriages or Carts, as well within the Borough as within the said Limits of Eight Miles therefrom:

For securing the safe Custody and Re-delivery of any Property which may be accidentally left in Hackney Carriages or Carts:

For punishing Misconduct of the Drivers of and Persons attending such Hackney Carriages or Carts, whether in the Way of Imposition by demanding or receiving more than the regular Fare or otherwise, and as well within the Borough as within the said Limits of Eight Miles therefrom:

For fixing or altering the Stands of all Porters, Lumpers, and Stevidores, and other Persons plying for Hire within the said Borough:

For regulating all such Porters, Lumpers, and Stevidores, and what Loads, Rates, Fares, or Prices shall be allowed to be taken by Errand, Message, or Luggage Porters plying for Hire, and in what Manner Errand, Message, Luggage, and other Porters, Lumpers, and Stevidores plying for Hire shall behave and conduct themselves, and for punishing Extortion, Imposition, Misconduct, or Misbehaviour in such Errand, Message, Luggage, and other Porters, Lumpers, and Stevidores respectively:

For regulating the Quantities and Weights of Goods which shall be allowed to be carried in the Carts of any Inhabitants of the Borough, or Persons resorting thereto, whether the same shall be used for the private Purposes of such Persons or otherwise, and how far Goods loaded in such Carts or any of them shall be allowed to extend over the Breadth of the Wheels thereof:

and to fix Penalties for breaking them.

And to ascertain and fix what pecuniary Penalties shall be incurred by Persons breaking such Orders, Rules, Regulations, and Bye Laws: Provided always, that no such last-mentioned Penalty shall exceed for any One Offence the Sum of Five Pounds.

Porters, &c. not to ply in certain Places.

CCXXI. Provided also, and be it enacted, That it shall not be lawful for the Council to fix or appoint any Place as a Stand or Station for Hackney Carriages or Carriages plying for Hire, or for Porters, under and by virtue of the Power herein-before contained, situate in *Duke's Place* or in either of the Streets leading therefrom, and which adjoin to the Property of the Trustees of the late Duke of *Bridgewater* there, without the Consent of the said Trustees, or upon any of the Quays of the Docks of the Trustees of the *Liverpool* Docks, unless with the Consent of the Trustees of the *Liverpool* Docks, signified in Writing under the Hand of the Chairman of the Committee for the Affairs of the Estate of such Trustees.

Power to make Regulations to prevent Fires and smoking in Warehouses, and on Dock Quays and other Places.

CCXXII. And whereas it is expedient to prevent the Practice of smoking in Warehouses and certain other Places in the Borough, in order to diminish the Frequency of Fires, and the great Loss of Property arising therefrom, and to make Regulations for the Use of Fires and Lights in such Warehouses and other Places in the said Borough; be it therefore enacted, That it shall be lawful for the Council to make such Bye Laws as they may from Time to Time deem necessary to prevent and prohibit Persons smoking Tobacco and other Things in any Warehouses, Offices, or Buildings in the Borough, or in any Rooms or Apartments connected with such Warehouses and Buildings, used for the Deposit and Custody of Goods, Wares, and Merchandize in the Borough, or at or near the Entrances to the same, or at or near any Goods, Wares, or Merchandize about to be taken into such Warehouses or other Buildings, also upon the Dock Quays, and on board of Vessels lying and being in any of the Docks and Basins in the Borough, and for regulating and fixing the Times when and the Mode in which Fires and Lights shall be had and taken into such Warehouses and other Buildings, or into any such Rooms or Apartments, and on board Ships and Vessels as aforesaid, and also the Times and Mode of Admission of Porters, Warehousemen, and other Persons into such Warehouses, Offices, and Buildings, or into any such Rooms or Apartments, and to ascertain and set down in such Bye Laws such pecuniary and other Penalties and Forfeitures as shall be incurred by Persons offending against such Bye Laws, not exceeding the Sum of Ten Pounds for the First Offence and Twenty Pounds for the Second and every subsequent Offence.

Saving the Powers of the *Liverpool*.

CCXXIII. Provided always, and be it enacted, That no Bye Law hereby authorized to be made shall operate to extend to any Person,
or

or any Dock, Warehouse, Quay, Matter, or Thing, whom or which the Trustees of the *Liverpool Docks* would, subject to the Powers of the said Council, or any Committee thereof, reserved in the said Act passed in the Fourth Year of the Reign of Her present Majesty for giving Powers to the said Trustees, have had Power to regulate, govern, or manage if this Act had not been passed, and the several Acts hereby repealed or altered had remained in full and entire Force and Effect; and so far as such Orders, Regulations, or Bye Laws of the said Trustees might have been so lawfully made, but not further or otherwise, the said Person, Dock, Warehouse, Quay, Matter, and Thing shall remain as if the same, to the Extent aforesaid, were by express Words to be excepted in any or every such Bye Law hereby authorized to be made.

Dock Trustees under 4 & 5 Vict. c. 30.

CCXXIV. And be it enacted, That the Council may from Time to Time, as they shall think fit, repeal any Bye Laws which may be made in pursuance of this Act, and make others in their Stead; provided that no such Orders, Rules, Regulations, and Bye Laws shall be made unless at least Two Thirds of the whole Number of the Council shall be present.

Bye Laws may be repealed.

CCXXV. And whereas by the said Act to provide for the Regulation of Municipal Corporations in *England* and *Wales* it is enacted, that it shall be lawful for the Council of any Borough to appoint out of their own Body from Time to Time such and so many Committees, either of a general or special Nature, and consisting of such Number of Persons as they may think fit, for any Purposes which, in the Discretion of such Council, would be better regulated and managed by means of such Committees; provided always, that the Acts of every such Committee shall be submitted to the Council for their Approval; be it therefore enacted, That the said Provision of the said last-mentioned Act shall extend to the making, altering, or repealing of all Bye Laws hereby authorized to be made, altered, or repealed, and to the granting or revoking of all Licences hereby authorized to be granted or revoked.

Powers of Committees of the Borough Council as to Bye Laws and Licences.

CCXXVI. And be it enacted, That no Bye Law made under any of the Powers for that Purpose herein-before contained shall be of any Force until the Expiration of Forty Days after the same or a Copy thereof shall have been sent, sealed with the Seal of the Mayor, Aldermen, and Burgesses, to One of Her Majesty's Principal Secretaries of State, and shall have been published Once in Two of the *Liverpool* Newspapers; and if at any Time within the said Period of Forty Days Her Majesty, with the Advice of Her Privy Council, shall disallow the same Bye Law, or any Part thereof, such Bye Law, or the Part thereof disallowed, shall not come into operation: Provided also, that it shall be lawful for Her Majesty, if She shall think fit, at any Time within the said Period of Forty Days, to enlarge the Time within which such Bye Law (if disallowed) shall not come into force, and no such Bye Law shall in that Case come into force until after the Expiration of such enlarged Time; provided that a Copy of any such Bye Law, under the Seal of the Mayor, Aldermen, and Burgesses, with a Declaration thereon signed by the Mayor of the

Bye Laws to be confirmed.

the Borough, that the same have been sent sealed as aforesaid to One of Her Majesty's Principal Secretaries of State, and published in Two of the *Liverpool* Newspapers aforesaid, shall be received as Evidence of any such Bye Law, and of the sending and publishing thereof as aforesaid, in all Courts of Law and Equity, and before all Justices.

Bye Laws to be printed and published.

CCXXVII. And be it enacted, That all Bye Laws made in pursuance of this Act shall be printed, and a Copy thereof shall be affixed and continued in the Police Office of the Borough of *Liverpool*, and Copies thereof shall be delivered by the Town Clerk to any Person who may apply for the same, on the Payment of such Sum as the Council shall think fit.

Penalty on Town Clerk refusing to give Copies of Bye Laws.

CCXXVIII. And be it enacted, That if the Town Clerk of the Borough shall not, upon the Payment or Tender of such Sum as the Council shall direct to be paid for the same, deliver to any Person applying for the same at the Office of the Town Clerk a printed Copy of all or any Bye Laws made in pursuance of this Act, such Clerk shall for every such Offence be liable to a Penalty not exceeding Ten Pounds; and if the Person for the Time being having the Care of the Police Office of the Borough shall not permit the printed Copy of any Bye Laws affixed in the said Office to be inspected at all reasonable Times by any Person who may require to be permitted to inspect the same, the Person so offending shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty on Persons refusing Inspection of Bye Laws affixed in Police Office.

As to Breaches of Bye Laws.

CCXXIX. And be it enacted, That all the Provisions herein-after contained relative to Offences against this Act punishable upon summary Conviction shall be taken to apply to all Offences committed in breach of any Bye Law made by the Council by virtue of this Act.

Penalty on Constable for Neglect of Duty.

CCXXX. And be it enacted, That every Constable of the Police Force of the Borough who shall be found guilty of any Neglect or Violation of Duty in his Office of Constable shall be liable to a Penalty not more than Ten Pounds, the Amount of which Penalty may be deducted from any Salary due to or to become due to such Offender, or, in the Discretion of any Justice, may be imprisoned, with or without hard Labour, for any Time not more than One Month.

Constable not to resign without Leave or Notice.

CCXXXI. And be it enacted, That no Constable of the Police Force of the Borough shall be at liberty to resign his Office, or to withdraw himself from the Duties thereof, unless expressly allowed so to do in Writing by the Watch Committee, certified under the Hand of their Chairman or Secretary, or unless he shall give to the Head Constable One Calendar Month's Notice of his Intention; and every Constable who shall so resign or withdraw himself without such Leave or Notice shall be liable to forfeit all Arrears of Pay then due to him, or to a Penalty not more than Five Pounds.

Constables dismissed to

CCXXXII. And be it enacted, That every Constable of the Police Force of the Borough who shall be dismissed from or shall cease to hold

hold and exercise his Office, and who shall not forthwith deliver over all the Clothing, Accoutrements, Appointments, and other Necessaries which may have been supplied to him for the Execution of his Duty, to the Head Constable, or to such Person and at such Time and Place as shall be directed by the Watch Committee, certified as aforesaid, shall be liable to Imprisonment, with or without hard Labour, for any Time not more than One Month; and it shall be lawful for a Justice to issue his Warrant to search for and seize, to the Use of the Borough, all the Clothing, Accoutrements, Appointments, and other Necessaries which shall not be so delivered over, wherever the same may be found.

deliver up
Accoutre-
ments.

CCXXXIII. And be it enacted, That every Person, not being a Constable of the Police Force of the Borough, who shall have in his Possession any Article being Part of the Clothing, Accoutrements, or Appointments supplied to any such Constable, and who shall not be able satisfactorily to account for his Possession thereof, or who shall put on the Dress or take the Name, Designation, or Character of any Person appointed as such Constable, for the Purpose of thereby obtaining Admission into any House or other Place, or of doing or procuring to be done any Act which such Person would not be entitled to do or procure to be done of his own Authority, or for any other unlawful Purpose, shall, in addition to any other Punishment to which he may be liable for such Offence, be liable to a Penalty not more than Ten Pounds.

Penalty for
unlawful
Possession of
Accoutre-
ments, or for
assuming the
Dress of
Constables.

CCXXXIV. And be it enacted, That it shall be lawful for the Watch Committee of the Borough, if they shall think proper, with the Approbation of the Council, to cause to be deducted from the Pay of every Constable belonging to the Police Force a Sum, after such yearly Rate as the Watch Committee of the Borough, with the Approbation of the Council, shall from Time to Time direct, not being at any Time a greater Rate than One Pound Five Shillings in One hundred Pounds, which Sum, if so deducted, shall be applied as herein-after mentioned; and it shall be lawful for the Watch Committee, if they shall think proper, with the Approbation of the Council, to apply the Monies so deducted, and also the Monies accruing from Fines imposed on any of the said Constables for Misconduct, and from Fines imposed by any Justice for Assaults upon any of them, and also all Penalties or Shares of Penalties awarded to any Informer, which may be voluntarily given by such Informer to the Fund herein-after mentioned, together with a Fund now vested in *William Earle* the younger, *Thomas Bulley*, and *William Purser Freme*, Aldermen of the Borough, arising from Penalties or Shares of Penalties given up by Informers for the Benefit of the said Police, their Widows or Children, as the said Watch Committee, subject to the Approbation of the Council, might direct, and also all such Sums of Money as the Council may from Time to Time think proper to award to the said Fund, out of the Proceeds of unclaimed Goods, Property, or Money which, having been charged to be stolen or unlawfully obtained, shall have been sold or disposed of by the Treasurer of the Borough under the Authority herein contained, shall from Time to Time be invested on such Securities as

Relief Fund
to be pro-
vided for
Constables.

the Council shall direct, by and in the Name of the Watch Committee of the Borough of *Liverpool*, or of such Persons as they shall appoint; and the Interest and Dividends thereof, or so much of the same as shall not be required for the Purposes herein-after mentioned, shall be likewise invested on like Securities, and shall accumulate so as to form a Fund, to be called "The *Liverpool* Police Relief Fund," and shall be applied from Time to Time for Payment of such Allowances to any of the said Constables during his Sickness, and after his Death, if he die in the Force or under Superannuation Allowance, for his Funeral Expences, and of any Sum not exceeding Twenty-five Pounds for the Benefit of his Widow or Child or Children, as the Watch Committee may, if they think proper, and with the Approbation of the Council, direct; but nothing herein contained shall be deemed to entitle any Constable, or his Widow or Children, to any such Allowances, or to prevent his being dismissed without any Right or Claim thereto: Provided always, that it shall be lawful for the Council, if they shall at any Time think proper, to discontinue such Deductions from the Pay of the said Constables, and such Application thereof and of any other of the said Monies for such Relief Fund.

Additional Constables may be appointed at the Cost of Individuals.

CCXXXV. And be it enacted, That it shall be lawful for the Watch Committee of the Borough, if they shall think fit, on the Application of any Person showing the Necessity thereof, to appoint any additional Number of Constables to keep the Peace at any Place within the Borough, at the Charge of the Person by whom the Application shall be made, but subject to the Regulations of the said Watch Committee, and the Suspension and Dismissal by such Watch Committee or the Justices; and such Constables shall be appointed for such Time as the Party applying shall require, and the Watch Committee shall think fit; and every such Constable shall be sworn in before some Justice, in like Manner as the other Constables of the Police Force of the Borough, and shall have all the Powers, Privileges, and Duties of other Constables belonging to the said Police Force: Provided always, that it shall be lawful for the Person on whose Application such Appointment shall have been made, upon the Expiration of the Time for which such Constable shall be appointed, or otherwise upon giving One Month's Notice in Writing to the Watch Committee, to require that the Constables so appointed shall be discontinued, and thereupon the Watch Committee shall discontinue such additional Constables; and all Monies received on account of any such additional Constables shall be paid to the Treasurer of the Borough, and shall be accounted for by him in like Manner as other Monies receivable by him; and the Monies which may become due for the Services of such Constable shall, in default of Payment, be recoverable by and in the Name of the Treasurer of the Borough, in like Manner as any Penalties under this Act may be recovered.

Persons receiving Ship Stores from Seamen, &c.

CCXXXVI. And be it enacted, That every Person who shall knowingly take in exchange from any Seaman, Flatman, or other Person, not being the Owner or Master of the Vessel, any thing belonging to any Vessel lying in any of the Docks adjoining the River

River *Mersey*, or to any Vessel in any Canal within the Borough, or any Part of the Cargo of any such Vessel, or any Stores or Articles in charge of the Owner or Master of any such Vessel, shall be deemed guilty of a Misdemeanor.

CCXXXVII. And be it enacted, That every Person who shall unlawfully cut, damage, or destroy any of the Ropes, Cables, Cordage, Tackle, Headfasts, or other the Furniture of or belonging to any Vessel lying in any of the Docks, Basins, or Creeks in or adjacent to the Borough, with Intent to steal or otherwise unlawfully obtain the same, or any Part thereof, shall be deemed guilty of a Misdemeanor.

Cutting
Ropes,
Cables, &c.

CCXXXVIII. And be it enacted, That it shall be lawful for any Constable of the Police Force of the Borough to take into Custody every Person who, for the Purpose of preventing the Seizure or Discovery of any Materials, Furniture, Stores, or Merchandize belonging to or having been Part of the Cargo of any Vessel lying in any of the Docks adjoining to the said River *Mersey*, or on any Quay adjoining the said River, or any Dock or Basin communicating therewith, or in the said River *Mersey*, or of any other Articles unlawfully obtained from any such Vessel, shall wilfully let fall or throw into the said River, or into any of the said Docks or Basins, or in any other Manner within the Borough convey away any such Article, or who shall be accessory to any such Offence, and also to seize and detain any Boat in which such Person shall be found, or out of which any Article shall be so let fall, thrown, or conveyed away; and every such Person shall be deemed guilty of a Misdemeanor.

Wilfully
letting fall
Articles into
the *Mersey*,
or into a
Boat, &c.
with frau-
dulent In-
tention.

CCXXXIX. And be it enacted, That every Person who, for the Purpose of protecting or preventing any thing whatsoever from being seized within the Borough on Suspicion of its being stolen or otherwise unlawfully obtained, or of preventing the same from being produced or made to serve as Evidence concerning any Felony or Misdemeanor committed or supposed to be committed within the Borough, shall frame or cause to be framed any Bill of Parcels containing any false Statement in regard to the Name or Abode of any alleged Vendor, the Quantity or Quality of any such Thing, the Place whence or the Conveyance by which the same was furnished, the Price agreed upon or charged for the same, or any other Particular, knowing such Statement to be false, or who shall fraudulently produce such Bill of Parcels, knowing the same to have been fraudulently framed, shall be deemed guilty of a Misdemeanor.

Framing
a false Bill
of Parcels
to escape
Detection.

CCXL. And be it enacted, That every Person who shall be found within the Borough, in or upon any Canal, Dock, Warehouse, Wharf, Quay, or Bank, or on board any Vessel, or in any Carriage in which Goods shall be in conveyance, or any Vessel or Quay, having in his Possession any Tube or other Instrument for the Purpose of unlawfully obtaining any Wine, Spirits, or other Liquors, or having in his Possession any Skin, Bladder, or other Material or Utensil for the Purpose of unlawfully secreting or carrying away any such Wine, Spirits, or other Liquors, and any Person who, in or upon any Dock,
Warehouse,

Possessing
Instruments
for unlaw-
fully pro-
curing and
carrying
away Wine,
&c.

Warehouse, Wharf, Quay, Bank, Vessel, or Carriage within the said Borough, shall attempt unlawfully to obtain any such Wine, Spirits, or other Liquors, shall be deemed guilty of a Misdemeanor.

Piercing
Casks, open-
ing Packages,
&c.

CCXLI. And be it enacted, That every Person who shall within the said Docks or Borough bore, pierce, break, cut open, or otherwise injure any Cask, Box, or Package containing Wines, Spirits, or other Liquors on board any Vessel, or in or upon any Warehouse, Wharf, Quay, or Bank, with Intent feloniously to steal or otherwise unlawfully obtain any Part of the Contents thereof, or who shall unlawfully drink, or wilfully spill or allow to run to waste, any Part of the Contents thereof, shall be deemed guilty of a Misdemeanor.

Breaking
Packages
with Intent
to spill Con-
tents.

CCXLII. And be it enacted, That every Person who shall within the said Docks or Borough wilfully cause to be broken, pierced, started, cut, torn, or otherwise injured any Cask, Chest, Bag, or other Package containing or prepared for containing any Goods while on board of any Vessel lying in the said River, or in or at any Dock, Quay, Wharf, or Landing Place adjacent to the same, or on the Way to or from any Warehouse, with Intent that the Contents of such Package, or any Part thereof, may fall from or waste out of, be spilled or dropped from, such Package, shall be deemed guilty of a Misdemeanor.

Inspectors of
Police may
examine
Vessels.

CCXLIII. And be it enacted, That the Head Constable, or any Superintendent or Inspector belonging to the Police Force, shall have Power by virtue of his Office to enter at all Times, with such Constables as he shall think necessary, as well by Night as by Day, into and upon every Vessel (not being then actually employed in Her Majesty's Service) lying in any Dock or Basin adjacent to the said River *Mersey*, and into every Part of every such Vessel, for the Purpose of inspecting and upon Occasion directing the Conduct of any Constable who may be stationed on board of any such Vessel, and of inspecting and observing the Conduct of all other Persons who shall be employed on board of any such Vessel in or about the lading or unlading thereof, as the Case may be, and for the Purpose of taking all such Measures as may be necessary for providing against Fire and other Accidents, and preserving Peace and good Order, on board of any such Vessel, and for the effectual Prevention or Detection of any Felonies or Misdemeanors.

Superin-
tendent, &c.
having just
Cause to
suspect
Felony may
enter on
board Vessels
and take up
suspected
Persons.

CCXLIV. And be it enacted, That it shall be lawful for the said Head Constable, or any Superintendent or Inspector belonging to the Police Force of the Borough, having just Cause to suspect that any Felony has been or is about to be committed in or on board of any Vessel lying in any Dock or Basin adjacent to the said River *Mersey*, to enter at all Times, with such Constables as he shall think necessary, as well as by Night as by Day, into and upon every such Vessel, and therein to take all necessary Measures for the effectual Prevention or Detection of all Felonies which he has just Cause to suspect to have been or to be about to be committed in or upon the said River, or Dock or Basin, and to take into Custody all Persons suspected

suspected of being concerned in such Felonies, and also to take charge of all Property so suspected to be stolen.

CCXLV. And be it enacted, That it shall be lawful for the Head Constable or any Superintendent or Inspector belonging to the Police Force of the Borough, with such Constables as he shall think necessary, at any Time between Sunrising and Sunsetting, to enter any Vessel (except Her Majesty's Ships) in any Dock or Basin adjacent to the Borough, and to search the same for unlawful Quantities of Gunpowder, and also to exercise the same Powers of seizing, removing to proper Places, and detaining all such unlawful Quantities of Gunpowder found on board any such Vessel, and the Barrels or other Packages in which such Gunpowder shall be, as are given to Persons searching for unlawful Quantities of Gunpowder under the Warrant of a Justice by virtue of an Act passed in the Twelfth Year of the Reign of King George the Third, intituled *An Act to regulate the making, keeping, and Carriage of Gunpowder within Great Britain, and to repeal the Laws heretofore made for any of those Purposes.*

Unlawful Quantities of Gunpowder may be seized.

12 G. 3. c. 61.

CCXLVI. And be it enacted, That any Master or other Person in charge or command of any Vessel (except Her Majesty's Ships), who, while such Vessel shall lie or be in the River *Mersey*, keep any Gun on board such Vessel shotted or loaded with Ball, or cause or permit to be fired any Gun on board such Vessel before Sunrising or after Sunsetting, shall be liable for every Gun so kept shotted or loaded to a Penalty of Five Shillings, and for every Gun so fired shall be liable to a Penalty of Ten Shillings.

Penalty for having on board Guns loaded with Ball, or discharging Guns in the Night.

CCXLVII. And be it enacted, That every Master or Commander or other Officer of any such Vessel, or any other Person on board of the same, who, while such Vessel shall lie in or at any of the Docks, Basins, Quays, Wharfs, or Slips within or adjacent to the Borough, shall heat or melt, or cause or permit to be heated or melted, on board such Vessel, any Pitch, Tar, Rosin, Grease, Tallow, Oil, or other combustible Matter, shall for every such Offence be liable to a Penalty not more than Five Pounds.

Penalty for heating combustible Matters on board of Vessels.

CCXLVIII. And be it enacted, That every Person who, by reason of his Freedom of the Mystery or Craft of Vintners of the City of *London*, or of any Right or Privilege of such Mystery, shall claim to be entitled to sell Foreign Wine by Retail, to be drunk or consumed on the Premises, within the Borough, without Licence, shall be subject to all the Provisions of all Acts made for the Regulation of Persons so licensed (except those Provisions which require or refer to the taking out of a Licence, either from any Justice of the Peace or from the Commissioners of Excise); and in the Case of any Offence committed by him against the Tenor of the Licence granted under the Provisions of any Act for the Sale of exciseable Liquors by Retail, to be drunk or consumed on the Premises, shall be liable to be dealt with, proceeded against, and punished in like Manner as if selling Wine by Licence, and not by virtue of such Claim or Privilege.

Freemen of Vintners Company subject to certain Provisions.

Public Houses to be shut on the Mornings of Sundays, &c.

CCXLIX. And be it enacted, That no Licensed Victualler or other Person shall open his House within the Borough for the Sale of Wine, Spirits, Beer, or other fermented or distilled Liquors, or permit the same to be sold therein, on *Sundays, Christmas Day, and Good Friday*, before the Hour of One in the Afternoon, under a Penalty not exceeding Five Pounds for each Offence; provided that nothing herein contained shall extend to prevent Refreshment to Travellers.

Publicans prohibited from supplying Liquors to Persons under Sixteen Years of Age.

CCL. And be it enacted, That every Person licensed to deal in exciseable Liquors within the said Borough, who shall knowingly supply any Sort of distilled exciseable Liquor to any Boy or Girl apparently under the Age of Sixteen Years, to be drunk upon the Premises, shall be liable to a Penalty not more than Twenty Shillings, and upon Conviction of a Second Offence shall be liable to a Penalty not more than Forty Shillings, and upon Conviction of a Third Offence shall be liable to a Penalty not more than Five Pounds.

Regulations respecting Public Houses to extend to other Houses of public Resort.

CCLI. And whereas it is expedient that Provision should be made by Law for preventing disorderly Conduct in Houses of public Resort kept by Persons not being Licensed Victuallers, or licensed to sell Beer by Retail to be drunk on the Premises; be it enacted, That every Person not being a Licensed Victualler, or a Person licensed to sell Beer by Retail to be drunk on the Premises, who shall have or keep any House, Shop, Room, Cellar or Vault, or Place of public Resort within the Borough, wherein ready-made Tea or Coffee, Provisions, Liquors, or Refreshments of any Kind, shall be sold or consumed (whether the same shall be kept or retailed therein or procured elsewhere,) and who shall wilfully or knowingly permit Drunkenness or other disorderly Conduct in such House, Shop, Room, or Place, or knowingly suffer any unlawful Games or any Gaming whatsoever therein, or knowingly permit or suffer Prostitutes or Persons of notoriously bad Character to meet together and remain therein, shall for every such Offence be liable to a Penalty not more than Five Pounds.

Penalty on Keepers of Cook-shops, &c. making internal Communication with an adjoining Public House.

CCLII. And be it enacted, That every Person who shall make or use, or allow to be made or used, any internal Communication between any House, Shop, Room, or Place of public Resort, not licensed for the Sale of Wine, Spirits, Beer, or other exciseable Articles within the said Borough, and any House, Shop, Room, or Place licensed for the Sale of Wine, Spirits, Beer, or other exciseable Articles, or in which Wine is sold by a free Vintner, shall be liable to a Penalty not more than Ten Pounds for every Day that such Communication shall be open.

Power to enter unlicensed Theatres, and take away Persons found there.

CCLIII. And be it enacted, That it shall be lawful for any Justice, by Order in Writing, to authorize the Head Constable or any Superintendent or Inspector belonging to the Police Force of the Borough, with such Constables as he may think necessary, to enter into any House or Room kept or used within the Borough for Stage Plays or Dramatic Entertainments, or for any public Show or Exhibition, into which Admission is obtained by Payment of Money, and which is not a licensed Theatre, or a Room or Place authorized by the Mayor to be used for that Purpose, at any Time when the same shall be open

open for the Reception of Persons resorting thereto, and to take into Custody all Persons who shall be found therein without lawful Excuse; and every Person keeping, using, or knowingly letting any House or other Tenement for the Purposes aforesaid, or any of them, shall be liable to a Penalty not more than Twenty Pounds, recoverable before any Justice, and in default of Payment of the Penalty awarded, and Costs, may be committed to the House of Correction, with or without hard Labour, for a Time not more than Two Months; and every Person performing or being therein without lawful Excuse shall be liable to a Penalty not more than Forty Shillings; and a Conviction under this Act for this Offence shall not exempt the Owner, Keeper, or Manager of any such House, Room, or Tenement from any Penalty or penal Consequences to which he may be liable for keeping a disorderly House, or for the Nuisance thereby occasioned; provided that the Onus of proving that such Place is a licensed Theatre shall be upon the Person keeping the same.

CCLIV. And be it enacted, That any Person who within the Borough shall keep or use or act in the Management of any House, Room, Pit, or other Place for the Purpose of fighting or baiting Lions, Bears, Badgers, Cocks, Dogs, or other Animals, shall be liable to a Penalty not more than Five Pounds, or, in the Discretion of One Justice, may be committed to the House of Correction, with or without hard Labour, for a Time not more than One Month; and it shall be lawful for any Justice, by Order in Writing, to authorize the Head Constable, or any Superintendent or Inspector belonging to the Police Force of the Borough, with such Constables as he shall think necessary, to enter any Premises kept or used for any of the Purposes aforesaid, and take into Custody all Persons who shall be found therein without lawful Excuse; and every Person so found shall be liable to a Penalty not more than Five Shillings; and a Conviction under this Act of this Offence shall not exempt the Owner, Keeper, or Manager of any such House, Room, Pit, or Place from any Penalty or penal Consequence to which he may be liable for the Nuisance thereby occasioned.

Places used
for Bear-
baiting, Cock-
fighting, &c.

CCLV. And be it enacted, That if the Head Constable or any Superintendent belonging to the Police Force of the Borough shall report in Writing to any Justice that there are good Grounds for believing any House or Room within the said Borough to be kept or used as a Gaming House, and if Two or more Householders dwelling within the Borough, and not belonging to the Police Force, shall make Oath in Writing, to be by them taken and subscribed before such Justice, and annexed to the said Report, which Oath such Justice is hereby empowered to administer and receive, that the Premises complained of by the Head Constable or Superintendent are commonly reported and are believed by the Deponents to be kept or used as a Gaming House, it shall be lawful for such Justice, by Order in Writing, to authorize the Head Constable or Superintendent to enter any such House or Room, with such Constables as shall be directed by the Justice to accompany him, and, if necessary, to use Force for the Purpose of effecting such Entry, whether by breaking open Doors or otherwise, and to take into Custody all Persons who shall

Two Justices
empowered
to authorize
Superinten-
dent of Police
to enter
Gaming
Houses.

shall be found therein, and to seize and destroy all Tables and Instruments of Gaming found in such House or Premises, and also to seize all Monies and Securities for Money found therein; and the Owner or Keeper of the said Gaming House, or other Person having the Care or Management thereof, and also every Banker, Croupier, and other Person who shall act in any Manner in conducting the said Gaming House, shall be liable to a Penalty not more than One hundred Pounds, or, in the Discretion of the Justice before whom he shall be convicted of the Offence, may be committed to the House of Correction, with or without hard Labour, for a Time not more than Six Months; and upon Conviction of any such Offender all the Monies and Securities for Monies which shall have been seized as aforesaid shall be paid to the Treasurer of the Borough, to be by him applied as Part of the Borough Fund towards defraying the Charge of the Police of the Borough; and every Person found in such Premises without lawful Excuse shall be liable to a Penalty not more than Five Pounds: Provided always, that nothing herein contained shall prevent any Proceeding by Indictment against the Owner or Keeper or other Person having the Care or Management of any Gaming House, but no Person shall be proceeded against by Indictment and also under this Act for the same Offence.

Proof of gaming for Money, &c. not necessary.

CCLVI. And be it enacted, That it shall not be necessary, in support of any Information for gaming in, or suffering any Games or Gaming in, or for keeping, or using, or being concerned in the Management or Conduct of a Gaming House under this Act, to prove that any Person found playing at any Game was playing for any Money, Wager, or Stake.

The Houses of convicted Coffee Shop Keepers to be open to Police at all Times.

CCLVII. And be it enacted, That it shall be lawful for all Constables belonging to the Police Force of the Borough, at all Times to enter into any House or Shop, Room, Cellar, or Vault, within the Borough, where ready-made Tea or Coffee or Refreshments or Provisions of any Kind shall be so drunk, used, or consumed as aforesaid, the Owner or Keeper of which House, Shop, Room, Cellar, or Vault shall within Twelve Months previous to such Entry have been convicted of knowingly permitting or suffering common Prostitutes, reputed Thieves, or drunken or idle and disorderly Persons to assemble at the same and continue therein, or to play therein at any Game with Cards or Dice; and if any Person having or keeping any such House, Shop, Room, Cellar, or Vault, or any Servant or other Person in his Employ or by his Direction, shall in such Case refuse to admit or shall not on Application admit such Constable into such House, Shop, Room, Cellar, or Vault, or upon such Premises, every Person so offending shall for every Offence forfeit a Sum not exceeding Forty Shillings.

Disputes as to Holdings in Markets how to be settled.

59 G. 3. c. 9.

CCLVIII. And whereas an Act was passed in the Fifty-ninth Year of the Reign of King George the Third, intituled *An Act for abolishing the Payment of certain Tolls called Ingates and Outgates, collected at the several Entrances into the Town of Liverpool in the County of Lancaster, and of certain Tolls and Stallage now payable in lieu thereof; and for the better Regulation of the said Markets and Fairs*: And

whereas Disputes and Differences have arisen under the said Act, and may hereafter arise, between the Mayor, Aldermen, and Burgesses, and the Tenants or Occupiers of the Shops, Stalls, Benches, or Conveniences in the Market Places belonging to the said Mayor, Aldermen, and Burgesses, concerning the Term or Interest of such Tenants or Occupiers thereof, in consequence of Uncertainty as to the Period of the Commencement of the holding of such Tenants or Occupiers; and Disputes may also arise concerning the Stallage, Rents, or Tolls payable in respect of the said Shops, Stalls, Benches, or other Conveniences; for Prevention whereof be it enacted, That in case any such Dispute shall arise touching the Term or Interest of any such Tenant in any Shop, Stall, Bench, or other Convenience within the said Markets, or any of them, such Dispute may be determined by any Justice, not being a Member of the Council, who, on the Complaint of either Party, shall summon the other Party, and shall hear and determine the Matter upon Oath, and shall make his Order respecting the Commencement and Duration of the said Term or Interest, and if he shall think fit shall award such Costs as he shall think proper.

CCLIX. And be it enacted, That in case any Dispute shall arise between the Mayor, Aldermen, and Burgesses, and any present or future Tenant of any Shop, Stall, Bench, or other Convenience in the Market Places of the said Mayor, Aldermen, and Burgesses, concerning any Stallage Rent or Toll, such Dispute shall be determined by any Justice, not being a Member of the Council; and such Justice shall summon the Parties to appear before him, and shall hear and determine the Matter of every such Complaint upon Oath, and make such Order therein, and if he shall think fit shall award such Costs to either Party as to him shall seem proper; and in default of Payment, on Demand, of the Money which shall be so awarded, and of the Costs, the same shall be forthwith levied by Distress, and such Justice shall issue his Warrant accordingly.

Disputes relating to Stallage Rent or Toll in Holdings in Markets to be settled by a Justice.

CCLX. And whereas the said Mayor, Aldermen, and Burgesses are authorized and empowered, under the said Act passed in the Fifty-ninth Year of the Reign of His Majesty King *George* the Third, to demand, receive, and take, of and from all and every Person and Persons, except as in the said Act is excepted, exposing for Sale any Article, Matter, or Thing in any of the Markets then or thereafter to be established within the said Town, or in the Two ancient Fairs held within the said Town, certain Tolls and Stallage in the said Act mentioned: And whereas by the said recited Act of the First Year of the Reign of Her present Majesty Provision was made for preventing Persons evading the Payment of the said Tolls and Stallage, which Provision it is expedient should be continued; be it therefore enacted, That if any Person liable to pay the said Tolls or Stallage shall, by any Means whatsoever, at any Time evade the Payment of the said Tolls or Stallage, or any Part thereof, every such Person evading Payment as aforesaid shall be adjudged to pay the Amount thereof by any Justice, and shall forfeit and pay, over and besides such Tolls or Stallage, a Sum of Money equal to the said Tolls or Stallage so evaded; and, over and above

For preventing Persons evading the Payment of Tolls and Stallage.

and in addition to the said Forfeiture, every such Person so evading Payment as aforesaid shall forfeit and pay a Sum not exceeding Forty Shillings; and the said Tolls or Stallage, together with the said Forfeiture and Penalty, shall be recovered and levied from such Person by Distress and Sale of his Goods and Chattels, by Warrant under the Hand and Seal of such Justice, in the Manner herein mentioned.

After 1st Jan. next Dealers in Marine Stores to be licensed.

CCLXI. And be it enacted, That after the First Day of *January* next after the Commencement of this Act no Person shall carry on within the Borough the Business of a Dealer in Marine Stores, or Broker or Dealer in Second-hand Goods or Articles, unless such Person shall have obtained a Licence from the Council authorizing such Person to carry on such Business, and which Licence the Council shall have a discretionary Power of granting or refusing.

Names of Dealers in Marine Stores to be written in front of the House where the Business is carried on.

CCLXII. And be it enacted, That every Person who shall be licensed under the Authority of this Act to carry on the Business of a Dealer in Marine Stores, or Broker in Second-hand Goods or Articles, shall cause to be painted in Roman Capital Letters, Six Inches at the least in Height, and of a proportionate and proper Breadth, on the Outside of the Front of the House in which such Business shall in such Licence be stated to be carried on, and so that the same shall be at all Times plainly and distinctly visible and legible, the Christian Name and Surname of such licensed Person at full Length, together with the Words "Licensed Dealer in Marine Stores," or, as the Case may be, "Licensed Broker," and such Person shall continue such Name and Words so painted as aforesaid during all the Time that he shall continue to carry on the said Business upon the same Premises.

Persons applying for Licences to sign a Requisition for the same.

CCLXIII. And be it enacted, That, before any such Licence shall be granted under the Provisions of this Act, a Requisition for the same, in such Form as the Council shall from Time to Time provide for that Purpose, shall be made and signed by the Person carrying on or about to carry on the Business in respect of which such Licence shall be applied for; and in every such Requisition there shall be truly specified and set forth the Christian Name and Surname and Place of Abode of the Person applying for such Licence, and the Place where the Business of such Person is or is proposed to be carried on.

Licence to be in force for One Year.

CCLXIV. And be it enacted, That every Licence so to be granted shall be signed by the Town Clerk, and shall be in force for One Year only from the Day of the Date of such Licence, or until the next general licensing Day, in case any such general licensing Day shall be appointed by the Council, as they are hereby authorized to do.

What shall be specified in the Licences.

CCLXV. And be it enacted, That there shall be specified in every such Licence the true Christian Name and Surname and Place of Abode of the Person who shall carry on or be about to carry on the Business in respect of which such Licence shall be granted, and

also the Name of the Street and the Number of the House in which such Business is or is intended to be carried on, and the particular Rooms or other Parts of such House used or intended to be used for the Purposes of such Business.

CCLXVI. And be it enacted, That for every such Licence, and for every Renewal thereof, there shall be paid to the Town Clerk such Sum not exceeding Twenty Shillings as the Council shall direct; and the Town Clerk shall enter such Licences in a Book to be provided and kept by the Council for that Purpose.

Fee on Licence, and Licences to be entered in a Book.

CCLXVII. And be it enacted, That so often as any Person named in any Licence as carrying on the Business of a Dealer in Marine Stores, or Broker or Dealer in Second-hand Goods or Articles, shall change his Place of Abode, or the Place of carrying on his said Business, or shall carry on the same in any other Part of the House than that mentioned in the Licence as used for the Purposes thereof, he shall, within Twenty-four Hours next after such Change, give Notice thereof in Writing, signed by him, to the Town Clerk, specifying in such Notice his new Place of Abode, or his new House of Business, or the additional or other Part of the House used for the Purposes of the said Business, as the Case may be; and such Person shall at the same Time produce his Licence at the Office of the Town Clerk, who shall endorse thereon a Memorandum specifying the Particulars of such Change.

Notice to be given of Change of Abode and of Place of Business.

CCLXVIII. And be it enacted, That if any Person shall, after the said First Day of *January* next after the Commencement of this Act, carry on within the said Borough the Business of a Dealer in Marine Stores, or Broker or Dealer in Second-hand Goods or Articles, without having obtained a Licence for such Purpose, or if any Person having obtained such a Licence shall neglect or omit to cause his Christian Name and Surname, together with the Words, "Licensed Dealer in Marine Stores," or, as the Case may be, "Licensed Broker," to be so painted, or shall neglect or omit to continue the same so painted as aforesaid, according to the Directions of this Act, or shall change his Place of Abode, or the Place of carrying on his said Business, or shall carry on the same in any other Part of the House than that mentioned in the Licence as used for the Purposes thereof, and shall neglect or omit to give Notice of any such Change, or to produce such Licence, in order that such Memorandum as aforesaid may be endorsed thereon, within the Time and in the Manner limited and directed by this Act, he shall forfeit any Sum not exceeding Twenty Pounds, and also any Sum not exceeding Five Pounds for every Day during which such Business shall be carried on contrary to the Provisions of this Act.

Penalty on Persons carrying on Business without Licence, or changing Residence or Place of Business without Notice.

CCLXIX. And be it enacted, That any such Licence may be suspended or revoked by any Justice before whom the Person named in such Licence shall be convicted of any Offence which, in the Opinion of such Justice, shall render it expedient that such Licence should be suspended or revoked.

Licences may be suspended or revoked.

CCLXX. And

Act not to extend to Pawnbrokers.

CCLXX. And be it enacted, That nothing in this Act contained with respect to Brokers or Dealers in Second-hand Goods or Articles shall be or be deemed or construed to relate to or affect Persons carrying on the Business of Pawnbrokers, and duly licensed for that Purpose, or Persons who shall only occasionally deal in Second-hand Goods or Articles, and whose chief or principal Occupation or Business shall not be the dealing therein.

Act not to extend to Ship Chandlers or Rope Makers.

CCLXXI. And be it enacted, That nothing in this Act contained with respect to Dealers in Marine Stores shall relate to or affect Persons who shall carry on the Business of a General Ship Chandler, or that Business and the Business of a Rope-maker, and who shall only occasionally deal in Second-hand Marine Stores.

Empowering Mayor to regulate Route and Conduct of Drivers of Stage Carriages, &c. during Hours of Divine Service.

CCLXXII. And be it enacted, That on the Application of the Minister, Churchwarden, Trustee, or Officer of any Church, Chapel, or other Place of public Worship within the Borough, it shall be lawful for the Mayor of the Borough to make Orders for regulating the Route and Conduct of Persons who shall drive any Carriage, public or private, or who shall drive any Cattle, Sheep, Pigs, or other Animals, within the Borough, during the Hours of Divine Service on *Sunday, Christmas Day, Good Friday*, or any Day appointed for a public Fast or Thanksgiving; and any Orders which shall be so made shall be printed and fixed on or near the Church, Chapel, or Place of public Worship to which the same shall refer, and in some conspicuous Places leading to and contiguous thereto, and elsewhere as the Mayor shall direct, and every Breach of any such Order shall be deemed a separate Offence.

Regulations for preventing Obstructions in the Street during public Processions, &c.

CCLXXIII. And be it enacted, That it shall be lawful for the Mayor, from Time to Time, and as Occasion shall require, to make Regulations for the Route to be observed by all Carriages, Horses, and Persons, and for preventing Obstruction of the Streets and Thoroughfares within the Borough, in all Times of public Processions, public Meetings, public Rejoicings or Illuminations, and also to give Directions to the Constables for keeping Order, and for preventing any Obstruction of the Thoroughfares in the immediate Neighbourhood of the Courts, the Town Hall, the Police Courts, the Theatres, and other Places of public Resort, and in Cases when the Streets or Thoroughfares may be thronged or may be liable to be obstructed; and any Person who shall be guilty of any Breach of such Regulations, or who shall not comply with the Directions of any Constable acting in pursuance thereof, shall for any such Offence forfeit a Sum not exceeding Five Pounds.

When Proprietors of Stage Carriages not liable to Penalties.

CCLXXIV. And be it enacted, That no Proprietor of any Stage Carriage duly licensed to carry Passengers for Hire shall be liable to any Penalty for any Deviation from the Route or Line of Route specified in his Licence which the Driver of such Stage Carriage shall make by virtue of any Regulation or Direction made or given by the Mayor.

CCLXXV. And

CCLXXV. And be it enacted, That every Person who by committing any Offence herein forbidden within the Borough shall have caused any Hurt or Damage to any Person or Property may be apprehended with or without any Warrant by any Constable belonging to the Police Force of the Borough, and if he shall not, upon Demand, make Amends for such Hurt or Damage, to the Satisfaction of the Person aggrieved, he shall be detained by the Constable in order to be taken before a Justice, and upon Conviction shall pay such a Sum, not more than Ten Pounds, as shall appear to the Justice before whom he shall be convicted to be reasonable Amends to the Person aggrieved, besides any Penalty to which he may be liable for the Offence, and the Evidence of the Person aggrieved shall be admitted in proof of the Offence: Provided always, that if the Person aggrieved shall have been the only Witness examined in proof of the Offence, the Sum ordered as Amends shall be paid and applied in the same Manner as a Penalty, unless the Justice shall otherwise direct.

Compensation for Hurt or Damage not exceeding 10*l.*

CCLXXVI. And be it enacted, That it shall be lawful for any Constable belonging to the Police Force of the Borough to take into Custody, without a Warrant, all loose, idle, or disorderly Persons within the Borough, whom he shall find disturbing the public Peace, or in his own View committing any Offence against this Act, or whom he shall have good Cause to suspect of having committed or being about to commit any Felony, Misdemeanor, or Breach of the Peace, or to instigate or abet any such Breach, and all Persons whom he shall find between Sunset and the Hour of Eight in the Morning lying or loitering in any Street, Yard, or other Place within the Borough, and not giving a satisfactory Account of themselves.

Constables may apprehend without Warrant in certain Cases.

CCLXXVII. And be it enacted, That it shall be lawful for any Constable belonging to the Police Force of the Borough to take into Custody, without Warrant, any Person who within the Borough shall be charged by any other Person with committing any aggravated Assault, in every Case in which such Constable shall have good Reason to believe that such Assault has been committed, although not within View of such Constable, and that by reason of the recent Commission of the Offence a Warrant could not have been obtained for the Apprehension of the Offender, provided that the Party charging shall accompany the Constable to the Station House, and there enter into such Recognizance as herein-after provided if the same shall be required of him.

Persons charged with recent Assaults may be apprehended without Warrants.

CCLXXVIII. And be it enacted, That any Person found within the Borough committing any Offence punishable either upon Indictment or as a Misdemeanor upon summary Conviction by virtue of this Act may be taken into Custody, without a Warrant, by any Constable of the Police Force of the said Borough, or may be apprehended by the Owner of the Property on or with respect to which the Offence shall be committed, or by his Servant or any Person authorized by him, and may be detained until he can be delivered into the Custody of a Constable, to be dealt with according to Law; and every such Constable may also, within the Borough, or upon the

Power to Police Constables and Persons aggrieved to apprehend certain Offenders.

River, enter upon and search any Carriage or Vessel upon or in which there shall be Reason to suspect that any thing stolen or unlawfully obtained may be found, and also any Person who may be reasonably suspected of having or conveying in any Manner any thing stolen or unlawfully obtained; and any Person to whom within the Borough any Property shall be offered to be sold, pawned, or delivered, if he shall have reasonable Cause to suspect that any such Offence has been committed with respect to such Property, or that the same or any Part thereof has been stolen or otherwise unlawfully obtained, is hereby authorized, and if in his Power is required, to apprehend and detain, and as soon as may be to deliver such Offender into the Custody of a Constable of the Police Force, together with such Property, to be dealt with according to Law; provided that nothing herein contained shall authorize the Detention of any Ship or such like Vessel.

Removing Furniture to evade Rent.

CCLXXIX. And be it enacted, That it shall be lawful for any Constable of the Police Force of the Borough to stop and detain until due Inquiry can be made any Carriage which or any Persons whom he shall find within the Borough employed in removing the Furniture of any House or Lodging between the Hours of Eight in the Evening and Six in the following Morning, or whenever the Constable shall have good Grounds for believing that such Removal is made for the Purpose of evading the Payment of Rent.

Horses, Carriages, &c. of Offenders may be detained.

CCLXXX. And be it enacted, That whenever any Person having Charge of any Horse, Carriage, or Vessel, or any Animal or Thing, shall be taken into the Custody of any Constable of the Police Force of the Borough under the Provisions of this Act, it shall be lawful for any Constable of the Police Force to take charge of such Horse, Carriage, or Vessel, or such Animal or Thing, and to deposit the same in some Place of safe Custody, as a Security for Payment of any Expences which may have been necessarily incurred for keeping the same; and it shall be lawful for the Justice before whom the Case shall have been heard to order such Horse, Carriage, or Vessel, or such Animal or Thing, to be sold for the Purpose of satisfying such reasonable Expences, in default of Payment thereof, in like Manner as if the same had been subject to be distrained, and had been distrained for the Payment of such reasonable Expences.

Persons apprehended without Warrant to be taken to the Station House.

CCLXXXI. And be it enacted, That every Person taken into Custody by any Constable of the Police Force of the Borough, without Warrant, except Persons detained for the mere Purpose of ascertaining their Name or Residence, shall be forthwith delivered into the Custody of the Constable in charge of the nearest Station House of the Borough, in order that such Person may be secured until he can be brought before a Justice to be dealt with according to Law, or may give Bail for his Appearance before the Justice if the Constable in charge at such Station House shall deem it prudent to take Bail in manner herein-after mentioned.

Power to take Recognizances at Station

CCLXXXII. And be it enacted, That whenever any Person charged with any Offence of which he is liable to be summarily convicted before a Justice shall be, without the Warrant of a Justice, in the Custody

Custody of any Constable of the Police Force of the Borough in charge of any Station House, during the Time when the Police Office shall be shut, it shall be lawful for such Constable, if he shall deem it prudent so to do, to take the Recognizance of such Person, with or without Sureties, conditioned as herein-after mentioned.

House on
petty
Charges.

CCLXXXIII. And be it enacted, That whenever any Person charged with any Felony or any Misdemeanor punishable by Transportation, or other grave Misdemeanor, shall be, without Warrant, in the Custody of any Constable of the Police Force of the Borough, or in any Station House of the Borough, during the Time when the Police Office shall be shut, it shall be lawful for the Constable in charge of the Station House to require the Persons making such Charge to enter into a Recognizance, with or without Sureties, as the Constable may require the same, conditioned as herein-after mentioned, and upon his Refusal so to do it shall be lawful for such Constable, if he shall deem it prudent, to discharge from Custody the Person so charged, upon his Recognizance, with or without Sureties, conditioned as herein-after mentioned.

Power to
bind over
Persons
making
Charges.

CCLXXXIV. And be it enacted, That every Recognizance so taken shall be without Fee or Reward, and shall be conditioned for the Appearance of the Person thereby bound before the Justice at his next Sitting, and the Time and Place of Appearance shall be specified in the Recognizance; and the Constable shall enter into a Book to be kept for that Purpose at every such Station House the Name, Residence, and Occupation of the Party, and his Surety or Sureties (if any), entering into such Recognizance, together with the Condition thereof, and the Sum thereby acknowledged, and shall return every such Recognizance to the Justice present at the Time and Place when and where the Party is bound to appear.

Condition of
Recogni-
zance.

CCLXXXV. And be it enacted, That for every Offence declared a Misdemeanor under this Act for which no special Penalty is herein-before appointed the Offender shall be liable to a Penalty not more than Ten Pounds, or, at the Discretion of the Justice, to be imprisoned for any Period not exceeding Two Months.

Penalty for
Offences for
which no
Penalty is
appointed.

CCLXXXVI. And be it enacted, That if any Victualler or Keeper of any House, Shop, Room, or other Place for the Sale of any Liquors, whether spirituous or otherwise, shall knowingly harbour or entertain any Man belonging to the said Police Force of the Borough, or permit such Man to abide or remain in his House, Shop, Room, or other Place, during any Part of the Time appointed for his being on Duty, except for the Purpose of quieting any Disturbance, every such Victualler or Keeper as aforesaid, being convicted thereof before any Justice, shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Penalty on
Publicans
harbouring
Policemen
during the
Hours of
Duty.

CCLXXXVII. Provided always, and be it enacted, That nothing herein contained shall be construed to prevent any Person from being indicted for any indictable Offence made punishable on summary Conviction by this Act, or to prevent any Person from being liable under any

Not to pre-
vent Indict-
ment.

any other Act or Acts to any other or higher Penalty or Punishment than is provided for such Offence by this Act, so nevertheless that no Person be punishable Twice for the same Offence.

Persons suspected of having or conveying stolen Goods.

CCLXXXVIII. And be it enacted, That any Person who shall be brought before any Justice charged with having in his Possession within the Borough, or conveying in any Manner, any Thing which may be reasonably suspected of being stolen or unlawfully obtained, and who shall not give an Account to the Satisfaction of such Justice how he came by the same, shall be deemed guilty of a Misdemeanor, and shall be liable to a Penalty of not more than Five Pounds, or, in the Discretion of a Justice, may be imprisoned in the Gaol or House of Correction of the Borough, with or without hard Labour, for any Time not exceeding Two Months.

In case of Information given that there is reasonable Cause for suspecting that any Goods have been unlawfully obtained and are concealed.

CCLXXXIX. And be it enacted, That if Information shall be given on Oath to any Justice that there is reasonable Cause for suspecting that any Thing stolen or unlawfully obtained is concealed or lodged in any Dwelling House, or on board any Vessel, or in any other Place within the Borough, it shall be lawful for such Justice, by Warrant under his Hand directed to any Constable of the Police Force of the Borough, to cause any such Dwelling House or other Place to be entered and searched at any Time of the Day or by Night, if Power for that Purpose be given by such Warrant; and the Justice, if it shall appear to him necessary, may empower such Constable, with such Assistance as may be found necessary, such Constable having previously made known his Authority, to use Force for effecting an Entry, whether by breaking open Doors or otherwise; and if upon Search thereupon made any such Thing shall be found, then to convey the same before the Justice, or to guard the same on the Spot until the Offenders are taken before the Justice, or otherwise dispose thereof in some Place of Safety, and moreover to take into Custody and carry before a Justice every Person found in such House or Place who shall appear to have been privy to the Deposit of any such Thing, knowing or having reasonable Cause to suspect the same to have been stolen or otherwise unlawfully obtained.

Party from whom stolen Goods are received to be examined by the Magistrate.

CCXC. And be it enacted, That when any Person shall be brought before any Justice charged with having or conveying within the Borough any Thing stolen or unlawfully obtained, and shall declare that he received the same from some other Person, or that he was employed as a Carrier, Agent, or Servant to convey the same for some other Person, such Justice is hereby authorized and required to cause every such Person, and also, if necessary, every former or pretended Purchaser or other Person through whose Possession the same shall have passed, to be brought before him and examined, and to examine Witnesses upon Oath touching the same; and if it shall appear to such Justice that any Person shall have had Possession of such Thing, and had reasonable Cause to believe the same to have been stolen or unlawfully obtained, every such Person shall be deemed guilty of a Misdemeanor, and to have had Possession of such Thing at the Time and Place when and where the same shall have been

been found or seized, and shall be liable to a Penalty of not more than Five Pounds, or, in the Discretion of the Justice, may be imprisoned in any Gaol or House of Correction within the Borough, with or without hard Labour, for any Time not exceeding Three Months; and the Possession of a Carrier, Agent, or Servant shall be deemed to be the Possession of the Person who shall have employed such other Person to convey any such Thing.

CCXCI. And be it enacted, That if any Goods stolen or unlawfully obtained shall be unlawfully deposited, pawned, pledged, sold, or exchanged, and Complaint shall be made thereof to a Justice, and that such Goods are in the Possession of any Broker, Dealer in Marine Stores, or other Dealer in Second-hand Property, or of any Person who shall have advanced Money upon the Credit of such Goods, within the Borough, it shall be lawful for such Justice to issue a Summons or Warrant for the Appearance of such Broker, Dealer, or other Person, and for the Production of the Goods, and to order such Goods to be delivered up to the Owner thereof, either with or without any Payment, or upon Payment of such Sum or any Part thereof, and at such a Time, as the Justice shall think fit; and every Broker, Dealer, or other Person who being so ordered shall refuse or neglect to deliver up the Goods, or who shall dispose of or make away with the same, after Notice that such Goods were stolen or unlawfully obtained as aforesaid, shall forfeit to the Owner of the Goods the full Value thereof, to be determined by the Justice: Provided always, that no such Order shall bar any such Broker, Dealer, or other Person from recovering Possession of such Goods, by Suit or Action at Law from the Person into whose Possession they may come by virtue of the Justice's Order, so that such Action be commenced within Six Months next after such Order shall be made.

Power to order Delivery of Goods fraudulently obtained and in possession of Brokers and other Dealers in Second-hand Property.

CCXCII. And whereas Doubts have arisen whether Goods unlawfully deposited, pledged, pawned, or exchanged may be restored to the Owner in Cases of summary Conviction, or where the Goods are produced without the Issue of any Search Warrant; be it declared and enacted, That it shall be lawful for any Justice to order that any Goods unlawfully pawned, pledged, or exchanged within the Borough, which shall be brought before him, and the Ownership of which shall be established to the Satisfaction of such Justice, shall be delivered up to the Owner by the Party with whom they were so unlawfully pawned, pledged, or exchanged, either without Compensation, or such Compensation to the Party in question, as the Justice may think fit.

For removing Doubts as to ordering the Restoration of Property pawned, &c.

CCXCIII. And be it enacted, That if any Goods or Money charged to be stolen or fraudulently obtained within the Borough shall be in the Custody of any Constable of the Police Force of the said Borough, by virtue of any Warrant of any Justice, or in Prosecution of any Charge of Felony or Misdemeanor in regard to the obtaining thereof, and the Person charged with stealing or obtaining Possession as aforesaid shall not be found, or shall have been summarily convicted or discharged, or shall have been tried and acquitted,

Power to order Delivery of Goods charged to have been stolen or fraudulently obtained, and in Custody of Constables.

[*Local.*]

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or

or if such Person shall have been tried and found guilty, but the Property so in Custody shall not have been included in any Indictment upon which he shall have been found guilty, it shall be lawful for the Justice to make an Order for the Delivery of such Goods or Money to the Party who shall appear to be the rightful Owner thereof, or in case the Owner cannot be ascertained, then to make such Order with respect to such Goods or Money as to such Justice shall seem meet: Provided always, that no such Order shall be any Bar to the Right of any Person to sue the Party to whom such Goods or Money shall be delivered, and to recover such Goods or Money from him, by Action at Law, so that such Action shall be commenced within Six Months after such Order shall be made.

Unclaimed
stolen Goods
delivered to
the Receiver
may be sold
after Twelve
Months.

CCXCIV. And be it enacted, That when any Goods, Property, or Money charged to be stolen or unlawfully obtained, and of which the Owner shall be unknown, shall be ordered by any Justice to be delivered to the Treasurer of the Borough Fund, it shall be lawful for the said Treasurer immediately, if such Property shall be of a perishable Nature, or if not at the Expiration of Twelve Months during which no Owner shall have appeared to claim the same, to sell or dispose of such Goods, Property, or Money, and to place the same and the Proceeds thereof to the Credit of the Borough Fund, to be applied in reduction of the Expences of the Constabulary Force.

Power to
award Costs
on hearing of
Charges.

CCXCV. And be it enacted, That it shall be lawful for the Justice who shall hear and determine any Charge or Complaint, whether or not a Warrant or Summons shall have been issued in consequence of such Charge or Complaint, to award such Costs as to him shall seem meet to be paid to or by either of the Parties to the said Charge or Complaint.

Amends may
be awarded
for frivolous
Informations.

CCXCVI. And be it enacted, That in every Case in which any Information or Complaint of any Offence shall be laid or made before any Justice, and shall not be further prosecuted, or in which if further prosecuted it shall appear to the Justice by whom the Case shall be heard that there was no sufficient Ground for making the Charge, such Justice shall have Power to award such Amends, not more than the Sum of Five Pounds, to be paid by the Informer to the Party informed or complained against, for his Loss of Time and Expences in the Matter, as to such Justice shall seem meet.

Penalty on
Common In-
formers for
compound-
ing Informa-
tions.

CCXCVII. And be it enacted, That in case any Person shall lodge any Information before any Justice for any Offence alleged to have been committed by which he was not personally aggrieved, and shall afterwards directly or indirectly receive, without the Permission of the Justice before whom such Information was lodged, any Sum of Money or other Reward for compounding, delaying, or withdrawing the Information, it shall be lawful for such Justice to issue his Warrant or Summons, as he may think fit, for bringing before him the Party charged with the Offence of such Compounding, Delay, or Withdrawal; and if such Offence be proved by the Confession of the

the Party, or by the Oath of any credible Witness, such Informer shall be liable to a Penalty not more than Ten Pounds.

CCXCVIII. And be it enacted, That where by this Act a Moiety or other fixed Portion of the Penalty hereby imposed is or shall be directed to be paid to the Informer, not being the Party aggrieved, it shall be lawful for the Justice before whom the Conviction shall be had to adjudge that no Part, or such Part only of the Penalty as he shall think fit, shall be paid to the Informer.

Power to lessen the Share of Informers.

CCXCIX. And be it enacted, That any Justice, if he shall think fit, may remand any Person for further Examination, or may suffer to go at large any Person who shall be charged before him with any Felony or Misdemeanor upon his personal Recognizance (with or without Sureties); and every such Recognizance shall be conditioned for the Appearance of such Person before the Justice for further Examination, or to surrender himself to take his Trial at a Court of Assizes for the County of *Lancaster* or the Court of General Quarter or Intermediate Sessions for the Borough; and the Justice shall be at liberty from Time to Time to enlarge every such Recognizance to such further Time as he shall appoint; and every such Recognizance which shall not be enlarged shall be discharged, without Fee or Reward, where the Party shall have appeared according to the Condition thereof: Provided always, that whenever any Justice shall take the Recognizance of any Person to appear at the Court of Assize or of General or Quarter or Intermediate Sessions, the Justice shall be bound to return the Depositions taken in the Case, and to bind over the Witnesses to appear and give Evidence in like Manner as if he had committed the Party to take his Trial at such Court.

Power to remand or enlarge Prisoners on Recognizances.

CCC. And be it enacted, That every Person who shall occupy or shall have occupied any House or Lodging within the Borough as Tenant thereof, and who shall wilfully or maliciously do any Damage to the Premises or to any Furniture thereof, not being the Property of such Tenant or Occupier, shall, upon Complaint made to any Justice within One Month next after the Commission of the Offence, or the End of the Tenancy or Occupation, forfeit and pay such Sum of Money as shall appear to any Justice to be a reasonable Compensation for the Damage done, not more than the Sum of Fifteen Pounds, exclusive of Costs, to the Landlord or Party aggrieved.

Power to order Compensation for wilful Damage by Tenants.

CCCI. And be it enacted, That if any Person within the Borough shall wilfully, or through Carelessness, Negligence, or Accident, injure or damage any Person or private Property, Real or Personal, and shall not upon Demand make Satisfaction for such Injury or Damage done, it shall be lawful for any Justice, upon Complaint thereof, to summon the Party complained of, and upon hearing the Allegations and Proofs on both Sides, or on the Confession or Non-attendance of the Party accused, to award such Sum of Money as the Damage proved shall amount to, or, in case of Accident, to award any Sum not exceeding the Sum of Five Pounds, exclusive of Costs; and in case the Sum so awarded and Costs shall not be forthwith paid upon Conviction, it shall be lawful for such Justice to cause the

Persons through Carelessness injuring any Person or Property.

the same to be enforced and recovered in the same Manner as Penalties are by this Act directed to be enforced and recovered.

Power to deal summarily with Cases of oppressive Distresses.

CCCII. And be it enacted, That on Complaint made to any Justice by any Person who shall within the Borough have occupied any House or Lodging by the Week or Month, or whereof the Rent does not exceed the Rate of Fifteen Pounds by the Year, that his Goods have been taken from him by an unlawful Distress, or that the Landlord or his Broker or Agent has been guilty of any Irregularity or Excess in respect of such Distress, it shall be lawful for such Justice to summon the Party complained against to appear before Two Justices, and if upon the hearing of the Matter it shall appear to the Justices that such Distress was improperly taken or unfairly disposed of, or that the Charges made by the Party having distrained, or having attempted to distrain, are contrary to Law, or that the Proceeds of the Sale of such Distress have not been duly accounted for to the Owner thereof, it shall be lawful for the Justices to order the Distress so taken, if not sold, to be returned to the Tenant, on Payment of the Rent and Charges which shall appear to be due at such Time as the Justices shall appoint, or if the Distress shall have been sold, then to order Payment to the said Tenant of the Value thereof, deducting thereout the Rents and Charges which shall so appear to be due, such Value to be determined by the Justices; and such Landlord or Party complained against, in default of Compliance with any such Order, shall forfeit to the Party aggrieved the Value of such Distress, not being greater than Fifteen Pounds, such Value to be determined by the Justices.

Giving Possession of deserted Premises.

11 G. 2. c. 19.

CCCIII. And be it enacted, That no Justices shall be required to go upon any deserted Lands, Tenements, or Hereditaments, for the Purpose of viewing the same or affixing any Notices thereon, or of putting the Landlord or Lessor into the Possession thereof, under the Provisions of an Act passed in the Eleventh Year of the Reign of King George the Second, intituled *An Act for the more effectual securing the Payment of Rents and preventing Frauds by Tenants*, or of an Act passed in the Fifty-seventh Year of the Reign of King George the Third, for altering the last-recited Act, but that in every Case within the Borough in which by the said Acts or either of them Two Justices are authorized to put the Landlord or Lessor into the Possession of such deserted Premises, it shall be lawful for the Police Magistrate and One other Justice, upon the Request of the Lessor or Landlord, or his Bailiff or Receiver, made in the open Police Office, and upon Proof given to the Satisfaction of such Police Magistrate and other Justice of the Arrear of Rent, and Desertion of the Premises by the Tenant, as aforesaid, to issue their Warrant directed to the Head Constable or any Superintendent or Inspector of the Police Force of the Borough, requiring him to go upon and view the Premises, and affix thereon the like Notices as under the said Acts or either of them are required to be affixed by Two Justices of the Peace; and upon the Return of the Warrant, and upon Proof being given to the Satisfaction of the Police Magistrate and other Justice before whom the Warrant shall be returned, that it has been duly executed, and that neither the Tenant nor any Person on

his Behalf has appeared and paid the Rent in arrear, and that there is not sufficient Distress upon the Premises, it shall be lawful for such Police Magistrate and other Justice to issue their Warrant to a Constable of the Police Force, requiring him to put the Landlord or Lessor into possession of the Premises, and every Constable to whom any such Warrant shall be directed shall duly execute and return the same, and upon the Execution of such Second Warrant the Lease of the Premises to such Tenant as to any Demise therein contained only shall thenceforth be void.

CCCIV. And be it enacted, That upon Complaint made to any Justice by any Person claiming to be entitled to the Property or Possession of any Goods which are detained by any other Person within the Borough, the Value of which shall not be greater than Fifteen Pounds, and not being Deeds, Muniments, or Papers relating to any Property of greater Value than Fifteen Pounds, it shall be lawful for such Justice to summon the Person complained of to appear before Two Justices, and such Two Justices shall inquire into the Title thereto, or to the Possession thereof; and if it shall appear to them that such Goods have been detained without just Cause, after due Notice of the Claim made by the Person complaining, or that the Person detaining such Goods has a Lien or Right to detain the same by way of Security for the Payment of Money, or the Performance of any Act by the Owner thereof, it shall be lawful for such Justices to order the Goods to be delivered to the Owner thereof, either absolutely or upon Tender of the Amount appearing to be due by such Owner (which Amount the Justices are hereby authorized to determine) or upon Performance, or upon Tender and Refusal of the Performance of the Act for the Performance whereof such Goods are detained as Security, or if such Act cannot be performed, then upon Trust of Amends for Nonperformance thereof (the Nature or Amount of which Amends the Justices are hereby authorized to determine); and any Person who shall neglect or refuse to deliver up the Goods according to such Order shall forfeit to the Party aggrieved the full Value of such Goods not greater than the Sum of Fifteen Pounds, such Value to be determined by the Justices: Provided always, that no such Order shall bar any Person from recovering Possession of the Goods or Money so delivered or forfeited, by Suit or Action at Law, from the Person to whose Possession such Goods or Money shall come by virtue of such Order, so that such Action be commenced within Six Months next after such Order shall be made.

Justices may order Goods wrongfully detained under 15*l.* Value to be delivered to the proper Owner.

CCCV. And be it enacted, That any Person who shall obtain any Sum of Money or other Reward from any Person within the Borough by threatening, directly or indirectly, to lodge any Information or make any Complaint before any Justice for any Offence, or as an Inducement for forbearing to lay such Information or make such Complaint, shall, on Conviction of the Offence before any Justice, either by his own Confession or by the Oath of any credible Witness, be liable to a Penalty not more than Ten Pounds.

Penalty for obtaining Money by threatening Information.

Defining Rate
for cleansing.

CCCVI. And be it enacted, That the Powers given by the said recited Act of the Twenty-first Year of the Reign of King *George* the Second for raising a Rate for the Purposes of cleansing and lighting the District therein referred to shall be exercised by the Council for the Purpose of cleansing the Parish of *Liverpool* and lighting the Borough, according to the Provisions of the said Act, as by Law now extended.

Rate to be
levied.

CCCVII. And in order to raise Money for the defraying the Costs, Charges, and Expences of maintaining the Fire Police of the Borough, and incident thereto, be it enacted, That it shall be lawful for the Council, once in every Year after the Commencement of this Act, if they shall think it necessary, to order a Fire Police Rate, not exceeding One Halfpenny in the Pound, to be made and levied upon all Property within the Borough by Law rateable to the Relief and Employment of the Poor, the annual Value whereof shall be ascertained according to the next preceding Assessment for the Relief and Employment of the Poor in the several Parts of the Borough respectively, except in such Cases as are herein-after mentioned, which Rate shall be paid by the Occupier of such Property.

Poor Rates to
be open to
Inspection of
Council.

CCCVIII. And be it enacted, That it shall be lawful for the Council, or any Committee appointed by them, or for any Person by them or by such Committee authorized, from Time to Time to inspect the several Poor Rates for the Parish of *Liverpool*, Township of *Toxteth Park*, Township of *Everton*, Township of *West Derby*, and Township of *Kirkdale* respectively, and the Assessments by which the same are made, and to take Copies of or Extracts from the same respectively; and if any Person having the Custody of such Rates or Assessments shall not suffer the Council or Committee, or any Person authorized by them, to inspect the same, or take Copies thereof or Extracts therefrom, he shall forfeit a Sum not exceeding Forty Shillings for every such Offence.

Rate Books
to be Evi-
dence.

CCCIX. And be it enacted, That the several Books for the said Rates, and all Entries made therein, in manner by Law directed, shall be received as Evidence of such Rates.

Notice of
Rate to be
given.

CCCX. And be it enacted, That no such Rates or any of them shall be valid unless Notice of the Intention of making such Rates, and of the Time at which the same are intended to be made, and of the Place where a Statement of the proposed Rate shall be deposited for Inspection, shall be given by the Council by Advertisement Twice in some Newspaper printed or circulated within the Borough, immediately previous to such Rate being made, or as nearly so as may be.

Rate to be
open to In-
spection of
Rate-payers.

CCCXI. And be it enacted, That immediately after any Rate shall be made the same shall be open to the Inspection of any Person rated in such Rate at all seasonable Times, and any such Persons may take Copies or Extracts from such Rate without paying any thing for the same; and if the Person having the Custody of such Rate shall

shall refuse to permit or shall not permit any Person so rated as aforesaid to take Copies or Extracts from such Rate, he shall forfeit for every such Offence any Sum not exceeding Five Pounds.

CCCXII. And whereas it is expedient that the Council should be enabled to amend any Rate or Assessment made for lighting or cleansing, or maintaining the Fire Police of the Borough; be it therefore enacted, That it shall be lawful for the Council from Time to Time to amend any such Rate, by inserting therein the Name of any Person who ought to have been rated, or by striking out the Name of any Person who ought not to be rated, or by raising or reducing the Sum at which any Person shall have been rated, if it shall appear to the Council that such Person has been under-rated or over-rated, or by making such other Amendment therein as will make such Rate conformable to Law, and no such Amendment shall be held to avoid the Case: Provided always, that every Person who shall be aggrieved by any such Alteration shall have the same Right of Appeal thereupon as he would have had if his Name had been originally inserted in such Rate, and no such Alteration had been made; and every Person whose Rate shall be altered shall be entitled to Seven Days Notice of such Alteration before the Rate shall be payable by him.

Power to
amend Rate

CCCXIII. And be it enacted, That if any Person shall think himself aggrieved by any such Rate, or by any Matter included or omitted from the same, he may appeal to the next General or Quarter Sessions; but no such Appeal against the Rate, or any Matter contained in or omitted from the same, shall be entertained at such General or Quarter Sessions, unless reasonable Notice in Writing of such Appeal, stating the Nature and Ground thereof, be given to the Council, but the same shall be adjourned to the next Quarter Sessions.

Appeal.

CCCXIV. And be it enacted, That at the General or Quarter Sessions for which any such Notice of Appeal shall be given the Court shall proceed to hear and determine the Appeal in a summary Way, except when the Court are hereby directed to adjourn the same, and except when the Court shall think fit to adjourn the Appeal to the following Session, which they are hereby authorized to do; and in all such Cases the Court shall hear and determine the Appeal at such last-mentioned Sessions.

Quarter Ses-
sions to pro-
ceed in a sum-
mary Way.

CCCXV. And be it enacted, That upon all Appeals from any Rate or other Assessment, the Court of Quarter Sessions of the Peace shall, when such Court shall see just Cause to give Relief, amend such Rate or Assessment, in any Manner which the said Court shall think necessary for giving such Relief, and without quashing or wholly setting aside such Rate or Assessment: Provided always, that if the said Court shall be of opinion that it is necessary for the Purpose of giving Relief to the Person appealing that the Rate or Assessment should be wholly quashed, then the said Court may quash the same, and order a new one to be made.

Power of
Quarter
Sessions
upon Appeals
from Rates.

CCCXVI. And

Liability to Rates not to disqualify Witnesses or Justices.

CCCXVI. And be it enacted, That no Person, although liable to the Payment of Money towards any such Rate, shall by reason thereof be deemed to be an incompetent Witness in a Proceeding before a Court of Justice under this Act, or be disabled to act as a Justice in the Execution of the same.

Rates to be recovered by Action or Distress.

CCCXVII. And be it enacted, That if any Person rated shall not pay any of the said Rates due from him for the Space of Fourteen Days after Demand thereof in Writing by the Council or their Collector, it shall be lawful for the Council to recover the same by Action of Debt in any of Her Majesty's Courts of Record at *Westminster*, or Court of Common Pleas at *Lancaster*, or any Justice shall, on the Application of the Council or their Collector, summon any such Person to appear before him, at a Time to be mentioned in the Summons, to show Cause why the Rates due from him should not be paid; and in case no sufficient Cause for the Nonpayment of such Rate shall be shown accordingly, the same shall be levied by Distress, and such Justice shall issue his Warrant accordingly.

Form of Warrant of Distress.

CCCXVIII. And be it enacted, That the Warrant of Distress for the Nonpayment of any Rate may include One Person or several Persons, and One Rate or several Rates, or any Part thereof respectively, and may be to the Effect mentioned in Schedule (C.) to this Act annexed.

Constables to assist in making Distress.

CCCXIX. And be it enacted, That in all Cases where a Distress is hereby authorized to be made every Constable authorized by the Warrant to levy any Sum mentioned therein shall, upon being required by a Collector of the Rates, aid in making a Distress or Sale pursuant to such Warrant; and every Constable who shall refuse to do so shall be liable to a Penalty not exceeding Five Pounds.

Power to remit Rate.

CCCXX. Provided always, and be it enacted, That it shall be lawful for the Council to reduce or remit the Payment of any Rate on account of the Poverty or Sickness of any Person liable to the Payment thereof.

Remedy against Persons quitting before Payment of Rates.

CCCXXI. And be it enacted, That if any Person shall quit or be about to quit any rateable Property before he shall have paid the Rates then payable by him in respect thereof, and shall not pay the same to the Council or their Collector, on Demand, it shall be lawful for any Justice having Jurisdiction where such Person may reside or his Goods be found, to summon such Person to appear before him at a Time to be mentioned in the Summons, to show Cause why the Rates should not be paid; and if no sufficient Cause for the Nonpayment of such Rates be shown accordingly, the same shall be levied by Distress, and such Justice shall issue his Warrant accordingly.

Rates apportioned on Holder quitting.

CCCXXII. And be it enacted, That when any Rate shall have been made for a particular Period, and the Occupier who shall be rated

rated to such Rate shall cease to be the Occupier of the Property in respect whereof he shall be rated before the End of such Period, such Occupier shall be liable to pay a Portion only of the Rate payable for the whole of such Period proportionate to the Time during which he continued to be Occupier; and if any Person shall become the Occupier of any Property so rated as aforesaid during any Part of any Period for which any Rate shall have been made, such Person shall pay a Portion of such Rate proportionate to the Time during which he shall have held or occupied the Property so rated.

CCCXXIII. And be it enacted, That if any Property rateable shall have been unoccupied at the Time of making any Rate, and any Person shall occupy such Property during any Part of the Period for which such Rate shall have been made, it shall be lawful for the Council to rate such Property; and the Person occupying the same during any Part of the Period aforesaid shall pay a Portion of the said Rate proportionate to the Time during which he shall occupy such Property.

Persons entering on unoccupied Property to pay a Portion of the Rate.

CCCXXIV. And be it enacted, That the Money which shall arise from the said Fire Police Rate shall be paid over by the Collectors or other Persons receiving the same to the Treasurer of the Borough, to the Account of the Borough Fund of the Borough, by whom the same shall be applied, under the Order and Direction of the Council, in defraying the Expences of maintaining the Fire Police of the Borough; and if there shall be any Surplus the same shall be applicable to the general Purposes of the Borough in aid of the Borough Fund, and if there shall be any Deficiency the same shall be borne by the Borough Fund.

Application of Rates.

CCCXXV. And be it enacted, That where any Damage, Satisfaction, or Charges are directed or authorized to be paid or recovered, in addition to or without any Penalty for any Offence against this Act, or any Bye Law made in pursuance thereof, or of the said recited Acts or any of them, the Amount of such Damages, Satisfaction, or Charges, in case of Nonpayment thereof, or any Dispute concerning the same, shall be settled and determined by the Justice by or before whom any Offender shall be convicted of any such Offence; and such Justice is hereby authorized and required, on Nonpayment thereof, to levy such Damages, Satisfaction, or Charges by Distress and Sale of the Offender's Goods and Chattels, and to commit him in default of Payment in manner by this Act directed in Cases of Nonpayment of pecuniary Penalties or Forfeitures.

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

CCCXXVI. And for the Purpose of providing for the Recovery of Compensation for any Injury to any Land or other Property or Person, or for any Expences, Charges, or Damages which shall be payable under this Act, and for the Recovery of which no Method is herein provided, be it enacted, That in all such Cases the Amount of the Compensation, Charges, or Damages by this Act directed or authorized to be paid shall, in case of Nonpayment thereof, or of

Provision for Damages not otherwise provided for.

any Dispute about the same, be ascertained and determined by any Justice, and the same shall be levied by Distress.

For ascer-
taining Com-
pensation.

CCCXXVII. And for the Purpose of ascertaining and determining any such Compensation, Expences, Charges, or Damages, be it enacted, That any Justice may summon any Person liable to pay the same to appear before him at a Time mentioned in such Summons, and at such Time, either on the Appearance or Default of the Party summoned to appear, to inquire into any such Compensation, Expences, Charges, or Damages, and to determine the same.

Recovery of
Money from
the Mayor,
&c.

CCCXXVIII. And with respect to any Money under the Provisions of this Act adjudged to be paid by the Mayor, Aldermen, and Burgesses, for which no other Mode of Proceeding is hereby provided, be it enacted, That if such Money be not paid by the Mayor, Aldermen, and Burgesses to the Party entitled to receive the same within Twenty-one Days after Demand thereof in Writing, stating the Order of the Justice for the Payment of such Money, the Amount shall be recovered by Distress of the Goods of the Mayor, Aldermen, and Burgesses, and if no sufficient Goods of the Mayor, Aldermen, and Burgesses can be found, by Distress of the Goods of the Treasurer of the Borough, but no such Distress shall issue against the Goods of such Treasurer unless Seven Days previous Notice in Writing, stating the Amount so due, and demanding Payment thereof, shall have been given to such Treasurer, or left at his usual Place of Abode.

Reimburse-
ment of
Treasurer.

CCCXXIX. And be it enacted, That if such Treasurer pay any Money under any such Distress as aforesaid it shall be lawful for him to retain the Amount so paid by him, and all Costs and Expences occasioned thereby, out of any Money belonging to the Mayor, Aldermen, and Burgesses coming into his Custody or Control, or to sue the Mayor, Aldermen, and Burgesses for the same in the same Manner as other Parties are by this Act enabled to sue the Mayor, Aldermen, and Burgesses.

Penalties to
be sum-
marily reco-
vered before
One Justice.

CCCXXX. And for the Purpose of providing for the Recovery of Penalties or Forfeitures imposed by this Act, or by any Bye Law made in pursuance thereof, or of the said recited Acts or any of them, the Recovery of which is not otherwise provided for, be it enacted, That every such Penalty or Forfeiture may be recovered by summary Proceeding, upon Complaint made before, or upon Information in Writing made and exhibited before, any Justice; and on every such Complaint or Information as aforesaid such Justice shall issue a Summons requiring the Party complained against to appear on a Day and at a Time and Place to be named in such Summons, and every such Summons shall be served on the Party offending, either in Person or by leaving the same with some Inmate at his usual Place of Abode; and either upon the Appearance or upon the Default to appear of the Party offending it shall be lawful for any Justice to proceed to the hearing of the Complaint, and that although no Information in Writing or in Print shall have been exhibited

hibited before him; and upon Proof of the Offence, either by the Confession of the Party complained against, or upon the Oath of One credible Witness or more, it shall be lawful for such Justice to convict the Offender, and upon such Conviction to adjudge the Offender to pay the Penalty or Forfeiture incurred, as well as such Costs attending the Conviction as such Justice shall think fit.

CCCXXXI. And be it enacted, That if forthwith upon any such Adjudication as aforesaid the Amount of the Penalty or Forfeiture, and of such Costs as aforesaid, be not paid, the Amount of such Penalty and Costs, together with the Costs of the Distress, shall be levied by Distress, and any One Justice shall issue his Warrant of Distress accordingly.

Penalties to be levied by Distress.

CCCXXXII. And be it enacted, That it shall be lawful for the Justice to order any Offender so convicted as aforesaid to be detained and kept in safe Custody until Return can be conveniently made to the Warrant of Distress to be issued for levying such Penalty or Forfeiture and Costs, unless the Offender give sufficient Security, by way of Recognizance or otherwise, to the Satisfaction of such Justice, for his Appearance before him on the Day appointed for such Return, such Day not being more than Eight Days from the Time of taking such Security; but if, before issuing such Warrant of Distress, it shall appear to the Justice, by the Admission of the Offender or otherwise, that no sufficient Distress can be had whereon to levy such Penalty or Forfeiture, and Costs, he may, if he think fit, refrain from issuing such Warrant of Distress; and in such Case, or if such Warrant shall have been issued, and upon the Return thereof such Insufficiency as aforesaid shall be made to appear to the Justice, then such Justice shall by Warrant cause such Offender to be committed to Gaol, there to remain without Bail for any Term not exceeding Three Months, unless such Penalty or Forfeiture and Costs be sooner paid and satisfied.

Imprisonment in default of Distress.

CCCXXXIII. And be it enacted, That the Justice before whom any such Complaint may be made or Information exhibited may, without issuing any Summons, forthwith issue a Warrant for the Apprehension of any Person charged with any Offence against this Act, or any Bye Law made in pursuance thereof, and of the said recited Acts or any of them, whenever good Grounds for so doing shall be stated on Oath before him.

Warrant for Apprehension may be issued without Summons.

CCCXXXIV. And be it enacted, That the Justice before whom any Information shall be laid in Writing against any Person, or before whom any Person shall be convicted in respect of any Offence against this Act, or any Bye Law made in pursuance thereof, or of the said recited Acts or any of them, may cause the Information and the Conviction to be drawn up according to the Forms respectively given in Schedules (A.) and (B.) to this Act annexed, or any other Forms to the same Effect, as the Case may require: Provided always, that this Enactment shall not invalidate any Information or Conviction laid or drawn in any other Form which may be more specially suited to the Case, or may be provided by Law; and in any Information in Writing,

Forms of Information and Conviction.

Writing, and in every Conviction for an Offence contrary to this Act, or to any Bye Law made in pursuance thereof, or of the said recited Acts or any of them, or to any other Act relating to the Borough, it shall be sufficient if the Offence shall be stated in the Words of this Act, or Bye Law declaring the Offence, or attaching any Penalty thereunto.

Information not to be quashed for Want of Form.

CCCXXXV. And be it enacted, That no Proceeding under this Act shall be quashed or vacated for Want of Form, nor shall the same be removed by Certiorari or otherwise into any of the Superior Courts.

Application of Penalties.

CCCXXXVI. And with respect to the Application of any Penalties or Forfeitures recovered by virtue of this Act, the Application whereof is not herein otherwise provided for, be it enacted, That the Justice by whom any such Penalty or Forfeiture shall be imposed shall order the same to be paid to the Treasurer of the Borough, to the Credit and on account of the Borough Fund of the Borough.

Penalties to be sued for within Six Calendar Months.

CCCXXXVII. And be it enacted, That no Person shall be liable to the Payment of any Penalty or Forfeiture imposed by virtue of this Act, or of any Bye Law made in pursuance thereof, for any Offence herein-before made cognizable before a Justice, unless the Complaint respecting such Offence shall have been made before such Justice within Six Months next after the Commission of such Offence.

Penalty on Witnesses making default.

CCCXXXVIII. And be it enacted, That if any Person who shall be summoned as a Witness to attend and give Evidence before any Justice touching any Matter or Fact contained or involved in or affecting any Information, Order, or Complaint laid in pursuance of or for any Offence committed against this Act, or against any Bye Law made in pursuance thereof, or of the said recited Acts or any of them, or any Matter which is hereby referred to any Justice, either on the Part of the Prosecutor or on the Part of the Party summoned or accused, shall refuse or neglect to appear at the Time and Place mentioned in such Summons or appointed for such Reference, (having been paid or tendered a reasonable Sum for his Costs and Expences,) without a reasonable Excuse for his Refusal or Neglect, or appearing shall refuse to be examined upon Oath or to give Evidence before such Justice, then and in either of the said Cases every Person so offending shall for every such Offence forfeit a Sum not exceeding Ten Pounds.

General Power to Justices to administer Oaths.

CCCXXXIX. And be it enacted, That in all Cases in which any Justice is authorized by this Act to examine any Person, or take cognizance of or to hear or determine any Matter or Complaint, it shall be lawful for such Justice and he is hereby required to administer an Oath to such Person before he shall be examined by or before such Justice.

Punishment for false Evidence.

CCCXL. And be it enacted, That if any Person upon any Examination upon Oath before any Justice or Police Magistrate acting in execution

execution of this Act shall wilfully and corruptly give false Evidence touching any Matter or Thing relating to this Act, or shall wilfully or corruptly swear any Matter or Thing which shall be false or untrue, every such Person so offending, and being duly convicted thereof, shall be and is hereby declared to be subject and liable to such Pains and Penalties as by any Law in force and effect Persons guilty of wilful and corrupt Perjury are liable to.

CCCXLI. And be it enacted, That it shall be lawful for any Constable belonging to the Police Force of the Borough, and all such Persons as he shall call to his Assistance, to seize and detain any Person who shall have committed any Offence against this Act, or any Bye Law made in pursuance thereof, or of the said recited Acts or any of them, or against any other Act relating to the said Borough, whose Name or Residence shall be unknown to such Constable, and to convey him with all convenient Despatch before a Justice, without any Warrant or other Authority than this Act; and such Justice is hereby empowered and required to proceed with all convenient Despatch to the hearing and determining of the Complaint against such Offender.

For securing Offenders whose Names and Residences are not known.

CCCXLII. And be it enacted, That where in this Act any Sum of Money, whether in the Nature of Penalty or otherwise, is directed to be levied by Distress, such Sum of Money shall be levied by Distress and Sale of the Goods and Chattels of the Party liable to pay the same; and the Overplus arising from the Sale of such Goods and Chattels, after satisfying such Sum of Money, and the Expences of the Distress and Sale, shall be returned, on Demand, to the Party whose Goods shall have been distrained.

Distress, how to be levied.

CCCXLIII. And be it enacted, That no Distress levied by virtue of this Act shall be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Information, Summons, Warrant of Apprehension, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser from the beginning on account of any Irregularity afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage in an Action upon the Case.

Distress not unlawful for Want of Form.

CCCXLIV. And be it enacted, That if any Person shall think himself aggrieved by any Order, Determination, or Adjudication of any Justice, he may appeal to the General Quarter Sessions to be holden for the said Borough; but no such Appeal shall be entertained unless it be made within Four Months next after the making of such Order, Determination, or Adjudication, nor unless Ten Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal shall be brought, nor unless the Appellant forthwith after such Notice enter into Recognizances, with Two sufficient Sureties, before a Justice, conditioned duly to prosecute such Appeal, and to abide the Order of the Court thereon.

Parties may appeal to Quarter Sessions on giving Security.

[*Local.*]

34 C

CCCXLV. And

Court to
make such
Order as they
think reason-
able.

CCCXLV. And be it enacted, That at the Quarter Sessions for which such Notice shall be given the Court shall proceed to hear and determine the Appeal in a summary Way, or they may, if they think fit, adjourn it to the following Sessions; and upon the hearing of such Appeal the Court may, if they think fit, mitigate any Penalty or Forfeiture, or they may confirm or quash the Order, Determination, or Adjudication, and order any Money paid by the Appellant, or levied by Distress upon his Goods, to be returned to him, and may also order such further Satisfaction to be made to the Party injured as they may judge reasonable; and they may make such Order concerning the Costs, both of the Order, Determination, or Adjudication, and of the Appeal, as they may think reasonable.

Costs.

Costs where
Appellant
produces new
Evidence.

CCCXLVI. And be it enacted, That in all Cases of Appeal under this Act where any Evidence or Witness shall be adduced or examined other than the Evidence or Witness produced or examined before the convicting Justice of the Peace, the Costs of the Respondent shall be ordered by the said Court of General or Quarter Sessions to be paid by the Appellant, although the Order or Conviction appealed against shall be set aside or quashed, unless the Appellant shall prove to the Satisfaction of the said Court that such Evidence or Witness produced or examined at the Time of hearing such Appeal could not be produced or examined on the Hearing before the convicting Justice.

Proceedings
where an
Offender will
not disclose
his Name.

CCCXLVII. And be it further enacted, That if any Person charged with any Offence against this Act, or any Bye Law made in pursuance thereof, or of the said recited Acts or any of them, or against any other Act relating to the said Borough, shall refuse to disclose his Name, all the necessary Proceedings may be had and carried on against him for the Recovery of any Penalty, Forfeiture, or Damage imposed or incurred under such Act or Bye Law respectively, by the Description of his Person, and of the Offence committed, without stating his Name, or if One only of his Names be known, all such necessary Proceedings may be had and carried on against him by such Name only.

Power to
mitigate
Penalties and
Costs.

CCCXLVIII. And be it enacted, That it shall be lawful for any Justice in all Cases where Persons shall be convicted before him of any Offence under this Act, or under any Bye Law made by virtue of this Act, or of the said recited Acts or any of them, or under any Act for the Government and Regulation of the Docks within the Borough, to mitigate the Penalty and Costs payable in all such Cases to One Half, or any less Proportion thereof, if such Justice shall (considering the Circumstances of the Parties convicted) think it right so to do.

Plaintiff not
to recover
after Tender
of Amends.

CCCXLIX. And be it enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in the Execution of this Act, or in, under, or by virtue of any Power or Authority hereby given, if Tender of sufficient Amends shall have been by or on behalf of the Party who shall have committed such Irregularity, Trespass, or other wrongful Proceeding

Proceeding before such Action brought; and in case no Tender shall have been made, it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, whereupon such Proceeding, Order, and Adjudication shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

CCCL. And be it enacted, That if any Person shall obstruct, assault, hinder, or molest any Officer or Person whomsoever appointed or employed by virtue of this Act, or any Bye Law made in pursuance thereof, or of the said recited Acts or any of them, in the Execution or Performance of his Duty, or in the Execution of any of the Works, Matters, or Things to be done under the Authority of the same respectively, every Person so offending shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Penalty for obstructing the Execution of this Act.

CCCLI. And be it enacted, That in any Proceedings under any Act relating to the Customs, Excise, Stamps, Taxes, or Post Office, nothing herein contained shall extend to prevent any Penalties awarded by such Act from being recovered, and adjudged to be paid, as if this Act had not been passed, or to give any Appeal from any Conviction under any such Act where such Appeal is not given by the Act specially relating thereunto.

Certain Provisions of this Act not to extend to the Laws of Customs, &c.

CCCLII. And be it enacted, That nothing herein contained shall prejudice or affect the Power of the Council to make Bye Laws under the said Act to provide for the Regulation of Municipal Corporations in *England* and *Wales*.

Saving the Power of the Council.

CCCLIII. And be it 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, Exemptions, Rights, or Authorities vested in or enjoyed by the Devises of the late Most Noble *Francis Duke of Bridgewater* under any Act or Acts of Parliament now in force.

For Protection of Duke of Bridgewater's Property;

CCCLIV. And be it 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, Exemptions, Rights, or Authorities vested in or enjoyed by the Company of Proprietors of the *Mersey and Irwell Navigation*.

the Rights, &c. of the Mersey and Irwell Navigation;

CCCLV. And be it 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 or Authorities vested in or enjoyed by the Commissioners for the better Paving and Sewerage of the Town of *Liverpool* aforesaid.

and Commissioners of Paving and Sewerage.

CCCLVI. And be it 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 *Liverpool Waterworks*

Not to prejudice the Powers of the Liverpool Waterworks

Companies
or of the Gas
Light Com-
panies.

39 G. 3. c. 36.

50 G. 3. c. 165.

53 G. 3. c. 122.

3 G. 4. c. 77.

7 & 8 G. 4.
c. 36.

58 G. 3. c. 66.

4 & 5 Vict.
c. 28.

4 G. 4. c. 39.

4 & 5 W. 4.
c. 1.

Interpreta-
tion of Act.

works granted by Three several Acts of Parliament, passed in the Thirty-ninth, Fiftieth, and Thirty-third Years of the Reign of His Majesty King George the Third, the First, intituled *An Act for better supplying the Town and Port of Liverpool with Water from certain Springs in the Township of Bootle in the County Palatine of Lancaster*, the Second, intituled *An Act to alter, amend, and enlarge the Powers of an Act passed in the Thirty-ninth Year of His present Majesty, for better supplying the Town and Port of Liverpool with Water from certain Springs in the Township of Bootle in the County Palatine of Lancaster*, and the Third, intituled *An Act for enlarging the Powers of Two Acts of His present Majesty, for better supplying the Town and Port of Liverpool with Water*; and to the Company of Proprietors of the *Liverpool Corporation Waterworks*, and the *Liverpool and Harrington Waterworks*, granted by Two several Acts, made in the Third, Seventh and Eighth Years of the Reign of His late Majesty King George the Fourth, the First, intituled *An Act to repeal so much of an Act of the Thirty-sixth Year of His late Majesty King George the Third as relates to the supplying the Town of Liverpool with Water, and to grant other Powers for supplying the said Town and Port, and the Shipping resorting thereto, with Water*, and the Second, intituled *An Act to extend the Powers of an Act of His present Majesty, for supplying the Town of Liverpool in the County Palatine of Lancaster with Water, to Harrington and Toxteth Park in the said County*; and to the *Liverpool Gas Light Company*, granted by Two several Acts, one thereof passed in the Fifty-eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act for lighting with Gas the Port and Town of Liverpool and Township of Toxteth Park in the County of Lancaster*, and the other thereof passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act to alter, amend, and enlarge the Powers and Provisions of an Act for lighting with Gas the Town and Port of Liverpool and Township of Toxteth Park in the County of Lancaster; and for lighting with Gas the several Townships of West Derby, Everton, Kirkdale, Walton-on-the-Hill, Bootle-cum-Linacre, Litherland, Great Crosby, Wavertree, and Garston, in the County of Lancaster*; and to the *Liverpool New Gas and Coke Company*, granted by Two several Acts of Parliament, the First passed in the Fourth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for lighting with Oil Gas the Town of Liverpool and certain Places adjacent thereto*, the Second passed in the Fourth Year of the Reign of His late Majesty King William the Fourth, intituled *An Act to empower the Liverpool Oil Gas Light Company to produce Gas from Coal and other Materials, and to amend the Act relating to the said Company*.

CCCLVII. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number;

Words importing the Masculine Gender only shall include Females:

The

The Word "Month" shall mean Calendar Month :

The Word "Person" or the Word "Persons" shall include Corporation, whether aggregate or sole :

The Word "Oath" shall include Affirmation in case of Quakers, or other Declaration or Solemnity lawfully substituted for an Oath in case of any other Persons exempted by Law from the Necessity of taking an Oath :

The Word "Council" shall mean the Council of the Borough of *Liverpool* :

The Words "Police Magistrate" shall mean the Person who now is and for the Time being may be appointed by Her Majesty to be the salaried Police Magistrate of the said Borough ; and in case more than One Person shall be appointed Police Magistrate of the said Borough, the same Words shall mean and include each and every Person so appointed :

The Word "Justice" shall mean any of Her Majesty's Justices of the Peace of the said Borough, and shall include "the Police Magistrate :"

The Words "General or Quarter Sessions" shall mean the General or Quarter Sessions of the Peace for the Borough of *Liverpool* :

The Word "Street" shall include any Square, Street, Court, or Alley, Highway, Lane, Road, Thoroughfare, or public Passage or Place, within the Borough of *Liverpool* :

The Word "Borough" shall mean the Borough of *Liverpool* as enlarged and extended by the Act for the Regulation of Municipal Corporations :

The Words "Mayor, Aldermen, and Burgesses" shall mean the Mayor, Aldermen, and Burgesses of the Borough of *Liverpool* in the County Palatine of *Lancaster* :

The Words "Town Clerk" shall mean the Town Clerk of the Borough of *Liverpool*, and shall include the Deputy of such Town Clerk :

The Words "Superior Courts" shall mean Her Majesty's Superior Courts of Record at *Westminster*, and shall include the Court of Common Pleas at *Lancaster* :

The Word "Lands" shall extend to Messuages, Lands, Tenements, and Hereditaments of any Tenure :

The Word "House" or the Word "Houses" shall include any Messuage or Dwelling House, Tenement, Warehouse, Manufactory, Building, or other Inclosure :

The Words "Hackney Carriage" shall include any Coach, Omnibus, Chariot, Car, Fly, Cabriolet, Gig, Sociable, Lorry, or such like Carriage :

The Word "Carriage" shall include any Coach, Omnibus, Chariot, Car, Fly, Cabriolet, Gig, Sociable, Lorry, Waggon, Timber Carriage, Float, Dray, Drag, Cart, Shandry, Sledge, Truck, Hand Cart, Wheelbarrow, or Handbarrow :

The Word "Cart" shall include any Lorry, Waggon, Timber Carriage, Float, Drag, Dray, Shandry, or such like Carriage :

The Word "Driver" shall include the Driver, Conductor, or Carter of any such Carriage :

The Word "Vessel" shall mean any Ship, Lighter, Keel, Barge, Boat, Raft, or Craft, or any other Kind of Vessel whatever, whether navigated by Steam or otherwise :

The Word "Cattle" shall include any Horse, Mare, Gelding, Foal, or Filly, Bull, Cow, Heifer, Ox, Calf, Ass, Mule, Ram, Ewe, Wether, Lamb, Goat, Kid, or Swine :

The Words "any offensive Matter or Thing" shall include any Nightsoil, Offal, putrid Meat or Fish, Entrails of Fish, Carrion, dead Animals, Blood, Dung, Manure, Fish Shells, Bones, broken Glass, China, or Earthenware, Dust, Ashes, Refuse of Vegetables or Fruits, Orange Peel, Soap Lees :

And whenever any Forfeiture, Penalty, or Damage is payable to a Party aggrieved, it shall be payable to a Body Corporate in like Manner as to an Individual; and where the doing of any Act or Thing is made punishable by this Act, or by any of the Bye Laws so to be made as aforesaid, with any Penalty, Fine, or Forfeiture, the causing, permitting, or suffering such Act or Thing to be done shall be punishable in like Manner.

Commence-
ment of Act.

CCCLVIII. And be it enacted, That this Act shall take effect upon the First Day of *September* next.

Costs of the
Act.

CCCLIX. And be it enacted, That the Costs, Charges, and Expences attending or incident to the obtaining and passing of this Act shall be paid by the Council out of the Borough Fund of the Borough.

Public Act.

CCCLX. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Form of Information.

Borough of Liverpool, } BE it remembered, That on the Day of
to wit. } A.B. of
informeth me C.D., One [or us C.D. and E.F., Two] of Her Majesty's Justices of the Peace for the Borough of Liverpool in the County of Lancaster; that G.H. of [or if the Offender's Name be unknown, here describe his Person], [here describe the Substance of the Offence, and the Time and Place when and where committed], contrary to an Act passed in the Year of the Reign of Her Majesty Queen Victoria, intituled [here set out the Title of this Act], whereby he hath incurred a Forfeiture of for the said Offence. Taken the
Day of before me C.D. [or us C.D. and E.F.]

SCHE.

SCHEDULE (B.)

Form of Conviction.

Borough of Liverpool, }
 to wit. } BE it remembered, That on the
 Day of in the Year of our Lord
A.B. [*or if Offender's Name be unknown, here describe his Person*], is
 convicted before me *C.D.*, [*or before us, C.D. and E.F.,*] One [*or*
 Two] of Her Majesty's Justices of the Peace for the Borough of Liver-
 pool in the County of Lancaster, for that [*here describe the Substance*
of the Offence, and the Time and Place when and where committed],
 contrary to an Act passed in the Year of the Reign of
 Her Majesty Queen Victoria, intituled [*here set out the Title of this*
Act], or contrary to a Bye Law duly made in pursuance of an Act
 passed in the Year of the Reign [*here set out the*
Title of the Act under which the Bye Law was made]; and I *C.D.*
 [*or we, the said C.D. and E.F.*] do adjudge the said *A.B.* [*or the*
 Person so described as aforesaid] to forfeit and pay for such Offence
 [*or for the Damage or Injury aforesaid, if the Offence is to be subject*
to a Fine] the Sum of [*insert the*
Penalty, state if it be to be paid forthwith, and when], together with
 the Sum of for Costs of this Conviction; *or* [*if*
to be imprisoned] do adjudge the said *A. B.* to be committed to the
 [*naming the Gaol*], for the Space of [*insert the Time, and if the Com-*
mitment be for the Nonpayment of a Penalty, then add] unless the
 said Sum of be sooner paid [*and when any Owner*
or Driver of any Carriage plying for Hire shall take or receive a
greater Fare than ought to be taken or received, insert an Order for
Payment of such Overcharge]. Given under my Hand and Seal [*or*
 our Hands and Seals], the Day and Year first above written.

SCHEDULE (C.)

Form of Warrant of Distress for Rates.

To One of the Collectors of the Rates under
 to wit. } an Act passed, &c., intituled, &c., and to all Constables.

WHEREAS the under-mentioned Persons, now or late Owners
 or Occupiers of Premises within the Borough of *Liverpool*,
 have been duly rated in or are liable to the Payment of a Rate
 [*or Rates, as the Case may be,*] made on the Day
 of and there are now due from them respectively the several
 Sums of Money against their Names hereafter respectively set down,
 which they have not paid, as appeareth upon Oath to me, One of Her
 Majesty's Justices of the Peace for the said Borough of Liverpool;
 and the said several Persons having been duly summoned to appear
 before me to answer the Premises, and not having shown sufficient
 Cause why such several Sums of Money should not be paid, These are
 therefore in Her Majesty's Name to require you or any of you forth-
 with to levy the said several Sums due, as herein-before mentioned, by
 Distress and Sale of the respective Goods and Chattels of the Persons
 afore-

SCHEDULE (F.)

Name of Street.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.
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PARISH OF LIVERPOOL IN THE COUNTY OF LANCASTER.

North Side of Lord Street.

Lord Street	Israel Barned	Israel Barned	Wheelhouse and Whittingham.	House and Shop, Buildings and Premises.
Lord Street	Israel Barned	Israel Barned	Phillips and Holme	House and Shop, Buildings and Premises.
Corner of Lord Street and Whitechapel.	Israel Barned	Israel Barned	Charles Gillham	House and Shop, Buildings and Premises.

West Side of Whitechapel.

Whitechapel	John Glaister	John Glaister	Francis Eaglesfield	House and Shop, Buildings and Premises.
Whitechapel	John Glaister	John Glaister	James Brown	House and Shop, Buildings and Premises.
Whitechapel	M. F. Johnson	M. F. Johnson	Esther Mott	House and Shop, Buildings and Premises.
Whitechapel	M. F. Johnson	M. F. Johnson	Margaret Hatch	House and Shop, Buildings and Premises.
Whitechapel	Israel Barned	Israel Barned	Jacob Gradwell	Public House, Buildings and Premises.
	Corporation of Liverpool.	-	Charles Payne	House and Shop, Buildings and Premises.
	Corporation of Liverpool.	-	William Adams	House and Shop, Buildings and Premises.

East Side of Whitechapel.

Corner of Church Street and Whitechapel.	Mrs. Mathews	Mrs. Mathews	John Kind	House and Shop, Buildings and Premises.
Whitechapel	Corporation of Liverpool.	Thomas Cowely	Mary Ann Bethell	House and Shop, Buildings and Premises.
Whitechapel	Corporation of Liverpool.	Thomas Cowely	Francis Murphy	House and Shop, Buildings and Premises.
Whitechapel	Corporation of Liverpool.	-	William Guy	House and Shop, Buildings and Premises.
Whitechapel	Thomas Cowely	Thomas Cowely	James Trotter	House and Shop, Buildings and Premises.
Whitechapel	Thomas Cowely	Thomas Cowely	William Bickerstaffe	House and Shop, Buildings and Premises.
Whitechapel	Trustees of Williamson.	Trustees of Williamson.	William Walker	House and Shop, Buildings and Premises.
Whitechapel	Trustees of Williamson.	Trustees of Williamson.	William Barker	House and Shop, Buildings and Premises.
Whitechapel	Trustees of Williamson.	Trustees of Williamson.	John L. Shadwell	Public House, Buildings and Premises.
Whitechapel, and Corner of Leigh Street.	H. B. Walker	-	James Dillart	Public House, Buildings and Premises.
Whitechapel, and Corner of Leigh Street.	Dr. Ashcroft	-	Joseph Davidson	House and Shop, Buildings and Premises.

Name of Street.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.
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North Side of Church Street.

Church Street	Mrs. Ellen Ellison	-	-	Henry Stafford	House and Shop, Buildings and Premises.
Church Street	-	-	-	John Ellison	House and Shop, Buildings and Premises.
Church Street	-	-	-	Thomas and Edward Williams.	House and Shop, Buildings and Premises.

South Side of Parker Street.

Parker Street and Corner of Church Street.	Mrs. Ellen Ellison	-	-	Barton and Woodhead.	House and Shop, Buildings and Premises.
Parker Street	Mrs. Ellen Ellison	-	-	Ann Oakes	House and Shop, Buildings and Premises.
Parker Street	T. E. Stubbs	-	-	James Middlewood.	House and Shop, Buildings and Premises.
Parker Street	Mr. Pye and O. Arrowsmith.	-	-	Vacant	House and Shop, Buildings and Premises.
Parker Street	J. Shaw Leigh, Esq.	-	-	John Gorsuch	House and Shop, Buildings and Premises.
Parker Street	William Winstanley	-	-	— Griffiths	House and Shop, Buildings and Premises.
Parker Street	-	-	-	William Winstanley.	House and Shop, Buildings and Premises.
Parker Street	James Crewe, Executor of the late Samuel Crewe.	-	-	John Yates	House and Shop, Buildings and Premises.
Parker Street	-	-	-	Joseph Henry Parsons.	House and Shop, Buildings and Premises.
Parker Street and Corner of Clayton Square.	-	-	-	— Wilkinson	House and Shop, Buildings and Premises.

West Side of Clayton Square.

Clayton Square	Mr. J. Houlbrooke Smith.	J. H. Smith	-	J. Martin	Part of Union Hotel.
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East Side of Clayton Square.

Clayton Square	Mrs. Simons	Mrs. Simons	-	John Ward	House and Shop, Buildings and Premises.
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South Side of Elliot Street.

Elliot Street and Corner of Clayton Square.	Miss Lawson	Miss Lawson	-	James Cuthbert & Co.	House and Shop, Buildings and Premises.
Elliot Street	Miss Lawson	Miss Lawson	-	John Campbell	House and Shop, Buildings and Premises.
Elliot Street	Miss Lawson	Miss Lawson	-	Mary Miller and Sarah Brown.	House and Shop, Buildings and Premises.
Elliot Street	Corporation of Liverpool.	-	-	-	Pedlar's Market.
Elliot Street and Corner of Dean Street.	Frith Woodhead	Frith Woodhead	-	John Woodhead & Co.	House and Shop, Buildings and Premises.

Name of Street.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Description of Property.
Elliot Street -	Robert Abbatt -	Robert Abbatt -	Robert Abbatt -	House and Shop, Buildings and Premises.
Elliot Street -	Samuel Rowland	Samuel Rowland	Samuel Rowland	House and Shop, Buildings and Premises.
Elliot Street and Corner of Great Charlotte Street.	John Hutton -	John Hutton -	John Hackett -	House and Shop, Buildings and Premises.

West Side of Great Charlotte Street.

Great Charlotte Street.	Mr. . Hutton -	Thomas M. Chalmers.	Thomas M. Chalmers.	House and Shop, Buildings and Premises.
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East Side of Dean Street.

Dean Street -	Frith Woodhead	Frith Woodhead	William Wild -	House and Shop, Buildings and Premises.
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