



ANNO SEXTO

GEORGIIV. REGIS.

Cap. cxxxi.

An Act for regulating the Markets in the Town of *Burslem* in the County of *Stafford*, and for lighting, regulating the Police, and watching the said Town of *Burslem*, and the Vills of *Longport*, *Cobridge*, *Sneyd Green*, and Parts adjacent, in the Parish of *Burslem*. [10th June 1825.]

WHEREAS the Town of *Burslem* in the County of *Stafford* is large and populous, and is a Place where great and extensive Manufactories of Earthenware are carried on, and the same, including the Hamlet of *Sneyd* and the Places of *Longport*, *Cobridge*, *Sneyd Green*, and other Parts adjacent, all in the Parish of *Burslem* aforesaid, contain upwards of Ten thousand Inhabitants: And whereas Markets on *Monday* and *Saturday* in each Week have been for many Years past held at *Burslem* aforesaid, in a Place there called "The Market Place," for the Convenience of and better supplying with Provisions the Inhabitants of the said Town and its Neighbourhood, and a Market House or Town Hall was many Years ago erected and built upon a Piece of Waste Land in the Market Place of the said Town: And whereas it would be of great Advantage to the Inhabitants of the said Town of *Burslem*, and Places adjacent, and to the Frequenters of the said Markets, if the said Market Place were enlarged, and the said Markets put upon a permanent Footing, with proper Regulations and Rules for conducting and managing

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Trustees of
Market.

the same; and it would also be of great public Utility if the Streets, Avenues, and Places in the said Town of *Burslem* were lighted, and if a proper and efficient Police and Watch were established in the said Parish of *Burslem*; but such Objects cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Persons and Person, being rated Inhabitants or a rated Inhabitant to the Poor of the Parish of *Burslem* aforesaid, who now are or is, or shall or may be, in his own Right or in Right of his Wife, in the actual Possession or Receipt of the Rents and Profits of Messuages, Lands, Tenements, Tithes, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes, or who is or shall or may be Heir Apparent of a Person seised of Messuages, Lands, Tithes, Tenements, or Hereditaments for some Estate for Life or Lives, or of Inheritance in Possession, of the clear yearly Value of Two hundred Pounds above Reprizes, or who is or shall or may be possessed of a Personal Estate of the Value of Three thousand Pounds or upwards, free from all Reprizes, shall from Time to Time be and they are hereby appointed Trustees of and for the said Town Hall and Market Place, and the Avenues and Approaches to the same, and for lighting the same, and for conducting, governing, regulating, and managing the said Markets, and for making and regulating the public Improvements within the said Parish of *Burslem* herein-after authorized to be made.

Commission-
ers.

II. And be it further enacted, That all and every Persons and Person who now are or is, or shall or may hereafter be or become Tenants or Occupiers, or a Tenant or Occupier, of Property within the Town of *Burslem* aforesaid, or the said Hamlet of *Sneyd*, or the said Places of *Longport*, *Cobridge*, and *Sneyd Green*, or any of them, at an improved Rent of Thirty-five Pounds *per Annum* at the least, or who are or is or shall be seised of in Possession, either in their or his own Right, or in Right of their or his Wives or Wife, as Owners or Owner of a Freehold Estate within the said Parish of *Burslem* of the clear yearly Value of Seventy Pounds free from all Reprizes, or who are or is or shall or may be or become possessed of a Personal Estate of the Value of Two thousand Pounds above Reprizes, and shall also be Inhabitants or an Inhabitant of the said Place or Places respectively, or of some or one of them, shall from Time to Time be and they are hereby appointed Commissioners for carrying the Purposes of this Act into Execution, as to the lighting of the said Town, and the Regulation of the Police and Watchmen, and all the other Purposes of this Act (save only such as relate to the said Markets and the general Improvements by this Act authorized to be made by the said Trustees as herein-after mentioned).

Limits of
the Market
Place.

III. And be it further enacted, That the Limits of the said Market Place for the Purposes of the said Markets, and of the Improvements herein-after authorized to be made therein, shall extend Two hundred Yards from the Centre of the present Town Hall, and be considered as circumscribed within a Circle having Two hundred Yards for its Radius.

IV. And

IV. And be it further enacted, That the Limits of this Act shall, for the Purposes of lighting the said Town, be deemed and taken to comprise such Part of the said Parish of *Burslem* as is called and described *Burslem Proper*, and which is comprised within the following Stations or Boundaries; that is to say, from the East Side of the Culvert under *Waterloo Road* in a Line to the East Corner of the Machine House belonging to the *Sneyd Colliery Company*, adjoining the Turnpike Road leading from *Burslem* to *Hot Lane*; and from the said East Corner of the said Machine House to the East Corner of the Engine belonging to the *Sneyd Colliery Company*, called *Sampson Engine*; and from the said East Corner of the said *Sampson Engine* to the East Corner of *Sylvester Square*; and from the said East Corner of *Sylvester Square* to the North-east Corner of the *Knowl Earthenware Manufactory*, belonging to *Jesse Breeze*; and from the said Manufactory to the East Corner of a certain Dwelling House situate at *Green Head*, belonging to *John Wedgwood Esquire*, in the Occupation of *John Dean* the younger; and from the East Corner of the said Dwelling House to a Stile into the *Oxney Croft* on the West Side of a new Carriage Road leading from *Burslem* to *Tunstall*; and from the said Stile, along a Footpath leading from *Green Head* to *Burslem Mill*, to a certain Stile at the West Side of *Mistress Wedgwood's Lower Meadow*; and from the said last-mentioned Stile down a small Stream of Water to a Culvert near *Burslem Wharf*; and from the said Culvert up another small Stream of Water to another Culvert at the Junction of *Hotlane Brook*; and up the said *Hotlane Brook* to the East Side of the first-mentioned Culvert, where the Boundary herein-before described first began; and shall also, as herein-after mentioned, be deemed and taken to comprise the said Villages of *Longport* and *Cobridge*, and every Part of the same respectively.

Limits of the Town of Burslem.

V. And be it further enacted, That the Limits of the said Police Establishment and Watching shall be within and extend over the said Parish of *Burslem* including *Sneyd Green*, but excepting only such other Part or Parts of the said Parish as is or are within the Lordship of *Abbey Hulton* in the said Parish.

Limits of the Operation of the Police and public Improvements.

VI. Provided always, and be it further enacted, That no Person who is or shall become, or who is or shall be appointed a Trustee or Commissioner by virtue of this Act, shall be capable of acting as a Trustee or Commissioner in the Execution of this Act in any Case where he shall be concerned in Interest (except as herein-after provided), nor whilst he shall hold any Place or Employment of Profit, or shall be concerned or interested in any Contract or Contracts under the said Trustees or Commissioners respectively, or this Act; and no Person shall be capable of being appointed a Trustee or Commissioner, or of acting as such, during the Time he shall keep a Victualling House or other House of public Entertainment, or who shall sell any Wine, Cider, Beer, Ale, spirituous or other strong Liquors, by Retail, or who shall be a Lessee or Farmer of the Tolls, or of any Part or Parts thereof, under this Act; and if any Person not being qualified as aforesaid, or being disqualified by any of the Causes aforesaid, or not having taken and subscribed the Oath as herein mentioned, or being a Quaker not having made and subscribed the Affirmation as herein mentioned, shall nevertheless act as a Trustee or Commissioner in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person

Persons interested, or holding Places of Profit, or keeping Victualling Houses, &c. not to act as Trustees or Commissioners.

or

or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; and the Person so prosecuted shall prove that he is qualified as aforesaid, or is not under any of the Disabilities to act herein mentioned (as the Case may require), and that he has subscribed an Oath or Affirmation according to the Directions of this Act, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecutor than that such Person hath acted as a Trustee or Commissioner in the Execution of this Act: Provided nevertheless, that all Acts and Proceedings touching the Execution of this Act, which shall be done and performed by any such Person previously to his being convicted of any such Offence as before mentioned, shall be as valid and effectual as if such Person had been qualified according to the Directions of this Act, or had not been under any of the Disabilities in this Act mentioned: Provided also, that no Mortgagee, or Assignee of any Mortgage or other Security, or any Lender of Money upon the Credit of the Tolls, or receiving Interest thereout for the same, shall on that Account be deemed disqualified to act as a Trustee or Commissioner in the Execution of this Act.

Qualification
of Trustees.

VII. And be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act unless he shall at the Time of acting be seised in his own Right, or in the Right of his Wife, and be in the actual Possession or Receipt of the Rents and Profits of Freehold or Copyhold Messuages, Lands, Tenements, Tithes, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes, or shall be Heir Apparent of a Person seised of Messuages, Lands, Tenements, Tithes, or Hereditaments for some Estate for Life or Lives, or of Inheritance in Possession, of the clear yearly Value of Two hundred Pounds above Reprizes, or be possessed of Personal Estate of the Value of Three thousand Pounds above Reprizes; nor unless he shall have previously taken and subscribed the Oath (or being One of the People called *Quakers* the Affirmation) next following, before any Two or more of the said Trustees (who are hereby authorized and required to administer the same), before he shall take upon himself to act in the Trusts and Authorities by this Act given and granted; which Oath or Affirmation shall be in the Words or to the Effect following; (that is to say),

Oath:

‘ I *A. B.* do swear [or being One of the People called *Quakers*, do
 ‘ solemnly affirm], That I am in my own Right, or in Right of my
 ‘ Wife, in the actual Possession or Receipt of the Rents and Profits of
 ‘ Messuages, Lands, Tenements, Tithes, or Hereditaments of the clear
 ‘ yearly Value of One hundred Pounds above Reprizes, or am Heir
 ‘ Apparent of a Person seised of Messuages, Lands, Tenements, Tithes,
 ‘ or Hereditaments for some Estate for Life or Lives, or of Inheritance, in
 ‘ Possession, of the clear yearly Value of Two hundred Pounds above
 ‘ Reprizes, or am possessed of a Personal Estate of the Value of Three
 ‘ thousand Pounds above Reprizes; and that I will truly, faithfully, and
 ‘ impartially, according to the best of my Skill and Judgment, execute and
 ‘ perform the several Powers and Authorities reposed in me as a Trustee
 ‘ by virtue of an Act passed in the Sixth Year of the Reign of His
 ‘ Majesty

‘ Majesty King George the Fourth, intituled [*here insert the Title of this Act.*] So help me GOD.’
 [Or being a Quaker omit the Words ‘ So help me God.’]

VIII. And be it further enacted, That no Person hereby appointed or who shall be hereafter appointed a Commissioner, pursuant to the Directions of this Act, shall be capable of acting as a Commissioner in the Execution of this Act unless he shall at the Time of acting be a Tenant or Occupier of Messuages, Lands, or Buildings within the Town of *Burslem*, or the said Villis or Places of *Longport*, *Cobridge*, and *Sneyd Green*, or some of them, at an improved Rent of Thirty-five Pounds *per Annum* at the least, or unless he shall be the Owner of an Estate for Life, or of Inheritance of Freehold Property, of the clear yearly Rent of Seventy Pounds free from all Reprizes, or be possessed of a Personal Estate of the Value of Two thousand Pounds above Reprizes; nor unless he shall have previously taken and subscribed the Oath (or being One of the People called *Quakers* the Affirmation) next following, before any Two or more of the said Commissioners (who are hereby authorized and required to administer the same), before he shall take upon himself to act as a Commissioner in the Execution of this Act; which Oath or Affirmation shall be in the Words or to the Effect following; that is to say,

‘ I *A. B.* do swear, [*or being One of the People called Quakers, do solemnly affirm*], That I am Tenant and Occupier of Property in the Parish of *Burslem* aforesaid at the improved yearly Rent of Thirty-five Pounds clear of all Deductions whatsoever, *or* that I am seised of or entitled to in Possession, either in my own Right or in Right of my Wife, as Owner of a Freehold Estate of the clear yearly Value of Seventy Pounds free from all Reprizes, *or* that I am possessed of a Personal Estate of the Value of Two thousand Pounds above Reprizes; and that I will truly, faithfully, and impartially, according to the best of my Skill and Knowledge, execute and perform the several Powers and Authorities reposed in me as a Commissioner by virtue of an Act passed in the Sixth Year of the Reign of His Majesty King George the Fourth, intituled [*here insert the Title of this Act*]. So help me GOD.’
 [Or being a Quaker omit the Words ‘ So help me God.’]

IX. And be it further enacted, That all Proceedings, Matters, and Things relative to the Execution of this Act may be done and executed by the major Part of the Trustees or Commissioners respectively who shall be present at their several Meetings to be holden by virtue of this Act, the whole Number present being not less than Five (except only in Cases where any greater or less Number of them is or may be herein particularly required or authorized to act); and at every Meeting of the said Trustees or Commissioners a Chairman shall be appointed, and when and as often as there shall happen to be an Equality of Votes at any such Meeting upon any Question, including the Vote of the Chairman, then and in every such Case it shall be lawful for the Chairman to give an additional or casting Vote; and the said Trustees and Commissioners at their Meetings shall pay their own Expences.

X. And be it further enacted, That all the Meetings of the said Trustees and Commissioners respectively shall be held at the Town Hall in *Burslem* aforesaid; and the First Meeting of the said Trustees shall be held
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Qualification
of Commis-
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Oath.

Acts done by
Five Trustees
valid unless
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Meetings of
Trustees and
Commission-
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on the First *Wednesday* next after the passing of this Act, and the First Meeting of the said Commissioners shall be held on the First *Thursday* next after the passing of this Act, or as soon after as conveniently may be, respectively between the Hours of Eleven of the Clock in the Forenoon and Two of the Clock in the Afternoon; and if there shall be Five Trustees or Commissioners present at such Meetings respectively, such Trustees and Commissioners shall then proceed to carry the several Powers given to them respectively by this Act into Execution; and in case there shall not be Five Trustees or Commissioners present at such Meetings respectively, then such Meeting shall be adjourned by the Trustees or Trustee, Commissioners or Commissioner, who shall be present, and so from Time to Time until there shall be Five Trustees or Commissioners at the least present at a Meeting for carrying the respective Powers and Authorities of this Act into Execution; and when there shall be a Meeting at which Five Trustees or Commissioners shall be present, then the Trustees or Commissioners who shall be so present, or the major Part of them, shall or may proceed to carry the respective Powers and Authorities of this Act into Execution, and may adjourn to and meet at such other Time as they shall think proper and appoint for executing all the Purposes of this Act; and it shall be lawful for the Trustees and Commissioners for the Time being acting by virtue of this Act, or any Five or more of them, from Time to Time to adjourn any subsequent Meeting to be held for carrying this Act into Execution to such Time or Times as they shall think proper and appoint; and if at any Meeting appointed to be held by virtue of this Act there shall not be present Five Trustees or Commissioners respectively, then the Trustees or Trustee, Commissioners or Commissioner, who shall or may be present at any such Meeting, shall and may adjourn such Meeting to such other Time as they or he shall think proper; and if at any such adjourned Meeting there shall not be present One Trustee or Commissioner, or in case the Trustee or Trustees, Commissioner or Commissioners, present at any such Meeting respectively, shall omit to further adjourn such Meeting, the Clerk of the said Trustees or Commissioners respectively shall and may from Time to Time, as often as any such Case shall happen, adjourn any Meeting to such Time as he shall think fit, within One Calendar Month from the Day on which such last Meeting was appointed: Provided always, that no Business shall be done or proceeded upon by the said Trustees or Commissioners respectively, at any such Meeting to be held under this Act, before the Hour of Eleven of the Clock in the Forenoon, nor shall any Meeting be appointed to begin at any later Hour than Two of the Clock in the Afternoon of the Day on which such Meeting may be appointed to be held.

Annual Meetings, and Meetings on Emergencies.

XI. And be it further enacted, That a Meeting of the said Trustees shall be held annually on the Second *Wednesday* in the Month of *June*, at the Market Hall in *Burslem* aforesaid, and that a Meeting of the said Commissioners shall be held annually on the Second *Thursday* in the Month of *June*, at the same Place, for carrying the respective Powers and Authorities given by this Act into Execution; and if after any Adjournment of any Meeting of the said Trustees or Commissioners respectively, it shall at any Time be thought necessary that an earlier Day of Meeting should be appointed than the Day appointed by such Adjournment, or if for want of proper Adjournment, or otherwise, it shall at any Time or Times be thought necessary to call a Meeting of the said Trustees or Commissioners

Commissioners respectively, it shall and may be lawful for any Two or more of the said Trustees or Commissioners, or for any Clerk of the said Trustees or Commissioners respectively, upon an Order in Writing delivered to him, signed by any Two or more of the said Trustees or Commissioners respectively (although not assembled at a Meeting), authorizing him to call a Meeting, to appoint the Time and Purpose of such Meeting, and to give Notice thereof in the Manner herein-after directed respecting the Meeting of Trustees and Commissioners, (such Meeting not being less than Fourteen Days after such Notice), and every such Meeting shall and may be held accordingly; and all Proceedings of the said Trustees and Commissioners respectively at any such Meeting, shall be as valid as they would have been in case the Trustees had met in pursuance of an Adjournment.

XII. And be it further enacted, That it shall and may be lawful for the said Trustees and Commissioners respectively at all their Meetings to be held in pursuance of this Act, and they are hereby empowered, from Time to Time to make such Orders, Rules, and Regulations as they shall think proper for effectually carrying this Act into Execution; but no such Orders, Rules, or Regulations shall be valid, unless the major Part of the Trustees and Commissioners respectively present at every such Meeting shall concur therein; nor shall any such Orders, Rules, and Regulations be revoked or altered at any subsequent Meeting, unless a greater Number of the Trustees or Commissioners respectively shall concur in the Revocation or Alteration thereof than concurred in the making of any such Orders, Rules, and Regulations, nor unless Notice of any such Revocation or Alteration being intended shall have been given at a previous Meeting, and entered in the Book of Proceedings of such Meeting, nor unless Notice of the Meeting at which any such Revocation or Alteration is intended to be made, and the Object of the Meeting, shall have been published Twice in some Newspaper usually circulated in the *Staffordshire* Potteries, Six Days at the least before the holding of such Meeting.

How Orders of Trustees and Commissioners are to be made and revoked.

XIII. And be it further enacted, That of all Meetings to be held in pursuance of this Act (except where it shall be herein otherwise directed) Notice shall be inserted in some Newspaper usually circulated in the *Staffordshire* Potteries at least Six Days before the Day appointed for any Meeting, or such other Notice thereof shall be given and published in such Manner as the said Trustees or Commissioners respectively at their said First Meeting, or at any annual Meeting to be held by virtue of this Act, shall order and direct.

Notice of Meetings.

XIV. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to direct and appoint what Part or respective Parts of the said Market Place shall be occupied and made use of for exposing to Sale any particular Commodities, Matters, and Things therein, and to direct the Order and Arrangement thereof; and also from Time to Time to make such Rules and Orders, and Bye Laws, for the better Regulation and Government of the said Market, and for preventing unwholesome Provisions being sold, or offered or exposed to Sale therein, and deficient Weights and Measures being used, and for preventing Horses and Carriages travelling or going through the said Market Place, or remaining there (save as herein-after mentioned), or any other Nuisances

Trustees may make Bye Laws and Regulations.

Nuisances or Obstructions therein, or the Approaches to the same, during the Times of holding the Market, and all such other Regulations touching the said Market (not repugnant to any thing in this Act contained, or contrary to any Law or Statute in that Part of *Great Britain* and *Ireland* called *England*), as the said Trustees shall deem expedient, and with such Penalty for disobeying the same, not exceeding Five Pounds for any one Offence, as they shall think fit; and also to fix and ascertain the Time or Times at which all or any Goods, Articles, Wares, or Commodities shall begin to be offered or exposed to Sale therein, and how long the same shall continue exposed to Sale, and to cause the Time and Times of beginning and concluding every Market to be announced, either by the ringing of a Bell or otherwise, as they shall think proper; and the said Trustees shall and may from Time to Time, as they shall think fit, repeal, alter, add to, or amend any such Rules, Orders, Regulations, and Bye Laws; which Rules, Orders, Regulations, and Bye Laws, so as aforesaid to be from Time to Time made, shall be painted on Boards, and affixed on some conspicuous Part of the Town Hall, and in the said Market Place, and shall be valid and effectual to all Intents and Purposes, and such Boards shall be renewed from Time to Time, when and so often as the same shall or may be destroyed, defaced, or obliterated: Provided always, that all such Rules, Orders, Regulations, and Bye Laws, and all Convictions for any Penalties or Forfeitures imposed by virtue thereof, shall be liable to Appeal to the Justices at the next General Quarter Sessions of the Peace, in like Manner as is hereafter provided or mentioned with respect to any other Matter of Appeal; but no such Rules, Orders, Regulations, and Bye Laws shall have any Force until Fourteen Days after the same shall have been so painted on Boards, and set up or affixed upon such conspicuous Places as aforesaid.

Orders to be entered in a Book, and signed by the Chairman.

XV. And be it further enacted, That all Acts, Orders, Resolutions, and Proceedings of the said Trustees and Commissioners respectively shall from Time to Time be fairly written and entered by the Clerk for the Time being of the said Trustees or Commissioners respectively in a proper Book or Books to be kept for those Purposes, with the Names of the Trustees or Commissioners who shall be present at the respective Meetings, and in case of a Division upon any Question, stating the Number constituting the Majority, and shall be signed by the respective Chairmen of such Meeting; and all such Entries therein, being so signed and subscribed, shall at all seasonable Times be open to the Inspection of the said Trustees and Commissioners respectively, and shall be deemed and taken to be Originals; and the same, or true Copies thereof, shall be admitted to be read in Evidence in all Courts whatsoever, in all Causes, Suits, and Actions touching any thing to be done in pursuance of and under the Authority of this Act.

Accounts to be kept of Receipts and Disbursements.

XVI. And be it further enacted, That the said Trustees and Commissioners respectively shall and they are hereby required to order and direct a Book or Books to be provided and kept by their Clerk or Clerks respectively for the Time being, in which Book or Books such Clerk or Clerks shall enter or cause to be entered true and regular Accounts of all Sums of Money received or laid out and expended for the respective Purposes of this Act, and of the several Articles, Matters, and Things

for which any Sum of Money shall have been disbursed, laid out, and paid, which Book or Books shall at all seasonable Times be open to the Inspection of the said Trustees and Commissioners respectively, and any Creditor or Creditors on the Tolls hereby granted, or on the Rates hereby authorized, without Fee or Reward; and the said Trustees, Commissioners, and Creditors respectively shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk or Clerks shall refuse to permit, or shall not permit the said Trustees and Commissioners, or such Creditors respectively, or any of them, to inspect the same Book or Books, or to take such Copies or Extracts as aforesaid, every such Clerk shall forfeit and pay any Sum not exceeding Five Pounds, to be levied and recovered in manner herein-after mentioned.

XVII. And be it further enacted, That it shall be lawful for the said Trustees and Commissioners respectively, to nominate and appoint may be appointed. One or more Committee or Committees of their respective Bodies, (every such Committee to consist of not less than Seven Persons), out of the said Trustees and Commissioners respectively, to investigate, transact, and manage particular Departments of Business; and such Committee or Committees shall have full Power and Authority to do, execute, and perform all Matters and Things whatsoever which the said Trustees or Commissioners respectively shall from Time to Time intrust to the Management of such Committees; and such Committees shall meet at such Times and Places as they shall think proper; and all Powers which shall be vested in the said Committees shall be exercised by the major Part present at their respective Meetings; and such Committees shall from Time to Time make Reports of their Proceedings to the said Trustees and Commissioners respectively; and the Acts of the said Committees shall not be valid, unless the same shall be adopted, ratified, and confirmed by the said Trustees and Commissioners respectively.

XVIII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time at any of their General Meetings, by Writing Officers to be appointed. under the Hand of the Chairman for the Time being, entered in the said Book or Books of Proceedings, to nominate and appoint fit and proper Persons to be Treasurer or Treasurers, Clerk or Clerks, Inspector or Inspectors of Provisions, and of Weights and Measures, Clerk or Clerks of the said Markets, Scavenger or Scavengers, Collector or Collectors, Receiver or Receivers of the Monies to be collected and received by or on account of the said Trustees by virtue of this Act, and also for the said Commissioners in like Manner to appoint a Treasurer or Collector, or Clerk, and such other Officers as the said Trustees and Commissioners respectively shall think proper, and from Time to Time to remove and displace all or any of such Officers as Occasion shall require, and to elect and appoint others in the Room or Place of such of them as shall be so removed, or shall die, or resign their Offices; and also from Time to Time, by and out of the Monies to be raised or received by virtue of this Act, to pay such Wages and Salaries, and make such Allowances to the said Officers, and to all other Persons to be employed in or about the Execution of this Act, as they the said Trustees and Commissioners respectively shall think reasonable and proper; and they may require and take such Security from every such Treasurer, Collector, and other Officer

so to be appointed, for the Execution of their respective Offices, as the said Trustees or Commissioners respectively shall think necessary and appoint; and every Officer and Person to be appointed by virtue of this Act, or who shall be employed in the Execution thereof, shall, under his Hand, at such Time or Times and in such Manner as the said Trustees and Commissioners respectively shall direct, deliver to the said Trustees or Commissioners, or to such Person or Persons as they shall appoint to receive the same, a true and perfect Account in Writing of all Monies which shall have been by such Officers respectively received by virtue of or for any of the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their respective Hands to the said Trustees or Commissioners respectively, or to such Person or Persons as they shall appoint; and if any such Treasurer, Collector, Clerk, Officer, or Person shall not make and render such Account, or shall neglect or refuse to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall not deliver to the said Trustees or Commissioners respectively, or to such Person or Persons as they shall appoint, within Fourteen Days next after being thereunto required by Notice in Writing signed by the Chairman or by the Clerk to the said Trustees or Commissioners respectively, and given or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or give Satisfaction to the said Trustees respecting the same, and if Complaint shall be made thereof, by or on behalf of the said Trustees, to any Justice of the Peace for the said County of *Stafford*, such Justice is hereby authorized and required to summon such Officer or Officers, Person or Persons, to appear before him, and in case of his or their not appearing upon such Summons, the same having been served on him or them personally, or left at his or their usual Place or Places of Abode (no reasonable Cause or Causes being shewn for such Non-appearance), to issue a Warrant or Warrants for his or their Apprehension, and upon his or their appearing upon such Summons, or being apprehended or brought before him by virtue of such Warrant, or having absconded not being to be found, it shall be lawful for such Justice to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts, if produced, in the same Manner as the Trustees and Commissioners respectively might have done; and if upon the Confession of the Party, or by the Testimony of One credible Witness upon Oath, it shall appear to such Justice that any of the Money that shall have been collected and raised by virtue of this Act shall be in the Hands of such Treasurer, Collector, Clerk, Officer, or Person, such Justice may and he is hereby authorized and required to order the Payment thereof, and upon Nonpayment thereof by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Treasurer, Collector, Clerk, Officer, or Person, together with the Costs and Charges of such Distress and Sale, to be settled and ascertained by such Justice, and which he is hereby authorized and empowered to settle and ascertain, rendering the Overplus (if any) to the Party or Parties so distrained on, or leaving the same at the Place where the Distress shall be made; and if no Goods or Chattels shall be found sufficient to satisfy the said Monies and Charges of levying the same, or if it shall in manner aforesaid appear to such Justice that

that any such Treasurer, Collector, Clerk, Officer, or Person shall refuse or neglect to render and give such Account, or to produce the Vouchers relating thereto, or any Books, Papers, or Writings relating to the Execution of this Act, which shall be in the Custody or Power of such Treasurer, Collector, Clerk, Officer, or other Person, and that he hath refused or neglected to deliver or give Satisfaction respecting the same as aforesaid, such Justice may and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Treasurer, Collector, Clerk, Officer, or Person to the Common Gaol of the said County of *Stafford*, there to remain without Bail or Mainprize until he or they shall have delivered in and settled his or their Accounts, and shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid the Money which shall appear to be in his or their respective Hands, and the reasonable Charges for such Distress and Sale which shall in that respect have been made, or until he or they shall have compounded with the said Trustees and Commissioners for the same, and have paid such Composition Money in such Manner as they shall appoint (and which Composition Money the said Trustees and Commissioners respectively, or any Seven or more of them, are hereby empowered to make and receive), or until he or they shall deliver up such Books, Accounts, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Trustees and Commissioners respectively as aforesaid; but no such Officer or other Person as shall be committed for Default of Distress only shall be detained in Prison by virtue of this Act for any longer Space of Time than Six Calendar Months.

XIX. And be it further enacted, That it shall not be lawful for the said Trustees or Commissioners respectively to appoint the Person or Persons who may be appointed a Clerk or Clerks in the Execution of this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of the Partner or Partners of such Clerk or Clerks, to be a Treasurer or Treasurers for any of the Purposes of this Act; or to appoint any Person or Persons who may be appointed a Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, to be a Clerk or Clerks to the said Trustees or Commissioners respectively; and if any Person shall accept the Two Offices of Clerk and Treasurer for any of the Purposes of this Act, or if any Person or Persons being the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or Person or Persons in the Service or Employ of any such Clerk or Clerks, shall accept the Office of a Treasurer, or being the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of the Partner or Partners of such Treasurer or Treasurers, shall accept the Office of a Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust (other than that of Treasurer) under the said Trustees or Commissioners, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall

Clerk not to act as Treasurer, and vice versa.

sue

sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, 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.

For Punishment of Officers exacting Fees.

XX. And be it further enacted, That if any Officer to be employed by the said Trustees or Commissioners respectively, for any of the Purposes of this Act, shall exact, demand, or receive from any Person or Persons whomsoever any Fees, Emoluments, or other Perquisites in the Execution of the Duties of his Office, other than the Salary or Emoluments allowed to him by the said Trustees or Commissioners respectively, every such Officer shall repay the Sum or Sums so unlawfully received to the Person or Persons who shall have paid the same, and shall forfeit and pay any Sum not exceeding Twenty Pounds by way of Penalty for every such Offence.

Trustees and Commissioners may sue and be sued in the Name of any Trustee or Commissioner, or of their Clerk.

XXI. And be it further enacted, That the said Trustees and Commissioners may sue and be sued for any thing done by them respectively in the Execution of this Act, or for or on account or in respect of any Orders, Acts, or other Proceedings of the said Trustees or Commissioners, at any of their Meetings, in the Name or Names of any One or more of the said Trustees or Commissioners respectively, or of their respective Clerk or Clerks for the Time being; and no Action or Suit to be brought or commenced by or against the said Trustees or Commissioners respectively by virtue of this Act, in the Name or Names of any One or more of the said Trustees or Commissioners respectively, or of their Clerk or Clerks respectively, shall abate or be discontinued by the Death, Resignation, or Removal of such Trustee or Trustees, Commissioner or Commissioners respectively, or any of them, or by his, their, or any of their Act or Acts respectively, without the Consent of the said Trustees or Commissioners respectively, but any One or more of the said Trustees or Commissioners, or their Clerk or Clerks respectively for the Time being, shall be always deemed to be the Plaintiff or Plaintiffs, Defendant or Defendants, as the Case may be, in such Action or Suit: Provided always, that every such Trustee or Commissioner respectively, Clerk or Clerks, shall be reimbursed and paid forthwith, out of the Monies to be received by virtue of this Act, by the Treasurer or Treasurers for the Time being to the said Trustees or Commissioners respectively, all such Costs, Charges, and Expences as he or they shall be put unto, or become chargeable with or liable to, by reason of his or their being made Plaintiff or Plaintiffs, Defendant or Defendants.

Property vested in the Trustees.

XXII. And be it further enacted, That the said Town Hall and Market Place, and other Hereditaments comprised in the Lease or Leases from the Lord of the Manor to the Persons named in the said Lease or Leases, and all Buildings and Conveniences which shall be erected and made by the said Trustees for the Purposes of this Act, and all Materials, Articles, Matters, Things, and other Property provided or purchased by the said Trustees, shall belong to and be the Property of, and the same are hereby vested in the said Trustees, who shall and may and are hereby empowered to cause to be brought any Action or Actions, or direct the preferring of any Bill or Bills of Indictment, as the Case may require, against any Person or Persons who shall spoil, injure, or destroy, steal, take or carry away,

away, any of such Property so vested in the said Trustees as aforesaid; and in all such Actions and Bills of Indictment respectively it shall be sufficient to state generally that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment shall be preferred, is or are the Property of "The Trustees of *Burslem* Market," without particularly mentioning or specifying the Name or Names of all or any of such Trustees.

XXIII. And be it further enacted, That it shall be lawful for the said Trustees, from Time to Time and at all Times hereafter, to keep and maintain in repair the said Town Hall and Market Place, with proper and sufficient Offices and other Works and Conveniences, and also from Time to Time, and at all Times after the passing of this Act, to hold an open and public Market or Markets in the said Market Place, and the Spaces of Ground thereunto adjoining (not exceeding Two hundred Yards from the Centre of the said Town Hall); and also to make, erect, construct, provide, put up, continue, and use, or allow to be used, or contract for the making, providing, erecting, building, constructing, and setting up, in or upon all or any Part of the aforesaid Space of Ground, and from Time to Time to enlarge, diminish, alter, take down, and remove, and re-erect and put up any additional Buildings to the said Town Hall and Market Place, and all such other Buildings, Stalls, Shambles, Standings, Bulks, Sheds, and other Conveniences as shall appear to the said Trustees to be necessary or convenient for the Purposes of the said Market and of this Act; and such Market or Markets shall be holden on *Monday* and *Saturday* in each Week, and shall be for the Sale of Flesh Meat and other Raw Victuals, Fish, Poultry, Rabbits, Pigs, Eggs, Butter, Cheese, Herbs, Roots, or other Vegetables, Fruit, and all such other Goods, Wares, Articles, Commodities, Matters, and Things as are usually sold or exposed to Sale in public Markets: Provided always, that it shall and may be lawful for the said Trustees at any Meeting to be called for that Purpose, of which Twenty-one Days Notice shall be given, and not less than Nine Trustees being present at such Meeting, to alter and vary or add to the Number of the Day or Days on which such Markets, or either of them, are now or is or shall be holden, and also to appoint any Number of Fairs to be holden in the said Town annually, not exceeding Six.

Power to Trustees to hold Markets, and to erect Stalls, &c.

XXIV. And be it further enacted, That it shall be lawful for the said Trustees to erect and appoint a public Weighing and Measuring House or Place at, in, or near the said Market Place, for weighing or measuring such Meats, Goods, Articles, or Things as shall be bought or sold by Weight or Measure in the said Market, and to keep good and sufficient Standards, Weights, Scales, Steelyards, and Measures, and to appoint the Clerk or Clerks of the same Market, or some other Person or Persons, to attend the same on every Market Day; and all and every Persons and Person selling Meat or other Things by Weight or Measure in the same Market, shall weigh and measure the same in or by the said Weights, Measures, Scales, or Steelyards as aforesaid, if required by the Buyer or Buyers thereof to be so weighed or measured, and in case any Person or Persons shall refuse to weigh and measure as aforesaid he or they shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Power to appoint a Weighing Place.

[Local.]

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XXV. And

Inspector to
destroy un-
wholesome
Meat and
false Weights,
&c.

XXV. And be it further enacted, That the Person or Persons to be appointed by the said Trustees as Inspector or Inspectors of Provisions, and of Weights and Measures, in the said Market, shall and may and is and are hereby authorized and required to seize and publicly to destroy all unwholesome Flesh Meat which shall be brought into or offered for Sale in the said Market, and shall seize all false and deficient Weights and Measures which shall be found or used therein, and carry the same before a Justice of the Peace for the said County, to be dealt with according to Law.

No Cattle to
be slaugh-
tered in the
Market Place,
nor Stalls to
be set up in
the Streets.

XXVI. And be it further enacted, That it shall not be lawful for any Person or Persons to kill, slaughter, or dress, or cause to be killed, slaughtered, or dressed, any Beast, Swine, Calf, Sheep, or other Cattle in the said Market Place, or within the Limits thereof, (except in such Slaughter Houses and other Buildings as are or shall be erected and set apart for that Purpose); nor shall any Person or Persons erect or hold any other Market within the said Town of *Burslem*, or put, place, or set up, or cause to be put, placed, or set up, any Stall, Shed, Standing, or other Convenience, or any Basket, Stool, Table, or Board, for the Purpose of showing or selling or exposing to Sale any Butcher's Meat or other marketable Commodities, Articles, Matters, or Things, on any of the public Footpaths or Highways, or other Place or Places in the said Town of *Burslem* (other than within the Limits of the said Market Place); upon pain of every Person so offending, on Conviction before One or more Justice or Justices of the Peace for the said County of *Stafford*, forfeiting any Sum not exceeding Five Pounds, to be recovered and applied as is herein-after directed.

Persons not
to be pre-
vented from
selling in
their Houses
and Shops.

XXVII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to prevent or hinder any Person from selling or exposing to sale any marketable Goods, Commodities, Articles, Matters, or Things whatsoever, in his, her, or their own private Dwelling House, or in his, her, or their own Shop or Premises, in any Part of the Limits of this Act.

Dirt to be
removed by
Scavengers.

XXVIII. And be it further enacted, That the Person or Persons who shall from Time to Time be appointed to or be employed by or contract with the said Trustees for the Office of Scavenger or Scavengers, for the Purpose of cleansing the said Market Place, and the Avenues and Approaches to the same, shall, at the Time or Times and in the Manner required by an Order of the said Trustees, or any Contract or Contracts which such Person or Persons shall enter into with the said Trustees for that Purpose, sweep and collect together, and remove and take away to some inclosed or other Place or Places out of the said Market Place, and the Avenues and Approaches to the same, all the Dirt, Dust, Filth, Mud, or Rubbish which shall have been laid or collected within the Limits of such Market Place and Approaches respectively, the same to be and be considered the Property of the Trustees under this Act, for the Purposes thereof.

Persons may
keep the Dust
&c. arising

XXIX. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to any Ashes, Cinders,

Cinders, Dust, Dirt, Manure, Filth, Soil, Dung, or Rubbish which any of the Inhabitants of the said Limits shall have occasion and think fit to preserve and keep within their own respective Houses, Yards, and Gardens, but the same shall respectively belong to and be at the Disposal of the Person or Persons so reserving the same, so as such Ashes, Cinders, Dust, Dirt, Manure, Filth, Soil, Dung, or Rubbish be not laid down or placed in any of the said Markets, Streets, Squares, Ways, Lanes, public Passages or Places in the said Limits, for any longer Time than shall be necessary for the loading and carrying away the same, and so as the same do not annoy the Neighbour or Neighbours of such Person or Persons, nor the Public in general; and in case such Person or Persons so reserving such Ashes, Cinders, Dust, Dirt, Manure, Filth, Soil, Dung, or Rubbish, shall wilfully or negligently permit or suffer the same to lie in any of the said Markets, Streets, Squares, Ways, Lanes, public Passages and Places in the said Limits, for any longer Time than Three Hours for the Purpose of loading and carrying away the same, or shall suffer the same to annoy his or their Neighbour or Neighbours, or the Public in general, such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and it shall and may be lawful for the Person or Persons to be appointed by or contracting with the said Commissioners for cleansing the said Markets, Streets, Squares, Ways, Lanes, public Passages and Places, and they are hereby authorized and directed to take and convert such Ashes, Cinders, Dust, Dirt, Manure, Filth, Soil, Dung, and Rubbish to his or their own Use and Uses, and to sell and dispose of the same, without rendering any Satisfaction for the same.

within their
own Pre-
mises.

XXX. And be it further enacted, That if any Person or Persons shall assault, hinder, or obstruct any Collector of the Tolls, or other Person authorized to receive the same, or any other Officer of the said Trustees employed to superintend the said Markets, or if any Collector or other Person authorized to receive the Tolls by this Act made payable, or any of them, shall knowingly take or demand of or from any Person or Persons any greater or less Toll than shall be justly due for the same, every Person offending in any of the Cases aforesaid shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings.

Penalties for
assaulting
Collectors.

XXXI. And be it further enacted, That if any Person or Persons shall take away, remove, destroy, deface, injure, or pull up any Gate, Fence, Pier, Post, Rail, or Erection, Flagging or Pavement, in, upon, or within the Limits of the said Market Place, or of or belonging to the said Town Hall, or any Board, Notice, or Inscription which shall be fixed or set up in or near to the same by the Order of the said Trustees, or destroy, damage, or injure any of the Stalls, Shambles, Standings, Sheds, Bulks, and other Conveniences to be erected, set up, or used in the said Market Place or the Limits thereof, or the said Town Hall, or belonging to the said Trustees, every Person offending in any of the Cases last aforesaid shall forfeit and pay such Sum of Money, not exceeding the Sum of Twenty Pounds, as any Justice or Justices of the Peace for the said County of *Stafford* shall in that Behalf direct, and also such further Sum of Money, as a Compensation for the Damage and Costs which shall have been occasioned by such Offence, as the said Justice or Justices shall in that Behalf award.

Penalty for
injuring
Buildings.

XXXII. And

Power to
take Tolls,
Rents, &c.

XXXII. And be it further enacted, That there shall be paid to the said Trustees, or to the Person or Persons to be by them appointed to receive the same, by all and every Persons and Person holding, using, or occupying any Building, Shed, Stall, Standing, Bulk, Tressel, Block, or other Convenience, Standing Place, or Station, or selling, offering, or exposing to Sale any Butcher's Meat or other Goods, Articles, Commodities, or Things as aforesaid, in the said Market or Markets, the several Tolls, Duties, Rents, and Stallage mentioned, expressed, or contained in the First Schedule to this Act annexed.

Penalty on
refusing or
evading Pay-
ment of
Tolls.

XXXIII. And be it further enacted, That in case any Person holding, using, or in any Manner occupying any of such Buildings, Sheds, Stalls, Standings, Bulks, Tressels, Blocks, or other Conveniences as aforesaid, or selling or offering or exposing to Sale any Butcher's Meat, or any other Goods, Commodities, Articles, or Things, in the said Market, shall, upon Demand thereof made by the Collector, Farmer, or other Person authorized to receive the said several Sums or Tolls aforesaid, or any or either of them, or any Part thereof, then and in such Case, and as often as it shall so happen, it shall be lawful for the said Collector, Farmer, or other Person so authorized to receive the same, either by himself or his Assistants, to levy the same by Distress and Sale of all or any of the Goods, Articles, and Things so offered or exposed to Sale, and the Distress or Distresses so taken to sell immediately, rendering the Overplus, if any there be, after deducting the Expence of such Distress and Sale, to the Person or Persons whose Property such Goods, Articles, or other Things were at the Time of every such Distress.

Disputes
concerning
Tolls to be
settled by a
Justice.

XXXIV. And be it further enacted, That if any Dispute or Disputes shall happen respecting the demanding or taking or the Payment of Toll, or about the Amount of Toll due, or the Charges of keeping or selling any Distress, such Dispute or Disputes shall be heard and determined by some Justice of the Peace for the County of *Stafford*, who, upon Application made to him for that Purpose, shall examine the Matter upon Oath of the Parties or other Witness or Witnesses (which Oath the said Justice is hereby authorized and empowered to administer), and shall determine the Amount of the Toll due, and other Matters in dispute between the Parties, and may also award such Costs to be paid by either Party to the other, as to such Justice shall seem just and reasonable; all which Costs, in case the same shall not be forthwith paid, shall and may be levied and recovered by Distress and Sale of the Goods, and Chattels of the Person or Persons so awarded or directed to pay the same, by Warrant under the Hand and Seal of such Justice (which Warrant every such Justice is hereby empowered to issue), and the Overplus, if any, after Payment of such Costs, and the Costs of such Distress and Sale, shall be returned upon Demand to the Person or Persons whose Goods and Chattels shall have been so distrained.

Power to let
Tolls, &c.

XXXV. And be it further enacted, That it shall be lawful for the said Trustees to demise and let to farm the Whole or any Part of the Tolls or Profits to be collected or to arise from or in respect of the said Market or Markets, to any Person or Persons who shall be willing to take or farm the same, either by public Auction or private Contract, and also to let

let any of the Shambles, Standings, Sheds, Stalls, Blocks, Bulks, Tressels, and other Conveniences, Standing Places, and Stations, to be erected, provided, and set out as aforesaid, for such Time, not exceeding Three Years, at such Rent and Rents, and upon such Terms and Conditions, and with such Securities for Payment thereof, as shall be agreed upon and contracted for by and between the said Trustees and the Person and Persons respectively to whom such respective Lettings shall be made.

XXXVI. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, if they shall see occasion or think fit, (with the Consent and Approbation of the Person or Persons for the Time being entitled to Five-sixth Parts of the Money which shall be then due and owing upon the several Securities to be granted in pursuance of this Act), to reduce, lower, and abate the said Tolls, or any of them, by this Act made payable, in such Proportions and Manner as to the said Trustees shall seem expedient; and after the said Tolls shall have been so reduced and abated, it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, to augment and raise the said Tolls so reduced and abated to any Sums not exceeding the Amount of the Tolls fixed and made payable in and by this Act; and the said Trustees shall, immediately upon every such Reduction or Augmentation of the said Tolls, cause Notice thereof, painted on a Board, to be set up and fixed in some public Part within the Limits of the said Market Place, with a Table of the Tolls so reduced or augmented and raised.

Power to reduce Tolls.

XXXVII. And be it further enacted, That for the Purpose of enlarging and sufficiently extending the said Market Place, and for rendering it more commodious, it shall and may be lawful to and for the said Trustees to treat and agree for the Purchase of the several Houses, Buildings, Lands, Tenements, and Hereditaments, mentioned and specified in the Second Schedule to this Act annexed, or so much and such Parts thereof as they the said Trustees shall think right and proper, to be taken or used for the Purposes of this Act, and also for the Purchase of any other Messuages, Buildings, Lands, and Hereditaments within the Limits of the said Market, and to take down or remove all or any of such Houses or Buildings so to be purchased, or any Part or Parts of the same respectively, and also to appropriate all or any of the Lands so to be purchased, as they the said Trustees shall think fit.

Power to purchase Houses.

XXXVIII. Provided always, and be it further enacted, That in case any House or Building, Lands, Tenements, or Hereditaments, shall be damaged or injured by or in the taking down of any of the Houses or Buildings to be used for the Purposes aforesaid, or otherwise, in the Execution of this Act, the said Trustees are hereby authorized and required, out of the Money to be raised by virtue of the Power to them given in this Act, to make the Owners and Occupiers of such Houses, Buildings, Lands, Tenements, or Hereditaments so damaged or injured, such Compensation, and Satisfaction for such Damages as the said Trustees shall think reasonable, by Payment of a Sum of Money in gross; and in case the Owners or Occupiers shall think the Satisfaction offered to

Compensation to be made for Damages done to Houses.

[Local.]

them

them by the said Trustees not sufficient, then the same shall be settled by a Jury in the Manner herein-after provided for ascertaining the Value of Lands and Hereditaments taken and used for the Purposes of this Act.

Form of Conveyance.

XXXIX. And be it further enacted, That all Sales, Conveyances, and Assurances of any Houses, Buildings, Lands, Tenements, or Hereditaments, to be made to the said Trustees and their Successors, shall be made in the Form or to the Effect following; (that is to say),

‘ I in consideration of the Sum of
 ‘ to me paid by the Trustees of the *Burslem Market*, by virtue of an
 ‘ Act passed in the Sixth Year of the Reign of His Majesty King *George*
 ‘ the Fourth, intituled [*here insert the Title of this Act*] do hereby
 ‘ grant and convey to the said Trustees for the Time being all [*here*
 ‘ *describe the Premises to be conveyed,*] and all my Estate, Right, Title,
 ‘ Term, and Interest to and in the same and every Part thereof, to hold to
 ‘ the said Trustees, and to the Trustees for the Time being of the said
 ‘ Market, for ever. In witness whereof I have hereunto set my Hand
 ‘ and Seal, this Day of in the Year
 ‘ of our Lord

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

Limitation of Power of Trustees to take Houses, &c.

XL. Provided always, That nothing herein contained shall authorize or empower the said Trustees to take or purchase any Houses, Buildings, Lands, Tenements, or Hereditaments, for the Purposes of this Act, without the Consent of the Owners and Occupiers thereof, other than and except those which are particularly mentioned and specified in the Second Schedule hereunto annexed.

Premises in Schedule to be purchased within Five Years.

XLI. Provided also, and be it further enacted, That unless the said Messuages, Buildings, Grounds, and Hereditaments, mentioned and described in the said Schedule, shall be purchased, for the Purposes of this Act, within the Space of Five Years next after the passing thereof, it shall not be lawful for the said Trustees to take or use any of such Messuages, Buildings, Grounds, or Hereditaments, without the Consent in Writing of the Owners and Proprietors thereof for that Purpose first had and obtained.

Misnomer in describing the Premises not to retard the Execution of this Act.

XLII. Provided always, and be it further enacted, That if any of the Houses, Buildings, Lands, Tenements, or Hereditaments which are mentioned or described in the Second Schedule to this Act annexed, or any of the Owners thereof, or if the Persons in whose Occupation or Possession the same, or any Part thereof, are or is stated or described to be, shall happen to be misnamed or inaccurately described, such Misnomer or inaccurate Description shall not prevent or retard the Execution of this Act, but the same Premises, and every Part thereof, shall and may be purchased and conveyed, disposed of and applied, to and for the Purposes of this Act, as fully and effectually as if the same were more properly named and described in the said Schedule; provided it shall appear to any Two Justices of the Peace for the said County, and be certified by Writing
 5 under

under their Hands, that such Omission, Misnomer, or inaccurate Description proceeded from Mistake, or that the real Owners or Occupiers of such Houses, Buildings, Lands, Tenements, or Hereditaments had previous Notice that the same respectively would be wanted for the Purposes of this Act.

XLIII. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants in Tail or for Life, Husbands, Guardians, Trustees, Committees, Executors, Administrators, and all other Persons whomsoever, not only for and on Behalf of themselves, but also for and on the Behalf of their respective Cestuique Trusts or Wards, Femes Covert, Infants, Issue unborn, Lunatics, Idiots, or other Persons whomsoever, and for all Femes Covert who are or shall be seised or interested in their own Right, or entitled to Dower or Interest therein, and to and for all and every other Persons and Person whomsoever who are or shall be seised or possessed of or interested in any such Houses, Buildings, Lands, Tenements, or Hereditaments, which the said Trustees are enabled to purchase or buy, and shall deem requisite to be purchased for any of the Purposes of this Act, to contract for Sale, and to sell and convey, and to enfranchise to the said Trustees, all such Houses, Buildings, Lands, Tenements, or Hereditaments, or any of them, or any Part thereof; and that all such Contracts, Agreements, Bargains, Sales, Assignments, Surrenders, Enfranchisements, and other Conveyances which shall be so made as aforesaid, shall be good and valid in the Law, to all Intents and Purposes whatsoever, not only to convey the Estate, Term, and Interest of the Body or Bodies Politic or Corporate or Collegiate, Person or Persons conveying, but also all the Right, Estate, Interest, Term or Terms for Years, Use, Trust, Property, Claim, and Demand whatsoever, of their several and respective Cestuique Trusts, Infants, or Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons whomsoever, and all Persons claiming or to claim by, from, or under them; any Statute, Law, or Usage to the contrary thereof in anywise notwithstanding.

Power for incapacitated Persons to sell, &c.

XLIV. Provided always, and be it further enacted, That if any such Person or Persons, Body or Bodies Politic or Corporate, Corporations Aggregate or Sole, Tenants in Tail or for Life, Trustees, Feoffees, Guardians, Committees, Executors, Administrators, or any other Person or Persons in anywise interested in such Houses or other Buildings, Lands, Tenements, or Hereditaments required to be purchased and taken down for the Purposes of this Act, or in any Mine or Minerals which may be under the same, or any Occupier or Occupiers sustaining any such Loss, Injury, or Damage as aforesaid (upon Notice to him, her, or them given, or left in Writing at the Dwelling House or Houses, or usual or last Place or Places of Abode of such Person or Persons, or of the principal or head Officer or Officers of such Bodies Politic or Corporate, or Corporation; or at the House of the Tenant or Tenants in Possession of such Houses or other Buildings, Lands, Tenements, or Hereditaments specified in the Second Schedule to this Act annexed, and intended to be purchased, taken down, and converted into or added to the said Market Place, and the Avenues and Approaches thereto as aforesaid), shall, for the Space of Fourteen Days next after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree for the Sale of the said Premises,

When Persons refuse or neglect to treat, Jury to be summoned to settle Damages, &c.

mises, or by reason of Absence or Disability shall be prevented from treating, or cannot be found or known, or shall not produce a clear Title to the Hereditaments they are in possession of, or the Interest they claim therein, to the Satisfaction of the said Trustees for the Time being, then and in every such Case the said Trustees for the Time being shall cause the Value of or Recompence to be made for such Houses or other Buildings, Lands, Tenements, and Hereditaments, and the Enfranchisement thereof, to be enquired into and ascertained by a Jury of Twelve indifferent Men of the County of *Stafford*; and for the summoning and returning of such Jury the said Trustees for the Time being, or any Seven or more of them, are hereby empowered from Time to Time to issue out their Warrant or Warrants to the Sheriff of the said County, thereby commanding and requiring him to impanel, summon, and return an indifferent Jury of Twenty-four Persons qualified to serve upon Juries at the Sessions of the said County, and who are respectively seised or possessed of Freehold, Copyhold, or Leasehold Estates within the said County of the annual Value of Fifty Pounds, to appear before the said Sheriff at such Time and Place as in such Warrant or Warrants shall be appointed; and the said Sheriff is hereby required to impanel, summon, and return such Number accordingly, to attend at the Time and Place so appointed, and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Sheriff is hereby empowered to swear Twelve to be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen the said Sheriff shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, to the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Sheriff is also hereby required and empowered, from Time to Time as occasion shall be or require, to summon and call before the said Jury, and examine upon Oath, (which Oath the said Sheriff or his Under Sheriff is hereby empowered to administer), all and every Persons and Person who shall be thought necessary and proper to be examined as Witnesses or a Witness touching or concerning the Premises, and he shall also order and cause the said Jury to view the Places in question, if there be occasion, and use all lawful Ways and Means, as well for his own as for the said Jury's better Information in the Premises, as the said Sheriff shall think fit; and the said Jury shall assess the Damages and Recompence to be given for the said Houses and other Buildings, Lands, Tenements, or Hereditaments, to the respective Owner or Owners thereof, according to their respective Interests therein, and shall give in their Verdict thereupon; which Damages and Recompence, as to such Parts of the Hereditaments mentioned in the said Second Schedule to this Act as have been purchased by the present Owner thereof, shall not be less than the Purchase Money paid by him for the same respectively; and after the said Jury shall have enquired of and assessed such Damages, and given in their Verdict, the said Sheriff shall thereupon order, adjudge, and determine the Sum or Sums of Money so assessed by the said Jury to be paid to the Person or Persons interested in the said Houses or other Buildings, Lands, Tenements, or Hereditaments, according to such Verdict or Inquisition of the said Jury; and every Verdict and Judgment thereon shall be fairly entered and kept amongst the Records of the Quarter Sessions of the Peace of the said County,
and

and a Duplicate of such Verdict and Judgment shall be kept by the Clerk of the said Trustees for the Time being, and the same, or true Copies thereof shall be admitted, received, and taken as Evidence and Proof in all Courts of Law and Equity, at all Places whatsoever, and all Persons shall have recourse to them *gratis*, and may take Copies thereof, paying Four-pence for every Seventy-two Words, and so in proportion for any less Number of Words; and the said Sheriff acting in the Premises shall have Power from Time to Time to impose any reasonable Fine or Fines on any of the Persons who shall be summoned and returned on such Jury, and shall not appear without some sufficient Excuse, or who shall refuse to be sworn on such Jury, or being so sworn, shall refuse to give, or shall not join in giving his Verdict, or shall in any other Manner wilfully neglect his Duty therein, contrary to the true Intent and Meaning of this Act, and on any Person or Persons, who being summoned to give Evidence before the said Jury touching the Premises shall refuse or neglect to appear after having been paid or tendered a reasonable Sum for his, her, or their Costs, Charges, and Expences, without some sufficient Excuse, or appearing shall refuse to be sworn or give Evidence, so as such Fine to be imposed on any Juryman or Witness shall not exceed the Sum of Five Pounds for One Offence.

XLV. And be it further enacted, That all the Expences of causing and procuring such Satisfaction, Recompence, and Compensation to be assessed and awarded as aforesaid, and of so assessing and awarding the same, shall be settled by some Justice of the Peace for the County in which such Assessment or Award shall be made, not interested in the Matter in question (who is hereby authorized and required to settle the same at a Time and Place to be by him appointed, after summoning the Parties interested therein to attend him for that Purpose), and such Expences shall be paid as herein-after is mentioned, that is to say, if a Verdict shall be given for a greater Sum as a Satisfaction for the absolute Sale of any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, or as a Compensation or Recompence for any Damage done or to be done to any Houses, Buildings, Lands, Tenements, or Hereditaments as aforesaid respectively, than shall have been previously offered by or on the Behalf of the said Trustees, or if a Verdict shall be given for any Sum or Sums of Money as a Compensation for any Damages (when the Dispute is respecting Damages only), and where no Compensation shall have been previously offered by or on the Behalf of the said Trustees, or in case by reason of Absence or other Impediment or Disability, there shall not be found any Person or Persons at hand legally capacitated to contract with and make Conveyance to or receive Compensation from the said Trustees, then such Expences shall be paid by the said Trustees; and in case such Costs and Expences shall not be paid to the Party entitled to receive the same within Ten Days after the same shall be demanded, then the same shall and may be levied and recovered by Distress and Sale of any Goods and Chattels vested in the said Trustees, or of any Goods and Chattels vested in the Treasurer to the said Trustees (unless such Treasurer shall pay such Costs and Expences out of any Money received by him by virtue of this Act, and which he is hereby authorized to do) under a Warrant to be issued for that Purpose by any Justice of the Peace for the County in

How Expences of Jury, &c. are to be paid.

[Local.]

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which

which the same shall be, which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for that Purpose by the Party entitled to receive such Costs and Expences; and if any Verdict shall be given for the same, or for a less Sum of Money than shall have been previously offered by or on Behalf of the said Trustees, (or for Damages, where the same Dispute is for Damages only) One Moiety of the said Expences shall be paid by the said Trustees, and may be recovered in manner aforesaid, and the other Moiety thereof shall be paid by the Body or Bodies Politic, Corporate, or Collegiate, Person or Persons entitled to or claiming such Satisfaction, Recompence, or Compensation, and the said Trustees are hereby authorized and empowered to deduct and retain the said Moiety of the said Expences out of the Sum or Sums of Money so to be assessed or awarded as aforesaid, or out of any Part thereof; and the Payment or Tender of the Remainder of all such Sum or Sums of Money shall be deemed and taken to all Intents and Purposes to be a Payment or Tender of the whole Sum or Sums so assessed or awarded as aforesaid; and in case no Damages shall be given by any Verdict where the Dispute is for Damages only, such Expences shall be paid by the Body or Bodies Politic, Corporate, or Collegiate, Person or Persons claiming Damages, and shall be recovered by the said Trustees in the same Manner as is herein-after provided for the Recovery of any Penalty or Forfeiture incurred by or under this Act.

Lessees or Tenants at will to give up Possession on having Six Calendar Months' Notice to quit.

XLVI. And be it further enacted, That every Lessee or Tenant for Years or at Will, Mortgagee, and every other Person in Possession of any Houses, Buildings, Lands, Tenements, or other Hereditaments, which shall be purchased by virtue and for the Purposes of this Act, shall deliver up Possession of the Premises to the said Trustees or to such Person or Persons as they the said Trustees for the Time being or any Three or more of them shall appoint to take Possession of the same, upon having Six Calendar Months Notice from the said Trustees for the Time being, or any Three or more of them, or their said Clerk, to quit the same at such Time or Times as shall be required by such Notice, they the said Trustees making such Satisfaction and Compensation to every such Tenant or Lessee as aforesaid (except a Mortgagee), in case he or she shall be required to quit before the Expiration of his, her, or their Term in the Premises, as the said Trustees or any Three or more of them shall deem just and reasonable; and in case any Dispute or Difference shall arise touching or concerning the same, such Satisfaction and Compensation shall be settled and ascertained by a Jury in such and the like Manner as the Satisfaction and Compensation to be made by the said Trustees for the Purchase, of any Houses, Buildings, Lands, Tenements, or Hereditaments are herein directed to be settled and ascertained in case of any Dispute or Difference about the same; and such Person or Persons in Possession shall, at such Time or Times as he, she, or they may be required by the said Trustees or any Three or more of them, peaceably and quietly deliver up the Possession of the said Premises to the said Trustees, or to the Person or Persons authorized by them or any Three or more of them to take Possession thereof; and if any such Person or Persons so in Possession as aforesaid shall refuse or neglect to deliver up such Possession, then and in every such case it shall and may be lawful to and for the said Trustees or any Three or more of them to issue their

Precept or Precepts to the said Sheriff to deliver Possession of the Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same, and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue from the issuing or execution of such Precept or Precepts on the Person or Persons so refusing to deliver up Possession as aforesaid, by Distress and Sale of his, her, or their Goods and Chattels.

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

On Payment
of Money
Land to vest
in Trustees.

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

Power to sell
Lands not
wanted for
the Purposes
of this Act.

XLIX. Pro-

First Offer to whom to be made.

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

Application of Compensation Money if amounting to 200l.

L. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Houses, Buildings, Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of this Act for the Purposes aforesaid, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as herein-before is mentioned, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of His Majesty's Court of Exchequer at *Westminster*, to be placed to his Account *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty, intituled

1 G. 4. c. 35. *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes, and the General Orders of the said Court, and without Fee or Reward, to the Intent that such Money may be applied,*
under

under the Direction and with the Approbation of the said Court, to be signified by an Order made on a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Houses, Buildings, Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Houses, Buildings, Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Houses, Buildings, Lands, Tenements, and Hereditaments, which shall be so purchased or used as aforesaid, stood settled or limited, or such of them as at the Time of making the Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court of Exchequer upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until such Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

LI. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Houses, Buildings, Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the said Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed, or otherwise the same shall be paid at the like Option to Two Trustees to be nominated by the Person or Persons making such Option and approved of by Seven or more of the Trustees for executing this Act, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Money and the Dividends arising thereon, may be applied in any manner herein-before directed, so far as

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

the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Where not exceeding 20l.

LII. Provided also, and be it further enacted, That when such Money so agreed or awarded to be paid as last before mentioned shall not exceed Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such manner as the said Trustees or any Three or more of them shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles to Land.

LIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees or any Seven or more of them, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments be not known or discovered, then and in every such case it shall be lawful for the said Trustees or any Seven or more of them to order the said Sum or Sums of Money so awarded as aforesaid, to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Houses, Buildings, Lands, Tenements, or Hereditaments (describing them), subject to the Order, Control, and Disposition of the said Court of Exchequer; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money or any Part thereof by Motion or Petition, shall be and is hereby empowered in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Respecting disputed Titles to Money.

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

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

LV. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Houses, Buildings, Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court and to be applied in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the like Uses in pursuance thereof, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or or much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees or any Three or more of them, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

The Court may order reasonable Expences of Purchases to be paid by Trustees.

LVI. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby authorized, at any Time or Times and from Time to Time, when and as they shall deem it expedient, to cause the said Market Place, and the Avenues and Approaches thereto, or any Part or Parts of such Market Place, Avenues, and Approaches, as well in the Carriageways as in the Footways thereof, to be new pitched, paved, flagged, repaired, or amended, and the Pavement and Flagging thereof to be taken up and relaid and the Ground thereof to be raised, lowered, or altered from Time to Time in such Manner and with such Materials as they shall think fit, and to cause to be cut or made in, through, or over the said Market Place, Streets, Avenues, and Approaches thereto, or the Lands adjoining or lying near to the said Market Place, and in, through, over, or under the Pavements thereof, any Tunnels, Gutters, Sinks, Culverts, Drains, Sewers, or Watercourses, for conveying the Water from the same respectively, and also to cause any of the present or future Tunnels, Gutters, Sinks, Culverts, Drains, Sewers, or Watercourses to be stopped up, opened, or widened, and the Form thereof to be altered, turned, varied, or changed in such Manner as they shall think fit, so that no Injury shall be thereby done to any Person or Persons who shall lawfully have or use any private Drain or Watercourse without making sufficient Compensation to him, her, or them for the same, and not in anywise

Power to pave the Market Place and make Water-courses.

anywise incommoding the Access to any Dwelling House, Buildings, or Hereditaments; and also to cause to be taken up, removed, and carried away all or any Posts, Rails, Pales, or other Matters or Things placed or being within the Limits of the said Market Place, and not forming a Part of or annexed to any Dwelling House, Shop, Warehouse, or other Building before the passing of this Act, as the said Trustees shall at any Time or Times and from Time to Time judge to be useless or to be or occasion any Nuisance or Obstruction within the Limits of the said Market Place.

Power to af-
fix Lamps.

LVII. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered from Time to Time and at any Time or Times hereafter to direct and cause to be affixed, set up, and fastened to, upon, and against any of the Walls, Rails, Palisadoes, or other Parts of the said Town Hall, and of all or any of the Houses, Shops, Warehouses, or Buildings in the said Market Place, or within any of the Approaches thereto, or upon upright Posts affixed in the Ground, or in any other Manner that they shall think proper and convenient, such and so many Lamps, Lamp Irons, Lamp Posts, and other Matters and Things necessary thereto, as the said Trustees shall think expedient and proper, and to direct and cause the same or any of them to be taken down, removed, altered, or renewed in such manner as they shall think necessary, for the lighting of the said Town Hall and Market Place or the Approaches thereto, and to cause such Lamps or any of them to be lighted at such Seasons of the Year, on such Evenings and such Hours of the Evenings, and to be kept burning for so many Hours as to the said Trustees shall appear necessary or proper.

Trustees to
repair Da-
mage occa-
sioned by fix-
ing Lamp
Posts, &c.

LVIII. Provided always, and be it further enacted, That if any Injury or Damage shall be occasioned to any Wall, Rail, or Building by the affixing, setting up, taking down, altering, or removing any Lamp or any Lamp Iron or other Fastenings thereof, the said Trustees shall immediately cause the said Injury or Damage to be well and sufficiently repaired, and the Expences attending the same shall be paid out of the Money to be raised by virtue of this Act: Provided also, that in case the said Trustees shall enter into any Contract with any Company of Proprietors or any other Person or Persons for lighting with Gas the said Town Hall and Market Place and the Approaches thereto, such Company of Proprietors or other Person or Persons so contracting to light as aforesaid, shall in the supplying of such Gas and in the laying or repairing of any Pipes, Plugs, or other Works or Apparatus, do as little Damage as may be, and shall forthwith make good the Pavements and Roads and carry away the Rubbish occasioned thereby; and if after such Pavements or Roads shall have been so repaired and made good, the same shall within Six Calendar Months thereafter give way or require relaying or repairing in consequence of such Pavements or Roads having been broken up for the Purpose of laying down such Pipes, Plugs, or other Apparatus, the same shall be forthwith done and performed by and at the Expence of the said Company of Proprietors or other Person or Persons as aforesaid: Provided also, that if there shall be any wilful or negligent Delay in such Company of Proprietors or any of their Agents or Servants or any such other Person or Persons removing Rubbish or making good any such Pavements or Roads, or in case the same shall be imperfectly repaired, then

then and in every such Case it shall be lawful for the said Trustees to remove such Rubbish and to repair and make good the Pavement of any such Street, Passage, or other Place, and the reasonable Costs and Charges thereof shall be paid by the said Company or by such other Person or Persons as aforesaid; and in default of Payment thereof for Ten Days next after Demand made for the Payment thereof, Proof of such Demand being made by the Oath of One or more credible Witness or Witnesses before One or more Justice or Justices of the Peace for the County of *Stafford*, such Justice or Justices not being interested in the Matter in question, all such reasonable Costs together with any Sum not exceeding Five Pounds by way of Penalty shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company or any other Person or Persons as aforesaid, together with the Charges of such Distress and Sale, by a Warrant under the Hand and Seal of any such Justice or Justices, and which Warrant such Justice or Justices is and are hereby required to grant, and such Penalties, Costs, Charges, and Expences shall be paid to the Overseers of the Poor of the said Parish of *Burslem*, and applied by them for the Benefit of the Poor of the said Parish.

LIX. And be it further enacted, That it shall and may be lawful for the said Trustees from Time to Time to contract and agree with any Company of Proprietors or with any other Person or Persons to light the said Town Hall and Market Place and the Approaches thereto or any Part thereof respectively, with Gas, Oil, or otherwise as to the said Trustees shall from Time to Time seem proper and expedient, and to provide and set up all necessary Lamps, Lamp Posts, Lamp Irons, and other Works necessary for such Purposes.

Power to contract for Lighting.

LX. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize or empower the said Trustees or Commissioners or any Company or Companies of Proprietors or any other Person or Persons making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises within the Limits of this Act, to carry or lay any Pipe or Pipes, Cocks or Branches from any Mains or Pipes against, into, or through any Dwelling House or Dwelling Houses, Manufactories, public or private Buildings, or to continue the same without the Consent in Writing of the Owner or Owners, Occupier or Occupiers for the Time being of any such Dwelling House or Dwelling Houses, Manufactories, public or private Buildings respectively, nor to enable the said Trustees or Commissioners or any Company or Companies or other Person or Persons as aforesaid, to enter into or upon any private Lands or Grounds without the Consent in Writing of the Owners and Occupiers of such Lands or Grounds for that Purpose had and obtained.

Trustees and Commissioners not to lay Pipes &c. on private Premises without Consent.

LXI. Provided also, and be it further enacted, That in case the said Trustees or Commissioners or any Company or Companies of Proprietors or any other Person or Persons making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises within the Limits of this Act, shall at any Time hereafter break up the Soil, Pitching, or Pavement of

Owners of private Grounds may alter Position of Pipes.

any private Road or Way for the Purpose of laying any Main or Pipe along, under, or across the same, with the Consent of the Owner or Owners of the Soil for the Time being, and after the same shall have been so laid and placed such Owner or Owners shall be desirous of having the same removed, it shall be lawful for such Owner or Owners at any Time thereafter if he, she, or they shall deem it necessary or expedient at his, her, or their own Costs and Charges to alter and vary the Position of such Pipe or Pipes, Main or Mains, and to relay the same, so that no Damage be done thereby to the said Trustees or Commissioners, or Company or Companies of Proprietors or other Person or Persons as aforesaid, and that they be not thereby prevented from or obstructed in lighting any public or private Lamp unless such Damage or Obstruction be unavoidable.

Pipes, &c. to be removed from Property on Notice.

LXII. Provided always, and be it further enacted, That in case any Lamp or Lamp Iron shall be fixed or set up, or any Pipe, Cock, or Branch for the Conveyance of Gas, shall be carried or laid against, into, or through any private Dwelling House, Manufactory, Warehouse, Building, Yard, or Ground in pursuance of and conformable to the Powers and Authorities in this Act contained, and the Owner or Occupier of any such private Dwelling House, Manufactory, Warehouse, Building, Yard, or Ground against, into, or through which such Lamp or Lamp Iron shall be fixed, or such Pipe, Cock, or Branch shall pass or be laid, shall be desirous that the same Lamp, Pipe, Cock, or Branch shall be altered or removed and taken away, and of such his, her, or their Desire shall give Notice in Writing to the said Trustees or Company or Companies of Proprietors, or other Person or Persons as aforesaid, then and in every such Case the said Trustees or Company of Proprietors, or other Persons, shall within Seven Days after Receipt of such Notice alter or remove and take away, or cause to be altered or removed and taken away, all or any such Lamps, Lamp Irons, Pipes, Cocks, and Branches as shall have been so fixed, introduced, or laid therein or thereupon as aforesaid; and in Default thereof it shall and may be lawful to and for such Owners or Occupiers, or any other Person or Persons acting under their Authority, to cause such Lamps, Lamp Irons, Pipes, Cocks, and Branches to be altered or removed and taken away as the case may require, and the Costs and Expences of such Removal shall be recovered from the Trustees or Company or Companies of Proprietors or other Person or Persons as aforesaid, on Complaint before a Justice of the Peace, as any Penalty is recoverable under this Act if the same be not paid on Demand.

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

LXIII. And be it further enacted, That all and every the Pipes and Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or around any Street, Lane, Entry, or other Passages or Places within the Limits of this Act, shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway in such Street or Place will allow thereof, at the Distance of Four Feet at least from the nearest Part of any Water Pipe already laid down or hereafter to be laid down for the Conveyance of Water in, under, through, along, across, or round any of the said Streets, Lanes, or Places within the Limits of this Act, except in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the said Water Pipes, in which Case the said Gas Pipes shall be laid over and above the said Water Pipes at the

greatest practicable Distance therefrom, and shall form therewith a Right Angle; and in such Cases the said Gas Pipes so crossing the said Water Pipes shall be at the least Nine Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Four Feet at least; and in laying down the said Gas Pipes the said Trustees, Contractors, or other Person or Persons supplying Gas shall in no case join Two or more Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench; and shall in such Trench properly form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials; and shall also make and keep all and every such Pipes and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively air-tight, and in all and every respect prevent the said Gas from escaping therefrom and from any Part thereof, upon pain of forfeiting for every Offence the Sum of Twenty Pounds, which shall be paid to the Overseers of the Poor of the said Parish of *Burslem*, and applied by them for the Benefit of the Poor of the said Parish.

LXIV. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up within the Limits of this Act, the said Trustees or Commissioners, or the Company or Companies of Proprietors, or other Person or Persons laying down or causing to be laid down such Pipes or any of them, or making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises within the Limits of this Act, shall, immediately after Notice given to them or him by Parol or in Writing, of any such Escape of Gas from any Inhabitant or Inhabitants within the said Town or Place of *Burslem Proper*, or other Person or Persons whomsoever, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Trustees or Commissioners, or the Company or Companies of Proprietors, or other Person or Persons as aforesaid, shall not within Twenty-four Hours next after such Notice given, effectually stop and prevent any future Escape, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Trustees or Commissioners, or the Company or Companies of Proprietors, or other Person or Persons as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds for each Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice, during which the Gas shall be suffered to escape as aforesaid; which Penalty or Penalties shall from Time to Time be recoverable in a summary Way on the Oath or Affirmation of some credible Witness or Witnesses, by Information to be laid before some Justice or Justices of the Peace for the said County of *Stafford*, and shall and may be recovered and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the Treasurer of the said Trustees or Commissioners, or of such Company or Companies of Proprietors, or other Person or Persons as aforesaid, and shall be paid to the Overseers of the Poor of the said Parish of *Burslem*, and applied by them for the Benefit of the Poor of the said Parish.

For preventing the Escape of Gas.

LXV. And

Penalty for
conveying
Washings
into any
Sewer,
Stream, &c.

LXV. And be it further enacted, That if the said Trustees, or Commissioners, or any Company or Companies of Proprietors, or any other Person or Persons whatsoever, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises within the Limits of this Act, shall at any Time drain or convey, or cause or suffer to be drained or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever, which shall arise or be made in the Prosecution of the said Gas Works, into any Water, or into any River, Brook, or Running Stream, Reservoir, Canal, Aqueduct, Feeder, Pond, or Spring Head, or into any Drain, Sewer, or Ditch communicating with any of them, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any of them, whereby the Water contained therein, or any Part thereof, shall or may be contaminated or affected, then and in every such Case the said Trustees, or any such Company or Companies of Proprietors, or any other Person or Persons as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Complaint, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance shall be allowed, and such Penalty shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Twelve Calendar Months after the Time when such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased: Provided also, that over and above, and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall or shall not be sued for or recovered, in case any of the said Washings or other waste Liquids, or noisome or offensive Substance or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid into any Water, or into any River, Brook, or Running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Spring Head, or into any Drain, Sewer, or Ditch communicating with any of them, or any such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons whomsoever to the said Trustees, or to the Company or Companies of Proprietors, or other Person or Persons as aforesaid, and the said Trustees, Company or Companies of Proprietors, or other Person or Persons shall not, within Twenty-four Hours after such Notice given, stop and prevent all and every such Washings, waste Liquids, noisome or offensive Substances or Things from being drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Trustees, Company or Companies of Proprietors, or other Person or Persons so offending, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Substances or Things shall be so drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Nuisance, Injury, or Damage, Act, or Thing, shall be so done or caused

to

to be done as aforesaid ; and such last-mentioned Penalty shall and may be recovered and levied in like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who in the Judgment of the Justice or Justices before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

LXVI. And whereas it may be or become a Question whether the said Water be contaminated or affected by the said Gas ; be it therefore enacted, That in every such Case it shall and may be lawful to and for the Proprietors of any Waterworks now established or to be established, or any Person or Persons interested in any such River, Brook, Stream, Reservoir, Pond, or Spring Head as aforesaid, to dig to and about, and search and examine the Gas Pipes, Conduits, and Apparatus, for the Purpose of ascertaining whether such Contamination proceeded or be occasioned by such Gas, and if it shall appear that the said Water has been contaminated or affected by any Escape of such Gas, the Costs and Expences of the said Digging, Search, and Examination, and Repair of the Pavement of the Street or Streets which shall be taken up or disturbed, shall be borne and paid by the said Trustees or any Company or Companies of Proprietors, or other Person or Persons whomsoever, making, furnishing, or supplying any Gas used or burnt for lighting any Highway, Street, or Place, or any House, Manufactory, Building, or other Premises within the Limits of this Act, which Costs and Expences shall be ascertained and settled if necessary, by any Justice or Justices of the Peace for the said County of *Stafford*, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act : Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas, then and in such Case the Proprietors of any such Waterworks, or Person or Persons interested as aforesaid, as the Case may be, shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the said Trustees, or Company or Companies of Proprietors, or other Person or Persons as aforesaid, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus in and by such Search and Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice or Justices of the Peace as aforesaid.

For ascertaining if the Water is contaminated.

LXVII. And be it further enacted, That when and so often as the said Trustees or Commissioners, Company or Companies of Proprietors, or other Person or Persons as aforesaid, shall dig or sink any Trench or Trenches for laying any Pipe or Pipes for the Conveyance of Gas or other Apparatus, or shall open any Ground for the Purposes of this Act, or any of them, in or upon or near to which any Water Pipe or Pipes belonging to the Proprietors for the Time being of any Waterworks for conveying Water into, through, or about the said Parish of *Burslem*, or any Branch or Service Pipe or Pipes for the Supply of any Dwelling House or Buildings shall be laid, the said Trustees or Commissioners or Company or Companies of Proprietors, or other Person or Persons as aforesaid, shall and they are hereby required to give Three Days previous Notice thereof in Writing to the Clerk for the Time being of the Pro-

Notice to be given to the Proprietors of Water Works of opening Ground.

prietors of such Waterworks, to be left at the Office of the same Proprietors, and on every such Occasion the said Trustees or Commissioners, or Company or Companies of Proprietors, or other Person or Persons as aforesaid, shall, under the Direction and Inspection of the Clerk or Engineer for the Time being of the Proprietors of such Waterworks, or under the Direction and Inspection of any other Person or Persons authorized by such Proprietors, protect and secure such Water Pipe or Pipes from any Injury or Damage, and shall also within Three Days thereafter repair and make good any Damage that shall or may be done to any such Pipe or Pipes on any such Occasion; and in default of giving such Notice as aforesaid, and also of repairing and making good any such Damage within the Time aforesaid, the said Trustees or Commissioners, or Company or Companies of Proprietors, or other Person or Persons as aforesaid shall for each and every such Default forfeit and pay to the Clerk, or One of the Directors for the Time being of the Proprietors of such Waterworks, for the Use of the said Proprietors, any Sum not exceeding Five Pounds for each and every Day, and for each and every such Default, and also the Costs and Expences which shall have been incurred by the said Water Company in and about the securing and protecting of any such Water Pipe or Pipes, or in repairing and making good any Injury or Damage that may have been done to any such Water Pipe or Pipes, or repairing or making good the Pavement over or adjoining the same, by the Ways and Means aforesaid, and all which Damages, Costs, Charges and Expences are to be ascertained by any Justice of the Peace for the said County of *Stafford*, and to be recovered in the same Manner as any Expences or Penalties under this Act may be recovered.

Trustees or Persons furnishing Gas may be indictable for a Nuisance.

LXVIII. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person or Persons from proceeding by Indictments or otherwise by or against the said Trustees or Commissioners, or Company or Companies of Proprietors, or other Person or Persons as aforesaid, or against any of their Officers, Servants, or Workmen, in respect of any such Gas Works, as a public or private Nuisance, or from bringing any Action or Actions against the said Trustees or Commissioners, or Company or Companies of Proprietors, or other Person or Persons as aforesaid, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works, or the Carelessness or Want of Skill of the Person or Persons employed therein.

Penalty for wilfully breaking Lamps.

LXIX. And be it further enacted, That if any Person or Persons at any Time hereafter shall take away or wilfully break, throw down, displace, destroy or damage any Lamp or Lamps, or any of the Tubes or Gas Pipes, or any Apparatus, Matter, or Thing connected therewith, which shall be hung up or laid down under the Authority of this Act, or by any Person or Persons at his, her, or their own Expence, for the Purpose of lighting any Part or Parts of the said Town Hall and Market Place or the Approaches thereto, or shall wilfully extinguish the Light or Lights within the same, or shall throw down, break, or damage any Post, Iron, Cover, or other Furniture of any such Lamp, every Person offending in manner aforesaid shall forfeit and pay such Sum of Money, not exceeding Five Pounds, as any Justice or Justices of the Peace for the said County of *Stafford* shall in that Behalf direct; and it shall be lawful

for any Person or Persons who shall see any such Offence committed to seize, and for any other Person or Persons whomsoever to assist in seizing such Offender or Offenders, and by the Authority of this Act and without any other Warrant to convey and deliver him, her, or them into the Custody of some Constable or Peace Officer, to be conveyed as soon as conveniently may be before some Justice or Justices of the Peace for the said County of *Stafford*, to be dealt with according to Law.

LXX. And be it further enacted, That if any Person or Persons shall at any Time hereafter negligently, carelessly, or accidentally break, throw down, destroy, or damage any Lamp or Lamps, which shall be hung or put up by the Authority of this Act, or by any Person or Persons at his, her, or their own Expence, or any of the Tubes or Gas Pipes connected with such Lamps, or any Post, Iron, Cover, or other Furniture, Matter, or Thing of or belonging to any such Lamp, and shall not immediately upon Demand by the said Trustees, or by such Company or Companies of Proprietors, or other Person or Persons as aforesaid, or by the Owner or Owners of such Lamp or Lamps, make Satisfaction for the Damage which shall have been thereby done, then and in every such Case it shall be lawful for any Justice or Justices of the Peace for the said County of *Stafford*, upon Complaint to him or them made by or on the Behalf of the said Trustees, or by such Company or Companies of Proprietors, or other Person or Persons, or Owner or Owners as aforesaid, to summon before him or them the Person or Persons against whom such Complaint shall be made, and upon hearing such Complaint and the Evidence which shall be adduced, or upon the Non-appearance of the Person or Persons complained of and duly summoned, to award such Sum or Sums of Money by way of Satisfaction to be paid by such Person or Persons to the said Trustees, or to such Company or Companies of Proprietors, or other Person or Persons, or Owner or Owners as aforesaid, as such Justice or Justices shall think reasonable, over and above any Penalty or Forfeiture which may be incurred by such Person or Persons under any of the Provisions of this Act, which said Sum or Sums shall and may be levied and recovered in such and the same Manner as any Penalty is by this Act directed or authorized to be levied and recovered.

Satisfaction to be made for Damage to Lamps, &c.

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LXXI. And be it further enacted, That it shall be lawful for the said Commissioners for the Time being for the Purposes of this Act, and they are hereby required, from Time to Time and at all Times after the passing of this Act, to cause the Streets, Lanes, Passages, and other public Places within the Limits of the said Town of *Burslem Proper* as herein-before described, to be well and effectually lighted with Gas, Oil, or otherwise, at such Seasons and Times as they shall judge proper, with such Powers, Authorities, Property, and Interest in the Lamps, Lamp Irons, Lamp Posts, Pillars, Pilasters, and Pipes, and such Powers to contract for lighting, and such Remedies, Authorities, and Powers as are herein-before given to the said Trustees concerning the said Town Hall and Market Place, as fully and effectually to all Intents and Purposes as if all and every of the Enactments, Powers, Authorities, Privileges, Remedies, Property, and Interest as are so given to the said Trustees as aforesaid were again set forth, enumerated, and particularized in this Act.

Power of lighting Burslem Proper

LXXII. And be it further enacted, That it shall be lawful for the said Commissioners to contract with any Person or Persons from Time to

Respecting Fire Engines.

to Time to keep the Fire Engines belonging to the said Limits, and the Pipes, Buckets, or other Things belonging thereto, in good working Order and Repair, and for the said Commissioners to order the same to be used at such Time and Times as they shall direct either in cases of Fire or for the Purpose of watering the said Streets, Lanes, Entries, and other public Passages and Places or any of them, as they shall from Time to Time think necessary; and it shall also be lawful for the said Commissioners from Time to Time to purchase any new Engine or Engines, Pipes, Buckets, or other Things belonging thereto, or that may be requisite to be used therewith for the Use of the said Limits, and to pay and defray all Costs and Expences attending the same respectively out of the Monies to be raised by virtue of this Act; and such Engines, Buckets, Pipes, and all other Things connected with or belonging thereto respectively shall be solely vested in the said Commissioners, who shall from Time to Time have the Custody, Control, Management, and Direction of the same.

Power to provide Offices and Prisons.

LXXIII. And be it further enacted, That it shall be lawful for the said Commissioners to rent or purchase, or cause to be erected and provided, suitable Offices and Places for the Use of the Constables to be appointed by virtue of this Act, and a Lock-up House or Lock-up Houses, Prison or Prisons, for the Detention and safe Custody of Felons and other Prisoners, and that the said Commissioners shall for that Purpose be and they are hereby authorized and empowered from Time to Time to treat, contract, and agree with the Owners of and Persons interested in any Houses, Buildings, Lands, or Hereditaments which the said Commissioners shall judge most proper for the Purchase thereof, and by and out of the Rate herein-after provided for that Purpose, to pay or cause to be paid for the Purchase of such Houses, Buildings, Lands, and Hereditaments as shall be agreed upon, and also the Costs and Charges attending such Agreement and Purchase as aforesaid; and that upon Payment of the Money agreed to be paid for the Purchase of any such Houses, Buildings, Lands, and Hereditaments as aforesaid, it shall and may be lawful for the said Commissioners, their Surveyors, Workmen, or Agents, at any Time thereafter to take Possession of the said Houses, Buildings, Lands, and Hereditaments.

Power to appoint Chief Constable, &c.

LXXIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered, annually to nominate some Person out of their own Body to be Chief Constable of the said Limits of *Burslem Proper*, and such Number of Persons to be Assistant or Deputy Constables as the said Commissioners in their Discretion shall think proper; which Chief Constable and Assistant or Deputy Constable shall be sworn in before One or more Justice or Justices of the Peace acting for the County of *Stafford*, or before such other Person or Persons as have usually heretofore sworn in the Constables of *Burslem* aforesaid; and such Assistant or Deputy Constables from Time to Time to remove and displace, and other Persons to nominate in their Stead, who shall in like Manner be sworn in as aforesaid: Provided always, that it shall and may be lawful for the said Chief Constable for the Time being to suspend from his Duty any Assistant or Deputy Constable for Misconduct or Misbehaviour at his Discretion until the next Meeting of the said Commissioners, but subject never-

nevertheless to an Appeal on behalf of such Assistant or Deputy Constable to the said Commissioners, and to their Power of reinstating and replacing him in his Office.

LXXV. Provided always, and be it further enacted, That if the said Assistant and Deputy Constables and the Watchmen by this Act directed to be appointed, One of each shall be from Time to Time and at all Times resident at *Longport* and *Cobridge* respectively, subject to the Directions of the Chief Constable and the said Commissioners.

One Constable and One Watchman to be resident at Longport and Cobridge.

LXXVI. And be it further enacted, That it shall be lawful for the Chief Constable for the Time being to nominate and appoint One or more Person or Persons to be the Common Cryer or Cryers within the Limits of this Act; and every Person, not having been so nominated and appointed, who shall presume to act as such Cryer, or to perform any of the Duties of that Office, or to ask, demand, or receive any Fee or Gratuity attached thereto, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered and applied as herein mentioned.

Cryer to be appointed by the Chief Constable.

LXXVII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered and required from Time to Time, when and as often as they shall think it expedient, to provide and set up Watch-houses and Watch-boxes in such Situations as they shall judge expedient and proper, in any of the Streets, Lanes, Highways, Passages, or other public Places of the said Parish within the Limits aforesaid; and to appoint and employ such and so many Watchmen and Night Patroles as they shall judge expedient and necessary to be employed for the Security and good Order of the said Parish within the Limits aforesaid, and such Watchmen and Night Patroles from Time to Time to remove and displace; and also to direct and order how many of the said Watchmen and Night Patroles shall be armed, and at what Stations they shall be placed, for what Number of Hours they shall watch, and how often they shall go their Rounds, and also to fix and determine what Wages or other Allowance shall be paid or given to them for their Services; and the said Commissioners are hereby empowered to make such further Orders and Regulations from Time to Time for the better Government and Direction of the said Watchmen and Night Patroles as the Nature of their Services shall appear to them to require, and a Copy or Transcript of all such Orders and Regulations shall be delivered to each of the said Watchmen and Night Patroles.

Power to Commissioners to employ Watchmen.

LXXVIII. And be it further enacted, That in case any Constable, Watchman, or Night Patrole to be appointed by virtue of this Act shall be guilty of any Neglect or Misconduct in the Execution of his Duty, it shall be lawful for any Two or more Justices of the Peace for the said County of *Stafford*, upon Complaint against any such Constable, Watchman, or Night Patrole, of any such Neglect or Misconduct, to commit any such Constable, Watchman, or Night Patrole to any Common Gaol or House of Correction for the said County for any Time not exceeding Three Calendar Months, or to discharge such Constable, Watchman, or Night Patrole from his Employment, if such Justices shall think proper so to do.

Justices may discharge Constables for Misconduct.

[Local.]

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LXXIX. And

Duties of
Watchmen.

LXXXIX. And be it further enacted, That the said Watchmen and Night Patroles shall in their several Courses of Service use their utmost Endeavours not only to prevent Fires, but also to prevent Murders, Burglaries, Robberies, and other Outrages, Disorders, and Breaches of the Peace; and to that End the said Watchmen and Night Patroles respectively shall and may and they are hereby empowered and required to arrest and apprehend all Night-walkers, Felons, Malefactors, Vagrants, Disturbers of the Peace, and all disorderly and suspected Persons who shall be found misbehaving or wandering within the said Limits of the said Parish, and to lodge them in the said Lock-up House or Lock-up Houses, or any Watch-house or other Place of Security which shall be provided or appointed for that Purpose by the said Commissioners, to be there safely kept and detained until they can conveniently be carried before some Justice of the Peace to be examined and dealt with according to Law; and all such Watchmen and Night Patroles are hereby respectively constituted Constables of the said Parish from the Times of their respective Appointments during their respective Periods of continuing in such Employment, and they shall have, and are hereby respectively invested with, such and the same Powers, Authorities, Privileges, and Protections as Constables are invested with and entitled to by Law.

Penalty on
Watchmen
for Neglect
of Duty.

LXXX. And be it further enacted, That if any of the said Watchmen or Night Patroles so appointed or employed as aforesaid shall at any Time wilfully neglect to attend at their respective Turns of Service to keep watch within the Limits prescribed as aforesaid, at the Hour appointed by the said Commissioners for their Attendance thereon, or shall depart from or cease keeping watch during the several Hours appointed by the said Commissioners for the Continuance of the same, or shall neglect to arrest, apprehend, or detain any Night-walker, Felon, Malefactor, Vagrant, Disturber of the Peace, or any other disorderly Person found misbehaving or wandering within the Limits aforesaid, or shall not observe and perform all the Orders, Rules, and Regulations made by the said Commissioners for their Conduct and Government in their aforesaid Employment, or shall in any other Manner neglect their Duty or misbehave, every Person so offending shall forfeit and pay for every such Offence the Penalty or Sum of Twenty Shillings, and also shall be immediately dismissed from his said Employment, if the said Commissioners shall think proper so to do.

Penalty on
Persons har-
bouring
Watchmen.

LXXXI. And be it further enacted, That if any Victualler, Alehouse Keeper, or other Person selling Spirituous or other Liquors shall entertain or harbour in his or her House or Outhouse any Watchman or Night Patrole during any of the Hours or Times appointed for the Attendance on Duty of such Watchman or Night Patrole in pursuance of this Act, then every such Victualler, Alehouse Keeper, or other Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Disabled
Watchmen
may be re-
warded.

LXXXII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to cause such Rewards in Money to be paid to any Watchman or Night Patroles who may be disabled, wounded, or hurt in the Execution of their aforesaid Duties, as the said Commissioners shall think proper and reasonable.

LXXXIII. And

LXXXIII. And for raising Money for answering and completing the Purchase of the Houses, Buildings, Lands, Tenements, Hereditaments, and Premises to be purchased, taken, or used for the Purposes of this Act, and for keeping and maintaining in repair the said Town Hall, and for enlarging and improving the said Market Place and the Avenues and Approaches to the same, and for making, erecting, constructing, furnishing, and providing the said Town Hall and Market Place with suitable Furniture for the Use of the said Trustees and Commissioners and their Clerks respectively, and also with Stalls, Shambles, Sheds, Bulks, Standings, and other Conveniences as aforesaid, and for paying and reimbursing all other Charges and Expences already incurred or hereafter to be incurred respecting the said Market, or incident to or attending the obtaining and passing of this Act, or for any other Purpose whatsoever authorized by this Act, or which may be necessary for carrying the same into Execution; be it further enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby authorized and empowered, from Time to Time to raise, borrow, take up, and receive of and from any Person or Persons whomsoever who shall be willing to advance and lend the same, any Sum or Sums of Money upon the Credit of the said Market, and the Rents, Profits, and Tolls thereof, and of the said Town Hall and other Buildings and Premises which may be vested in the said Trustees for the Time being; and for securing the Repayment of the Money so to be borrowed and the Interest thereof, the said Trustees or any Five or more of them shall and may, by Writing under their Hands and Seals, assign over or mortgage the same Rents, Tolls, and Profits, and other the Premises, to the Person or Persons advancing or lending such Money, which Assignment or Mortgage may be in the Form or to the Effect following; (that is to say),

For borrowing Money on Rents, Tolls, and Profits.

100 2000 10
100 2000 10
100 2000 10
100 2000 10

BY virtue of an Act passed in the Sixth Year of the Reign of His Majesty King George the Fourth, intituled [*here set forth the Title of this Act*], we, Five of the Trustees appointed by virtue of the said Act for putting the same in execution, and in consideration of the Sum of _____ advanced and paid by _____ to the Treasurer appointed in pursuance of the said Act upon the Credit and for the Purposes of the said Act, do grant and assign unto the said _____ Executors, Administrators, and Assigns, such Proportion of the Rents, Tolls, and Profits arising by virtue of the said Act as the said Sum of _____ doth or shall bear to the whole Sum which is or shall be borrowed upon the Credit of the Rents, Tolls, and Profits arising by virtue of the said Act, to be had and holden from this _____ Day of _____ until the said Sum of _____ with Interest at _____ per Centum per Annum for the same, to be paid Half-yearly, shall be repaid and satisfied. In witness whereof we have hereunto set our Hands and Seals this _____ Day of _____

Form of Security.

And every such Grant or Mortgage shall be good, valid, and effectual in the Law to all Intents and Purposes whatsoever.

LXXXIV. Provided always, and be it further enacted, That in case the said Trustees shall think it advisable to raise all or any Part of the Money necessary for the Purposes of this Act, and hereby authorized to be raised as aforesaid, by the granting of Annuities for Life or Lives, then it shall be lawful for the said Trustees or any Five or more of them, and they

Money may be raised by Annuities.

they are hereby authorized and empowered by Writing under their Hands and Seals, to grant One or more Annuity or Annuities to any Person or Persons, being a Subject or Subjects of this Realm, who shall advance and pay into the Hands of the Treasurer for the Time being of the said Trustees, any Sum or Sums of Money for the absolute Purchase of any such Annuity, to be paid and payable during the natural Life of such Person as shall be nominated by or on the Behalf of such Purchaser, at the Time of paying his or her Purchase Money; and the Grant of every such Annuity may be in the Form or to the Effect following; (that is to say,)

WE, Five of the Trustees appointed by virtue of an Act of Parliament passed in the Sixth Year of the Reign of His Majesty King George the Fourth, intituled [here set forth the Title of this Act], in consideration of the Sum of advanced and paid by to the Treasurer appointed in pursuance of the said Act, upon the Credit and for the Purposes thereof, do hereby grant unto the said Executors, Administrators, and Assigns, the yearly Sum of out of the Rents, Tolls, and Profits, arising and payable by virtue of the said Act, which yearly Sum of shall be paid to the said Executors, Administrators, and Assigns, at by Half-yearly Payments, upon the Day of and the Day of in every Year, during the Life of the said; and the First Payment shall be made upon the Day of next ensuing the Date of these Presents: In witness whereof we have hereunto set our Hands and Seals; the Day of in the Year of our Lord

And every such Grant shall be good, valid, and effectual in the Law; and the several Annuities to be granted as aforesaid shall be and are hereby charged upon, and shall be paid and payable, free from all Charges and Deductions, out of the said Rents, Tolls, and Profits.

For preventing improvident Grants of Annuities.

48G.3.c.142.

49 G. 3. c. 64.

52G.3.c.129.

LXXXV. And for preventing any improvident Grants of Annuities, be it further enacted, That the Amount of every Annuity to be granted by virtue of this Act shall be regulated according to the Price of the Three Pounds per Centum Consolidated Bank Annuities at the Time of granting the same, in the Manner and according to the Rate prescribed by Three several Acts, one passed in the Forty-eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act to enable the Commissioners for the Reduction of the National Debt to grant Life Annuities*; one other, in the Forty-ninth Year of His said late Majesty, intituled *An Act to amend an Act passed in the last Session of Parliament, for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities*; and the other, passed in the Fifty-second Year of His said late Majesty, intituled *An Act for amending Two Acts, passed in the Forty-eighth and Forty-ninth Years of His said Majesty, for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities*.

Securities first granted not to be preferred.

LXXXVI. And be it further enacted, That all and every Persons and Person to whom such Assignments or Assignment, Grants or Grant, shall

shall be made, shall be entitled to their, his, or her respective Proportions of the same Rates and Duties, according to the annual Amount of the Interest of the Money so advanced on Mortgage, and to the annual Amount of the Annuity or Annuities so granted, without any Preference by reason of Priority of Assignment or Grant, or on any other Account whatsoever.

LXXXVII. And be it further enacted, That there shall be provided by the said Trustees, a Book or Books, in which shall be fairly written in Words at length, the Names and Surnames, with the proper Additions and Places of Abode of all Persons who shall be a Purchaser or Purchasers of the Annuities aforesaid, or who shall lend any Sum or Sums of Money on the Security aforesaid, and also the Sum and Sums of Money so paid for the Purchase of Annuities, or lent on such Security as aforesaid, and the Dates of the said Grants and Securities respectively, which Book or Books, the said respective Purchaser or Lenders, and their respective Executors, Administrators, and Assigns, may at all reasonable Times have recourse to and may inspect without Fee or Reward.

Names of Lenders of Money and Annuitants, to be entered in a Book.

LXXXVIII. And be it further enacted, That it shall be lawful for all and every the Persons and Person entitled to any of the Securities for Money which shall be borrowed, or the Annuities to be granted as aforesaid, by Writing under their, his, or her Hands and Seals or Hand and Seal, to be executed in the Presence of Two or more credible Witnesses to assign or transfer the same to any Person or Persons, being a Subject or Subjects of this Realm, in the Form or to the Effect following; that is to say,

Securities and Annuities may be transferred.

‘ I A. B. of [or I, C. D. of
 ‘ Executor or Administrator of A. B. late of Exe-
 ‘ wise, as the Case may happen to be] in consideration of the Sum of or other-
 ‘ to me paid by E. F. of do hereby
 ‘ assign and transfer unto the said E. F., his Executors, Administra-
 ‘ tors, and Assigns, a certain Security bearing Date the Day
 ‘ of in the Year of our Lord
 ‘ under the Hands and Seals of Five of the Trustees for putting in Exe-
 ‘ cution an Act of Parliament passed in the Sixth Year of the Reign of
 ‘ His Majesty King George the Fourth, intituled [here set forth the Title of
 ‘ this Act] and the Principal Sum of thereby secured,
 ‘ and all Interest now due and hereafter to grow due thereon, or the
 ‘ Annuities [or yearly Sum of thereby secured, and
 ‘ all Arrears due thereon] with all my Right and Title to the same. Dated
 ‘ this Day of , in the Year of our
 ‘ Lord
 ‘ Witness

Form of Transfer.

Which Transfer shall, within Twenty Days after the Date thereof, be produced and notified to the Clerk aforesaid, who shall cause an Entry or Memorial to be made thereof containing the Date, Names of the Parties, Sum or Sums of Money, and Annuity and Annuities therein transferred in the said Book or Books to be kept for entering the said original Assignments and Grants; and after such Entry made, but not till then, every such Assignment shall entitle such Assignee or Assignees, his, her, and their Executors, Administrators, and Assigns, to the Benefit thereof, and

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Payment thereon, and such Assignee or Assignees may assign the same again, and so *toties quoties*, and it shall not be in the Power of any such Person or Persons who shall have made any such Assignment, to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof.

Trustees not to be personally liable on account of executing Securities.

LXXXIX. Provided always, and be it further enacted and declared, That nothing herein contained shall extend, or be construed to extend to charge or subject the said respective Trustees, or their respective Estate, to any Payment or personal Liability, by reason of his or their signing and sealing, or joining in making any such Grants, Assignments, or other Securities to be made in pursuance of this Act.

Power to recover the Money subscribed.

XC. And be it further enacted, That the said Trustees, and all and every other Persons and Person who have already subscribed or agreed to advance, or who shall or may hereafter subscribe or agree to advance any Money for the Purposes aforesaid, or for or towards the Expences, Costs and Charges of obtaining this Act, shall and they are hereby required to pay the Sum or Sums by them respectively subscribed or agreed to be advanced, or such Parts or Portion thereof as shall from Time to Time be called for by the said Trustees, at such Times and Places, and in such Manner as shall be directed by the said Trustees, by Notice in Writing under the Hand of their Clerk or Treasurer for the Time being; and in case any of such Subscribers shall refuse or neglect to pay the same Sum or Sums so called for at the Time and Place and in the Manner required for that Purpose, or within Fourteen Days next following, the said Trustees are hereby empowered to recover the same in an Action of Debt or on the Case, or by Bill, Plaint, or Suit, in the Name of any One of the said Trustees, or of the Clerk or Treasurer of the said Trustees for the Time being, against the Person or Persons so neglecting or refusing as aforesaid, his, her, or their Heirs, Executors, or Administrators, in any of His Majesty's Courts of Record at *Westminster*; and after Proof of any such Person or Persons having subscribed or agreed to subscribe, and that such Notice was given as aforesaid, a Verdict shall be given for the Plaintiff, with full Costs of Suit, and Execution shall issue thereupon, as the Case may require.

Application of Tolls and other Monies.

XCI. And be it further enacted, That out of the first Monies which shall be raised or received by virtue of this Act, the said Trustees shall in the first Place pay and discharge all the Costs, Charges, and Expences relative to the procuring and passing of this Act, or so much and such Part or Parts thereof as the said Trustees shall order and direct, with legal Interest for such Parts thereof as shall have been advanced for that Purpose, and the Remainder thereof shall be applied at the Discretion of the said Trustees, in Payment of the Rents and Fines due and to become due to the Lord of the Manor for the Time being in respect of the said Market-house and the Waste Lands in the Possession of the said Trustees, and in the Purchase of such Messuages, Lands, Tenements, or Hereditaments, as shall be necessary for the Purposes aforesaid, and in keeping the said Town Hall and Market House in Repair, and providing the necessary Conveniences for the said Market, and otherwise executing the several Purposes of this Act as to the said Market, and in paying the Salary to the Organist of *Burslem* Church, and in reducing,

paying off and discharging the several Principal Sums of Money and Interest which now are owing, or which shall be borrowed upon any Mortgage or Mortgages, and in redeeming any Annuities to be granted by virtue of this Act; and the same shall in the next Place be applied for or towards such general Improvements in the said Parish of *Burslem*, or for establishing, promoting, or assisting any public Works, Institutions, or Establishments there, as the said Trustees assembled at any Meeting to be held in pursuance of, and according to the Directions of this Act shall think proper; and if any Surplus shall then remain, such Surplus shall be applied in Aid and Diminution of the Police Rates herein-after directed to be raised.

XCII. And be it further enacted, That the Treasurer for the Time being to the said Trustees shall, and may, and he is hereby authorized and required, out of the Monies to be paid into his Hands by virtue of this Act, to pay all Sums of Money which the said Trustees shall order him to pay, and he shall be indemnified for so doing; and the said Treasurer shall and he is hereby required to keep regular and clear Entries in a Book or Books to be for that Purpose provided of all and singular his Receipts and Payments on account of or in pursuance of this Act, and shall at every such annual Meeting as aforesaid, and also at any special or occasional Meeting, if so required, produce the said Accounts, to be audited by the said Trustees, or by such Person or Persons as they shall appoint for that Purpose.

Treasurer to pay Money to the Order of the Trustees.

XCIII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to enter into Contracts with any Person or Persons for carrying into Effect any of the Purposes of this Act; and the said Trustees may and they are hereby authorized to take Security from every such Contractor for the due Performance of his or her Contract.

Trustees may enter into Contracts.

XCIV. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time and at all Times to compound or agree with any Person or Persons on account of any Breach or Non-performance of such Contract or Contracts as aforesaid, for such Sum or Sums of Money or other Satisfaction as the said Trustees shall think reasonable and proper.

Trustees may compound for Breach of Contracts.

XCV. And be it further enacted, That when and so often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace in pursuance of the Direction of this Act, as or by way of Compensation or Satisfaction for any Damage, Spoil, or Injury, of any Nature or Kind whatsoever, done or committed by the said Trustees, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees to the Party or Parties entitled to receive the same, within Ten Days after Demand in Writing shall have been made from the Clerk of the said Trustees or their Treasurer in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall or may be levied and recovered, by Distress and Sale of the Goods and Chattels vested in the said Trustees

How Costs and Damages are to be recovered from the Trustees.

tees by virtue of this Act; or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his or their Hand and Seal or Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum and Sums of Money as or by way of Compensation or Satisfaction for any such Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain, after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in Dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned on Demand to the Treasurer for the Time being of the said Trustees: Provided always, that it shall and may be lawful for such Treasurer to retain out of any Monies which he shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall sustain or be put unto by virtue of any such Warrant as aforesaid.

Power to
levy a public
lighting Rate.

XCVI. And for raising Money to defray the Expences of lighting the Streets, Lanes, Passages, and other public Places within the said Town or Place of *Burslem Proper* according to the Limits herein-before defined, be it further enacted, That it shall and may be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time when and so often as they shall think it necessary, to order and direct a just and equal Pound Rate or Assessment to be made or charged and levied, under the Name and by the Description of "The *Burslem* Lighting Rate," upon all and every the Persons and Person who for the Time being shall inhabit, use, or occupy any Houses, Warehouses, Manufactories, Factories, Sheds, Shops, Cellars, Vaults, Counting-houses, Offices, Brewhouses, and other Buildings or Tenements, and upon all Gardens and Yards contiguous thereto, and occupied therewith, within the Limits called *Burslem Proper*, as herein-before defined and described: Provided nevertheless, that such Lighting Rate shall not exceed in the whole in any one Year Sixpence in the Pound according to the Poor Rate Assessment for the Time being:

Power to
levy a Police
Rate.

XCVII. And for raising Money to defray the Expences of the aforesaid Police Watchmen and Patroles within such Parts of the said Parish of *Burslem* as are herein-before mentioned, be it further enacted, That it shall and may be lawful for the said Commissioners, and they are hereby authorized and empowered from Time to Time when and so often as they shall think it necessary, to order and direct another just and equal Pound Rate or Assessment to be made or charged and levied, under the Name and by the Description of "The *Burslem* Police Rate," upon all and every the Persons and Person who for the Time being shall inhabit, use, or occupy any Houses, Warehouses, Manufactories, Factories, Sheds, Shops, Cellars, Vaults, Counting Houses, Offices, Brewhouses, and other Buildings or Tenements, and upon all Gardens and Yards contiguous thereto and occupied therewith, within the Limits of the Parish of *Burslem* aforesaid, (except the Lordship of *Abbey Hulton* aforesaid): Provided nevertheless, that such Police Rate shall not exceed in the whole in any one Year Sixpence in the Pound, according to the Poor Rate Assessment for the Time being.

XCVIII. Pro-

XCVIII. Provided always, and be it further enacted, That no Rates or Assessments whatsoever shall be made in pursuance of this Act upon any Person or Persons for or in respect only of his, her, or their being the Occupier or Occupiers of any Dwelling House under the Value of Four Pounds.

Exemptions
from the
Rates.

XCIX. Provided also, and be it further enacted, That where any House shall be divided into Two or more separate Tenements, Stories, or Apartments, and shall be occupied or inhabited by Two or more Persons or Families, the same shall nevertheless be subject to the Rates granted by this Act, and the Landlord or Proprietor of every such House shall be assessed to and liable to pay the said Rates.

Mode of
charging
Houses let
in separate
Apartments.

C. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, by Warrant under the Hands and Seals of any Five or more of them, to nominate and appoint Two Persons, being Inhabitants of the said Parish, liable to serve Parish Offices there, and not being of the Number of the said Commissioners, to be Assessors, for any Period not exceeding One Year from the Time of their Appointment, of the several Rates or Assessments herein-before authorized to be made; and such Persons so from Time to Time nominated and appointed Assessors are hereby empowered and required to make and assess all such Rates or Assessments as shall be ordered and directed by the said Commissioners to be made, in conformity with the Provisions aforesaid upon all the Occupiers of Houses, Shops, Warehouses, Manufactories, and other Buildings, Yards, Gardens, Orchards, and Wharfs within the said Parish, who shall be liable to be rated under the Directions of this Act, such Assessors being previously sworn (before any One or more Justice or Justices of the Peace for the County of *Stafford* who are hereby authorized to administer the Oaths in that Behalf) truly, faithfully, and impartially to make such several Rates or Assessments: Provided nevertheless, that no Rate or Assessment to be made by virtue of this Act shall be valid or of any Force or Effect until the same shall be allowed, confirmed, and signed by Five or more of the said Commissioners; and after the said several Rates or Assessments shall have been so made, allowed, and confirmed as aforesaid, the same shall and may respectively be demanded, collected, and received by such Collector or Collectors, as the said Commissioners, by Warrant under the Hands and Seals of any Five or more of them, shall from Time to Time nominate and appoint for that Purpose, and who are hereby respectively invested with full Power and Authority to demand, collect, and receive the same; and if any Person who shall be appointed an Assessor of the said Rates, or any of them as aforesaid, shall refuse or neglect to take upon himself the Office of Assessor for the Space of Ten Days after Notice in Writing of such Appointment (without assigning some reasonable Cause, to be allowed by the said Commissioners for his Refusal), or shall refuse to be sworn, truly, faithfully, and impartially to execute such Office, every such Person so refusing or neglecting, shall for every such Refusal or Neglect forfeit and pay the Sum of Twenty Pounds: Provided nevertheless, that no Person shall be obliged to serve the said Office of Assessor for a longer Period than One Year, nor be liable to be again appointed to such Office within the Space of Five Years next after his having served the same, or paid the said Penalty for such Refusal or Neglect as aforesaid,

Appointment
of Assessors
and Col-
lectors.

[*Local.*]

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and

and that no Person above the Age of Sixty Years shall be compellable to serve the Office of Assessor as aforesaid.

Poor Rates
may be in-
spected.

CI. And for affording Facility to the making of the Rates and Assessments authorized by this Act to be laid and assessed, be it further enacted, That the said Commissioners shall and may cause all or any of the Books or Assessments of Rates made and to be made towards the Relief of the Poor within the said Parish of *Burslem* to be brought before them without Fee or Reward, and shall and may cause Copies to be made and taken of such Books or Assessments or any Part or Parts thereof; and if any Person in whose Custody or Power any of the said Books or Assessments shall be, shall, after receiving Notice signed by the Clerk of the said Commissioners for the Purpose, refuse to permit or shall not permit Copies thereof to be taken by the Order of the said Commissioners, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Amendment
of Rates by
Commission-
ers.

CII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to amend any Rate or Assessment to be made by virtue of this Act, by inserting therein the Name or Names of any Person or Persons who ought to have been rated, or by striking out the Name or Names of any Person or Persons who ought not to have been rated therein, or by making such other Amendments therein as will in the Judgment of the said Commissioners make such Rate or Assessment conformable to the true Intent and Meaning of this Act, and that no such Amendment so to be made by the said Commissioners in any such Rate or Assessment shall be held to vitiate the same.

Apportion-
ment of Rates
on Change of
Tenancy.

CIII. And for ascertaining the Mode in which the said Rates or Assessments are to be paid in Cases where a change of Tenancy shall take place during the Year for which such Rates or Assessments shall be laid, be it further enacted, That in all Cases where any Person or Persons shall have removed from or quitted any House, Building, or other Property for or in respect of which he, she, or they shall have been rated or assessed, or was or were liable to be rated or assessed by virtue of this Act, such Person or Persons shall be liable to pay a Portion of the Rates or Assessments to which such Person or Persons would have been subject or chargeable in case he, she, or they had not removed from or quitted the same; and in all Cases where any Person or Persons shall enter into the Occupation of any House, Building, or other Property liable to be rated by virtue of this Act, out of or from which any other Person or Persons who shall have been rated or assessed for the same shall have removed, or which at the Time of making such Rates or Assessments was or were empty or unoccupied, the Person or Persons so entering into the Occupation of the same shall be liable to pay a Portion of such Rates or Assessments in proportion to the Time during which he, she, or they shall occupy the same, in like manner as if he, she, or they had been originally rated or assessed for such Houses, Buildings, or other Property, all which said respective Portions in case of Dispute shall be settled and ascertained by the said Commissioners or by any Two or more of His Majesty's Justices of the Peace for the said County of *Stafford* on the Application of any Parties interested therein.

CIV. And

CIV. And be it further enacted, That if any Person or Persons shall neglect or refuse to pay any Sum or Sums of Money on him, her, or them rated or assessed by virtue of this Act, for any of the Purposes hereof, to the Collector or Collectors of such Rates or Assessments to be appointed by the said Commissioners for the Time being, for the Space of Five Days after a personal Demand thereof made by such Collector or Collectors or any of them, or a Demand in Writing under the Hand of any such Collector left at the last or usual Place of Abode of such Person or Persons or on the Premises for which such Person or Persons shall be rated or assessed or any Part thereof, then and in every such Case, it shall be lawful for such Collector or Collectors or any of them, or any other Person or Persons, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said County of *Stafford* (which Warrant or Warrants the said Justice or Justices is and are hereby authorized and required to grant, upon due Proof on Oath or Confession made before him or them of the Demand and Non-payment of such Rate or Assessment) with the Assistance of some Constable or other Peace Officer, to enter into any Dwelling Houses, Buildings, or Lands, in the Occupation of the Person or Persons so neglecting or refusing to pay such Rate or Assessment, and there to distrain the Goods and Chattels of such Person and Persons, and the Distress so taken to impound, keep, and detain, and if the full Amount of the Monies so distrained for shall not be paid within Five Days after such Distress being made, together with the Costs and Charges incurred about the same, then such Collector or Collectors is and are hereby authorized to sell the Goods and Chattels so distrained, or such Part thereof as will be sufficient to pay the said Rate or Assessment together with the Costs and Charges of the said Warrant and of making, keeping, and selling such Distress, returning the Overplus (if any) of the Money arising by such Sale to the Owner or Owners of such Goods and Chattels on demand.

Powers for
Recovery of
Rates.

CV. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment which shall be made in pursuance of this Act, such Person or Persons, having first paid such Rate or Assessment, shall or may apply for Relief in the Premises to the said Commissioners at their First or Second Meeting to be holden next after he, she, or they shall have paid the same, and the said Commissioners are hereby authorized and empowered, if they shall think such Person or Persons aggrieved, to give such Relief in the Premises as to them shall seem reasonable; and if any Person or Persons shall be dissatisfied with the Order or Determination of the said Commissioners thereupon, then such Person or Persons may appeal against such Order or Determination to the Justices at the General Quarter Sessions of the Peace for the said County of *Stafford*, within the Time and in the Manner herein-after directed in that Behalf.

Persons ag-
grieved may
appeal
against
Rates.

CVI. And be it further enacted, That Duplicates of all Rates and Assessments laid or assessed by virtue of this Act shall be deposited with the Clerk of the said Commissioners who shall permit any Person rated by virtue of this Act or any Creditor on any of the said Rates or Assessments to inspect the same, or to take Copies thereof at all season-
able

Rates may be
inspected
and Copies
thereof de-
manded.

able Times upon Payment of One Shilling; and such Clerk shall within Ten Days after Demand deliver a true Copy of such Rates or Assessments or any of them, or any Portion thereof, to any Person rated as aforesaid, or any such Creditor on the said Rates, having been first paid for the making of such Copy after the Rate of Four-pence for every Seventy-two Words.

Application
of the public
Lighting
Rate.

CVII. And be it further enacted, That all the Monies which shall be raised by virtue of this Act from and by the several Rates and Assessments herein-before authorized to be assessed and levied, under the Name and by the Description of the "*Burslem* Lighting Rate," shall be and the same are hereby vested in the said Commissioners, and the same shall from Time to Time and at all Times be applied and disposed of, by or under the Orders of the said Commissioners, for defraying the Costs, Charges, and Expences to be incurred from Time to Time by or by the Direction of the said Commissioners in, for, and about the public Lighting of the several Streets, Lanes, Passages, and other public Places within the Limits of *Burslem Proper* as herein-before defined, and for no other Use, Intent, or Purpose whatsoever.

Application
of the Police
Rates.

CVIII. And be it further enacted, That all the Monies which shall be raised by virtue of this Act from and by the several Rates and Assessments herein-before authorized to be assessed and levied, under the Name and by the Description of "The *Burslem* Police Rate," and all other Monies which shall come to the Hands of the said Commissioners by virtue of any of the Provisions of this Act in regard to the Disposal of which no specific Directions are herein-before given, shall be and the same are hereby vested in the said Commissioners, and the same shall from Time to Time and at all Times be applied and disposed of by and under the Orders of the said Commissioners in and for defraying the Expences of keeping the Lock-up House and Lock-up Houses, Prison or Prisons hereby directed to be provided, in good and sufficient Repair from Time to Time, and in and for defraying the Costs, Charges, and Expences whatsoever of watching the Streets, Lanes, and Passages in the said Parish of *Burslem* (except the Lordship of *Abbey Hulton*), and in and for paying the Salaries and Wages of the Persons employed as Constables, Watchmen, or Patroles, in the Business of the said Police, and for no other Use, Intent, or Purpose whatsoever.

Power for
Commissioners
to declare
new Streets
to be Public
Highways.

CIX. And be it further enacted, That when any of the Streets, Ways, or Lanes within the Parish of *Burslem* which are already laid out or which shall hereafter be laid out in any Part of the said Parish of *Burslem*, shall be well and sufficiently made with hard Materials and put in good Order and Repair, and completed to the Satisfaction of the said Commissioners or any Five or more of them assembled at any Meeting for putting this Act into Execution, it shall and may be lawful for the said Commissioners so assembled as aforesaid or any Five or more of them, and they are hereby empowered from Time to Time, with the Consent of the major Part of the Owners or Proprietors of the Soil in Quantity of such Soil to declare the same to be Public Highways, and from and after such Declaration made and not sooner, the same and every of them shall

shall be deemed and taken to be Public Highways to all Intents and Purposes; and it shall also be lawful for the said Commissioners to connect any such Streets, or open the same into any other Streets or public Highways with the Consent of the Owner, Proprietor, and Occupier of the Lands, Houses, and Premises which may intervene and be necessary to use for such Purpose: Provided always, that the said Commissioners shall not be empowered to make such Declaration of or concerning any Front Streets which shall be of less Width than Ten Yards in the narrowest Part thereof, or of or concerning any Back Street which shall be of less Width than Eight Yards in the narrowest Part thereof, except such Streets as were actually laid out and begun to be built upon previous to the passing of this Act.

CX. Provided also, and be it further enacted, That all new Streets which shall hereafter be made in the said Parish of *Burslem*, and all public Streets already laid out but not completed, shall be completed and made good with hard Materials by the Person or Persons laying out and appropriating the Land for such new Streets, in such Manner and in such Proportions as shall be ordered and directed by the said Commissioners, so as that such new Streets shall be made and completed with Brick Footways in like manner as the other Parts of the said Parish, and shall hereafter become subject to the Rules and Regulations as to the future Care and Repairs thereof, as the other Streets of the said Parish.

Builders to be compellable to pave and complete Streets.

CXI. Provided always, and be it further enacted, That in case the Person or Persons laying out and appropriating the Land for such new Street or Streets, shall not complete the said new Street or Streets in manner aforesaid, within Two Calendar Months after Notice given so to do by the Clerk to the said Commissioners, it shall and may be lawful to and for the said Commissioners, by Writing under their Hands, to order any such Streets to be made as aforesaid and completed, and the Costs and Charges thereof shall be paid and reimbursed to the said Commissioners or their Order by the Person or Persons appropriating the Land for such new Street or Streets; and in default of Payment thereof on Demand, the same may be recovered in like manner as any Penalties or Forfeitures are by this Act authorized to be recovered.

In case Parties neglect to complete the Streets, Commissioners may order the same to be done.

CXII. And be it further enacted, That if any Person or Persons shall upon any of the Footways or Foot Pavements within the Limits of this Act run, draw, drive, or carry thereon any Truck, Wheel-sledge, Wheelbarrow, Hand-barrow, Bier, or Carriage whatsoever; or roll any Cask or Tub, other than for the necessary loading or unloading thereof, unto, upon, from, or out of any Carriage or Cart; or wilfully ride, lead, or drive any Horse or other Beast or Cattle whatever, on any of the said Footways or Foot Pavements; or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding, driving, or leading to go thereon; or shall tie or fasten any Horse or other Cattle to any House, Wall, Fence, Post, Tree, or other Thing whatsoever, across any of the said Footways or Foot Pavements, or set any Cask, Tub, Pail, Bucket, Stool, Bench, or Stall, on or in the said Footway or Foot Pavement; or erect, set up, put, or place any Blind, Shade, Coverlid, or Awning or any other Matter or Thing so as in anyway to cause any Obstruction or Impediment in the Footway or on the Foot Pavement, or

For preventing various Nuisances, Annoyances, and Obstructions.

[*Local.*]

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shall

shall in any Street, Lane, public Passage, or Place within the Limits of this Act, hoop, fire, cleanse, wash, or scald any Cask or Tub, or hew, saw, or cut any Stone, Wood, or Timber, or bore any Timber; or make or repair, or wash or clean any Coach, Chaise, Waggon, Sledge, or other Carriage, or the Wheel, Body, Springs, or other Part of any Coach, Chaise, Waggon, Sledge, or other Carriage, (except such as may want immediate Repair, from any sudden Accident on the Spot, and which cannot conveniently be removed for that Purpose); or wet, slack, or mix any Lime, or wet, mix, or make any Mortar; or shoe, bleed, or farry any Horse or other Beast, (unless in case of sudden Accident); or clean, dress, drive, or turn loose any Horse or other Beast or Cattle, or show or expose any Stallion or Stone-horse, (except only in such Place as the said Commissioners shall direct), or show or exercise or expose to Sale any Horse or other Beast; or kill, slaughter, or scald, singe, dress, or cut up any Animal either wholly or in part, or cause or permit any Blood to run from any Slaughter House, Butcher's Shop, or Shamble into the Streets or any of them; or shall sell or assist in selling by Auction or public Sale any Cattle, Goods, Wares, Merchandize, or Thing or Things whatsoever, without the Leave of the Commissioners for that Purpose first had and obtained; or hang up, place, or expose to Sale, or cause or permit to be hanged up, placed, or exposed to Sale, any Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff, Butchers Meat, or other Matter or Thing in or upon, or so as to project over or upon the Footway or Carriageway of any such Streets, Lanes, public Passages or Places, or beyond the Line, or on the outside of the Window or Windows of the House, Shop, or Place at which the same shall be so hanged up, placed, or exposed to Sale, or so as to obstruct or incommode the Passage of any Person or Carriage; or leave open after Sun-set the Door or Window of any Cellar or other underground Room or Apartment, without having placed or left a sufficient Light therein, to warn and prevent Persons passing in the Streets, Lanes, and public Places within the Limits of this Act from falling into such Cellar or other underground Rooms or Apartments; or shall at any Time leave the Lids, Flaps, Coverings, or Gratings of any Coal-cellar or Vault not properly fastened or secured, or bait or cause to be baited any Bull or other Animal, or throw at any Cock or Fowl in the Manner called Cock-throwing, or set up any Cock or Fowl to be thrown at in such Manner; or play at Foot-ball or at any other Game to the Annoyance of any Passenger or Passengers; or shall wilfully break, aid, or abet, or assist in wilfully breaking any Glass or Window-panes or Windows in or belonging to any Dwelling House or Building; or cause or make, or assist in making any Bonfire, or wantonly discharge or fire any Gun, Pistol, or Blunderbuss or other Fire-arms, or let off, set fire to, or throw any Crackers, Squib, Rocket, or other Firework; or shall exhibit or play any Show, Interlude, Farce, Mountebank Stage, or such like Entertainment, for Hire or in the Expectation of Money, without the Consent of the Chief Constable for the Time being; or shall write with Chalk, Ink, or otherwise, any obscene or indecent Words, or paste or affix any written or printed Hand Bills of an obscene or indecent Nature upon any of the Walls within the said Limits, or shall occasion any other kind of Obstruction or Annoyance in or upon any such Street, Lane, public Passage or Place; or shall obstruct or incommode, hinder, or prevent the free Passage of any Footway or Causeway, or prejudice or annoy in any Manner whatsoever, any Person or
Persons

Persons travelling, passing, or going thereon within the Limits of this Act; then and in every such case every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds; and it shall and may be lawful to and for any Constable or other Peace Officer, or any One of the said Commissioners, or any Officer or other Person acting by or under their Authority, by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey him, her, or them before some Justice or Justices of the Peace for the said County of *Stafford*, in order to his, her, or their conviction of such Offence: Provided nevertheless, that nothing herein contained shall extend or be construed to extend so as to prevent or hinder any Person or Persons from selling or exposing to Sale any Horse, Beast, Cattle, Sheep, or Swine, or placing any Stall, Booth, Stool, Bench, or Form for the Sale of Goods or Wares, or from exposing to Sale any Meat, Poultry, Vegetables, Fruit, or any other Matter or Thing in any Market Place within the said Town of *Burslem*, under the Regulations in this Act contained.

CXIII. And be it further enacted, That if after the passing of this Act any Waggon, Cart, Dray, or other Carriage shall be left to stand or remain in or upon any Street, Lane, public Passage, or Place within the Limits of this Act, with or without Horses or other Cattle for any Time longer than shall be necessary for unloading or loading thereof, (except on Market Days or Fair Days) or if any Timber, Bricks, Lime, Stone, Slates, Hay, Straw, Wood, Faggots, Coals, Boards, Tubs, Goods, Wares or Merchandize, or other Materials or Things whatsoever, shall be laid or placed or left to remain in or upon any of the said Streets, Lanes, public Passages or Places for any longer Time than shall be necessary for moving or housing the same, or if any Glass or Earthenware, Ashes, (save and except Ashes or other Matter for the Purpose of preventing Passengers from slipping in the Time of Frost), Rubbish, Dust, Dirt, Dung, Filth, Water, or any other Nuisance or Annoyance whatsoever, shall be wilfully thrown or cast into, or laid in or upon any of the said Streets, Lanes, public Passages or Places, then and in every such Case the Owner or Driver of every such Waggon, Cart, Dray, or other Carriage and the Owner of any such Timber, Bricks, Lime, Goods, Wares, or Merchandize, Materials, or other Things which shall be so left or suffered to remain in or upon any of the said Streets, Lanes, or public Passages or Places, and the Person or Persons who shall wilfully throw, cast, or lay, or cause to be thrown, cast, or laid, or from whose House shall be wilfully thrown, cast, or laid any Glass or Earthenware, Ashes, (save and except as aforesaid), Rubbish, Dust, Dirt, Dung, Filth, Water, or any other Nuisance or Annoyance into or upon any of the said Streets, Lanes, public Passages, or Places, shall for every Offence for any one of the Cases aforesaid, forfeit and pay any Sum not exceeding Forty Shillings: Provided nevertheless, that no Person shall be subject to any Penalty by virtue of this Act, for or on account of any Building Materials, Rubbish, or Dirt being in or upon any of the Streets, Lanes, public Passages or Places before the House or Tenement of such Person occasioned by the building or pulling down, rebuilding or repairing of such House or Tenement, so as there be convenient Room left for Carriages to pass, and a sufficient Way kept clean for Foot Passengers by the Person laying or occasioning such Building Materials, Rubbish, and Dirt to be removed
out

Obstructions,
&c. not to be
left in the
Streets.

out of such Lane, Street, public Passage or Place, within a reasonable Time after such building, pulling down, or repairing shall be finished, or upon Notice to be given to him or her, or left at such House or Tenement for such Purpose, in Writing signed by the Clerk to the said Commissioners.

Drivers of Carriages punishable for Misbehaviour.

CXIV. And be it further enacted, That if any Driver of any Cart, Car, Dray, or Waggon shall ride upon any such Carriage in any Street, Lane, public Passage or Place within the Limits of this Act, not having some other Person on foot or on horseback to guide the same, (such Carriages as are usually conducted by some Person holding the Rein of the Horse or Horses drawing the same excepted); or if the Driver of any Stage Coach or other Carriage whatsoever shall in any such Street, Lane, public Passage or Place, by Negligence or wilful Misbehaviour cause any Hurt or Damage to any Person or Carriage passing, or shall wilfully be at such Distance from such Carriage or Coach whilst it shall be passing in any such Street, Lane, public Passage or Place that he cannot have the Direction and Government of the Horse or Horses or other Cattle drawing the same, or shall by Negligence or wilful Misbehaviour prevent, hinder, or interrupt the free Passage of any other Carriage or any of His Majesty's Subjects in any such Street, Lane, public Passage or Place; or if the Driver of any empty or unloaded Waggon, Cart, or other Carriage, shall refuse or neglect to turn aside and make way for any Coach, Chariot, Chaise, loaded Waggon, Cart, or other loaded Carriage; then and in every such case every such Driver so offending and being convicted of any such Offence either by his own Confession, the View of a Justice of the Peace, or by the Oath of One or more credible Witness or Witnesses before any Justice of the Peace for the said County of *Stafford*, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings, in case the Driver shall not be the Owner of the said Carriage; and in case such Driver be the Owner of such Carriage, then any Sum not exceeding Forty Shillings; and every such Driver offending in any of the said Cases shall and may by Authority of this Act, with or without any Warrant, be apprehended by any Person or Persons who shall see such Offence committed; and it shall and may be lawful to and for the Person or Persons so apprehending such Driver to convey such Driver or cause him to be conveyed or delivered to a Constable or other Peace Officer in order to be conveyed before some Justice of the Peace, for the same County to be dealt with according to Law; and if such Driver in any of the Cases aforesaid shall refuse to disclose his Name, it shall and may be lawful to and for the Justice of the Peace before whom he shall be taken, or to whom any such Complaint shall be made, to commit him to the Common Gaol or House of Correction of the County of *Stafford*, for any Time not exceeding Three Calendar Months, or to proceed against any such Offender for the Penalty aforesaid, by a Description of his Person and the Offence, and expressing in such Proceedings that the said Driver refused to disclose his Name.

Regulations as to Nightsoil.

CXV. And be it further enacted, That if any Person or Persons shall begin to empty any Privy, or take or carry away any Nightsoil, or bring or place any Carts for removing the same, from any House, Building, or Place within the Limits of this Act, before the Hour of Twelve in the Night, or shall continue to remove the same after the Hour of Five in the

the Morning, or shall at any Time negligently spill, or put, or cast, any Night-soil out of any Cart, Tub, or otherwise in or over any of the said Streets, Lanes, Highways, or other public Passages or Places, or in any respect improperly, carelessly, or negligently remove the same, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

CXVI. And be it further enacted, That if any Sort of Cattle or Swine shall at any Time be found wandering about any of the Markets, Streets, Squares, Ways, Lanes, or other public Passages or Places within the said Limits, the Owner or Owners thereof shall for every such Head of Cattle or Swine forfeit and pay any Sum not exceeding Ten Shillings; and moreover it shall and may be lawful to and for any Person or Persons appointed by the said Commissioners if he or they shall think proper to seize and impound such Cattle or Swine in any common Pound within the said Limits, or in such other Place as the said Commissioners shall appoint, and the same there to remain until the Owner or Owners thereof shall for every such Head of Cattle or Swine so impounded pay the Sum of Five Shillings to the Person impounding the same, together with the reasonable Charges and Expences of impounding and keeping the same; and in case the said Sum, Charges, and Expences shall not be paid within Four Days after such impounding, it shall and may be lawful to and for the said Commissioners to sell or cause to be sold the same, and the Money arising from such Sale, after deducting the said Sum of Five Shillings and the Charges and Expences of impounding, keeping, and selling such Cattle or Swine, shall be paid to the Person or Persons whose Property the Cattle or Swine so sold shall appear to have been.

Power to impound Beasts wandering in the Streets.

CXVII. And be it further enacted, That all Monies whatsoever which shall be raised and collected by Order of the said Commissioners by or from either of the aforesaid Rates or Assessments, or which shall be otherwise payable to them by virtue of or under any of the Provisions of this Act, shall be paid from Time to Time into the Hands of the Treasurer of the said Commissioners for the Time being; and no Sum or Sums of Money shall be disbursed or issued by the Treasurer of the said Commissioners, on the Behalf or Account of the said Commissioners, without an Order in Writing signed at a Meeting of the said Commissioners, to be held in pursuance of this Act, by the Chairman of such Meeting for the Time being.

Treasurer to receive Monies and pay same by Order of the Commissioners.

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

Costs and Damages to be settled by Justices.

[Local.]

41 S.

CXIX. And

Recovery
and Applica-
tion of Pe-
nalties.

CXIX. And be it further enacted, That all Penalties, Forfeitures, and Fines hereby inflicted or authorized to be imposed, the Manner of levying, recovering, and applying wheréof is not herein otherwise directed, shall, upon Proof of the Offences respectively before any Justice of the Peace for the County of *Stafford*, either by the Confession of the Party offending or by the Oath of any credible Witness or Witnesses, which Oath such Justice is in every such Case hereby fully authorized to administer, be levied, together with the Costs attending the Information and Conviction, by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered and required to grant; and the Overplus, if any, after such Penalties, Forfeitures, and Fines, and the Charges of such Information and Conviction, Distress and Sale, are deducted, shall be returned upon Demand unto the Owners or Owner of such Goods and Chattels; and the Monies arising by such Penalties, Forfeitures, and Fines respectively when paid or levied, if not otherwise directed to be applied by this Act, shall be from Time to Time paid, one Moiety to the Informer and the other Moiety to any Treasurer or Treasurers to the said Trustees, and applied to the Purposes of this Act; and in case such Penalties, Forfeitures, and Fines respectively shall not be paid forthwith upon Conviction, then it shall and may be lawful for such Justice to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice, for his, her, or their Appearance before him on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants, it shall appear that no sufficient Distress can be had whereupon to levy the said Penalties, Forfeitures, or Fines, and such Costs as aforesaid, and the same shall not be forthwith paid; or in case it shall appear that no sufficient Distress can be had whereupon to levy the said Penalties, Forfeitures, or Fines, and such Costs as aforesaid, and the same shall not be forthwith paid; or in case it shall appear, to the Satisfaction of any such Justice, upon the Confession of the Offender or Offenders or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences can be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for any such Justice of the Peace, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol of the County of *Stafford*, or to any House of Correction within the same, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges, shall be sooner paid and satisfied.

For securing
transient
Offenders.

CXX. And be it further enacted, That it shall and may be lawful for any of the said Trustees, or their Collectors or other Officers respectively, and such Person or Persons as they or any of them shall call to their or his Assistance, without any Warrant or other Authority than this

Act, to seize and detain any Person or Persons, being unknown to such Trustees, Collectors, or other Officers, who shall commit any such Offence or Offences against this Act, and to take him, her, or them before any Justice or Justices of the Peace for the said County of *Stafford*; and such Justice and Justices shall and is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

CXXI. And be it further enacted, That if any Person or Persons, having been summoned as a Witness or Witnesses to give Evidence before any Justice or Justices of the Peace touching any Complaint for any Offence against this Act, or against any Rule, Order, or Bye-law made in pursuance thereof, whether on the Part of the Prosecutors or the Person or Persons complained against (a reasonable Sum for his, her, or their Costs and Charges having been paid or tendered to him, her, or them), shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for such his, her, or their Refusal or Neglect, to be approved of by the Justice or Justices, or appearing, shall refuse to be examined on Oath (or, on solemn Affirmation, being a Quaker), and to give Evidence before such Justice or Justices of the Peace, then and in either of the said Cases every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

For compelling the Attendance of Witnesses.

CXXII. And be it further enacted, That in all Cases where any Person or Persons shall be convicted of any Offence against this Act or the Provisions thereof, or against any Bye-law to be made as aforesaid, or any Matter in pursuance thereof, the Conviction shall be in the Form or to the Effect following; (that is to say),

Conviction under this Act.

BE it remembered, That on the _____ Day of _____ in the _____ Year of the Reign of His Majesty King _____ *A. B.* is convicted before me [*or us, naming the Justice or Justices*] [*or more*] of His Majesty's Justices of the Peace for the County of *Stafford*, of having [*here state the Offence*], contrary to the Statute made [*or contrary to the Bye-laws duly made in pursuance of the Statute made*] in the Sixth Year of the Reign of His Majesty King *George* the Fourth, intituled [*here insert the Title of this Act*] and I [*or we*] the Justice [*or Justices*] aforesaid do adjudge and determine the said *A. B.* for the said Offence to forfeit and pay the Sum of _____, and the further Sum of _____ for Costs, and do order the same to be forthwith paid into my [*or our*] Hands, One Moiety thereof for the Use of the Trustees under the said Act for the Purposes thereof, and the other Moiety thereof to the Use of *C. D.* [*naming the Informant.*] Given under my Hand and Seal [*or our Hands and Seals*], the Day and Year first above written.

Form of Conviction.

GXXIII. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Determination or Judgment made or given by any Justice or Justices of the Peace in pursuance of this Act, or by any Order, Regulation, Bye-law, or Rule made by virtue of this Act, or by any other Matter or Thing made or done by the said Trustees or Commissioners or otherwise in pur-

Appeal to Quarter Sessions.

pursuance of this Act, he, she, or they may, within Three Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at some General or Quarter Sessions of the Peace, or some Adjournment thereof, to be holden for the said County or other the County or Place where the Cause or Matter of Appeal shall arise, the said Party or Parties, Appellant or Appellants, having given at least Fourteen clear Days Notice in Writing of his, her, or their Intention of making such Appeal, and of the Matter and Cause thereof, to the Party or Parties against whom such Appeal shall happen to be made, or whose Interest may be affected by such Appeal, except where the Appeal shall be made against any Act, Matter, or Thing made or done by the said Trustees or Commissioners, or by any Justice or Justices of the Peace, and then to the Clerk or Clerks of the said Trustees or Commissioners, and within Four Days next after such Notice causing a Recognizance to be entered into before some Justice of the Peace of the said County by Two sufficient Persons, in the Sum of Twenty Pounds each, conditioned for the Party or Parties, Appellant or Appellants, to try such Appeal, and abide the Order and Award of the Justices at such Sessions thereon, and to pay such Costs as shall be awarded at such Sessions; and thereupon the Justices present at any such Sessions, upon due Proof upon Oath of such Notice and Recognizance having been given and entered into as aforesaid, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way; and the said Justices shall have Power to award such Restitution, Damages, and Costs to the Party or Parties appealing or prosecuting such Appeal, or such Costs to the Respondent or Respondents, or Party or Parties defending such Appeal, as the said Justices shall think proper; and all such Orders and Determinations of the said Justices at such Sessions shall be final, binding, and conclusive upon all Parties to all Intents and Purposes whatsoever.

Justices may amend Rates without quashing the whole.

CXXIV. Provided always, and be it further enacted, That upon all Appeals from or against any of the Rates or Assessments to be made or imposed under the Authority of this Act, the Justices of the Peace shall and they are hereby empowered to amend the said Rates or Assessments in such Manner as may be necessary for giving Relief without quashing or altering such Rates or Assessments with respect to other Persons mentioned therein; but if upon Appeal against the whole Rate or Assessment it shall be found necessary to set aside the same, then and in every such Case it shall be lawful for such Justices to order a new Rate or Assessment to be made in manner herein mentioned.

Inhabitants, &c. of Burslem competent Witnesses.

CXXV. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, Enquiries, and Proceedings whatsoever, relating to or concerning the Execution of this Act, or any Act done, or Rule, Order, or Bye-law made in pursuance thereof, no Person whatsoever shall be disqualified from being a competent Witness and being admitted to give Evidence, by reason of his or her being an Inhabitant of *Burslem* aforesaid, or a Trustee or Officer appointed under the Authority of this Act.

Trustees may act as Justices.

CXXVI. Provided always, and be it further enacted, That the Trustees hereby appointed or to be appointed in pursuance of this Act, who are or shall be in the Commission of the Peace, may act as such Justice of the

the Peace in the Execution of this Act notwithstanding their being such Trustees; except in such Cases only where they shall be personally interested otherwise than as a Trustee, Mortgagee, Assignee, Lender of Money, or Holder of any Security on the Credit of the Tolls granted by this Act.

CXXVII. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue or under the Authority of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect, Default, or Want of Form in any Proceeding relating thereto, nor shall the Party or Parties be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for special Damages by Action on the Case.

Distress not
unlawful for
Want of
Form;

CXXVIII. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or any Order to be made, or any Matter or Thing to be done or transacted, in or relating to the Execution of this Act, shall be vacated or quashed for Want of Form only, or be removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary notwithstanding.

nor Proceed-
ings quashed
for Want of
Form.

CXXIX. And be it further enacted, That all and every Persons and Person who shall give false Evidence in any Examination to be taken by virtue of this Act, or where, in pursuance of this Act any Oath is required to be taken, shall wilfully and corruptly swear falsely, shall be subject to such Pains, Penalties, and Disqualifications as Persons found guilty of wilful and corrupt Perjury are or shall be subject or liable to by the Laws and Statutes of this Realm.

Persons giv-
ing false Evi-
dence liable
to the Pe-
nalties of
Perjury.

CXXX. Provided always, and be it further enacted, That all Persons who by Law are or shall be liable to do Statute Duty or Work, or are or shall be chargeable with any Rate or Assessment towards repairing and amending the several Highways within the Limits of *Burslem Proper*, shall still remain and continue liable and chargeable thereto, and it shall and may be lawful to and for any Two or more Justices of the Peace for the said County of *Stafford*, and they are required and empowered upon Application made to them by the said Commissioners or by their Clerk or Surveyor by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Highways, and also what Sum or Sums of Money shall be paid to the said Commissioners or their Surveyor or Surveyors, as and for a Rate or in lieu of a Composition for such Statute Work to be done within the said Limits as aforesaid; and in order thereunto it shall and may be lawful to and for such Justices from Time to Time to summon the Surveyor or Surveyors of the said Highways within the Limits of *Burslem Proper* to bring Lists before such Justices at some Place to be expressed in such Summons within Fourteen Days after the Service of such Summons of the Names of the several Persons who within such Limits are by

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the Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done whether with Teams or Draughts or otherwise, and also the Amount of the respective Sums to be paid, which Lists of Names shall be made in such Manner and under such Regulations and Restrictions as is, are, or may be directed by any Law or Statute in force and effect for the Repair of the public Highways, and out of such Lists the said Justices shall and may appoint and order such and so many of the Persons who shall appear to be subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Highways and within the Limits aforesaid as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times (not being Haytime or Harvest), and in such Parts of the said Streets, Lanes, Entries, public Passages and Places within the said Limits, as the said Commissioners or their Surveyor or Surveyors shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Persons who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper, to the said Commissioners or their Treasurer at such Time or Times as they the said Justices shall direct; and in default of Payment thereof the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by this Act authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work in and upon the said several Streets, Lanes, Entries, public Passages, and Places within the said Limits as aforesaid, after Notice in Writing given to or left for him, her, or them at his, her, or their last or usual Place or Places of Abode for that Purpose by any Surveyor to the said Commissioners, shall for every Day of his, her, or their Default or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Pains, Penalties, and Forfeitures, as such Person or Persons may be subject or liable to by any Law or Statute in force and effect for the Repair of the public Highways; and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to work in or upon any of the said Streets, Lanes, Entries, public Passages, or Places within the said Limits, shall be found idle or negligent by any Surveyor to the said Commissioners, such Surveyor is hereby empowered to remove and dismiss the Person who shall be found idle or negligent as aforesaid, and in that Case every Person on whose behalf such idle or negligent Person shall be sent shall be subject and liable to the respective Forfeitures and Payments aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work; all which Forfeitures shall be paid to the Treasurer to the said Commissioners and applied towards amending the said Streets, Lanes, Entries, public Passages and Places within the said Limits; and in case the said Surveyor or Surveyors of the Highways within the said Town or Place of *Burslem Proper* shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly or wilfully give in false or imperfect Lists every such Surveyor

veyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

CXXXI. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act until Fourteen Days Notice thereof shall be given to the Clerk or Clerks to the said Trustees or Commissioners respectively, nor after a sufficient Satisfaction or a Tender thereof hath been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed, and every such Action shall be laid and tried in the County where the Cause of Action shall have arisen; and the Defendant or Defendants in every such Action or Suit shall or may at his and their Election plead specially or the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to be so done, or that such Action or Suit shall be brought before Fourteen Days Notice thereof shall have been given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or if such Action shall be brought in any other County, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited or discontinue his, her, or their Action or Actions after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in any Case by Law.

Limitation of Actions:

CXXXII. Provided always, That nothing in this Act contained shall extend or be construed to extend to affect or include for the Purposes of lighting within the Operation of this Act the Villis of *Longport* and *Cobridge*, or any Houses, Shops, Warehouses, Manufactories, Mills, Tenements, or other Buildings, or any Yards, Gardens, Orchards, or Wharfs, which now are or hereafter may be erected or made within the said Villis or either of them, until the major Part in Value (according to the Assessment for the Relief of the Poor of the Parish of *Burslem* aforesaid) of the Owners of Houses or such other Property as aforesaid, within the said Villis, shall by Writing under their Hands require that such Part or Parts of the said Villis as shall from Time to Time be specified in such Requisition may participate in the beneficial Purposes of this Act, so far as respects the Lighting, and be and become subject to the Payment of the Rate hereby authorized to be imposed under the Name of "The *Burslem* Lighting Rate."

As to the lighting of Longport and Cobridge.

CXXXIII. Provided always, and be it further enacted, That nothing in this Act contained shall prejudice, lessen, or defeat the Right, Title, or Interest of the Lord of the Manor of *Tunstall Court*, his Heirs or Assigns, in or to the Royalties incident and belonging to the said Manor, or in or to the Waste Lands and Right of Soil there, but that the Lord or Lords of the said Manor for the Time being shall and may at all Times hereafter hold and enjoy the same, and all Rents, Courts, Fines, Perquisites and Profits of Courts, Mines, Services, Privileges, Forfeitures, and all other Royalties, Rights, and Appurtenances, to the said Manor of *Tunstall*

Saving of the Rights of the Lord of the Manor of Tunstall Court.

Tunstall Court incident or belonging, in as full, ample, extensive, and beneficial a manner, as he or they might have held and enjoyed the same in case this Act had not been passed.

Public Act.

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

The First SCHEDULE to which the foregoing Act refers.

TOLLS PAYABLE.

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

COVERED.

Not exceeding Six Feet by Five Feet One Inch, One Shilling and Two-pence, and Two-pence *per* Foot for each above Five Feet wide.

Not exceeding Nine Feet by Five Feet, One Shilling and Three-pence, and Three-pence *per* Foot for each above Five Feet wide.

Not exceeding Twelve Feet by Five Feet, One Shilling and Nine-pence, and Four-pence *per* Foot for each above Five Feet wide.

UNCOVERED.

Not exceeding Six Feet by Five Feet, Sixpence.

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

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

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

CARTS.

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

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

Waggon used for the like Purposes, One Shilling and Nine-pence *per* Day.

BUTTER.

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

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

POULTRY AND PIGS.

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

Not exceeding Three Couple, One Penny *per* Day.

For each additional Three Couple, One Penny *per* Day.

For every Turkey, Goose or Pig, One Penny *per* Day.

EGGS.

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

For each additional Dozen, One Halfpenny.

GENERAL TOLLS.

For every Basket, Hamper, Parcel, or Quantity of any other Goods, Commodity, Article, or Thing exposed or offered for Sale there, not before specifically charged or enumerated or falling within any of the preceding Heads; *videlicet*,

Not containing more than One Bushel, One Penny,

Every additional Half Bushel, One Halfpenny.

The Second SCHEDULE to which the foregoing Act refers.

The whole of the following Dwelling Houses, Buildings, and Land on which they stand, Yards and Appurtenances thereunto belonging, is or are the Property of *Thomas Wedgwood* Esquire, and are required for the Purposes of this Act, and are all situated in the Town of *Burslem*, in the County of *Stafford*, between the Market Hall there and the Lane or Passage called *Shoe Lane* in *Burslem* aforesaid.

A Dwelling House, Surgery, Yard, and Outbuildings in the Occupation of Mister *William Henry Sharpe* Surgeon.

A Dwelling House in the Occupation of *Elizabeth Daniel*.

A Dwelling House in the Occupation of *Thomas Hughes*.

A Public House called *The Blue Bell*, in the Occupation of *William Moore*.

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A Dwelling

A Dwelling House, Stable, and Draper's Shop, in the Occupation of *William Hulme*.

A Public House, Stables, and Outbuildings called *The Turk's Head*, in the Occupation of *William Hancock*.

A Smith's Shop in the Occupation of *John Hall*.

A Dwelling House in the Occupation of *William Wedgwood*.

A Dwelling House, a Shop, and Outbuildings, in the Occupation of *Aaron Wedgwood*.

A Dwelling House in the Occupation of *Sarah Bourne*.

Fifteen small Dwelling Houses, with the Yards and Appurtenances thereunto belonging, in the respective Occupations of *Richard Smith*, *Thomas Chester*, *William Bott*, *George Hartshorn*, *John Henshall*, *Elizabeth Adams*, *William Davies*, *John Trentham*, *John Frost*, *John Oakes*, *Sarah Rathbone*, *William Evans*, *John Bladon*, *Henry Smith*, and *Sarah Jackson*.

Part of an Earthenware Manufactory unoccupied.

An Engine House in the Occupation of *Enoch Wood Esquire*.

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