



ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

Cap. clxxvi.

An Act for paving, lighting, cleansing, watering, regulating, and otherwise improving the Town of *Saint Helens* in the County Palatine of *Lancaster*, and for establishing and regulating a Market therein. [31st July 1845.]

WHEREAS the Town of *Saint Helens* in the County Palatine of *Lancaster* contains a numerous and increasing Population engaged in Trade and Manufactures, and several smelting and other Works for the Manufacture of various Articles: And whereas the said Town and the Vicinity thereof is badly paved, cleansed, and lighted, and no sufficient Authority exists for the Management and Regulation of the same: And whereas it would be of material Benefit and Advantage to the Inhabitants of the said Town and the immediate Vicinity of the same that certain Persons should be appointed as herein-after mentioned, with sufficient Powers for lighting, cleansing, watering, and otherwise regulating the same, and also for establishing and holding a Market therein: 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

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First Commissioners.

Commons, in this present Parliament assembled, and by the Authority of the same, That *John Ansdell, Samuel Bishop, David Brownlow, Robert Daglish, Frederick Fincham, David Gamble, Peter Greenall, John Haddock, William Hibbert, William Johnson, John Marsh junior, Isaac Sharp, Edward Webster, George Webster, and Thomas Walmsley* shall be the First Commissioners for carrying this Act into execution, and shall continue in Office until the First Day of *January* One thousand eight hundred and forty-six, or until other Commissioners shall be elected in their Place herein-after mentioned.

Qualification of Commissioners.

II. And be it enacted, That every Commissioner under this Act shall be a Resident either within the Limits of *Saint Helens* as herein-after defined for the Purposes of this Act, or within Two Miles thereof, and shall either be rated to the Rate made for the Relief of the Poor of some one of the several Parts of the Townships of *Windle, Parr, or Eccleston*, lying within the said Limits, in the annual Sum of Twenty Pounds or upwards, or be seised or possessed or in the Enjoyment of the Rents and Profits of Lands and Hereditaments within the said Limits of the annual Value of Fifty Pounds, for an Estate not less than a Life in being for his own Use, or he shall be a resident Inhabitant within the said Limits and be possessed of a Personal Estate of not less than One thousand Pounds beyond what will satisfy all his Debts.

Same Property not to give Two Qualifications.

III. Provided always, and be it enacted, That the same Property shall not give a Qualification to Two Commissioners at the same Time as Owner and Occupier thereof.

No Bankrupt or Insolvent to be a Commissioner.

IV. And be it enacted, That no Bankrupt or Insolvent, or Person not qualified as herein-before mentioned, shall be capable of being or continuing a Commissioner.

No Person holding Office or concerned in a Contract to be a Commissioner.

V. And be it enacted, That if at any Time subsequently to the Appointment or Election of any Commissioner he shall accept or continue to hold any Office or Place of Trust or Profit under this Act, or be concerned in any Contract or participate in any Manner in any Work to be done under the Authority of this Act, such Person shall cease to be a Commissioner, and his Office shall thereupon become vacant.

Shareholders in Companies established under Act of Parliament not disqualified by reason of Contracts.

VI. Provided always, and be it enacted, That no Person, being a Shareholder or Member of any Joint Stock Company established by Act of Parliament, shall be prevented from acting as a Commissioner by reason of any Contract entered into between such Company and the Commissioners; but no such Commissioner, being a Member of such Company, shall vote on any Question relating to the Execution of this Act in which such Company may be interested.

Commissioner not incapable of acting as Justice.

VII. And be it enacted, That a Person shall not be incapable of acting as a Justice of the Peace in any Matter relating to the Execution of this Act by reason of his being a Commissioner.

VIII. And

VIII. And be it enacted, That no Person shall be capable of acting as a Commissioner, except in administering the Declaration herein-after mentioned, until he shall have made and signed before One of the Commissioners a Declaration to the Effect following :

Declaration
by Commis-
sioner.

‘ I *A. B.* do solemnly declare, That I will faithfully and impartially,
‘ according to the best of my Skill and Judgment, execute all the
‘ Powers and Authorities reposed in me as a Commissioner by virtue
‘ of an Act of Parliament intituled [*here insert the Title of the*
‘ *Act*], and also that I am a Resident of or within Two Miles of and
‘ am rated to the Rates made for the Relief of the Poor of some one
‘ of the several Parts of the Townships of *Windle, Parr, or Eccleston,*
‘ lying within the Limits of the said Act, in the annual Sum of
‘ Twenty Pounds, or that I am a resident Inhabitant of and am
‘ seised and possessed or in the Enjoyment of the Rents and Profits
‘ of Lands and Hereditaments within the said Limits of the annual
‘ Value of Fifty Pounds, for an Estate not less than a Life in being for
‘ my own Use, or that I am resident Inhabitant of *Saint Helens*
‘ within the said Limits, and am in possession of a Personal Estate
‘ of not less than One thousand Pounds Value beyond what will
‘ satisfy all my Debts.’

IX. And be it enacted, That any Person who shall falsely or corruptly make and subscribe a Declaration under this Act, knowing the same to be untrue in any Particular, shall be deemed guilty of a Misdemeanor.

False Decla-
ration a Mis-
demeanor.

X. And be it enacted, That at the Meeting of Commissioners at which any Person shall first attend as One of such Commissioners he shall make and subscribe the Declaration herein required; and it shall be lawful for any Person attending as One of such Commissioners, whether he shall himself have made such Declaration or not, to administer such Declaration.

Declaration
to be taken
at the First
Meeting.

XI. And be it enacted, That if any Person shall act as a Commissioner, being incapacitated to act, or not being duly qualified, or before he shall have made or subscribed such Declaration as aforesaid, or after having become disqualified, he shall for every such Offence forfeit the Sum of Fifty Pounds, and such Penalty may be recovered, with full Costs, in any of Her Majesty's Courts of Record at *Westminster*, by any Person who shall sue for the same by Action of Debt or on the Case; and in every Action for the Recovery of such Penalty the Person so sued shall prove that he was qualified, and had made and subscribed the Declaration aforesaid, or he shall pay the said Penalty and Costs, without any other Proof or Evidence on the Part of the Plaintiff than that such Person had acted as a Commissioner in the Execution of this Act; nevertheless all Acts and Proceedings of any Person acting as a Commissioner, being incapacitated, not duly qualified, or being disqualified, done previously to the Recovery of the Penalty, shall be as valid as if such Person had been duly qualified.

Penalty on
Commis-
sioner not
being qua-
lified acting.

XII. And be it enacted, That if any Commissioner fail to act in the Execution of this Act for One Year such Commissioner shall be deemed

Commis-
sioner neg-
lecting to act.

deemed to have refused to act, and therefore shall cease to be a Commissioner until he shall be re-elected as herein-after mentioned.

Period of Service and Time of going out of Commissioners.

XIII. And be it enacted, That the Commissioners appointed by this Act shall go out of Office by Rotation as follows; (that is to say,) in the Month of *January* in the Year One thousand eight hundred and forty-six One Third of such Commissioners shall go out of Office, and at the same Time in the following Year One Half of the Remainder of the Commissioners shall go out of Office, and at the same Time in the following Year the Remainder of the Commissioners shall go out of Office; and at the same Time in every subsequent Year One Third of the Commissioners, being those who have been longest in Office, shall go out of Office; and in each Instance the Places of the retiring Commissioners shall be supplied by the Election of a similar Number of Commissioners as herein-after provided.

Commissioners re-eligible.

XIV. And be it enacted, That every Commissioner going out of Office may be re-elected, and after such Re-election he shall, with reference to going out by Rotation, be considered as a new Commissioner.

Rotation of Commissioners named by the Act.

XV. And in order to determine the Rotation by which the Commissioners are required to go out of Office, be it enacted, That within Three Months after the passing of this Act the Commissioners shall meet at the Town Hall or some other convenient Place within the Limits of this Act, for the Purpose of forming a Rotation List of the Commissioners; and at such Meeting the Clerk to the Commissioners, or some other Person to be previously appointed by the Commissioners for that Purpose, shall write the Names of all the then Commissioners on separate Slips of Paper, all as nearly as may be of equal Size, and having folded them up in the same Manner, he shall put them in a Box, and shall draw out such Slips in succession, and the Names upon the Slips so drawn shall be inserted by such Clerk in a List in the Order in which they shall be so drawn; and such List shall be kept by such Clerk for the Purposes of the Act; and the Names in such List shall be numbered consecutively; and the Commissioners shall retire from Office in the Order in which their Names appear on such List, according to the Proportion herein-before mentioned.

Qualification of Electors.

XVI. And be it enacted, That every Person who shall be rated under this Act in the annual Value of Four Pounds or upwards, and who shall have paid up all Rates due from him, shall be entitled to vote in the Election of Commissioners to supply the Places of those retiring by Rotation; and in Cases where Two or more Persons shall be jointly rated, each of them shall be entitled to vote, provided the Proportion and Amount which shall be borne by him of the joint Charge shall be equal to the said annual Value; and when One only of the Persons jointly rated shall attend he shall be entitled to vote as the Proxy of the Person or Persons so jointly rated with him.

XVII. And

XVII. And be it enacted, That for the Purpose of such Election a Meeting of the Persons entitled to vote thereat shall be held at some convenient Place within the Limits of this Act on the First Day of *January* each Year, between the Hours of Ten of the Clock in the Morning and Four of the Clock in the Afternoon, and between the Hours aforesaid the Persons by whom such Election is to be made shall respectively deliver to the Clerk of the said Commissioners, or in his unavoidable Absence to some Person authorized for that Purpose by the Commissioners, a Paper containing the Names of the Persons for whom they respectively vote to fill the Office of Commissioners; and the Persons, not exceeding the Number of Commissioners proper to be elected at such Meeting, having the Majority of Votes at such Election, shall be Commissioners for the Purpose of carrying this Act into execution; and if at any such Election there be an Equality for Two or more Persons the Clerk to the said Commissioners or such Persons as aforesaid shall, if necessary to prevent an Excess in the Number of Commissioners, decide by Lot upon the Person to be elected.

Manner of Election for supplying periodical Vacancies.

XVIII. And be it enacted, That if any of the Commissioners die or resign or be disqualified, or cease to be a Commissioner from any other Cause than that of going out of Office by Rotation, it shall be lawful for the remaining Commissioners, if they think fit, to elect another Commissioner to his Place; and every Commissioner so elected shall continue in Office only so long as the Person in whose Place he shall be elected would have been entitled to continue had he remained in Office.

Mode of supplying occasional Vacancies.

XIX. And be it further enacted, That the Commissioners for this Act shall hold their First General Meeting at the Town Hall or some other convenient Place within the Limits of this Act between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, and proceed to put this Act into execution; and a yearly General Meeting of the Commissioners shall be held on the First Day of *July* at the Place and between the Hours aforesaid, unless some other Place shall be appointed by the Commissioners; and it shall be lawful for the Commissioners present at such First or any subsequent Meeting from Time to Time to adjourn such Meeting to the same or any other Place within the said Town; and if at any such Meeting there shall not be Five Commissioners present within One Hour after the Time appointed for such Meeting, then it shall be lawful for the Commissioners present, or the major Part of them, or any One Commissioner if only One be present, to adjourn such Meeting to another Day; and if the Meeting shall not be adjourned then it shall be lawful for any Two of the Commissioners or the Clerk to appoint a Meeting to be held at any convenient Place within the said Town, and not less than Seven Days Notice shall be given of such intended Meeting.

First and other Meetings.

XX. And be it enacted, That it shall be lawful for the said Commissioners to hold Special Meetings, and any Five or more of the Commissioners may require a Special Meeting to be held, but no
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Special Meetings.

such Meeting shall be held unless Seven Days Notice thereof shall be given.

Quorum of
Commis-
sioners.

XXI. And be it enacted, That all Powers of this Act may be exercised by any Five or more of the Commissioners present at any Meeting holden in pursuance of this Act; and no Business shall be transacted at any Meeting of the Commissioners unless Five or more Commissioners shall be present at such Meeting.

How Notices
of Meetings
are to be
given.

XXII. And be it enacted, That all Notices of any Meeting to be held under the Authority of this Act shall be in Writing, and shall be delivered or sent by the Post to the usual Place of Abode of each of the Commissioners, and advertised in One or more Newspapers circulated within the Limits of this Act Seven Days at least previous to such Meeting; and every Notice shall specify the Time and Place of Meeting, and in case of a Special Meeting shall specify the Object thereof; and no Business shall be transacted at any Special Meeting except such as is stated in the Notice thereof.

Expences at
Meetings.

XXIII. And be it enacted, That at all Meetings of the Commissioners they shall defray their own Expences, except for the Use of the Room in which the Meeting is held.

General
Meeting may
appoint Com-
mittees.

Duration of
Committees.

XXIV. And be it enacted, That it shall be lawful for the said Commissioners at any General Meeting to appoint a Committee consisting of not more than Ten of the Commissioners, for carrying into effect any of the Provisions of this Act, and at any General Meeting to continue, alter, or discontinue such Committee; but no such Committee shall be appointed to act for a longer Term than until the annual General Meeting of Commissioners next following its Appointment.

Quorum of
Committees.

XXV. And be it enacted, That no Business shall be transacted at any Meeting of the Committee unless Three Members of the Committee be present.

Order of
Business of
Meetings of
Commis-
sioners and
Committees.

XXVI. And be it enacted, That at every Meeting of the Commissioners or Committee One of the Commissioners present shall be elected Chairman by the Majority of the Votes of the Commissioners present at such Meeting; and all Questions considered at any such Meeting shall be decided by the Votes of the Majority present, and if there be an equal Division of Votes the Chairman, in addition to his own Vote as a Commissioner or Member of the Committee, shall have a Casting Vote: Provided always, that if at any such Meeting there shall be an Equality of Votes in the Election of Chairman, but One of the Commissioners having equal Numbers of Votes whose Name would stand first if the Names of the Commissioners present were alphabetically arranged shall be Chairman of such Meeting.

No Resolu-
tion of Com-
missioners to
be revoked at

XXVII. And be it enacted, That no Resolution or other Act of any Meeting of the Commissioners shall be revoked or altered at any subsequent Meeting, unless such subsequent Meeting be called expressly

expressly for such Alteration or Revocation by Notice given Seven Days at least previous to the holding thereof, nor unless such Revocation or Alteration be determined upon by a Majority consisting of Two Thirds of the Commissioners present at such subsequent Meeting, if the Numbers of the Commissioners present at such subsequent Meeting be not greater than the Number present when such Resolution was made or such Act was done, or if the Number of Commissioners present at such subsequent Meeting be greater than the Number present at such former Meeting, then by a simple Majority.

a subsequent Meeting, unless under certain Circumstances.

XXVIII. And be it enacted, That it shall be lawful for the Commissioners to enter into Contracts with any Persons for the Execution of any Works directed or authorized by this Act to be done by the said Commissioners, and for furnishing any Materials for the same, or which may be required by the Commissioners; and every such Contract shall be in Writing, and shall specify the Works to be done and the Materials to be furnished, and a Copy thereof shall be entered into a Book to be kept by the Clerk of the Commissioners for that Purpose.

For what Contracts may be made.

XXIX. And be it enacted, That every such Contract shall be signed by any Three of the Commissioners and the other Parties thereto; and such Contracts shall be binding on the Commissioners, and Actions and Suits may be maintained thereon, and Damages and Costs recovered by or against the Commissioners or the other Parties failing in the Execution thereof.

How to be signed.

XXX. And be it enacted, That during the Execution of any such Contract the Works in course of being done under such Contracts, and all the Materials of every Description brought upon or near such Works for the Purpose of being used in the Execution of such Contracts, shall, for the Purpose of protecting the same from Injury, by Indictment, as herein-after mentioned, be held to be the Property of such Commissioners.

Materials for Works contracted for to be considered the Property of the Commissioners.

XXXI. And be it enacted, That it shall be lawful for the Commissioners by their Clerk to prefer any Bill of Indictment against any Person who shall take or carry away, deface, or injure any Property, Article, or Thing belonging to the said Commissioners; and in any such Bill of Indictment it shall be sufficient to state generally the Property, Article, or Thing in respect of which such Bill of Indictment shall be preferred to be the Property of the Commissioners for executing this Act, without naming the Members thereof.

Indictments how to be preferred.

XXXII. And be it enacted, That nothing in any Deed or Contract by this Act authorized to be made by or on the Behalf of the Commissioners for any of the Purposes of this Act shall extend to charge or affect the Persons of any of the Commissioners, or their Heirs, Executors, or Administrators, or their or any of their own proper Lands or Goods, with or for the Performance of any thing contained in any such Instrument, but the Amount of all Damages, Costs, and Charges recovered in any Action or Suit in consequence of any such Instrument,

Commissioners not to be personally liable.

ment, or which any such Commissioner shall otherwise be put to by virtue of this Act, shall respectively be discharged out of the Monies to arise by virtue of this Act, or other the Goods and Chattels vested in the Commissioners by virtue of their Office, unless such Action or Suit, or any such Damages or Charges, have arisen in consequence of wilful Neglect or Default on the Part of the Commissioner incurring the same, or unless such Action or Suit have been defended without the Order or Direction of the Commissioners.

Actions or Suits to be brought in the Name of any Two Commissioners or of their Clerk.

XXXIII. And be it enacted, That in all Actions and Suits in respect of any Matter or Thing relating to the Execution of this Act, to be brought by or against the Commissioners, it shall be sufficient to state the Names of any Two of the Commissioners, or the Name of their Clerk, as the Party, Plaintiff or Defendant, representing the Commissioners in any such Action or Suit; and no such Action shall abate or be discontinued by the Death of any such Commissioner, or by the Death, Suspension, or Removal of such Clerk.

Executions against Goods of Commissioners.

XXXIV. And be it enacted, That Executions upon every Judgment or Decree against the Commissioners in any such Action or Suit shall be executed against the Goods and Chattels belonging to the Commissioners by virtue of their Office.

Indemnity to Commissioners and Clerk.

XXXV. And be it enacted, That every such Commissioner or Clerk in whose Name any such legal Proceedings shall be carried on, either as Plaintiff or Defendant, on behalf of the Commissioners, shall be reimbursed out of the Monies which shall come into the Hands of the Treasurer of the Commissioners by virtue of his Office all Damages, Costs, Charges, and Expences to which any such Commissioner or Clerk may be put or with which he may become chargeable, by reason of being so made Plaintiff or Defendant; and no such Commissioner or Clerk shall be personally liable for the Payment of the same unless such Action or Suit have arisen in consequence of his own wilful Neglect or Default, or unless, if such Action have been brought by the Clerk or Two Commissioners, or more, as aforesaid, it have been so brought without the Order or Direction of the Commissioners,

Proceedings to be entered in a Book and be open for Inspection.

XXXVI. And be it enacted, That the Commissioners shall cause Notes, Minutes, or Copies, as the Case may require, of all Appointments made or Contracts entered into by them, and of the Orders and Proceedings of all Meetings, as well ordinary as special, of the Commissioners and of the Committees, to be duly entered in Books to be from Time to Time provided for the Purpose, which shall be kept under the Superintendence of the Commissioners; and every such Entry shall be signed by the Chairman of the Meeting at which the Matter in respect of which such Entry is made was moved or discussed; and such Entry, so signed, shall be received as Evidence in all Courts, and before all Judges, Justices, and others, without Proof of such respective Meetings having been duly convened, or of the Persons making or entering such Orders or Proceedings being Commissioners or Members of Committee respectively, or of the Signature

of the Chairman, all of which last-mentioned Matters shall be presumed; and all such Books shall at all reasonable Times be open to the Inspection of the Commissioners, and any of the Creditors or Rate-payers or other Parties interested.

XXXVII. And be it enacted, That the said Commissioners shall from Time to Time appoint a Treasurer and Clerk, Collector and Assessor, and such other Officers as they shall think fit, with such Salaries and Allowances as they think reasonable, and may remove such Clerk, Treasurer, Collector, Assessor, and Officers, and appoint others in their Stead.

Commissioners to appoint Treasurer and other Officers.

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

Offices of Clerk and Treasurer to be separate.

Penalty.

If any Person accept both the Office of Clerk and Treasurer:

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 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 Company other than that of Clerk or Treasurer (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.

XXXIX. And be it enacted, That if any such Treasurer, Clerk, Collector, or other Officer employed by the Commissioners exact, take, or accept, on account of any thing done by virtue of his Office or in relation to the Functions of the Commissioners, any Fee or Reward whatsoever, other than the Salaries, Rewards, or Allowances allowed by the Commissioners, or be in anywise concerned or interested in any Bargain or Contract made by the Commissioners, he shall be incapable of being afterwards employed by the Commissioners, and he shall forfeit Fifty Pounds to any Person who shall sue for the same as aforesaid.

Officer taking Fees to lose his Office, and forfeit 50*l*.

XL. And be it enacted, That the Commissioners shall take from their Treasurer, and also from all other Officers in their Employ intrusted with the Receipt or Disbursement of Money, sufficient Security for the due Execution of their respective Offices, and for

Commissioners to take Security from all Officers in-

[*Local.*]

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answering

trusted with
Money.

answering and paying, as the Commissioners 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 Commissioners so to do, of all Monies by them respectively received or collected for the Purposes of this Act, and when, of whom, and for what the same were so received or collected.

Officers to
account.

XLI. And be it enacted, That every Officer appointed or employed by the Commissioners by virtue of this Act shall from Time to Time, when required by the Commissioners, 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 Commissioners; 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 Officers shall deliver the Vouchers and Receipts for such Payments; and every such Officer shall pay to the Commissioners, or to any Person appointed by them to receive the same, all Monies which shall appear to be owing from him upon the Balance of such Accounts.

Remedy
against
Officers
failing to
account.

XLII. 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 Commissioners, 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 Commissioners, 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 Account, that any Monies of the Commissioners are in the Hands of such Officer, or owing by him to the Commissioners, 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 Bail for any Time not exceeding Three Calendar 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

If such Officer refuse to deliver up any Books, Papers, or Writings, Property, Effects, Matters, or Things, relating to the Execution of the Act, or belonging to the Commissioners, 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.

XLIII. And be it enacted, That no such proceeding against or dealing with any such Officer as aforesaid shall deprive the Commissioners of any Remedy which they might otherwise have against any Surety of such Officer.

Commitment not to discharge Sureties.

XLIV. And be it enacted, That the Commissioners shall cause a Book to be kept by their Clerk, in which such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received and expended for the Purposes of this Act, and of the several Matters for which such Sums of Money shall have been received or expended; and such Book shall at all seasonable Times be open to the Inspection of the Commissioners, and of every Creditor on the Rate and Assessment by this Act authorized to be made, and of every Person paying such Rate or Assessment, without any Fee being demanded for such Inspection; and it shall be lawful for any of the Commissioners, Creditors, and other Persons aforesaid, at seasonable Times, to take Copies of or Extracts from the said Book, without paying any thing for the same; and if on Request for that Purpose the Clerk shall fail to permit any of the Commissioners, Creditors, or Persons aforesaid to inspect such Book, or to take Copies or Extracts as aforesaid, such Clerk shall for each such Default forfeit a Sum not exceeding Five Pounds.

Books of Account to be kept and to be open to Inspection.

XLV. And be it enacted, That the Accounts of the Monies received and expended by the Commissioners shall be produced at the First Ordinary Meeting of the Commissioners which shall take place in *July* in every Year, or at some Adjournment thereof, at which Meeting it shall be lawful for all Persons interested to be present; and such Accounts shall be examined and settled by the Commissioners, and if the same shall be found just and true, they shall be allowed by the Commissioners, and certified accordingly under the Hand of the Chairman of such Meeting; and after such Account shall have been allowed and signed the same shall be final in regard to all Persons whomsoever, unless an Appeal to be prosecuted against such Accounts at One of the Two then next General Quarter Sessions of the Peace for the County of *Lancaster*, which Appeal it shall be lawful for any Person interested in such Account to institute and prosecute, Notice in Writing of such Appeal having been given to the Clerk of the Commissioners Fourteen Days at least before the hearing of any such Appeal.

Accounts to be examined and settled at the annual Meeting.

To be final, unless appealed from.

XLVI. Pro-

Statement of
Accounts to
be prepared,
and to be
open for In-
spection.

XLVI. Provided always, and be it enacted, That Ten Days at the least previously to such Examination and Settlement as aforesaid the Commissioners shall cause a full and true Statement and Account to be drawn out of all Rates or Assessments made, and of all Contracts entered into, and of all Monies received and expended, by virtue of this Act, during the preceding Year, and also of all Debts then owing by the Commissioners, and they shall allow such Statement and Account to remain for Inspection at the Office of the Commissioners; and every Creditor on the Rates and Assessments by this Act authorized to be made, and every Person paying any such Rate or Assessment, or any Person acting on behalf of any such Creditor or Rate-payer, may at all reasonable Times inspect such Statement and Account; and the said Statement and Account shall be printed, and the Clerk shall on demand furnish a printed Copy thereof to every such Creditor and Rate-payer without Fee, or (where the Accounts are not to be printed) the Clerk shall on demand furnish a Copy of such Statement and Account, or any Part thereof, to any such Creditor or Rate-payer, upon being paid at the Rate of Sixpence for every One hundred Words, and so in proportion for a less Number of Words; and Fourteen Days at the least previously to the Meeting for examining and settling such Accounts the Commissioners shall give public Notice of such intended Meeting, stating in such Notice that the said Statement and Account are at the Office of the Commissioners ready for the Inspection of the Creditors or Rate-payers or other Parties interested.

Auditors may
be appointed.

XLVII. And be it enacted, That at the Meeting so to be held for examining and passing the Accounts of the Commissioners it shall be lawful for the Rate-payers or other Persons by this Act authorized to appoint the Commissioners, to nominate, if they think fit so to do, Two or more Persons, not being Commissioners, to be Auditors of the Accounts of the Commissioners; and the Persons so to be nominated Auditors shall have the like Qualification, and shall be subject to the like Disqualification or Disability, as the Commissioners, and before entering on their Office they shall make and sign before One of Her Majesty's Justices of the Peace a solemn Declaration of the like Purport and Effect to that hereby required to be signed by the Commissioners.

Auditors to
inspect
Accounts, and
to appeal, if
they think fit.

XLVIII. And be it enacted, That the Auditors so nominated shall meet forthwith, or as soon after their Appointment as conveniently may be, at the Office of the Commissioners, or at some other convenient Place to be appointed by the Commissioners, and from Time to Time shall, in the Presence of the Clerk to the Commissioners, in case he should desire to be present, proceed to audit the Accounts of the Commissioners for the Year preceding the Appointment of such Auditors; and the Commissioners shall by their Clerk produce and lay before such Auditors at every such Meeting the Statement and Account herein-before mentioned, accompanied with proper Vouchers in support of the same, and all Books, Papers, and Writings in their Custody or Power relating thereto; and if such Auditors think there is just Cause to disapprove of any Part of the said Accounts it shall be lawful for such Auditors, or any other
3 Person

Person interested in the said Accounts, to appeal against any such Parts of the said Accounts as shall be so disapproved of to One of the Two next General Quarter Sessions of the Peace for the County of *Lancaster*, Notice in Writing of such Appeal being given to the Clerk of the Commissioners Fourteen Days at the least prior to the hearing of such Appeal.

XLIX. And be it enacted, That the Commissioners shall every Year cause an annual Account in abstract to be prepared, showing the total Receipt and Expenditure of all Funds levied by virtue of this Act for the Year ending on the Thirty-first Day of *December*, or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited and certified by the Clerk for the Time being of the said Commissioners, and shall transmit a Copy of the said Account, free of Charge, to the Clerk of the Peace for the County of *Lancaster*, on or before the Thirty-first Day of *January* then next; which Account shall be open to the Inspection of the Public at all seasonable Hours, on Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the said Commissioners shall omit to prepare and transmit such Account as aforesaid they shall forfeit for every such Omission the Sum of Twenty Pounds.

Annual
Account to be
transmitted
to the Clerk
of the Peace.

L. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to borrow at Interest on the Credit of the several Rates or Assessments by this Act granted, and other Property vested in such Commissioners, any Sum of Money which, together with any Sum previously borrowed, shall not exceed the Sum of Fifteen thousand Pounds, and in the event of any Part of such Sum of Money being repaid by the Commissioners to reborrow the same, and so *toties quoties*, but so nevertheless that there shall not be owing on the Security aforesaid any more than the Sum of Fifteen thousand Pounds in the whole at any one Time; and for securing the Repayment of the Monies so borrowed, with Interest, the Commissioners, or any Three of them, may assign over the said Tolls, Rates, Assessments, and Property, or any Part thereof, to the Person who shall advance or lend such Money, or his Trustee, as a Security for the Payments of the Money so to be borrowed, together with Interest for the same.

Power to
borrow on
Mortgage.

LI. And be it enacted, That every such Assignment or Mortgage shall be by Deed duly stamped, in which the Consideration shall be truly stated; and every such Deed shall be under the Hands and Seals of Three of the Commissioners, and may be according to the Form in Schedule (A.) to this Act annexed, or to the like Effect.

Form of
Mortgage.

LII. And be it enacted, That all Persons to whom such Mortgages or Assignments shall be made, or who shall be entitled to the Monies thereby secured, shall, in proportion to the Sums therein respectively mentioned, be Creditors on the said Tolls, Rates, or Assessments equally one with another, without any Preference in respect of the

Mortgages to
be without
Preference.

Priority of advancing such Monies or of the Dates of any such Assignments respectively.

Com. mis-
sioners may
raise Money
by Annuity.

LIII. And be it enacted, That it shall be lawful for the Commissioners to raise all or any Part of the Money to be borrowed for the Purposes of this Act by granting Annuities for Lives, instead of Assignments, as aforesaid, and for that Purpose for the Commissioners or any Three or more of them to charge the Tolls, Rates, and Assessments granted by this Act with an Annuity, to determine on a Life or Lives in being, in favour of any Person who shall advance to the Commissioners any Sum of Money for the Purchase of the same.

Form of Grant
of Annuity.

LIV. And be it enacted, That every such Grant of Annuity shall be by Deed duly stamped, in which the Consideration shall be truly stated, and shall be made under the Hands and Seals of Three of the Commissioners, and may be in the Form in Schedule (B.) to this Act annexed, or to the like Effect.

For prevent-
ing improvi-
dent Grants
of Annuities.

LV. And for preventing improvident Grants of Annuities, be it enacted, That the Price to be paid for any such Annuity shall not be less than the Price of a similar Annuity paid by Law for such Annuity granted by the Commissioners for the Reduction of the National Debt.

Annuities to
rank after
Mortgages.

LVI. And be it enacted, That every Annuity so granted shall be paid out of the Tolls, Rates, or Assessments according to the Grant of such Annuity, and shall have Priority after any Mortgages or Assignments granted under this Act.

Expences of
Mortgages
and An-
nuities.

LVII. And be it enacted, That the Expences of every Assignment or Mortgage and Grant of Annuity shall from Time to Time be defrayed by the Commissioners out of the Money raised by the same.

Register of
Mortgages
and Annuities
to be kept,
and to be
open to
Inspection.

LVIII. And be it enacted, That a Register of such Mortgages or Assignments and Annuities shall be kept by the Clerk to the Commissioners, and within Fourteen Days after the Date of any such Mortgage or Assignment or Annuity an Entry or Memorial of the Number and Date thereof, and of the Names of the Parties thereto, with their proper Additions, shall be made in such Register; and such Register may be perused at all reasonable Times by any Person interested therein, without Fee or Reward.

Assignment
of Mortgages
and An-
nuities.

LIX. And be it enacted, That from Time to Time any Party entitled to any such Mortgage or Assignment or Annuity may transfer his Right and Interest therein to any other Person by Deed duly stamped, wherein the Consideration shall be truly stated; and any such Transfer may be according to the Form in the Schedule (C.) to this Act annexed, or to the like Effect.

Register of
Transfers to
be kept.

LX. And be it enacted, That within Thirty Days after the Date of every such Transfer it shall be produced to the Clerk to the Commissioners, and thereupon such Clerk shall cause an Entry or Memorial

Memorial thereof to be made in the same Manner as in the Case of the original Mortgage or Assignment or Annuity, and for such Entry the Clerk may demand a Sum not exceeding Five Shillings; and after such Entry every such Transfer shall entitle the Transferee, his Executors, Administrators, or Assigns, to the full Benefit of the original Mortgage or Assignment or Annuity in all respects; and no Party, having made such Transfer, shall have Power to make void, release, or discharge the Mortgage or Assignment or Annuity so transferred, or any Money thereby secured.

LXI. And be it enacted, That, unless otherwise provided by any Mortgage or Assignment, the Interest of the Money borrowed upon every such Mortgage or Assignment shall be paid half-yearly to the several Parties entitled thereto. Interest on Mortgages to be paid half-yearly.

LXII. And be it enacted, That if the Commissioners can at any Time borrow or take up any Sums of Money for any of the Purposes of this Act at a lower Rate of Interest than any Securities given by them, and which shall then be in force, shall bear, then from Time to Time it shall be lawful for them to borrow such Sums of Money as they shall think proper at such lower Rate as aforesaid, in order to pay off and discharge the Securities bearing such higher Rate of Interest, and to charge the Rates, Tolls, and Duties, on other Funds or Property payable under this Act, or any Part thereof, with Payment of such Sum and such lower Rate of Interest in such Manner and subject to such Regulations as are herein contained with respect to other Monies borrowed on Mortgage. Power to take up Money at a less Rate of Interest.

LXIII. And in order that no undue Preference may be given in paying off any Mortgages or Assignments, be it enacted, That when and as often as the Commissioners shall, under the Provisions of this Act, be enabled and think it expedient to pay off One or more out of the Number of such Mortgages upon which the same Rate of Interest shall be payable, or a Part of the Money secured on any such Mortgage, they shall cause the several Numbers of such Mortgages to be written upon distinct Slips of Paper of an equal Size, and all such Slips shall be rolled or folded up in a similar Form, and put into a Box, and the Clerk to the Commissioners shall, in the Presence of Five or more of the Commissioners, draw separately out of the said Box One of the said Slips, and thereupon the Mortgage corresponding with the Number so drawn, or the Part of the Money due thereon so proposed to be paid off, shall accordingly be paid off by the Commissioners; and after every such Ballot the Commissioners shall cause a Notice, signed by their Clerk, to be given to the Person entitled to the Money to be paid off pursuant to such Ballot, and such Notice shall express the Principal Sum proposed to be paid, and that the same will be paid, together with the Interest due thereon, at a Place to be specified in such Notice, at the Expiration of Six Months from the Date of giving such Notice, and at the Expiration of such Period the Interest of the Principal Money to be paid off shall cease, unless such Principal Money and Interest be not paid on demand, pursuant to such Notice, but such Principal Money, and the Interest thereof to the End of the said Six Months, shall nevertheless be payable on demand. Mode of paying off Mortgages.

LXIV. And

Application
of Monies to
be borrowed.

LXIV. And be it enacted, That all the Money which shall be raised on the Credit of the Rates hereby authorized to be levied shall be applied, in the first place, in paying the Expences of obtaining and passing this Act, or incident thereto, and afterwards in making such permanent Improvements within the Limits of this Act as are hereby authorized, and as the Commissioners shall direct to be made, and purchasing such Lands and other Property as the Commissioners are by this Act authorized to purchase.

Commission-
ers may make
Bye Laws to
govern them-
selves and
their Ser-
vants.

LXV. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to make such Bye Laws for regulating the carrying on of their Business, and the Business of their Committees, and for the Government of the Officers, Servants, or other Persons in their Employ, as they shall think fit, to repeal or alter any such Bye Laws as they shall think fit, so as no such Bye Law be contrary to the Laws of *England* or the Provisions of this Act, and so as the same be reduced into Writing, and signed by Three or more of the Commissioners.

Fines for
Breach of
such Bye
Laws.

LXVI. And be it enacted, That it shall be lawful for the Commissioners by such Bye Laws to impose such reasonable Forfeitures and Fines upon their Officers and Servants or other Persons in their Employ, offending against the same, as they shall think fit, not exceeding Five Pounds for each Offence: Provided always, that such Bye Laws shall be so framed as to allow the Justices before whom any Penalty imposed thereby may be sought to be recovered to order the whole or a Part only of such Penalty to be paid.

Service of
Notice on
Commis-
sioners.

LXVII. And, be it enacted, That any Summons, Notice, or Writ, or other Proceeding at Law or in Equity, requiring to be served upon the Commissioners, may lawfully be served by delivering the same personally to the Clerk of the Commissioners, or to some Inmate at his usual Place of Abode, or by leaving the same at the Office of the Commissioners, or in case there be no Clerk, or his Place of Abode shall be unknown, then by delivering the same to any One Commissioner, or to some Inmate of the Place of Abode of any such Commissioner.

Authentica-
tion of
Notices.

LXVIII. And be it enacted, That every 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 Commissioners the Signature thereof by One Commissioner, or by the Clerk of the Commissioners, shall be a sufficient Authentication.

Releases to
Witnesses.

LXIX. And be it enacted, That in all legal Proceedings under this Act it shall be lawful for any Three or more of the Commissioners, by Order of the Commissioners, to grant general or other Releases for the Purpose of qualifying any Person in the Service of the Commissioners to give Evidence as a Witness; and every such Release or Discharge shall be under the Hands and Seals of the Parties giving the same.

LXX. And

LXX. 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 thereby given, make sufficient Tender of Satisfaction, the Plaintiff shall not recover in any Action brought on account of such Irregularity, 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.

Tender of Amends.

LXXI. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby empowered, with the Consent of the Persons owning the same, to agree with such Owners for the Purchase of any Houses, Buildings, or Lands within the Limits of this Act which they may require, for the Purpose of opening and making more convenient Communications, Ways, or Streets, and of widening or improving, altering, or diverting any existing Ways or Streets, or for other the Purposes of this Act, for the absolute Purchase of any such Houses, Buildings, or Lands, or such Parts thereof as they shall think proper, and of all subsisting Leases therein, and of all Rent-charges, Annuities, Mortgages, or Incumbrances affecting any such Lands, and all other Estates or Interests in such Lands, of what Kind soever, either for a Consideration in Money or by way of Exchange for any Part of such Way or Street which may become useless or unnecessary; and the Houses, Buildings, and Lands so purchased shall be laid into the said Streets, or otherwise appropriated for the Purposes aforesaid as the Commissioners shall think fit; and all such Ways or Streets, when and as soon as the same shall be formed, widened, or improved, shall be deemed public Streets or Ways.

Power to purchase Houses, Buildings, and Lands, with Consent of Owners, &c.

LXXII. 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 Houses, Buildings, and Lands, or any such Estate or Interest therein as aforesaid, to sell and dispose of and convey or release the same to the Commissioners, 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

Parties under Disability enabled to sell and convey.

[*Local.*]

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behalf

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, Executors, and Administrators, on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Femes Covert, or 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.

Purchase Money payable to Parties under Disability amounting to 200*l.* to be deposited in the Bank of England.

LXXIII. 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 Lands 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 Lands, or any Interest therein, which any Corporation, Tenant for Life or for any other partial or qualified Interest, married Women seised in their 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 said Accountant General of the Court of Chancery, to be placed to his Account there *ex parte* "The *Saint Helens* Improvement Act," pursuant to the Method prescribed by an Act of the Twelfth Year of the Reign of His late 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 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 late Majesty King George the Second, intituled*

12 G. 1. c. 32. *An Act to empower the High Court of Chancery to lay out on proper Securities any Monies, not exceeding a Sum 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. *An Act to empower the High Court of Chancery to lay out on proper Securities any Monies, not exceeding a Sum 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,)*

Application of Monies deposited.

In the Purchase or Redemption of the Land Tax, or the Discharge of any Debt or Incumbrance affecting the Lands in respect of which such Money shall have been paid, or affecting other Lands settled therewith to the same or the like Uses, Trusts, or Purposes, or in the Purchase of other Land, to be conveyed, limited, and settled upon the like Uses, Trusts, and Purposes, and in the same Manner, as the Lands 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

substituting others in their Stead, in such Manner as the Court of Chancery shall direct ;

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

LXXIV. 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 Lands 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 on 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 Lands ; and the Order for such Investment and Application of the Interests, Dividends, and annual Proceeds thereof may be made on the like Petition.

Order for Application.

LXXV. 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 Lands in respect whereof the same shall be payable, such Nomination to be signed 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 Commissioners approve thereof, and of the Trustees named for the Purpose, such Approval to be signified in Writing under the Hands of such Commissioners or any Five of them ; 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 from 20*l.* to 200*l.* to be deposited, or invested in Trustees.

LXXVI. And be it enacted, That the Consideration to be paid for the Purchase of any Houses, Buildings, or Lands, under the Provisions of this Act, or for any Damage done thereto, shall be paid out of the Monies authorized to be borrowed as aforesaid, or arising by the Rates or Assessments by this Act directed to be levied and made.

Consideration how to be paid.

LXXVII. And be it enacted, That all Conveyances of Lands so to be purchased or exchanged as aforesaid may be according to the Form in Schedules (D.) and (E.) respectively to this Act annexed, or as near thereto as the Circumstances of the Case will admit ; and

Form of Conveyance.

all

all such Conveyances shall be effectual to vest the Lands and Premises thereby conveyed in the Commissioners and their Successors and Assigns, 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 Lands and Premises comprised in such Conveyances as shall have been purchased, exchanged, 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 Commissioners, to attend the Reversion and Inheritance.

Costs of
Conveyances.

LXXVIII. And with respect to the Costs of the Conveyance of any such Lands and Premises purchased or taken in exchange by the Commissioners, be it enacted, That all such Costs shall be borne by the Commissioners, 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 Lands and Premises, and of any outstanding Terms or Interests therein, and of deducing, evidencing, and verifying the Title to such Lands, Terms, or Interests, and of making and furnishing such Abstracts and attested Copies as the Commissioners may require, and all other Expences incident to the Investigation, Deduction, and Verification of such Title; and before the Commissioners enter into possession of the Lands and Premises so purchased, exchanged, 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; nevertheless, if within Seven Days after Notice in Writing from the Commissioners the Parties from whom such Lands and Premises shall have been purchased or taken in exchange do not deliver a Bill of their Costs to the Commissioners, then the Commissioners shall not be prevented from entering into possession of such Lands by reason of the Nonpayment of such Costs, or by reason of such Order for Taxation thereof not having been obtained.

Taxation of
Costs.

LXXIX. And be it enacted, That if the Commissioners 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 Commissioners, 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 Commissioners, unless on the Taxation One Sixth Part
of

of the Costs be disallowed, in which Case the Expence shall be borne by the Party from whom the Lands and Premises shall have been purchased or taken in exchange.

LXXX. And be it enacted, That the Commisioners shall sell all such Houses, Buildings, and Lands as may hereafter under this Act be vested in them, which they do not require for the Purposes of this Act, in such Manner as they may deem most advantageous, and convey the same to the Purchasers thereof by Deed under the Hands and Seals, of Three at least of the Commissioners; and the Receipt of the Treasurer of the Commissioners shall be a sufficient Discharge to the Purchaser of any such Lands for the Purchase Money in such Receipt expressed to be received.

Lands not wanted to be sold.

LXXXI. And be it enacted, That in every Conveyance of Lands and Buildings to be made by the Commissioners under this Act the Word "grant" shall operate as express Covenants by the Commissioners, for themselves and their Successors, with the respective Grantees therein named, and the Successors, Heirs, Executors, Administrators, and Assigns of such Grantees, according to the Quality or Nature of such Grants, and of the Estate or Interest therein expressed to be thereby conveyed, as follows, except so far as the same shall be restrained or limited by express Words contained in any such Conveyance; (that is to say,)

Effect of the Word "grant" in Conveyances.

A Covenant that, notwithstanding any Act or Default done by the Commissioners, they were at the Time of the Execution of such Conveyance seised or possessed of the Lands or Premises thereby granted for an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances done or occasioned by them, or otherwise for such Estate or Interest as therein expressed to be thereby granted, free from Incumbrances done or occasioned by them:

A Covenant that the Grantee of such Lands, his Heirs, Successors, Executors, Administrators, and Assigns, (as the Case may be,) shall quietly enjoy the same against the Commissioners and their Successors, and all other Persons claiming under them, and be indemnified and saved harmless by the Commissioners and their Successors from all Incumbrances created by the Commissioners:

A Covenant for further Assurance of such Lands, at the Expence of such Grantee, his Heirs, Successors, Executors, Administrators, or Assigns, (as the Case may be,) by the Commissioners or their Successors, and all Persons claiming under them:

And all such Grantees, and their several Successors, Heirs, Executors, Administrators, and Assigns respectively, according to their respective Quality or Nature, and the Estate or Interest in such Conveyance expressed to be conveyed, may in all Actions brought by them assign Breaches of Covenants, as they might do if such Covenants were expressly inserted in such Conveyances.

LXXXII. And be it enacted, That it shall be lawful for the said Commissioners to agree with the respective Owners hereof for the absolute Purchase, or for a Lease for any Term or Terms of Years, of

Power of purchasing Town-hall Buildings

[*Local.*]

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the

and Market
Place, &c.

the Lands, Buildings, Plant, and Machinery herein-after mentioned ;
(that is to say,)

From the " *Saint Helens Waterworks Company* " all their Lands, Buildings, Reservoirs, Engines, Plant, Pipes, Mains, and Conveniences, with the Appurtenances :

From the " *Company of Proprietors of the Saint Helens Town-hall* " all their Land, together with the Buildings thereon, commonly called or known by the Name of the Town-hall Buildings, with their Appurtenances :

From the Trustees of the Society of Friends, or other the Owners thereof for the Time being, the Piece of Land commonly called or known as the Market Place, together with all Erections and Buildings thereon, with the Appurtenances :

And that all the several Powers and Provisions herein-before contained relating to the Purchase and Acquisition of Lands by the said Commissioners, and for facilitating the Conveyance of the same by the Owners thereof, shall be considered as applicable to the Purchase of the several Lands, Buildings, Matters, and Things aforesaid ; or that the several Companies or Persons aforesaid respectively shall have Power to grant a Lease or Leases of the same respectively for any Term or Terms of Years which may be agreed upon between them and the said Commissioners : Provided always, that no Contract entered into by the said Commissioners for the Purchase or for a Lease of the several Lands, Buildings, Matters, and Things last aforesaid shall be considered as valid and binding upon the Parties thereto until the same shall have been confirmed by some General Meeting of Rate-payers under this Act specially convened for the Purpose of considering the same.

Land Tax
and Poor
Rate to be
made good.

LXXXIII. And for the Purpose of providing against Deficiencies in the Assessments for Land Tax or Poor's Rate occasioned by the making the Improvements hereby authorized in the said Town of *Saint Helens*, be it enacted, That if the Commissioners become possessed by virtue of this Act of any Lands charged with the Land Tax, or liable to be assessed to the Poor's Rate, the Commissioners shall from Time to Time, until the Improvements shall be completed and assessed to such Land Tax and Poor's Rate, be liable to make good the Deficiency in the several Assessments for Land Tax and Poor's Rate arising within the said Parish by reason of such Lands having been taken or used for the Purposes of the Improvements, and such Deficiency shall be computed according to the Rental at which such Lands, with any Buildings thereon, were valued or rated at the Time of the passing of this Act, and on demand of such Deficiency the Treasurer of the Commissioners shall pay all such Deficiencies to the Collector of the said Assessments respectively ; nevertheless, if at any Time the Commissioners think fit to redeem such Land Tax, they may do so, in accordance with the Powers in that Behalf given by the Acts for the Redemption of the Land Tax.

Commis-
sioners may
provide a
public Office,
&c.

LXXXIV. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to provide and maintain a fit and convenient public Office within the Limits of this Act for holding the Meetings and transacting the Business of the Commissioners, and for
the

the holding of such other public Business relating to the said Town as the Commissioners shall from Time to Time direct or allow to be held or transacted therein, and also to provide Land and Buildings fit and convenient for the Deposit of Dust, Dung, Ashes, and other Filth, to be swept and collected under the Authority of this Act, for the depositing of Stone and other Materials for the Highways, and for the accommodating of all Horses, Carts, Fire Engines, Weighing Machines, Tools, Implements, and other Articles, Matters, and Things, and for any such Purposes to hire any Lands, Messuages, or Buildings which shall by the Commissioners be considered necessary, of and from any Person who shall be willing to let the same, or otherwise to cause any new Erection or Building to be made upon any Land or Ground which shall be purchased or hired under the Provisions of this Act; and it shall be lawful for the Commissioners from Time to Time to make and establish such Rules, Orders, and Provisions for the Use and Management of such public Office, and of any such Lands and Buildings, and to make such Allowance to the Keeper of the same public Office, for his necessary Attendance and Trouble about the same, as shall from Time to Time appear expedient to the Commissioners.

LXXXV. And be it enacted, That this Act shall be put in force for the Improvement of the Town of *Saint Helens* within the following Limits; (that is to say,) the Hamlet of *Hardshaw* within the Township of *Windle*; and also the Part or Parts of the Township of *Eccleston* comprised in that Part of the District assigned to the Church of *Saint Thomas* in *Eccleston* aforesaid for ecclesiastical Purposes, lying on the Easterly Side of a Line drawn along the Westerly Side of and including a certain Lane or Highway running from the Boundary Brook between *Windle* and *Eccleston* up to the Turnpike Road between *Saint Helens* and *Prescot*, and running thence along the Northerly Side of such Turnpike Road to the Entrance Gate to *Croppers Hill House* Outbuildings, thence over the said Turnpike Road, and down the Fence on the Westerly Side of *Bromilow, Brown, and Company's* Colliery, until such Line meets a Footpath to the *Ravenhead* Plate Glass Works, and thence along another Fence in the same Direction, and thence direct to the Boundary between the Township of *Eccleston* and *Sutton*; and also all such Part or Parts of the Township of *Sutton* as forms the Brook or Stream called *Sankey Brook*, or any Part thereof below *Kitt's Bridge*; and also that Part or Parts of the Township of *Parr* lying contiguous on the South-westerly Side to the Township of *Sutton*, and on the Easterly Side to the said Hamlet of *Hardshaw*, and on the West and South Sides of a Line drawn from the Boundary of the Township of *Sutton*, down the Westerly Side of the Brook or Stream of Water flowing from such Boundary, in a North-easterly Direction, up to a Bridge over it called *Ashcroft Bridge*, thence along the Westerly and South-westerly Side of the Turnpike Road, passing over such Bridge to *Saint Helens*, up to its Junction with another Turnpike Road from *Saint Helens* to *Ashton-in-Mackerfield*; thence along the Westerly and North-westerly Side of such last-named Turnpike Road to a public Road or Highway leading to *Windle* past *Merton Bank*, thence along such public Road to the *Sankey* Canal, and thence
along

Limits of
the Act.

along such Canal to the said Hamlet of *Hardshaw*; and also the Part or Parts of the Township of *Windle* lying between the said Hamlet of *Hardshaw* and a straight Line drawn from a Point on the Westerly Bank of the Brook or Stream of Water running under *Gerard's Bridge* which connects *Windle* with *Hardshaw*, One hundred Yards above such Bridge, in a South-westerly Direction, to the Centre of the *Four Lane Ends* by the House in the Occupation of Mistress *Watson* in *Windle* aforesaid, and continued from such Centre along the North-westerly Side of the Road or Highway running thence to the Township of *Eccleston* until such Line meets the District of *Saint Thomas* before mentioned; all which said Hamlet, District, Townships, and Places are situate in the Parish of *Prescot* and County of *Lancaster*; which said Limits are more particularly delineated by an external Boundary Line coloured Black on a Map or Plan signed by *John Wilson Patten* Esquire, Member of Parliament for North *Lancashire*, and deposited with the Clerk of the Peace for the County of *Lancaster*; and the said Map or Plan, or any Copy thereof, or of any Part thereof, certified by such Clerk of the Peace to be a Copy thereof, shall be admitted in Evidence in all Courts of Law or Equity; and a Copy of such Map or Plan, certified as aforesaid, shall be at all Times hung up in the Office of the Clerk to the Commissioners, or in such other public Place within the said Town as the Commissioners shall appoint, and may be inspected at all reasonable Times by any Rate-payer or other Person interested.

Streets, &c.
vested in the
Commissioners.

LXXXVI. And be it enacted, That the Management of all the present and future Streets within the Limits of this Act, being or which by this Act are or shall hereafter be declared to be public Highways, and the Pavement and other Materials of as well of the Footways and Carriageways of such Streets, and all public Lamps, Lamp Irons, and Lamp Posts which have been already erected and fixed or which shall be erected and fixed by virtue of this Act, and all Cesspools, Grates, Drains, Sewers, Tunnels, Gutters, Erections, or Buildings, Materials, Implements, and other Things provided for the Purposes of this Act, and also the Dust, Ashes, and Filth to be collected from the said Streets, shall be the Property of and are hereby vested in the Commissioners, and the Commissioners shall have full Power to sell and dispose of, for the Purposes of this Act, any of the said Articles and Things as they shall think proper.

Commissioners may
erect Bound
Stones.

LXXXVII. And be it enacted, That the Commissioners may from Time to Time erect Bound Stones or Posts, for the better ascertaining and preserving the Limits of the said Town, in case they shall judge the same necessary.

Future
Streets may
be declared
Highways.

LXXXVIII. And be it enacted, That if any Street already made or hereafter to be made, not being a public Highway, shall at any Time hereafter be paved or put into good Order to the Satisfaction of the Commissioners, then, on the Application of the Majority of the Owners of Houses in the said Street, it shall be lawful for the Commissioners, by Writing under their Hands, to declare the same to be a public Highway, and after such Declaration the same shall be a public Highway, and shall be for ever repaired by the Commissioners.

LXXXIX. And

LXXXIX. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause all or any of the Streets within the Limits of this Act, or any Part thereof, to be repaired, formed, and paved, and the Ground or Soil to be raised, lowered, and altered in such Manner and with such Materials as they shall think proper.

Commissioners to cause Streets to be paved.

XC. And be it enacted, That if any Person shall take up or make any Alteration in the Pavement or Carriageway or Footway in any Street within the Limits of this Act, without the Consent in Writing of the Commissioners, except when it may be necessary for repairing any Vault or Drain under any such Street, or other such Purpose, every Person so offending shall for every such Offence forfeit a Sum not exceeding Five Pounds; and in case the Person so taking up or altering such Pavement or Carriageway or Footway shall not, within Ten Days after Notice in Writing by the Surveyor to the Commissioners, cause the same to be reinstated as nearly as may be, the Commissioners shall cause the same to be done, and the Charges thereof shall be paid by the Person who shall have taken up or altered such Pavement or Carriageway or Footway.

Penalty on Persons altering Pavements.

XCI. And be it enacted, That the Owner or Occupier of any House or Building abutting upon any Street within the Limits of this Act shall, if required by the Commissioners, have or form with Stones, or such Materials as the Commissioners shall prescribe, upon the Sides of such Street, for the whole Length of such House or Building, and the Premises occupied therewith, a Causeway or Footway for the Use of Foot Passengers to the Depth of Four Feet.

Owner or Occupier to pave Footways, if required.

XCII. And be it enacted, That if any Street already made or hereafter to be made, not being a public Highway, shall hereafter to the Extent of Two Third Parts thereof be made, paved, or put in good Order to the Satisfaction of the Commissioners, then, on the Application of the Owner of the Lands abutting on such Parts of the said Street as shall have been so made, paved, or put in good Order as aforesaid, it shall be lawful for the Commissioners, by Writing under their Hands, to require the Owner of the Lands abutting on the Remainder of the said Street to make, pave, or put in good Order, to the Satisfaction of the Commissioners, such Remainder of the said Street, or such Portion or Portions thereof as shall be in front of such last-mentioned Lands, and to prescribe a reasonable Time for so doing; and if such Remainder of the said Street, or any such Portion thereof as aforesaid, shall not be made, paved, or put in good Order as aforesaid within the Time prescribed for so doing, it shall be lawful for the Commissioners to cause the same respectively to be done, and the Expences which shall be incurred by the Commissioners in respect thereof shall be repaid to them by the Owners by whom the same ought respectively to have been done.

Commissioners, upon Completion of Two Thirds of any Street, may, upon Application, require remaining One Third to be completed.

XCIII. And be it enacted, That the Level of every new Street, Square, Terrace, Crescent, Court, Alley, Row of Houses, House, or Place which shall be made or laid out within the Limits of this Act,

New Streets to be levelled under Direction of

[*Local.*]

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and

Commis-
sioners.

and also the Level of every Street and Place in which any new Common Sewer or Common Drain shall be made, shall be fixed under the Direction of the Commissioners; and every Person who shall intend to make or lay out any new Street, Square, Terrace, Crescent, Court, Alley, Row of Houses, House, or Place, shall give or cause to be given to the Commissioners Notice of such Intention by Writing delivered to their Clerk or left at the Office of the Commissioners; and the Level so fixed by the Commissioners shall thereafter be kept and observed by all Persons raising any House or other Building in such Street, Square, Terrace, Crescent, Court, Alley, Row of Houses, House, or Place: Provided nevertheless, that in case the Commissioners shall not cause such Level to be fixed within the Space of Twenty-one Days from the Time of the Delivery of such Notice as aforesaid it shall be lawful for the Person causing such Street, Square, Terrace, Crescent, Court, Alley, Row of Houses, House, or Place to be made or laid out to proceed with the same as if such Level had been fixed as aforesaid; and in every such Case every Change of the Level which the Commissioners shall afterwards deem requisite, and of the Works consequent thereto, shall be made by and at the Expence of the Commissioners.

Commis-
sioners may
pave Foot-
ways.

XCIV. And be it enacted, That it shall be lawful for the Commissioners to pave, or make with such Materials as they shall think fit, any Causeways or Footways, for the Use of the Foot Passengers, in or on the Sides of any Street within the Limits of this Act.

Footways to
be kept in
repair by the
Commis-
sioners.

XCV. And be it enacted, That all Causeways or Footways within the Limits of this Act, whether made by the Commissioners or otherwise, which the Commissioners shall deem necessary to be kept up, shall be kept in repair by the Commissioners.

Commis-
sioners may
place Fences
to Footways.

XCVI. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to place such Fences and Posts on the Side of any Footways or Carriageways within the Limits of this Act as may protect such Footways from any Carriage or Animals going on the same, and also to place any Posts in any Carriageways so as to make the Crossings thereof less dangerous for Foot Passengers, and also from Time to Time to repair any such Fences or Posts, or to remove the same or any other Obstructions to any Carriageway or Footway within the Limits of this Act, as they shall think fit.

Power to take
Materials for
Pavements
from waste
Lands with-
out Payment,
or from pri-
vate Lands
making Com-
pensation.

XCVII. And be it enacted, That it shall be lawful for the Commissioners, or any Surveyors or any Person to be employed by them under an Order for that Purpose, to search for, dig, and carry away any Stones, Gravel, or other Materials fit for paving and covering the Pavements, and pitching or repairing any Streets within the Limits of this Act, or for any Purposes of this Act, in and from any Waste or Common Land within the Limits of this Act, or within any adjoining Parish, without paying for the same, they the Commissioners or other Persons filling up or levelling the Pits; and also to search for, dig, and carry away any such Materials in and from the Lands of any Person where the same may be had and found within the Limits of this Act, or any adjoining Parish, such Lands not being a Yard,
Garden,

Garden, Orchard, Park, Wood, Coppice, Nursery, or inclosed Ground planted with any Avenue of Trees for Ornament, they the Commissioners or other Persons filling up the Pits and levelling the Grounds from which such Materials shall be taken, and paying the respective Owners and Occupiers of such Lands reasonable Compensation for the cutting, digging, taking, and carrying away such Materials, and for carrying the same over any inclosed Lands.

XCVIII. Provided always, and be it enacted, That it shall not be lawful for the Commissioners, or any Person acting under their Authority, to search for, dig, or carry away any Materials for the Purposes aforesaid, out of or from any inclosed Lands, until Ten clear Days Notice in Writing shall have been given to the Owner and Occupier thereof to appear before a Justice to show Cause why such Materials shall not be taken from such Lands; and in case such Owner or Occupier shall not attend pursuant to such Notice, or shall not show sufficient Cause why such Materials should not be taken from such Lands, it shall be lawful for such Justice to authorize such Person as the Commissioners shall appoint to dig and carry away such Materials at such Times as to such Justice shall seem fit.

Materials not to be taken from private Lands, but by Order of a Justice on Ten Days Notice.

XCIX. And be it enacted, That it shall be lawful for the Commissioners to purchase or rent any Land, Building, or Premises for procuring or depositing Stone, Gravel, or other Materials for the several Purposes of this Act, from any Person willing to sell or let the same.

Power to purchase or hire Land for depositing Materials.

C. And be it enacted, That it shall not be lawful for the Trustees of any Turnpike Road to collect any Toll on any Road within the Limits of this Act, or lay out any Money thereon.

No Toll within the Limits of this Act.

CI. And be it enacted, That the Commissioners shall be liable to be indicted at Common Law for the Want of the sufficient Repair of any public Highway within the Limits of this Act, in the same Manner as the Inhabitants of the said several Townships of *Windle*, *Eccleston*, *Sutton*, and *Parr* respectively were before the passing of this Act.

Commissioners liable to Indictment for Want of Repairs.

CII. And be it enacted, That every Inhabitant who shall be assessed to the Rates made under this Act for any Lands within the Limits of this Act shall be released from all Rates and Assessments for the Repairs of Highways in respect of such Lands.

Rated Inhabitants free from Highway Rates.

CIII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause such Common Sewers, Drains, Vaults, Culverts, Watercourses, Wells, and Pumps, public Urinals and Conveniences, as they may think necessary, to be constructed in or under any Street within the Limits of this Act, and also to cause any of the Common Sewers, Drains, Vaults, Culverts, and Watercourses, Wells or Pumps, public Urinals and Conveniences, which now are or hereafter shall be within the same, to be altered, repaired, cleansed, and completed, as to them shall seem necessary, and to carry
and

Power to construct Common Sewers.

and continue the same in, to, and through any Lands within the Limits of this Act.

Compensation to Parties injured.

CIV. And be it enacted, That if any Person interested in any such Lands shall be injured by any such Sewer, Drain, Vault, Culvert, Watercourse, Well, or Pump being carried into or through his Lands, the Commissioners shall pay to such Person a reasonable Compensation for the Damage or Injury sustained by him.

Communication of private Drains with Common Sewers.

CV. And be it enacted, That it shall be lawful for any Person to carry any private Drain or any properly constructed Sewer in any new Street into any Common Sewer, Drain, Vault, Culvert, or Watercourse already made, or which shall be made by virtue of this Act, according to such Plan as the Commissioners shall direct, when thereunto required; but if any Person shall carry any such private Drain into any Common Sewer, Drain, Vault, Culvert, or Watercourse, or in any other Manner than shall be directed by the Commissioners, he shall for every such Offence forfeit a Sum not exceeding Ten Pounds.

Course of Gutters to be turned, if necessary.

CVI. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to direct and cause the Course of any Gutter or Channel running in, upon, or through any Street within the Limits of this Act to be turned, tunnelled, covered, or altered in such Manner as the Commissioners shall think proper, the Expence attending which shall be defrayed out of the Money arising by virtue of this Act.

No House to be built until a Drain has been laid from the Site.

CVII. And be it enacted, That it shall not be lawful to build any House within the Limits of this Act unless a covered Drain be first constructed to the Satisfaction of the Commissioners or their Surveyor for the Time being, of such Material, of such Size, at such Level, and with such Fall as they or he shall direct, which Drain shall lead from the intended Site of such House to such Common Sewer, Common Drain, or Common Watercourse as the Commissioners or their said Surveyor shall direct, or if there be no such Common Sewer, Common Drain, or Common Watercourse within Twenty Yards of any Part of the intended Site of such House, then to such Cesspool or other Place as the Commissioners or their said Surveyor shall direct, not more than Twenty Yards from some Part of such intended Site.

Drains to be constructed for Houses already or hereafter to be built.

CVIII. And be it enacted, That in all Cases where any House built within the Limits of this Act shall not be drained by a sufficient Sewer or Drain communicating with some Common Sewer, Common Drain, or Common Watercourse, to the Satisfaction of the Commissioners, and if a Sewer, Drain, or Watercourse of sufficient Size shall pass along any public Thoroughfare or Way in front of, behind, or near any Part of such House, on a sufficiently lower Level than the lowest Floor of such House, it shall be lawful for the Commissioners, by Notice in Writing, to require the Occupier of such House or the Owner thereof forthwith, or within such reasonable Time as shall be appointed by the Commissioners, to construct a covered Drain of such
Material,

Material, of such Size, at such Level, and with such Fall as the Commissioners shall direct, from the said House to the said Sewer, Drain, or Watercourse; and if the Owner or Occupier of such House shall refuse or neglect during Twenty-eight Days next after the said Notice shall have been delivered to such Occupier or left at such House to begin to construct such Drain, or shall thereafter fail to carry it on and complete it with all reasonable Despatch, it shall be lawful for the Commissioners to construct the same, and to recover the Expences to be incurred thereby by Distress and Sale of the Goods and Chattels either of the Owner or of the Occupier of such House.

CIX. And be it enacted, That no Vault, Arch, or Cellar shall be made under any Street within the Limits of this Act without the Consent of the Commissioners first obtained in Writing under the Signatures of not less than Five Commissioners at some Meeting; and that all Vaults, Arches, Cellars, Sewers, and Drains hereafter to be made under any Street within the Limits of this Act shall be substantially made; and if any Arch, Cellar, Vault, Sewer, or Drain shall be made contrary to the Provisions of this Act it shall be lawful for the Commissioners to fill up the same, and the Expences incurred thereby shall be paid by the Person making such Vault, Arch, Cellar, Sewer, or Drain, or causing the same to be made.

Vaults and Drains to be substantially made.

CX. And be it enacted, That no Person shall hereafter commence the making of any Vault, Arch, Cellar, Sewer, or Drain in or under any Street within the Limits of this Act, so as to interfere or communicate with any Drain or Sewer under the Control of the Commissioners, without the Consent in Writing of the Commissioners obtained, after giving Three Days previous Notice thereof in Writing, describing the Place and Situation thereof to the Commissioners or their Clerk or Surveyor.

Not to interfere with public Drains without Notice.

CXI. And be it enacted, That all Vaults, Arches, Cellars, Sewers, or Drains now or hereafter to be made in or under any Street within the Limits of this Act shall be kept in substantial Repair by the Owners thereof to the Satisfaction of the Commissioners; and in case any such Vault, Arch, Cellar, Sewer, or Drain shall at any Time not be in such substantial Repair it shall be lawful for the Commissioners to put the same into substantial Repair, and to recover the Expences incurred thereby from the Owner or Occupier thereof, or the Owner or Occupier of any Tenement to which such Vault, Cellar, Sewer, or Drain may belong, or with which the same may be connected and used; and such Owner or Occupier shall also forfeit a Sum not exceeding Twenty Shillings for every Day such Vault, Arch, Cellar, Sewer, or Drain shall continue out of substantial Repair, after Notice in Writing shall have been given to him by the Commissioners to repair the same, and a reasonable Time for completing such Repair shall have elapsed after the Service thereof.

Vaults and Drains to be kept in repair.

CXII. And be it enacted, That the Occupier of any House or Land from which any branch or private Drain now does or hereafter shall issue into any of the said public Sewers, Drains, Vaults, Culverts,

Occupiers to repair private Drains.

or Watercourses, shall repair and cleanse the same when required by and according to the Direction of the Commissioners.

Dirt not to be swept into Channels.

CXIII. And be it enacted, That in case any Person shall sweep, rake, or place, or cause to be swept, raked, or placed, any Mud, Dirt, Rubbish, Filth, or Soil into or upon any Channel or Gutter on the Side of any Street within the said Town, every Person so offending shall forfeit for every such Offence any Sum not exceeding Forty Shillings.

Power to contract for Supply of Water for the Streets.

CXIV. And be it enacted, That it shall be lawful for the Commissioners to contract and agree with any Company or Person for any Supply of Water for the Purpose of watering the Streets and cleansing out the Sewers within the Limits of this Act.

Commissioners may water Streets and provide Wells, Pumps, &c.

CXV. And be it enacted, That it shall be lawful for the Commissioners, as often as they shall think fit, to cause all or any of the Streets within the Limits of this Act to be watered, and for that Purpose from Time to Time to sink Wells, and lay, erect, and place Pipes, Conduits, and Pumps in any of the said Streets, and to remove and alter the same when and as the Commissioners shall think proper.

Houses to be numbered, and Streets named.

CXVI. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause the Houses and Buildings in the Streets within the Limits of this Act 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 Commissioners, he shall forfeit a Sum not exceeding Forty Shillings for every such Offence.

Number of Houses to be renewed by Occupiers.

CXVII. And be it enacted, That the Occupiers of Houses and other Buildings shall be bound to renew the Numbers of their respective Houses as often as they shall become obliterated or defaced.

Future Projections to be removed on Notice.

CXVIII. And be it enacted, That if the Commissioners shall consider any Porch, Shed, projecting Window, Step, Cellar, Cellar Door or Window, Sign, Sign Post, Sign Iron, Showboard, 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 Limits of this Act, 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 Commissioners shall think fit; and such Owner or Occupier shall, within Fourteen 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 Commissioners.

CXIX. 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 Commissioners, 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 Limits of this Act, to cause the same to be removed or altered, as they shall think fit: Provided always, that the Commissioners 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, Thirty Days 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.

Existing Projections to be removed and Compensation made.

CXX. And be it enacted, That all Doors, Gates, and Bars, not being underground Doors, hereafter to be erected within the Limits of this Act, leading to any House, Building, Yard, or Land, and which shall open upon or towards any public Street, shall be constructed so as to open in or towards such House, Building, Yard, or Land; and if any such Door, Gate, or Bar shall be constructed so as to open in any other Manner, it shall be lawful for the Commissioners or their Surveyor to alter the same, and the Expences of such Alteration shall be paid to the Commissioners by the Person who shall have caused such Door, Gate, or Bar to be so constructed; and such Person shall, in addition, be liable to a Penalty not exceeding Forty Shillings.

Doors in future to be made to open inwards.

CXXI. And be it enacted, That if any such Door, Gate, or Bar already erected shall have been so constructed as to open outwards towards or upon any public Street, it shall be lawful for the Commissioners to alter the same, so that no Part thereof opening or when open shall project over any public Way.

Doors opening outwards to be altered by Commissioners.

CXXII. And whereas it hath happened and may happen that some of the Houses or Buildings within the Limits of this Act are sometimes in so ruinous a Condition that Passengers passing by are in danger of their Lives or some bodily Harm from the falling thereof, or of Bricks, Stones, or Timber therefrom; be it therefore enacted, That on any Information signed by Four or more Householders living within the Limits of this Act, that any such House or Building is in a ruinous or dangerous Condition, it shall be lawful for any Two Justices to cause the same to be surveyed by Two Surveyors, and if such Surveyors shall present that such House or Building is in a ruinous or dangerous Condition, the Commissioners shall, on Notice of any such Presentment being given, and a Copy thereof being laid before them, cause with all convenient Speed a sufficient Fence to be put up, to guard such House or Building from the Street, and shall also cause Notice in Writing to be given to the Owner thereof, if he can be found

Ruinous or dangerous Houses to be taken down or secured.

found within the said Limits, and if not shall cause such Notice in Writing to left at or fixed upon the said Premises, to repair or take down such House or Building, as the Case shall require, within the Space of Twenty-one Days then next ensuing; and if such Owner shall not repair or take down the same within the Time so limited the Commissioners shall with all convenient Speed cause all or so much of such House or Building as shall be in a ruinous Condition or dangerous to Passengers to be taken down and secured in such Manner as shall from Time to Time be thought requisite; and all the Charges of putting up every such Fence, and of taking down or securing such ruinous House or Building, shall from Time to Time be paid by the Owner of such House or Building.

The Expence to be levied by Distress on the Owner.

CXXIII. And be it enacted, That if such Owner can be found within the Limits of this Act, 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.

In default of the Owner any subsequent Occupier to be liable.

CXXIV. And be it enacted, That if such Owner cannot be found within the Limits of this Act, 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 Building, or the Ground whereon the same stood, as Tenant to such Owner, is hereby required to pay the same, and in default of Payment on demand by the Commissioners, 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.

Commissioners may sell the Materials.

CXXV. And be it enacted, That in case any House or Building as aforesaid, or any Part of the same, shall be pulled down by virtue of the Powers aforesaid, it shall be lawful for the Commissioners to sell the Materials thereof, or 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 Building, and the Commissioners shall restore any Overplus arising from such Sale to the Owner of such House or Building, on demand; nevertheless the Commissioners, 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.

CXXVI. And

CXXVI. And be it enacted, That it shall be lawful for the Commissioners 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 Alteration shall be repaid to the Commissioners by the Owners of the House or Building so altered or rebuilt.

Houses built contrary to the Act to be taken down.

CXXVII. And be it enacted, That it shall be lawful for the Commissioners 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 may be set forward.

CXXVIII. And be it enacted, That the Owner or Occupier of every House or Building in or adjoining any Street within the Limits of this Act shall, within Seven Days next after Service of any Order of the Commissioners 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.

Water-spouts to be affixed.

CXXIX. And be it enacted, That the Owner or Occupier of any House or Building in any Streets within the Limits of this Act 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 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 to fix the said Iron Drain-gutters, under the Direction of the Commissioners or their Surveyor; and all Damage which may thereby be occasioned to the Pavement or Flagging of the Footpath or Carriageway shall be made good at the Expence of such Owner or Occupier.

Under-ground Drains to be formed.

CXXX. And be it enacted, That all Vaults and Drains hereafter to be made under any Street within the Limits of this Act shall be substantially made, and so as not to interfere with any Drains or Sewers under the Control of the Commissioners, without their Consent; and if any Arch, Vault, or Drain shall be made contrary to the Provisions of this Act, it shall be lawful for the Commissioners to fill up the same, and to recover the Expences incurred thereby from the Person making such Vault or Drain.

Vaults and Drains to be substantially made.

CXXXI. And be it enacted, That when any Opening is now or shall hereafter be made in the Paving or Soil of any Pavement or Footpath within the Limits of this Act, as an Entrance into any Vault or Cellar, a Door or Covering shall be made by the Occupier of such Vault or Cellar, of Iron or such other Materials and in such Manner as the Commissioners shall direct; and such Door or Covering shall from Time to Time be kept in good Repair by the Occupier

Coverings for Cellar Doors to be made.

of such Vault or Cellar; and if the Owner of any such Vault or Cellar shall not within a reasonable Time make such Door or Covering, or shall make any such Door or Covering contrary to the Directions of the Commissioners, or shall not keep the same when made in good Repair, he shall forfeit for every such Offence a Sum not exceeding Five Pounds.

Houses
not to be
thatched.

CXXXII. And be it enacted, That no House or Building hereafter to be built in or near any Street within the Limits of this Act shall be thatched wholly or in part; and in case any such House or Building shall be so thatched the Owner thereof shall forfeit the Sum of Forty Shillings for every Month during which the same or any Part thereof shall continue to be thatched.

Hoards to be
set up during
Repairs.

CXXXIII. And be it enacted, That every Person who shall build or take down any House or Building whatever within the Limits of this Act, or cause the same to be so done, or who shall alter or repair the outward or external Part of any House or other such Building, or cause the same to be so done, shall, where any Street or Footway shall be obstructed or rendered inconvenient by means of such Work, cause to be erected before commencing the same sufficient Hoards or Fences, in order to guard every such House or Building from the Street in which the same may be situate, together with a convenient Platform and Handrail, if there shall be sufficient Space for the same, to serve as a Footway for Passengers outside of such Hoard or Fence, and shall continue such Hoard or Fence, with such Platform and Handrail as aforesaid, standing and in good Condition during such Time as may be necessary for the public Safety or Convenience, and shall, in all Cases in which the same shall be necessary to prevent Accidents, light or cause the same to be sufficiently lighted during the Night; and if any such Person shall refuse or neglect to erect any such Fence or Hoard or Platform, with such Handrail as aforesaid, or to continue the same respectively standing and in good Condition during the Time aforesaid, or shall not whilst the said Hoard or Fence is standing keep the same sufficiently lighted in the Night, or shall not remove the same when directed by the Commissioners within a reasonable Time afterwards, then every Person so offending shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Penalty for
not lighting
Deposits of
Building
Materials or
Excavations.

CXXXIV. And be it enacted, That when any Building Materials, Rubbish, or other Things shall be laid, or any Hole or Excavation shall be made, in any of the Streets within the Limits of this Act, the Person causing such Materials or other Things to be so laid, or the said Hole or Excavation to be made, shall at his own Expence, cause a sufficient Light to be fixed in a proper Place upon or near the same, and continue such Light every Night from Sun-setting to Sun-rising, during the Time such Materials, Hole, or Excavation shall remain; and such Person shall at his own Expence cause such Materials or other Things, and such Hole or Excavation, to be sufficiently fenced and inclosed, until such Materials or other Things shall be removed, or the Hole or Excavation filled up or otherwise made secure; and in case such Person shall refuse or neglect so to light, fence, or inclose such

such Materials or other Things, or such Hole or Excavation, every Person so offending shall for every Offence forfeit a Sum not exceeding Five Pounds.

CXXXV. Provided always, and be it enacted, That in no Case shall any such Building Materials or other Things, or such Hole or Excavation, be permitted to remain for an unnecessary Time, under a Penalty not exceeding Five Pounds, to be paid for every such Offence by the Person causing such Materials or other Things to be laid, or such Hole or Excavation to be made; and in any such Case Proof of the Necessity of a Continuance thereof respectively shall be upon the Person so causing such Materials or other Things to be laid, or causing such Hole or Excavation to be made.

Penalty for continuing Deposits of Building Materials or Excavations an unreasonable Time.

CXXXVI. And be it enacted, That if any Building or Excavation or any other Land or Place contiguous to any Street within the Limits of this Act shall, for Want of sufficient Repair, Protection, or Inclosure, be dangerous to the Passengers along such Street, it shall be lawful for the Commissioners 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 Commissioners by the Owner of the Premises so repaired, protected or inclosed.

Dangerous Places to be repaired or inclosed.

CXXXVII. And be it enacted, That it shall be lawful for the Commissioners, during such Time as any Street within the Limits of this Act is making or repairing, or during the making of any Sewer or Drain by the Commissioners, or under their Authority, to close such Street, or any Part of the same, by such Ways or Means as they shall think fit.

Commissioners may close Streets during Repairs.

CXXXVIII. And be it enacted, That it shall not be lawful to build in any Street hereafter to be formed any Two opposite Rows of Houses which shall be separated from each other by a Space of less than Thirty Feet wide where there shall be a Carriageway between such Houses, or by a Space of less than Twenty Feet wide where there shall be no such Carriageway.

Regulating Width of Streets.

CXXXIX. And be it enacted, That it shall not be lawful to build any House in any Court which shall not be open for the Space of Twenty Feet at the least from the Ground upwards at One End of such Court, and so continuing the whole Length thereof, the Thickness of any separation Wall at the other End thereof excepted; provided that for the Erection of any Privies and Ashpits for the said Court, and for the House or Houses to the Front thereof, the Entrance to the Court may, if the Commissioners shall think proper, be narrowed to Ten Feet in Width, such Erections not exceeding Ten Feet in Height, and being constructed to the Satisfaction of the Commissioners.

Houses not to be built in close Courts.

CXL. And be it enacted, That the Level of the Ground Floor of every House which shall hereafter be built shall be at least Six Inches above the Level of the Footway or Road adjoining such House, whether there shall be a Cellar to such House or not.

Level of Ground Floor.

CXLI. And

Regulating
Size of
Rooms.

CXLI. And be it enacted, That no House shall hereafter be built unless the same shall have at least One Room on the Ground Floor containing One hundred and eight superficial Feet, clear of any Stairs or Staircases or any other Reduction, save One Chimney Breast and Fireplace therein, or which shall have any Room therein which shall be less than Seven Feet Six Inches in Height from the Floor to the Ceiling, save the Attic Rooms, which may range Seven Feet in Height from the Floor to the Ceiling, and Cellars not used for Habitation which shall be considered of sufficient Height if not less than Six Feet in Height.

Only One
Story in the
Roof.

CXLII. And be it enacted, That there shall not be more than One Story in any Part of the Roof of any House which shall hereafter be built.

Cellars in
Courts not to
be occupied
as Dwellings.

CXLIII. And be it enacted, That it shall not be lawful to let separately, except as a Warehouse or Storehouse, or to suffer to be occupied as a Dwelling Place, any Cellar under any House in any Court.

Cellars not to
be let for
Dwellings,
unless of a
certain
Height;

CXLIV. And be it enacted, That from and after the First Day of *January* One thousand eight hundred and forty-six it shall not be lawful to let separately, except as a Warehouse or Storehouse, or to suffer to be occupied as a Dwelling Place, any Cellar or Room under any other House whatsoever, which Cellar or Room shall be less in Height from the Floor to the Ceiling than Seven Feet, or which shall be less than One Third of its Height above the Level of the Street adjoining the same, or otherwise shall not have Two Feet at least of its Height from the Floor to the Ceiling above the said Level, with an open Area of Two Feet wide from the Level of the Floor of such Cellar or Room up to the Level of the said Street, or which shall not have attached thereto the Use of a Privy and Ashpit, according to the Enactment herein contained, or which shall not also have a Window of not less than Three Feet square, or otherwise of an Area of not less than Nine Feet clear of the Sash Frame, and a Fireplace with a Chimney or Flue, or, being an inner or Back Cellar let or occupied along with a Front Cellar as Part of the same Letting or Occupation, shall not have a ventilating Chimney (unless such inner or Back Cellar shall be Part of a House built before the Commencement of this Act), or which shall not be well and effectually drained by means of a Sough or Drain, being One Foot at least below the Level of such Cellar or Room.

under
Penalty.

CXLV. And be it enacted, That every Person who shall let separately (except as aforesaid), or knowingly suffer to be occupied for Hire as a Dwelling Place, any Cellar or Room, contrary to the Provisions of this Act, shall forfeit not exceeding Five Shillings for every Day during which such Cellar or Room shall be so occupied.

Owner of
every House
to provide
Privy and
Ashpit for
same.

CXLVI. And be it enacted, That the Owner of every House to which no sufficient Privy or Ashpit is attached shall provide such fit and proper Privy to the same, in such Situation, not disturbing any Building already erected, and with such proper Door and Covering
to

to such Privy, and also such fit and sufficient Ashpit, and in such Situation, not disturbing any Building already erected, as the Commissioners shall consider requisite for the Use of the Inmates or Occupiers thereof.

CXLVII. And be it enacted, That no House shall hereafter be built without there being constructed, to the Satisfaction of the Commissioners, either in such House or in a Yard attached to such House, a Privy, with proper Doors and Coverings to the same, and also an Ashpit, together, if required by the said Commissioners; and Two or more Privies and Ashpits may, with the Approbation of the Commissioners, be used in common by the Inmates and Occupiers of such Houses.

All Houses to be hereafter built to be provided with Privies and Ashpits.

CXLVIII. And be it enacted, That the Owner of any Court or Passage, or any Part of any Court or Passage, shall, to the Satisfaction of the Commissioners, sufficiently flag or lay such Court or Passage, or such Part thereof of which he shall be the Owner, and lay with Stone an overground Drain or Channel through, over, or along the same, or through, over, or along such Part thereof as the Commissioners may require, and keep the Flagging of such Court or Passage, or of such Part thereof as aforesaid, and also such Drain or Channel over the same, in good Repair to the Satisfaction of the Commissioners; and the Owner of any Court or of any Part of any Court shall cause the Houses therein belonging to him to be sufficiently drained, and so to be kept and continued to the Satisfaction of the Commissioners; and if any such Owner of any Court or Passage, or of any Part of any Court or Passage, shall not sufficiently flag the same as aforesaid, or shall not lay with Stone such Drain or Channel as aforesaid, or shall not repair and keep the same Flagging and Drain or Channel, or such Part thereof respectively as shall belong to him, in good Repair, to the Satisfaction of the Commissioners, or shall not cause his Houses in any such Court to be sufficiently drained, and so kept and continued, to the Satisfaction of the Commissioners, within One Month after Notice in Writing for that Purpose from the Commissioners or their Surveyor shall have been given to such Owner, or left for him at his usual or last known Place of Abode in *England*, (or in case such Owner shall be unknown or out of *England*) upon or affixed to the Premises in respect of which the same shall be given, then and in every such Case such Owner so making default shall for every such Default forfeit any Sum not exceeding Five Pounds, and any further Sum not exceeding Ten Shillings for every Week during which such Default shall in anywise continue unamended; provided that in lieu of the Flags any Material or Preparation approved by the Commissioners may be used, and in such Case this Provision shall apply to such Material or Preparation so approved in like Manner as to Flags or Flagging.

Owners of Courts and Passages to flag and repair.

CXLIX. And be it enacted, That in case the Occupier of any House shall prevent the Owner thereof from carrying into effect, in respect of such Premises, any of the Provisions of this Act, or from doing any of the Matters and Things which by this Act are required to be done by such Owner, and after Notice of this Provision shall

In case of Tenants opposing the Execution of this Act.

[Local.]

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have

have been given by the Owner of such House to the Occupier thereof, such Occupier shall forfeit to the Owner of the said Premises double the Amount of the Penalties which he may incur or be liable to in consequence of such Provisions not having been carried into effect, the same to be recovered in like Manner as other Penalties whereof no special Provision is made are by this Act authorized to be recovered.

In case any House be in a filthy and unwholesome Condition, a Justice may order same to be cleaned.

CL. And be it enacted, That if the Commissioners and a Medical Officer to be appointed by them shall be of opinion, and shall certify under the Hands of Two or more of such Commissioners, and also of such Medical Officer, that any House or Part of any House within the Limits of this Act is in such filthy and unwholesome Condition that the Health of the Inmates or of the Public is thereby affected or endangered, it shall be lawful for any Justice to cause Notice to be affixed on the Door or on some other conspicuous Part of such House, requiring the Occupier of such House or Part thereof to cause the same to be cleansed within Four Days from the Date of affixing such Notice, or to appear before such Justice or any other Justice, to answer such Complaint; and if within the said Four Days such House or Part thereof shall not be cleansed to the Satisfaction of such Medical Officer, and if such Occupier, being duly summoned, shall not appear before such Justice, and show sufficient Cause to the contrary, such Justice is hereby empowered, on Proof thereof, to issue an Order under his Hand and Seal to the Commissioners to cause such House or Part thereof to be cleansed, at the Expence of the Occupier thereof, and to cause the Charges of cleansing the same to be levied, in case of Nonpayment, by Distress and Sale of the Goods and Chattels of such Occupier, by Warrant under the Hand and Seal of such Justice.

For Inspection of Slaughter-houses.

CLI. And be it enacted, That it shall be lawful for the Commissioners, or any Person to be by them appointed as Inspector for that Purpose, from Time to Time and at all Times, in the Day or Night, with or without Assistants, to enter into and inspect any House or Place kept or used for the slaughtering or killing, storing or preserving of Cattle, Swine, or Beast of any Kind, or of any Fish, within the Limits of this Act, (such House or Place not being the actual Dwelling House of any Person,) and then and there to examine, search for, and see if any Cattle, Swine, or other Beast, or the Carcass or Part of the Carcass of any such, or any Fish, be deposited there; and in case such Inspector shall find any Cattle, Swine, or other Beast, or the Carcass or Part of the Carcass of any such, or any Fish, which shall appear to be unsound or unwholesome, or not fit for human Food, it shall be lawful for such Inspector, and such Person or Persons as he shall call to his Assistance, to seize and carry away the same, for the Purpose of being further examined by competent Persons, and in case upon such Examination such Cattle, Swine, or other Beast or Carcass, or Part of a Carcass, or Fish, shall be found and declared to be unsound or unwholesome, or not fit for human Food, the same shall be immediately destroyed; and in case the Owner or Occupier of any such House or Place as aforesaid, or of any Building, Shed, or Yard belonging thereto, or any other Person, shall obstruct or hinder such Inspector

Inspector or his Assistants from entering into and inspecting and examining the same, and from seizing and carrying away or destroying any such Cattle, Swine, or other Beast or Carcass, or Part of a Carcass, or Fish, which shall appear and be found and declared to be unsound and unwholesome, or unfit for human Food, he shall for every such Offence forfeit a Sum not exceeding Five Pounds.

CLII. 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, Sewers, and Drains within the Limits of this Act, 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 Commissioners 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 Commissioners to cause such Work, Act, or Thing to be done, and the Expences which shall be incurred by the Commissioners 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 Commissioners to execute Works, and recover over.

CLIII. And be it enacted, That in all Cases where any 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 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.

CLIV. And be it enacted, That in all Cases, except as herein-before mentioned, where any 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 as aforesaid,) 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,

Adjustment between Owners and Occupiers.

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.

Streets to be
cleansed and
watered.

CLV. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause all or any of the Streets within the Limits of this Act to be cleansed and watered, 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 Limits of this Act, at such Time and in such Manner as they shall appoint.

Occupiers
allowed to
use their own
Ashes, &c.

CLVI. Provided always, and be it enacted, That it shall and may be lawful for any Occupier of any House or Premises within the Limits of this Act 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 performed
under
Penalties.

CLVII. And be it enacted, That the Persons employed by or contracting from Time to Time with the Commissioners for cleansing and watering the Streets within the Limits of this Act, 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 Commissioners shall from Time to Time appoint, sufficiently water the said Streets, or such of them as they shall respectively contract or be employed to water, and shall 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 Limits of this Act, 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 Commissioners for the depositing of the same; and if any such Scavenger fail to water any Streets which he shall contract or be employed to water, at the Time or in the Manner appointed by the Commissioners, or to remove any Dirt, Ashes, or Rubbish which he shall contract to be employed to remove, at the Time or in the Manner prescribed by the Commissioners 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 Commissioners for that Purpose, he shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Penalty on
Occupiers
obstructing
Scavengers.

CLVIII. And be it enacted, That every Occupier of a House or other Building within the Limits of this Act shall forfeit any Sum not exceeding

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.

CLIX. 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 Limits of this Act, or from any House or Building therein, except as aforesaid, he shall forfeit for every such Offence a Sum not exceeding Forty Shillings.

Penalty on other Persons than Scavengers removing Dirt.

CLX. And be it enacted, That if any Person shall throw or lay any Dirt, Ashes, or Rubbish into or upon any Street within the Limits of this Act, or shall throw any noxious or offensive Matter or Substance into any Drain, Well, Pump, Pond, Reservoir, Watercourse, River, or Brook within the said Limits, (except such Night-soil as may with the Consent of the Commissioners be conveyed into any Common Sewer from any Privy or Water Closet,) he shall for every such Offence forfeit a Sum not exceeding Forty Shillings: Provided always, that nothing herein contained shall subject any Person to such Penalty by reason or on account of any Dirt or Rubbish laid or placed in any such Street in the course of erecting, pulling down, altering, or repairing any Building, so that there be left sufficient Space for the passing of Carriages and Foot Passengers, and so that a sufficient Light be set and maintained at the Place where such Dirt or Rubbish shall be laid from Sunset to Sunrise to prevent Accidents, and such Dirt or Rubbish be inclosed in such Manner and be removed at such Time as the Commissioners or their Surveyor shall order and direct.

Penalty on Persons casting Rubbish into the Streets.

CLXI. And be it enacted, That the respective Occupiers of Buildings, Yards, and Lands within or adjoining the Streets within the Limits of this Act shall Once in every Day (*Sunday* excepted) before Ten 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.

Occupiers to cause Footways to be swept.

CLXII. And be it enacted, That it shall be lawful for the Commissioners 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 cleaning the same, in the Manner by this Act directed.

Commissioners may compound for sweeping Footways;

CLXIII. And be it enacted, That it shall be lawful for the Commissioners to cause any Footway within the Limits of this Act to be swept or cleansed in such Manner and at such Times as they shall think fit.

and may cause them to be swept.

Commissioners may order Nuisances to be abated.

CLXIV. And be it enacted, That if any Foundry, Candle-house, Melting-house, Melting-place, or Soap-house, hereafter to be erected or made, or any Slaughter-house, Boiling-house for Offal, Hogsty, unclosed or uncovered Yard, or Place for the Deposit or sifting of Lime, Necessary-house, Dunghill, Manure-heap, or other offensive Building, Place, or Matter, in or near any Street within the Limits of this Act, shall be a Nuisance to any Inhabitant, it shall be lawful for the Commissioners, upon Complaint made by any Inhabitant, to inquire into the Matter of such Complaint; and if the Commissioners shall consider such Building, Place, or Matter of which such Complaint shall be made to be a Nuisance, it shall be lawful for them by Notice in Writing to order the Person by or on whose Behalf such Nuisance is carried on, kept, or made, to discontinue or remedy the same.

Penalty for Disobedience to Commissioners Order.

CLXV. And be it enacted, That if such Nuisance as aforesaid shall not be discontinued or remedied within Seven Days after the Service of such Notice, the Person by or on whose Behalf such Nuisance is carried on, kept, or made shall be liable to a Penalty not exceeding Five Pounds for every Day during which such Nuisance shall be continued or unremedied after the Expiration of Seven Days from the Service of the said Notice: Provided always, that when any Person who shall think himself aggrieved by any Order of the Commissioners shall, according to the Provisions contained in this Act, appeal against such Order, such Person shall not be liable to discontinue or remedy the Nuisance mentioned therein, or to pay any Penalty, until after the Expiration of Seven Days after the Determination of such Appeal, and the Confirmation of the Order of the Commissioners, unless such Appeal shall cease to be prosecuted.

No Slaughter-houses in future to be erected without a Licence.

CLXVI. And be it enacted, That no Place shall be used or occupied as a Slaughter-house within the Limits of this Act which has not been so used or occupied 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 from the Commissioners; and in case any Person shall use as a Slaughter-house any Place within the Limits of this Act 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 a like Penalty for every Day after the Conviction for such Offence upon which the said Offence shall be continued.

Penalty on suffering Dogs to go at large after Notice.

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

Dogs suspected to be mad may be destroyed.

CLXVIII. And be it enacted, That it shall be lawful for any Constable or other Officer appointed by virtue of this Act to destroy any Dog or other Animal within the Limits of this Act reasonably suspected

pected to be in a rabid State, or to have been bitten by any Dog or Animal reasonably suspected to be in a rabid State.

CLXIX. And be it enacted, That the Owner of any such Dog or Animal who shall permit the same to go at large within the Limits of this Act 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 in a rabid State, shall be liable to a Penalty not exceeding Five Pounds.

Penalty for suffering mad Dogs to be at large.

CLXX. And be it enacted, That if any Horse, Cattle, or other Animal shall at any Time be found at large in any of the Streets within the Limits of this Act without any Person therewith claiming the same, it shall be lawful for any Constable or Officer of Police, or for any of the Inhabitants or Persons residing within the Limits of this Act, to seize and impound any such Horse, Cattle, or Animal in any Common Pound within the Limits of this Act, or in such other Place as the Commissioners 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 Forty Shillings to the Commissioners, and also the Sum of One Shilling to the Person impounding the same, besides the reasonable Expences of impounding and keeping the same.

Power to impound stray Cattle.

CLXXI. 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 Commissioners to sell or cause to be sold any such Animal, but previous to such Sale Seven Days Notice thereof shall be given to or left at the Dwelling House or Place of Abode of the Owner of such Animal, if the Owner thereof 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 within the Limits of this Act; and the Money arising from such Sale, after deducting the said Sums and the Expences aforesaid, and such other Expences as may attend the keeping and Sale of any such Animal so impounded, shall be paid to the Commissioners, to be by them paid to the Person whose Property the Animal so sold shall appear to have been, and which Money the Commissioners are hereby required to pay, on demand.

Power to sell stray Cattle for Penalty and Expences.

CLXXII. And be it enacted, That in case any Person shall release or attempt to release from the Pound or Place where the same shall be impounded, any Horse, Cattle, or Animal 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 or Bolt belonging thereto, or with which the same shall be fastened, or shall rescue or release, or attempt to rescue or release, any Distress or Levy which shall be made under the Authority of this Act, until such Horse, Cattle, or Animal seized or impounded, or such Distress or Levy so made, shall be discharged by due Course of Law, every Person so offending shall, upon Conviction thereof before any One Justice, be committed by him

Persons guilty of Pound Breach or Rescue of Distress to be committed for Three Months.

to

to the Common Gaol or House of Correction within the Hundred of *West Derby* in the said County of *Lancaster*, there to remain without Bail for any Time not exceeding Three Months.

Power to provide a Pound.

CLXXIII. And be it enacted, That it shall be lawful for the Commissioners to purchase a Piece of Land within the Limits of this Act for the Purpose of a Pound for stray Animals, from any Person willing to sell the same, and to erect a Pound thereon; and such Pound, when made, shall be kept in repair by the Commissioners, and appropriated by them for ever as a Pound for the Use of the Inhabitants within the Limits of this Act.

Penalty for exposing unwholesome Meat.

CLXXIV. And be it enacted, That if any Person shall sell or expose or offer for Sale any unwholesome Meat or Provisions, in any Place within the Limits of this Act, he shall forfeit any Sum not exceeding Five Pounds for every such Offence; and it shall be lawful for any Justice of the Peace to order the Street Keeper or other Officer appointed by virtue of this Act, or any Police Constable, to seize and destroy such unwholesome Meat or Provisions.

Penalty for conveying offensive Matter at improper Time.

CLXXV. And be it enacted, That every Person who within the Limits of this Act shall empty or begin to empty any Privy between the Hours of Six in the Morning and Twelve at Night, or remove along any Thoroughfare any Nightsoil, Soaples, Ammoniacal Liquor, or other such offensive Matter, between the Hours of Six in the Morning and Eight in the Evening, or who shall at any Time use for any such Purpose any Cart or 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 such offensive Matter shall have been placed, slopped, or spilled, shall forfeit any Sum not exceeding Forty Shillings, 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.

Penalty on Doors and Shutters of Blacksmiths Forges not being closed in after Sunset.

CLXXVI. And be it enacted, That if any Blacksmith, Whitesmith, Anchorsmith, Nailmaker, or other Person using a Forge, and having a Door, Window, or Aperture fronting or opening into or towards any Street within the Limits of this Act, shall not close such Door, or fasten the Shutters or other Fastenings of such Windows, and close such Aperture, every Evening within One Half Hour after Sunset, so as effectually to prevent the Light from shining through the Doorway, Window, or Aperture, into or upon such Street, every Person so offending shall for every such Offence forfeit a Sum not exceeding Twenty Shillings; provided that nothing herein contained shall extend to Forges below the Pavement of the Street.

Penalty for setting Chimney on fire.

CLXXVII. And be it enacted, That if any Person shall wilfully set or cause to be set on fire any Chimney within the Limits of this Act, he shall for every such Offence forfeit a Sum not exceeding Five Pounds; provided 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.

CLXXVIII. And

CLXXVIII. And be it enacted, That if the Chimney of any Person shall catch or be on fire within the Limits of this Act 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 a Justice that such Fire was in no ways owing to Omission, Neglect, Carelessness, or Fault of himself or Servant:

Penalty for having Chimney on fire.

CLXXIX. And be it enacted, That no Person shall suffer any waste or stagnant Water to remain in any Cellar, Apartment, or Place, or on any Ground belonging to or occupied by him, so as to be a Nuisance to any Person or injurious to Health; and every Person who shall suffer any such Water to remain, after receiving Notice from the Surveyor, Street Keeper, or other Officer of the Commissioners to remove the same, shall for every Offence be liable to a Penalty not exceeding Forty Shillings.

Stagnant Water and Pools.

CLXXX. 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 Limits of this Act shall commit any of the following Offences; (that is to say,)

Forty Shillings Penalty 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 show any Caravan or Carriage containing any Animal, or any other Show or public Entertainment, 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, make, or repair any Part of any Cart or Carriage, except in Cases of Accident where Repair on the Spot is necessary:

Every Person who shall suffer to be 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, not being hired or employed to drive such Cattle, who shall wantonly and unlawfully pelt, drive, or hunt any such Cattle:

Every Person who shall slaughter any Cattle, or dress any Cattle or any Part thereof, except in the Case of any over-driven Cattle or 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 be at such a Distance from such Cart, Waggon, or Carriage as not to have the complete

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Control

Control over every Horse or other Animal drawing the same, or shall not keep the Waggon, Cart, or Carriage to the Left or Near Side, 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 drive any Horse or other Animal drawing any Waggon, Cart, or other such Carriage at any faster Rate than a common Walk :

Every Person who shall ride or drive furiously, or so as to endanger the Life or Limb of any Person, or to the common Danger of the Passengers in any Thoroughfare :

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

Every Person who shall draw any Timber, Stone, or other weighty Article without the same being placed upon or suspended from a wheeled Carriage proper for that Purpose :

Every Person who shall cause any Tree or Timber to be drawn in or upon any Timber Carriage, without having to guide and direct the hind Wheels of such Carriage a Person who shall not be under the Age of Eighteen Years, 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 any Horse or other Animal, 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 may stand across or upon any 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 Show-board, on any Footway, or shall place any Blind, Shade, Covering, or Awning over or along any such Footway, unless such Blind, Shade, Covering, or Awning shall be Eight Feet in Height at least in every Part thereof from the Surface of such Footway, and shall extend over the whole Breadth of such 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, so as to obstruct or incommode the Passage of any Person over or along such Footway :

Every Person who shall roll or carry any Cask, Tub, Hoop, or Wheel, or any Ladder, Plank, Pole, Timber or Log of Wood, upon any Footway, except for the Purpose of loading or unloading any Cart or Carriage, or of crossing the Footway :

Every Person who shall suffer any Goods or Merchandize or any Coal or Fuel intended for any House to remain in any Street for
a longer

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, to the Danger or Obstruction of any Person :

Every Person who shall carry or convey, or cause to be carried or conveyed, the Carcass or any Part of the Carcass of any newly slaughtered Cattle without a sufficient Cloth Covering to the same :

Every common Prostitute or Night Walker loitering or being in any Thoroughfare or public Place for the Purpose of Prostitution or Solicitation, to the Annoyance of the Inhabitants or Passengers :

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 the Inhabitants or Passengers :

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 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 wantonly discharge any Fire arms, or throw or discharge any Stone or other Missile, to the Damage or Danger of any Person, or make any Bonfire, or throw or set fire to any Firework :

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, or who shall wilfully and unlawfully extinguish the Light of any Lamp :

Every Person who shall fly any Kite or Pigeon, or play at any Game, to the Annoyance of the Inhabitants or Passengers, or who shall make or use any Slide upon Ice or Snow, to the common Danger of the Passengers :

Every Person who shall burn, dress, or cleanse any Cork, or cleanse, hoop, fire, wash, or scald any Cask or Tub, 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 Stones, Slate, Shells, Lime, Bricks, Timber, Iron, or other Materials, except Building Materials or the Rubbish thereby occasioned, according to the Provisions herein-before contained :

Every Person who shall beat or shake any Carpet, Rug, or Mat (except Door Mats) before the Hour of Eight in the Morning.

Forty Shillings Penalty for certain other Offences.

CLXXXI. And be it enacted, That every Person shall be liable to a Penalty of not more than Forty Shillings who within the Limits of this Act 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, Brick, Part of any Brick, 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 in any other Way whatsoever, or wilfully break, destroy, or damage any Part of any such Building, Wall, Fence or Paling, or any Fixture or Appendage thereunto, or any Tree, Shrub, or Seat in any public Walk, Park, or Garden :

Every Person who shall expose any thing for Sale in any Park or public Garden, unless with the Consent of the Owner of such Park or Garden or other Person authorized to give such Consent :

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, or Sewer, left open in or adjoining to any Thoroughfare, or who shall leave such open Area, Pit, or Sewer without a sufficient Light after Sunset to warn and prevent Persons from falling thereinto :

Every Person who shall throw or lay any Dirt, Litter, or Ashes, or any Carrion, Fish, Offal, or Rubbish, on 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 any offensive Matter to run from any Manufactory, Brewery, Slaughter-house, Butcher's Shop, or Dunghill into any Street or other 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 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 Thing shall cause them to be removed as soon as the Occasion for them shall cease :

Every Person who shall keep any Pigsty to the Front of any Street, not being shut out from such Street by a sufficient Wall or Fence, or who shall keep any Swine in or near any Street or in any Dwelling so as to be a common Nuisance :

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

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.

CLXXXII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause the several Streets within the Limits of this Act, or such of them as they shall think proper, to be lighted with Gas, Oil, or otherwise, at such Times as they shall think fit, and to provide such Lamps, Lamp Posts, Lamp Irons, Pipes, and other Works as may be necessary for that Purpose.

Power to Commissioners to light the Streets.

CLXXXIII. And be it enacted, That it shall not be lawful for the said Commissioners to manufacture or supply such Gas; but that such Commissioners may contract, for any Period not exceeding Three Years at any One Time, with the Owners of any Gas Works, for the Supply of such Gas as the Commissioners may think necessary for lighting such Streets.

Commissioners may contract for lighting the Streets.

CLXXXIV. And be it enacted, That if the Commissioners and the Owners of any Gas Works shall not agree as to the Price to be paid for such Supply, then such Price shall be ascertained by Two Persons, one of whom shall be appointed by the Commissioners, and the other by the other Party, or in case they shall not agree about the same, then by such Third Party as shall have been nominated for that Purpose by such Two Persons before they shall have entered upon the Matter of such Reference.

For ascertaining Price to be paid for Gas in case of Dispute.

CLXXXV. And for the Purpose of enabling the Commissioners, or any Person or Company with whom they may contract, to light the said Streets or any of them, be it enacted, That it shall be lawful for the Commissioners, or any Company or Persons with whom they may contract for lighting the said Streets or any of them, under the Control and Direction of the Commissioners, to break up the Soil or Pavement of any Street within the Limits of this Act, and to lay and fix therein such Pipes, Lamp Posts, and other Works as they or he may deem necessary for lighting the same, and also to lay and place against any Houses, Buildings, and Inclosures such Pipes, Lamp Posts, Lamp Irons, and Lamps, and other Works, as they may deem necessary for the Purposes aforesaid: Provided always, that the Commissioners shall not lay or continue any Lamp, Lamp Post, Lamp Iron, Pipe, or other Work against or through any private Building, Inclosure, or Land, except with the Consent of the Owner and Occupier thereof.

Power to break up Streets and lay down Pipes, &c.

CLXXXVI. And be it enacted, That every Branch or Service Pipe which shall be used for lighting with Gas the said Streets shall be kept fully charged with Gas, and the Stopcocks shall be so turned as not to impede any Branch or Service Pipe being filled with Gas during the Time the same shall be lighted.

Service Pipes to be kept fully charged.

CLXXXVII. And be it enacted, That when the Pavement or Soil of any Street or Highway, or when any Sewer or Drain, shall be
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without
Delay.

opened or broken up by the Commissioners, or any Company or Persons contracting as aforesaid, they shall with all convenient Speed complete the Work on account of which the same shall be broken up, and fill in the Ground, and make good the Pavement or Soil, Sewer or Drain, so opened or broken up, and carry away the Rubbish occasioned thereby, and shall in the meantime cause the Place where such Pavement or Soil shall be so opened or broken up to be fenced and guarded, and shall set up and maintain upon or against the Part of the said Pavement or Soil so broken up or opened a sufficient Light during every Night that such Pavement or Soil shall be continued open or broken up.

Penalty for
Delay in
reinstating
the Streets.

CLXXXVIII. And be it enacted, That if the Commissioners, or any Company or Persons contracting as aforesaid, shall make any Delay in completing any such Work, or in filling in the Ground or making good the Pavement or Surface so opened or broken up, or in carrying away the Rubbish so occasioned as aforesaid, or in causing to be fenced, guarded, or lighted the Place where such Pavement or Surface shall have been broken up, they shall forfeit a Sum not exceeding Five Pounds for every such Offence, and they shall forfeit an additional Sum of Forty Shillings for every Day that any such Delay as aforesaid shall continue after the Expiration of Twenty-four Hours from the Time that such Delay shall have commenced.

Penalty for
damaging
Pipes, &c.

CLXXXIX. And be it enacted, That if any Person shall wilfully or maliciously take away, destroy, or injure any or any Part of any Pipe, Plug, Post, or other Apparatus, Article, Matter, or Thing, belonging to the said Commissioners, every Person so offending shall forfeit to the said Commissioners any Sum not exceeding Five Pounds, and the Amount of the Damage done or occasioned by such Conduct.

Penalties on
Gas Makers
for corrupt-
ing Water
within the
Limits of
this Act.

CXC. And be it enacted, That if any Company or Person making or supplying any Gas within the Limits of this Act shall at any Time cause or suffer to be conveyed or to flow into any Stream, Reservoir, Aqueduct, Pond, or Place for Water within the Limits of this Act, or into any Drain, Sewer, or Ditch communicating therewith, any Washing, Substance, or Thing which shall be produced in making or supplying Gas, or shall do any Act to the Water contained in any such Stream, Reservoir, Aqueduct, Pond, or Place for Water, whereby the Water therein shall be fouled or corrupted, then the said Company or such Person as aforesaid shall forfeit for every such Offence the Sum of Two hundred Pounds.

Penalty to be
sued for in
Superior
Courts within
Twelve
Months.

CXCI. And be it enacted, That the said Penalty of Two hundred Pounds shall be recovered, with full Costs of Suit, in any of the Superior Courts, by Action or on the Case, by the Person into whose Water such Washing, Substance, or Thing shall be conveyed or shall flow, or whose Water such Washing, Substance, or Thing shall be conveyed or shall flow, or whose Water shall be fouled or corrupted thereby: Provided always, that the said Penalty shall not be recovered unless the same be sued for within Twelve Months after the
Offence

Offence in respect of which such Penalty shall have been incurred shall have ceased.

CXCII. And be it enacted, That in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall have been recovered or not) the said Company or Person making or supplying Gas as aforesaid shall forfeit the Sum of Twenty Pounds (to be recovered in like Manner) for each Day such Washing, Substance, or Thing shall be conveyed or shall flow as aforesaid, or the Act by which such Water as aforesaid shall be fouled or corrupted shall continue after the Expiration of Twenty-four Hours from the Time at which Notice of the Offence shall have been served on such Person by the Person into whose Water such Washing, Substance, or Thing shall be conveyed or shall flow, or whose Water shall be fouled or corrupted thereby, and such Penalty shall be paid to such last-mentioned Person.

Daily Penalty during the Continuance of the Offence.

CXCIII. And be it enacted, That whenever any Gas shall escape from any Pipe which shall be laid down or set up by the said Commissioners, or any Company or Person making or supplying any Gas within the Limits of this Act, such Commissioners, Company, or Person shall, immediately after receiving Notice in Writing of any such Escape of Gas, prevent such Gas from escaping; and in case such Commissioners, Company, or Person shall not within Twenty-four Hours next after Service of such Notice effectually prevent the Gas from escaping, and wholly remove the Cause of Complaint, then such Commissioners, Company, or Person shall for every such Offence forfeit the Sum of Five Pounds for each Day after the Expiration of Twenty-four Hours from the Service of such Notice during which the Gas shall be suffered to escape.

Daily Penalty during Escape of Gas after Notice.

CXCIV. And be it enacted, That whenever any Water within the Limits of this Act shall be contaminated by the Gas of any Company or Person making or supplying Gas within the Limits of this Act, such Person shall forfeit for every such Offence a Sum not exceeding Twenty Pounds to the Person whose Water shall be so contaminated or affected.

Penalty on Gas Makers if Water contaminated.

CXCV. And be it enacted, That if the Company or other Person so making or supplying Gas shall not, within Twenty-four Hours next after Notice in Writing of any Water being contaminated or affected, served on him by the Person whose Water shall be so contaminated or affected, prevent the Gas from contaminating or affecting such Water, such Company or other Person shall, over and above the before-mentioned Penalty of Twenty Pounds, forfeit for every such Offence, to the Person whose Water shall be so contaminated or affected, a Sum not exceeding Ten Pounds for every Day during which the said Water shall remain contaminated or affected after the Expiration of Twenty-four Hours from the Service of such Notice.

Daily Penalty during the Continuance of the Contamination after Notice.

CXCVI. And whereas it may become a Question upon any such Complaint as aforesaid whether the said Water be contaminated or affected by the Gas of any Company or Person making or supplying Gas

For ascertaining if the Water is contaminated.

Gas within the Limits of this Act; be it therefore enacted, That it shall be lawful for the Person to whom the Water supposed to be contaminated or affected by Gas may belong to dig and examine the Pipes, Conduits, and Apparatus of the Person making or supplying Gas, for the Purpose of ascertaining whether the said Water has been contaminated or affected by the Gas of such Person: Provided always, that before proceeding so to dig and examine Twelve Hours Notice shall be given to the Person making or supplying such Gas of the Time at which such digging and Examination are intended to take place.

TheExpences
to abide the
Result of the
Examination.

CXCVII. And be it enacted, That if upon such Examination it shall appear that such Water has been contaminated or affected by any Gas belonging to the said Company or Person, the Expences of digging, Examination, and Repair of the Street or Place which shall be disturbed in any such Examination shall be paid by the said Commissioners or such other Person making or supplying Gas; but if upon such Examination it shall appear that the Water has not been contaminated or affected by the Gas of such Company or Person, then the Person causing such Examination to be made shall pay all the Expences of Examination and Repair, and also make good to the said Person any Injury which may be occasioned to the Works of the said Person in and by such Examination.

The Amount
of Expences
to be ascer-
tained and
recovered as
other
Damages.

CXCVIII. And be it enacted, That the Amount of the Expences of Examination and Repair, and of any Injury done to the said Company or Person making or supplying Gas, shall, in case of any Dispute about the same, together with the Costs of ascertaining and recovering the same, be ascertained and recovered in the same Manner as any Damages for the ascertaining and recovering of which no special Provision is made by this Act are hereby directed to be ascertained and recovered.

Persons sup-
plying Gas
liable to be
indicted.

CXCIX. Provided always, and be it enacted, That nothing in this Act contained shall prevent any Company or Person making or supplying Gas within the Limits of this Act from being liable to an Indictment for any Nuisance or any other legal Proceeding to which they or he may be liable, in consequence of the making or supplying such Gas.

Penalty for
wilfully
damaging
Lamps.

CC. And be it enacted, That if any Person shall wilfully break, throw down, take away, or damage any Lamp, or any Part thereof, within the Limits of this Act, or any of the Posts, Irons, or other Furniture thereof, or wilfully extinguish the Light of any such Lamp, every Person so offending shall for every such Offence forfeit any Sum not exceeding Ten Pounds.

Persons
carelessly
damaging
Lamps to
make good
the same.

CCI. And be it enacted, That in case any Person shall carelessly, negligently, or accidentally break or otherwise damage any of the said Lamps, or the Irons, Posts, or Furniture thereof, and shall not immediately upon Demand make satisfaction to the said Commissioners or to any other Owner thereof (as the Case may be) for the Damage done thereto, it shall be lawful for any Justice to award such Sum of Money
as

as a Satisfaction for such Damage as such Justice shall think reasonable, not exceeding the Value of the Lamp or other Article so injured or damaged, and the Costs and Charges of repairing and replacing the same respectively.

CCII. And be it enacted, That it shall be lawful for the Commissioners to purchase or provide such Engines for extinguishing Fire, and such Water Buckets, Pipes, and other Apparatus for such Engines, 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, as they shall think fit, and to build, provide, or hire Places for keeping such Engines and other Apparatus, and to employ a proper Number of Persons to act as Firemen, and to allow them such Salaries, and to make such Rules for their Regulation, as they shall think proper, and to give such Firemen and other Persons such Rewards for their Exertions in Cases of Fire as they shall think fit.

Fire Engines and Firemen may be provided by the Commissioners.

CCIII. And be it enacted, That it shall be lawful for the Commissioners to build and provide, upon any Land to be purchased by them within the Limits of this Act for the Purpose, and for ever after to maintain and improve as they shall think fit, a public Market Place or Market Places, for supplying the Inhabitants within the Limits of this Act and in the Neighbourhood thereof with Provisions, Goods, Wares, Merchandize, and all such other marketable Commodities as the Commissioners shall from Time to Time see fit to allow to be brought and sold therein, together with all Stalls, Standings, and other Conveniences and suitable Approaches for all Persons resorting thereto.

Commissioners empowered to provide Market Places.

CCIV. And be it enacted, That it shall be lawful for the Commissioners to set apart any Buildings for, or to erect on any Land to be purchased by them, such Slaughter-houses as they shall from Time to Time think sufficient, for the slaughtering of Cattle, Beasts, and Swine for the Supply of the said Town of *Saint Helens* and its Neighbourhood, and for ever afterwards to maintain and improve the same as they shall think fit; provided that nothing in this Act contained shall protect the Commissioners or any Person from an Indictment for any Nuisance or from any other legal Proceeding in respect of any such Slaughter-house.

Slaughter-houses.

Commissioners to be liable for Nuisances.

CCV. And be it enacted, That it shall be lawful for the Commissioners to erect on Land to be purchased by them or otherwise to provide a public Weighing House or Place in or near the said Market Place, for weighing or measuring any Meat, Provisions, or other Articles which shall be sold by Weight or Measure in the said Market, and to maintain and improve the same as they shall think fit.

Weighing and measuring Houses.

CCVI. And be it enacted, That the Commissioners shall keep in every such Weighing House, or Place proper Weights, Scales, and Measures, according to the Standard Weights and Measures in the Exchequer at *Westminster*, for weighing or measuring all such Provisions or Articles as aforesaid, and shall appoint a proper Person

Standard Weights and Measures to be kept.

[Local.]

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to

to attend the same at all Times during which the Markets shall be holden.

Places for weighing Carts and Carriages.

CCVII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to purchase or provide proper Buildings or Places, in such convenient Situation within the Limits of this Act as the Commissioners shall think proper, for weighing Waggon, Carts, or Carriages laden with Goods, and to maintain the same, and to provide proper Machines for such Purpose, and to appoint a Person for the weighing of such Carts or Carriages.

Sales elsewhere than in the Market prohibited.

CCVIII. And be it enacted, That when the said Market Place or Places shall be opened for public Use no Person, except licensed Hawkers, shall sell or expose to Sale in any Place within the Limits of this Act, except in such Market Place or Places, or his own Dwelling House or Shop, any Provisions or other Goods or Commodities mentioned in the Schedule (F.) to this Act; and any Person, other than a licensed Hawker, who shall, after the opening of such Market, sell or expose to Sale any of the Articles aforesaid in any Place within the Limits of this Act, except in the Markets of the Commissioners, or his own Dwelling House or Shop, shall for every Offence be liable to a Penalty not exceeding Forty Shillings: Provided always, that no Person shall be prohibited from selling Goods and marketable Commodities by Hand in Hand Baskets or in other Things, from Door to Door, within the Limits of the Act (on any Day except Market Days); provided also, that in the meantime and until the Purchase of the said Piece of Land called or known as the Market Place, together with the Erections and Buildings thereon, by the said Commissioners, from the said Trustees of the Society of Friends, or other the Owners thereof, shall be completed, under the Provisions in this Act contained, the said Owners shall not be prohibited from letting the said Erections and Buildings in such Manner as they shall think fit, for the Purpose of selling and disposing of any Provisions or other Goods and Commodities therein by the Tenants or Occupiers thereof, either on Market Days or at any other Time.

Tolls to be taken for the Market.

CCIX. And be it enacted, That after such Market Place or Places as aforesaid shall be opened for public Use it shall be lawful for the Commissioners from Time to Time to demand and take from any Person occupying or using any Stall, Shed, or Stand in any such Market Place, or bringing therein any Cattle, Animal, Provisions, Articles, or Things specified in the Schedule (F.) to this Act annexed, such Stallage, Rents, and Tolls as the Commissioners or their Lessee shall from Time to Time appoint, not exceeding the several Stallages, Rents, and Tolls specified in the said Schedule.

Tolls for weighing and measuring.

CCX. And be it enacted, That it shall be lawful for the Person for the Time being appointed to attend the Weighing Houses or Places for weighing or measuring any Articles sold in the said Market by Weight or Measure, from Time to Time to demand and take the several Tolls specified in that Behalf in the Schedule to this Act annexed.

CCXI. And

CCXI. And be it enacted, That it shall be lawful for the Person for the Time being appointed to attend the Machines for weighing Waggon, Carts, or Carriages to demand and receive from the Person requiring the same to be weighed such Tolls as the Commissioners may appoint, not exceeding the Tolls specified in respect of the same in the Schedule (F.) annexed to this Act, and such Tolls shall be paid before any Waggon, Cart, or Carriage in respect of which the same are payable shall be weighed.

Tolls for weighing Carts.

CCXII. And be it enacted, That the Commissioners or their Lessee shall from Time to Time cause to be painted on Boards in large and legible Characters, and affixed and continued in some conspicuous Place in every Market Place made under the Provisions of this Act, a List of the several Stallages, Rents, and Tolls which shall from Time to Time be payable in respect of the said Markets; and no Stallage, Rent, or Toll shall be payable in respect of any Market during such Time as such List shall not continue to be affixed thereon, or for any Matter or Thing not specified in the said List: Provided always, that if such List shall be destroyed, injured, or obliterated, the Stallages, Rent, and Tolls shall continue to be payable during such Time as may be reasonably required for the Restoration or Reparation of such List, in the same Manner as if such List had continued affixed or in the State required by this Act.

List of Tolls to be set up.

CCXIII. And be it enacted, That the said several Stallages or Rents and Tolls shall be paid from Time to Time, on demand, to the Commissioners, or their Lessee or Collector, or other Person authorized by them to take the same; and if any Person liable to the Payment of any Stallage, Rent, or Toll shall not pay the same when demanded; or shall evade the Payment thereof, it shall be lawful for the Commissioners, or their Lessee or Collector, or the Person authorized to take the same, to levy the same by Distress of all or any of the Provisions or other Goods in respect of which such Stallage, Rent, or Toll was payable, or of any other Provisions or Goods belonging to such Person or under his Charge in the Market, and to sell the said Provisions or Goods forthwith, and out of the Proceeds of such Sale to pay the Stallages, Rents, or Tolls so due, rendering the Overplus, on demand, after deducting the Expences of such Sale, to the Person whose Goods shall have been so distrained.

Tolls may be levied by Distress.

CCXIV. And be it enacted, That in case any Dispute shall arise concerning any such Stallage, Rent, or Toll, such Dispute shall be determined by a Justice, and such Justice shall summon the Parties to appear before him, and hear and determine the Matter of every such Complaint upon Oath, and make such Order therein, and 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 to be settled by a Justice.

CCXV. And be it enacted, That if any Person shall assault or obstruct any Collector of the said Tolls, Rents, or Stallage, or other Person

Penalty for obstructing Collector or Person

Market
Keeper.

Person authorized to receive the same or any of them, or any Person employed to superintend the said Market Places or any of them, or to keep order therein, whilst in the Exercise of his Duty, every Person offending in any of such Cases shall forfeit for every such Offence a Sum not exceeding Forty Shillings.

Penalty for
refusing to
weigh Arti-
cles sold in
the Market.

CCXVI. And be it enacted, That every Person selling any Meat or other Articles or Things in any Market Place to be made under this Act, by Weight or Measure, shall weigh or measure the same by the Weights, Measures, or Scales to be provided in pursuance of this Act, upon being required so to do by the Buyer of the same; and if any Seller of any such Meat, Articles, or Things shall refuse or neglect to weigh or measure the same in manner aforesaid, when so required, he shall be liable to any Penalty not exceeding the Sum of Forty Shillings.

Waggons to
be weighed at
the Com-
missioners
Machines.

CCXVII. And be it enacted, That the Driver of every Waggon, Cart, or other Carriage loaded with any Goods brought into the said Market 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 Waggon, Cart, or Carriage, with or without the Loading thereof, to be weighed at One of the Machines so to be erected and fixed as aforesaid, if any such there shall be; and if any such Waggon, Cart, or Carriage 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 in the same than Half a Mile, including the going to and returning from any such Machine, the Owner of such Waggon, Cart, or Carriage shall be paid Two-pence for every Horse which shall be used in drawing the same, and a like Sum for every additional Half Mile that any such Waggon, Cart, or Carriage shall be taken out of the regular Road for the Purpose aforesaid; and all such Charges shall be paid by the Person requiring the same to be weighed as aforesaid before the Driver of such Waggon, Cart, or Carriage shall be obliged to go out of his Way for the Purpose of having the same weighed.

Penalty for
refusing to
weigh Wag-
gons, &c.

CCXVIII. And be it enacted, That if the Person having the Care of any such Waggon, Cart, or Carriage shall not, upon being so requested as aforesaid, and being paid such Charges as aforesaid, if demanded, take the same to such Weighing Machine as is hereinbefore so directed, or shall refuse or neglect to assist in the weighing of the same, he shall forfeit to the Person requiring such Waggon, Cart, or Carriage to be weighed, any Sum of Money by way of Penalty, not exceeding Twenty Shillings, and the Party entitled to such Penalty shall be deemed a competent Witness for the Proof of such Offence.

Penalties on
Drivers com-
mitting
Frauds in
weighing
Waggons, &c.

CCXIX. And be it enacted, That every Owner or Driver of any such Waggon, Cart, or Carriage weighed at any Weighing Machine to be provided in pursuance of this Act, 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,)

Every Owner or Driver who shall, at or before the Time of weighing any such Waggon, Cart, or Carriage, place or knowingly have 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 Waggon, Cart, or Carriage, or 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 Waggon, Cart, or Carriage, or the Loading thereof:

Every such Owner or Driver who, after the weighing of any such Waggon, Cart, or Carriage, 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 Waggon, Cart, or Carriage 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 Waggon, Cart, or Carriage, 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 Waggon, Cart, or Carriage shall have been weighed with the Loading thereof at any such Machine as aforesaid, shall not 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 Waggon, Cart, or other Carriage, or of the Loading thereof.

CCXX. And be it enacted, That if the Purchaser of any Goods or Merchandize conveyed in any Waggon, Cart, or Carriage to or within the said Market shall, after such Waggon, Cart, or Carriage, with the Loading thereof, shall have been weighed at any Machine within the Limits of this Act, provided in pursuance of this Act, 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 Waggon, Cart, or Carriage whereby the 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.

CCXXI. And be it enacted, That the Person for the Time being appointed to keep any such Weighing Machine shall forfeit any Sum not exceeding Five 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 Waggon, Cart, or Carriage, 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 every such Waggon, Cart, or Carriage, with or without Loading, as the Case may be:

If he shall not deliver to the Purchaser of any such Loading, or

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any

any Person interested therein, on Application, a Ticket or Account containing the true Weight of such Loading :

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

If he shall weigh any Waggon, Cart, or Carriage, 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 Waggon, Cart, or Carriage, 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.

CCXXII. 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 Waggon, Cart, or Carriage, 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.

Power to lease the Markets, &c. for Three Years.

CCXXIII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to demise and let the said Market Places or any Part of them, and the said Slaughter-houses, Weighing Houses or Places, and Machines, or any of them, or the said Stallages, Rents, or Tolls, or any of them, for any Period not exceeding Three Years, upon such Terms as shall be agreed upon between the Commissioners and the Person to whom such Lease shall be made.

Power to lease Standings in the Markets.

CCXXIV. And be it enacted, That it shall be lawful for the Commissioners to let any of the Stalls, Standing Places, Benches, or other Conveniences in the said Market Places to any Person for any Term not exceeding Three Years.

Power to assign Lease of Standings.

CCXXV. And be it enacted, That it shall be lawful for the Lessee of any such Stall, Standing Place, or other Convenience, his Executors, Administrators, and Assigns, with Consent of the Commissioners, to assign the same for the Residue of his Term.

Market Days.

CCXXVI. And be it enacted, That the Commissioners shall, after any Market Place is opened for public Use, hold the Markets therein on *Wednesday* and on *Saturday* in every Week, between the Hours of Seven of the Clock in the Morning and Six of the Clock in the Afternoon.

Regulation of Markets.

CCXXVII. And be it enacted, That for the better Regulation of the said Markets it shall be lawful for the Commissioners from Time

to Time to make such Bye Laws as they shall think fit for all or any of the following Purposes; (that is to say,)

For directing the Manner of occupying and using the said Market Places, Slaughter-houses, and Weighing Machines, and regulating the Conduct of the Persons resorting thereto:

For providing for the lighting and cleansing of the Market Places:

For regulating the Conduct of the Officers and Servants of the Commissioners, and providing for the due Management of the Affairs of the Commissioners:

For regulating the Carriers in the Markets, and fixing the Rates for carrying all Articles carried therefrom:

For regulating the Use of Weights and Measures in the Markets according to the legal Standard, and providing for the Sale of all Provisions and other Things therein by such Weights and Measures, and for preventing the Use of false or defective Weights and Measures:

For preventing unwholesome Provisions being sold or exposed for Sale in the Markets:

For preventing Horses and Carriages travelling or going through the Market Places or remaining there, or other Nuisances or Obstructions therein or in the Approaches to the same:

And it shall be lawful for the Commissioners, from Time to Time, as they shall think fit; to repeal, alter, or amend any such Bye Laws, provided such Bye Laws be not repugnant to the Laws of *England*, and be reduced to Writing, and signed by any Three of the Commissioners, and if affecting other Persons than the Officers and Servants of the Commissioners be printed and published as herein provided.

CCXXVIII. And be it enacted, That it shall be lawful for the Commissioners, by the Bye Laws so to be made by them, to impose such reasonable Penalties, for enforcing the better Observance thereof, as they shall think fit, not exceeding Five Pounds for any One Offence: Provided always, that such Bye Laws be so framed as to allow the Justices before whom any Penalty imposed thereby may be sought to be recovered to order the whole or Part only of such Penalty to be paid.

Penalty for enforcing Bye Laws.

CCXXIX. And be it enacted, That no Bye Law which shall be made by the Commissioners under the Authority of this Act (except such as may relate solely to the Commissioners or to their Officers or Servants) shall be valid or binding unless the same shall be allowed by some Judge of One of the Superior Courts, or by the Justices assembled at some General or Quarter Sessions of the Peace of the County of *Lancaster*; and it shall be incumbent on such Justices, on the Request of the Commissioners, to examine into the Bye Laws which may be tendered to them for that Purpose, and to allow of or disallow the same as to them may seem meet: Provided always, that no such Bye Laws shall be confirmed unless Notice of the Intention to apply for a Confirmation of the same shall have been given in One or more Newspapers of the County of *Lancaster* One Month at least before the hearing of such Application; and any Party aggrieved by

Bye Laws to be confirmed.

by any such Bye Laws, on giving Notice of the Nature of his Objection to the Commissioners Ten Days before the hearing of such Application, may, by himself, his Attorney or Agent, be heard thereon, but not so as to allow more than One Party to be heard upon the same Matter of Objection.

A Copy of the proposed Bye Laws to be open for Inspection.

CCXXX. Provided always, and be it enacted, That for One Month at least prior to any such Application for Confirmation of such Bye Laws a Copy of such proposed Bye Laws shall be kept at the principal Office of the Commissioners; and it shall be lawful for all Persons at all reasonable Times to inspect such Copy without Fee or Reward, and to be furnished by the Commissioners with a Copy thereof or of any Part thereof, on Payment of Sixpence for every One hundred Words so to be copied.

Penalty for pulling down Boards, &c.

CCXXXI. And be it enacted, That any Person who shall destroy, pull down, injure, or deface any Board in any Market Place made under this Act, on which any Bye Law or Rule of the Commissioners, or any Stallage, Rent, or Toll to be taken in pursuance of this Act, shall be painted, shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Penalty for having false Weights, &c.

CCXXXII. And be it enacted, That any Person who shall in any Market Place to be made under the Authority of this Act use or have in his Possession any illegal or false Weight or Weights shall forfeit a Sum not exceeding Forty Shillings for every such Offence; and it shall be lawful for any Inspector of Weights and Measures to be appointed by the Commissioners to seize and destroy such illegal Weights and Measures.

Penalty for exposing unwholesome Meat.

CCXXXIII. And be it enacted, That if any Person shall sell or expose or offer for Sale any unwholesome Meat or Provisions in any Market Place made in pursuance of this Act, he shall forfeit any Sum not exceeding Five Pounds for every such Offence, and it shall be lawful for any Inspector of Provisions in such Market appointed by the Commissioners to seize and destroy such unwholesome Meat or Provisions.

Penalty and Damages for Nuisances in the Market Place.

CCXXXIV. And be it enacted, That any Person who shall spoil, deface, or injure any Part of any such Market Place, or the Buildings, Fences, Stalls, or Standings thereof, or shall in any such Market Place cause any Obstructions, or commit any Damage or Injury, shall forfeit for every such Offence any Sum not exceeding Five Pounds, and shall also pay such Sum of Money as the Justices before whom the Conviction for such Penalty shall take place shall think a reasonable Satisfaction for the Injury done by such Person.

Hackney Coaches to be licensed.

CCXXXV. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to license such Number of Hackney Coaches or Carriages, of any Kind or Description, to ply for Hire within the Limits of this Act, as they shall think fit.

CCXXXVI. And

CCXXXVI. And be it enacted, That every Licence so to be granted shall be signed by Three or more of the Commissioners, and shall express the Number of the Hackney Coach or Carriage, and shall not include more than One Carriage so licensed, and shall be in force for One Year only from the Day of the Date of such Licence, or until the next General Licensing Meeting, in case any such General Licensing Day shall be appointed by the Commissioners, as they are hereby authorized to do.

License to be in force for One Year.

CCXXXVII. And be it enacted, That every Licence shall be made out by the Clerk of the Commissioners, and duly entered in a Book to be provided by him for that Purpose, with the Christian and Surname and Place of Residence of the Person whose Coach or Carriage shall be licensed, and the Number of the Licence; and in such Book shall be contained Columns or Places for Entries to be made of every Offence committed by any Owner, Driver, or Person attending such Coach or Carriage.

Licences to be registered.

CCXXXVIII. And be it enacted, That for every such Licence there shall be paid to the Clerk of the Commissioners the Sum of Five Shillings.

Fee on Licence.

CCXXXIX. And be it enacted, That any such Licence may, for the Misconduct of the Owner or Driver, or Person attending such Hackney Coach or Carriage, be suspended or revoked by the Commissioners as they shall deem right.

Licences may be suspended or revoked for Misconduct.

CCXL. And be it enacted, That if the Driver of any Hackney Coach or other Carriage shall be found standing or plying for Hire, or using any such Coach or other Carriage, within any Part of the Limits of this Act, without a Licence from the Commissioners, the Owner or Driver of such Coach or other Carriage so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalty for plying without a Licence.

CCXLI. And be it enacted, That if any Person shall refuse to pay, on demand, to any Hackney Coachman or Person, the regular Fare due to him for the Hire or Service of any licensed Hackney Coach or Carriage, he shall be liable to a Penalty not exceeding Forty Shillings.

Penalty for refusing to pay the Fare.

CCXLII. And be it enacted, That if any Person shall wilfully cut, break, or injure any such Coach or Carriage, such Person shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and shall also pay to the Owner of such Hackney Coach or Carriage reasonable Satisfaction for the Damage sustained by the same; and such Satisfaction shall be ascertained by the Justices before whom the Conviction of the Penalty takes place, and shall be recovered by the same Means as the Penalty.

Penalty for damaging the Coach.

CCXLIII. And be it enacted, That for better regulating the Hackney Coaches or other Carriages to be so licensed as aforesaid it shall be lawful for the Commissioners from Time to Time to make such Bye Laws as they shall think fit, and for all or any of the following Purposes; (that is to say,)

Bye Laws for regulating the Hackney Coaches.

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For

For regulating the Conduct of the Owners and Drivers thereof respectively in their several Employments :

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

For regulating the Numbers of such Hackney Coaches or other Carriages :

For regulating the Number of Persons to be carried by such Coaches or other Carriages, and what Number of Horses or other Animals are to draw the same :

For fixing and altering the Stands of such Coaches or other Carriages, and the Distance to which such Hackney Coachmen or Persons attending the Carriages shall be obliged to drive, not exceeding Five Miles from the Town Hall :

For fixing the Rates or Fares to be paid for such Hackney Coaches :

For punishing the Misconduct of Hackney Coachmen and Persons attending such Carriages, whether in the Way of Imposition, by demanding or receiving more than the regular Fare, or otherwise :

And the Commissioners may from Time to Time, as they shall think fit, repeal any such Bye Laws, and make others in their Stead, provided such Bye Laws be not repugnant to the Laws of *England* or the Provisions of this Act, and be signed by Three of the Commissioners, and be printed and published as herein-after mentioned.

Enforcing
Bye Laws
by Penalties.

CCXLIV. And be it enacted, That it shall be lawful for the Commissioners, by the Bye Laws so to be made by them, to impose such reasonable Penalties for enforcing the better Observance thereof as they shall think fit, not exceeding Five Pounds for any One Offence : Provided always, that such Bye Laws shall be so framed as to allow the Justices before whom any Penalty imposed thereby may be sought to be recovered to order the whole or any Part of such Penalty to be recovered.

Bye Laws to
be confirmed.

CCXLV. And be it enacted, That no such Bye Laws (except such as may relate solely to the Officers or Servants of the Commissioners) shall come into operation until the same shall be allowed by the Court of Quarter Sessions of the County of *Lancaster* ; and it shall be incumbent on the said Court, on the Request of the Commissioners, to examine into the Bye Laws which may be tendered to them for that Purpose, and to allow of or disallow the same as to them may seem meet : Provided always, that no such Bye Laws shall be confirmed unless Notice of the Intention to apply for a Confirmation of the same shall have been given in One or more Newspapers of the County of *Lancaster* One Month at least before the hearing of such Application ; and any Party aggrieved by any such Bye Law, on giving Notice of the Nature of his Objection to the Commissioners Ten Days before the hearing of such Application, may, by himself, his Attorney or Agent, be heard thereon, but not so as to allow more than One Party to be heard upon the same Matter of Objection.

A Copy of
the proposed
Bye Laws to

CCXLVI. Provided always, and be it enacted, That for One Month at least prior to any such Application for Confirmation of such

such Bye Laws a Copy of such proposed Bye Laws shall be kept at the principal Office of the Commissioners; and it shall be lawful for all Persons, at all reasonable Times, to inspect such Copy without Fee or Reward, and to be furnished by the Commissioners with a Copy thereof or of any Part thereof, on Payment of Sixpence for every One hundred Words so to be copied.

be open for Inspection.

CCXLVII. And be it enacted, That a Copy of every such Bye Laws shall be painted on Boards, and affixed in the Office of the Clerk of the Commissioners, and such Boards shall be renewed from Time to Time, and shall be open to Inspection without Fee or Reward; and in case the said Clerk shall not permit the same to be inspected at all reasonable Times he shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Publication of Bye Laws.

CCXLVIII. And be it enacted, That such Bye Laws, when so confirmed, published, and affixed, shall be binding upon and be observed by all Parties, and shall be sufficient to justify all Persons acting under the same.

Bye Laws to be binding on all Parties.

CCXLIX. And be it enacted, That the Production of a written or printed Copy of the Bye Laws, authenticated by the Signature of the Chairman of the Court which shall have approved of the same, shall be Evidence of the Existence and due making of such Bye-Laws in all Cases of Prosecution under the same, without adducing Proof of such Signature; and with respect to the Proof of the Publication of any such Bye Laws, it shall be sufficient to prove that a painted Board containing a Copy thereof was affixed and continued in manner by this Act directed, and in case of its afterwards being displaced or damaged that such Board was replaced or restored as soon as conveniently might be, unless Proof be adduced by the Party complained against that such painted Board did not contain a Copy of such Bye Laws, or was not duly affixed or generally continued as directed by this Act.

Proof of making and of the Publication of Bye Laws.

CCL. And be it enacted, That if any Person shall pull down, or destroy, damage, or deface, any Board fixed in any Office in pursuance of this Act, for the Publication of the Bye Laws of the Commissioners, he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and every Person doing any such Damage shall also be liable to pay for or make good all Damage done, and the Expences occasioned thereby.

Penalty for damaging Boards used for Publication.

CCLI. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to purchase or rent from any Person any Buildings or Land, and to convert such Buildings into, or to build on such Land, Offices, Watch-houses, Lock-up Houses, and other Places necessary for the Purposes of this Act, with all proper Conveniences thereto, and to repair the same from Time to Time, and to furnish and to fit up the same, and to employ proper Persons to take care thereof.

Power to Commissioners to provide Offices, Watch-houses, &c.

CCLII. And be it enacted, That if the Justices of the Peace of the County Palatine of *Lancaster* in General or Quarter Sessions assembled

Appointment of Constables.

2 & 3 Vict.
c. 93.

3 & 4 Vict.
c. 88.

assembled shall report to One of Her Majesty's Principal Secretaries of State that the Constables appointed under the Provisions of an Act passed in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act for the Establishment of County and District Constables by the Authority of the Justices of the Peace*, and of another Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act to amend the Act for the Establishment of County and District Constables*, and the said Constables shall, in pursuance thereof or otherwise, be discontinued, it shall be lawful for the Commissioners from Time to Time to appoint and employ such Number of Constables and other Officers as they shall judge necessary for the proper Protection of the Inhabitants and Property within the Limits of this Act, and shall allow them such Salaries or Wages as they think proper; and it shall be lawful for the Commissioners from Time to Time to remove any such Constables and Officers as they shall think fit.

Power to
apply for
additional
Constables in
case of Need.

CCLIII. And be it enacted, That if the Commissioners shall think it necessary it shall be lawful for them to apply to the Chief Constable of the County of *Lancaster*, under the Provisions of the said Act passed in the Third and Fourth Year of the Reign of Her present Majesty, to appoint any additional Number of Constables within the Limits of this Act, and to pay the Charge of such Appointments out of the said Rate for the lighting and general Purposes.

Constables to
be sworn in.

CCLIV. And be it enacted, That it shall be lawful for any Justice to swear in as Constables any Person appointed and employed; and the Constables and Officers so sworn in shall have, not only within the Limits of this Act, but within Three Miles thereof, the like Powers and shall be subject to the like Penalties and Forfeitures as any Constables have or are subject to by the Law of *England*.

Power to
Two Justices
to dismiss
Constable.

CCLV. And be it enacted, That it shall be lawful for any Two Justices to dismiss or suspend for Neglect of Duty any Constable or Officer appointed under this Act; and no Person suspended or dismissed shall be re-appointed, except with the Consent of Two Justices; and when any Person shall be so dismissed or suspended all Powers vested in him as a Constable shall cease or be suspended.

Regulations
of the Com-
missioners to
be observed,
under a
Penalty.

CCLVI. And be it enacted, That it shall be lawful for the Commissioners to make such Rules and Orders as they shall think fit for regulating the Conduct of the said Constables and Officers; and if any such Constable or other Officer shall not faithfully observe and perform such Rules and Orders he shall forfeit for every such Offence any Sum not exceeding Forty Shillings, and if the Commissioners shall think proper shall also be immediately discharged from his Office or Employment.

Duties of
Constables.

CCLVII. And be it enacted, That the Constables and Officers appointed by virtue of this Act shall keep Watch and Ward within the Limits of this Act, and shall use their utmost Endeavours to prevent any Mischief by Fire, and all Felonies, Misdemeanors, and Breaches of the Peace; and it shall be lawful not only for them, but
for

for any Constable acting within the Limits of this Act, to arrest and detain in some convenient Place of Security within the Limits of this Act, to be provided by the Commissioners for that Purpose, all Felons, and all loose, idle and disorderly Persons whom they shall find disturbing the public Peace, and whom they shall have good Reason to suspect of having committed or being about to commit any Felony, Misdemeanor, or Breach of the Peace, and all Persons whom they shall find between Sunset and the Hour of Eight in the Morning loitering in any Street, and not giving a satisfactory Account of themselves; and the Persons so arrested shall be taken, as soon as conveniently may be, before some Justice, to be examined and dealt with according to Law: Provided always, that no Person so arrested shall be detained in Custody by any Constable or other Officer longer than Forty Hours.

CCLVIII. And be it enacted, That every Constable or other Officer acting within the Limits of this Act who shall be guilty of any Neglect or Violation of his Duty as a Constable shall be liable to a Penalty of not less than Five Pounds, or, in the Discretion of the Justice before whom he may be convicted, may lawfully be imprisoned, with or without hard Labour, for any Time not exceeding One Month.

Penalty for Neglect of Duty.

CCLIX. And be it enacted, That whenever any Person charged with any Offence not amounting to Felony, and of which he shall be liable to be summarily convicted before a Justice, shall be, without the Warrant of a Justice, in the Custody of any Constable acting as aforesaid, it shall be lawful for the superintendent Constable of the District, or other the superior Officer of Police acting within the Limits of this Act, if he shall deem it prudent so to do, but in such Cases only in which the Offender cannot be conveniently taken before a Justice, to take the Recognizance of such Person, with or without Sureties, conditioned as herein-after mentioned.

Power to Constables to take Recognizances.

CCLX. And be it enacted, That every Recognizance so taken shall be taken without Fee or Reward, and shall be conditioned for the Appearance of the Person thereby bound before a Justice at a certain Day, not later than Seven Days from the Date of such Recognizance, and the Time and Place of such Appearance shall be specified in the Recognizance.

Form of Recognizances.

CCLXI. And be it enacted, That the Officer taking any such Recognizance shall enter in a Book to be kept for that Purpose the Name, Residence, and Occupation of the Party, and his 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 at the Time and Place when and where the Party is bound to appear; and every such Recognizance shall have the like Force and Effect as if the same had been taken before a Justice.

Recognizance to be registered, and returned to the Justice.

CCLXII. And be it enacted, That it shall be lawful for the Commissioners to allow any Constable or Officer such Gratuities and

Rewards to Constables.

[Local.]

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Rewards

Rewards for apprehending Felons and other Offenders as to them shall seem proper, and to defray the Expence of prosecuting any Felons or Offenders, and of defending any Constable or Officer in the Execution of his Duty, and to give such Rewards or Compensation to any Constable or Officer as may be disabled in the Execution of his Duty, or to any Constable appointed under this Act who shall be worn out by Length of Service, as the Commissioners shall think reasonable.

Penalties on
Persons
assaulting
Constables.

CCLXIII. And be it enacted, That every Person who shall assault or resist any Constable or Officer in the Execution of his Duty, or who shall aid or incite any Person so to assault or resist, shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or, in the Discretion of the Justice before whom he is convicted, may be imprisoned for any Term not exceeding One Month.

Penalty on
Victuallers
harbouring
Constables
during the
Time of
Duty.

CCLXIV. And be it enacted, That if any Victualler or Keeper of any Public House, or Persons licensed to sell Beer, Ale, Porter, Cider, or Perry, shall knowingly harbour or entertain or suffer to remain in his Public House or Place wherein he shall carry on his Business any Constable or Officer during any Part of the Time appointed for his being on Duty (unless such Constable or Officer shall be there for the Purpose of quelling any Disturbance or restoring Order or Peace in such House), such Victualler, Public House Keeper, or licensed Person so offending shall on Conviction forfeit for every such Offence a Sum not exceeding Twenty Shillings, together with the Costs of the Conviction.

Penalty on
Coffee Shop
Keepers
harbouring
disorderly
Persons.

CCLXV. And be it enacted, That every Person having or keeping a House, Shop, Room, Cellar, or Vault within the Limits of this Act, wherein ready-made Tea or Coffee, or Refreshments or Provisions of any Kind, shall be drunk, used, or consumed, (whether the same shall be kept or retailed therein, or brought or procured elsewhere,) who shall knowingly permit or suffer common Prostitutes, reputed Thieves, or drunken or idle and disorderly Persons to assemble at and continue in his House, Shop, Room, Cellar, or Vault, or to play at any Game with Cards or Dice therein, shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

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

CCLXVI. And be it enacted, That it shall be lawful for all Constables and Officers of Police at all Times to enter into any House, Shop, Room, Cellar, or Vault within the Limits of this Act 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 or Officer into such
House,

House, Shop, Room, Cellar, or Vault, or upon such Premises, every Person so offending shall for every such Offence forfeit a Sum not exceeding Forty Shillings.

CCLXVII. And in order to raise Money for carrying the several Purposes of this Act into execution, except sewerage, lighting, and general Purposes, be it enacted, That it shall be lawful for the said Commissioners, Once in every Year after the passing of this Act, to be computed from the Thirty-first Day of *March* in each Year, or oftener if they shall think it necessary, to make One or more equal Rate or Rates, Assessment or Assessments, upon the Occupiers of all Messuages, Buildings, Lands, Tenements, and Hereditaments whatsoever within the Limits of this Act which at the Time of passing this Act shall be by Law liable to be rated to the Repairs of the Highways within the said Limits, according to the annual Value thereof respectively, under the Name of the "Rate for Paving and Highway Purposes," to be signed by Three or more of the Commissioners, so as any such Rates or Assessments do not exceed in any One Year in the whole the Sum of Ten-pence in the Pound on such annual Value as aforesaid.

Power to
levy Rates for
Paving and
Highway
Purposes.

CCLXVIII. And be it enacted, That the Charges and Expences of Sewerage within the Limits of this Act shall be borne and paid by the Occupiers of all Houses, Messuages, Buildings, Tenements, and Hereditaments within the Limits of this Act, except as is herein-after mentioned, according to the annual Value thereof; and for that Purpose it shall be lawful for the said Commissioners, once in every Year, or oftener if it shall be necessary, to make an equal Rate or Assessment, under the Name of the "Rate for Sewering," to be signed by Three or more Commissioners, upon such Houses, Messuages, Buildings, Tenements, and Hereditaments, so as such Rates or Assessments do not exceed in any One Year the Sum of Four-pence in the Pound on such annual Value: Provided always, that no Person shall be rated to the said "Rate for Sewering" for or in respect of any Arable, Meadow, Pasture, or Wood Land, or of any Coal Mines, or of any Tithe or Composition in lieu of Tithe, within the Limits of this Act.

Power to
levy Rates for
Sewering.

CCLXIX. And be it enacted, That the Charges and Expences of lighting the said Streets and general Purposes shall be borne and paid by the Occupiers of all Messuages, Buildings, Lands, Tenements, and Hereditaments within the Limits of this Act, except as herein is mentioned, according to the annual Value of the same, and for that Purpose it shall be lawful for the said Commissioners, from Time to Time, as often as they shall think it necessary, to make an equal Rate or Assessment, under the Name of the "Rate for Lighting and General Purposes," to be signed by Three or more Commissioners, upon such Messuages, Buildings, Lands, Tenements, and Hereditaments within the said Limits, so as such Rates or Assessments do not exceed in any One Year the Sum of Seven-pence in the Pound on such annual Value, except as is herein-after provided: Provided always, that no Person shall be rated to the said "Rate for Lighting and General Purposes" for or in respect of any Arable, Meadow, Pasture, Wood Land, or any Coal Mines, or any Stable or Building used

Power to
levy Rates for
lighting and
general
Purposes.

used for the Purpose of Husbandry only, or of any Tithe or Composition in lieu of Tithes.

Exemptions
from Rates.

CCLXX. Provided always, and be it enacted, That no Person shall be rated to any Rate whatever, made in pursuance of this Act, for or in respect of any Church, Chapel, Meeting House, or other Building exclusively used for public Worship, or any Building exclusively used for the gratuitous Education of the Poor, or for the Purposes of public Charities, or any Building or Land belonging to the Commissioners.

Separate
Accounts to
be kept.

CCLXXI. And be it enacted, That separate Accounts shall be kept and published in manner herein mentioned of all Monies levied and collected under the Rates for "Lighting," and of all Monies levied and collected under the Rates for "Paving, Sewering, and General Purposes," and of the Application of the same respectively.

Rates not
payable when
Premises
unoccupied.

CCLXXII. And be it enacted, That no Person shall be liable to any Rate made in pursuance of this Act in respect of any House, Warehouse, Building, Land, or Tenement or other Property hereby made liable to any Rates under this Act (except any Arable, Meadow, Pasture, or Wood Land), during the Time the same shall be empty and unoccupied.

No Occupier
to be rated
whose House
is 100 Yards
from any
Lamp Post.

CCLXXIII. And be it enacted, That no Occupier of any House the Entrance whereof from the Street or Highway shall be at a greater Distance than One hundred Yards from any Lamp Post shall be liable to the Rate for Lighting under this Act.

Notice of
Rate to be
given.

CCLXXIV. And be it enacted, That no Rate to be made under the Authority of this Act shall be valid unless Notice of the Intention of making such Rate, and of the Time at which the same is 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 Commissioners by Advertisement Twice in some Newspaper printed or circulated within the Limits of this Act, immediately previous to such Rate being made, or as nearly so as may be.

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

CCLXXV. 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 refuse to 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.

Annual Rate
may be in-
creased by
Consent of a
General
Meeting of
Rate-payers.

CCLXXVI. And be it enacted, That if it shall at any Time appear that the said several Sums of Ten-pence, Four-pence, and Seven-pence in the Pound, or any of them, are or is not sufficient for the several Purposes aforesaid, it shall be lawful for the Commissioners, with the Consent of the Majority of Rate-payers assembled at the annual Meeting for the Settlement of Accounts, to increase the
Rates

Rates or any of them, so as the same do not in any One Year together exceed the Sum of Two Shillings and Sixpence in the Pound on such annual Value as aforesaid: Provided always, that Notice of the Intention of the Commissioners to make any such Increase shall be given by them One Month previous to such annual Meeting by Advertisement in some Newspaper printed or circulated within the Limits of this Act.

CCLXXVII. And be it enacted, That the several Rates made under this Act shall be vested in the Commissioners, and shall be payable at such Times as they shall direct to the Collectors to be appointed by them.

Rates to be vested in Commissioners.

CCLXXVIII. And be it enacted, That the annual Value of all Property rateable under this Act shall be ascertained according to the next preceding annual Assessment for the Relief of the Poor within the Limits of this Act, except in such Cases as are herein-after mentioned.

Value of Property to be according to Poor Rate.

CCLXXIX. And be it enacted, That it shall be lawful for the Commissioners, or for any Person by them authorized, from Time to Time to inspect the several Poor Rates for the several Townships of *Windle, Sutton, Parr, and Eccleston*, in the Parish of *Prescot*, and the Assessments by which the same are made, and to take Copies of or Extracts therefrom respectively; and if any Person having the Custody of such Rates or Assessments shall not suffer the Commissioners, 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.

Poor Rates to be open to Inspection by Commissioners.

CCLXXX. Provided always, and be it enacted, That if at any Time the Rate for the Relief of the Poor within the Limits of this Act shall in the Judgment of the Commissioners be an unfair Criterion by which the Rates or Assessments under this Act should be made, it shall be lawful for them to cause a Valuation to be made of all the rateable Property within the Limits of this Act, by some competent Person to be appointed by them for that Purpose, and the Rates or Assessments to be made by the Commissioners for the Purposes of this Act shall be made upon such Valuation.

If Poor Rate an unfair Criterion, a Valuation to be made.

CCLXXXI. And be it enacted, That before any such Valuation shall be made the Person appointed to make such Valuation shall make and subscribe a solemn Declaration to make such Valuation fairly and impartially according to the best of his Judgment; and an Entry or Minute shall be made in the Book of Proceedings of the Commissioners of the making and subscribing of such Declaration, and of the Date of making the same; and any Justice to whom Application may be made for that Purpose is hereby required to administer such Declaration.

Valuer to make a Declaration.

CCLXXXII. And be it enacted, That in every such Valuation the Property rateable under this Act shall be computed at its net annual Value.

Net annual Value.

[Local.]

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CCLXXXIII. And

Rate Books
to be Evi-
dence.

CCLXXXIII. And be it enacted, That the Books of Rates of the Commissioners, and all Entries made therein in manner by this Act directed, shall be received as Evidence of the Rates imposed by virtue of this Act.

Rates may
be amended.

CCLXXXIV. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to amend any Rate made by virtue of this Act, 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 have been rated, or by raising or reducing the Sum at which any Person shall have been rated, if it shall appear to them that such Person has been under-rated or over-rated, or by making such other Amendments therein as will make such Rate conformable to this Act; and no such Amendment shall be held to avoid the Rate: Provided always, that every Person who shall be aggrieved by any such Alteration shall have the same Right of Appeal therefrom 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 Rates shall be altered shall be entitled to Seven Days Notice of such Alteration before the Rate shall be payable by him.

Occupiers
may be rated
if they think
fit.

CCLXXXV. Provided always, and be it enacted, That it shall be lawful for the Occupiers of any rateable Property of which they shall be Tenants from Year to Year to demand to be assessed for the same, and to pay the Rates in respect thereof made under the Authority of this Act; and the Commissioners shall assess every such Occupier so long as he shall duly pay the said Rates.

Appeal to
Petty Ses-
sions on the
Ground of
Inequality
of Rates, &c.

CCLXXXVI. And be it enacted, That if any Person shall think himself aggrieved by any Rate, on the Ground of Inequality, Unfairness, or Incorrectness of the Valuation of any rateable Property included therein, he may appeal to the Justices acting in and for the Petty Sessions Division of *Prescot* at any Special Sessions which may be holden for the Purpose of determining any Appeals against the Poor Rates, but no such Appeal shall be entertained unless Notice of the Objection in Writing shall have been given to the Party appealed against Seven Days at least before the Day appointed for such Special Session.

Determina-
tion of Petty
Sessions to
be final un-
less appealed
from.

CCLXXXVII. And be it enacted, That the Justices assembled at any Special Sessions for which any such Notice of Appeal shall have been given, or at any Adjournment thereof, shall hear and determine all such Appeals; and the Determination of such Justices shall be final, unless the same be appealed from in manner herein-after mentioned: Provided always, that it shall not be lawful for the Justices in such Petty Special Sessions assembled to inquire into the Liability of any Property to be rated, but only into the true Value thereof, and the Fairness of the Amount at which the same may be rated; nor shall any Order of such Justices be of any Force pending an Appeal concerning the same Matter to the Court of General or Quarter Sessions, or in opposition to the Order of such Court upon any such Appeal.

CCLXXXVIII. And

CCLXXXVIII. And be it enacted, That if any Person shall think himself aggrieved by any Rate made under the Authority of this Act, or by any Matters included in or omitted from the same, or by any Determination of the Justices in Petty Sessions assembled, 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 Commissioners, but the same shall be adjourned to the next General Quarter Sessions; nor shall any Appeal against the Determination of the Justices in Petty Sessions assembled be entertained unless the Party appealing against such Determination shall, within Fourteen Days after the same shall have been made, give Notice in Writing of such Appeal, stating the Matter or Cause thereof, to the Party in whose Favour such Determination shall have been made, and within Five Days after such Notice shall enter into a Recognizance before some Justice, with sufficient Sureties, conditioned to try the same at the next General or Quarter Sessions, and to abide the Order of such Court, and to pay such Costs as shall be awarded at such General or Quarter Sessions, or any Adjournment thereof.

Parties may appeal to Quarter Sessions against Rate, &c.

CCLXXXIX. 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 Sessions, 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.

Court of Quarter Sessions to make such Order as they think reasonable.

CCXC. And be it enacted, That the Court of Quarter Sessions and the Justices in Petty Sessions assembled respectively shall, in any Appeal against any Rate made under the Authority of this Act, have the same Powers of amending or quashing such Rates as are by Law vested in them respectively for amending or quashing the Rates for the Relief of the Poor within their several Jurisdictions upon Appeals against such Rates, and shall likewise have respectively in any Appeal against any Rate made under the Authority of this Act the same Powers of awarding Costs to be paid by or to any of the Parties to an Appeal, and of recovering such Costs, as are now vested in them respectively for awarding and recovering Costs in an Appeal against any Rate for the Relief of the Poor within their several Jurisdictions.

On Appeal, Quarter Sessions and Petty Sessions to have same Power of amending, Rates, &c. and of awarding Costs, as in Appeals against Poor Rates.

CCXCI. And be it enacted, That the several Persons who at the Time of the passing of this Act shall be Surveyors of Highways for the said Townships of *Windle*, *Parr*, and *Eccleston* respectively shall and they are hereby empowered to proceed for the Recovery of any Highway Rate made in the said Townships respectively, and which shall then remain unpaid, in the same Manner as they might have done if this Act had not been passed, and shall apply the Money which they may so recover, in the first place, in reimbursing themselves

Surveyors of Highways may proceed for the Recovery of Ar-rears of Highway Rates.

selves any Costs and Expences which they may have incurred as such Surveyors as aforesaid, and in Payment and Discharge of any Debts which may be legally due and owing from them in respect of the Highways within the said Townships respectively; and the Surplus, if any, shall be handed over by them to the Treasurer to the said Commissioners, and shall be applied to the same Purposes as the Improvement Rate hereby authorized to be levied is directed to be applied.

Liability to Rates not to disqualify Witnesses or Justices.

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

Rates may be recovered by Distress.

CCXCIII. And be it enacted, That if any Person rated under the Authority of this Act shall not pay any of the said Rates due from him for the Space of Fourteen Days after Demand thereof in Writing by the Commissioners or their Collector, or any Justice shall, on the Application of the Commissioners 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.

CCXCIV. And be it enacted, That the Warrant of Distress for the Nonpayment of any Rate may include one Person or several Persons, and may be to the Effect mentioned in Schedule (G.) to this Act annexed.

Constables to assist in making Distress.

CCXCV. 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 Commissioners or Justices to remit Rate.

CCXCVI. Provided always, and be it enacted, That it shall be lawful for the Commissioners, or any Two Justices in Petty Sessions assembled, to reduce or remit the Payment of any Rate on account of the Poverty or Sickness of any Person liable to the Payment of the Rate.

Owners to pay the Rate in certain Cases.

CCXCVII. And be it enacted, That the Owners of all rateable Property within the Limits of this Act the yearly rateable Value whereof respectively shall not exceed Four Pounds, or which shall be let in separate Apartments, shall be rated to and pay the Rates by this Act directed to be made, instead of the Occupiers thereof.

Not necessary to name the Owner;

CCXCVIII. And be it enacted, That whenever the Name of any such Owner shall not be known to the Commissioners, or to the Person

Person making the Rates, it shall be sufficient to rate such Owner in the Rate Book of the Commissioners as the Owner of the Property to be rated by the Designation of the "Owner," without stating his Name. where unknown.

CCXCIX. And in order to prevent any Dispute touching the Word "Owner" for the Purposes of rating under the Authority of this Act, be it enacted, That the Person receiving the Rents of any rateable Property within the Limits of this Act from the Occupier thereof, on his own Account, or as Agent of any other Person, shall be deemed the "Owner" of the same for the Purposes of such rating. Receiver of Rents to be deemed the Owner.

CCC. Provided always, and be it enacted, That when any Owner shall be rated in respect of any rateable Property which shall be in the Occupation of a Tenant under any Lease or Agreement made prior to the passing of this Act, such Tenant shall repay to the Owner all Sums which shall be paid by the Owner on account of any Rates made under this Act during the Continuance of such Lease, unless it shall have been agreed that the Owner shall pay all Rates in respect of such Property. Tenants under existing Leases to repay the Owner.

CCCI. And be it enacted, That when the Owner of any rateable Property shall have been rated in respect thereof, and the Rate shall have been unpaid for Six Months, it shall be lawful for the Commissioners or their Collector to recover the Amount of such Rate from the Occupier of such rateable Property by the same Means as the same might have been recovered if such Occupier had been rated thereto: Provided always, that no Occupier shall be required to pay nor shall his Goods and Chattels be distrained for any further Sum than the Amount of Rent due from him at the Time when he shall have been required to pay, or of the issuing of the Warrant of Distress, unless he shall refuse to disclose the Amount of the Rent due from him, on Application being made to him for that Purpose. In default of Owner for Six Months, Occupier to pay.

CCCII. And be it enacted, That if the Amount of any Rate which under the Provisions herein-before contained ought to be borne by the Owner of any rateable Property shall be paid by the Occupier of such Property, or levied on his Goods and Chattels, the Owner shall reimburse the Occupier, and it shall be lawful for such Occupier to deduct the Sums paid or levied, together with the Costs of the Distress, if any, paid by him, from the Rent due or to become due from him to such Owner. Owner to repay the Occupier.

CCCIII. And be it enacted, That every Person who shall let his House in separate Apartments or ready furnished shall be rated as the Occupier thereof. Persons letting Lodgings, &c. to be rated as Occupiers.

CCCIV. 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 Commissioners or their Collector, on demand, it shall be lawful for any Justice of the Peace having Jurisdiction where such Remedy against Persons quitting before Payment of Rates.

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 to be apportioned on Holder quitting.

CCCV. And be it enacted, That when any Rate shall have been made for a particular Period, and the Owner or Occupier who shall be rated to such Rate shall cease to be the Owner or Occupier of the Property in respect whereof he shall be rated before the End of such Period, such Owner or 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 Owner or Occupier; and if any Person shall become the Owner or 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 proportioned to the Time during which he shall have held or occupied the Property so rated.

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

CCCVI. And be it enacted, That if any Property rateable under this Act 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 Commissioners 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 proportioned to the Time during which he shall occupy such Property.

Application of the Rates.

CCCVII. And be it enacted, That the Money which shall arise from the said Rates, and all Money for the Supply of Gas or Water, and all Monies arising from Tolls or Rents on the said Market, or other Money to be received by the Commissioners under this Act, shall be applied in the first place in Payment of the Interest of the Monies borrowed on Mortgage of the said Rates, and of the Annuities granted by virtue of this Act, and in the next place in repairing and keeping in repair the several Streets within the Limits of this Act, and afterwards in defraying the Expences of paving, cleansing, watering, draining, lighting, and watching the said Streets, and of improving the same, and carrying the several Purposes of this Act into execution, and in paying off the Principal Sums borrowed on the Credit of the Rates, in such Order as the Commissioners shall direct.

Damages to be ascertained with the Penalty.

CCCVIII. And be it enacted, That where any Damages or Charges are directed by this Act to be paid in addition to any Penalty for any Offence, the Amount of such Damages or Charges, in case of Nonpayment thereof, or of any Dispute concerning the same, shall be determined by the Justices before whom the Offender shall be convicted of such Offence, and shall be levied by Distress, and such Justices shall issue their Warrant accordingly.

Provision for Damages not otherwise provided for.

CCCIX. And for the Purpose of providing for the Recovery of any Compensation for any Land, or for any Injury to any Land or other

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 any Dispute about the same, be ascertained and determined by One or more Justices, and the same shall be levied by Distress.

CCCX. And for the Purpose of ascertaining and determining any such Compensation, Expences, Charges, or Damages, be it enacted, That any Justice of the Peace 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.

For ascertaining Compensation.

CCCXI. And with respect to any Money under the Provisions of this Act adjudged to be paid by the Commissioners, for which no other Mode of Proceeding is hereby prescribed, be it enacted, That if such Money be not paid by the Commissioners to the Party entitled to receive the same within Twenty-one Days after Demand thereof in Writing, stating the Order of the Justices for the Payment of such Money, the Amount shall be recovered by Distress of the Goods of the Commissioners, and if no sufficient Goods of the Commissioners can be found, by Distress of the Goods of the Treasurer of the Commissioners; 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.

If Money not paid by the Commissioners, it may be levied on the Treasurer.

CCCXII. 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 Commissioners coming into his Custody or Control, or to sue the Commissioners for the same, in the same Manner as other Parties are by this Act enabled to sue the said Commissioners.

Reimbursement of Treasurer.

CCCXIII. And for the Purpose of providing for the due Publication of all Penalties and Forfeitures exigible under this Act, or any Bye Law of the Commissioners affecting other Persons than the Officers or Servants of the Commissioners, be it enacted, That from Time to Time the Commissioners shall publish the short Particulars of the several Offences for which any such Penalty is imposed by this Act, and of the Amount of every such Penalty, and shall cause such Particulars to be painted on a Board, or printed upon Paper and pasted thereon, and shall cause such Board to be hung up or affixed on some conspicuous Part of the principal Place of Business of the Commissioners, and where any such Penalties are of local Application shall cause such Boards to be affixed in some conspicuous Place in the immediate Neighbourhood to which such Penalties are applicable

Publication of Penalties.

applicable or have reference; and such Particulars shall be renewed as often as the same or any Part thereof is obliterated or destroyed; and no such Penalty shall be recoverable unless it shall have been published and kept published in the Manner herein-before required.

Penalties to be summarily recovered before One or more Justices.

CCCXIV. 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, 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 One or more Justices; and on the Complaint being made to any such Justice he shall issue a Summons requiring the Party complained against to appear on a Day and 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 One or more Justices to proceed to the hearing of the Complaint, and that although no Information in Writing or in Print shall have been exhibited before them; 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 any One or more Justices 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 Justices shall think fit.

Penalties to be levied by Distress.

CCCXV. 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 or more Justices shall issue their Warrant of Distress accordingly.

Imprisonment in default of Distress.

CCCXVI. And be it enacted, That it shall be lawful for the Justices 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 the Justices, for his Appearance before them 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 Justices, by the Admission of the Offender or otherwise, that no sufficient Distress can be had whereon to levy such Penalty or Forfeiture and Costs, they may, if they 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 Justices, then such Justices 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.

CCCXVII. And

CCCXVII. 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 Justices by whom any such Penalty or Forfeiture shall be imposed shall award one Half thereof to the Informer, and the other Half to the Overseers of the Poor of the Parish in which the Offence shall have been committed, for the Benefit of the Poor of such Parish, or if the Place wherein the Offence shall have been committed shall be extra-parochial then such Justices shall direct such Half to be applied for the Benefit of the Poor of such extra-parochial Place or of any adjoining Parish or District, and shall order the same to be paid over to the proper Officer for that Purpose.

Application
of Penalties.

CCCXVIII. And be it enacted, That no Person shall be liable to the Payment of any Penalty or Forfeiture imposed by virtue of this Act 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.

Penalties to
be sued for
within Six
Months.

CCCXIX. And be it enacted, That it shall be lawful for any Justice to summon any Person to appear before him as a Witness in any Matter in which such Justice shall have Jurisdiction under the Provisions of this Act at a Time and Place mentioned in such Summons, and to administer to him an Oath to testify the Truth in such Matter; and if any Person who shall be summoned as a Witness before any Justice touching any Offence committed against this Act, or any Matter in which such Justice shall have Jurisdiction by the Provisions of this Act, shall without reasonable Excuse refuse or neglect to appear at the Time and Place appointed for that Purpose, having been paid or tendered a reasonable Sum for his Expences, or if any Person appearing shall refuse to be examined upon Oath or to give Evidence before such Justice, every Person shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Penalty on
Witnesses
making de-
fault.

CCCXX. And with respect to Offenders whose Names and Residences are not known, be it enacted, That any Officer or Agent of the Commissioners, and all Persons called by him to his Assistance, may seize and detain any Person who shall have committed any Offence against the Provisions of this Act, and whose Name and residence shall be unknown to such Officer or Agent, and may convey him with all convenient Despatch before some Justice, without any Warrant or other Authority than this Act, and such Justice shall proceed with all convenient Despatch to the hearing and determining of the Complaint against each Offender.

Transient
Offenders.

CCCXXI. And be it enacted, That the Justices before whom any Person shall be convicted of any Offence against this Act may cause the Conviction to be drawn up according to the Form in the Schedule (H.) to this Act annexed.

Form of Con-
viction.

CCCXXII. And be it enacted, That no Proceeding in pursuance of this Act shall be quashed or vacated for Want of Form, nor shall

Informalities.

[*Local.*]

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the

the same be removed by Certiorari or otherwise into any of the Superior Courts.

Distress how
to be levied.

CCCXXIII. 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 not
unlawful for
Want of
Form.

CCCXXIV. 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 Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* 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.

Parties may
appeal to
Quarter Ses-
sions on giv-
ing Security.

CCCXXV. And be it enacted, That if any Person shall think himself aggrieved by any Order, Determination, or Adjudication of any Justice, other than the Determination of any Justices in Petty Sessions assembled, in an Appeal against any Rate under the Authority of this Act, or of the Commissioners under the Provisions of this Act, he may appeal to the General Quarter Sessions, but no such Appeal shall be entertained unless it be made within Four Months 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.

Court to
make such
Order as
they think
reasonable.

CCCXXVI. 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.

Saving Rights
of the St.
Helens and
Runcorn Gap
Railway, the

CCCXXVII. Provided always, and be it enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in "The Saint Helens and Runcorn Gap Railway Company" in and

by the various Acts relating to the said Railway, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in "The Company of Proprietors of the *Sankey Canal*" in and by the various Acts relating to such Canal, or to prejudice, diminish, alter, or take away any of the Privileges, Powers, or Authorities vested in "The *Saint Helens Waterworks Company*" in and by an Act passed in the Sixth Year of the Reign of Her present Majesty, for better supplying with Water the Town of *Saint Helens*, or to prejudice, alter, or take away any of the Rights, Privileges, or Authorities of the Lord of the Manor of *Windle*, or of the Lord of the Manor of the Hamlet of *Hardshaw*.

Sankey Canal,
and the
St. Helens
Waterworks
Companies.

CCCXXVIII. 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,)

Interpreta-
tion of Act.

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 Word "Month" shall mean Calendar Month:

The Word "Person" 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 "Justice" shall mean any Justice of the Peace acting within the Limits of this Act:

The Words "General or Quarter Sessions" shall mean the General or Quarter Sessions of the Peace for the County of *Lancaster*:

The Word "Street" shall include any Square, Street, Court, or Alley, Highway, Lane, Road, Thoroughfare, or public Passage or Place within the Limits of this Act:

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

The Expression "the Commissioners" shall mean the Commissioners for the Time being acting by virtue of this Act.

CCCXXIX. 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 Mortgage Deed.

By virtue of an Act, passed _____ we, Three
of the Commissioners appointed by or _____ the said Act,
in consideration of the Sum of _____ paid to us by
of _____ for the Purposes of said Act, do grant and assign unto
the said _____ his Executors, Administrators, and Assigns, such
Proportion of the Tolls, Rates, or Assessments arising by virtue of
the said Act as the said Sum of _____ doth or shall bear to
the whole Sum which is or shall be bound upon the Credit of the
said Tolls, Rates, or Assessments, to hold to the said
his Executors, Administrators, and Assigns, from this _____ Day,
until the said Sum of _____ with Interest at _____ per
Centum per Annum for the same, shall be fully paid and satisfied.
In witness whereof we have hereunto set our Hands and Seals, this
Day of _____ One thousand eight hundred and _____ .

SCHEDULE (B.)

Form of Grant of Annuity.

By virtue of an Act, passed, &c., intituled _____ we,
being _____ of the Commissioners appointed by the said Act, in
consideration of the Sum of _____ paid by _____ do
grant unto the said _____ an Annuity or yearly Sum of _____
to be issuing out of the Rates, Tolls, and Assessments
arising by virtue of the said Act, to be paid to the said
during the Term of his natural Life [*or, as the Case may be,*] to the
said _____ his Executors, Administrators, or Assigns, during
the natural Life _____ [*or during the natural Lives*
and _____ and the Life of the Survivor], upon the
Day of _____ and the _____ Day of _____ in every
Year during his natural Life [*or, as the Case may be,*] during the
natural Life of the said _____ [*or of the said*
and _____ and the Survivor of them], the first _____ ment
thereof to be made upon the _____ Day of _____ next ensuing
the Date hereof. In witness whereof we have hereunto set our
Hands and Seals, this _____ Day of _____ One thousand
eight hundred and _____ .

SCHEDULE (C.)

Form of Transfer of Mortgage or Grant of Annuity.

I of in consideration of the Sum of
 paid to me by of do hereby transfer to the
 said his Executors, Administrators, and Assigns, a
 certain Mortgage, Number [or a certain Grant of Annuity,
 Number as the Case may be], made by the Commissioners
 for executing the [*Title of the Act*], to bearing Date
 the Day of for securing the Sum of
 and Interest [or for granting an Annuity of
 as the Case may be, or, if such Transfer be by Endorsement, the within
 Security], and all my Right, Estate, and Interest in and to the
 Money thereby secured [or the Annuity thereby granted], and in
 and to the Tolls, Money, and Property thereby assigned. In witness
 whereof I have hereunto set my Hand and Seal, this Day
 of One thousand eight hundred and

SCHEDULE (D.)

Form of Conveyance.

I of in consideration of the Sum of
 paid to me [or, as the Case may be,] into the Bank of *England* in the
 Name and with the Privity of the Accountant General of the Court
 of Chancery, *ex parte* "The *Saint Helens* Improvement Commis-
 sioners," or to A. B. of and C. D. of Two
 Trustees appointed to receive the same, pursuant to an Act passed in
 the Year of the Reign of Her Majesty Queen Victoria,
 intituled [here insert the *Title of the Act*], by the said Commissioners,
 do hereby convey to the said Commissioners, their Successors and
 Assigns, all [describing the Premises to be conveyed], together with
 all Ways, Rights, and Appurtenances thereto belonging, and all such
 Estate, Right, Title, and Interest in and to the same as I am or
 shall become seised or possessed of, or am by the said Act empowered
 to convey, to hold the Premises to the said Commissioners, their
 Successors and Assigns for ever, according to the true Intent and
 Meaning of the said Act. In witness whereof I have hereunto set
 my Hand and Seal, the Day of One thousand
 eight hundred and

SCHEDULE (E.)

Form of Conveyance on Chief Rent.

I of in consideration of the Rent-charge to
 be paid to me, my Heirs and Assigns, as herein-after mentioned, by
 "The *Saint Helens* Improvement Commissioners," do hereby convey
 to the said Commissioners, their Successors and Assigns, all [describ-
 ing the Premises to be conveyed], together with all Ways, Rights, and
 [Local.] 47 D Appurtenances

Appurtenances thereunto belonging, and all my Estate, Right, Title, and Interest in and to the same and every Part thereof, to hold the said Premises to the said Commissioners, their Successors and Assigns for ever, according to the true Intent and Meaning of an Act passed, &c., intituled, &c., they the said Commissioners, their Successors and Assigns, yielding and paying unto me, my Heirs and Assigns, One clear yearly Rent of _____ by equal quarterly [*or half-yearly, as agreed upon,*] Portions henceforth on the [*stating the Days*], clear of all Taxes and Deductions. In witness whereof I have hereunto set my Hand and Seal, this _____ Day of _____ in the Year of our Lord _____

SCHEDULE (F.)

Tolls payable.

FOR every covered and uncovered Shed, Stall, Bulk, Block, Trestle, Standing Place, or Station used by any Person for exposing to Sale Flesh, Meat, Cheese, Bacon, Pickled Pork, Fish, or any other live or dead Victuals, Fruit, Glass, Earthenware, or other Goods, Article, Commodity, or Thing whatsoever (except as herein otherwise specifically charged), the following Tolls per Day shall be taken :

Not exceeding Six Feet by Five Feet, Sixpence :

Not exceeding Nine Feet by Five Feet, Nine-pence :

Not exceeding Twelve Feet by Five Feet, One Shilling ; and for every Three Feet above, for Stations, only One Penny Halfpenny in addition :

On uncovered Stalls the same Excess of Tolls for an Increase of Width beyond Five Feet as in the Case of covered Stalls.

Carts :

For every Cart used by any Person for exposing or in which shall be exposed to Sale any Article, Commodity, or Thing, the following Tolls per Day :

If drawn by One Horse, Nine-pence ; by Two Horses, One Shilling :

Waggons used for the like Purpose, One Shilling and Nine-pence per Day :

If drawn by One Ass, Sixpence ; by Two Asses, Nine-pence.

Butter :

For every Basket, Parcel, or Quantity of Butter not exceeding Twelve Pounds Weight, One Penny per Day :

For each additional Six Pounds Weight, One Penny per Day.

Poultry and Pigs :

For Poultry, including Fowls, Chickens, and Ducks, Wild Fowls, Pigeons, and Rabbits ; (*videlicet,*)

Not exceeding Three Couple, One Penny per Day :

For each additional Three Couple, One Penny per Day :

For every Turkey, Goose, Hog, or Pig, One Penny per Day :

Eggs :

Eggs:

For every Basket, Parcel, or Quantity of Eggs under Two Dozen, One Halfpenny:

For each additional Dozen, One Halfpenny.

Weighing and Measuring:

For weighing every Piece of Meat or Thing weighing not more than Twenty Pounds Avoirdupois, One Halfpenny:

For weighing every Piece of Meat or Thing weighing more than Twenty Pounds and not exceeding One hundred Pounds, One Penny:

And so in proportion for any greater or smaller Quantity than One hundred Pounds Weight over and above One hundred Pounds Weight:

For measuring every Quantity of Goods and Things sold by Measure not exceeding One Bushel, One Halfpenny:

For measuring every Quantity more than a Bushel and not exceeding Two Bushels, One Penny:

And for every Bushel beyond Two Bushels, One Halfpenny.

Weighing Machines:

For weighing any Cart, Waggon, or other Carriage not exceeding One Ton, Three-pence:

And so in proportion for any greater or smaller Weight than One Ton.

General Tolls:

For every Basket, Hamper, Parcel, or Quantity of any other Goods, Commodity, Article, or Thing exposed or offered for Sale there, not before specifically charged or enumerated, or falling within any of the preceding Heads; (that is to say,)

Not containing more than One Bushel, One Penny:

Every additional Half Bushel, One Halfpenny.

 SCHEDULE (G.)
Form of Warrant of Distress.

to wit. } To One of the Collectors of the
 } Rates under 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 _____ have been duly rated in or are liable to the Payment of a Rate made on the _____ Day of _____ under the Authority of the said Act, and there are now due from them respectively the several Sums of Money against their Names herein-after 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 _____ 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 forthwith to levy the said several Sums due as herein-before mentioned by Distress and Sale

Sale of the respective Goods and Chattels of the Persons aforesaid, rendering to them respectively the Overplus (if any), the reasonable Charges of such Summons, Warrant, Distress, and Sale being first deducted; and if no sufficient Distress can be had and taken, then that you certify the same to me, to the end that such further Proceedings may be had as the Law doth authorize and direct: And I do hereby strictly charge and command all and singular the Constables respectively to be aiding and assisting in all Things relating to the Premises. Given under my Hand and Seal, this Day of A.D. 18

	Sums due.		
	£	s.	d.
<i>A. B.</i>	-	-	-
<i>C. D.</i>	-	-	-

SCHEDULE (H.)

Form of Conviction.

to wit. } BE it remembered, That on the Day of
 us, *C. D.* and *E. F.*, Two of Her Majesty's Justices of the Peace for
 the County of [*here describe the Offence generally, and the Time and Place when and where committed*], contrary to an Act passed in the
 Year of the Reign of Queen Victoria, intituled "An Act"
 [*here insert the Title of this Act*]. Given under our Hands and
 Seals, the Day and Year first above written.

E. D.
E. F.

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