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# GEORGI III. REGIS.

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## *Cap. 118.*

An Act for paving and improving the Town of *Warrington*, in the County of *Lancaster*, and for building a New Bridewell in the said Town.

[3d June 1813.]

**W**HEREAS the Town of *Warrington*, in the County Palatine of *Lancaster*, is very populous, and a Place of considerable Trade, and is also a great Thoroughfare for Travellers; and the several Streets, Squares, Ways, Lanes, and other public Passages and Places within the same, are not properly paved, cleansed, lighted, and watched, and are subject to various Nuisances, Annoyances, and Encroachments: And whereas the Bridewell within the said Town is not only out of Repair and in a bad Situation, but is also unwholesome and injurious to the Health of Persons confined therein; and there is no proper Fire-Engine House belonging to the said Town, and Regulations are wanting for the better Government of the Firemen there: And whereas it would greatly tend to the Convenience, Benefit and Safety of the Inhabitants of the said Town, and of all Persons resorting to or passing through the same, if such Streets, Squares, Ways, Lanes, and other public Passages and Places, were properly paved, cleansed, lighted, watched, improved, and regulated, and the Nuisances, Annoyances, Obstructions, and Encroachments therein were removed, and prevented for the future; and it is expedient that a new Bridewell and Fire-Engine House should be erected, and new Regulations made for the better Government of such Firemen: But the several Purposes aforesaid cannot be effected without the Aid and Authority of Parliament; May it therefore please Your Majesty, That it may be enacted, and be it

[*Loc. & Per.*]

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enacted

Commis-  
sioners.

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 *John Blackburne* Esquire, the present Lord of the Manor of *Warrington*, and his Successors, Lords of the said Manor for the Time being, the Right Honourable *Thomas* Lord *Lilford*, the present Patron of the Parish and Parish Church of *Warrington*, and his Successors for the Time being, Patrons thereof, *Robert Atherton Rawstorne*, Clerk, the present Rector of the said Parish and Parish Church, and his Successors, Rectors thereof for the Time being, *Thomas Blackburne* Clerk, Doctor of Laws and Warden of the Collegiate Church of *Christ* in *Manchester*, *John Ireland Blackburne*, *Thomas Lyon*, *Richard Gwilym*, *Isaac Blackburne*, *Peter Dutton*, *John Arthur Borron*, and the future Justices of the Peace who may act at the privy Sessions held within the said Town; *Richard Leigh* and *George Heron* Clerk, Devisees in Trust of the late *Thomas Peter Legh* deceased, *Thomas Legh*, *William Legh*, *John Hargraves*, *Peter Patten*, *Thomas Wilson*, *John Watkins*, *Thomas Blackburne*, *David Claughton*, *James Topping*, *Thomas Turner*, and *Thomas Claughton*, and also every Person being in his own Right or in the Right of his Wife in the actual Possession, or Enjoyment, or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, situate within the Township of *Warrington*, of the clear Yearly Value of Forty Pounds above Reprizes; and also every other Person paying parochial Taxes, and occupying a Messuage or Dwelling House or Lands with the Appurtenances in *Warrington* aforesaid, of the Yearly Rent or Value of Fifty Pounds, or during the Term of such Residence only possessed of or entitled unto a Personal Estate alone of the clear Value of One Thousand Pounds, shall be and are hereby appointed Commissioners for putting this Act into Execution.

Qualification  
of Commis-  
sioners

II. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act (except the Commissioners herein named) unless he shall, at a previous Meeting of the said Commissioners, have taken and subscribed the following Oath (or Affirmation, if one of the People commonly called Quakers) before any Two or more of the said Commissioners (who are hereby authorized and required to administer the same), before he takes upon himself to act in the Trusts and Authorities by this Act granted; which Oath or Affirmation shall be in the Words, or to the Effect following; (that is to say),

‘ I *A. B.* do swear [or, affirm, as the case may be] That I am in my own  
 ‘ Right or in the Right of my Wife, in the actual Possession and En-  
 ‘ joyment or Receipt of the Rents and Profits of Lands, Tenements or  
 ‘ Hereditaments, situate within the Township of *Warrington*, in the  
 ‘ County of *Lancaster*; of the clear Yearly Value of Forty Pounds above  
 ‘ Reprizes; or, that I am a Resident in the said Township paying paro-  
 ‘ chial Taxes, and am truly and *bonâ fide* in the Occupation of a Messuage  
 ‘ or Dwelling House or Lands situate therein, with the Appurtenances,  
 ‘ of the Annual Rent or Value of Fifty Pounds; or, that I am a Resident  
 ‘ in the said Town, and possessed or entitled unto a Personal Estate alone  
 ‘ of the clear Value of One thousand Pounds; and that I will truly and  
 ‘ impartially, according to the best of my Skill and Judgment, execute  
 ‘ and perform the several Powers and Authorities reposed in me as a  
 ‘ Commis-

Commissioner by virtue of an Act, passed in the Fifty-third Year of the  
 Reign of His Majesty King *George* the Third, intituled, [*here insert the*  
*Title of this Act.*] So help me GOD.

And if any Person not being named in or appointed by this Act, or otherwise duly qualified, shall nevertheless presume to act 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 or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint or Information, wherein no Effoign, Protection, Wager of Law, or more than one Impar lance shall be allowed; and every Person so sued or prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor than that such Person hath acted as a Commissioner in the Execution of this Act: Provided always, that all Acts and Proceedings of any Person or Persons acting as a Commissioner or Commissioners in the Execution of this Act, though not duly qualified as aforesaid, previous to his or their being convicted of the said Offence, shall, notwithstanding such Conviction, be as good, valid, and effectual, as if such Person or Persons had been duly qualified to act as a Commissioner or Commissioners according to the Directions of this Act.

III. And be it further enacted, That the said Commissioners, or any Nine or more of them, shall meet together at the House of *William Hughes*, the *Nag's Head Inn*, in the said Town of *Warrington*, on the Fifth Day of *August* next after the passing of this Act, at Eleven of the Clock in the Forenoon, and proceed to the Execution thereof, and may then and from Time to Time adjourn and afterwards meet there, or at any other Place within the said Town, as the said Commissioners or any Nine or more of them shall think most convenient, as often as it shall be necessary, for putting this Act in Execution, and that Three Commissioners shall be sufficient for the Purpose of Adjournment only; and if it shall happen that there shall not at any Meeting be a sufficient Number of Commissioners to act or to adjourn to another Day, or in case the Commissioners at any Meeting assembled shall neglect or omit to adjourn, then, and as often as the Case shall happen, the Clerk or Clerks to the said Commissioners or any Three or more of the said Commissioners shall and may, by Notice in Writing to be affixed at the Market Gate and some other public Place or Places within the said Town of *Warrington*, Fourteen Days at least before such intended Meeting, appoint the Commissioners to meet on the Day to be fixed in such Notice; and all Matters and Things which shall be done and transacted at any Meeting which shall be held in pursuance of such Notice, shall be as valid and effectual as if the same had been done at any other Meeting held by virtue of this Act: Provided also, that no Act of the said Commissioners shall be valid unless done at a public Meeting or Meetings to be held by virtue of this Act (except in the Case before mentioned, where Adjournments shall not have been made as aforesaid); and that no Person during the Time he shall have any Share or Interest in any Contract or beneficial Employment under this Act, or while any Appeal shall be depending wherein he shall be interested, shall be capable of acting as a Commissioner in the Execution of this Act; and that at all Meetings to be held in pursuance of this Act, the Commissioners present at such Meetings shall defray and bear their own Expences.

First Meeting  
of the Com-  
missioners.

IV. And

Quorum of  
Commis-  
sioners.

The Number  
to be present.

IV. And be it further enacted, That all the Powers or Authorities by this Act granted to or vested in the said Commissioners, shall and may from Time to Time be exercised by any Nine of them present at any public Meeting to be holden in pursuance of this Act, or the major Part of such Commissioners as shall be present at any such Meeting, the Number so present not being less than Nine; and all Acts and Proceedings of such Commissioners, or the major Part of them at such Meetings, shall be as valid and effectual for the Purposes of this Act, as if all the Commissioners for executing this Act had been present at such Meeting and had concurred therein; and a Chairman or President shall and may be appointed at every such Meeting; and in case of an equal Number of Votes upon any Question at any Meeting to be held by virtue of this Act (including the Vote of the Chairman or President) the Chairman or President shall have the casting or decisive Vote.

No Order  
made at a  
Meeting of  
the Commis-  
sioners to be  
revoked, but  
at Special  
Meeting.

V. And be it further enacted, That no Order made by the said Commissioners at any of their Meetings shall be revoked or altered, unless at some Meeting to be specially called and holden for that Purpose, of which Twenty-one Days Notice in Writing shall have been given by affixing the same at the Market Gate, and some other public Place or Places in *Warrington* aforesaid, and also unless a greater Number of such Commissioners shall attend at such Meeting, to revoke or alter such Order, than were present when such Order was made; any Thing hereinbefore contained to the contrary thereof notwithstanding.

Proceedings  
of Commis-  
sioners to be  
entered in  
Books.

VI. And be it further enacted, That all the Acts, Orders, and Proceedings of the said Commissioners shall from Time to Time be fairly written, and entered in a proper Book or Books to be kept for that Purpose; and that all such Books shall at all Meetings of the said Commissioners, be open to the Inspection of any Person or Persons rated and paying the Rates or Assessments to be made for the Purposes of this Act, without Fee or Reward; and all such Orders and Proceedings so entered, shall be signed by the said Commissioners, or any Nine or more of them, and shall be deemed Originals, and 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 and under the Authority of this Act; which Book or Books shall be kept by the Clerk or Clerks for the Time being to the said Commissioners, or by such Person or Persons, and at such Place or Places, as the said Commissioners shall direct and appoint.

Appoint-  
ment of Clerk  
and Treasurer  
and other  
Officers, who  
are to ac-  
count for  
Monies  
received.

VII. And be it further enacted, That the said Commissioners shall and may, and they are hereby required at their first Meeting to be holden as aforesaid, and afterwards from Time to Time to appoint one or more Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors of the Rate or Rates hereinafter mentioned, Surveyor or Surveyors, and such other Officer or Officers for the Execution of this Act, as the said Commissioners shall from Time to Time think proper; and may also from Time to Time remove them or any of them, and appoint other or others in the Room of such of them as shall be so removed, or shall die, relinquish or discontinue such Office, or become incapable of acting therein; and out of the Monies to be raised by virtue of this Act, the said Commissioners shall and may make such Allowances to such Officers, and to all other Persons by them the said Commissioners employed in the Execu-

tion of this Act, as they shall think reasonable; and shall and may take such Security from the Treasurer or Treasurers, and other Officers, for the due Execution of their respective Offices, as the said Commissioners shall think proper; and all such Officers so to be appointed shall, under their Hands, at such Time or Times and in such Manner as the said Commissioners shall direct; deliver to the said Commissioners, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all the Monies which shall have been by such Officers and Persons respectively received by virtue and for 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 due from them respectively to the said Commissioners, or to such Person or Persons as they shall appoint; and all the said Officers so accounting as aforesaid, shall upon Oath, if thereunto required by the said Commissioners or any Nine or more of them (which Oath any Two or more of the said Commissioners is and are hereby empowered and required to administer) verify their said Accounts; and if any such Officer shall neglect or refuse to make and render, or to verify upon Oath any such Account, or to produce or to deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall neglect or refuse to deliver to the said Commissioners, or to such Person as they shall appoint, within Seven Days next after being thereunto required by the said Commissioners, by Notice in Writing given to or left at the last or usual Place of Abode of such Officer, all Books, Papers and Writings in his Custody or Power relating to this Act, or give Satisfaction to the said Commissioners respecting the same, then and in any of the Cases aforesaid, the said Commissioners may and are hereby authorized and empowered to cause an Action to be brought against the Officer so neglecting or refusing as aforesaid, for the Recovery of the Monies that shall remain due from him, with Costs of Suit; or if Complaint shall be made by the said Commissioners, or any Nine or more of them, or by such Person or Persons as they shall appoint for that Purpose, of any Neglect or Refusal as aforesaid, to any Justice of the Peace of the County or Place wherein such Officer so neglecting or refusing shall be or reside, such Justice may and is hereby authorized and required to issue a Warrant under his Hand and Seal, for the Officer so neglecting or refusing to be brought before him, and upon his appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if, upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justice is hereby empowered to administer), it shall appear to such Justice that any of the Monies which shall have been collected or raised by virtue of this Act, shall remain due from such Officer, such Justice may and is hereby authorized and required, upon Non-payment 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 Officer; and if no Goods and Chattels of such Officer can be found sufficient to answer and satisfy the said Money, and the Charges of such Distress and Sale, or if it shall in Manner aforesaid appear to such Justice that such Officer shall have neglected or refused to render and give such Account, or to verify the same as aforesaid, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act shall be in the Custody or

[*Loc. & Per.*] 24 A Power

Power of such Officer, and he shall have neglected or refused to deliver or give Satisfaction respecting the same as aforesaid, then and in any of the Cases aforesaid, such Justice shall commit such Offender to the Gaol or House of Correction for the County or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Commissioners for such Money, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Commissioners, or any Nine or more of them, are hereby empowered to make and receive), and until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Commissioners as aforesaid: Provided always, that no such Person committed for Want of sufficient Distress shall remain in Prison for any longer Space than Six Calendar Months.

Penalty on  
Officers act-  
ing impro-  
perly.

VIII. And be it further enacted, That if any Clerk, Surveyor, or Officer, or Servant, who shall be employed by the said Commissioners in the Execution of this Act, shall exact, take, or accept, by any Ways or Means, any Fee or Reward whatsoever, other than such Salaries and Allowances as shall be appointed by the said Commissioners, for or on account of any Thing done or to be done by virtue of this Act, or on any Account whatsoever, relative to the putting of this Act in Execution, or shall be by any Ways or Means concerned or interested in any Bargain made or to be made by the said Commissioners for any of the Purposes intended by this Act, every Person so offending shall thenceforth for ever be incapable of being employed under this Act, and shall likewise forfeit and pay any Sum not exceeding the Sum of Five Pounds to any Person 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, by Action of Debt, Bill, Plaint, or Information, to be commenced within Three Calendar Months next after the Offence shall be committed, in which Action or Suit no Protection, Essoign, or Wager at Law, or more than one Imparance shall be allowed.

Commis-  
sioners may  
sue and be  
sued in the  
Name of  
their Clerk.

IX. And be it further enacted, That the said Commissioners shall and may sue and be sued, and otherwise proceed or be proceeded against at Law in the Name or Names of their Clerk or Clerks, Treasurer or Treasurers for the Time being; and that all Actions or Suits which it may be necessary to bring for the Recovery of any Penalty or Sum of Money due or payable by virtue of this Act, or for or in respect of any Matter or Thing relating to this Act, shall be brought and prosecuted in the Name or Names of their said Clerk or Clerks, Treasurer or Treasurers for the Time being; and that no Action or Actions which may be brought, commenced, or prosecuted by or against the said Commissioners, or any of them, by virtue or on account of this Act, in the Name or Names of their Clerk or Clerks, Treasurer or Treasurers, shall abate or be discontinued by the Death or Removal of such Clerk or Clerks, Treasurer or Treasurers, or any or either of them, or by any Act or Default of such Clerk or Clerks, Treasurer or Treasurers, any or either of them, done or suffered, without the Direction or Consent of Nine or more of the said Commissioners for the Time being, but the Clerk or Clerks, Treasurer or Treasurers to the said Commissioners for the Time being, shall always be deemed Plaintiff or Plaintiffs, Defendant or Defendants, as the Case may be,

be, in such Actions or Suits: Provided always, that every such Clerk or Clerks, Treasurer or Treasurers, in whose Name or Names any Action or Suit shall be commenced, prosecuted or defended in pursuance of this Act, shall always be reimbursed and paid out of the Monies to be raised by virtue of this Act, all such reasonable Costs, Charges, and Expences, as he or they shall sustain or be put unto or become chargeable with, by reason of his, their, or any or either of their being so made Plaintiff or Plaintiffs, Defendant or Defendants therein; and such Clerk or Clerks, Treasurer or Treasurers, shall not be personally answerable or liable for the Payment of the same or of any Part thereof, unless such Action or Suit shall arise in consequence of his or their own Neglect or Default, and unless it should have been brought, commenced, or defended without the Order or Direction of Nine or more of the said Commissioners assembled at a Meeting under this Act.

X. And be it further enacted, That from and after the passing of this Act, the Right and Property of, in, and to all the present and future Pavements in the said Streets, Squares, Ways, Lanes, and other public Passages, within *Warrington* aforesaid, as well in the Footways as Carriageways, and of, in, and to all Lamps, Lamp Irons, Posts, and other Things thereto belonging, which now are or shall or may hereafter be erected and fixed by virtue of this Act, and of, in, and to all other Things, Materials, and Utensils whatsoever which shall be purchased for the Purposes of this Act, shall be and are hereby vested in the said Commissioners; and they are hereby authorized and empowered to bring or cause to be brought any Action or Actions, or to prefer any Bill or Bills of Indictment, as the Case may require, against any Person or Persons who shall steal, take, and carry away, spoil, injure, or destroy any Part or Parts thereof, or any other Matter or Thing vested in the said Commissioners as aforesaid, or disturb them in the Possession thereof; and in all such Actions and Bills of Indictment, it shall be and be deemed and taken to be sufficient to state generally that the said Pavements, Articles, Matters, and Things, for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, are the Property of the Commissioners for the paving and improving the Town of *Warrington* in the County of *Lancaster*, without particularly stating or specifying the Name or Names of all or any of the said Commissioners; and the said Commissioners shall have full Power and Authority from Time to Time to sell by public Auction or otherwise, all or any Part of the Materials and Things which shall not be wanted for the Purposes of this Act, and the Money arising therefrom shall be applied to the Purposes of this Act.

Pavements,  
&c. vested in  
the Commis-  
sioners.

XI. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and required from Time to Time to cause the several present or future Streets, Squares, Ways, Lanes, and other public Passages and Places within *Warrington* aforesaid, or any Part or Parts thereof, as well the Carriageways as Footways, to be new paved, flagged, repaired, and amended, and the Pavements 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 the said Commissioners shall think fit; such future or new Streets, Squares, Ways, Lanes, and other public Passages and Places having been first paved or flagged, or otherwise laid with hard and substantial Materials, by and at the Expence of the Person or Persons laying

Town to be  
new paved.

laying open the same for the Use of the Public, to the Satisfaction of the said Commissioners, and having been reported by the Surveyor or Surveyors to be appointed in pursuance of this Act to the said Commissioners, at some or one of their Meetings to be holden as aforesaid, as well and sufficiently paved or flagged, or otherwise substantially laid and put into good and sufficient Order and Condition for public Passage and Use; and the said Commissioners shall and may cause to be cut or made in, through, over, or under any of the said Streets, Squares, Ways, Lanes, public Passages, and Places, new Tunnels, Gutters, Sinks, Drains, Sewers, or Watercourses for conveying the Water from the same respectively; and also cause any of the present Gutters, Sinks, Drains, Sewers, and Watercourses to be stopped up, or opened or widened, and the Form thereof to be altered, turned, varied, or changed, in such Manner as they the said Commissioners shall think fit; and it shall and may be lawful to and for the said Commissioners to take up, remove, or cause to be taken up and removed, all or any Posts, Rails, and Pales, in such Streets, Squares, Ways, Lanes, Passages, or Places, or any of them, as they the said Commissioners shall judge useless, or to be a Nuisance or Obstruction to Foot Passengers, Horses, or Carriages.

Penalty on  
Persons alter-  
ing the Pave-  
ments, &c. in  
the Streets.

XII. And be it further enacted, That if any Person or Persons shall at any Time take up the said Pavements and Flagging, or any Part of the same respectively, or make or cause to be made any Alteration in any Tunnel, Gutter, Sink, Drain, Sewer, or Watercourse, in any Street, Square, Way, Lane, public Passage, or Place in *Warrington* aforesaid, without the previous Consent in Writing of the said Commissioners, every such Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings; and in case the Person or Persons so taking up any such Pavement or Flagging, or any Part of the same respectively, or any such Tunnel, Gutter, Sink, Drain, Sewer, or Watercourse, shall not within Seven Days after Notice in Writing by the Surveyor to the said Commissioners, given to or left at the last or usual Place or Places of Abode of such Person or Persons, cause the same Pavements and Flagging respectively which shall have been so taken up to be reinstated, and the Tunnel, Gutter, Sink, Drain, Sewer, or Watercourse so altered, to be put into its former State, then, and in every such Case, it shall and may be lawful to and for the Surveyor of the said Commissioners to cause the same respectively to be done, the Costs and Charges whereof shall be borne and paid by the Person or Persons who shall have taken up or altered such Pavement or Flagging, Tunnel, Gutter, Sink, Drain, Sewer, or Watercourse, or any Part thereof respectively; and in case of Non-payment thereof on Demand, such Costs and Charges shall and may be levied and recovered in such and the like Manner as any Penalty is by this Act directed to be levied.

Empowering  
Inhabitants  
to require  
Execution of  
the Act.

XIII. And be it further enacted, That if any Householder or Householders, or Owner or Occupier of Lands within the said Township of *Warrington*, shall make Complaint in Writing under his, her, or their Hand or Hands, and shall leave the same at the last or usual Place of Abode of the Surveyor or Surveyors to the said Commissioners, of any Defect or Want of Repair in any of the Pavements of any of the said Streets, Squares, Ways, Lanes, public Passages or Places, either before or after the same shall have been new paved or repaired by virtue of this Act, Seven Days before the next Meeting of the said Commissioners,  
then



then and in every such Case the said Surveyors or Surveyor shall view the same Pavement, and report the Condition thereof to the Commissioners at their next Meeting; and if the said Surveyor and Surveyors, to whom such Notice shall be given or left as aforesaid, shall upon such View find the Pavements complained of to be bad or defective, the said Commissioners shall and may order their Contractor or Contractors, Pavier or Paviers, to repair the same within such Time as they the said Commissioners shall judge necessary for the Repair thereof, which Time shall be specified in such Order; and if the Contractor or Contractors, Pavier or Paviers, to whom such Order shall be given, shall not repair and amend such Pavements within such Time as he or they shall be directed by the said Commissioners to repair and amend the same, then, and in every such Case, the said Contractor or Contractors, Pavier or Paviers, shall forfeit or pay any Sum not exceeding Five Pounds for every Day that the same bad or defective Pavement shall remain unrepaired after the Time limited by the said Commissioners in their said Order; and One Moiety of every such Penalty shall be applied and paid to such Complainant, for his or her loss of Time and Trouble in and about the Premises, and the other Moiety shall be applied to the Purposes of this Act.

XIV. Provided always, and be it further enacted, That if the said Surveyor or Surveyors shall on any such View be of Opinion that the Pavement or Pavements mentioned to be bad or defective by such Householder or Householders, or Owner or Occupier of Land in such Notice, is not bad or defective, then, and in such Case, the said Commissioners, or any Nine or more of them, shall forthwith proceed to view the said Pavement; and their Opinion and Order concerning the same, after such a View, shall be final and conclusive any Thing in this Act contained to the contrary notwithstanding.

Commissioners to view Pavement complained of as defective.

XV. And be it further enacted, That if any Pavement shall be broken or taken up for the Purpose of making, repairing, or altering any Main, Pipe, Vault, or Drain, or for any other Purpose whatsoever, then, and in every such Case, the Person or Persons so breaking or taking up the said Pavement, or causing the same to be broken or taken up, shall, as soon as the Nature of the Work will permit, cause the Ground to be filled in, and Notice thereof in Writing to be given to the Pavier or Contractor of the said Commissioners for the Time being, or in case of Refusal or Neglect so to do, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and if such Pavier or Contractor to whom any such Notice as aforesaid shall be given, shall by the Space of Four Days next after such Notice given to him as aforesaid, refuse or neglect to relay and repair the Pavement so broken up, then, and in every such Case, the Person so refusing or neglecting shall forfeit and pay any Sum not exceeding Five Pounds, for every Day such Pavement shall remain unrelaid or unrepaired after the Expiration of the said Notice.

Provision in case of Pavement taken up for repairing Water Pipes.

XVI. And be it further enacted, That it shall be lawful for the said Commissioners, or such other Person or Persons as they shall from Time to Time appoint, to dig up, have, take, and use all such Gravel, Stones, Bricks, and other Materials, as shall be found in the said Streets, Squares, Ways, Lanes, and other public Passages, or any of them, and to provide

For getting Materials for paving, &c.

and bring in, or to purchase all such other Gravel, Stones, Bricks, and other Materials, for the paving and repairing of the same, and employ such Artificers, Workmen, Labourers, Carters, and others, in and about the paving and repairing the said Streets, Squares, Ways, Lanes, public Passages and Places, or any of them, and to order, issue, and appoint to be paid such Sums of Money, Wages, and Salaries, for or in respect of the Matters and Things aforesaid, and do all and every such Acts and Things as the said Commissioners shall judge necessary and proper for accomplishing the Purposes of this Act, pursuant to the Power herein-contained.

For removing  
Encroach-  
ments.

XVII. And be it further enacted, That from and after the passing of this Act, all and every Person or Persons who shall, within the Space of Three Calendar Months before the passing of this Act, have built or erected, or who shall at any Time hereafter build or erect, or cause to be built or erected, any Dwelling House or other Building, Wall, or Fence, within, adjoining, or contiguous to any of the Streets, Squares, Ways, Lanes, or other public Passages or Places within *Warrington* aforesaid, shall at his, her, or their own Costs and Charges from Time to Time, within Two Calendar Months after Notice in Writing for that Purpose given by the said Commissioners, cause the Ground before, behind, or at the Sides of such Dwelling Houses or other Building, Wall, or Fence, as far as the Gutter or Channel in the said Streets, Squares, Ways, Lanes, and other public Passages and Places, to be raised or lowered, and well and sufficiently paved, pitched, repaired, or altered in such Manner and Form, and with such Materials as the said Commissioners shall direct or require: Provided always, that in case any Person or Persons who shall, within the Space aforesaid, have built or erected, or who shall or may at any Time hereafter build or erect, or cause to be built or erected, any such Dwelling House, Building, Wall, or Fence, shall refuse or neglect to do or perform all or any Part of such last-mentioned paving, pitching, repairing, altering, or other Thing within the Time and in the Manner before directed, that then and in such Case it shall be lawful for the said Commissioners to cause the same, or any Part thereof, to be done in such Manner and Form as they shall think fit to order and direct; and the Charges and Expences attending the same shall be paid by the Person or Persons erecting or building the same, or causing the same to be so built or erected; and in case any such Person or Persons shall refuse or neglect to pay all such Charges and Expences for the Space of Ten Days after the same shall be demanded, then it shall be lawful for any Justice of the Peace for the said County, upon Complaint made to him by the said Commissioners, or by any Nine or more of them, or by the Surveyor and Surveyors, Collector or Collectors, Clerk or Clerks respectively, or any or either of them, to cause all such Charges and Expences to be levied by Distress and Sale of the Goods and Chattels of such Person or Persons so refusing or neglecting as aforesaid, together with all reasonable Costs and Charges of such Complaint, Distress, and Sale, rendering the Overplus (if any) upon Demand, to the Person or Persons whose Goods and Chattels shall be so distrained and sold.

Hoards to be  
erected for  
making Re-  
pairs.

XVIII. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, or any Nine or more of them, by Writing under their Hands, to require the Proprietors and Inhabitants  
within

within the said Town, or their Builders or Workmen, to make such Hoard or Hoards, or Fence or Fences before their respective Houses, in order to the taking down, re-building, or repairing the same, or any Vault, Drain, or Building belonging thereto, and for laying the necessary Materials for the same, and the Rubbish arising therefrom, as the said Commissioners in their Discretion shall think necessary or proper in that Behalf.

XIX. And be it further enacted, That it shall be lawful for the said Commissioners when any of the said Streets, Squares, Ways, Lanes, and other public Passages and Places within *Warrington* aforesaid, shall be under Repair in the paving or pitching thereof, or during the making or repairing any of the Sewers, Drains, or Vaults by this Act authorized to be made and repaired, to fix and place, or cause to be fixed and placed, such and so many Bar or Bars, Chain or Chains, Post or Posts, or other Obstruction or Obstructions across or in any of the said Streets, Squares, Ways, Lanes, and other public Passages and Places, to prevent the passing and repassing of Carriages, Drays, and Horses during the Time of such Works and Repairs being carried on, as to them shall seem proper; and if any Person shall break down, take down, alter, or remove any of the said Bars, Chains, Posts, or other Obstructions, without the Authority or Consent of the said Commissioners, every such Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding the Sum of Ten Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information, within Three Calendar Months next after the committing of such Offence, in any of His Majesty's Courts of Record at *Westminster*, in which Action or Suit no Protection, Privilege, Essoign, or Wager of Law, nor more than one Impar lance shall be allowed.

XX. And be it further enacted, That all and every Person and Persons inhabiting within the said Town of *Warrington*, shall sweep and clean, or cause to be swept and cleaned the Footway or Pavement before their respective Houses, Buildings, and Walls, once at least in every Week, or oftener if thereto required by the said Commissioners, or any Nine or more of them, or their Surveyor or Surveyors for the Time being, upon pain of forfeiting any Sum not exceeding Forty Shillings for every Neglect therein.

XXI. And be it further enacted, That it shall be lawful for the said Commissioners at any of their Meetings, from Time to Time to nominate and appoint such Person or Persons as they shall think fit, to be and act as Scavenger or Scavengers, for sweeping, cleansing, and carrying away from off the Streets, Squares, Ways, Lanes, and other public Passages and Places within the said Town of *Warrington*, the Dirt, Dust, Dung, Filth and Soil thereof, at such Times and in such Manner as is hereinafter mentioned, and to contract with such Scavenger or Scavengers for the same, and for providing such a Number of Servants or Men, Carts, and Carriages, as shall be deemed requisite and necessary for those Purposes, and to order and direct on what Day or Days, or Times, in each and every Week, the particular Streets, Squares, Ways, Lanes, and other public Passages and Places within the said Town of *Warrington*, shall be swept and cleansed, and the Dirt, Dust, Dung, Filth, and Soil, carried off

off from the same respectively; and that the said Scavenger or Scavengers shall give due Notice at or before their Appearance by sound of Bell, loud Voice or otherwise, to the Inhabitants, and stay a convenient Time with such Carts or Carriages, so that the said Scavenger or Scavengers may take and put into such Carts or Carriages all such Dirt, Dust, Ashes, or Filth, or otherwise the said Scavenger shall, if required, and not otherwise, come into such Part of their respective Houses and Premises where such Dirt, Dust, Ashes, and Filth as aforesaid shall be kept, and take the same from thence in such Carts or Carriages as aforesaid.

No Ashes, &c.  
to be taken  
away by  
any Person  
but the Sca-  
vengers to be  
regularly ap-  
pointed.

XXII. And be it further enacted, That no Person or Persons shall take away, or cause to be taken and carried away, any Ashes, Dust, Dirt, Muck, Dung, or Manure, which shall be made in any of the said Streets, Squares, Ways, Lanes, and other public Passages out of the same, other than and except the Person so to be contracted with or appointed as aforesaid for such Purpose by the said Commissioners, upon Pain of forfeiting and paying any Sum not exceeding Five Pounds for every such Offence.

Not to extend  
to Ashes, &c.  
reserved by  
the Inhabit-  
ants for their  
own Use.

Inhabitants  
not to lay  
Filth in the  
Streets;

XXIII. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to any Ashes, Dust, Dirt, Filth, Dung, or Rubbish, which any of the Inhabitants of the said Town of *Warrington* shall lay or keep within their respective Houses, Buildings, Gardens, or Grounds, so as the same do not become a Nuisance or Annoyance to any other of the Inhabitants, and so as such Ashes, Dust, Dirt, Filth, Soil, Dung, or Rubbish, be not laid down or placed in any or either of the said Streets, Squares, Ways, Lanes, or Passages, for any longer Time than shall be necessary for the loading and carrying away the same; but in case the Person or Persons so reserving such Ashes, Dirt, Dust, Filth, Soil, Dung, or Rubbish, shall continue to keep the same for the Space of Four Days after Complaint shall have been made, and proved to the said Commissioners, of the same being such Nuisance or Annoyance, and after Notice in Writing given him, her, or them, or left at his, her, or their usual Place of Abode, to remove the same, such Person or Persons shall forfeit and pay any Sum not exceeding Five Pounds, for every Day such Nuisance or Annoyance shall be permitted to remain after such Notice given as aforesaid: Provided also, that no Person shall be subject to the last mentioned Penalty for any Rubbish or Dirt in the said Streets, Squares, Ways, Lanes and other public Passages and Places, or any of them, before the House or Tenement of such Person, occasioned by the building or taking down of any Building, rebuilding or repairing any House or Tenement, so as there be convenient Space left in the same Streets, Squares, Ways, Lanes, and other public Passages and Places, where such Rubbish or Dirt shall lie, for Carriages to pass and repass, and a sufficient Way kept clean for Foot Passengers by the Persons laying or occasioning such Dirt or Rubbish to be laid, nor for the making up any Lime into Mortar in any of the said Streets, Squares, Ways, Lanes, and other public Passages, so as sufficient Space be left for Foot Passengers and Carriages, and so as such Lime be inclosed before such House or Building about which the same is to be used, and so as the Owner or Owners of such House or Tenement before which such Lime or Rubbish shall lie, shall cause the same to be removed out of the same Street, Square, Way, Lane, and other public  
Passage,

Passage, at his, her, or their own Costs and Charges within a reasonable Time, or upon Notice to be given to him, her, or them, or left at his, her, or their said House or Tenement where such Rubbish or Lime shall lie for that Purpose, in Writing, signed by the said Commissioners, or any Nine or more of them, and so as that whilst the same shall be lying in the said Street, Square, Way, Lane, or other public Passage, such Owner or Owners shall set up and maintain a sufficient Light upon or against the same every Night from the Time it becomes dark, to prevent any Mischief happening to Passengers.

XXIII. Provided always, and be it further enacted, That the Person or Persons who shall from Time to Time be contracted with for cleansing the said Streets, Squares, Ways, Lanes, and other public Passages, or any Part or Parts thereof, shall have Liberty, by the Approbation and Order in Writing of the Commissioners, to lodge Dirt, Dust, Ashes, or other Filth, in such vacant and public Places, or near the said Streets, Squares, Ways, Lanes, and other public Passages or Places, as shall be thought convenient by the said Commissioners; they the said Persons so contracted with giving such Satisfaction to the Owners and Occupiers of such vacant Places as the said Commissioners shall direct. But the Contractors may.

XXIV. And be it further enacted, That if any Person or Persons entering into or engaging in any Contract for well and sufficiently cleansing any of the Streets, Squares, Ways, Lanes, and other public Passages within the said Town of *Warrington*, shall omit or neglect to sweep or cleanse, or to remove or take away the Dirt or Ashes belonging to the several Inhabitants from and out of the same, according to his or their Contract, or shall in any other Manner omit or neglect to perform, execute and fulfil the Conditions of his or their said Contract, according to the true Intent and Meaning thereof, such Person or Persons shall, for every such Neglect or Omission as aforesaid, forfeit and pay any Sum not exceeding Ten Pounds, and it shall be lawful for the Justice before whom such Penalty shall be recovered, to order and direct any Sum, not exceeding Half of the said Penalty, to be paid and applied to the Use of such Person as shall inform or prosecute in that Behalf; provided, that nothing herein contained shall extend, or be construed to extend, to hinder or prevent the said Commissioners from commencing and prosecuting any Action or Actions at Law against any Contractor or Contractors for cleansing any of the said Streets, Squares, Ways, Lanes, and other public Passages, for or in respect of any Breach of Contract or Covenant, so as such Action or Actions be not brought or commenced for or in respect of any particular Breach of Contract or Covenant for which such Contractor or Contractors shall have been proceeded against before such Justice as aforesaid. Penalty on Contractors not fulfilling their Agreements.

XXV. And, for the better Accommodation and Safety of Passengers, and the Preservation of good Order, and the preventing of Obstructions and Annoyances within *Warrington* aforesaid; be it further enacted, That if any Person or Persons shall, upon any of the Foot-ways which are now or at any Time hereafter shall be raised above the Carriage-way, and used as such Footways in any of the Streets, Squares, Ways, Lanes, or public Passages, already or hereafter to be laid out within *Warrington* aforesaid, run, draw, drive, or carry on any of the said Footways, any For preventing Nuisances.

[Loc. &amp; Per.]

24 C

Truck,

Truck, Wheel, Sledge, Wheelbarrow, Handbarrow, or Carriage whatsoever, or shall roll any Cask other than for the necessary loading or unloading thereof, in, upon, from or out of any Carriage, or shall wilfully ride, lead, or drive any Horse, Mare, Gelding, Mule, or Ass, or Bull, Cow, Sheep, Swine, or other Cattle, upon any of the said Footways; or shall in any Part of the Squares, Streets, Ways, Lanes, public Passages or Places within *Warrington* aforesaid, burn, dress, sweep, or cleanse any Piece or Pieces of Cork, or hoop, fire, cleanse, wash, or scald any Cask or Casks, or empty any of the Contents of any Cask or Casks in any of the said Streets, Squares, Ways, Lanes, public Passages, or Places; or shall hew, saw, or cut, or cause to be hewn, sawn, or cut any Stone, Wood, or Timber, or bore any Piece or Pieces of Timber, or make or repair any Coach, Waggon, Trolley, Dray, Sledge or other Carriage, or any Part thereof, in any of the said Streets, Squares, Ways, Lanes, public Passages or Places, (save and except such Carriage or Carriages as may want repairing from any sudden Accident happening thereto in any of the said Streets, Squares, Ways, Lanes, public Passages or Places); or shall shoe, or bleed any Horse, Mare, Gelding, Ass or Mule (except in Cases of Accident) in any of the said Streets, Squares, Ways, Lanes, public Passages or Places; or if the Driver of any Waggon, Cart, Dray, Sledge, or other Carriage, used for carrying Goods or Merchandise, shall ride on the Shafts or any Part of such Waggon, Cart, Dray, Sledge, or other Carriage, or on any of the Horses or Cattle drawing the same, in any of the said Streets, Squares, Ways, Lanes, public Passages or Places; or if any Person or Persons having the Care thereof or driving the same, shall suffer any Horse or Cattle drawing any such Cart, Waggon, Dray, Sledge, or other Carriage, to go any Pace faster than a Walk, or if any Person shall drive any Cattle, or ride or drive any Horse, Mare, or Gelding, along any such Street, Square, Way, Lane, public Passage or Place, so furiously as thereby to cause personal Danger to any Person or Persons in any of the said Streets, Squares, Ways, Lanes, public Passages or Places, or shall shew or expose any Stallion in any of such Streets, Squares, Ways, Lanes, public Passages or Places, or shall expose to sale any Horse, Mare, or Gelding therein, (except such Places wherein Fairs or Markets are or may be held for the Sale of Horses, and during the Times of such Fairs and Markets only,) or shall fodder any Cattle in any of such Streets, Squares, Lanes, Alleys, Passages, or public Places (except in the Fairs and Markets where Cattle usually stand); or if any Person shall sift, throw, cast, or lay any Ashes (except in the Times of Frost, and to prevent Accidents) or any Dirt, Muck, Dung, Soil, Filth, Rubbish, Refuse of Garden Stuff, Blood, Offal, Carrion or any other offensive Matter or Thing, in any Part of such Street, Square, Way, Lane, public Passage or Place within the said Town; or shall at any Time or Times hang up, place or expose any Goods, Wares or Merchandise, or any other Matter or Thing at or near the Door or Doors of any House or Houses, Shop or Shops, or other Places in the said Town, so as to incommode or obstruct the Passage of any Person on any of the said Footways, then every Person so offending in any of the Cases aforesaid shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds, or if any Person or Persons shall make or assist in making of any Fire or Fires, commonly called Bonfires, or shall set fire to or let off or throw any Squib, Serpent, Rocket or Firework whatsoever, and shall be convicted thereof before any Justice of the Peace for the said County,

County, by the Oath (or being a Quaker, Affirmation) of one credible Witness, every Person so offending in any of the Cases aforesaid, shall, for every such Offence, forfeit and pay to the said Commissioners, or to their Treasurer, any Sum not exceeding Forty Shillings to be applied to the Purposes of this Act.

XXVI. And be it further enacted, That if any Person or Persons shall kill, slaughter, finge, scald, dress, or cut up, or cause to be killed, slaughtered, finged, scalded, dressed or cut up, any Ox, Cow, Bull, Calf, Sheep, Lamb, Kid, Pig, Swine, or other Cattle, in any of the Streets, Squares, Ways, Lanes, public Passages or Places within *Warrington* aforesaid; or cause or permit any Blood to run from any Slaughterhouse, Butcher's Shop or Shambles, into any of such Streets, Squares, Ways, Lanes, public Passages or Places, every Person so offending in any of the Matters aforesaid, shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds.

Penalty on slaughtering Cattle in the Street.

XXVII. And be it further enacted, That all and every the Bow Windows, Porticoes, Porches and Penthouses, or other Projections, which now are, or shall or may at any Time after the passing of this Act be erected or set up, and all Posts, Shutters, Signs, Signposts, Shewboards, or other Emblems to denote the Trade, Occupation or Calling of any Person or Persons; and all Spouts, Sewers, Gutters, Drains, Channels, Pales, Rails, Grates, Hatchways, Stalls, Blocks, Boxes, Bulks, Sheds, Hogstyes, Furniture, Stock in Trade, or any other Matters or Things whatsoever, which, at the Time of passing this Act, is or are or hereafter shall be erected, set, or placed, and which in the Judgment of the said Commissioners shall be deemed an Obstruction or Annoyance to any of the Inhabitants or Passengers, by projecting into or being placed upon any of the present or future Footways or Carriageways of such Streets, Squares, Ways, Lanes and other public Passages, or incumber or fill up the same, shall within Ten Days after a Day to be expressed in a Notice to be for that Purpose given or left with the Owner or Occupier of the House, or other Buildings or Lands, to whom such Matters and Things aforesaid, or any of them, shall respectively belong, be taken down, carried away, filled up, removed, or altered, by or at the Expence of the Owner or Owners thereof, under the Inspection and Direction of the Surveyor or Surveyors, or other proper Officer of the said Commissioners; and in case the respective Owner or Occupier shall neglect or refuse to obey such Notice, and to observe and perform the several Matters and Things hereby respectively required to be done within the Time aforesaid, then such Occupier shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings for every Day the same shall so remain undone; and it shall be lawful for the said Commissioners to cause the same to be taken down, carried away, filled up, removed, altered and fixed in the Manner and for the Purposes aforesaid, and shall return or cause to be returned to the respective Occupiers thereof, or to be left on the Spot from whence the same shall be so respectively removed, or as near thereto as conveniently may be for such Occupiers, so much of such Matters and Things as aforesaid as shall not be affixed or set up, or otherwise made use of in the Alterations directed or authorized by this Act, and the Charges and Expences attending the same shall be recovered of such Occupiers respectively, in

For removing Annoyances.

the same Manner as the Penalties and Forfeitures by this Act imposed are hereby directed to be recovered on Non-payment; and if such Occupiers shall cause such Matters and Things to be replaced, erected, built or made contrary to the Directions of this Act, every such Occupier or Occupiers, for every Day he, she or they shall so offend, shall forfeit and pay any Sum not exceeding Forty Shillings, or otherwise it shall be lawful for the said Commissioners to order the same to be taken down, filled up, removed or altered, in such Manner as they shall think proper, without giving any Notice to the Occupier or other Person offending therein; and the Charges and Expences attending the same shall and may be recovered of the Person or Persons so offending, in the same Manner as Penalties and Forfeitures are by this Act directed to be recovered.

Bars, &c.  
may be  
removed.

XXVIII. And be it further enacted, That the said Commissioners, at any Meeting to be held by virtue of this Act, shall and may cause such Posts, Bars, and Chains as they shall think useless or inconvenient, to be taken away and removed, and likewise all Steps, Bulks, Shew Glasses, Shew Boards, Balconies, Window Frames, and Stall Boards, extending over the Streets, Squares, Ways, Lanes, public Passages or Places, or any Part thereof, which are now or heretofore have been repaired at the Expence of the said Town, and also all Steps and Doors opening or leading from the Footways into Vaults, or Cellars in the said Town, in such Manner as they shall judge necessary; and the said Commissioners shall out of the Monies to be raised by virtue of this Act, pay or tender to all and every Person and Persons who shall be injured by their Proceedings under this Act, such Recompence as they shall think proper; and in case such Person or Persons shall be dissatisfied with the Recompence so tendered or offered, he, she, or they may apply to the next General Quarter Sessions of the Peace to be holden for the County of *Lancaster*; and the Justices of the Peace at such Sessions shall have Power to direct, and shall direct the Jury which shall attend at such Sessions for the Trial of Traverses, or some other Jury of Twelve honest and substantial Men, to be then and there impannelled by the Sheriff without Fee or Reward, to enquire into and assess the Recompence Money which ought to be paid to such Person or Persons for such Injury as aforesaid; and thereupon the Justices in such Sessions shall adjudge and order such Recompence so found and assessed by the Jury, to be paid to such Person or Persons accordingly, and such Enquiry and Judgment shall be final to all Intents and Purposes; and the said Justices shall and may award, order, and adjudge Costs to either Party as they shall think proper; provided, that nothing herein contained shall empower the said Commissioners to pay or make any Recompence for altering or removing any Steps, Bulks, Shew Glasses, Shew Boards, Balconies, Window Frames, and Stall Boards, and also such Steps and Doors opening or leading from Footways into Vaults or Cellars as aforesaid, as are Encroachments upon any Street, Square, Way, Lane, public Passage or Place, in all which Cases the said Commissioners shall be empowered to remove the same at the Expence of the Owner or Owners, Tenant or Tenants of the Premises to which such Steps, Bulks, Shew Glasses, Shew Boards, Balconies, Window Frames, and Stall Boards shall respectively belong.

XXIX. And



XXIX. And be it further enacted, That if any Cellar Door, Flap, Window or Cover within the said Town, shall be left open in the Evening or in the Night, without the same being sufficiently lighted or secured, so as to prevent Accidents happening therefrom, or if any Grating, Covering, Hole or Place on the Pavement for putting Coals or other Things into any Cellar or other Place shall be left open, or not well and sufficiently fastened down and secured from Accidents, then, and in each and every of the said Cases, the Occupier or Occupiers of such Cellar or other Place shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds.

Penalty on the leaving open of Cellar Doors, &c.

XXX. And be it further enacted, That no Surveyor, Builder, Carpenter, Mason or other Workman, in rebuilding, new fronting, or altering any House or Building situate in any Street, Square, Way, Lane or other public Passage within the said Town shall, on any Pretence whatsoever, bring the Foundation of any Part of the Front of such House or Building forward beyond the old Foundation, or beyond the Line of the Street, Square, Way, Lane or public Passage, nor any Rails or Fences, except upon the Foundation, or Line on which such are now erected, upon Pain of forfeiting, for every such Offence, any Sum not exceeding Fifty Pounds; and the Owner or Occupier of such House or Building shall forfeit and pay any Sum not exceeding Ten Pounds for every Month such Obstruction or Encroachment shall be made or remain by reason of the Foundation or any Part of the Front of such House or Building, Rails or Fences, being brought forward as aforesaid; and it shall be lawful for the said Commissioners, or any Five or more of them, by Writing under their Hands, to order and cause the same to be taken down, the Costs and Charges whereof shall be paid and reimbursed to the said Commissioners, or to any Person by their Order, by the Owner or Occupier of such Houses or Buildings, or other Person or Persons ordering and directing the same, and shall be recovered in such Manner and by such Ways and Means as Penalties and Forfeitures are herein directed to be levied and recovered.

Penalty on bringing forward the old Foundations of Buildings.

XXXI. And be it further enacted, That if at any Time after the passing of this Act, any Waggon, Cart, Dray, or other such Carriage, used for the Purpose of conveying or carrying Goods, Wares, and Merchandize, or any Materials whatsoever, shall be left or suffered to stand or continue in any of the public Streets, Squares, Ways, Lanes, or other public Passages, within *Warrington* aforesaid, except for the sole and express Purpose of loading and unloading, and in that Case only during the Time necessarily consumed in loading and unloading thereof, and the same standing as near the Side of the Street, Square, Way, Lane, public Passage or Place as conveniently may be; or if any Stage Coach, Post-chaise, or other Carriage let for Hire, shall be left or permitted to stand or continue in any of the said Streets, Squares, Ways, Lanes, or other public Passages or Places, or any Part thereof, for a longer Time than shall be necessary for the taking up or setting down Passengers, or for loading or unloading their Baggage; or if any Carriage whatsoever shall be set, placed, or left upon any Part of the Foot Crossings of any such Street, Square, Way, Lane, or other public Passage as aforesaid, for any Purpose whatsoever; or if any Timber, Bricks, Stones, Slates, Tiles, Lime, Mortar, Hay, Straw, Wood, Faggots, Billets, Coals, Tubs,

Penalty on leaving Carriages, &c. in the Streets.

[*Loc. & Per.*]

24 D

Goods,

Goods, Wares, Merchandizes, Materials or other Things whatsoever, shall be laid, placed, or left in any such Street, Square, Way, Lane, or other public Passage, longer than shall be necessary for the housing or removing the same therefrom, then, and in every such Case, the Owner or Owners of every such Waggon, Cart, Dray, Stage Coach, Postchaise, or other Carriage, or of any such Timber, Bricks, Stones, Slates, Tiles, Lime, Mortar, Hay, Straw, Wood, Faggots, Billets, Coals, Tubs, Goods, Wares, Merchandizes, Materials, or other Things, shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds, and any Three or more of the said Commissioners, or any One of their Officers, or any other Person, without any Peace Officer or other Person present, or without any other Authority than this Act, shall and may seize or cause to be seized any such Waggon, Cart, Dray, Stage Coach, Postchaise, or other Carriage, so placed or suffered to stand or continue contrary to the true Meaning of this Act, together with the Horse or Horses thereunto belonging or affixed (if any) or the Timber, Bricks, Stones, Slates, Tiles, Lime, Mortar, Hay, Straw, Wood, Faggots, Billets, Coals, Boards, Tubs, Goods, Wares, Merchandizes, Materials, or Things so laid and placed as aforesaid, and remove the same, or cause the same to be removed to any Pound within *Warrington* aforesaid, or to such other Place as shall be appointed for that Purpose by the said Commissioners within *Warrington* aforesaid, there to be kept and detained until the Owner or Owners thereof, or his, her, or their known Servant or Servants shall claim the same, and pay to the Person or Persons in whose Custody the same shall then be, any Sum not exceeding Five Pounds, together with the Charges of keeping and removing the same; and in case the same shall not be claimed, and the said Penalty and Charges paid within the Space of Four Days next after such Seizure, it shall and may be lawful for the said Commissioners to cause the same to be sold, and the Money arising therefrom shall be applied to the Uses and Purposes of this Act; and the Overplus (if any) after deducting the Costs, Charges, and Expences of such Distress and Sale, and the said Penalty, shall be returned upon Demand to such Person or Persons.

Penalty on turning Horses, &c. loose in the Streets.

XXXII. And be it further enacted, That if any Person shall at any Time after the passing of this Act turn loose or drive, or permit or suffer to be turned loose or driven, any Horse or As in any of the said Streets, Squares, Ways, Lanes, or other public Passages, in *Warrington* aforesaid, without being haltered, or having some Person to lead or take Care of the same, or shall draw any Timber, Block, or Blocks of Wood or Stone, or other heavy Material in, upon, or through any of the said Streets, Squares, Ways, Lanes, or other public Passages, without any Carriage, or with such Carriage to the Detriment thereof, every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds.

Limiting Times for emptying Privies.

XXXIII. And be it further enacted, That no Necessary House or Privy now being, or which hereafter shall be within the said Town, shall be emptied or cleansed at any other Time than between the Hours of Twelve of the Clock at Night and Four of the Clock on the next Morning; and if any Person or Persons shall empty or cleanse any Necessary House or Privy at any other Time, then, and in every such Case, every Person so offending shall, for every such Offence, forfeit and pay any Sum  
not

not exceeding Five Pounds; and if any Person or Persons shall wilfully or negligently spill any of the Soil of such Necessary House or Privy in any of the Streets, Squares, Roads, Ways, Lanes, and other public Passages already made or built, or which shall hereafter be made or built within the said Town, every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings.

XXXIV. And be it further enacted, That in case any Hogstye, Necessary House, Flesh, Dung, Carrion, Blood, Offal, Soil, or Filth, Ashes, Cinders, or Rubbish, or any other noisome Matter whatsoever, in or near any of the said Streets, Squares, Ways, Lanes, and other public Passages, or in any Yards or Gardens or Premises within the said Town of *Warrington*, shall be a Nuisance or Annoyance to any of the Inhabitants or other Person or Persons, it shall and may be lawful for the said Commissioners, or any Nine or more of them, and they are hereby required, upon Complaint thereof made to them by any such Inhabitant or other Person or Persons, by Notice in Writing under the Hands of any Nine or more of the said Commissioners or under the Hand of the Clerk or Clerks to the said Commissioners for the Time being, to order any such Nuisance or Annoyance to be removed; and in case the same shall not be removed within Ten Days after such Notice given to the Person or Persons who ought to remove the same, such Person or Persons shall forfeit and pay any Sum not exceeding Five Pounds for every Day the same shall continue unremoved after the Expiration of the said Term.

Penalty on causing Annoyances by Hogstyes, &c.

XXXV. And be it further enacted, That if it shall appear to the said Commissioners that any Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, project into or obstruct the Passage of the Streets, Squares, Ways, Lanes, public Passages, or Places within *Warrington* aforesaid, or that by taking down the same, or any Part thereof, or by the taking in of any Piece or Parcel of Ground, the said Streets, Squares, Ways, Lanes, and other public Passages, or the Entrances thereto, may be widened and improved, it shall be lawful for the said Commissioners, or any Nine or more of them, in pursuance of an Order made at a Public Meeting to be held for that Purpose, of which Ten Days Notice at least shall be given in Writing, and placed upon or against the Market Gate and some other public Place or Places within the said Town of *Warrington*, to treat and agree with any Person or Persons, Bodies Politic or Corporate, Corporations Aggregate or Sole, Trustees, Feoffees, Guardians, Committees, Executors, Administrators, or any other Persons whomsoever, for the Purchase of such Buildings, Lands, Tenements, or Hereditaments, which it shall be so thought necessary to take down or reduce, so as to render the Streets, Squares, Ways, Lanes, and other public Passages more commodious; and to purchase the same for such Sum or Sums of Money as shall be agreed upon by the said Commissioners and the Persons interested therein, and to pay such Sum or Sums out of the Money to arise by the Rates and Assessments hereinafter directed to be levied; and upon Payment or Tender of such Purchase Money to the Parties or Persons entitled thereto, or upon depositing the same in the Bank of *England* in Manner by this Act directed, it shall be lawful for the said Commissioners and all Persons by them employed, to enter upon and to take down such Buildings, and throw the Sites thereof, and also such Pieces or Parcels of Ground so

For improving the Streets, &c. of *Warrington*.

to

to be purchased, as they the said Commissioners shall think proper, into the said Streets, Squares, Ways, Lanes, or other public Passages: Provided nevertheless, that it shall not be lawful for the said Commissioners to purchase or take down any Houses or Tenements under or by virtue of this Act, unless with the Consent in Writing of the Owners and Proprietors thereof.

Enabling  
incapacitated  
Persons to  
treat with  
the Com-  
missioners,  
and to sell  
Lands, &c.

XXXVI. And be it further enacted, That it shall and may be lawful for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors or Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, or other Trustees whomsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of the *cestuique* Trusts; whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, and to and for all Femes Covert who are and shall be seized in their own Right, and to and for all and every Person and Persons whomsoever who are or shall be seized in their own Right, or possessed of or interested in such Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, which shall be thought necessary to be purchased for the Purposes aforesaid, or for any other of the Purposes of this Act, to treat, contract, or agree with the said Commissioners for the Sale thereof, or any Part thereof, and to sell and convey all or any Part thereof, and all his, her, or their Estate, Right, Title, and Interest whatsoever, of, in or to the same, unto the said Commissioners, or to such Persons and their Heirs for ever, as the said Commissioners shall direct, in Trust for them the said Commissioners for any of the Purposes of this Act; and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which shall be so made by virtue and in pursuance of this Act, shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances and Assurances in the Law whatsoever, be good, valid, and effectual to all Intents, not only to convey the Estate and Interest of the Person or Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever, of their said several respective *cestuique* Trusts; and all claiming or to claim by, from or under them, any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate or Collegiate, Corporations Aggregate and Sole, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

For sum-  
moning  
Juries.

XXXVII. Provided always, and be it further enacted, That if any such Person or Persons, Bodies Politic or Corporate, Corporations Aggregate or Sole, Trustees, Feoffees, Guardians, Committees, Executors, Administrators, or any other Person or Persons anywise interested in such Dwelling Houses or other Buildings and Grounds as aforesaid, (upon Notice to them given or left in Writing at the Dwelling House or Houses, or 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 Corporations, or at the House of the Tenant in Possession of the Dwelling Houses or other Buildings and Grounds intended to be purchased and taken down as aforesaid) shall, for the Space of Twenty Days after such Notice given or left as aforesaid, neglect or refuse to treat for Sale of the  
said

faid Premises, or by reason of Absence shall be prevented from treating, then, and in every such Case, the said Commissioners shall cause the Value of and Recompence to be made for such Dwelling House or other Buildings and Grounds to be enquired into and ascertained by a Jury of Twelve indifferent Men of the said County of *Lancaster*; and for the summoning and returning such Jury, the said Commissioners are hereby empowered from Time to Time to issue out their Warrant or Warrants to the Sheriff of the said County, thereby commanding and requiring him to impanel, summon and return an indifferent Jury of Twelve Persons, qualified to serve upon Juries at Assizes, to appear before the said Commissioners at such Time and Place as in such Warrant or Warrants shall be appointed: And the said Sheriff, or his Deputy or Deputies, is and are 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 Commissioners are 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, or his Deputy or Deputies, shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend the Service, to the Number of Twelve; and all Persons concerned shall have their Challenges against any of the said Jurymen; and the said Commissioners are 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 any One or more of the said Commissioners are hereby empowered to administer) all and every Person and Persons whomsoever who shall be thought necessary and proper to be examined as a Witness or Witnesses, touching or concerning the Premises; and they 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 their own as for the said Jury's better Information in the Premises, as the said Commissioners shall think fit; and the said Jury shall assess the Damages and Recompence to be given for the said Dwelling Houses, or other Buildings and Grounds, to the respective Owner or Owners thereof, according to their respective Interests therein, and shall give in their Verdict thereupon; and after the said Jury shall have enquired of and assessed such Damage, and given in their Verdict, the said Commissioners 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 Dwelling Houses or other Buildings and Grounds, according to such Verdict or Inquisition of the said Jury; which said Verdict or Inquisition of the said Jury, and the Judgment, Order or Determination thereupon so had and made, shall be final, binding and conclusive to all Intents and Purposes, against all Infants, Issue unborn, Idiots, Lunatics, Femes Covert, Bodies Politic or Corporate, Corporations Aggregate or Sole, Trustees, Feoffees, Guardians, Committees, as well absent as present, claiming in Possession, Reversion, Remainder or Expectancy or otherwise, and against their several and respective Heirs, Successors, Executors or Administrators, and against all other Person and Persons whomsoever; and every Verdict and Judgment thereupon shall be fairly entered and kept amongst the Records of the Quarter Sessions of the Peace for the said County of *Lancaster*, and the same or true Copies thereof shall be admitted, received and taken as

Evidence and Proof in all Courts of Law or Equity, and all Places whatsoever; and that all Persons shall have recourse to them *gratis*, and may take Copies thereof, paying Sixpence for every Seventy-two Words, and so in Proportion for any less Number of Words; and the said Commissioners acting in the Premises shall have Power from Time to Time to impose any reasonable Fine or Fines on such Sheriff or his Deputy, Bailiffs or Agents, making Default in the Premises, and 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 the said Jury, or being so sworn shall refuse to give or shall not join in giving the 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 and give Evidence, so as such Fine to be imposed on any Sheriff, or his Deputy, Bailiff or Agent, shall not exceed the Sum of Fifty Pounds for one Offence; and so as such Fine to be imposed on any Jurymen or Witnesses shall not exceed the Sum of Five Pounds for one Offence.

Payment of  
the Costs of  
summoning  
a Jury.

XXXVIII. And be it further enacted, That in case any such Jury shall give in or deliver a Verdict for more Money as a Recompence or Satisfaction for such Damages than shall have been offered or tendered by the said Commissioners before the summoning or returning such Jury, then the Costs and Expences of summoning and maintaining such Jury and Witnesses shall be borne and paid by the said Commissioners out of the Money arising by virtue of this Act; but if any such Jury shall give in and deliver a Verdict for no more or for less Money, as a Recompence or Satisfaction for such Damages than shall have been offered or tendered by the said Commissioners before the summoning or returning the said Jury or Juries, then the Costs and Expences of summoning and maintaining such Jury and Witnesses shall be borne and paid by the Person or Persons with whom the said Commissioners shall have had any Controversy or Dispute, and shall be recovered in the same Manner as the Penalties and Forfeitures are hereinafter directed to be recovered; and in Cases where Parties, by reason of Absence, shall have been prevented from treating, such Costs and Expences shall be paid by the said Commissioners.

Lessees of  
Premises  
purchased to  
give up  
Possession  
thereof.

XXXIX. And be it further enacted, That every Lessee or Tenant for Years or at Will, and every other Person in Possession of any Lands, Buildings, Houses, Tenements or other Hereditaments, which shall be purchased by virtue and for the Purposes of this Act, shall deliver up the Possession of such Premises to the said Commissioners, or any Nine or more of them, or to such Person or Persons as they shall appoint to take Possession of the same, upon having Fourteen Days Notice from the said Commissioners or the Person or Persons so appointed by them, to quit the same at such Time or Times as shall be required by such Notice, they the said Commissioners, or such Person or Persons making such Satisfaction and Compensation to every such Tenant or Lessee as aforesaid, in case he or she shall be required to quit before the Expiration of his or their Term in the Premises, as the said Commissioners shall deem just and reasonable; and in case any Dispute or Difference shall arise touching or

concerning the same, such Satisfaction and Compensation shall be settled and ascertained by a Jury, in such and the like Manner as the Satisfaction and Compensation to be made by the said Commissioners for the Purchase of any 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 such Person or Persons in Possession shall, at such Time or Times as he, she, or they may be required by the said Commissioners, peaceably and quietly deliver up the Possession of the said Premises to the said Commissioners, or to the Person or Persons authorized by them to take Possession thereof; and if any such Person or Persons so in Possession as aforesaid shall refuse to deliver up such Possession, then, and in every such Case, it shall and may be lawful to and for the said Commissioners to issue their Precept or Precepts to the Sheriff of the said County of *Lancaster*, 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.

XL. And be it further enacted, That the Surrender or Conveyance of any Estate or Interest of any Feme Covert to the said Commissioners, or any Person or Persons in Trust for them, for the Purposes of this Act, by Indenture or Indentures of Bargain and Sale, sealed and delivered by such Feme Covert in the Presence of and attested by Two credible Witnesses, and to be duly inrolled in His Majesty's High Court of Chancery within Six Calendar Months next after the making thereof, shall as effectually and absolutely convey the Estate and Interest of such Feme Covert in such Premises, as any Fine or Fines, Recovery or Recoveries, would or could do if levied or suffered thereof in due Form of Law; and further, that all Bargains and Sales whatsoever to be made of any such Lands, Tenements, Buildings and Hereditaments, as shall be purchased by the said Commissioners by virtue and for the Purposes of this Act, and enrolled as aforesaid, shall have the like Force, Effect, and Operation in Law, to all Intents and Purposes, as any Fine or Fines, Recovery or Recoveries whatsoever would have had if levied or suffered by the Bargainor or Bargainors, or any Person or Persons seized of any Estate in the Premises in Trust for such Bargainor or Bargainors, in any Manner or Form whatsoever.

Surrender of Estates of incapacitated Persons deemed sufficient to convey the same.

XLI. And be it further enacted, That if any Person or Persons whomsoever shall sustain any Damage in his, her, or their Lands, Tenements, or other Hereditaments, by reason of the Execution of any of the Powers given by this Act, then, and in every such Case, Satisfaction and Compensation shall be made by the said Commissioners to such Persons respectively, out of the Monies to be raised by virtue of this Act; and in case of any Difference or Dispute between such respective Persons and the said Commissioners, respecting the Amount of such Damages, such Damages shall be settled and ascertained by a Jury, and in such and the like Manner as any Sum or Sums of Money to be paid by the said Commissioners for the Purchase of any Lands, Tenements, or Hereditaments, is and are herein directed to be settled and ascertained, in case of any Difference or

Satisfaction for Damage done in the Execution of this Act.

Disputes

Disputes about the same; and the same shall be recovered, levied, and applied in such and the like Manner.

Sites of Premises purchased to be laid open, as Parts of the Highways.

XLII. And be it further enacted, That it shall be lawful for the said Commissioners to cause all and every the Houses and other Buildings, Erections, Projections, and Encroachments, which shall at any Time be purchased under the Powers and for the Purposes of this Act, or of any of them, or any Part of them, to be appropriated to the Purposes of this Act, or otherwise to be taken down, and to cause so much of the Sites thereof, and of any other Lands to be purchased under the Powers and for the Purposes of this Act, to be added to or laid into the Streets, Squares, Ways, Lanes, or other public Passages or Places, or to be formed and made into any new Streets, Squares, Ways, Lanes, or public Passages or Places, for the Purpose of making Communications between any of the present Streets, Squares, Ways, Lanes, or other public Passages or Places, in such Manner as the said Commissioners shall judge proper; and the Land so added to or laid into the respective Streets, Squares, Ways, Lanes, or other public Passages or Places respectively, shall for ever afterwards be deemed Part thereof, and the same, and also such as shall be formed into any new Street, Square, Way, Lane, or other public Passage or Place as aforesaid, shall be used as common public Highways.

For Sale of Parts of purchased Premises not wanted by the Commissioners.

XLIII. 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 shall be necessary or wanted for the Purposes of this Act; be it therefore further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered to sell or dispose of, and to convey or cause to be sold and disposed of and conveyed such Part or Parts of the said Houses, Lands, Tenements, or Hereditaments, 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.

First Offer to whom to be made.

XLIV. Provided always, and be it further enacted, That in case the said Commissioners shall think proper to sell or dispose of any of the same Houses, Buildings, Lands, 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 for Sale to the Person or Persons from whom the same shall have been purchased, or (in case the same shall be a Part of an old Street) to the Person or Persons whose Property shall adjoin thereto; 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, an Affidavit to be made and sworn before a Master or Master Extraordinary in the High Court of Chancery, or before Two of His Majesty's Justices of the Peace for the said County of *Lancaster* (who are hereby respectively empowered to take such Affidavit) 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 the Behalf of the said Commissioners, or that such Offer was then and there refused, or was not agreed to by the Person or Persons to whom the same was made, 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



Person or Persons to whom such Offer was made (as the Case may be); and in case such Person or Persons shall be desirous of purchasing such Houses, Buildings, Lands, Tenements, or Hereditaments, and he, she, or they and the said Commissioners shall differ or not agree with respect to the Price thereof, then the Price or Prices thereof shall be settled and ascertained by a Jury, in such and the like Manner as any Sum or Sums of Money to be paid by the said Commissioners for the Purchase of any 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.

XLV. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, Buildings or other Hereditaments purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as aforesaid, such Money shall, in case the same shall amount to 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 the High Court of Chancery; to be placed to his Account *ex parte* the Commissioners for executing this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, Buildings, or other Hereditaments, in the Purchase of 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 Lands, Tenements, or other Hereditaments, or affecting other Lands, Tenements, Buildings, or other Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, Buildings, or other Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Intents, and Purposes, and in the same Manner as the Lands, Tenements, Buildings, or other Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such 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 High Court of Chancery, 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 the said 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 Lands, Tenements, Buildings, or other Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application of Purchase Monies, paid to incapacitated Persons, if above 200l.

Application of Purchase Monies, paid to incapacitated Persons, if under 200l. and not less than 20l.

XLVI. Provided always, and be it further enacted, That if any Money so agreed or assessed to be paid for any Lands, Tenements, or other Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or 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 Lands, Tenements, Buildings, or other 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 High Court of Chancery, to be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore 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 Three or more of the said Commissioners, (such Nomination and Appointment to be signified in Writing under the Hands of the nominating and approving Parties) in order that such Principal Money, and the Dividends arising therefrom, may be applied in any Manner hereinbefore directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said High Court of Chancery.

Application of Purchase Money paid to incapacitated Persons, if less than 20l.

XLVII. Provided also, and be it further enacted, That where such Money so agreed or assessed to be paid as next before mentioned shall be less than the Sum of 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 Lands, Tenements, Buildings, or other Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners shall think fit, or in case of Infancy 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.

Purchase Monies to be paid to Persons not able to evince their Titles, to be paid into the Court of Chancery.

XLVIII. And be it further enacted, That in case any Person or Persons to whom any Sum or Sums of Money shall be agreed or awarded to be paid for the Purchase of any Lands, Tenements, Buildings, or Hereditaments, to be purchased by virtue of this Act, shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, it shall and may be lawful for the said Commissioners to order the said Sums of Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, Buildings, or Hereditaments [*describing them*], subject to the Order, Controul, and Disposition of the said Court of Chancery, which said Court of Chancery, on 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 in the Person

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.

XLIX. 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 Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, Buildings, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such 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 Lands, Tenements, Buildings, or Hereditaments; according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends and Interest of the 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 a Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, Buildings, or Hereditaments, or to some Estate or Interest therein.

Persons in Possession of Premises purchased, to be deemed the Owners thereof.

L. 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 Lands, Tenements, Buildings, 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 Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, Buildings, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said High Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, to be paid by the said Commissioners out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the Court shall direct.

For paying Expences where Purchases shall be made from incapacitated Persons.

LI. And be it further enacted, That the said Commissioners shall and may, and they are hereby authorized and empowered to cause to be placed in some conspicuous Part of some House or Building, at or near each End, Corner, or Entrance of the several and respective Streets, Squares, Ways, Lanes, and other public Passages already made or built, or which shall hereafter be made or built within the said Town of *Warrington*, the Name of or by which every such Street, Square, Way, Lane, and other public Passage is usually or shall be called or known; and also shall and may cause any House, Shop, Warehouse, or Building, in the same Streets, Squares,

Names of Streets to be put up, and Houses to be numbered.

Squares, Ways, Lanes, and other public Passages, to be marked and numbered in such Manner as they shall think proper for distinguishing the same; and if any Person shall destroy, pull down, injure, obliterate or deface such Mark or Number, or the Name or Names of the same Streets, Squares, Ways, Lanes, and other public Passages, or any of them, or any Part thereof, or cause or procure the same to be done, every such Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds.

Channels and  
Sewers to be  
made.

LII. And be it further enacted, That the said Commissioners shall and may cause such and so many new Channels, Sewers, Drains, Vaults, Floodgates, Watergates, Culverts, and Watercourses, as they may think sufficient and necessary, to be dug and made in, along, and across any of the said Streets, Squares, Ways, Lanes, and other public Passages, or in any Part of the Lands and Grounds within *Warrington* aforesaid, and also any of the Channels, Sewers, Drains, and Vaults, which now are or hereafter shall be made, within the said Streets, Squares, Ways, Lanes, and other public Passages and Places, to be enlarged, widened, raised, altered, removed, repaired, cleansed, or scoured, when and as often as to the said Commissioners shall seem meet, and for any of the said Purposes shall and may from Time to Time cause to be dug, carted, and carried out of, or brought into the said Streets, Squares, Roads, Ways, Lanes, public Passages, and Places, or any of them, such Gravel, Stones, Bricks, and other Materials, as they shall think necessary; and also shall and may cause such and so many Gutters or Openings to be made therein for the conveying and carrying off the Filth, foul and other Waters from the Houses built or to be built in or adjoining to such Streets, Squares, Ways, Lanes, and other public Passages and Places, into the said Sewers, Drains, and Vaults, as the said Commissioners shall and may think necessary and expedient for that Purpose; and the said Commissioners shall have also full Power, Liberty and Authority to contract and agree to purchase such Ground as shall be necessary for making and enlarging such Sewers, Drains, and Vaults, Floodgates, Watergates, Culverts, and Watercourses, they the said Commissioners paying to the several Persons, or Corporations, interested in such Ground so to be purchased, such Monies as shall be agreed upon (which Agreement shall be good and valid notwithstanding any Disability in any Person or Persons, or Corporations, interested therein); and all Costs, Charges, and Expences, in or about the making, enlarging, widening, raising, altering, removing, repairing, cleansing, or scouring such Sewers or Drains, Vaults, Floodgates, Watergates, Culverts, and Watercourses, shall be borne and defrayed out of the Monies to be raised by the Rates or Assessments to be made by virtue of this Act.

For repairing  
of private  
Drains.

LIII. And be it further enacted, That all private Drains which are or which shall hereafter be made within any of the Streets, Squares, Ways, Lanes, and other public Passages, within *Warrington* aforesaid, and which do or shall issue or empty themselves into any of the Streets, Squares, Ways, Lanes, Passages, or Places aforesaid, or into any public Sewer, Drain, or Vault, shall from Time to Time be repaired and cleansed to the Satisfaction of the Surveyor, or other proper Officer of the said Commissioners (as the Case may happen) at the Costs and Charges of the Owner or Owners, Occupier or Occupiers, of the Houses, Lands, Tenements, or Hereditaments, to which the said private Drains do  
or

or shall respectively belong ; and the said Commissioners, at any Meeting to be held in pursuance of this Act, are hereby empowered to order and direct the Owner or Occupier of any such House, Tenement, or Premises, to make, at the Costs and Charges of such Owner or Occupier, or of both of them, in such Proportions as such Commissioners shall think proper, such Drain or Channel as to them shall seem necessary for the emptying and conveying such Filth, foul and other Waters arising from or flowing into such Houses or Tenements, in any Common Sewer or Ditch.

LIV. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered and authorized from Time to Time to cause Lamp Irons or Lamp Posts to be put up, fixed into, upon, or against the Ground adjoining to the Walls or Palisadoes of any of the Houses, Tenements, or Buildings already built or hereafter to be built within the said Town, as they the said Commissioners shall from Time to Time think proper and convenient ; and also to cause such Number of Lamps of all Sizes and Sorts to be provided and fixed, or put upon such Lamp Irons, or Lamp Posts, and to cause the same when so provided and fixed to be altered, taken down, or removed, as they shall from Time to Time think proper for well and effectually lighting the said Town of *Warrington*, and to cause such Lamps to be lighted at such Time or Times, and to be kept lighted during the Whole or such Part of the Night as they the said Commissioners shall think proper ; and if any Person or Persons shall take away, or wilfully break, throw down, or otherwise Damage any of the Lamps which now are or shall be erected, by or by Order of the said Commissioners, or any of the Posts, Irons, or Furniture thereof, or shall wilfully extinguish the Light or Lights of any of the said Lamps, it shall be lawful for any Justice of the Peace acting for the said Town, and he is hereby required, upon Complaint of the said Commissioners, or any Two or more of them, or of their Clerk or Clerks, Treasurer or Treasurers, and on the Oath of any credible Witness or Witnesses of any such Offence, to issue a Warrant for apprehending the Party accused ; or it shall be lawful for any Person or Persons who shall see such Offence committed, to apprehend, and also for any Person or Persons to assist in apprehending the Offender or Offenders, and by Authority of this Act, without any other Warrant, to deliver him, her, or them into the Custody of a Peace Officer, in order to be secured and conveyed before such Justice of the Peace acting for the said Town ; and the Party accused being brought before any such Justice, or Oath being made before him that such Party cannot be found, such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence ; and if the Party accused shall be convicted of such Offence, either by his, her, or their Confession, or upon Information and Oath as aforesaid, he, she, or they so convicted shall for every such Offence respectively forfeit and pay any Sum not exceeding Five Pounds, and full Satisfaction (to be ascertained by such Justice) shall be made to the said Commissioners, or to their said Treasurer or Treasurers, Clerk or Clerks, by such Offender or Offenders, for the Damages so by him, her, or them done ; and in case such Offender or Offenders shall not, upon Conviction, pay the Forfeiture by him, her, or them incurred, and make such Satisfaction as aforesaid, the Justice before whom such Offender or

[*Loc. & Per.*]

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Offenders

Offenders shall be so convicted, is hereby required to commit him, her, or them, to the Common Gaol or House of Correction for the said Town or of the County of *Lancaster*, there to be kept to Hard Labour for any Time not exceeding Three Calendar Months, and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall be committed, unless such Forfeiture and Satisfaction shall be sooner paid and given; and One-half of the said respective Forfeitures, when recovered, shall be paid to the Informer or Informers, and the other Half shall be applied for the Purposes of this Act: And if any Person or Persons shall negligently or accidentally break, throw down, or otherwise damage any of the said Lamps, or any of the Posts, Irons, or other Furniture thereof, and shall not upon Demand made by the said Commissioners, or any Nine or more of them, or by their Treasurer or Treasurers, Clerk or Clerks, make Satisfaction to them or to some or one of them, for the Damages by such Person done, it shall be lawful for any Justice of the Peace acting for the said Town, and he is hereby required, upon Complaint thereof made by any Two of the said Commissioners, or by their Clerk or Clerks, Treasurer or Treasurers, to summon the Party complained of; and upon his, her, or their appearing, or making Default to appear (Oath being made that the Party complained of was served with such Summons, or that the same was left at his, her, or their Dwelling House or Place of Abode, if known, or that he or they could not be found), such Justice shall proceed to examine the Cause of such Complaint, and upon Proof thereof, either by the Confession of the Party complained of, or by the Oath of any credible Witness or Witnesses, shall award and order such Satisfaction to be made by the Party complained of, for the Damage so by him, her, or them done, as to such Justice shall appear just and reasonable, and shall cause the Sum so awarded, in case the same be not paid forthwith upon the making of such Award and Order, to be recovered by Distress and Sale of the Goods and Chattels of the Person or Persons complained of, rendering to him, her, or them, upon Demand, the Overplus (if any be) after the Charges of prosecuting such Complaint, and of such Distress and Sale shall be deducted.

## Contracts.

LV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, at any of their Meetings, to contract and agree with any Person or Persons for paving, repairing, raising, lowering, widening, watering, regulating, cleansing, and improving all or any of the said Streets, Squares, Roads, Ways, Lanes, and other public Passages within *Warrington* aforesaid, or any Part or Parts thereof; and also for providing a sufficient Number of Lamps necessary to be fixed up in the said Town, and Lamp Irons, Posts, and other Materials necessary or convenient for fixing the same, from Time to Time, and for providing and furnishing the same Lamps with all Requisites, and for lighting, supporting, amending, and repairing the same; and also with any Person or Persons, to make and furnish, and to repair and keep in Order such and so many Fire-Engines, together with a sufficient Number of Leathern Pipes, Leathern Buckets, and other Matters and Things relating thereto, as the said Commissioners shall think proper.

Watchmen  
and Beadles.

LVI. And be it further enacted, That the said Commissioners shall and may, and they are hereby authorized and empowered, at a Special Meeting

Meeting to be called for that Purpose, of which public Notice shall be given, from Time to Time, as they shall think necessary, to order, establish, and appoint such Number of Watchmen and Beadles, and Firemen, as they shall judge necessary to be kept and employed in or about the said Town of *Warrington*, and likewise direct and appoint how and where the several Watchmen and Beadles shall be stationed, and in what Manner they shall be armed, how often they shall go their Rounds, how long they shall continue upon Duty, and what Wages shall be allowed to such Watchmen and Beadles, and Firemen respectively for their Service; and shall and may also erect and provide proper Places, Boxes, or Watch-houses, for the Reception of such Watchmen and Beadles as aforesaid; and shall make Orders and Regulations from Time to Time, for the better Direction and Government of such Watchmen and Beadles, and Firemen respectively, and for other Purposes last-mentioned, such Orders and Regulations to be printed, and Copies thereof signed by the said Commissioners, or any Nine or more of them, or their Clerk or Clerks for the time being: And it shall be lawful for such Watchmen and Beadles, and they are hereby authorized and required to keep Watch and Ward within the said Town of *Warrington*, to arrest, apprehend, and detain in some Watch-house, or other convenient Place of Security within the said Town, to be provided and appointed by the said Commissioners, all Disturbers of the public Peace, disorderly Persons, Vagrants, Beggars, and all such other Persons as shall be found misbehaving themselves, and shall take them within Six Hours (or as soon as conveniently may be) before any One of His Majesty's Justices of the Peace acting in and for the said Town, to be examined and dealt with according to Law; and the said Beadles shall, as often in every Night as shall be ordered by the said Commissioners, go about their respective Districts and Rounds, to take Notice whether all the Watchmen perform their Duty in their several Stations, according to such Orders and Regulations as shall be made and provided by the said Commissioners; and in case any Watchmen shall misbehave himself, or neglect his Duty, the said Beadles shall, as soon as conveniently may be, give Notice thereof to the Clerk or Clerks for the Time being to the said Commissioners, who is and are hereby authorized to suspend such Watchmen from the Execution of his Office, and appoint another Person to officiate therein, until the next Meeting of the Commissioners, when the said Clerk or Clerks shall acquaint the Commissioners assembled at such Meeting with the Complaint against such Watchmen, in order that they may proceed to the Examination of the Offence or Charge; and such Watchmen moreover shall be subject and liable to such Penalty, for every such Neglect or Misbehaviour as is next hereinafter expressed.

LVII. And be it further enacted, That if such Watchmen and Beadles and Firemen respectively, or any of them, shall not observe, perform, and keep the Orders, Rules, and Regulations, which shall be made for the Purposes aforesaid by the said Commissioners, or shall in any Manner neglect their Duty or misbehave themselves, every Person so offending shall forfeit and pay for every such Neglect or Offence any Sum not exceeding Forty Shillings; and also, if the said Commissioners shall think proper, shall be immediately discharged from his or their respective Office or Employment.

Penalty on Watchmen and Beadles not doing their Duty.

LVIII. And

Penalty on  
Publicans  
harbouring  
Watchmen,  
&c.

LVIII. And be it further enacted, That if any Victualler or Publican, or other Person selling or dealing in Spirituous or other Liquors, shall knowingly or wilfully entertain or harbour in his, her, or their House or Habitation, or Shop, any Watchman to be appointed under this Act, during any of the Hours or Times appointed for such Watchmen to be on Duty by virtue or in pursuance of this Act, every Victualler, Publican, or other Person, shall forfeit and pay any Sum not exceeding Twenty Shillings for the First Offence, and not exceeding Forty Shillings for the Second Offence, and not exceeding Five Pounds for the Third and every other Offence.

Watering the  
Streets, &c.

LIX. And be it further enacted, That the said Commissioners shall and they are hereby authorized and empowered to cause the said Streets, Squares, Ways, Lanes, and other public Passages, to be watered as often as they shall think fit, and also cause any Well or Wells to be dug and sunk, and any Pump or Pumps to be erected in such Places as they shall think proper within the Streets, Squares, Ways, Lanes, and other public Passages, for the Purpose of watering the same, or for any other Purpose, and to cause the same to be removed or altered, and the Expences thereof to be defrayed out of the Monies to be raised by this Act.

Penalty on  
Persons ob-  
structing  
Officers ap-  
pointed by  
the Commis-  
sioners.

LX. And be it further enacted, That if any Person or Persons shall at any Time or Times obstruct, hinder, or molest any of the Commissioners, or any Surveyor or Surveyors, Collector or Collectors, Watchmen or Beadles, or other Officers or Officer, or Workmen or Person or Persons whomsoever, who is, are, or shall be employed by virtue of this Act in the Performance or Execution of their Duty, or any of the Matters and Things to be done by virtue and in pursuance hereof, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Markets.

LXI. And, for the better regulating the Markets and Fairs of *Warrington*, and obviating the Obstructions and Inconveniences to which the same are now subject, and preventing Accidents and Injuries to the Persons resorting to the said Markets and Fairs; be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and required, as soon as conveniently may be after the passing this Act, at a Meeting of the said Commissioners to be convened for that Purpose (of which Meeting Fourteen Days Notice at least in Writing, signed by the Clerk to the said Commissioners, shall be given, by affixing the same on the Door of the Parish Church of *Warrington* aforesaid), from Time to Time to make and establish Rules, Orders, and Bye Laws, for the better Order and Regulation of the Markets and Fairs of *Warrington*, and of the several Persons resorting thereto, as to the said Commissioners shall seem meet; and also in regard to the fixing and appointing proper Places for the loading and unloading of Waggons, Carts, and Carriages, and for the standing of such Waggons, Carts, and Carriages after the same shall be unladen, at any of the said Markets or Fairs, and for regulating by what Streets, Avenues, Roads and Ways, such loaded and unloaded Waggons, Carts, or Carriages, shall come into and go out of the Streets of *Warrington* aforesaid, during the Time of such Markets or Fairs respectively; and all such other Rules, Orders, and Bye Laws, for the well-being and good Order of the said Markets and Fairs,



Fairs, as to the said Commissioners in their Judgment and Discretion shall seem meet, and for the Benefit of the said Town of *Warrington*, and the Persons resorting to the Fairs and Markets thereof, so as the same do not extend to the Removal of the Market for the Sale of Butchers' Meat, Butter, Eggs, and other Matters and Things brought there to a greater Distance than One hundred and fifty Yards from Market Gate in *Warrington* aforesaid: And it shall and may be lawful to and for the said Commissioners from Time to Time to repeal, alter, or amend such Rules, Orders, and Bye Laws, or any of them, as to them shall seem right and proper, and to fix, impose, and lay such reasonable Fines and Penalties, not exceeding Forty Shillings for each Non-observance or other Breach of any such Rules, Orders, or Bye Laws, or of any Part or Parts thereof, as they shall find requisite and necessary; and all such Rules, Orders, and Bye Laws, being printed and published as hereinafter mentioned, shall be good and binding upon and observed by all Persons, and shall be sufficient in any Court of Law or Equity, to justify any Person who shall act under the same; provided that such Rules, Orders, and Bye Laws be not inconsistent with or repugnant to the Laws of that Part of the United Kingdom called *England*, or be inconsistent with or repugnant to the Provisions and Directions in this Act contained; and provided also, that no Rule, Order, or Bye Law, respecting the said Fairs and Markets, or any Alteration or Amendment thereof, shall have any Force or Effect until such Rule, Order, or Bye Law, shall have been signed by the said Commissioners, and printed Copies of such Rule, Order, or Bye Law, or any Alteration or Amendment thereof, shall have been affixed in some public Place or Places in the said Town of *Warrington*, for the Space of Ten Days at the least; and all such Rules, Orders, and Bye Laws, shall be subject to Appeal in Manner herein directed.

LXII. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend so as to prevent, hinder, or obstruct the Inhabitants of the said Town of *Warrington* from selling or exposing to Sale any Butchers' Meat, Viands, Poultry, Goods, Wares, and Commodities, within their respective Dwelling Houses or Shops.

Persons may continue to sell Meat, &c. in their private Dwellings.

LXIII. And be it further enacted, That the said Commissioners shall have Power, and they are hereby authorized and empowered to purchase One or more convenient Piece or Pieces of Ground, not exceeding Two Acres, from any Person or Persons willing to sell the same, and to erect and build thereon a Bridewell for the Reception only of Persons charged before any Justice or Justices of the Peace acting for the Division of *Warrington* aforesaid, with any Crimes or Offences committed within the said Township of *Warrington*; and also a Fire-Engine House or Building for keeping the Fire-Engines and Appurtenances thereto belonging: And the said Commissioners are hereby authorized to appoint a Keeper, Clerk, and other Persons for managing the said Bridewell, with suitable Salaries; and the said Keeper or Clerk is hereby required to keep a Book wherein shall be inserted the Name of every Person confined within the said Bridewell, and the Crime or Offence for which he or she is committed, the Date of the Day they are brought for Confinement, and also the Name of the Justice by whom the Warrant of Commitment is granted and signed.

For providing a Bridewell.

Payment for  
Land for  
erecting the  
Bridewell.

LXIV. And be it enacted, That the Purchase Money of the said Grounds, and the Expence of erecting and maintaining the said Bridewell and Fire-Engine House respectively, shall be defrayed from the Funds arising by the Rates or Assessments to be levied under this Act.

Penalty on  
harbouring  
Vagrants.

LXV. And be it enacted, That if any Person within the said Town of *Warrington* shall hereafter knowingly permit or suffer any Idler, Rogue, or Vagabond, to lodge or take shelter in any House, Barn, or Outhouse, belonging to him, her, or them, and shall not apprehend and carry such Rogue, Idler, or Vagrant, before One of the said Justices of the Peace, or give Notice to some Constable or other Officer so to do, every Person so offending, upon being lawfully convicted, either by his own Confession, or by the Oath of Two or more credible Witnesses, before One or more of the said Justices, shall forfeit a Sum not exceeding Five Pounds for each Offence, One-half thereof to be paid to the Informer, and the other Half to be applied to the Purposes of this Act.

Reward for  
apprehending  
Offenders.

LXVI. And be it further enacted, That the said Commissioners from Time to Time, if they shall see Cause, shall and may offer, pay and apply, out of the said Rates and Assessments to be raised by virtue of this Act, such Sum and Sums of Money as they shall see proper, as a Reward and Encouragement to Persons discovering, apprehending, or convicting Offenders against this Act.

Rates.

LXVII. And be it further enacted, That the Charges and Expences of lighting and watching the said Streets, Squares, Ways, Lanes, and public Passages and Places, within the said Town of *Warrington*, and of erecting the said Fire-Engine House, and providing Fire Engines and Firemen in Manner herein directed, and of putting this Act in Execution in respect thereof, shall at all Times be borne and defrayed by the Tenants or Occupiers of Houses, Shops, Malt Houses, Warehouses, Coach Houses, Stables, Yards, Gardens, Cellars, Vaults, and other Buildings within the said Town; save and except any Houses, Buildings, or other Hereditaments belonging to or used and occupied for the Purpose, or in Aid of any public Charity, and all Churches, Chapels, and other Buildings, licensed to be used for the Purpose of Divine Worship, which are not intended to be made liable to the Rates hereby imposed; and that the Charges and Expences of paving, cleansing, watering, improving, and regulating the said Streets, Squares, Ways, Lanes, public Passages, and Places within *Warrington* aforesaid, and erecting the said Bridewell, governing the same, and maintaining the Prisoners confined therein, and otherwise putting this Act into Execution in respect thereof, shall at all Times be borne and defrayed by the Tenants or Occupiers of all the Lands, Tenements, Houses, Shops, or Malt Houses, Warehouses, Coach Houses, Yards, Gardens, Stables, Cellars, Vaults, or other Buildings and Hereditaments, within *Warrington* aforesaid (except as hereinbefore is excepted): And the said Commissioners shall, and they are hereby authorized, empowered and required, Twice in every Year after the passing of this Act, or oftener if they shall think it necessary, to make One or more separate Rate or Rates, Assessment or Assessments, to be signed by the said Commissioners, or any Nine or more of them, upon the Tenants or Occupiers of all such Houses, Shops, Malt Houses,

Houses, Warehouses, Coach Houses, Yards, Gardens, Stables, Cellars, Vaults, or Buildings in the said Town of *Warrington*, except as aforesaid; for the Purpose of defraying the Charges and Expences of lighting and watching the same, and erecting the said Fire-Engine House, and providing Fire Engines and Firemen as aforesaid, and carrying this Act into Execution in respect of the same; and also to make One or more other separate Rate or Rates, Assessment or Assessments, to be signed by the said Commissioners, or any Nine or more of them, upon the Tenants or Occupiers of all Lands, Tenements, Houses, Shops, Malt Houses, Warehouses, Coach Houses, Yards, Gardens, Stables, Cellars, Vaults, Buildings, and Hereditaments in the said Town and Township of *Warrington* (except as before is excepted), for the Purpose of defraying the Charges and Expences of paving, cleansing, watering, improving, and regulating the said Streets, Squares, Ways, Lanes, public Passages, and Places, and of erecting the said Bridewell, governing the same, and maintaining the Prisoners confined therein, and otherwise carrying this Act into Execution in respect thereof, in the same Manner, and in the same Proportions, as the same Hereditaments and Premises respectively shall be rated and assessed for the Time being, towards the Relief of the Poor within the said Town and Township; and so as the whole Sum to be raised under both of the said Rates or Assessments respectively do not exceed in any One Year the Sum of One Shilling and Sixpence in the Pound, the Quotas or Proportions of which Sum shall be fixed and settled by such Commissioners; and the Money or Monies, so rated or assessed on the said Tenants or Occupiers, shall be paid by them respectively to the Collector or Collectors, or other Person or Persons appointed by the said Commissioners to collect the same; and if any Tenant or Occupier of any of the Premises aforesaid shall neglect or refuse to pay his or her Proportion or Proportions of any of the said Rates or Assessments respectively, to the said Collector or Collectors, or other Person or Persons, for the Space of Twenty-one Days after Demand made thereof, the same shall be levied and recovered on all and every such Tenant or Tenants, Occupier or Occupiers, so neglecting or refusing, by Distress and Sale of his, her, or their Goods and Chattels, by Warrant under the Hand and Seal, or Hands and Seals of any One or more Justice or Justices of the Peace acting for the said Town, and the Overplus (if any) of the Monies to be raised by such Distress and Sale, shall be returned on Demand to the Owner or Owners of the Goods and Chattels so distrained and sold, together with what shall remain unsold, after deducting all Charges attending such Distress and Sale.

LXVIII. Provided always; and be it further enacted, That if it shall be deemed expedient and necessary at a public General Meeting of the Persons paying Parochial Rates and Taxes within the said Town and Township of *Warrington*, (to be convened by Notice in Writing signed by the Clerk to the said Commissioners, affixed on the Door of the Parish Church, and also on some other public Place or Places within the said Town, at least Twenty-one Days before the Time appointed for such Meeting,) that the Rate of One Shilling and Sixpence in the Pound hereinbefore authorized to be levied should be increased, then, and in such Case, it shall and may be lawful to and for the said Commissioners, or any Nine, or more of them, and they are hereby authorized, empowered, and required to make One or more additional Rate or Rates, Assessment or Assessments to be signed by the said Commissioners, or any Nine or more of them, upon the

Higher Rate  
of Sixpence  
in the Pound  
may be  
levied.

the Tenants or Occupiers of all and every the Lands, Tenements, Houses, Shops, Malt Houses, Warehouses, Coach Houses, Stables, Yards, Gardens, Cellars, Vaults, Buildings, or Hereditaments respectively, (as the Case may be and require) in the said Town or Township of *Warrington* (except as is hereinbefore excepted), for the Purpose of defraying the Charges and Expences of carrying this Act into Execution, in the same Manner and Proportions as the said Hereditaments and Premises respectively shall be rated and assessed for the Time being, towards the Relief of the Poor within *Warrington* aforesaid, so as the whole Sum, to be raised by the said Rate of One Shilling and Sixpence in the Pound, and the additional Rate hereby authorized to be made, do not exceed in any One Year the Sum of Two Shillings in the Pound, the Quotas and Proportions of which Assessment or Sum shall be fixed and settled by such Commissioners; and the said additional Rate or Assessment shall be made, assessed, collected, recovered, and applied in such and the same Manner as is hereinbefore directed with respect to the said Rate of One Shilling and Sixpence in the Pound authorized to be levied as aforesaid.

Persons not rated to the Poor to a certain Amount, not to be rated for the Expences incurred under this Act.

LXIX. And be it further enacted, That no Person or Persons who shall or may be assessed to the Rate or Rates made for the Relief of the Poor within the said Town, at a Sum or Sums amounting in the Whole to less than the Sum of Five Pounds shall be liable to be assessed, or to pay any Rate or Rates under and by virtue of this Act: Provided always nevertheless, that the said Commissioners, if they shall deem it expedient or think proper, shall and may from Time to Time assess or rate such last-mentioned Person or Persons, or any other Person or Persons, who for the Time being shall be an Occupier or Occupiers of any Lands, Tenements, or Hereditaments, within *Warrington* aforesaid, to any Rate or Rates to be made under this Act, to a Sum not exceeding the actual Annual Value or Rack Rent of the Premises and Hereditaments occupied by any such Person or Persons liable to the Payment of any Rate or Rates as aforesaid; and all and every such Rate or Rates shall be levied and recovered in the same Manner, and with the same Powers of Distress and Sale, as hereinbefore mentioned.

Rates to be apportioned on Persons removing from their Houses.

LXX. And be it further enacted, That in all Cases where any Person shall remove from or quit any Lands, Tenements, House, Warehouse, Shop, Cellar, Vault, Stable, Coach-house, Malt-house, or other Building, Yard, Garden, or Hereditaments, which shall be rated or assessed by virtue of this Act, such Persons shall be liable to pay such Rates or Assessments in proportion to the Time he or she occupied the same, in like Manner as if such Person or Persons had not removed or quitted the same; and in all Cases where any Person shall come into or occupy any such Lands, Tenements, House, Warehouse, Shop, Cellar, Vault, Stable, Coach-house, Malt-house, or other Building, Yard, Garden, or other Hereditaments as aforesaid, out of or from which any other Person who shall have been rated or assessed for the same shall be removed, or which at the Time of making such Rate or Assessment was or were empty and unoccupied, the same shall for and in respect of his, her, or their Occupation thereof, be liable to any such Rate or Assessment in proportion to the Time he, she, or they shall occupy the same, in the same Manner as if he or she had been originally rated or assessed for such Land, Tenement, House, Warehouse, Shop, Cellar, Vault, Stable, Coach-house, Malt-house, or other Building,

Building, Yard, Garden, or Hereditaments; which said respective Proportions, in case of any Dispute concerning the same, shall be settled and ascertained by the said Commissioners in such Manner as they shall judge reasonable; and in case any Persons who have been so rated and assessed as aforesaid, shall quit his or her Land, Tenement, House, Warehouse, Shop, Cellar, Vault, Stable, Coach-house, Malt-house or other Building, Yard, Garden or Hereditament, before he or she shall have paid such Rate or Rates, or a proportionable Part or Parts thereof by him or her due and payable, and shall afterwards refuse or neglect to pay the same when demanded, it shall and may be lawful for the said Collector or Collectors, by Warrant under the Hand and Seal of any Justice of the Peace acting for the said Town, or for the County, Division, Liberty, Town or Place where such Person shall remove to or reside, or where any of his or her Goods and Chattels shall be found (which Warrant such Justice is hereby required to grant, upon Proof made of the Sum so due before him, upon Oath of a credible Witness or Witnesses) to levy such Rate or Rates, or a proportionable Part or Parts thereof, by Distress and Sale of the Goods and Chattels of such Person, rendering the Overplus arising from such Goods and Chattels (if any) upon Demand, after the Payment of the Money due in respect of such unpaid Rate or Rates, or proportionable Part or Parts, and all Expences relating to the Recovery thereof, unto the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

LXXI. And be it further enacted, That every Person, being Landlord or Tenant, who shall let her or his House in separate Apartments, or ready furnished, to any Lodger or Lodgers, or for any less Term than One Year, shall for the several Purposes of this Act be deemed and taken to be the Occupier thereof, and may be rated and assessed accordingly. Rates on Houses let in separate Tenements.

LXXII. And be it further enacted, That the said several Sum and Sums of Money so to be rated or assessed as aforesaid, shall be paid by the Tenants or Occupiers of the Premises respectively which shall be so rated or assessed, for and during the Term of Seven Years from and after the making of the First Rates or Assessments respectively after the passing of this Act; and such Tenants or Occupiers so paying the same, shall and may deduct and retain out of the Rents by them payable to the Landlords or Owners of such Premises respectively, Two-third Parts of such Sum or Sums of Money as shall be so rated or assessed, when the same shall have been so paid by them as aforesaid, and the said Landlords, Owners, mediate or immediate, are hereby required to allow to their respective Tenants such Two-third Parts or Proportions accordingly; and such Tenants or Occupiers shall respectively be acquitted and discharged for such Two-third Parts or Proportions in such Manner and as fully and effectually, as if the same had been actually paid as Rent to such Landlords or other Persons respectively entitled to their Rent. Tenants to pay the Rates, and deduct the same from their Rents.

LXXIII. And be it further enacted, That all and every Collector and Collectors to be appointed in pursuance of this Act, shall and is and are hereby authorized and required to pay all such Monies as he or they shall respectively collect and receive by virtue of the Rates to be made in pursuance of this Act, into the Hands of the Treasurer or Treasurers to be Payments to be made by Collectors.

[Loc. &amp; Per.]

24 I

appointed



to the said Rates or Assessments; and all Persons to whom any Mortgage shall be made as aforesaid, or who shall be entitled to the Money thereby secured, may from Time to Time transfer his, her, or their Right, Title or Interest, in or to such Mortgage and the Principal Money and Interest thereby secured, to any Person or Persons whomsoever, by indorsing on the Back of such Mortgage Security, and in the Presence of One or more credible Witness or Witnesses, the following Words, or Words to the Effect following; (that is to say)

THE within named Assignee, Assignment of Mortgage.  
 [or, Executor, or Administrator of the within named  
*as the Case may be*] Do hereby transfer this Mortgage Security, with all my Right and Title to the Principal Money thereby secured, and to all Interest now due upon the same, unto his Executors, Administrators and Assigns. Dated this Day of

Which Transfer shall be produced and notified to the said Clerk or Clerks, Treasurer or Treasurers, within Two Calendar Months next after the Day of the Date thereof, who shall enter the same in the said Book or Books, for which Entry the said Clerk or Clerks, Treasurer or Treasurers, shall be paid the Sum of Five Shillings and no more; and such Transfer shall then entitle such Assignee, his Executors, Administrators and Assigns, to the Benefit of such Mortgage Security, and Payment thereon; and every such Assignee may in like Manner assign or transfer the same again, and so *toties quoties*; and it shall not be in the Power of any Person or Persons (except such as the same shall be last transferred to) to release, discharge or make void the original Mortgage Security, or the Monies due thereon or on any Part thereof; and all Persons to whom any Mortgage or Transfer shall be made as aforesaid, shall, in proportion to the Sum or Sums of Money thereby secured, be Creditors on the Rates by this Act granted, in equal Degree one with another, and shall have no Preference in respect of the Priority of advancing Monies, or of the Dates of their Securities.

LXXV. And be it further enacted, That all the Money to arise by or from the Rate or Rates, Assessment or Assessments, and which may be borrowed on the Credit thereof, and all Penalties and Forfeitures to be recovered or levied by virtue of this Act, and not hereby otherwise disposed of, shall be paid to the said Commissioners, or to such Person or Persons as they shall appoint, to be applied and disposed of, in the first Place, towards paying and defraying all Expences and Charges, with lawful Interest on Monies expended, which shall be incurred or in any Manner incident to and attending the Application for and obtaining and passing this Act; and in the next Place, in paying and discharging the Principal Monies to be borrowed as herein mentioned, and the Interest thereof; and for and towards defraying the Charges and Expences of paving, cleansing, lighting, watching, watering, improving, and regulating the Streets, Squares, Ways, Lanes, and other public Passages and Places within *Warrington* aforesaid; for removing and preventing Nuisances, Annoyances, Obstructions, and Encroachments therein in Manner hereby directed; and in purchasing Ground for the Site of, and erecting, maintaining, and keeping in Repair a proper Bridewell, and Fire-Engine House, and providing proper Officers for the Government of such Bridewell,

Application of Money raised by Authority of this Act.





mary Way, and shall or may mitigate any Fine, Penalty, or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of any such Bye-Law, Rule, Order, Regulation, or Determination, and may also order such further Satisfaction to be made to the Party injured, as the Justices shall think proper; and the Determination of such Justices at their said General Quarter Sessions shall be binding and conclusive.

LXXVIII. Provided always, and be it further enacted, That on any Appeal from any Rate or Assessment to be made for the Purposes of this Act, the Justices of such General Quarter Sessions shall and may amend the same in such Manner as may be necessary for giving Relief, without quashing or altering such Rate or Assessment with respect to the other Persons mentioned in the same; but if upon Appeal from the whole Rate or Assessment, it shall be found necessary to set aside the same, then, and in such Case, the said Justices shall and may order a new Rate or Assessment to be made in the Manner herein directed.

Rates not to be quashed by reason of any Appeal against them:

LXXIX. And be it further enacted, That all Penalties and Forfeitures by this Act imposed, the Manner of levying and recovering whereof is not hereby otherwise particularly directed, shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of any Justice of the Peace acting at the Privy Sessions held within the said Town of *Warrington* (which Warrant such Justice is hereby empowered to grant) upon the Confession of the Party or Parties, or upon Information of any credible Witness or Witnesses upon Oath (which Oath such Justice is hereby empowered to administer); and the Penalties and Forfeitures, when recovered, shall be paid to the Treasurer or Treasurers, or such other Person or Persons as the said Commissioners at any Meeting shall appoint for that Purpose, and be applied for the Purposes of this Act; and in case such Distress shall not be found, or such Penalties or Forfeitures shall not be paid forthwith, it shall and may be lawful to and for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause the Offender or Offenders to be committed to the Common Gaol or House of Correction for the said County of *Lancaster*, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, unless such Penalties and Forfeitures and all reasonable Charges, shall be sooner fully paid and satisfied.

Recovery and Application of Penalties and Forfeitures.

LXXX. And be it further enacted, That in all Actions, Prosecutions, Informations, and Causes of Proceedings whatsoever, relating to or concerning the Execution of this Act, no Inhabitant within the Township of *Warrington* aforesaid, shall be deemed incompetent to give Evidence by reason of his or her being such Inhabitant, or by reason of his or her being rated or assessed to, or paying any of the Rates or Assessments to be imposed by virtue of this Act.

Inhabitants not to be incompetent to be Witnesses.

LXXXI. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence before the said Commissioners, or any Justice or Justices of the Peace in and for the said County of *Lancaster*, touching any Matter of Fact contained in any Information or Complaint for any Offence against this Act, or against any

Penalty on Witnesses not attending.

[Loc. & Per.]

24 K

Rate

Rate or Order made in pursuance thereof, whether on the Part of the Prosecutors or the Person or Persons complained of, and which Summonses the said Commissioners, or any Nine or more of them, and also such Justice or Justices as aforesaid, are hereby authorized to issue where and in such Cases only as such Commissioners or such Justice or Justices acting in the said Town (as the Case may be) are made competent by this Act to hear and determine the same; and if any such Person or Persons so summoned as aforesaid shall refuse or neglect after having been tendered a reasonable Sum for his, her, or their Costs, Charges and Expences, to appear at the Time and Place for that Purpose appointed, without a reasonable Excuse for such his, her, or their Refusal or Neglect, to be approved by such Justice or Justices of the Peace, or Commissioners as aforesaid, every such Person or Persons shall forfeit for such Offence any Sum not exceeding Five Pounds.

Distress not to be unlawful for want of Form.

LXXXII. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue 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 *ab initio*, on account of any Defect or Want of Form in the Summons or other Proceedings relating thereto, nor shall any Party or Parties be deemed a Trespasser or Trespassers, *ab initio*, on account of any Irregularity which shall afterwards be done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage, in an Action upon the Case, provided that no Plaintiff or Plaintiffs shall recover in any Action or Actions for such Irregularity, unless Notice in Writing shall be given Ten Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff, specifying the Cause of such Action, nor shall the Plaintiff recover in such Action if sufficient Tender of Amends hath been made to him, her, or them, or his, her, or their Attorney, by or on Behalf of the Defendant or Defendants before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful to and for the Defendant or Defendants in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum or Sums of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgment, shall be made and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Proceedings not to be quashed for want of Form.

LXXXIII. And be it further enacted, That no Order, Verdict, Assessment, Judgment, or other Proceedings, made touching or concerning any of the Matters aforesaid, or touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, or be removed or removeable 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 thereof in anywise notwithstanding.

Limitation of Actions.

LXXXIV. Provided always, 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 by Order of the said Commissioners, until

Ten Days Notice shall be thereof given to the Clerk or Clerks to the said Commissioners, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Six Calendar Months after the Fact committed; and every such Action or Suit shall be laid or brought in the County or Place where the Matter shall arise, and not elsewhere; and the Defendant or Defendants in every Action or Suit shall or may, at his or their Election, plead specially, or plead the General Issue, or 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 if such Action or Suit shall be brought before Ten Days Notice shall be thereof given, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County or Place than as aforesaid, 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 Suit 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 recover such Costs, and have such Remedy for the same, as any Defendant or Defendants hath or have in other Cases of Law.

LXXXV. And be it further enacted, That if any Action or Actions shall be brought by the said Commissioners against any Person or Persons for any Thing relating to this Act, or the Powers herein contained, and a Verdict shall be had and given against the Person or Persons against whom such Action or Actions shall be brought, such Person or Persons shall pay Treble Costs, and the Plaintiff or Plaintiffs in such Action or Actions shall have such Remedy and Remedies for recovering the same as any Plaintiff or Plaintiffs may have for his, her, or their Costs in any other Cases by Law. Costs.

LXXXVI. And be it further enacted, That nothing in this Act contained shall extend to affect the Tolls, Rights, or Privileges of the Lord of the Manor of *Warrington*. Saving of  
Manorial  
Rights.

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

