



ANNO PRIMO

# VICTORIÆ REGINÆ.

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## Cap. xcvi.

An Act for altering, amending, improving, and extending the Provisions of certain Acts of Parliament relating to the Town of *Liverpool* in the County Palatine of *Lancaster*. [3d July 1837.]

**W**HEREAS an Act was passed in the First Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for reviving, extending, and varying the Powers of an Act passed in the Twenty-sixth Year of His late Majesty King George the Third, for making and widening certain Streets, Passages, and Places in the Town of Liverpool in the County Palatine of Lancaster, and for several other Purposes in the said Act mentioned, and also for further improving the said Town*: And whereas an Act was passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for the better Regulation of Buildings in the Town of Liverpool in the County Palatine of Lancaster, and for authorizing the making of Bye Laws, Rules, and Regulations for Vessels frequenting the Docks, Basins, and Quays belonging to the Corporation there*: And whereas an Act was passed in the Seventh Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for widening and improving certain Streets in the Town of Liverpool in the County Palatine of Lancaster, for the further Prevention of Nuisances and Annoyances in the said Town, for the Regulation of Weighing Machines, Weights, and Measures, and the Establishment of a Fire Police therein*: And whereas an Act was

[Local.] 39 O passed

1 G. 4. c. 13.  
6 G. 4. c. 75.  
7 G. 4. c. 57.



5 & 6 W. 4.  
c. 54.

passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for altering, amending, and extending the Powers and Provisions of an Act of the Sixth Year of His late Majesty King George the Fourth, for Regulation of Buildings in the Town of Liverpool, and for the other Purposes therein mentioned, and for granting further and additional Powers for the Improvement and Regulation of the said Town, and the Preservation of Property therein from Fires and otherwise*: And whereas an Act was

6 & 7 W. 4.  
c. 93.

passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for extending and improving the Maintenance of the Fire Police in the Borough of Liverpool*: And whereas it would be a great Advantage to the Inhabitants of the said Town if the said Acts were altered and their several Provisions further amended, and if the Provisions so altered and further amended were extended to the new Municipal Boundary of the said Borough of *Liverpool*, as the same was extended by an Act

5 & 6 W. 4.  
c. 76.

passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in England and Wales*; but the same cannot be done without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of

Recited Acts  
extended.

the same, That the said recited Acts, and all the Powers, Authorities, Provisions, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Clauses, Matters, and Things therein respectively contained, (except such of them as have been altered, varied, or repealed by any of the said recited Acts, or by any Public General Act, or as may be altered, varied, or repealed by this Act, and except as herein-after is expressly provided,) and all the Powers by an Act of the Sixth and Seventh Years of His late Majesty King

6 & 7 W. 4.  
c. 105.

*William* the Fourth, intituled *An Act for the better Administration of Justice in certain Boroughs*, given to the Council of the said Borough of doing at some Quarterly Meeting of the Council, or by some Committee of the said Council, or any Three or more of such Committee, to be appointed as in the said Act mentioned, every thing provided by the said Local Acts to be done by the Justices at some Court of General or Quarter Sessions assembled, and which does not relate to the Business of a Court of Criminal or Civil Judicature, shall extend and be deemed and construed to extend to and be in full Force and Operation throughout the whole of the said Borough, as extended, fixed, and determined by the said Act to provide for the Regulation of Municipal Corporations in *England and Wales*, in the same Manner, to all Intents and Purposes, as if the whole of the said Borough, as the same has since been so extended, fixed, and determined as aforesaid, had actually and by express Words been included within the Limits and Operation of each of the said recited Acts; and the several Powers, Authorities, Provisions, Directions, Penalties, Forfeitures, Payments, Exemptions, Remedies, Regulations, Clauses, Matters, and Things in the said recited Acts or any of them contained, except as aforesaid, shall extend and be construed to extend to this Act, and shall operate and be in force with respect to this Act

as



as fully and effectually, to all Intents and Purposes whatsoever, as if the same were repeated and re-enacted in the Body of this Act, and the said recited Acts and this Act shall be construed together as one Act.

II. And whereas by the said Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the better Administration of Justice in certain Boroughs*, the Power to make Rules, Orders, and Bye Laws, and for making any Alterations therein or Additions thereto, under and by virtue of the said recited Act of the First Year of the Reign of His late Majesty King *George* the Fourth, is now vested in the Council of the Borough of *Liverpool*; now be it enacted, That so much of the said recited Act of the First Year of the Reign of His late Majesty King *George* the Fourth as directs that Copies of all such Rules, Orders, and Bye Laws shall be written or printed in large Characters, and be affixed and continued on the Town Hall and on some conspicuous Place in every such Slaughterhouse, and renewed as often as the same shall be obliterated or defaced, shall be and the same is hereby repealed: And be it enacted, that no such Rule, Order, or Bye Law shall be of any Force until the Expiration of Forty Days after the same or a Copy thereof shall have been sent, sealed with the Seal of the said Borough, to One of Her Majesty's Principal Secretaries of State, and shall have been published once in Two of the *Liverpool* Newspapers; and if at any Time within the said Period of Forty Days Her Majesty, with the Advice of Her Privy Council, shall disallow the same Rule, Order, or Bye Law, or any Part thereof, such Rule, Order, or Bye Law, or the Part thereof disallowed, shall not come into operation: Provided also, that it shall be lawful for Her Majesty, if She shall think fit, at any Time within the said Period of Forty Days to enlarge the Time within which such Rule, Order, or Bye Law, if disallowed, shall not come into force, and no such Rule, Order, or Bye Law shall in that Case come into force until after the Expiration of such enlarged Time; provided that a Copy of any such Rules, Orders, or Bye Laws, under the Seal of the Mayor, Aldermen, and Burgesses, with a Declaration thereon, signed by the Mayor of the said Borough, that the same have been sent sealed as aforesaid to One of Her Majesty's Principal Secretaries of State, and published in Two of the *Liverpool* Newspapers aforesaid, shall be received as Evidence of such Rules, Orders, or Bye Laws, and of the sending and publishing thereof as aforesaid, in all Courts of Law and Equity, and before all Justices: And be it enacted, that all such Rules, Orders, and Bye Laws shall be printed, and a Copy thereof shall be affixed and continued in the Police Office of the Borough of *Liverpool*, and Copies thereof shall be delivered to any Owner or Occupier of any Slaughterhouse in the said Borough who may apply for the same.

6 & 7 W. 4.  
c. 105.

1 G. 4. c. 13.  
repealed in  
part.

Regulating  
the making  
of Bye Laws  
under the  
said Act.

Bye Laws to  
be printed,  
&c.

III. And whereas an Act was passed in the Twenty-first Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for the building a Church in the Town of Liverpool in the County Palatine of Lancaster, and for the enlightening and cleansing the Streets of the said Town, and for keeping and maintaining a nightly Watch*

21 G. 2. c. 24.



*Watch there:* And whereas by the said recited Act of the Twenty-first Year of the Reign of King *George* the Second certain Commissioners were empowered to cause a Rate or Rates to be levied for the Purposes of the said Act on the Owners and Occupiers of any Messuages, Houses, Shops, Warehouses, Malhouses, Granaries, Buildings, and Yards situate, lying, and being within the said Town of *Liverpool*, for the Purpose among other Things of lighting and watching and cleansing the said Town: And whereas by the said recited Act of the Seventh Year of the Reign of King *George* the Fourth certain Commissioners were empowered, by and out of any Monies which might be received by them from any Directors of Fire Offices who might be disposed to contribute to the Establishment, and by and out of an annual Rate not exceeding One Halfpenny in the Pound, which Rate the said Commissioners were thereby authorized to raise upon all Property by Law rateable to the Relief and Employment of the Poor of the Parish of *Liverpool*, to pay the annual Rent therein mentioned, and all Costs, Charges, and Expences to be incurred from Time to Time in the Maintenance and Establishment of the Fire Police: And whereas by the said recited Act of the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth the Powers and Provisions of the said last-mentioned Act for the Maintenance of the said Fire Police were extended and improved: And whereas by the said Act to provide for the Regulation of Municipal Corporations in *England* and *Wales*, after reciting that it might be expedient that the Powers then vested in the Trustees appointed under sundry Acts of Parliament for paving, lighting, cleansing, watching, regulating, supplying with Water, and improving certain Boroughs or certain Parts thereof, should be transferred to and vested in the Councils of such Boroughs respectively; and it was enacted, "that the Trustees appointed by virtue of any such Act of Parliament as last aforesaid, wherein the Trustees or the Persons whose Trustees they might be were not beneficially interested, might, if it should seem to them expedient, at a Meeting to be called for that Purpose, transfer in Writing under their Hands and Seals all the Powers vested in them as such Trustees by any such Act or Acts of Parliament as aforesaid to the said Body Corporate of such Borough; and the said Body Corporate of such Borough should thenceforth be Trustee for executing, by the Council of such Borough, the several Powers and Provisions of any such Act or Acts of Parliament, and the Members of the Council should have the same Powers and be subject to the same Duties as if their Names had been originally inserted in such Act or Acts, or as if they had been elected under the Provisions of any such Act or Acts as such Trustees respectively:" And whereas under the Authority of the said last-mentioned Act the Commissioners appointed under and by virtue of the said recited Act of the Twenty-first Year of the Reign of King *George* the Second, at a Meeting duly called and held for that Purpose, did transfer in Writing under their Hands and Seals all the Powers vested in them as such Commissioners under the said Acts to the Body Corporate of the said Borough: And whereas under the Authority of the said Act to provide for the Regulation of Municipal Corporations in *England* and *Wales* the Commissioners appointed under and by virtue of the said Act of the Seventh Year



of the Reign of *George* the Fourth, at a Meeting duly called and held for that Purpose, did in like Manner transfer all Powers for the Management, establishing, and maintaining a Fire Police, vested in them as such Commissioners to the Body Corporate of the said Borough: And whereas by the said Act to provide for the Regulation of Municipal Corporations in *England* and *Wales* it was enacted, that it should be lawful for the Council of any Borough in any Part of which there might be a Local Act for the lighting thereof to make an Order that any Part of such Borough not being within the Provisions of any Local Act for the lighting thereof should, from and after a certain Day to be named in such Order, be taken to be within the Provisions of such Local Act or Acts for lighting any Part of such Borough as the Council should specify in such Order, and after such Day the Part named in such Order should be within the Provisions of the Act or Acts so specified so far as relates to lighting, or to any Rates authorized to be levied for the Purpose of lighting, as fully as if such Part had been originally named in such Act or Acts: And whereas, by an Order of the Council of the said Borough made under and by virtue of the said Act, the said Council did order that every Part of the said Borough, as the same was then extended and enlarged, which was not within the Provisions of certain Local Acts for the lighting of the said Borough, should, from and after a Day therein mentioned, be and be taken to be within the Provisions of such Acts: And whereas so much of the said Act of the Twenty-first Year of the Reign of His late Majesty King *George* the Second as relates to the Appointment, Regulation, Powers, and Duties, or to the Assessment or Collection of any Rate to provide for the Expenses of any Watchmen, Constables, Patrol, or Police, has, under the said Act to provide for the Regulation of Municipal Corporations in *England* and *Wales*, ceased and is determined: And whereas it is expedient that the said Council, and also upon Appeal the Court of Quarter Sessions to which such Appeals shall be made, shall be enabled to amend Rates and Assessments under the said Act of the Twenty-first Year of the Reign of His late Majesty King *George* the Second, or under the said Act of the Seventh Year of His late Majesty King *George* the Fourth; be it enacted, That whenever it shall appear to the said Council that there has been any Omission or Error in any Rate or Assessment under the said Act of the Twenty-first Year of the Reign of His late Majesty King *George* the Second, or under the said Act of the Seventh Year of His late Majesty King *George* the Fourth, to which any Person or Property may have been liable to be rated, it shall and may be lawful for the said Council to rate and assess in the said Rate or Assessment such Person or Property so omitted to be rated and assessed; and it shall and may be lawful for the said Council and they are hereby empowered to strike out the Name or Names of any Person or Persons not liable to the Payment of the Rates authorized to be made under either of the said Acts; and all such Additions to or Alterations or Amendments in such Rates or Assessments shall be as valid and effectual as if the same had been Part of the Rates or Assessments originally made.

Order of Council that the Borough as extended be within the Provisions of the Lighting Acts.

Council may amend Rates.

IV. And be it enacted, That upon all Appeals from any Rate or other Assessment in pursuance of either of the said Acts the Court

[Local.]

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On Appeal from Rate of the Quarter

Sessions may amend without quashing it, or may quash it and order a new one to be made.

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

For preventing Persons evading the Payment of Tolls and Stallage.

59 G. 3. c. 9.

V. And whereas the said Mayor, Aldermen, and Burgesses are authorized and empowered, under a certain Act passed in the Fifty-ninth Year of George the Third, and intituled *An Act for abolishing the Payment of certain Tolls called Ingates and Outgates, collected at the several Entrances into the Town of Liverpool in the County of Lancaster, and of certain Tolls and Stallage now payable in the Markets and Fairs there, and for granting other Tolls and Stallage in lieu thereof, and for the better Regulation of the said Markets and Fairs*, to demand, receive, and take of and from all and every Person and Persons (except as in the said Act is excepted) exposing for Sale any Article, Matter, or Thing in any of the Markets then or thereafter to be established within the said Town, or in the Two ancient Fairs held within the said Town, certain Tolls and Stallage in the said Act mentioned: And whereas there is Reason to believe that the Payment of the said Tolls and Stallage is evaded; be it therefore enacted, That if any Person liable to pay the said Tolls or Stallage shall by any Means whatsoever at any Time or Times evade the Payment of the said Tolls or Stallage, or any Part thereof, every such Person evading Payment as aforesaid shall be adjudged to pay the Amount thereof by a Justice or Justices of the Peace for the said Borough, and shall forfeit and pay, over and besides such Tolls or Stallage, a Sum of Money equal to the said Tolls or Stallage so evaded; and over and above and in addition to the said Forfeiture every such Person so evading Payment as aforesaid shall forfeit and pay a Sum not exceeding Forty Shillings; and the said Tolls or Stallage, together with the said Forfeiture and Penalty, shall be recovered and levied from such Person by Distress and Sale of the Goods and Chattels of such Person by Warrant under the Hand and Seal of such Justice in the Manner herein-after mentioned.

Power to pay the Justices Clerks by Salaries instead of Fees.

Fees received by such Clerk to be paid to the Treasurer.

VI. And whereas it is expedient that the Clerks to the Justices of the said Borough should be paid by Salaries instead of Fees; be it therefore enacted, That it shall be lawful for the Council of the said Borough to fix and pay from Time to Time fit and proper Salaries to the present or future Clerk or Clerks to the Justices of the said Borough; and that all Fees now payable to or received by or which would be henceforth payable to such Clerk or Clerks shall be collected and paid over once in every Month by such Clerk or Clerks to the Treasurer of the said Borough; and if the Amount of the Fees to be so paid to the Treasurer shall exceed the said Salary or Salaries it shall be lawful for the said Council to order from Time to Time a



Portion of such Excess (not exceeding One hundred and fifty Pounds *per Annum*), to be paid to the Mayor and Stipendiary Magistrate for the Time being, to be applied to the Relief of indigent Persons, and to be deposited and kept as herein-after mentioned: And whereas there is now at the Disposal of the said Justices a small Sum applicable to the Relief of poor Persons; be it enacted, That immediately from and after the passing of this Act the said last-mentioned Sum, and all Sums which shall from Time to Time be ordered by the said Council to be paid as before mentioned, shall be deposited and kept in some Bank to be named by a Majority of the said Justices present at any Meeting to be held by them after the passing of this Act, and shall be called "The Borough Justices Poor Fund;" and that it shall be lawful for any Two Justices of the said Borough (One of whom shall be the Mayor or Stipendiary Magistrate of the said Borough for the Time being), by an Order under their Hands to authorize the Payment at such Bank from Time to Time of any Part of such Fund for the Purpose of being applied to the Relief of such poor Persons as they shall deem fit Objects of Charity.

Application of Excess of Fees over Salaries.

The Borough Justices Poor Fund.

VII. And be it enacted, That it shall not be lawful for the said Council to appoint any Person who may be appointed to act as Clerk to the Justices of the said Borough, or the Partner of any such Clerk, or the Clerk or any other Person in the Service or Employ of any such Clerk or of his Partner, the Treasurer of the said Borough, or for the said Justices to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any other Person in the Service or Employ of any such Treasurer or of his Partner, Clerk to the said Justices; and if any Person shall act in both Capacities of such Clerk or Treasurer, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner, shall act as Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer, or the Clerk or other Person in the Service or Employ of the Partner of such Treasurer, shall act as Clerk to the said Justices, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, together with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, or Court of Common Pleas at *Lancaster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

The same Person not to be Clerk and Treasurer.

VIII. And whereas by the said recited Act, passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, the Court of Quarter Sessions to be holden in the said Borough was empowered to nominate and appoint certain discreet Persons skilled in the Art of Building to be Surveyors of Buildings in the said Town: And whereas by an Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the better Administration of Justice in certain Boroughs,*

To amend Power of the Council to appoint Building Surveyors.

6 & 7 W. 4. it c. 105.



it was enacted, that every thing provided to be done exclusively by the Justices of any Borough at some Court of General or Quarter Sessions assembled, and which did not relate to the Business of a Court of Criminal or Civil Judicature, should and might be done by the Council of any Borough at some Quarterly Meeting of the said Council, or by some Committee of the said Council, or any Three or more of such Committee to be appointed at a Quarterly Meeting of the said Council; be it therefore enacted, That from and after the passing of this Act it shall be lawful for the Council of the said Borough to nominate and appoint One or more such and so many discreet Persons skilled in the Art of Building, and with or without Assistants or Power to appoint the same, as they the said Council shall think fit, to be Surveyors of Buildings in the said Borough, and to see that the several Provisions and Regulations of the said recited Acts are well and truly observed in and throughout the said Borough (they the said Surveyors of Buildings so to be nominated and appointed as aforesaid not being Surveyors of the Mayor, Aldermen, and Burgesses of *Liverpool*); provided that the said Surveyors so to be appointed in lieu of the Oath directed to be taken by the said Act of the Sixth Year of the Reign of His late Majesty King *George the Fourth* by Persons appointed to be Surveyors of Buildings, shall make and subscribe before the Mayor of the said Borough a Declaration in the Words or to the Effect following:

Such Surveyors to make a Declaration.

‘ I *A.B.*, being one of the Surveyors [*or the Surveyor*] of Buildings appointed in pursuance of an Act of Parliament passed in the First Year of the Reign of Queen *Victoria*, intituled *An Act [here set forth the Title of the Act]*, do declare that I will diligently, impartially, and faithfully execute the said Office of Surveyor of Buildings, and to the utmost of my Abilities endeavour to cause to be strictly observed the Provisions and Regulations prescribed in the Acts passed in the Sixth Year of the Reign of King *George the Fourth*, and Fifth and Sixth Years of the Reign of King *William the Fourth*, for the Regulation of Buildings in the Town of *Liverpool*, and that without Favour or Affection, Prejudice or Malice, to any Person or Persons whomsoever.’

And the said Surveyors shall hold their several Offices during the Pleasure of the said Council; and the said Council shall have Power and Authority to fix the Districts in which the said Surveyors are to act within the said Borough, and to do all Matters and Things relating in anywise to the Appointment and Direction of such Surveyors as is in the same Act directed to be done in that Part of the Borough which constituted the Borough before the passing of the said Act for the Regulation of Municipal Corporations in *England* and *Wales* by the Court of Quarter Sessions held in the said Borough, or any Adjournment thereof; and the said Council are hereby authorized and required to provide an Office for the Use of the said Surveyors in some central Place within the said Borough; and all Notices required by the said recited Acts or any of them to be left at the Place of Abode of any Surveyor after such Office as aforesaid shall have been provided, and due Notice thereof given in Two or more Newspapers of the said Town, may be left at the said Office.

IX. And



IX. And whereas it hath happened and may happen that some of the Houses, Buildings, and Tenements in several Parts of the said Borough are sometimes in so ruinous a Condition that Passengers passing by the same 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 from and after the passing of this Act, if any Presentment shall be made by any Inquest or Grand Jury at any Quarter Sessions to be held in and for the said Borough that any House, Houses, or Tenements in the said Borough is, are, or shall be in such ruinous Condition as aforesaid, it shall be lawful for the Council of the said Borough and they are hereby required, on Notice of any such Presentment being given, and on a Copy thereof being laid before them, to cause with all convenient Speed then afterwards a proper and sufficient Fence to be put up to guard all such ruinous Houses, Buildings, and Tenements from the public Street, and to cause Notice in Writing to be given to the Owner or Owners, or other Person or Persons interested therein, if he, she, or they can be found in the said Borough, and if not, to cause such Notice in Writing to be left at or fixed upon the said Premises, to repair the same or to take down such Buildings, as the Case shall require, within the Space of Twenty Days then next ensuing; and if such Owner or Owners, or other Person or Persons interested in any such House, Houses, or Tenements, shall not repair or take down the same within the said Space of Twenty Days after any such Notice as aforesaid shall be given or left as aforesaid, then and in such Case the Council are hereby authorized and required with all convenient Speed then afterwards to order and cause all or so much of such House, Houses, Buildings, or Tenements as are or shall be in such ruinous Condition, and likely to be dangerous to Passengers passing by the same, 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 and securing all or so much of such ruinous House, Houses, Buildings, or Tenements as shall be necessary to be taken down or made secure for the Safety of Passengers passing that Way, shall from Time to Time be paid by the Owner or Owners of such House, Houses, or Tenements, if known, and he, she, or they can be met with within the said Borough; and if such Owner or Owners shall, on Demand thereof, neglect or refuse to pay the same, then such Charges may, by Warrant under the Hands and Seals of One or more of the Justice or Justices of the Peace for the said Borough, be levied by Distress and Sale of the Goods and Chattels of such Owner or Owners, if any such can be found in the said Borough, and if no such Owner or Owners can be met with in the said Borough, or sufficient Distress of his, her, or their Goods or Chattels cannot be met with wherefrom such Costs and Charges may be levied, then and in every such Case the Person or Persons who shall at any Time thereafter occupy any such House, Houses, Buildings, or Tenements, or the Ground whereon the same stood, is and are hereby required and authorized to pay the same, and to deduct the same out of the Rent thereof; provided that no Occupier shall be liable to pay more than what he can lawfully deduct from such Rent; and if he, she, or they shall neglect or

The Corporation empowered to fence round or take down such Buildings as shall be presented as Nuisances, and to reimburse themselves the Expence.



refuse to pay such Charges, then the same shall, by Warrant under the Hands and Seals of any such Justice or Justices as aforesaid, be levied by Distress of the Goods and Chattels of any such Occupier or Occupiers, in manner as other Penalties are by this Act directed to be made, together with the Costs of every such Distress and Sale; and the Landlord and Landlords of the Premises is and are hereby required to allow every such Occupier and Occupiers all such Charges which he, she, or they shall so pay, or which shall be levied by Distress from him, her, or them as aforesaid, upon Receipt of the respective Rents; and every Occupier paying any such Charges shall be acquitted and discharged for so much Money as he or they shall so pay, as if the same had been actually paid to such Person or Persons to whom his or their Rent should have been due or payable; and such Money as the same shall from Time to Time be received and levied shall be paid to the Treasurer of the said Corporation, and be by him from Time to Time placed to the Credit of the said Corporation, to reimburse the Costs and Charges in the Premises.

Assessor empowered to make Rules for Delivery of Pleadings. 6 & 7 W. 4. c. 135.

X. And whereas by an Act passed in the Sixth and Seventh Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend and render more effectual an Act passed in the Fourth and Fifth Year of the Reign of His present Majesty, intituled 'An Act for amending the Proceedings and Practice of the Court of Passage of the Borough of Liverpool in the County Palatine of Lancaster,' and to repeal an Act passed in the Twenty-fifth Year of His late Majesty King George the Second, intituled 'An Act for the more easy and speedy Recovery of Small Debts in the Town and Port of Liverpool, and Liberties thereof, in the County Palatine of Lancaster,' and to give further Power for the Recovery of Small Debts within the Borough of Liverpool, Power was given to the Assessor of the said Court of Passage from Time to Time to make Rules and Regulations concerning the Practice of the said Court in personal Actions and in Actions of Ejectment: And whereas Doubts have been entertained whether such Powers extend to the making Rules and Regulations for pleading in the said Court being delivered instead of being filed, as hath heretofore been the Practice in the said Court: And whereas it is expedient that the said Power should be so extended; be it therefore enacted, That it shall be lawful for the said Assessor, if he think fit, and he is hereby empowered, to make Rules and Regulations directing Pleadings in such Cases as he shall think proper to be delivered instead of being filed, and to direct the Times and Days when such Pleadings shall be delivered; and such Pleadings when delivered in such Cases shall be as binding and shall have the same Effect as if filed in open Court on a Court Day; and no Proceeding in the said Court, nor any Record thereof, shall in any way be impeached, vitiated, or reversed by reason of its appearing that any Pleading was not filed, or that any such Proceeding as aforesaid took place on a Day not being a Court Day; and the Business of the said Court may go on from Day to Day in the same Manner with respect to the Delivery of Pleadings as in the Session Courts, without reference to any Court Day or Court Days.*

XI. And



XI. And be it enacted, That the Registrar of the said Court of Passage may, without the Presence of the Mayor or Aldermen, hold the weekly and monthly Courts, and transact all other Business of the said Court of Passage; provided that nothing herein contained shall extend to the Trial of Issues in Law or in Fact joined in the said Court, or to any other Matter now requiring the Presence of the said Assessor.

Registrar of Court of Passage may hold Courts.

XII. And be it enacted, That it shall be lawful for the Defendant in all personal Actions pending in the said Court (except Actions for Assault and Battery, false Imprisonment, Libel, Slander, malicious Arrest or Prosecution, Criminal Conversation, or debauching of the Plaintiff's Daughter or Servant,) by Leave of the said Court or of the Assessor or Registrar of the said Court, to pay into Court a Sum of Money by way of Compensation or Amends, in such Manner and under such Regulations as to the Payment of Costs and the Form of pleading as the said Assessor shall, by any Rule or Order by him to be from Time to Time made, order and direct.

Defendant to be allowed to pay Money into Court in certain Cases by Leave of Court, &c.

XIII. And whereas by an Act passed in the Eleventh Year of the Reign of King *George the Fourth*, intituled *An Act for the better Paving and Sewerage of the Town of Liverpool in the County Palatine of Lancaster, and for settling the Boundaries between the said Town and the Township of Kirkdale and Parts of the Townships of Everton and West Derby*, it was enacted, that within the Period of Five Years from the passing of the said last-recited Act the Mayor, Bailiffs, and Common Council of the Town of *Liverpool* aforesaid should make or open, or cause to be made and opened, between the said Borough and Parish of *Liverpool* and the said Townships of *Kirkdale, Everton, and West Derby* respectively, Boundary Streets in the Line and Direction as in the said last-recited Act specified: And whereas also by the said last-recited Act the said Mayor, Bailiffs, and Common Council were required, within the same Period of Five Years, to cause a certain Bridge to be erected and made for the Purpose of a Continuation of Part of the said intended Boundary Streets: And whereas by a certain other Act of Parliament passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William the Fourth*, intituled *An Act for altering and amending and extending the Powers and Provisions of an Act of the Sixth Year of His late Majesty King George the Fourth, for the Regulation of Buildings in the Town of Liverpool, and for other Purposes therein mentioned, and for granting further and additional Powers for the Improvement and Regulation of the said Town, and the Preservation of Property therein from Fires and otherwise*, after reciting that the greater Part of the said intended Boundary Street had been opened, and the Carriageway thereof paved, and the said Bridge was then erected, but it was probable the said Period of Five Years would expire before the said Mayor, Bailiffs, and Common Council would be able wholly to complete and open the said intended Boundary Streets, and to cause the said Bridge to be completed, and that it was expedient to extend such Period; it was therefore enacted, that the Period of Time limited by the said recited Act of the Eleventh Year of King *George the Fourth* should be extended to the Period of Seven Years, such Seven Years to be computed

Period for making new Boundary Streets enlarged.

11 G. 4. c. 15.

5 & 6 W. 4. c. 54.



puted from the passing of the said last-mentioned Act; and that all Acts, Matters, and Things directed by the said last-mentioned Act to be done and performed within or after, and all Periods of Time by the said last-mentioned Act directed to be computed with reference to the said Period of Five Years, should and might be respectively done, performed, and computed within or after or with reference to the said Period of Seven Years; and all Powers and Authorities given to any Person or Persons in or by virtue of the said last-mentioned Act should be used and exercised within or with reference to the said Period of Five Years for the Purposes last aforesaid, should and might be used and exercised by such Person or Persons within or with reference to the said Period of Seven Years: And whereas it is expedient further to extend the said Period of Time limited by the said Acts as aforesaid; be it therefore enacted, That the said Period of Time so limited by the said Act of the Eleventh *George* the Fourth, and so extended by the said Act of the Fifth and Sixth of His late Majesty King *William* the Fourth, shall be further extended to the Period of Ten Years, such Ten Years to be computed from the passing of the said Act of the Eleventh *George* the Fourth; and that all Acts, Matters, and Things directed by the said last-mentioned Act to be done and performed within or after, and all Periods of Time by the said last-recited Act directed to be computed with reference to the said Period of Five Years, shall and may be respectively done, performed, and computed within or after or with reference to the said Period of Ten Years; and all Powers and Authorities given to any Person in or by virtue of the said last-mentioned Act, to be used and exercised within or with reference to the said Period of Five Years for the Purposes last aforesaid, shall and may be used and exercised by such Person within or with reference to the said Period of Ten Years.

Certain Powers of 11 G. 4. c. 15. extended to a longer Period.

XIV. And whereas by the said Act of Parliament of the Eleventh Year of the Reign of His late Majesty King *George* the Fourth it was enacted, that for and during the said Period of Five Years after the passing of that Act all the Powers, Clauses, Limitations, and Provisions contained in a certain Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth which in any way related to or concerned the several Streets in that Act particularly specified, or the Means to be used to carry into effect the opening and widening of the same Streets, should extend to those Parts of the Streets by the said Act made and passed in the Eleventh Year of the Reign of His Majesty King *George* the Fourth authorized to be opened and widened, and to the Lands, Houses, Buildings, and Hereditaments mentioned and described in certain Schedules, in all respects and to all Intents and Purposes in as full and ample a Manner as if the same Powers, Clauses, Limitations, and Provisions had been in the said last-mentioned Act particularly re-enacted and made Part of the same, save and except as therein-after mentioned: And whereas by the said Act of the Fifth and Sixth Years of His late Majesty King *William* the Fourth, after reciting that it was expedient to extend the said last-mentioned Period of Five Years, it was enacted, that all the said last-mentioned Powers, Clauses, Limitations, and Provisions, so far as they related to the Purposes

aforesaid,



aforesaid, should, for and during the Period of Seven Years, to be computed from the passing of the said Act made in the Eleventh Year of the Reign of King *George* the Fourth, be construed to form Part of the said last-mentioned Act in as full and ample a Manner as if the same had been in the said last-mentioned Act particularly re-enacted and made Part of the same Act, save and except as in the said last-mentioned Act is mentioned: And whereas it is expedient further to extend the said last-mentioned Period of Time; be it therefore enacted, That all the said last-mentioned Powers, Clauses, Limitations, and Provisions, so far as they relate to the Purposes aforesaid, shall, for and during the Period of Ten Years, to be computed from the passing of the said Act made in the Eleventh Year of the Reign of King *George* the Fourth, be construed to form Part of the said last-mentioned Act, in as full and ample a Manner as if the same had been in the said last-mentioned Act particularly re-enacted and made Part of the same, save and except as in the said last-mentioned Act is mentioned.

XV. Provided always, and be it enacted, That nothing herein contained shall authorize or empower the said Council to demise, sell, or alienate any Land otherwise than as is allowed by the said Act to provide for the Regulation of Municipal Corporations in *England* and *Wales*, or the said Act for the better Administration of Justice in certain Boroughs.

Council not to demise, &c. Lands, otherwise than is allowed by certain Acts.

XVI. And whereas by the said Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth Power is given to make Orders, Rules, Regulations, and Bye Laws for ordering and regulating all Carriages plying for Hire in the said Town, and in what Manner the Owners, Drivers, and Conductors thereof shall behave and conduct themselves, and for ascertaining and fixing what Rates, Fares, or Prices, as well for Time as Distance, shall be allowed to be taken within the said Town and for any Distance within Eight Miles of the same, and such Powers by the said Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the better Administration of Justice in certain Boroughs*, are now vested in the said Council: And whereas in and by the said Act of the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth it is enacted, that if any Person who shall have hired any Carriage plying for Hire within the said Town shall refuse or neglect to pay such Fares or Rates as shall be authorized to be taken and received by the Orders, Rules, Regulations, and Bye Laws to be made as aforesaid, such Fares or Rates may, together with the Costs to be fixed and determined by the Justice or Justices hearing such Complaint, be levied and recovered in the same Manner as any Penalty or Forfeiture imposed by the said Act is directed to be recovered, and the same Consequences shall ensue upon Nonpayment thereof as upon the Nonpayment of any Penalty or Forfeiture imposed by the said Act: And whereas it is expedient to extend the said Power to ascertain and fix the said Rates to the ascertaining and fixing the like Rates, Fares, or Prices within the Borough as now extended and Eight Miles thereof; and it is proper to provide

Extensions of the Powers under 5 & 6 W. 4. c. 54. to fix the Rates of Carriages plying for Hire.

6 & 7 W. 4. c. 105.

[*Local.*]

39 R

for



for the Cases of Persons fraudulently evading Payment of Rates, Fares, or Prices of Carriages plying for Hire within the said Borough; be it therefore enacted, That the said Power to ascertain and fix the said Rates, Fares, and Prices be and is hereby extended to the fixing of the Rates, Fares, and Prices within the said Borough and Eight Miles thereof in the County of *Lancaster*, to be measured and ascertained from the Boundary of the said Borough; and further, that if any Person shall fraudulently evade the Payment of any such Fares, Rates, or Prices, every such Person so offending for every such Offence shall forfeit and pay a Sum not exceeding Forty Shillings.

Licensing  
Drivers of  
Carriages  
plying for  
Hire.

XVII. And whereas it is expedient that the Drivers of Carriages plying for Hire within the said Borough should be licensed; be it therefore enacted, That every Person shall be licensed by the Council of the said Borough before he shall act as such Driver; and that every such Licence shall, within Seven Days after a Grant thereof, be registered at the Town Clerk's Office, (a Certificate of which Registry shall be given to every such Person upon Payment of a Fee of One Shilling and Sixpence,) and every Person neglecting to register his said Licence shall forfeit for every such Neglect a Sum not exceeding Twenty Shillings.

Penalty on  
acting with-  
out such  
Licence.

XVIII. And be it enacted, That if any Person shall act as such Driver without having obtained such Licence, or if the Owner of any such Carriage shall employ any Person as the Driver thereof who shall not have obtained such Licence, every such Person and every such Owner shall for every Offence respectively forfeit a Sum not exceeding Twenty Shillings.

Power of  
Justices in  
Cases of  
Overcharge.

XIX. And be it enacted, That whenever the Owner or Driver of any Carriage plying for Hire as aforesaid shall be convicted before any Justice of the Peace for the said Borough of taking or receiving as and for a Fare a greater Sum than is or shall be authorized by any Order, Rule, or Bye Law made or to be made under and by virtue of this Act or any of the said recited Acts, it shall be lawful for the said Justice to include in the Conviction of any such Owner or Driver an Order for Payment of the Sum so overcharged, over and above the Penalty and Costs which shall be imposed for every such Offence, and upon Payment or Recovery of the said Overcharge to cause the same to be returned to the Party aggrieved, whose Evidence shall be admissible in Proof of the said Offence; and such Justice is hereby empowered, on Nonpayment of such Overcharge, together with such Penalty and Costs as aforesaid, immediately on Conviction, or at such Time as shall be appointed by such Justice, to proceed to enforce the same in like Manner as Penalties may be enforced under the Provisions of this Act.

Relieving  
Owners of  
Sheds, &c.  
covered with  
Boards hav-  
ing Fires  
therein from

XX. And whereas by the said Local Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth it is enacted, that if the Owner or Occupier or any other Person in the Charge or Management of any Shed or other Building in the said Town, roofed or covered with Boards or Timber shall cause or make or permit or suffer any Fire to be lighted or burning in



in any such Shed or Building, every Person so offending shall forfeit and pay a Sum not exceeding Ten Pounds for every such Offence; now be it enacted, That no such Owner, Occupier, or other Person shall be liable to the said Penalty in any Case in which the Shed or other Building shall be surrounded by substantial Brick or Stone Walls, with the Exception of necessary Gates or Doorways therein, such Walls being of sufficient Height, and the Shed or other Building being so placed within the same as that any Fire in such Shed or other Building would not endanger any neighbouring Property; and no such Owner, Occupier, or other Person shall be liable to the said Penalty in any Case in which such Shed or other Building shall be distant from the Property of any other Person Twenty Yards at the least, without computing in such Distance any Property besides such Shed or other Building belonging to the Owner in the holding of the Occupier, or under the Charge or Management of the Person having the Charge or Management of such Shed or other Building as aforesaid.

the Penalties  
of the recited  
Act in cer-  
tain Cases

XXI. And be it enacted, That if any Person shall hoist, lower, take in, or deliver any Cask, Puncheon, Barrel, Sack, Bag, or other Thing into or from any Warehouse, Building, Cellar, or Vault within the said Borough, without having proper and sufficient Ropes and other Tackle in good Order and Condition, and fit for such hoisting, lowering, and taking in or delivering, every Person so offending shall for every Offence forfeit a Sum not exceeding Five Pounds.

Penalty on  
Persons  
hoisting  
Goods into  
Warehouses  
without pro-  
per Tackle;

XXII. And be it enacted, That if any Owner or Occupier of any Warehouse, Building, or Room therein respectively, Cellar or Vault, within the said Borough, or Master Porter, shall wilfully or negligently permit or suffer any Cask, Puncheon, Barrel, Sack, Bag, or other Thing to be hoisted, lowered, taken in, or delivered out of any Warehouse, Building, Cellar, or Vault, without having proper and sufficient Ropes and other Tackle in good Order and Condition, and fit for such hoisting, lowering, taking in, or delivering, every Person so offending shall for every Offence forfeit a Sum not exceeding Ten Pounds; provided that no Person shall be liable to the said Penalty other than the Party whose Duty it was to provide and have or keep sufficient Rope and Tackle for any of the Purposes aforesaid, and who shall be proved to have failed to provide or have or keep the same.

and on Occu-  
piers of  
Warehouses,  
&c. permit-  
ting Goods to  
be so hoisted  
in or deli-  
vered out of  
Warehouse,  
&c.

XXIII. And be it enacted, That if any Person shall throw, deposit, place, or leave, or permit or suffer to run or flow, any offensive Matter or Thing into or upon any Street within the said Borough, or into any Channel, Sink, or Watercourse in any Street within the said Borough, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings: Provided always, that no Person shall be liable to a Penalty for throwing, depositing, placing, or leaving any Sand, Ashes, or other Materials in the Time of Frost upon any Footway to prevent Accidents, or any Dung, Manure, or other Materials in the Time of Frost to prevent Water in Pipes from being frozen, or any Litter or other proper Materials in case of Sickness to prevent Noise, or for throwing, depositing, placing, or leaving

Penalty on  
Persons de-  
positing,  
throwing, or  
leaving offen-  
sive Matter  
in the Streets,  
&c.



leaving any Rubbish or Dirt occasioned by the rebuilding or repairing of any House or Building, so as that sufficient Space be left in the Street where such Rubbish or Dirt shall be thrown, deposited, placed, or left for Carriages and for Passengers to pass along such Street, and so that the said Rubbish and Dirt shall be sufficiently inclosed so as to prevent Injury to Passengers, and the same from being blown and scattered about; and that a sufficient Light be set and maintained at the Place where such Dirt or Rubbish shall be so thrown or deposited, placed or left, from Sunset to Sunrise; and that such Rubbish and Dirt, and also such Dung, Manure, Litter, or Materials, shall be removed by the Party throwing, depositing, placing, or leaving the same so soon as the Necessity for the Continuance thereof shall cease, and also so as such throwing, depositing, placing, or leaving shall not be contrary to the Provisions of this Act, or of any Act or Acts now in force for regulating the Mode of erecting Houses and Buildings in the said Borough; and that the Person so depositing, placing, or leaving shall have first obtained the Consent of the Commissioners for the better paving and Sewerage of the said Town for the Time being.

Penalty on Persons depositing offensive Matter in open or uncovered Places;

XXIV. And be it enacted, That if any Person shall throw, deposit, place, or leave, or permit or suffer to run or flow, any offensive Matter or Thing into or upon any open or uncovered Place within the said Borough, whether surrounded by a Wall or other Fence or not, so as to be a common Nuisance, every Person so offending shall for every Offence forfeit a Sum not exceeding Forty Shillings.

or removing Night Soil or other offensive Matter, except between certain Hours;

XXV. And be it enacted, That if any Person shall empty or begin to empty any Swinestye or Privy within the said Borough, or shall remove or begin to remove any offensive Matter or Thing in, along, or through any of the Streets within the said Borough, or use any Carriage for the Purpose of such emptying, beginning to empty, removing or beginning to remove as aforesaid, within the said Borough, (except between the Hours of Twelve of the Clock at Night and Five of the Clock in the Morning from *Lady Day* to *Michaelmas Day* in every Year, or between the Hours of Twelve of the Clock at Night and Seven of the Clock in the Morning from *Michaelmas Day* to *Lady Day* in every Year,) every Person so offending shall forfeit a Sum not exceeding Twenty Shillings; provided that nothing herein contained shall extend to the removing the Dung or Manure (if the same shall not be mixed with any Matter from any Swinestye or Privy) from any Stable, Shippon, or Cowhouse, or from any Middenstead which is used only for keeping such Manure, so that the same is put into such Carriage in some Field, Yard, or other private Place, and removed therefrom in the same, and not thrown or deposited in or upon any Street previously to being put into any such Carriage.

or removing Nightsoil, &c. in Carriages without Flash Boards;

XXVI. And be it enacted, That if any Person shall use any Carriage for the Removal of any offensive Matter or Thing within the said Borough, such Carriage not having a proper Covering of Boards called Plash or Flash Boards, every Person so offending shall for every Offence forfeit a Sum not exceeding Ten Shillings; provided,



vided that nothing herein contained shall extend to the removing the Dung or Manure (being unmixed as aforesaid) from any Stable, Shippon, or Cowhouse, or from any Middenstead which is used only for keeping such Dung or Manure.

XXVII. And be it enacted, That if any Person shall in the course of emptying any Swinestye or Privy, or removing any offensive Matter or Thing, within the said Borough, wilfully or negligently slop or spill any such offensive Matter and Thing in any of the said Streets within the said Borough, every Person so offending shall for every Offence forfeit a Sum not exceeding Five Shillings.

or negligently sloping Nightsoil in the Streets;

XXVIII. And be it enacted, That if any Person in emptying any Swinestye or Privy, or in removing any offensive Matter or Thing within the said Borough, shall not well and carefully sweep and cleanse the Place in which such offensive Matter or Thing shall have been placed, or on which any of the same shall have been dropped, spilled, or slopped in any of the Streets within the said Borough, and remove such Sweepings therefrom within the respective Hours herein-before limited for such emptying or removing as aforesaid, every Person so offending shall for every Offence forfeit a Sum not exceeding Five Shillings.

or not cleansing Places where Nightsoil may have been placed or spilled;

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

or permitting ferocious Dogs to be at large unmuzzled, or any Dog to go at large after public Notice;

XXX. And be it enacted, That if any Person in any of the Streets within the said Borough shall, after the Expiration of Three Calendar Months from the passing of this Act have any uninhabited Cellar or underground Room, or any Vault, Coal-hole, or Area without a sufficient Door, Hatchway, or Flap-window, Grate, Stone, Plate, Board, or other sufficient Covering, Rail, or Fence, or shall negligently or without a sufficient Watch or Guard leave open or insufficiently fastened any Hatchways or Flap-windows, Grate, Stone, Plate, Board, or other Covering to any uninhabited Cellar, underground Room, or any Vault or Coal-hole, every Person so offending shall for every Offence forfeit a Sum not exceeding Five Pounds.

or having Cellars without Coverings, or leaving open Coverings to Cellars, &c.;

XXXI. And be it enacted, That if any Owner or Person having the Care or Superintendence of any underground Room or Cellar, inhabited or intended for Habitation, shall, in or near any of the Streets within the said Borough, have any Entrance to any such Room or Cellar without a sufficient Handrail or Fence or Covering for the Protection of Passengers, after Five Days Notice in Writing from any Justice of the Peace or Constable for the Borough to such

or having Entrances to inhabited Cellars without a Hand Rail or Covering;

[*Local.*]

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Owner



Owner or Person, or to be left at his usual Place of Abode or of Business, or fixed upon such Room or Cellar, every Person so offending shall for every Offence forfeit a Sum not exceeding Forty Shillings.

or putting  
Flower-pots  
in upper  
Windows  
without  
Guards ;

XXXII. And be it enacted, That if any Person shall place or fix, or permit or suffer to be placed or fixed, any Flower Pot or Box in any upper Window in any of the Streets within the said Borough, without sufficiently guarding the same against being blown or thrown down, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

or killing or  
dressing Cat-  
tle in the  
Streets, &c. ;

XXXIII. And be it enacted, That if any Person shall in any of the Streets within the said Borough kill or slaughter any Cattle, singe, scald, or dress any Cattle, or singe, scald, or dress any Part thereof, (except in the Case of any over-driven Cattle which may have met with any Accident, and which it may be impossible to get to any Slaughterhouse, and which the Public Safety or other Circumstances may require to be killed on the Spot,) every Person so offending shall for every Offence forfeit and pay a Sum not exceeding Forty Shillings.

or washing  
or repairing  
Carriages in  
the Streets ;

XXXIV. And be it enacted, That if any Person shall in any of the Streets within the said Borough wash, clean, make, or repair any Carriage or any Part of any Carriage (except immediate Repair on the Spot is necessary to the same on account of Accident), every Person so offending shall for every Offence forfeit a Sum not exceeding Ten Shillings; provided that nothing herein contained shall extend to the washing, cleaning, making, or repairing any Carriage or any Part of any Carriage in Mews or Places set apart for the Purposes of Mews.

or using  
Forges, and  
not prevent-  
ing the Light  
from shining  
into the  
Streets ;

XXXV. 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 said Borough, shall not close such Door, or fasten the Shutters or other Fastenings of such Window, 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 Offence forfeit a Sum not exceeding Twenty Shillings; provided that nothing herein contained shall extend to Forges below the Pavement of the Street.

or firing or  
burning out  
Casks within  
Fifteen Yards  
of any Street  
without a  
sufficient  
Screen ;

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

XXXVII. And



XXXVII. And be it enacted, That if any Person shall in any of the Streets within the said Borough make, trim, fire, burn out, hoop, cleanse, wash, or scald any Cask, (coopering the same on the public Quays, landed or delivered to be shipped, or coopering the same when required in case of any Accident to be done on the Spot, excepted,) or shall hew, saw, bore, or cut any Timber or Stone, or throw, deposit, place, or leave any Straw, Coals, Stone, Slates, Bricks, Tiles, Lime, Mortar, Timber, Boards, Iron, or other heavy Articles, (except Materials for any Building then commenced or about to be commenced, and which Materials shall be placed and inclosed in the Manner herein-after provided, and for no longer Time than shall be necessary,) every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

or cutting Timber, &c. or leaving heavy Articles (except Materials for any Building ;)

XXXVIII. And be it enacted, That if any Person shall permit any Coal or Fuel intended to be used in any House or other Building to remain in any Street within the said Borough for a longer Time than shall be necessary for housing the same, every Person so offending shall for every Offence forfeit a Sum not exceeding Ten Shillings.

or not immediately housing Fuel ;

XXXIX. And be it enacted, That if any Person shall, in any of the Streets within the said Borough, shoe, bleed, or farry any Cattle, (except so far as may be necessary to be done on the Spot in case of Accident or Illness,) or wash, clean, or dress any Cattle, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

or shoeing, farrying, or cleaning Horses, &c. in the Streets ;

XL. And be it enacted, That if any Person shall in any of the Streets within the said Borough slack, sift, or screen, or cause to be slacked, sifted, or screened, any Lime, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

or sifting Lime in the Streets ;

XLI. And be it enacted, That if any Person shall within the said Borough, and within the Distance of One hundred Yards from any Dwelling House within the said Borough, burn any Rags or other offensive Substance, so that the same shall be a common Nuisance, every Person so offending shall for every Offence forfeit a Sum not exceeding Forty Shillings.

or burning Rags within 100 Yards of any Dwelling House ;

XLII. And be it enacted, That if any Person shall keep and use any Swinestye to the Front of any Street within the said Borough, such Front not being inclosed or shut out from the Street by a Stone or Brick Wall of sufficient Height and Thickness, or if any Person shall keep any Swine in or near any Street within the said Borough so as to be a common Nuisance, or if any Person shall keep any Swine in any Dwelling House, or any Room therein, or any Vault or Cellar thereof, every Person so offending shall for every Offence forfeit a Sum not exceeding Five Pounds.

or keeping Swinestyes to the Front of the Streets, or keeping Swine in any Dwelling House, &c. ;

XLIII. And be it enacted, That if any Person shall leave, or suffer to remain, stand, or continue, any Carriage, either with or without a Horse or Horses, or other Cattle, in any Street within the said

or leaving Carriages in the Streets, &c. ;



said Borough, for any longer Time than may be necessary or reasonable for taking up or setting down Passengers or other Persons, or for the loading or unloading thereof, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

or not placing  
Carriages  
close to the  
Side while  
taking up  
Passengers  
or loading  
Goods ;

XLIV. And be it enacted, That if any Person engaged in taking up or setting down any Passenger or other Person, or in loading or unloading any Carriage, shall not, during such taking up or setting down or during such loading or unloading, place such Carriage as near as conveniently may be to that Side of the Street at which the taking up or setting down or loading or unloading is to be performed, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

or leaving  
Carriages on  
Footpaths or  
Crossings ;

XLV. And be it enacted, That if any Person shall place or leave or suffer to remain any Carriage on any Footway or on any Crossing in any of the Streets within the said Borough, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

or placing  
Carriages  
across the  
Street, so  
that Room is  
not left for  
Carriages to  
pass ;

XLVI. And be it enacted, That if any Person shall place any Carriage or Horses athwart or across any Street within the said Borough, either for the Purpose of taking up or setting down Passengers, or of loading or unloading Goods or otherwise, so that there shall not be sufficient Room for a Coach or Foot or other Passengers conveniently to pass along such Street, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

or drawing  
weighty Ar-  
ticles, except  
on proper  
wheeled  
Carriages ;

XLVII. And be it enacted, That if any Person shall draw any Timber, Stone, or other weighty Article in or over any Street within the said Borough without the same being placed upon or suspended from a wheeled Carriage proper for that Purpose, every Person so offending shall for every Offence forfeit a Sum not exceeding Forty Shillings; provided that nothing herein contained shall extend to the snigging, sliding, or dragging Timber on the same, being landed from any Ship or Vessel, for any Distance not exceeding Two hundred Yards, for the Purpose of unloading or yarding or depositing the same.

or drawing  
Timber with-  
out having a  
sufficient  
Guide to  
the Hind  
Wheels ;

XLVIII. And be it enacted, That if any Person shall cause any Tree or Timber to be drawn in or upon any Timber Carriage along any Street within the said Borough 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 so offending shall for every Offence forfeit a Sum not exceeding Forty Shillings.

or permitting  
Goods to re-  
main in the  
Streets longer  
than neces-  
sary.

XLIX. And be it enacted, That if any Person shall permit or suffer any Goods, Wares, or Merchandize to be or remain in any of the Streets within the said Borough for a longer Period of Time than shall be necessary for the housing or removing thereof, every Person



so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

L. And be it enacted, That if any Person shall place any Line, Cord, or Pole across any of the Streets within the said Borough, or hang or place any Sails or any Clothes or Cloth therein, or any Line, Cord, or Pole in any of the Streets, to the Injury, Danger, Annoyance, or Obstruction of any Person, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

or placing Lines across the Streets for drying Clothes, &c. ;

LI. And be it enacted, That if any Person shall, to the Obstruction or Annoyance of any Person whomsoever, draw out any Rope or Chain, by means of any Horse or otherwise, along or across any Street within the said Borough, in or for hoisting or whipping up any Goods or Thing from or into any Warehouse, Cellar, Room, or other Place, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

or drawing out Ropes in whipping up Goods into Warehouses, Rooms, &c. ;

LII. And be it enacted, That if any Person shall, in any of the Streets within the said Borough, sell or show, or offer or expose for Sale, any Cattle, or expose or show any Stallion, or exhibit or place any Caravan or other Carriage containing any Animal for Show, or otherwise exhibit any public Show or Entertainment, except in such Places as shall be appointed or allowed for those Purposes by the Mayor of the said Borough for the Time being or his Deputy, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

or offering Cattle for Sale in the Streets, or showing any Stallion, or exhibiting any public Show ;

LIII. And be it enacted, That if any Person shall run, draw, drive, propel, or roll any Carriage or Carriage Wheel, Cask, or Tub upon, over, or along any Footway within the said Borough, except for the Purpose of crossing the same, or shall drag or carry over, upon, or along the said Footway, so as to obstruct, annoy, or incommodate Passengers, any Timber or Log of Wood, Ladder, Scaffolding, Pole, or Plank, or any Bag containing Soot or other Article, or any Carcass or Part of the Carcass of any slaughtered Cattle, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

or drawing Carriages, &c. on Footways, except in crossing or carrying thereon any bulky Article, Carcass, &c. ;

LIV. And be it enacted, That if any Person shall convey or carry or cause to be conveyed or carried, in any Manner howsoever, along or through any Street within the said Borough, the Carcass or any Part of the Carcass of any slaughtered Cattle without a sufficient Cloth Covering to the same, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

or conveying Carcasses or Parts of Carcasses without a Covering ;

LV. And be it enacted, That if any Person shall deposit, place, or leave any Furniture, Goods, Wares, or Merchandize, or any Cask, Tub, Box, Basket, Pail, or Bucket, or place, fix, or use any Standing Place, Stool, Bench, Stall, or Showboard, or any offensive Matter or Thing, on any Footway within the said Borough, or if any Person shall set up or place any Blind, Shade, Covering, or Awning over,

or leaving Goods, &c. on Footways, or placing Awnings across, unless at Eight Feet in Height ;



across, 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 of the Breadth of such Footway, or shall thereon unpack any Goods, Wares, or Merchandize; every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

or fastening any Horse or Cattle so as to stand across the Footway, &c.;

LVI. And be it enacted, That if any Person shall fasten any Horse, Mule, Ass, or Cattle to any Door, Wall, Post, or Rail within the said Borough, so as that such Horse, Mule, Ass, or Cattle can go or stand across or upon any Footway within the said Borough, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

or riding or driving any Cattle along Footways;

LVII. And be it enacted, That if any Person shall wilfully ride or drive any Horse, Foal, Bull, Cow, Heifer, Ox, Calf, Ass, Mule, Sheep, or Swine, or permit the same to go over or along any Footway within the said Borough, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

or allowing Goods exposed for Sale to project over the Footway;

LVIII. And be it enacted, That if any Person shall within the said Borough place, hang up, or otherwise expose to Sale any Goods, Wares, Merchandize, Matter, or Thing whatsoever, so that the same shall project into, over, or upon any Footway within the said Borough, or beyond the Line of or on the Outside of the Window of any House, Shop, or Building within the said Borough at which the same shall be so placed, hung up, or exposed, so as to obstruct or incommodate the Passage of any Person over or along any Footway within the said Borough, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

Penalty on Occupiers or Owners of Premises not causing the Footways adjoining to be cleansed;

LIX. And be it enacted, That if any Occupier of any House, Warehouse, Shop, Yard, Shed, Coach-house, Stable, or other public or private Tenement or Building within the said Borough, or the Owner of the same respectively where there shall be no Occupier thereof, shall not cause the Footway adjoining his Premises respectively in any of the Streets within the said Borough which are or shall be wholly or partly paved or flagged to be kept well and sufficiently swept and cleansed, or shall not cause such sweeping and cleansing, when requisite, to be done between the Hours of Six and Nine in the Morning, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings; provided that it shall be lawful for the Dirt and Soil from such sweeping and cleansing to be left in the Street clear of the Water Channel.

on Persons pasting Bills after Notice from the Occupier;

LX. And be it enacted, That if any Person shall paste or affix or cause to be pasted or affixed on or against any Dwelling House, Shop, Warehouse, Building, Wall, or Pillar within the said Borough any Posting Bill or other Paper without the Consent of the Owner or Occupier thereof, every Person so offending shall for every Offence forfeit a Sum not exceeding Five Shillings; or shall write upon or otherwise deface or mark any such Dwelling House, Shop, Warehouse,



house, Building, Wall, Pillar, or Lamp Post, by means of Chalk, Paint, or any other Material, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

LXI. And be it enacted, That if any Person shall, in any Part of the said Borough, wilfully and indecently expose his or her Person, every Person so offending shall for every Offence forfeit a Sum not exceeding Ten Pounds.

on Persons indecently exposing their Persons;

LXII. And be it enacted, That if any Person shall sell or distribute or offer to sell or distribute any indecent or obscene Print, Drawing, Painting, or Representation, or sing any indecent or obscene Ballad or Song in any Street within the said Borough, or shall draw, inscribe, or write any obscene or indecent Figure, Representation, or Word upon any Building, Door, Wall, Pillar, or other Place within the said Borough, every Person so offending shall for every Offence forfeit a Sum not exceeding Forty Shillings.

or selling indecent Prints, &c., writing obscene Figures or Words on any Wall, &c. ;

LXIII. And be it enacted, That if any Person shall within the said Borough use any obscene, indecent, or profane Language, to the Annoyance of any Person passing along any of the Streets within the said Borough, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

on Persons using indecent Language ;

LXIV. And be it enacted, That if any Person shall within the said Borough engage in or instigate or abet any Prize Fight or other Fight or Battle, every Person so offending shall for every Offence forfeit a Sum not exceeding Forty Shillings.

on Persons engaged in and abetting Prize Fights ;

LXV. And be it enacted, That if any Person shall in any of the Streets within the said Borough cause any Dogs to fight or abet any Dog-fight, or bait or abet the baiting of any Bull, Bear, Badger, or any other Animal, every Person so offending shall for every Offence forfeit a Sum not exceeding Forty Shillings.

or causing or abetting Dog-fighting, &c. ;

LXVI. And be it enacted, That if any Person shall within the said Borough wantonly and cruelly abuse or maltreat any Cattle, Dog, or Cat, or other Animal, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

or wantonly abusing any Cattle, Dog, or Cat ;

LXVII. And be it enacted, That if any Person shall in any of the Streets within the said Borough wantonly disturb the Comfort of any Inhabitant by pulling or ringing any Door Bell, or by wantonly knocking at any Door, or shall wantonly throw any Stone or Missile, or play at the Game called Pitch and Toss, or Trap, or Football, or Fives, or fly any Kite, or trundle any Hoop, or extinguish the Light of any Lamp, or shall slide or make any Slide upon any Pavement, Flagging, Footway, or Crossing-way, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

or playing at Football or throwing Stones, or playing at Pitch and Toss ;

LXVIII. And be it enacted, That if any Person shall, in or within Fifty Feet from the Centre of any of the Streets within the said Borough, or, to the Danger, Injury, Damage, or Annoyance of any Person,

or letting off Squibs, &c., or firing Guns, or



making Bonfires ;

Person, shall elsewhere within the said Borough set fire to or let off any Cracker, Squib, Rocket, or other Firework, or make any Bonfire, every Person so offending shall for every such Offence forfeit a Sum not exceeding Twenty Shillings ; or if any Person shall within the said Borough mischievously or wantonly let off or fire off any Musket, Gun, Pistol, or other Fire-arms, every Person so offending shall for every Offence forfeit a Sum not exceeding Forty Shillings : Provided, that this Provision shall not extend to any lawful Place of public Amusement duly and regularly conducted, nor to any special Occasion in some safe and convenient Place allowed by the Mayor.

or bathing in any public Situation ;

LXIX. And be it enacted, That if any Person shall in any public Situation in any Part of the said Borough bathe so as to expose his or her Person, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

on Butchers or other Persons exposing for Sale unsound Meat or Provisions ;

LXX. And be it enacted, That if any Butcher, Dealer in Meat, or other Person shall expose or offer for Sale in his Shop, Stall, Warehouse, or on any Part of his Premises or otherwise, within the said Borough, any unsound or unwholesome Meat, Fish, or other Provisions unfit for the Food of Man, every Person so offending shall for every Offence forfeit a Sum not exceeding Forty Shillings, and such Meat, Fish, or other Provisions shall and may be seized, carried away, and dealt with by such Person and in such Manner as provided for by any Local Act for the Town of *Liverpool* touching the seizing and Disposal of unsound Meat, and for so doing such Person shall be protected by the Provisions of any such Act in like Manner as if the same had been enacted herein.

on Persons keeping Cookshops, &c. permitting Prostitutes, Thieves, &c. to assemble ;

LXXI. And be it enacted, That if any Person having or keeping a House, Shop, Room, Cellar, or Vault within the said Borough, 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 bought or procured elsewhere, by any Person,) 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, every Person so offending shall for every Offence forfeit a Sum not exceeding Ten Pounds.

on Persons keeping such Houses and permitting internal Communication with an adjoining Public House.

LXXII. And be it enacted, That if any Person having or keeping any such House, Shop, Room, Cellar, or Vault where any ready-made Tea or Coffee, or Refreshment, or Provisions of any Kind shall be so drunk, used, or consumed as aforesaid, shall permit or suffer any internal Communication of any Kind to be made or continued between the same and any House, Room, or Place within the said Borough, wherein Spirits, Wine, Ale, Beer, Porter, Cyder, or Perry shall be sold or retailed, every Person having or keeping any such House, Shop, Room, Cellar, or Vault, and every Person so selling and retailing as last aforesaid, and knowingly permitting or suffering such Communication, shall respectively forfeit for every such Offence a Sum not exceeding Ten Pounds.

LXXIII. And



LXXIII. And be it enacted, That it shall be lawful for all Constables and Officers of Police to enter into any House, Shop, Room, Cellar, or Vault within the said Borough where ready-made Tea or Coffee, or Refreshments, or Provisions of any Kind, shall be so drunk, used, or consumed as aforesaid, when they shall think proper, the Owner or Keeper of which said 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 admit such Constable or Officer of Police into such House, Shop, Room, Cellar, or Vault, or upon such Premises, every Person so offending shall for every Offence forfeit a Sum not exceeding Forty Shillings.

Power for Constables to enter such Houses.

LXXIV. And be it enacted, That if any Victualler, or Keeper of any Public House, or Person 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 as such licensed Person, any Constable or Police Officer during any Part of the Time appointed for his being on Duty, (unless such Constable or Police Officer shall be there for the Purpose of quelling any Disturbance, or restoring Order or Peace in such House,) such Victualler or Keeper, or such licensed Person as aforesaid, shall, on Conviction, forfeit and pay for every such Offence any Sum not exceeding Twenty Shillings, together with the Costs of the Conviction.

Penalty on Victuallers harbouring Constables when on Duty.

LXXV. And be it enacted, That if any Person shall shake, beat, or dust any Carpet, Mat, Cloth, Footbear, or Rug, or any Soot Bag or Sack, in any Street within the said Borough after the Hour of Eight in the Morning, from *Lady Day* to *Michaelmas Day* in every Year, or after the Hour of Nine o'Clock from *Michaelmas Day* to *Lady Day* in every Year, every Person so offending shall for every Offence forfeit a Sum not exceeding Ten Shillings.

Penalty for shaking Carpets in the Streets within certain Hours;

LXXVI. And be it enacted, That the Council of the said Borough shall and may cause to be written, painted, or otherwise described, or to be affixed or placed on a conspicuous Part of any House, Building, Wall, or Lamp Post, in any of the Streets of the said Borough, the Name or Description by which each such Street shall be called or known, and may also cause every House, Shop, Warehouse, or Building in any of the said Streets to be marked or numbered, in such Manner as they shall think most proper for distinguishing the same; and if any Person shall mischievously or maliciously destroy, pull down, injure, obliterate, or deface, or cause or procure to be destroyed, pulled down, injured, obliterated, or defaced, any Name or Description of any Street within the said Borough, being written, painted, or affixed upon any House, Building,

or mischievously defacing the Name of any Street, &c. or Number of any House;

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Wall,



Wall, or Lamp Post within the said Borough, or any Mark or Number of any House, Shop, Warehouse, or Building written, painted, or affixed thereupon in any of the Streets within the said Borough, every Person so offending shall for every Offence forfeit a Sum not exceeding Forty Shillings.

or pulling  
down or  
damaging  
Notice  
Boards, &c.

LXXVII. And be it enacted, That if any Person shall maliciously or wantonly pull down, break, or damage any Board whereon any Notice of any Property on Sale, or to be let, shall be painted, and which Board shall be put up by or with the Consent of the Owner or Occupier of the Land whereon the same may stand, or of the Building or Wall whereto the same may be affixed, or shall maliciously or wantonly deface or obliterate any such Notice on any such Board, or shall maliciously or wantonly pull down, break, or damage any Pole which may be put up to support any such Board, every Person so offending shall for every Offence forfeit a Sum not exceeding Forty Shillings.

or permit-  
ting Cattle  
to wander  
about the  
Streets.

LXXVIII. That if any Cattle shall be found wandering about any of the Streets within the said Borough, the Owner thereof shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

Cattle stray-  
ing about  
the Streets  
may be im-  
pounded.

LXXIX. And be it enacted, That if any Cattle shall at any Time be found at large without any Person therewith claiming the same, in any of the Streets within the said Borough, it shall be lawful for any Constable or Peace Officer of the said Borough, or for any of the Inhabitants or Persons residing in the said Borough, to seize and impound any such Cattle in the Common Pound of the said Borough, or in such other Place as the said Council shall appoint for that Purpose (and which they are hereby authorized and empowered to provide and maintain within the said Borough for common Use by the Inhabitants thereof), and to detain the same therein until the Owner thereof shall for each Beast so impounded pay a Sum of Money not exceeding Five Shillings to the Treasurer for the Time being of the said Borough on account of the Borough Fund, and also the Sum of One Shilling to the Person impounding the same, besides the reasonable Charges and Expences of impounding and keeping; and in case the said Sums, Charges, 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 said Council, to sell or cause any such Cattle to be sold, but previous to such Sale Seven Days Notice shall be given to or left at the Dwelling House or Place of Abode of the Owner of such Beast or other Animal so impounded of such intended Sale, 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 in the said Borough of *Liverpool*; and the Money arising from such Sale, after deducting the said Sums and the Charges and Expences aforesaid, and such other Charges and Expences as may attend the keeping and Sale of any such Beast so impounded, shall be paid to the said Treasurer, to be by him paid to the Person whose Property the  
Cattle



Cattle so sold shall appear to have been, and which Money the said Treasurer for the Time being is hereby directed and required to pay on Demand.

LXXX. And be it enacted, That in case any Cattle shall be found upon any Footpath or Parapet, or trespassing in or upon any Garden, Field, or Land within the said Borough of *Liverpool*, with or without any Person leading, driving, using, or claiming the same, and whether any Person shall be riding upon such Cattle at the Time or not, it shall be lawful for any Constable or Peace Officer of the said Borough, or any Inhabitant or Person residing in the said Borough, or the Owner of the said Garden, Field, or Land, to seize and take, or cause to be seized and taken, such Cattle, and to carry, lead, or convey the same to the Common Pound in the said Borough, and to detain and sell the same, in like Manner as herein-before is provided in the Case of such Cattle being found at large, without any Person claiming the same, and in the meantime to detain the said Cattle, and afterwards to levy or distrain thereon as aforesaid as Part of the Goods and Chattels of the Owner thereof.

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

LXXXI. And be it enacted, That in case any Person shall release or attempt to release any Cattle which shall be seized for the Purpose of being impounded under the Authority of this Act from the Pound or Place where the same shall be so impounded, or shall pull down, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock or Bolt belonging thereto, or with which the same shall be fastened, or shall rescue or release, or attempt to rescue or release, any Distress or Levy which shall be made under the Authority of this Act, until or before such Cattle seized or so impounded, or such Distress or Levy so made, shall be discharged by due Course of Law, every Person so offending shall, upon Conviction thereof before any One of Her Majesty's Justices of the Peace for the said Borough, either upon the Confession of the Party or Parties so offending, or upon the Oath or Affirmation of One credible Witness, and which Oath and Affirmation the said Justice is hereby authorized and empowered to administer, be committed by such Justice, by Warrant under his Hand and Seal, to the Common Gaol or House of Correction for the said Borough, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

Punishment of Persons guilty of Pound Breach.

LXXXII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Action, Indictment, or other Proceeding being preferred or taken in respect of any of the Matters or Things herein mentioned which are cognizable by the Laws of this Realm.

Not to prevent Proceedings at Common Law.

LXXXIII. And be it enacted, That if any Person shall have any Sign, Sign Iron, Sign Post, Board, Smith's or Farrier's Shed, or other Shed projecting or hanging over into any of the Streets within the said Borough, which shall be insufficiently secured, or which shall otherwise be a common Nuisance, every Person so offending shall for every Offence forfeit a Sum not exceeding Five Pounds.

Penalty on having Signs, Sheds, &c. projecting into the Streets, &c.

LXXXIV. And



For Removal  
of Projec-  
tions.

LXXXIV. And be it enacted, That in case the Occupier of any House or Building shall neglect or refuse to cause any such Sign, Sign Iron, Sign Post, Board, Smith's or Farrier's Shed, or other Shed projecting or hanging over as aforesaid, to be taken down, removed, and carried away, or otherwise altered and reformed, within such Time and in such Manner as in Notice in Writing signed by the Town Clerk of the said Borough shall be directed, then and in every such Case it shall be lawful for the said Council to cause the same to be forthwith done; and the Costs and Charges attending the same, having been ascertained by some Justice or Justices of the Peace, shall and may be recovered from the Occupier of such House or other Building in like Manner as any Penalties are by this Act authorized to be recovered; and it shall be lawful for the Occupier of such House or other Building, being a Tenant at Rack Rent, and having either paid such Costs and Charges in the first instance, or having repaid the same to the said Council, to deduct and retain the Amount out of his Rent, and the Landlord of every such House or other Building is hereby required to allow the same accordingly, except only in Cases where the Encroachment, Obstruction, Annoyance, or Nuisance so removed or altered shall have been erected by such Occupier, in which Case he shall bear the Expence of altering or removing the same.

Penalty on  
Persons per-  
mitting Wa-  
ter to be con-  
veyed from  
the Roofs of  
Houses, &c.  
otherwise  
than by Pipes.

LXXXV. And be it enacted, That if any Owner or Occupier of any House, Warehouse, Balcony, Portico, or other Building within the said Borough shall permit or suffer the Water from the Roof or Top of any such House, Warehouse, Balcony, Portico, or other Building to be conveyed or to pass to the Ground within the said Borough, otherwise than by Pipes down the Sides, Fronts, or Backs of such Houses, Warehouses, Balconies, Porticoes, or Buildings, every Person so offending shall for every Offence forfeit a Sum not exceeding Forty Shillings.

Penalty on  
Persons tak-  
ing down or  
repairing  
Buildings,  
and neglect-  
ing to set up  
a sufficient  
Fence with  
Platform for  
Foot Passen-  
gers, and a  
Light during  
the Night.

LXXXVI. And be it enacted, That every Person who shall take down or begin to take down any House or other Building whatever within the said Borough, or cause the same to be so done, or who shall alter or repair or begin to alter or repair the outward or external Part of any House or other such Building, or cause the same to be so done, shall, in order to guard all such Houses and other Buildings, and the Foundations of the same, from the Street in which the same may be situate, cause to be erected and put up One or more proper and sufficient Hoard or Fence in all Cases in which the Footway shall be thereby obstructed or rendered inconvenient, 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 in such Cases as aforesaid, 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 well and sufficiently lighted during the Night; and if any such Person shall refuse or neglect to erect and set up 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, then and in any of the said Cases every Person so offending shall for every Offence forfeit a Sum not exceeding Five Pounds.

LXXXVII. And be it enacted, That when through Necessity or otherwise any Bricks, Stones, Timber, Mortar, Rubbish, Materials, or other Things shall be laid or placed, or any Hole, Opening, or Excavation of any Nature or Kind soever shall be made in any of the Streets within the said Borough, the Person placing or causing the said Articles, Materials, or other Things to be so laid or placed, or the said Hole, Opening, or Excavation as aforesaid to be made, shall at his own Expence cause a proper and sufficient Light to be placed and fixed in a proper Place in, upon, or near the same, and continue such Light every Night from Sunsetting to Sunrising during the Time such Articles, Materials, Hole, Opening, or Excavation shall remain, and such Person shall at his own Expence cause such Articles, Materials, or other Things, and such Hole, Opening, or Excavation to be well and sufficiently fenced and inclosed until the said Articles, Materials, or other Things shall be removed, or the Hole, Opening, or Excavation filled up or otherwise made secure; and in case such Person shall refuse or neglect so to light, fence, or inclose such Articles, Materials, or other Things, or Hole, Opening, or Excavation as aforesaid, every Person so offending shall for every Offence forfeit a Sum not exceeding Five Pounds: Provided always, that such Articles, Materials, or other Things, or Hole, Opening, or Excavation, shall not be permitted to remain for an unnecessary Time under a Penalty not exceeding Five Pounds for every such Offence, and that in any such Case Proof of the Necessity of a Continuance thereof respectively shall be upon the Person so placing or causing to be placed the said Articles, Materials, or other Things, or making or causing to be made the said Hole, Opening, or Excavation.

Penalty on Persons neglecting to place a Light and sufficient Fence when through Necessity the Materials are laid, or any Opening made in any Streets.

LXXXVIII. And be it enacted, That if any Person shall throw or cast from the Roof or any other Part of any House or other Building within the said Borough into any of the Streets within the said Borough any Slate, Brick, Part of any Brick, Wood, Rubbish, or other Material or Thing, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

Penalty for casting Slates, &c. from Roofs, &c. ;

LXXXIX. And be it enacted, That if any Person shall wilfully break, destroy, throw down, damage, or spoil any of the Trees, Plants, Shrubs, or any of the Rails, Pails, Seats, Steps, Lamps, or other Articles in any public Walks, Gardens, Squares, Streets, Buildings, or public Places within the said Borough, every Person so offending shall for every Offence forfeit a Sum not exceeding Five Pounds.

for wilfully damaging Trees or Plants in public Walks;

XC. And be it enacted, That if any Person shall hereafter erect or cause to be erected within the said Borough any Windmill within the Distance of Fifty Yards from any of the Streets within the said Borough, or continue any such Windmill to be so hereafter erected

for erecting Windmills within Fifty Yards of any Street, &c. ;

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within



within such Distance as aforesaid, every Person so erecting or causing to be erected or continuing such Windmill shall forfeit a Sum not exceeding Five Pounds.

Penalty on Persons roasting or burning Roots, Drugs, &c., and thereby causing noisome Smells.

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

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

XCII. And be it enacted, That the Owner or Driver of every Waggon, Cart, or other Carriage loaded with any Goods brought into or within the said Borough to be sold therein shall, at the Request of the Buyer or Seller of any such Goods, or the Person on whose Behalf the same shall be so consigned, or their respective Agents, take and carry such Waggon, Cart, or other Carriage, with or without the Loading thereof, to be weighed at one of the Engines or Machines used within the said Borough for the Purpose of ascertaining the Weight of Articles bought or sold, for which no additional Charge shall be made unless such Waggon, Cart, or other 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 the conveying of the Goods laden therein to their Place of Destination than Half a Mile, including the going to and returning from such Machine, in which Case the Owner or Driver of such Waggon, Cart, or Carriage shall be allowed to make an additional Charge of Two-pence for every Horse used in drawing the same, and a further Charge of the like Amount for every additional Half Mile that any such Waggon, Cart, or Carriage shall be taken out of the direct Road for the Purpose aforesaid; and all such additional Charges for Carriage, together with the Tolls or Fees to be paid for weighing any such Waggon, Cart, or Carriage, shall be paid and become due by the Person requiring the same to be weighed; and in case the Driver or other Person having the Charge of any such Waggon, Cart, or Carriage shall not, upon being so requested as aforesaid, take the same to such public Weighing Machine as hereinbefore is directed, or shall refuse to assist in the weighing of the same in such Manner as the Drivers of Carts are used and accustomed to do, every Person so offending, and being thereof convicted before any Justice of the Peace for the said Borough of *Liverpool*, shall for every Offence forfeit a Sum not exceeding Forty Shillings.

Penalty for Refusal.

Penalty on Keepers of Weighing Machines, or Sellers of Articles there weighed, or their Servants, doing any thing with Intent

XCIII. And be it enacted, That if any Master or Keeper of any Engine or Machine used within the said Borough for the Purpose of ascertaining the Weight of Articles bought or sold, or any Seller of any Article or Thing which shall be weighed at such Engine or Machine, or any of their respective Servants, shall knowingly or designedly do or omit to be done any thing with Intent that or by reason or means whereof the true and net Weight of any Article or Thing weighed at such Engine or Machine shall not be ascertained; or if the Owner or Driver of any Cart, Waggon, or other Carriage shall,



shall, at or before the Time of weighing the same at any such Engine or Machine as aforesaid, place or knowingly have any Article, Matter, or Thing in or about any such Cart, Waggon, or Carriage, other than and beside the proper Load therein sold, or about or intended to be sold; or if the Owner or Driver of any Cart, Waggon, or Carriage, or the Master or Keeper of any such Engine or Machine as aforesaid, or his Servants, shall make or use or be privy to the making or using any false or fraudulent Ticket respecting the Weight of any Cart, Waggon, or Carriage, or the Load therein, or shall be guilty of any other fraudulent Contrivance touching the Weight of any Cart, Waggon, or Carriage, or of the Load therein, or shall knowingly assist in or connive at any Fraud in or concerning the weighing of any Cart, Waggon, or Carriage, or of the Load therein; or if any other Person whomsoever shall knowingly act or assist in the committing of any Fraud respecting the Weight of any Cart, Waggon, Carriage, or the Load therein weighed, or stated or represented to be weighed, at any such Engine or Machine as aforesaid, then and in every such Case every Person so offending shall for every Offence forfeit a Sum not exceeding Ten Pounds.

that the true Weight may not be ascertained, &c.;

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

Penalty on wilfully setting any Chimney on fire.

XCV. And be it enacted, That if the Chimney of any Person shall catch or be on fire within the said Borough, every Person (being the Party occupying or using such Chimney) shall, so often as the same shall occur, forfeit and pay 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 of the Peace of the said Borough that such Fire was in nowise owing to the Omission, Neglect, Carelessness, or Fault of himself or Servant.

Penalty if any Chimney is on fire by Neglect.

XCVI. And be it enacted, That the Owner of every Cart, Timber Carriage, Dray, Waggon, or other such Carriage shall paint or cause to be painted in One or more straight Line or Lines upon some conspicuous Part of the Right or Off Side of his Cart, Timber Carriage, Dray, Waggon, or other such Carriage, or upon the Off-side Shaft thereof, before the same shall be used in any Street within the said Borough, his Christian Name and Surname, or the Style and Title by which he is commonly designated, or the Style or Firm by which his Trade or Business is carried on, and the Town, Township, or other Place of his Abode or Trade, at full Length in large legible Letters, in White upon Black Ground or Black upon White Ground, not less than One Inch in Height, and continue the same thereupon so long as such Cart, Timber Carriage, Dray, Waggon, or other such Carriage shall be used as aforesaid; and every Owner of any Cart, Timber Carriage, Dray, Waggon, or other such Carriage who shall use or allow the same to be used within the said Borough as aforesaid

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



aforesaid without the Name or Style, Title, Firm, or Description, painted thereon as aforesaid, or after such Name, Style, Title, Firm, or Description, or any Part thereof, shall have become and be illegible, shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

Penalty on Drivers of Carts, &c. riding thereon, &c. not having some other Person to guide the same;

XCVII. And be it enacted, That if the Driver of any Timber Cart, Carriage, Dray, Waggon, or other such Carriage shall ride upon any such Carriage, or upon any Horse drawing the same, in any Street within the said Borough, not having some other competent Person on foot to guide the same, (any Cart or Dray drawn by One Horse only, and guided with good and sufficient Leather Reins held by such Driver, excepted,) every Person so offending shall for every Offence forfeit a Sum not exceeding Forty Shillings.

on Persons riding in a State of Intoxication or furiously;

XCVIII. And be it enacted, That if any Person riding any Horse, or driving any Carriage or Cattle, in any Part of the Streets within the said Borough, shall be in a State of Intoxication, or shall ride or drive the same furiously, every Person so offending shall for every Offence forfeit a Sum not exceeding Forty Shillings.

on Drivers of Carts, &c. quitting the same, or negligently being at too great a Distance therefrom;

XCIX. And be it enacted, That if the Driver of any Cart, Timber Carriage, Dray, Waggon, or other such Carriage shall, without leaving some competent Person in the Care thereof, quit the same within the said Borough, or shall negligently or wilfully be at such Distance from such Cart, Timber Carriage, Dray, Waggon, or other Carriage within the said Borough as that he cannot have the Direction and Government of the Horse or Horses drawing the same, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

on Drivers of Carts, &c. not having the Owners Name thereon, refusing to tell the Owner's Name and Abode and their own;

C. And be it enacted, That if any Person shall drive or act as the Driver of any Cart, Timber Carriage, Dray, Waggon, or other such Carriage within the said Borough, not having the Owner's Name, Style, Title, Firm, or Description painted and remaining legible thereon, and shall refuse or after Demand omit to tell or discover the true Christian Name and Surname and Place of Abode or Trade of the Owner of the same, or to tell and make known his own Christian and Surname and Place of Abode, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

or not keeping the Near Side of the Road.

CI. And be it enacted, That if the Driver of any Carriage within the said Borough shall not keep the same on the Left or Near Side of the Road in any Street in passing along the same (except in case of actual Necessity or some sufficient Reason for Deviation), every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings.

Penalty on Persons preventing the free Passage in the Streets,

CII. And be it enacted, That if any Person shall in any Manner wrongfully and wilfully prevent any other Person from passing him, or from passing any Carriage or any Cattle under his Care, in any of the Streets within the said Borough, or shall by Negligence or Misbehaviour



behaviour prevent, obstruct, hinder, or interrupt the free Passage of any Person or any Carriage or any Cattle in any such Street within the said Borough, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings. &c. of other Persons, or of any Carriage, Beast, &c.

CIII. And be it enacted, That if the Owner of any Cart, Waggon, or any such Carriage having Sideboards or a Tailboard shall not cause such Sideboards or Tailboard to be well and sufficiently secured, or otherwise made fast to the Body of such Cart, Waggon, or other Carriage, the Owner so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings. Sideboards of Carts, &c. to be made fast.

CIV. And be it enacted, That if any Person shall drive any Horse, Ass, or Mule drawing any Cart, Timber Carriage, Dray, Waggon, or other such Carriage in any Street within the said Borough at any faster Rate than the common Walk, or if any Driver of any Cart, Timber Carriage, Dray, Waggon, or other such Carriage shall not be constantly attendant upon and at the Left or Near Side of the Horse, Ass, or Mule drawing the same when in motion in any Street within the said Borough, every Person so offending shall for every Offence forfeit a Sum not exceeding Twenty Shillings. Carts not to be driven at a greater Rate than a common Walk. Carter to be on the Left Side of the Horse, &c.

CV. And be it enacted, That if any Owner or Driver of any Cart, Timber Carriage, Dray, Waggon, or other such Carriage shall leave or suffer the same to stand and remain in any Street within the said Borough in the Night-time, every Person so offending shall forfeit a Sum not exceeding Twenty Shillings. Carts, &c. not to remain in any Street in the Night-time.

CVI. And be it enacted, That if any Person shall be proved on the Oath of a credible Witness before any Justice of the Peace for the said Borough, or if he shall appear upon his own Confession to have been drunk within the said Borough, or if he shall be drunk while attending at the Police Office therein, every such Person shall forfeit for every such Offence a Sum not exceeding Five Shillings; and if such Person shall not immediately upon Conviction pay such Fine or Forfeiture, it shall be lawful for the said Justice to commit such Offender to the Gaol or House of Correction of the said Borough for any Time not exceeding Three Days, unless such Fine or Forfeiture shall be sooner paid. Penalty on Drunkenness.

CVII. And be it enacted, That if any Person shall within the said Borough blow any Horn or use any other noisy Instrument for the Purpose of hawking, selling, or distributing any Article whatsoever, or of giving Notice of the starting of any Omnibus or other public Carriage, it shall be lawful for any Constable, Patrol, Watchman, or other Person to apprehend any Person so offending, and convey him before any Justice of the Peace, who shall proceed to examine upon Oath any Witness appearing to give Evidence touching such Offence; and if the Party accused shall be convicted of such Offence, then and in every such Case he shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings; and in case the Offender shall not upon Conviction forthwith pay the Penalty, such Justice is hereby required to commit such Offender to the House of Correction, Prohibiting the blowing of Horns.



there to be kept to hard Labour for any Time not exceeding Five Days, unless the Penalty shall be sooner paid.

Doors and  
Gates to open  
inwards.

CVIII. And be it enacted, That the several Occupiers of Houses, Buildings, Yards, Gardens, and Lands within the said Borough are hereby respectively required, at their own Costs and Charges, within Fourteen Days next after their respectively receiving Notice in Writing from the said Council, signed by the Town Clerk, to cause all the Doors and Gates leading into the several Houses, Buildings, Yards, Gardens, and Land in their respective Occupations (and not being Cellar Doors or Trap Doors) which now do or shall hereafter open outwards, and when open do or shall project over or upon any of the Streets within the said Borough, to be altered so as the same Doors or Gates shall thenceforth open inwards and into their respective Premises; and if any such Occupier shall neglect or refuse to make the Alteration aforesaid according to such Notice, every Person so offending shall forfeit a Sum not exceeding Five Shillings a Day for every Day during which such Neglect or Refusal shall continue: Provided nevertheless, that where any such Occupier shall cause any Door or Gate to be altered in pursuance of Notice as aforesaid it shall be lawful for him, if a Tenant at Rack Rent, to deduct and retain out of his Rent the Charges of altering the same, and his immediate Landlord is hereby required to allow the same accordingly; and it shall be lawful for the said Council to allow such Occupier or Landlord all or any Part of the Expence attending such Alterations, if the Council shall consider it expedient.

Persons  
through  
Carelessness  
injuring any  
Person or  
Property.

CIX. And be it enacted, That if any Person within the said Borough shall, through Carelessness, Negligence, or Accident, injure or damage any Person or private Property, Real or Personal, and shall not, upon Demand, make Satisfaction for such Injury or Damage done, it shall be lawful for any Justice of the Peace, upon Complaint thereof, to summon before him the Party complained of, and upon hearing the Allegations and Proofs on both Sides, or on the Confession or Nonattendance of the Party accused, to award such Sum of Money as the Damage proved shall amount to, not exceeding the Sum of Five Pounds, exclusive of Costs; and in case the Sum so awarded and Costs shall not be forthwith paid upon Conviction, it shall be lawful for such Justice to cause the same to be enforced and recovered in the same Manner as Penalties are by this Act directed to be enforced and recovered.

Recovery of  
Penalties.

CX. And be it enacted, That all Offences whatsoever which by virtue or under the Authority of this Act are or shall be subject to or punishable with any pecuniary Penalties, Fines, or Forfeitures shall and may in every Case be heard, adjudged, and determined by or before any One or more Justice or Justices of the Peace for the said Borough in a summary Way upon Information made and exhibited in Writing, and which shall in every Case be made and exhibited within Six Calendar Months at the furthest next after committing such Offences respectively, and not afterwards, and upon every such Information as aforesaid the said Justice or Justices shall examine into the Matter thereof; and if, upon the Confession of the



Party or Parties accused, or on the Oath of any One or more credible Witness or Witnesses, the said Party or Parties accused shall be convicted of having committed such Offence or Offences, then and in every such Case the Penalty or Penalties hereby made payable in respect of such Offence or Offences, together with the Costs of Conviction, to be ascertained by such Justice or Justices, shall be forthwith paid by the Party or Parties so convicted as aforesaid; and all Penalties and Forfeitures inflicted or imposed by this Act or by virtue of any Bye Law made in pursuance thereof, the Manner of levying and recovering whereof is not herein otherwise particularly directed, may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of any Justice of the Peace for the said Borough on Complaint to him for that Purpose made, and afterwards be levied, as well as the Costs (if any) of such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the respective Offenders or Persons liable to pay the same, by Warrant under the Hand and Seal of such Justice; and the Overplus (if any) of the Money so raised or recovered, after discharging such Penalty or Forfeiture and the Costs and Expences as aforesaid, shall be returned, on Demand, to the Party whose Goods and Chattels shall be distrained, all which Penalties and Forfeitures not herein directed to be otherwise applied shall be paid to the Treasurer of the Borough to the Credit and on account of the Borough Fund of the said Borough; and in case such Penalties and Forfeitures shall not be forthwith paid it shall be lawful for such Justice and he is hereby required to order the Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless such Offender shall give sufficient Security to the Satisfaction of such Justice for his Appearance before such Justice, or before some other Justice of the Peace for the said Borough, at such Time as shall be appointed for the Return of such Warrant of Distress, such Return not being more than Seven Days from the Time of such Detention, and which Security such Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear no sufficient Distress could be had whereupon to levy the said Penalties or Forfeitures and such Costs and Expences as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justice, upon the Confession of the Offender or otherwise, that he had not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences could be levied if a Warrant of Distress should be issued, such Justice is required by Warrant under his Hand and Seal to commit such Offender to some Common Gaol or House of Correction for the said Borough, there to remain for any Time not exceeding Three Calendar Months, or until such Penalties and Forfeitures shall be paid and satisfied, together with all Costs and Charges attending such Proceedings aforesaid, to be ascertained by such Justice, or until such Offender shall otherwise be discharged by due Course of Law; provided that such Power of Detention and Commitment shall not extend to the Case of any Person convicted of evading Payment of the Tolls and Stallage herein-before mentioned, and as to which the Recovery by Distress and Sale of the Offender's Goods is herein-before provided.

CXI. And



Justices may proceed by Summons in the Recovery of Penalties.

CXI. And be it enacted, That in all Cases in which by this Act or by any of the said recited Acts any Penalty or Forfeiture is made recoverable by Information or Complaint before any Justice of the Peace, it shall be lawful for the Justice of the Peace before whom Complaint shall be made for any Offence committed against this Act or any of the said recited Acts, or against any Bye Law, Order, or Rule now in force or to be made in pursuance of this or any other Act, to summon before him the Party complained against, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing or in Print shall have been exhibited before such Justice; and all such Proceedings by Summons, without Information in Writing or in Print, shall be as valid and effectual to all Intents and Purposes as if an Information in Writing or in Print had been exhibited.

Justices may proceed if Party summoned does not appear, or may issue Warrant.

CXII. And be it enacted, That upon any Information or Complaint under and by virtue of this Act or of the said recited Acts, or under and by virtue of any Bye Law already made and in force, or to be made under the Authority of this or any other Act, the said Justice or Justices shall summon the Party charged in manner before mentioned; and if such Party shall not appear accordingly, the Justice or Justices then and there present (upon due Proof of the Service of the Summons by delivering the same or a Copy thereof to the Party, or by delivering the same or a Copy thereof at the Party's usual Abode or Place of Business), may either proceed to hear and determine the Case in the Absence of the Party, or may issue his or their Warrant for apprehending and bringing such Party before him or them or some other Justice of the Peace for the said Borough, in order that the said Information or Complaint may be heard and determined.

For securing Offenders whose Names and Residences are unknown.

CXIII. And be it enacted, That it shall be lawful for any Constable or Peace Officer for the said Borough, and all such Persons as he shall call to his Assistance, to seize and detain any Person whose Name and Residence shall be unknown to such Constable, Officer, or Persons, who shall commit any Offence against this Act, or any Order, Rule, or Bye Law to be made in pursuance thereof, and to convey him with all convenient Despatch before some Justice of the Peace for the said Borough, without any Warrant or other Authority than this Act; and such Justice is hereby empowered and required to proceed immediately to the hearing and determining of the Complaint.

Justices may cause Informations and Convictions to be drawn up in the following Form.

CXIV. And be it enacted, That all Justices of the Peace before whom any Person shall be informed against or convicted for or in respect of any Offence against this Act or any of the said recited Acts, or any Rule, Order, or Bye Law made or to be made in pursuance thereof, may cause the Information whenever an Information shall be taken in Writing or in Print, and the Conviction respectively, to be drawn up according to the following Forms, or any other Forms to the same Effect, as the Case may require; (that is to say,)



' to wit. } **B**E it remembered, That on the Day of Form of  
 ' *A. B.* of informeth me *C. D.*, one [or Information.  
 ' us *C. D.* and *E. F.*, Two] of Her Majesty's Justices of the Peace  
 ' for the Borough of *Liverpool* in the County of *Lancaster*, that  
 ' *G. H.* of [or if the Offender's Name  
 ' *be unknown, here describe his Person,*] [here describe  
 ' *the Substance of the Offence, and the Time and Place when and where*  
 ' *committed,*] whereby he hath incurred a Forfeiture of  
 ' for the said Offence. 'Taken the Day of  
 ' before me *C. D.* [or before us *C. D.* and *E. F.*]'

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

CXV. And be it enacted, That in all Cases in which any Justice General  
 of the Peace is authorized by this Act to examine any Person, or Power to  
 take cognizance of or to hear or determine any Matter or Com- Justices to  
 plaint, it shall be lawful for such Justice and he is hereby required to administer Oaths.  
 administer an Oath to, or to receive the Affirmation, if a Quaker  
 or Moravian, or other Person whose Affirmation is admitted by  
 Law, of any Person before he shall be examined by or before  
 such Justice.

CXVI. And be it enacted, That if any Person who shall be sum- For compel-  
 moned as a Witness to attend and give Evidence before any Justice ling Wit-  
 of the Peace touching any Matter or Fact contained or involved in nesses to  
 or affecting any Information, Order, or Complaint laid in pursuance attend.  
 of or for any Offence committed against this Act or any of the said  
 recited Acts, or against any Rule, Order, or Bye Law made or to be  
 made under this or the said recited Acts, or any Matter which is  
 hereby referred to any Justice of the Peace, either on the Part of the  
 Prosecutor or on the Part of the Party summoned or accused, shall  
 [Local.] 39 Z refuse



refuse or neglect to appear at the Time and Place to be for that Purpose appointed, (having been tendered or paid a reasonable Sum for his Costs and Expences,) without a reasonable Excuse for his Refusal or Neglect, or appearing shall refuse to be examined upon Oath or Affirmation, as the Case may require, to give Evidence before such Justice, then and in either of the said Cases every Person so offending shall for every such Offence forfeit a Sum not exceeding Ten Pounds.

Persons  
aggrieved  
may appeal  
to Quarter  
Sessions.

CXVII. And be it enacted, That all Persons who may think themselves aggrieved by any Order, Judgment, or Determination of any Justice of the Peace relating to any Matter or Thing in this Act mentioned or contained, and for which no Power of Appeal is by this Act specifically given, may appeal to the General or Quarter Sessions to be held for the said Borough of *Liverpool* next after such Order, Judgment, or Determination shall have been made or given, the Appellant first giving Ten Days Notice in Writing of such Intention to appeal, and of the Grounds and Nature thereof, to the Party against whom such Appeal is intended to be made, or whose Interest shall be affected thereby, and within Three Days after such Notice, in the Case of an Individual appealing, entering into Recognizance before some Justice of the Peace for the said Borough, conditioned to try such Appeal, and abide the Order and Award of the said Court thereon, and to pay such Costs as shall be awarded; and the said Court shall in a summary Way either hear and determine the said Complaint at such General or Quarter Sessions, or, if such Court think fit, may adjourn the hearing thereof to the following General or Quarter Sessions of the Peace to be held for the said Borough; and the said Court may, if such Court see Cause, mitigate any Penalty or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of such Order, Judgment, or Determination, and may also order such further Satisfaction to be made to the Party injured as they shall judge reasonable, and may also order such Costs to be paid to the Party aggrieved by the Party aggressing as they shall think reasonable.

Costs in cer-  
tain Cases of  
Appeal.

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

Proceedings  
where Of-  
fender will  
not disclose  
his Name.

CXIX. And be it enacted, That if any Person charged with any Offence against this Act, or any Order, Rule, or Bye Law so to be made as aforesaid, shall refuse to disclose his Name, all the necessary Proceedings may be had and carried on against him for the Recovery



of any Penalty, Forfeiture, or Damage imposed or incurred under this Act, or such Order, Rule, or Bye Law respectively, by the Description of his Person and of the Offence committed, without stating his Name, or if One only of his Names be known, all such necessary Proceedings may be had and carried on against him by such Name only.

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

Power to mitigate Penalties.

CXXI. And be it enacted, That if any Person, upon any Examination upon Oath or Affirmation before any Justice of the Peace acting in execution of this Act, shall wilfully and corruptly give false Evidence touching any Matter or Thing relating to this Act, or shall wilfully or corruptly swear or affirm any Matter or Thing which shall be false or untrue, every such Person so offending, and being duly convicted thereof, shall be and is hereby declared to be subject and liable to such Pains and Penalties as by any Law in force and effect Persons guilty of wilful and corrupt Perjury are liable to.

Persons giving false Evidence.

CXXII. And be it enacted, That where any Distress shall be made for any Money to be levied by virtue of this Act, the Distress shall not be deemed unlawful, nor shall any Party making the same be deemed a Trespasser on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity which shall be afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage by an Action on the Case.

Distress not unlawful for Want of Form.

CXXIII. And be it enacted, That no Proceeding to be had or taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari, or by any other Writ or Proceeding whatsoever, into any of Her Majesty's Courts of Record at *Westminster*, or Court of Common Pleas at *Lancaster*, or elsewhere; any Law or Statute to the contrary notwithstanding.

Proceedings not to be quashed for Want of Form.

CXXIV. And be it enacted, That no Action, Suit, or Information, or any other Proceeding of what Nature soever, shall be brought, commenced, or prosecuted against any Person for any thing done or omitted to be done in pursuance of this Act, or in the Execution of the Power or Authorities or any of the Bye Laws made, given, or directed, or to be made, given, or directed, in or by or under this Act, unless Twenty Days previous Notice in Writing shall be given by

Limitation of Actions.



by the Party intending to commence and prosecute such Suit, Information, or other Proceeding to the intended Defendant, nor unless such Action, Suit, Information, or other Proceeding shall be brought or commenced within Six Calendar Months next after the Act committed, or in case there shall be a Continuation of Damage, then within Six Calendar Months next after the doing or committing such Damage shall have ceased, or unless such Action, Suit, or Information shall be laid and brought in the County, Borough, or Place where the Matter in dispute or Cause of Action shall arise; and the Defendant in such Action, Suit, Information, or other Proceeding may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial to be had thereupon, and that the Acts were done or omitted to be done in pursuance of or by the Authority of this Act; and if they shall appear to have been so done, or to have been so omitted to be done, or if it shall appear that such Action, Suit, Information, or other Proceeding shall have been brought otherwise than as herein-before directed, then and in every such Case the Jury shall find for the Defendant; and upon such Verdict, or if the Plaintiff shall become nonsuited, or shall suffer a Discontinuance of his Action, Suit, Information, or other Proceeding after the Defendant shall have appeared thereto, or if a Verdict shall pass against the Plaintiff thereon, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff, the Defendant shall have his Costs, and shall have such Remedy for recovering the same as Defendants have for recovering Costs of Suit by Law in other Cases.

Plaintiff not  
to recover  
after Tender  
of Amends.

CXXV. And be it enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in the Execution of this Act, or in, under, or by virtue of any Power or Authority hereby given, if Tender of sufficient Amends shall have been made by or on behalf of the Party who shall have committed such Irregularity, Trespass, or other wrongful Proceeding before such Action brought; and in case no Tender shall have been made it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, whereupon such Proceeding, Order, and Adjudication shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

Penalty for  
obstructing  
the Execu-  
tion of this  
Act.

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

Damages and  
Charges, in  
case of Dis-  
pute, to be

CXXVII. And be it enacted, That where any Damage, Satisfaction, or Charges are directed or authorized to be paid or recovered in addition to any Penalty or Penalties for any Offence in this Act mentioned,



mentioned, the Amount of such Damages, Satisfaction, or Charges shall be settled and determined by the Justice of the Peace by or before whom any Offender shall be convicted of any such Offence; and such Justice is hereby authorized and required, on Nonpayment thereof, to levy such Damages, Satisfaction, or Charges by Distress and Sale of the Offender's Goods and Chattels, and to commit him, her, or them, in default of Payment, in manner by this Act directed in Cases of Nonpayment of pecuniary Penalties or Forfeitures.

settled by Justices.

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

Saving the Power of the Council to make Bye Laws.

CXXIX. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to take away, prejudice, lessen, or affect any of the Powers, Privileges, Exemptions, Rights, or Authorities vested in or enjoyed by the Devises of the late Most Noble *Francis* Duke of *Bridgewater* under any Act or Acts of Parliament now in force.

For the Protection of the late Duke of *Bridgewater's* Property.

CXXX. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to take away, prejudice, lessen, or affect any of the Powers or Authorities vested in or enjoyed by the Commissioners for the better paving and Sewerage of the Town of *Liverpool* aforesaid.

For the Protection of the Commissioners of Paving and Sewerage.

CXXXI. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to take away, prejudice, lessen, or affect any of the Powers, Privileges, or Authorities now belonging to the Company of Proprietors of the *Liverpool* Waterworks, granted by Three several Acts of Parliament passed in the Thirty-ninth, Fiftieth, and Fifty-third Years of the Reign of His late Majesty King *George* the Third; the first intituled *An Act for better supplying the Town and Port of Liverpool with Water from certain Springs in the Township of Bootle in the County Palatine of Lancaster*; the second intituled *An Act to alter, amend, and enlarge the Powers of an Act passed in the Thirty-ninth Year of His present Majesty for better supplying the Town and Port of Liverpool with Water from certain Springs in the Township of Bootle in the County Palatine of Lancaster*; and the third intituled *An Act for enlarging the Powers of Two Acts of His present Majesty for better supplying the Town and Port of Liverpool with Water*; and to the Company of Proprietors of the *Liverpool* Corporation Waterworks and the *Liverpool* and *Harrington* Waterworks, granted by Two several Acts made in the Third and Seventh and Eighth Years of the Reign of His late Majesty King *George* the Fourth, the first intituled *An Act to repeal so much of an Act of the Twenty-sixth Year of His late Majesty King George the Third as relates to the supplying the Town of Liverpool with Water, and to grant other Powers for supplying the said Town and Port and the Shipping resorting thereto with Water*; and the second intituled *An*

Not to prejudice the Powers of the *Liverpool* Waterworks Companies, or of the Gas Light Companies.

39 G. 3. c. 36.

50 G. 3. c. 165.

53 G. 3. c. 20.

3 G. 4. c. 77.

[Local.]

[40 A]

Act



- 7 & 8 G. 4. c. 36. *Act to extend the Powers of an Act of His present Majesty, for supplying the Town of Liverpool in the County Palatine of Lancaster with Water, to Harrington and Toxteth Park in the said County; and to the Liverpool Gas Light Company, granted by an Act made in the Fifty-eighth Year of the Reign of His late Majesty King George the Third,*
- 58 G. 3. c. 66. *intituled An Act for lighting with Gas the Port and Town of Liverpool and Township of Toxteth Park in the County of Lancaster; and to the Liverpool New Gas and Coke Company, granted by Two several Acts of Parliament, the first passed in the Fourth Year of the*
- 4 G. 4. c. 39. *Reign of His late Majesty King George the Fourth, intituled An Act for lighting with Oil Gas the Town of Liverpool and certain Places adjacent thereto, and the second passed in the Fourth Year of the*
- 4 & 5 W. 4. c. 1. *Reign of His late Majesty King William the Fourth, intituled An Act to empower the Liverpool Oil Gas Light Company to produce Gas from Coal and other Materials, and to amend the Act relating to the said Company.*

Interpreta-  
tion Clause.

CXXXII. And be it enacted, That in the Construction of this Act every Word importing the Singular Number only shall extend and be applied to several Persons, Matters, or Things as well as One Person, Matter, or Thing; and every Word importing the Plural Number shall extend and be applied to One Person, Matter, or Thing as well as several Persons, Matters, or Things; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male; and whenever any Forfeiture, Penalty, or Damage is payable to a Party aggrieved, it shall be payable to a Body Corporate in like Manner as to an Individual; and where the doing of any Act or Thing is made punishable by this Act, or by any of the Orders, Rules, Regulations, or Bye Laws so to be made as aforesaid, with any Penalty, Fine, or Forfeiture, the causing, permitting, or suffering such Act or Thing to be done shall be punishable in like Manner; and whenever in this Act the Words "any offensive Matter or Thing" are used or occur, such Words shall be deemed to include any Nightsoil, Offal, putrid Meat or Fish, Entrails of Fish, Carrion, dead Animals, Blood, Dung, Manure, Oyster Shells, Bones, broken Glass, China, or Earthenware, Dust, Ashes, Refuse of Vegetables or Fruits, Orange Peel, Soap Suds, Gas, or Tar; and whenever in this Act the Word "Carriage" shall be used or occur, the same shall be deemed to include any Coach, Omnibus, Chariot, Car, Fly, Cabriolet, Gig, Sociable, Lorry, Waggon, Timber Carriage, Dray, Cart, Shandry, Sledge, Truck, Wheelbarrow, or Handbarrow; and whenever in this Act the Word "Street" shall be used or occur, the same shall be deemed to include any Street, Square, Court, or Alley, Highway, Lane, Road, Thoroughfare, public Passage or Place; and whenever in this Act the Word "Cattle" shall be used or occur, the same shall be deemed to include any Horse, Mare, Gelding, Foal or Filly, Bull, Cow, Heifer, Ox, Calf, Ass, Mule, Ram, Ewe, Wether, Lamb, Goat, Kid, or Swine; unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

CXXXIII. And



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

CXXXIV. And be it enacted, That this Act shall be deemed Public Act. and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

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