



ANNO QUINTO

GEORGII IV. REGIS.

Cap. xc.

An Act for lighting, cleansing, watching, and improving the Township of *Hulme* in the County of *Lancaster*, and for regulating the Police thereof.
[3d June 1824.]

WHEREAS the Township of *Hulme*, in the County Palatine of *Lancaster*, is a Township of considerable Extent and Population, immediately adjoining to the large, populous, and trading Town of *Manchester*, and from its relative Situation thereto lately much increased, and continually increasing: And whereas the said Township of *Hulme* has, for several Years past, been lighted and watched by Means of the voluntary Contributions of some of the Inhabitants; but the same has not been done in a sufficient and effectual Manner, and the Expence thereof has been very unequally borne, and the lighting and watching of the said Township, by the Means above mentioned, has been found to be attended with much Trouble, Inconvenience, and Danger to the Inhabitants; and there are many new laid-out Streets and other Streets, Lanes, public Passages, and Places within the said Township, some of which are not properly repaired and cleansed, and are subject to various Nuisances and Annoyances: And whereas it would tend greatly to the Safety, Convenience, and Advantage, not only of the Inhabitants of the said Township but of all other Persons resorting to and travelling through the same, if the said

[Local.]

24 X

Town.

Appoint-
ment of
Commis-
sioners.

Township were more effectually lighted, watched, and regulated; and if Regulations and Provisions were made respecting the cleansing and repairing of the said Streets, Lanes, Passages, and Places, and removing and preventing Nuisances and Annoyances therein, and for carrying into Effect the several Improvements in the Police of the said Township herein-after mentioned: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Male Person and Persons who now is or are, or shall or may at any Time hereafter be or become Occupier or Occupiers of any Messuage, Dwelling-house, Warehouse, or other Building, Messuages, Dwelling-houses, Warehouses, or other Buildings, or of any other Tenement within the said Township of *Hulme*, of the yearly Rent or Value of Twenty-five Pounds at the least, shall be and they are hereby constituted, appointed, and declared to be Commissioners for putting and carrying the several Purposes of this Act into Execution; such yearly Rent or Value being ascertained according to the annual Assessment made for the Relief of the Poor within the said Township, next preceding the Time when the Oaths or Affirmations herein-after mentioned are taken by the Commissioners, so long as such Assessment shall continue to be made, and afterwards such yearly Rent or Value shall be ascertained as the Commissioners then acting under this Act may determine.

Disqualifica-
tion of Com-
missioners
on ceasing
to be Occu-
piers.

II. Provided also, That in case the Occupancy in respect of which any Person or Persons may have been qualified and become a Commissioner or Commissioners shall cease, and such Person or Persons shall not have become Occupier or Occupiers of any other Messuage, Dwelling-house, Warehouse, or other Building, Messuages, Dwelling-houses, Warehouses, or other Buildings, or any other Tenement within the said Township of *Hulme* of the yearly Value aforesaid, then and in such Case, and immediately upon that Event taking place, the Person or Persons whose Occupancy shall so cease shall to all Intents and Purposes be disqualified and incapable of acting as a Commissioner or Commissioners under the Powers of this Act.

Qualification
of Commis-
sioners.

III. 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 in administering the Oaths or Affirmations to the Chairman of a Meeting as herein-after mentioned) until he shall have taken and subscribed Oaths or Affirmations in the Words or to the Effect following:

Commission-
ers Oaths.

‘ I *A. B.* do swear, [*or*, being One of the People called *Quakers*, do solemnly declare and affirm,] That I am really Occupier of a Messuage, Dwelling-house, Warehouse, or other Building or Tenement, [*or*, of Messuages, Dwelling-houses, Warehouses, or other Buildings or Tenements, *as the Case may be*,] situate in, &c. [*naming the Streets or Places*] within the Township of *Hulme* in the County of *Lancaster*, of the yearly Value or Rent of Twenty-five Pounds.

‘ So help me GOD.’

‘ I *A. B.* do swear, [*or*, being One of the People called *Quakers*, do solemnly declare and affirm,] That I will truly and impartially, according to the best of my Skill and Judgment, execute and perform
‘ all

all and every the Powers and Authorities reposed in me by virtue of an Act passed in the Fifth Year of the Reign of His Majesty King George the Fourth [*here insert the Title of this Act*].

So help me GOD.

IV. Provided also, That no Person shall be capable of acting as a Commissioner in the Execution of this Act during the Time he shall hold any Office or Place of Profit, or have any Share or Interest, either directly or indirectly, in any Bargain or Contract for furnishing, supplying, or selling any Article, Matter, or Thing to be employed or made use of for the several Purposes of this Act; but such of the said Commissioners as are Justices of the Peace may act as Justices of the Peace in the Execution of this Act notwithstanding their being Commissioners.

Commissioners not to act if interested; but may act as Justices.

V. And be it further enacted, That if any Person, not being qualified according to the Directions of this Act, or being disqualified by any of the Causes herein-before mentioned, or not having taken and subscribed such Oaths as aforesaid, or being a Quaker not having made and subscribed such Affirmation as aforesaid, or holding any Office or Place of Profit, or being concerned in any Bargain or Bargains, Contract or Contracts as aforesaid, shall presume to act as such Commissioner in the Execution of the Powers hereby given, or any of them, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to be recovered on the Information or Prosecution of any Person or Persons whomsoever, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, or Court of Common Pleas at *Lancaster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, Privilege, or Wager of Law, nor more than One Imparlance, shall be allowed; and every Person so sued or prosecuted, by reason of not being so qualified, shall prove that he was at the Time of acting 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; and the Money so to be recovered shall, after Payment of the Costs and Expences attending the Recovery thereof, be paid and apportioned as follows; (that is to say,) One Moiety thereof to the Informer or Prosecutor, and the other Moiety thereof to the Treasurer to be appointed by virtue of this Act, to be by him applied to the Purposes 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, although not duly qualified as aforesaid previous to his or their being convicted of any such 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.

Penalty on Persons not qualified acting as Commissioners.

VI. And be it further enacted, That the said Commissioners, or any Five or more of them, shall and may, upon the Second *Friday* after the passing of this Act, assemble and hold a General Meeting, at the Hour of Eleven in the Forenoon, at the Town's Office, or at some other convenient Place in the said Township of *Hulme*, and shall and may then and there proceed in the Execution of this Act; and a General Meeting of

First and other Meetings of the Commissioners.

of the said Commissioners shall also be held, for carrying this Act into Execution, on the First *Friday* in every Month after the said first-mentioned Meeting, at the same Hour and Place, unless some other Hour, Day or Days, or some other Place within the Township of *Hulme* aforesaid, shall be appointed by the Commissioners assembled at the said first Meeting, or at any subsequent Meeting, at which there shall be at least Five Commissioners assembled; and if at any Time or Times when the said Meetings are hereby required to be held, or shall be so as aforesaid appointed to be held, there shall not be at such Meeting or Meetings Five Commissioners present, then such Meeting shall stand adjourned to the next Day on which and at the same Place at which a General Meeting ought to be held in pursuance of this Act, or in pursuance of any Appointment which shall have been made at a prior Meeting held as aforesaid; and all Acts, Orders, Rules, Resolutions, and Proceedings of the said Commissioners in the Execution of this Act, which shall be had, made, or done at any Meeting or Meetings to be held in pursuance of this Act, at which Five or more of the said Commissioners shall be present, and in which the Majority of such Five or more Commissioners shall concur (and not otherwise), shall be as valid and effectual as if all the Commissioners for executing this Act had been present at such Meeting, and had concurred therein (except such Acts, Orders, and Proceedings as are by this Act particularly directed or authorised to be executed or done by any other Number of Commissioners, or in any other Manner); and at the First Meeting which shall be held for putting this Act into Execution, One of the Commissioners present thereat shall be appointed Chairman, to whom any One other of such Commissioners shall and is hereby authorised and required to administer the Oaths or Affirmations in the Words or to the Effect herein mentioned, and such Chairman shall or may immediately afterwards administer the like Oaths or Affirmations to the other Commissioners then present; and at every other Meeting to be held in pursuance of this Act a Chairman shall or may in like Manner be appointed; and the Chairman for the Time being, or any One of the Commissioners, shall and he is hereby authorised and required to administer at any General or Special Meeting (to such of the Commissioners as shall not have taken the Oaths or Affirmations before) the Oaths or Affirmations hereby required to be taken by the said Commissioners; and in all Cases where there shall arise at any Meeting a Difference of Opinion upon any Question, the Question shall be decided by a Majority of Votes of the Commissioners then present; and if upon any Question there shall be an equal Number of Votes (including the Chairman's Vote) then the Chairman shall have and give another or the casting Vote; and no Order, Rule, Resolution, or Proceeding had, made, or done at any Meeting held in pursuance of this Act, at which there shall have been Five or more Commissioners present, shall be revoked, suspended, or altered, unless at some subsequent Special Meeting to be held for that Purpose (which any Five or more of the Commissioners, or their Clerks or Clerk at the Request in Writing of any Five or more of the said Commissioners, are and is hereby empowered to call, and of which Seven Days previous Notice at the least of the Time, Place, and Purpose shall be given and inserted in Two at least of the *Manchester Weekly Newspapers*) a greater Number of Commissioners than were present at the Meeting or Meetings at which such Order, Rule, Resolution, or Proceeding proposed or intended to be revoked, suspended,

suspended, or altered, shall have been made, shall be present and shall concur in the Revocation, Suspension, or Alteration thereof; and at every Meeting to be held under or by virtue of this Act the Commissioners present shall defray their own Expences.

VII. Provided nevertheless, and be it further enacted, That if it shall at any Time be thought necessary to hold a Meeting before the Time at which a Meeting is hereby required to be held, or shall be so as aforesaid appointed to be held, then and in such Case it shall be lawful for the said Commissioners, or any Five or more of them, or for their Clerks or Clerk at the Desire in Writing of any Five or more of the said Commissioners, and they or he are and is hereby required to call a Special Meeting, of which Seven Days previous Notice shall be given, in the same Manner as is herein-before mentioned in the Case and for the Purpose of calling a Meeting to revoke, suspend, or alter a former Order, Rule, or Proceeding.

Special Meetings of the Commissioners.

VIII. And be it further enacted, That the Clerk or Clerks to the said Commissioners shall cause fair and regular Entries to be made, in a Book or Books to be kept for that Purpose, of all the Acts, Orders, and Proceedings of the said Commissioners, relative to the Execution of this Act; and the Chairman of every Meeting shall always subscribe his Name at the End of the said Proceedings; and the said Clerk or Clerks shall enter in the said Book or Books the Names of at least Five of the Commissioners who are actually present at any such Meeting; and all Entries in such Book or Books, being signed as aforesaid, shall be deemed Originals, and shall be admitted in Evidence in all Courts and upon all Occasions whatsoever; and at any of their Meetings such Book or Books shall be open to the Inspection of all and every the said Commissioners, and all and every other Person and Persons rated and assessed for the Purposes of this Act; and any of the said Commissioners, and all and every Person and Persons rated and assessed for the Purposes of this Act, and all Creditors on the Rates hereby authorised to be made, or any of them, shall at all seasonable Times be permitted to have Copies of any of the Entries in such Books, paying for such Copies after the Rate of Sixpence for every Seventy-two Words.

Proceedings to be entered in Books.

IX. 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 One or more Clerk or Clerks, Treasurer or Treasurers, Surveyor or Surveyors, Collector or Collectors of the Rates herein-after mentioned, and such other Officers as the said Commissioners shall think necessary for the Execution of this Act; and the said Commissioners shall and may take such Security for the due Execution of the respective Offices by such Person and Persons as aforesaid as they shall think proper; and it shall be lawful for the said Commissioners from Time to Time to remove any of such Officers, and to appoint another or others in the Room of any of them who shall be so removed, or who shall die, or decline such Offices, or become incapable of acting therein; and also out of the Monies to be raised as herein-after mentioned, to make and pay such Salaries or other Allowances to the said Officers respectively, and also to such other Person or Persons as shall be aiding and assisting to the said Commissioners in the Execution of this Act, as to the said Commis-

Commissioners may appoint Officers.

Security.

sioners shall seem reasonable ; provided that on the Removal, Death, or Resignation of every Clerk, Treasurer, Surveyor, and Collector, Notice be previously given of the Time and Place of Meeting, for the Purpose of filling up the Vacancy or Vacancies thereby occasioned, in Two at least of the *Manchester* Weekly Newspapers, at least Ten Days before the Election and Appointment of every such Clerk, Treasurer, and Collector as aforesaid.

Treasurer
and Clerk
not to be the
same Person.

X. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who may be appointed their Clerk, in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, or of his Partner, the Treasurer, for the Purposes of this Act, or to appoint any Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, or of his Partner, the Clerk to the said Commissioners ; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, or of his Partner, shall accept the Office of Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, or of his Partner, shall accept the Office of Clerk, in the Execution of this Act, or if any such Treasurer shall hold or accept any Office or Place of Profit or Trust under the said Commissioners other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, or Court of Common Pleas at *Lancaster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Impar lance, shall be allowed.

Penalty on
Officers tak-
ing Fees, or
being con-
cerned in
Contracts.

XI. And be it further enacted, That if any Clerk, Treasurer, Surveyor, or Collector, or other Officer employed by the said Commissioners for the Purposes of this Act, shall exact, demand, take, or accept any Fee, Emolument, or Reward whatsoever (other than such Salary or Allowance as shall be appointed and allowed by the said Commissioners) for or on account of any Thing done by virtue of this Act, or for forbearing to do any Thing ordered or directed by the said Commissioners, or on any other Account whatsoever relative to his Employment or Duty, or shall be concerned or interested in any Bargain or Contract made by the said Commissioners for the Purposes of this Act (unless with the Consent and Approbation of the said Commissioners), every such Person so offending shall be incapable of afterwards serving or being employed under the said Commissioners, and shall forfeit and pay the Sum of One hundred Pounds for every such Offence to any Person or Persons who shall sue for the same, by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*, or Court of Common Pleas at *Lancaster*, within Six Calendar Months after the Offence committed, with full Costs of Suit ; in which Suit or Prosecution no Essoign, Protection, or Wager of Law, nor more than one Impar lance, shall be allowed.

XII. And

XII. And be it further enacted, That all such Officers and Persons so appointed or to be appointed as aforesaid shall under their Hands, at such Time and Times and in such Manner as the said Commissioners shall direct, deliver to such 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 received by such Officer or Officers, or other Person or Persons respectively, by virtue of and for the Purposes of this Act; and how much thereof hath been paid and disbursed by Order of the said Commissioners, and for what Purposes, together with the proper Vouchers for such Payments; and shall pay all such Monies as shall remain in their respective Hands to the said Commissioners, or to such Person or Persons as they shall appoint; and if any such Officer or Person shall not make and render such Account, or produce and deliver up the Vouchers relating to the same, or make Payment as aforesaid; or shall not deliver to the said Commissioners, or to such Person or Persons as they shall appoint, within One Calendar Month after being thereunto required by the said Commissioners, all Books, Papers, and Writings in his Custody or Power relating to the Execution of their respective Offices, Trusts, and Duties; or shall refuse or neglect to pay such Monies as, upon the Balance of any Account or Accounts, shall appear to be in their respective Hands to the said Commissioners, or as they shall direct or appoint; then and in any of the Cases aforesaid such Commissioners may and they are hereby authorised and empowered to bring or cause to be brought any Action or Actions against the Officer or Officers, Person or Persons so neglecting or refusing as aforesaid, in order for the Recovery of the Monies that shall be in the Hands of such Officer or Officers, Person or Persons respectively; or if Complaint be made by the said Commissioners, or by any Person or Persons by them appointed, of any such Neglect or Refusal, to any One Justice of the Peace for the said County of *Lancaster*, such Justice may, and he is hereby authorised and required, by a Warrant or Warrants under his Hand and Seal, to cause the Officer or Officers, Person or Persons, so refusing or neglecting, to be brought before him, and upon his, her, or their appearing, or not being to be found, to hear and determine the Matter of such Complaint in a Summary Way; and if upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses upon Oath, or being One of the People called *Quakers*, upon Affirmation (which Oath or Affirmation such Justice is hereby empowered and required to administer), it shall appear to such Justice that any of the Monies which shall have been collected and raised or received by virtue of this Act shall be in the Hands of such Officer or Officers, Person or Persons, such Justice may, and he is hereby authorised and required, upon Non-payment thereof, by a Warrant or Warrants under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively, together with the Costs and Charges of such Distress and Sale, to be settled and ascertained by such Justice, and which he is hereby authorised and empowered to settle and ascertain, rendering the Overplus, if any, to the Party or Parties so distrained, or leaving the same at the Place where the Distress shall be made; and if no Goods or Chattels of such Officer or Officers, Person or Persons, can be found sufficient to answer and satisfy the said Money, and the Charges of selling the Goods and Chattels so distrained, then and in either of the Cases

Officers to account.

Cases aforesaid such Justice shall commit every such Offender to the Common Gaol or House of Correction for the Hundred of *Salford*, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Commissioners, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Commissioners, or any Five or more of them, are hereby empowered to make,) or until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Commissioners: Provided always, that no Person so committed shall be detained in Prison for want of sufficient Distress only for a longer Space of Time than Three Calendar Months.

Books to be settled annually, and lie open for Inspection, &c.

XIII. And be it further enacted, That after such Accounts shall have been delivered in by such Officer or Officers, Person or Persons, in Manner as aforesaid, the same shall be respectively settled, and a general Balance struck by the said Commissioners on every the First *Monday* in the Month of *June*, from Year to Year; and such Accounts shall lie open at the Office of the Clerk or Clerks, Treasurer or Treasurers, appointed by the said Commissioners, or such other convenient Place as the said Commissioners, or any Five or more of them, shall direct, for the Inspection of any Person or Persons interested in the same, every Day (except *Sunday*) between the Hours of Nine and Four of the Clock, for the Space of One Week, before the same shall be signed by such Commissioners; and after such Accounts shall have been signed, the same shall be final and conclusive in all Respects whatsoever, unless an Appeal shall be prosecuted against such Accounts at the then next General Quarter Sessions of the Peace to be holden in and for the County of *Lancaster*, or an Adjournment thereof, and Notice thereof given in Writing to the Clerk or Clerks to the said Commissioners before such Accounts have been signed.

For recovering Books, &c. from Executors or Assignees of Officers dying or becoming Bankrupt.

XIV. And be it further enacted, That in case of the Death of any such Officer or other Person to be appointed as aforesaid, or of his becoming Bankrupt before he shall have delivered up all Books, Papers, Writings, and other Things concerning the Office or relating to the Execution of this Act, then and in every such Case the Executors or Administrators of such respective Officer or other Person, or the Assignees of his Estate and Effects, or other Persons possessing the same, or in whom the same have or hath vested, shall deliver up to the said Commissioners, or to any Person appointed by them, all such Books, Papers, Writings, and other Things; and in case of Non-delivery of such Books, Papers, Writings, and other Things, for the Space of Ten Days after the same shall be demanded, it shall be lawful for the said Commissioners to commence and prosecute any Action or Actions, Suit or Suits, in any of His Majesty's Courts of Record at *Westminster*, or Court of Common Pleas at *Lancaster*, against such Executor, Administrator, Assignee, or other Person or Persons possessing the Estate and Effects which did belong to such deceased Person or Bankrupt, for Recovery of Damages for the Non-delivery of such Books, Papers, Writings, and Things, together with full Costs of Suit.

Commissioners may sue and be sued

XV. 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

Law or otherwise, in the Name or Names of any One of the said Commissioners, or of their Clerk for the Time being; and 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 One of the said Commissioners, or of their said Clerk for the Time being; and 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 One of the said Commissioners, or of their Clerk, shall abate or be discontinued by the Death or Removal of such Commissioner or Clerk, or either of them, or by the Act or Default of such Commissioner or Clerk, or either of them, done or suffered without the Direction or Consent of Five or more of the said Commissioners for the Time being; but One of the said Commissioners, or the Clerk of the said Commissioners for the Time being, shall always be deemed Plaintiff or Plaintiffs, Defendant or Defendants, (as the Case may be,) in such Actions or Suits: Provided always, that every such Commissioner or Clerk 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 Expenses as he or they shall sustain, be put unto, or become chargeable with, by reason of his being so made Plaintiff or Plaintiffs, Defendant or Defendants therein; and such Commissioner or Clerk 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 own Neglect or Default, and unless it should have been brought, commenced, or defended without the Order or Direction of Five or more of the said Commissioners, assembled at a Meeting under this Act.

in the Name
of any One
of the Com-
missioners,
or their
Clerk.

XVI. And be it further enacted, That the said Commissioners shall and they are hereby required, from Time to Time and at all Times, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being; in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of this Act, and of the several Articles, Matters, and Things for which any Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners, or any Creditor or Creditors on the Rates or Assessments granted by this Act, without Fee or Reward; and the said Commissioners and Creditors shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any Thing for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Commissioners, or such Creditors, or any of them, to inspect the same, or take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum not exceeding Five Pounds, to be levied and recovered in Manner hereinafter directed.

Accounts to
be kept of
Receipts and
Disburse-
ments.

XVII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorised and empowered, from Time to Time and at any Time or Times hereafter, to purchase and provide such and so many Glass Lamps of such Sorts and Sizes, and also

Provision for
lighting the
Streets, &c.

[Local.]

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such

Power to
contract for
lighting.

such and so many Lamp Irons and Lamp Posts as they shall judge necessary, and to direct the same to be affixed or set up upon or against the Walls, Posts, or Palisadoes of all or any of the several Houses or Buildings, or upon or against any other Walls, or in or upon such other Places within the said Township, and to be altered, taken down, or renewed in such Manner as they shall think fit; and to cause such Lamps or any of them to be lighted either with Gas, Oil, or otherwise, at such Times and Seasons of the Year, and on such Evenings, and on such Hours of the Evening, and to be kept burning for so many Hours as to them shall seem necessary or proper, for the well and sufficiently lighting of all or any of the said Streets, Lanes, Highways, Passages, and other public Places within the said Township; and that it shall be lawful for the said Commissioners, from Time to Time, to contract with any Gas Light Company now or hereafter to be established within the said Township, or in the Neighbourhood thereof, or with any other Person or Persons, Body or Bodies Politic or Corporate, for lighting the said Township with Gas, Oil, or otherwise, for any Number of Years or other Time, and upon such Terms and Conditions in all Respects as the said Commissioners shall from Time to Time think proper, or otherwise of their own proper Authority to light the said Township with Gas, and to purchase Ground and erect the necessary Buildings, Apparatus, and Machinery, and in the said Streets, Lanes, Highways, Passages, and public Places, as well as elsewhere within the said Township, to lay Mains and other Pipes for that Purpose, and to effect all other Matters or Things necessary thereto, or for the Purposes thereof: Provided nevertheless, that nothing herein contained shall authorise or empower the said Commissioners to carry, lay, or affix any Pipe or Pipes through or against any Dwelling House or Houses, Manufactories, public or private Buildings, Yards, or Grounds, for the Purpose of lighting the said Streets, Lanes, Highways, Passages, or other Place or Places with Gas, or to continue the same without the Consent of the Occupier of every such Dwelling House or Houses, Manufactory, public or private Building, Yards, or Grounds, through or against which any such Pipe or Pipes may be carried or laid for the Purposes aforesaid.

Commissioners may contract with private Persons for Gas Lights.

XVIII. And be it further enacted, That in case the said Commissioners shall at any Time or Times after the passing of this Act light the said Streets and other public Places, or any of them, within the said Township, with Gas, it shall and may be lawful for the said Commissioners, and they are hereby authorised and empowered to contract with any Inhabitant or Inhabitants of the said Township, or the Occupier or Occupiers of any Building or Tenement, Buildings or Tenements therein, for supplying him, her, or them with Light for private Purposes by Means of Gas from any Establishment of the said Commissioners, the Rates or Compensation Monies for such private Supply being from Time to Time fixed or altered and regulated by them the said Commissioners at some General Meeting, and such Rates or Compensation Monies shall be applied for the Purposes of this Act, and when in Arrear shall and may be recovered by the same Means as the Rates herein-after directed to be made for the Purposes of this Act are authorised to be recovered.

Provision for protecting

XIX. Provided nevertheless, That it shall not be lawful for the said Commissioners, or those contracting with them, to lay any Pipe or Pipes or other

other Apparatus for conveying Gas over, across, or upon any public Bridge or Bridges within the said Township, or within or under any Part of the Roads belonging thereto, unless such Pipe or Pipes or other Apparatus shall be conveyed under the Footpaths over such Bridge or Bridges and within Brick or Stone Soughs, and such Soughs to be set in Lime Mortar, and covered with good and sufficient Flags to form Part of such Footpaths. public
Bridges.

XX. And be it further enacted, That the Right and Property of, in, and to all Ground, Buildings, Apparatus, Machinery, Mains, and Pipes, Lamps, Lamp Irons, Watch Boxes, Posts, and other Things thereto belonging, which shall be purchased and provided under the Authority of this Act, for the Purpose of lighting and watching the said Township, and of, in, and to all the Posts, Pillars, Pilasters, Lamp Irons, and Lamps, which have been already put up or that from Time to Time shall be erected, set up, or furnished for the public lighting of the said Township, or any Part thereof, either by or by the Order of the said Commissioners, or by any such Gas Light Company, or other Person or Persons as aforesaid, in pursuance of any Contract or Contracts between the said Commissioners and such Gas Light Company or other Person or Persons, and in all Fire Engines and Buckets, Materials, Implements, and other Things belonging to the Use or Practice thereof, and in all the Horses, Carts, Tools, Arms, and Implements to be purchased, provided, or gotten for the Watchmen, Scavengers, Firemen, or other Persons employed under the Authority of this Act, and in all the Dirt, Dust, Dung, Ashes, and other Filth to be swept, gathered, and collected under the Authority of this Act, shall be held and deemed to belong to and be the Property of and the same are hereby vested in the said Commissioners for the Time being; and the said Commissioners shall and may cause any Action or Actions to be brought, or direct any Bill or Bills of Indictment to be preferred, as the Case may require, against any Person or Persons who shall steal, take, or carry away, detain, deface, damage, injure, or destroy any of the said several Articles and Things so hereby vested in the said Commissioners as aforesaid, or any of them, or any Part or Parts thereof; and in all such Actions and Bills of Indictment respectively it shall be sufficient to state generally, that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or such Bill or Bills of Indictment shall be preferred, is or are the Property of "The Commissioners for lighting, cleansing, watching, and improving the Township of *Hulme*," without stating or specifying the 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 said 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. Lamps, &c.
vested in
Commission-
ers.

XXI. Provided always, and be it further enacted, That if the said Commissioners, or any Body Politic or Corporate, or any Contractor or Contractors, or any other Person or Persons whomsoever, shall at any Time drain or convey, or cause or suffer to be drained or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of the said Penalty on
Commis-
sioners for
conveying
Washing
into any
River,
Stream, &c.
Gas

Gas Works, or in the Manufacture or Process of making or procuring such Gas, into any River, Brook, or running Stream, Canal, Reservoir, Aqueduct, Feeder, Pond, Spring Head, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Canal, Reservoir, Aqueduct, Feeder, Pond, or Spring Head, Well, Drain, Sewer, or Ditch, whereby the said Water, or any Part thereof, shall or may be spoiled, fouled, or corrupted, then and in each and every such Case the said Commissioners, or any Body Politic or Corporate, or such Contractor or Contractors, or other Person or Persons, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance, shall be allowed; and the Whole thereof shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Twelve Calendar Months from the Time that such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall have been sued for or recovered, or not, in case any of the said Washings or other Waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow in Manner aforesaid, into any River, Brook, or running Stream, Canal, or any Reservoir, Aqueduct, Feeder, Pond, Spring Head, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons to whom the same shall belong, or by any other Person or Persons whomsoever, to the said Commissioners, or Body Politic or Corporate, or Contractor or Contractors, or Person or Persons; and the said Commissioners, or Body Politic or Corporate, or Contractor or Contractors, or Person or Persons, shall not, within Twenty-four Hours after such Notice shall have been given to them or him as aforesaid; stop, hinder, or prevent all and every such Washings, Waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being drained, conducted, or conveyed, or from running or flowing in Manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Commissioners, or Body Politic or Corporate, Contractor or Contractors, or Person or Persons, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, Waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so drained, conducted, or conveyed, or caused or suffered to run or flow in Manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer or to the Person or Persons who, in the Judgment of the Justice or Justices before whom
the

the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage, by any such Act so done or committed.

XXII. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Commissioners, or Body Politic or Corporate, or Contractor or Contractors, or other Person or Persons as aforesaid, the said Commissioners, or Body Politic or Corporate, or Contractor or Contractors, or Person or Persons, shall at their own Expence, immediately after receiving Notice by Parol or in Writing of any such Escape of Gas from any Inhabitant of the said Township, or any other Person, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Commissioners, or Body Politic or Corporate, Contractor or Contractors, or Person or Persons, shall not, within Twenty-four Hours after such Notice by Parol or in Writing being given of any such Escape of Gas, effectually stop and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Commissioners, or Body Politic or Corporate, or Contractor or Contractors, or Person or Persons, shall for every such Offence forfeit and pay the Sum of Five Pounds for each and every Day, after the Expiration of Twenty-four Hours from the Time of giving any such Notice, during which the Gas shall be suffered to escape as aforesaid; which Penalty shall be from Time to Time recoverable in a summary Way, on the Oath or Affirmation of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace for the said County of *Lancaster*, or other Justice or Justices having Jurisdiction, as the Case may require, and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Commissioners, Contractors, or Person or Persons, by the Warrant of any such Justice or Justices of the Peace as aforesaid, to be granted in like Manner and subject to the like Provisions as are herein directed touching other Penalties to be recovered.

Stopping the
Escape of
Gas.

XXIII. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Street, Square, Market Place, Lane, Passage, or other Place in the said Township, shall be so laid at the greatest practicable Distance; and whenever the Width of the Carriage Way in such Street or Place will allow thereof, at the Distance of Four Feet at least, as well from the nearest Part of any Water Pipe already laid down or hereafter to be laid down, for the Conveyance of Water in, under, through, along, across, or round any of the said Streets, Squares, Market Places, Lanes, Passages, or other Places in the Township of *Hulme* aforesaid (unless in Cases where it shall be unavoidably necessary to lay the Pipes for the Conveyance of Gas across any Water Pipes, in which Cases the said Pipes for the Conveyance of Gas shall be laid over and above such Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a right Angle); and that in such Cases the said Pipes for the Conveyance of Gas, crossing the said Water Pipes, shall be at least Nine Feet in length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Four Feet at least; and that in laying down the said Gas Pipes, the Person or Persons to whom the same shall belong

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

[*Local.*]

25 A

shall

shall in no Case join Two or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials; and shall also make and keep all and every such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively, air-tight, and in all and every Respect prevent the said Gas from escaping therefrom and from any Part thereof, upon pain of forfeiting for every such Offence the Sum of Five Pounds, which shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage, by any such Act so done or committed.

Commissioners to prevent Escape of Gas and Contamination of Water, &c.

XXIV. And be it further enacted, That whenever the Water of any Company of Proprietors of Water Works shall be contaminated or affected by the Gas of the said Commissioners, the said Commissioners shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and shall be applied to and for the Use and Benefit of the Company of Proprietors affected thereby; and in case any such Water shall be contaminated or affected by Gas in any Way whatsoever, that then and in every such Case and Cases the said Commissioners shall, within Twenty-four Hours next after Notice thereof in Writing, signed by the Manager or Chief Clerk for the Time being of and for such Company, to be left at the usual Office or Place of transacting Business of the said Commissioners, cause the most proper and effectual Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting such Water; and in case the said Commissioners shall not within Twenty-four Hours next after each and every such Notice so left as aforesaid effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination, whereof Notice shall be given as aforesaid, that then and in every such Case the said Commissioners shall on each and every Complaint, whereof Notice shall be given as aforesaid, forfeit and pay to the Treasurer for the Time being of the Company of Proprietors affected, for the Use and Benefit of the same Proprietors, over and above the before-mentioned Penalty of Twenty Pounds, to be recovered as aforesaid, the Sum of Ten Pounds for each and every Day during which the Water of the said Company shall be and remain contaminated, tainted, or affected by the Gas of the said Commissioners; and in Default of Payment thereof as aforesaid, such Penalty or Penalties shall and may be recovered by Information to be exhibited on the Oath of One credible Witness, by and in the Name of the Treasurer of the same Company, before any Justice of the Peace for the said County of *Lancaster*, with Costs to be assessed by such Justice, and to be levied and recovered as any other Penalty is by this Act directed to be levied and recovered; and such Penalty or Penalties and Costs, when so levied, shall be paid to the Treasurer for the Time being of such Company of Proprietors.

XXV. And

XXV. And whereas it may be or become a Question upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the said Gas, be it therefore enacted, That in every such Case it shall and may be lawful to, and for any Company of Proprietors of Waterworks to dig to and about, and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Commissioners, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Commissioners; and if it shall appear that the said Water has been contaminated by any Escape of Gas of the said Commissioners, the Costs and Expences of the said Digging, Search, and Examination, and Repair of the Pavement of the Street or Streets which shall be taken up or disturbed, shall be borne and paid by the said Commissioners; which Costs and Expences shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if, upon such Examination, it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said Commissioners, then and in such Case the said Water Company shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the said Commissioners any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Commissioners in and by such Search and Examination, and also to the Pavement of the said Streets so broken or disturbed in such Search or Examination, the Amount of such Injury, Loss, or Damage, to be ascertained and determined, if necessary, by such Justice or Justices of the Peace as aforesaid.

For ascertaining if the Water is contaminated.

XXVI. And be it further enacted, That if any Person or Persons whomsoever shall wilfully or maliciously take away, break, throw down, or otherwise deface or damage any Lamp or Lamps already set up or that shall be set up by virtue of this Act, by Order of the said Commissioners, or in pursuance of any Contract made by the said Commissioners, or by any Person or Persons at his, her, or their own Expence, for the Purpose of lighting any Part of the said Township, or any Pipe, Post, Pillar, Pilaster, Lamp Iron, Cover, or other Furniture thereof, or shall wilfully extinguish the Light or Lights of any such Lamp or Lamps, it shall be lawful for any Justice or Justices of the Peace for the said County of *Lancaster*, and he and they is and are hereby required, upon Oath made (or upon Affirmation, if made by a Quaker) of the Commission of such Offence, to issue a Warrant for apprehending the Party or Parties accused; or it shall be lawful for any Person or Persons who shall see any such Offence committed to apprehend, and for any other Person or Persons to assist in apprehending, the Offender or Offenders, and by the Authority of this Act, and 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 some Justice or Justices of the Peace for the said County; and upon the Party or Parties accused being brought before such Justice or Justices, such Justice or Justices shall proceed to examine upon Oath (or, being a Quaker, upon Affirmation) any Witness or Witnesses who shall appear to give Evidence touching such Offence or Offences; and if the Party or Parties so accused shall be convicted of

Penalty for breaking of Lamps, &c.

of such Offence or Offences, either upon Confession or upon such Evidence as aforesaid, then and in every such Case every Person so offending shall for every such Offence forfeit and pay the Sum of Five Pounds, together with the Costs of Conviction; and the Offender or Offenders shall also make full Satisfaction to the said Commissioners for the Damages so done; and in case such Offender shall not, upon such Conviction, pay such Forfeiture or Forfeitures by him or her incurred as aforesaid, and make such Satisfaction as aforesaid, the Justice or Justices, before whom such Offender shall be convicted, is and are hereby empowered to commit him or her to the Common Gaol or House of Correction for the Hundred of *Salford*, there to be kept to hard Labour for any Space of Time not exceeding Three Calendar Months.

Damages to be paid for Lamps broken accidentally.

XXVII. And be it further enacted, That if any Person or Persons shall carelessly or accidentally break, throw down, or damage any of the said Lamps already hung or set up, or to be hereafter hung or set up as aforesaid, or the Irons or other Furniture thereof, and shall not, immediately upon Demand, make Satisfaction for the Damage done thereto, then and in every such Case it shall be lawful for any One or more of the Justices of the Peace for the said County of *Lancaster*, upon Complaint thereof to him or them made by One or more credible Person or Persons, to summon before such Justice or Justices the Party or Parties who shall be complained of for doing such Damage as aforesaid; and upon hearing the Allegations and Proofs on both Sides, or Non-appearance of the Party or Parties so complained of, to award such Sum or Sums of Money as the Damage to be proved shall amount unto, together with the Costs of such Summons and the Conviction thereon; and in case of Refusal or Neglect to pay any of the Sums of Money so awarded, and the said Costs, within Five Days after Demand, to cause the same to be recovered in such Manner as Fines, Penalties, and Forfeitures are by this Act directed to be recovered.

Power to Commissioners to employ Watchmen.

XXVIII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered and required, from Time to Time when and as often as they shall think it expedient, to provide and set up Watch Houses and Watch Boxes in such Situations as they shall judge proper and expedient, in any of the Streets, Lanes, Highways, Passages, or other public Places of the said Township; and to appoint and employ such and so many Watchmen and Night Patroles, and such and so many Beadles, as well for the Day as Night, and One or more Person or Persons to act as Constable or Constables of the said Township under the said Commissioners, as they shall judge expedient and necessary to be employed for the Security and good Order of the said Township; and such Watchmen, Night Patroles, and Beadles from Time to Time to remove and displace, and to appoint others in their Stead; and also to order and direct how many of the said Watchmen, Night Patroles, and Beadles shall attend nightly within the said Township, and how such Watchmen, Night Patroles, and Beadles shall be armed, and at what Stations they shall be placed, for what Number of Hours they shall watch, and how often they shall go their Rounds, and also to fix and determine what Wages or other Allowances shall be paid or given to them for their Services; and the said Commissioners

missioners are hereby empowered to make such further Orders and Regulations from Time to Time, for the better Government and Direction of the said Watchmen, Night Patroles, and Beadles and Constables, as the Nature of their Services shall appear to them to require.

XXIX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to appoint a Committee or Committees, of such and so many of the said Commissioners, for the Purpose of managing, regulating, suspending, and appointing Watchmen and Night Patroles, as Occasion may from Time to Time require, between the Times of holding the Meetings of the said Commissioners.

Power to appoint Committees for regulating Watchmen and Night Patroles.

XXX. And be it further enacted, That the said Watchmen, Night Patroles, and Beadles shall, in their several Courses of Service, use their utmost Endeavours not only to prevent Fires, but also to keep Watch and Ward within the said Township, and to prevent Murders, Burglaries, Felonies, and other Outrages, Disorders, and Breaches of the Peace; and to that End the said Watchmen, Night Patroles, and Beadles respectively shall and may and they are hereby empowered and required to arrest and apprehend all Night Walkers, Felons, Malefactors, Vagrants, Beggars, Disturbers of the Peace, and all disorderly and suspected Persons, who shall be found misbehaving or wandering within the said Township, and to lodge them in the Common Gaol or House of Correction for the Hundred of *Salford*, or in any Watch House or other Place of Security within the said Township, which shall be provided or appointed for that Purpose by the said Commissioners, to be there safely kept and detained until they can conveniently be carried before some Justice of the Peace, to be examined and dealt with according to Law; and 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 and Night Patroles 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 Watchman or Night Patrole shall misbehave himself, or neglect his Duty, the said Beadles shall, as soon as conveniently may be, give Notice thereof to the Committee for the Time being appointed by the said Commissioners for managing and regulating Watchmen and Night Patroles; and such Committee is and are hereby authorised to suspend such Watchman or Night Patrole from the Execution of his Office, and appoint another Person to officiate therein until the next Meeting of the Commissioners, when the said Committee shall acquaint the Commissioners assembled at such Meeting with the Complaint against such Watchman or Night Patrole, in order that the said Commissioners may proceed to the Examination of the Offence or Charge; and all such Watchmen, Night Patroles, and Beadles, are hereby respectively constituted Constables of the said Township, from the Times of their respective Appointments during the respective Periods of their continuing in such Employment, and they shall have and are hereby respectively invested with such and the same Powers, Authorities, Privileges, and Protections, as Constables are invested with and entitled to by Law.

Duties of Watchmen, &c.

XXXI. And be it further enacted, That all Watchmen shall be sworn in as Constables before any Justice of the Peace of the said County of *Lancaster*,
 [Local.] 25 B Watchmen to be sworn

in as Con-
stables.

caster, and act as such while in the Execution of the Powers and Authorities of this Act, and they are hereby invested with and shall have and enjoy the like Powers and Authorities, Privileges and Immunities, as any Constable is invested with, or have or enjoy by Law.

Duty of
Beadles.

XXXII. And be it further enacted, That it shall and may be lawful for such Beadles and Constables, and they are hereby required, to patrol the Streets within the said Township in the Day-time, during such Hours as the said Commissioners shall appoint; and to apprehend and secure all drunken or disorderly Persons, Persons wilfully obstructing or hindering the free Passage of any of the said Streets or Highways, and to conduct all such Persons before some Justice of the Peace for the said County of *Lancaster*; and it shall and may be lawful for such Justice to order any Person so brought before him to pay any Penalty, not exceeding the Sum of Ten Shillings, as such Justice in his Discretion shall think fit; and upon Non-payment thereof to commit such Person to the House of Correction for the Hundred of *Salford* aforesaid, for any Time not exceeding Six Days, from whence such Person shall not be sooner liberated, except upon Payment of the Penalty so ordered by such Justice to be paid.

Penalty on
Watchmen,
&c. for Ne-
glect of
Duty.

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

Punishing
Publicans
harbouring
them during
the Time
they should
be on Duty.

XXXIV. And be it further enacted, That if any Victualler or Keeper of any Public House shall knowingly harbour or entertain, or suffer to remain in his or her Public House, any such Watchman or Night Patrole as aforesaid, during any Part of the Time appointed for his being on Duty, every such Victualler or Keeper shall on Conviction forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Power to re-
ward dis-
abled Watch-
men, &c.

XXXV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to give such Rewards in Money to the Watchmen, Night Patrols, and Beadles respectively to be appointed as aforesaid, who may be disabled or wounded in the Execution of their Office, as they the said Commissioners shall think reasonable; such Money to be paid out of the Monies to be raised by virtue of this Act.

XXXVI. And

XXXVI. And be it further enacted, That if any Person shall obstruct or assault any Watchman, or Night Patrole, or Beadle, to be employed or appointed by virtue hereof, in the Execution of his Duty, every Person so offending, upon being thereof convicted before One or more Justice or Justices of the Peace of the said County, shall be liable to a Penalty at the Discretion of the said Justice or Justices not exceeding Ten Pounds; or such Justice or Justices may commit any such Persons to the House of Correction for the Hundred of *Salford*, for any Time not exceeding Three Calendar Months.

Penalty on Person assaulting Watchmen, &c.

XXXVII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby required from Time to Time to appoint and employ any proper Person or Persons to be and act as a Scavenger or Scavengers, and to purchase or hire any Cart or Carts, or other Carriage or Carriages, and also any Horse or Horses, for cleansing the Streets, Lanes, Highways, Passages, and other public Places within the said Township, and for carrying all Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil away from the same; and from Time to Time to order and direct on what Days and at what Times in every Week the particular Streets, Lanes, Highways, Passages, and other public Places within the said Township shall be cleansed, and the Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil carried away therefrom; and how and in what Manner the same shall be carried away, and where the same shall be deposited; and to give such Orders and Directions to any Scavenger or Scavengers as shall appear necessary to such Commissioners; or otherwise it shall be lawful for the said Commissioners from Time to Time to contract with any Person or Persons willing to act as such Scavenger or Scavengers, for the cleansing of the said Streets, Lanes, Highways, Passages, and other public Places within the said Township, and for carrying all Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil away from the same, at such Times and in such Manner as shall appear expedient to the said Commissioners.

Commissioners to appoint or contract with Scavengers.

XXXVIII. And be it further enacted, That the Person or Persons employed by or contracting with the said Commissioners for cleansing the several Streets, Lanes, Highways, Passages, and other public Places within the said Township, or the Person or Persons employed by or acting under the Directions of such Person or Persons so contracting with the said Commissioners, shall, on such Days and at such Times as the said Commissioners shall from Time to Time appoint, sweep and collect together all Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil in such Streets, Lanes, Highways, Passages, and other public Places within the said Township, and shall also bring or cause to be brought a Cart or other proper Carriage into such Streets, Lanes, Highways, Passages, and other public Places within the said Township, where such Cart or other Carriage can pass; and shall at his or their Approach with such Cart or other Carriage, and not before, by sound of Bell, Voice, or otherwise, give Notice to the Inhabitants of his or their coming, and give the like Notice in every Court, Passage, or Place into which such Cart or Carriage cannot pass; and such Person or Persons so employed by or contracting with the said Commissioners shall immediately take the Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil, (except Filth from any
Privy

Scavengers Duty.

Privy or Necessary House,) from the respective Premises in such several Streets, Lanes, Highways, Passages, and other public Places within the said Township, and put the same into such Cart or Carriage; all which Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil, (except as aforesaid,) as well as all such Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil as shall be swept up and collected together as aforesaid, such Person or Persons shall then immediately, or as soon as may be, carry away or cause to be carried away to the Place or Places appointed by the Commissioners for the depositing the same, upon pain of forfeiting and paying any Sum not exceeding Five Pounds for every Offence or Neglect therein; and the Person or Persons so employed or contracting as aforesaid shall cause the Words "Scavenger's Cart" to be painted in large Roman Letters on the Front or on some conspicuous Part of every Cart or Carriage used for the Purpose aforesaid, on pain of forfeiting and paying any Sum not exceeding Twenty Shillings for every Neglect therein.

Penalty on casting Rubbish in the Streets.

XXXIX. And be it further enacted, That if any Person or Persons whomsoever shall throw, cast, or lay, or cause or permit to be thrown, cast, or laid, any Dust, Dirt, Dung, Offal, Rubbish, Ashes, or other Filth whatsoever, into or in any Street, Lane, Highway, Passage, or other public Place within the said Township, (with the Exception of such Ashes as may be laid down upon any Foot Pavement in Time of Frost for the Prevention of Accidents, and with such further Exceptions as are herein-after specified,) and every such Person so offending shall, for every such Offence, forfeit and pay the Sum of Twenty Shillings; or if any Person or Persons whomsoever shall throw or cast, or cause to be thrown or cast, any such Dust, Dirt, Dung, Offal, Rubbish, Ashes, or other Filth, or any other Substance whatsoever, into any Common Sewer, Drain, Sink, or Watercourse within the said Township, every such Person shall, for every such Offence, forfeit and pay the Sum of Forty Shillings.

Penalty not to extend to Rubbish occasioned by building.

XL. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to subject any Person whomsoever to any Penalty by this Act inflicted for or on account of any Dirt or Rubbish being laid or placed in any such Street, Lane, Highway, Passage, or public Place as aforesaid, in the Course of erecting, pulling down, altering, or repairing any Building or Buildings, so as there be full and sufficient Space, in the Opinion of the said Commissioners or of their Surveyor or Surveyors for the Time being, left in or at the Side of the Street, Lane, Highway, Passage, or public Place where such Dirt or Rubbish shall lie or be placed, for Carriages to pass and repass, and a sufficient Way be kept clean for Foot Passengers, by the Person or Persons laying or causing such Dirt or Rubbish to be laid or placed as aforesaid; and so as a sufficient Light be, at his, her, or their own Expence, set and maintained at the Place where such Dirt or Rubbish shall be so laid or placed, from Sunset to Sunrise, to prevent any Accident to Passengers or Cattle; and so as such Dirt or Rubbish be inclosed and fenced about in such Manner and within such Time as the Surveyor or Surveyors of the said Commissioners shall, by any Notice to be given by him or them to such Person or Persons, direct and appoint; and so as such Dirt

or

or Rubbish be removed at the Expence of the Person or Persons so laying or causing the same to be laid, within such Time as shall be expressed in any Notice to be in like Manner given by the Surveyor or Surveyors of the said Commissioners.

XLI. And be it further enacted, That no Person or Persons shall take or carry away, or cause to be taken or carried away, any Dust, Dirt, Dung, Offal, Rubbish, Ashes, or other Filth (other than such Rubbish or Dirt occasioned by Buildings as aforesaid), out of any of the said Streets, Lanes, Highways, Passages, or other public Places, except the Person or Persons so to be by the said Commissioners appointed or contracted with as Scavenger or Scavengers, for the Purpose of cleansing the same, upon pain of forfeiting and paying the Sum of Twenty Shillings for every such Offence.

No Ashes, &c. to be taken from the Streets, except by the Scavenger.

XLII. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to prevent any Person or Persons from keeping any Dust, Dirt, Dung, Offal, Rubbish, Ashes, or other Filth, which shall have arisen or been made within his, her, or their respective Houses, Buildings, Yards, or Premises, or from making use of the same for Manure or otherwise, so as the same be not suffered to remain there to become a Nuisance or Annoyance to any of the Inhabitants of the said Township, and so as the same be not laid down or placed in any Street, Lane, Highway, Passage, or other public Place within the said Township, for any longer Time than shall be necessary for loading and carrying away the same; but in case the Person or Persons so reserving such Dirt, Dust, Dung, Offal, Rubbish, Ashes, or other Filth, shall continue to keep the same for the Space of Twenty-four Hours after Complaint shall have been made and proved to the said Commissioners of the same being such Nuisance or Annoyance to any of the said Inhabitants, and after Notice in Writing given to him, her, or them by any Clerk or Surveyor of the said Commissioners to remove the same, or shall permit or suffer the same to remain in any such Street, Lane, Highway, Passage, or other public Place as aforesaid, for any longer Time than Twelve Hours before the same shall be removed and carried away, then and in either of the said Cases every Person so offending shall for every such Offence forfeit and pay the Sum of Twenty Shillings for every Day that such Annoyance shall be permitted to remain after the respective Times so limited as aforesaid.

Inhabitants may use their own Ashes, &c.

XLIII. And be it further enacted, That if any Person or Persons shall begin to empty any Privy, or take or carry away any Night Soil, or bring or place any Carts for removing the same from any House, Building, or Place within the said Township, before the Hour of Ten of the Clock in the Night, or shall continue to remove the same after the Hour of Eight of the Clock in the Morning, or shall at any Time negligently spill, or put or cast any Night Soil out of any Cart, Tub, or otherwise, in or over any of the said Streets, Ways, Lanes, public Passages, or Places, or in any respect improperly, carelessly, or negligently remove the same, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Regulations as to Night Soil.

[Local.]

25 C

XLIV. And

Occupiers of Houses to sweep Footways.

XLIV. And be it further enacted, That the several and respective Occupiers of Houses and Buildings in the several Streets, Lanes, Highways, Passages, and other public Places within the said Township shall and they are hereby required to cause the several Foot Pavements along the whole Length of the Front of their respective Houses, Buildings, and Premises, to be well and sufficiently swept and cleansed every Morning in the Year (except on *Sundays*) between the Hours of Six and Ten of the Clock; and in case of any Default in the Premises every such Occupier so making Default therein shall for every such Offence forfeit and pay the Sum of Five Shillings.

Commissioners may compound for the sweeping of the Footways.

XLV. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners, from Time to Time as they shall think proper, to compound by the Year or otherwise, at their Discretion, with all or any of the Occupiers of Houses or Buildings within the said Township, for relieving the Persons so compounding from the Burthen of sweeping or cleansing of any of the said Foot Pavements, to which the said Occupiers would have been liable under the Provisions of this Act, at or for such Sum or Sums of Money as the same Commissioners shall think reasonable in that Behalf, upon Condition nevertheless, that such Composition Monies shall always be paid in advance; and such Compositions when so made shall, during the Existence thereof, protect the Occupier so compounding from incurring any Penalties for neglecting to sweep or cleanse any of the said Foot Pavements.

Streets may be watered.

XLVI. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to cause all or any of the Streets, Lanes, Highways, Passages, and other public Places within the said Township to be watered, at such Seasons and Times as the said Commissioners shall direct.

Power to declare Streets public Highways when made, &c. on Application of Owners.

XLVII. And be it further enacted, That when any new Streets or public Ways or Passages already laid out or hereafter to be laid out within the said Township shall be well and sufficiently made, soughed, paved, and put in good Order to the Satisfaction of the said Commissioners, it shall be lawful to and for the said Commissioners, at any Meeting to be duly held by virtue hereof, upon the Application of the Owner or Owners of the Soil of such Streets, public Ways, or Passages, or of the greater Part in Value of such Owners, to declare such Streets, public Ways, or Passages to be Highways, and by Writing under their Hands, directed to the Surveyor or Surveyors of the Highways of the said Township of *Hulme*, to order such Surveyor or Surveyors to repair, and keep in good Condition, all such new Streets, public Ways, or Passages; and from and after such Declaration made, and Order to the Surveyor or Surveyors for the repairing and keeping in good Condition such new Streets, public Ways, or Passages as aforesaid, the same and every of them shall be deemed and taken to be public Highways, to all Intents and Purposes, and repaired and kept in Repair by the Inhabitants of the said Township.

Provided that front Streets be not less than Ten, and

XLVIII. Provided always, That the said Commissioners shall not be empowered to make such Declaration of or concerning any front Streets, public Ways, or Passages which shall be of less Width than Ten Yards in the narrowest Part thereof, or of and concerning any back Streets, which shall

shall be of less Width than Six Yards in the narrowest Part thereof; except such Streets as were actually laid out and begun to be built upon previous to the passing of this Act.

back Streets not less than Six, Yards wide.
Exception.

XLIX. And be it further enacted; That it shall and may be lawful to and for the said Commissioners, and they are hereby required at any Meeting to be by them held under this Act, to cause all such Parts of the public Streets, Ways, and Passages, within the said Township, which are now built, but not paved and cleansed, and all such other public Streets, Ways, and Passages, within the said Township, which are now making or building, or may hereafter be made or built upon, to be paved and cleansed in such Manner, and with such Gutters, Sinks, Drains, or Watercourses, as to them the said Commissioners shall seem meet and necessary; and the Charges or Expences attending or in any Manner relating to such new Pavements and cleansing shall be paid and reimbursed to the said Commissioners by the Owners or Occupiers of the Houses, Buildings, Ground, or Land within the said Streets, Ways, and Passages, so to be new paved and cleansed as aforesaid, each such Owner or Occupier paying an equal Share or Proportion thereof, according as such new Pavement and cleansing is or shall be either before, behind, or at the Side of his, her, or their House or Houses, Buildings, Ground, or Land as aforesaid; and such Share to be ascertained by the Surveyor or Surveyors of the said Commissioners to be appointed under and by virtue and in pursuance of this Act; and if any such Owner or Occupier shall at any Time neglect or refuse to pay such Charges and Expences, the same shall and may be levied by Distress and Sale of the Goods and Chattels of such Owner or Occupier, in like Manner as the Rates herein-after directed and required to be raised and levied are directed to be recovered; the Overplus (if any) of the Monies to arise thereby, after deducting such Charges and Expences as aforesaid, and the Costs and Expences attending such Distress and Sale, being returned to such Owner or Occupier.

New Pavements to be made at the Charges of Owners or Occupiers of Houses.

L. Provided always, and be it further enacted, That before the said Commissioners shall cause such Parts of the said public Streets, Ways, and Passages, within the said Township, which are now built but not paved, and all such other public Streets, Ways, and Passages, within the said Township, which are now making or building, or may hereafter be made or built upon, to be paved and cleansed in such Manner, and with such Gutters, Sinks, Drains, or Watercourses, as to them the said Commissioners shall seem meet and necessary as aforesaid, they shall, in the first Place, cause their Surveyor or Surveyors to give or leave a Notice, in Writing under his Hand, to the Owner or Occupier of each and every House, Building, Ground, Land, or Hereditaments within the said Streets, Ways, or Passages so to be paved and cleansed as aforesaid, requiring him, her, or them to pave and cleanse either before, behind, or at the Side of his, her, or their House, Building, Ground, Land, or Hereditaments (as the Case may be); and in case any such Owner or Occupier shall neglect or refuse, for the Space of Six Calendar Months next after the Receipt of such Notice, to pave and cleanse before, behind, or at the Side of his, her, or their House, Building, Ground, Land, or Hereditaments as aforesaid, that then and in such Case it shall and may be lawful to and for the said Commissioners, and they are hereby re-

Notice to be given before paving by Commissioners to Occupiers of Houses requiring them to pave.

quired

quired to cause the same to be done, and to recover the Costs, Charges, and Expences thereof from such Owner or Occupier in case of Refusal to pay the same, in such Manner as herein-before is mentioned.

Occupiers
may retain
Expences
from Rent.

LI. Provided always, and be it further enacted, That it shall and may be lawful to and for the Occupier or Occupiers to retain and deduct out of his, her, or their Rent or Rents, all his, her, or their Costs, Charges, and Expences, which he, she, or they shall bear, pay, or be put unto in respect of any such first or new Pavements and cleansing to be made and done as aforesaid; and in all Cases where Houses, Buildings, Lands, Grounds, or Hereditaments are held upon Leases for Lives, perpetually renewable, or for the Term of Ninety-nine Years, or any longer Term, such Retention and Deduction shall be made against the Party or Parties so holding, and not against those entitled to the reversionary Interest in the Houses, Buildings, Lands, Grounds, or Hereditaments.

Owners of
Land, or of
Chief Rents
issuing out
of Land ad-
joining to
Streets, &c.
not to vote
as Commis-
sioners re-
specting
such Streets.

LII. Provided always, and it is hereby further declared, That no Person being the Owner or Occupier of any Land or Buildings within or adjoining to any Street, Way, or Passage, proposed to be made a Highway as aforesaid, or within Fifty Yards of the same, or being entitled unto any Chief Rent or other Rent issuing out of any such Land or Building, shall be entitled to vote as a Commissioner touching the declaring of any such Street, Way, or Passage, or touching the paving, repairing, or soughing the same, or any Part thereof.

Power to de-
clare Streets
Highways,
after being
paved by
Commis-
sioners.

LIII. And be it further enacted, That when the said Commissioners shall have caused any of the public Streets, Ways, and Passages within the said Township, which are now built but not paved and cleansed, or any other public Streets, Ways, and Passages within the said Township now building or making, or hereafter to be built or made, to be paved and cleansed, and the Charges and Expences attending the same shall have been paid and satisfied by the Owners or Occupiers of the Houses, Buildings, Ground, or Land, within the said Streets, it shall and may be lawful for the said Commissioners, at any Meeting to be duly held by virtue of this Act, upon the Application of the Owner or Owners of the Soil of such Streets, Ways, and Passages, or the greater Part in Value of such Owners, to declare such Streets, Ways, or Passages to be Highways, and by Writing under their Hands, directed to the Surveyor or Surveyors of the said Township of *Hulme*, to order the Surveyor or Surveyors to repair and keep in good Condition all such Streets, Ways, or Passages as last aforesaid, and thenceforth the same and every of them shall be deemed and taken to be public Highways to all Intents and Purposes, and cleansed and kept in Repair by the Inhabitants of the said Township.

Width of
Footways in
Streets here-
after to be
laid out, re-
gulated ac-
cording to
the Width of
the Streets.

LIV. And be it further enacted, That in all Streets to be hereafter made and laid out within the said Township, which shall be of greater Width than Six Yards and shall not exceed the Width of Eight Yards, there shall be made and laid out, on each Side of such Streets, good and sufficient Footways of the Width of Three Feet at the least; and in all Streets to be hereafter made and laid out within the said Township, which shall exceed the Width of Eight Yards and shall not exceed the Width of Ten Yards, there shall be made and laid out, on each Side of such Streets, good and sufficient Footways of at least the
Width

Width of Five Feet; and in all such Streets, as shall exceed the Width of Ten Yards, and shall not exceed the Width of Twelve Yards, there shall be the like Footways, on each Side of the said Streets, of the Width of at least Six Feet; and in all such Streets, as shall be of greater Width than Twelve Yards there shall be the like Footways, on each Side of such Street, of the Width of Seven Feet.

LV. And be it further enacted, That the Width of the said several Streets shall, with respect to the making of any such Footway as aforesaid, be computed from Side to Side, and without and beyond the Limits of all Areas, or Cellar Holes, Steps, Windows, and other Projections.

Width of Streets how to be computed.

LVI. And be it further enacted, That this present Act, as to the laying out of all such new Streets as aforesaid, shall take effect from and after the passing of this Act.

Commencement of Act, as to laying out new Streets.

LVII. And be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, to make, and to flag and pave or flag or pave, and to repair such Foot-crossing or Foot-crossings as shall or may lead to or from the Entrance, Corner, or Termination of any Street, Square, Lane, Passage, or public Place, to any other Street, Square, Lane, Passage, or public Place, within the said Township, as the said Commissioners or any Five or more of them shall think proper, and to pay and defray the Costs and Charges attending such making, paving, and repairing, by and out of the Monies to be raised by virtue of the Rates and Assessments hereby directed to be made: Provided that nothing herein contained shall extend to authorise the Commissioners to pay and defray the Costs and Charges attending any Foot-crossing or Foot-crossings which shall or may be made to lead from one Side of a Street, Square, Lane, Passage, or public Place, to the other Side thereof, or otherwise howsoever (save only as aforesaid).

Foot-crossings to be repaired by the Commissioners, and paid for out of the Rates.

LVIII. And be it further enacted, That it shall be lawful for the said Commissioners or their Surveyor or Surveyors, during such Time as any of the Streets, Lanes, Highways, Passages, or other public Places within the said Township, shall be under Repair, or during the making or repairing of any Sewers or Drains therein, to cause such and so many Bars, Posts, Rails, and Chains, or other Obstruction or Obstructions, to be fixed, set up, and placed across or in any of the said Streets, Lanes, Highways, Passages, or other public Places, to prevent the passing of Carriages, Horses, and Cattle, whilst such Works and Repairs are in Progress, as to the said Commissioners shall seem proper; and if any Person or Persons shall throw down, break, remove, damage, or injure any of the said Bars, Posts, Rails, or Chains, or other Obstructions, without the Authority or Consent of the said Commissioners, every Person so offending shall for every such Offence forfeit and pay the Sum of Forty Shillings.

Power to place Bars across Streets under Repair.

LIX. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to erect and set up, in such Parts of the said Streets, Lanes, Highways, Passages, and other public Places as the said Commissioners may think necessary, any Posts, Pillars, Stones, Rails, Bars, Chains, or any other Fence, either permanent or temporary, for

Power to set up Posts for guarding Footways.

[Local.]

the Purpose of preserving any of the Footways within the said Township clear from Annoyance by Horses, Cows, Swine, or other Cattle, and for the Purpose of keeping off Carriages from any of the said Footways, and for the Prevention of Accidents.

Pavement not to be taken up without Consent of Commissioners.

LX. And be it further enacted, That from and after any newly laid out Street, Way, or Passage, shall have been declared by the said Commissioners to be a public Highway, pursuant to the Power and Authority given to them in that Behalf by this Act, no Person or Persons shall at any Time take up the Pavement, Flags, or other Materials of such Street, Way, or Passage, or any Part thereof, or make or cause to be made any Alteration in the Form of any such Street, Way, or Passage, or the Pavement, Flags, or other Materials thereof, within the said Township, without the Consent and Approbation of the said Commissioners assembled at some of their Meetings first had and obtained in Writing under their Hands, upon pain that every Person so taking up the said Pavements, Flags, or other Materials, or any Part thereof, or making such Alteration, without such Consent and Approbation, shall for every such Offence forfeit the Sum of Forty Shillings; and in case the Person or Persons so taking up any such Pavements, Flags, or other Materials, shall not, within Seven Days after Notice by the Surveyor or Clerk to the Commissioners given to or left in Writing at the last or usual Place of Abode of such Person or Persons, cause the same to be reinstated, it shall be lawful for the Surveyor to the said Commissioners to reinstate the same; and the Expence attending the doing whereof shall be borne and paid by the Person or Persons who shall have taken up such Pavement, Flags, or other Materials; the same to be recovered in the like Manner as the Rates or Assessments are by this Act directed to be recovered.

Act not to discharge Liability of the Parish of Manchester, or of the Township of Hulme, or of Trustees of Turnpike Roads, &c.

LXI. And whereas by an Act passed in the Fifty-ninth Year of His late Majesty King George the Third, intituled *An Act for providing that the several Highways within the Parish of Manchester in the County Palatine of Lancaster shall be repaired by the Inhabitants of the respective Townships within which the same are situate*, it was among other Things enacted, that the Inhabitants of the several Townships within the said Parish should be liable to repair and amend all Highways within such Townships respectively, as fully and completely as the Inhabitants of every Parish by the Laws of this Realm are liable to repair the several Highways within the same (except such Highways in respect whereof Verdicts had been given against the Inhabitants at large of the said Parish); and it was further enacted by the said recited Act, that it should be lawful for His Majesty's Justices of the Peace for the County of *Lancaster* to appoint Surveyors of the Highways within the said Parish which the Inhabitants of the said Parish were liable to repair as aforesaid; be it therefore enacted, That nothing herein contained shall extend or be deemed or construed to extend to exempt the Inhabitants of the Parish of *Manchester*, or of the said Township of *Hulme*, or the Trustees or Commissioners of any Turnpike Road or Roads within the said Township, or any other Person or Persons, Body Politic or Corporate, from the Repair of any Highways, to the Reparation of which such Inhabitants, Trustees, or Commissioners, Person or Persons, Body Politic or Corporate, were or was, could or might be liable, by any Act or Acts of Parliament, Verdict

dict or Verdicts, in any Court or Courts of Justice, Custom, or other good and lawful Cause of Obligation, but that all such Inhabitants, Trustees, or Commissioners, Person and Persons, and Body Politic and Corporate, shall, notwithstanding any Thing herein contained, be charged and chargeable with the Repairs and Maintenance of all such Highways as last aforesaid, in as full and ample a Manner as they could or might be respectively charged with and liable to the same, in case this Act had not been passed.

LXII. And be it further enacted, That it shall be lawful for the said Commissioners, from Time to Time and at all Times hereafter, to cause such and so many Common Sewers, Drains, Vaults, Culverts, and Watercourses, public Wells or Pumps, of such Materials, Dimensions, and Forms as they may think sufficient and necessary, to be constructed and made in, along, or across any of the Streets, Lanes, Highways, Passages, or other public Places within the said Township; and also to cause any of the Common Sewers, Drains, Vaults, Culverts, and Watercourses, Wells or Pumps, which now are or hereafter shall be within the said Township, to be altered, enlarged, repaired, cleansed, or completed, when and so often as the said Commissioners shall deem proper; and also for any of the said Purposes from Time to Time to cause to be dug, carted, and carried out of or brought into the said Streets, Lanes, Highways, Passages, or other public Places, or any of them, such Gravel, Stones, Bricks, and other Materials as they shall think necessary, and also to 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, Lanes, Highways, Passages, or other public Places, into the said Sewers, Drains, and Vaults, as the said Commissioners shall and may think necessary and expedient for that Purpose; and in case it shall be found necessary for completing any of the aforesaid Sewers, Drains, Vaults, Culverts, and Watercourses, Wells or Pumps, to carry and continue the same into and through any inclosed Lands or Grounds lying within the said Township, it shall be lawful for the said Commissioners to carry and continue the same into and through the said Lands or Grounds accordingly, such Lands or Grounds respectively not being occupied as Courts, Yards, Gardens, or Orchards, or as Avenues or Approaches to any Dwelling-house: Provided always, that if the Owner or Owners of any such Lands or Grounds into or through which any such Sewer, Drain, Vault, Culvert, or Watercourse, Wells or Pumps, shall be made, carried, or continued by the said Commissioners as aforesaid, shall be injured or damaged thereby, and such Owner or Owners shall refuse to treat, or cannot agree with the said Commissioners, as to the Recompence or Compensation to be paid for such Injury or Damage, then such Owner or Owners may apply to the next or Second General Quarter Sessions of the Peace to be holden for the said County of *Lancaster*, or an Adjournment thereof; and the Justices of the Peace at such Sessions shall have Power to direct the Jury, which shall attend at such Sessions for the Trial of Traverses, to enquire into and assess the Recompence Money which ought to be paid to such Owner or Owners for such Injury or Damage 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 Owner or Owners accordingly; and such Enquiry and

Power to
make Com-
mon Sewers.

If Owners of
Land are
dissatisfied,
they may ap-
ply to the
Quarter
Sessions.

Justices to
order such
Recompence
as shall be
Judg.

assessed by a Jury, with Power to award Costs to either Party.

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; and all Costs, Charges, and Expences, in or about the making, enlarging, widening, raising, altering, removing, repairing, cleansing, or scouring such Sewers, Drains, Vaults, Culverts, and Watercourses, Wells or Pumps, 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.

Consent to be had for turning Private Drains into Common Sewers.

LXIII. And be it further enacted, That it shall be lawful for the said Commissioners to authorise and empower any Person or Persons whomsoever at any Time or Times hereafter, at his or their own Expence, to turn or carry any new Private or Branch Drain into any Common Sewer, Drain, Vault, Culvert, or Watercourse already made or which shall be made by virtue of this Act; but if any Person or Persons shall at any Time hereafter turn or carry any such new Private or Branch Drain into any such Common Sewer, Drain, Vault, Culvert, or Watercourse, without the Licence and Consent of the said Commissioners first had and obtained, every Person so offending in the Premises shall, for every such Offence, forfeit and pay the Sum of Five Pounds.

Private Drains to be cleansed.

LXIV. And be it further enacted, That all Private Drains which now are or by Permission of the said Commissioners shall hereafter be made within any of the Streets, Lanes, Highways, Passages, and other public Places of the said Township, and which do or shall issue into any of the public Sewers, Drains, or Vaults, shall be repaired and cleansed, under the Inspection and Direction of the Surveyor or Surveyors or other proper Officer or Officers of the said Commissioners, at the Costs and Charges of the Owner or Owners, Occupier or Occupiers, of the Lands or Tenements to which the said Private Drains do or shall respectively belong.

Course of Gutters to be turned, if necessary.

LXV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to direct and cause the Course of any Gutter or Channel running in or through the said Streets, Lanes, Highways, Passages, or other public Places, or any of them, within the Limits of the said Township, to be turned or altered in such Manner as they shall think proper, and to direct the Grates already placed or hereafter to be placed over any Sewer, to be removed and replaced in such Manner, and at such Place and Places, as they shall think most proper; all which shall from Time to Time be done at the Expence of the said Commissioners, and paid for out of the Money arising by virtue of this Act; any Law, Usage, or Custom to the contrary notwithstanding.

Orders and Bye Laws generally, and for Hackney Coaches, &c.

LXVI. And be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, at any Meeting to be held in pursuance of this Act, to constitute, ordain, and provide from Time to Time such Bye Laws, Rules, and Orders as they or any Five or more of them shall think fit, for the good Government and Regulation of the Proceedings of the said Commissioners, for regulating all Officers, Workmen, and Servants to be employed by them under the Authority of this Act; and for licensing and authorising a sufficient Number of Hackney Coaches and Sedan Chairs, and Porters and Porters Carts,

to

to ply for Hire within the said Township, and for regulating and ordering such Hackney Coaches and Sedan Chairs, and also such Porters and Porters Carts, and in what Manner Owners, Drivers, and Carriers thereof respectively shall conduct and behave themselves; and also in what Manner such Hackney Coaches and Sedan Chairs shall be furnished and provided, and what Number of Persons may be carried and conveyed in each of such Coaches and Chairs; and for compelling such Owners, Drivers, Carriers, and Porters respectively to register the Names and Places of Abode of all Owners, Drivers, Carriers, and Porters, respectively, with the Surveyor to the said Commissioners; and touching and concerning the Messages, Goods, Parcels, and Things to be carried and conveyed by such Porters, or any of them; and for ascertaining and fixing, altering and removing, their Stands from Time to Time; and for ascertaining what Rates, Fares, and Prices, as well for Time as Distance, shall be allowed to be taken by such Hackney Coachmen, Chairmen, and Porters plying for Hire within the said Township; and to what Distances such Hackney Coachmen, Chairmen, and Porters shall be obliged to drive, go, and come, in, through, and round the said Township, not exceeding for such Coachman Four Miles, not exceeding for such Chairman Two Miles, and not exceeding for such Porter Three Miles, and their Rates and Fares to be taken for the same; and the said Commissioners, or any Five or more of them, at any Meeting to be held as aforesaid, may from Time to Time, as they shall think fit, repeal, alter, or amend such Bye Laws, Rules, and Orders, or any of them, and shall ascertain and set down what pecuniary Penalties or Forfeitures shall be incurred by Persons breaking the same, or any of them; provided that no such Penalty or Forfeiture shall exceed the Sum of Five Pounds for any Offence; provided also, that no such Bye Law, Rule, or Order shall be repugnant to the Laws of that Part of the United Kingdom called *England*, or to any Thing in this Act contained.

LXVII. And be it further enacted, That Copies of the said several Bye Laws, Rules, and Orders, and of every Repeal, Alteration, or Amendment thereof, signed by the Clerk to the said Commissioners, shall be painted on Boards, with White Letters on a Black Ground, and set up or fixed on some conspicuous Places in the said Township, and renewed from Time to Time as often as the same shall be defaced, obliterated, or destroyed, and inserted in Two at least of the *Manchester Weekly Newspapers*, as the said Commissioners or any Five or more of them at a Meeting to be held as aforesaid shall direct, Fourteen Days at least before any such Bye Law, Rule, or Order, Repeal, Alteration, or Amendment, shall be executed or take effect, and the same shall be subject to Appeal in Manner herein-after mentioned.

Bye Laws to be signed by Clerk to the Commissioners, fixed up and inserted in the Newspapers.

LXVIII. And be it further enacted, That if the Driver of any Coach, or the Carrier or Carriers of any Sedan Chair, or any Porter or Porters, shall be found standing or plying for Hire, or using such Coach or Sedan Chair, or Porters Cart, in the said Township, without such Licence as aforesaid, or having such Licence, shall be found plying or standing for Hire, contrary to the Rules, Orders, or Regulations which shall be made by the said Commissioners in this respect, the Owner or Owners, Driver or Drivers, or the Person or Persons driving or offering to drive such Coach, and the Owner or Owners, Carrier or Carriers of such Sedan

Persons plying without Licence, or in improper Places.

Chair, and such Porter or Porters, shall for every such Offence forfeit and pay the Sum of Forty Shillings.

Owners of Hackney Coaches, &c. to affix their Numbers, and leave Notice of their Places of Abode.

LXIX. And be it further enacted, That within Seven Days next after the Owner or Owners of any Hackney Coach or Sedan Chair, and also after any such Porter and Porters shall be licensed according to the Bye Laws, Rules, and Orders of the said Commissioners, or any Five or more of them, so to be made at any Meeting by virtue of this Act, every such Owner or Owners of such Hackney Coach, Sedan Chair, or Porters Cart, shall affix and keep such Figure or Number as shall be respectively appointed by the said Commissioners, or any Five or more of them, at any Meeting as aforesaid, on some conspicuous Part of such Coach, Sedan Chair, and Porters Cart respectively; and every such Porter shall affix the Number of his Licence on some conspicuous Part of his Person, and shall leave at the Office of the Clerk or Clerks to the said Commissioners for the Time being; with such Clerk or Clerks or with his or their principal Clerk or Assistant Clerk there, a true Account in Writing of his, her, or their Place or Places of Abode, with the Figure or Number of each Coach, Sedan Chair, or Porters Cart, and of his Person; and so from Time to Time every such licensed Owner or Owners of such Hackney Coach, Sedan Chair, or Porters Cart, or Porter, shall remove from his, her, or their Place of Residence; and every Person or Persons shall for every Refusal or Neglect so to do forfeit and pay the Sum of Twenty Shillings; and if any Person who shall have hired or employed any such Coach, Sedan Chair, Porters Cart, or Porter, shall refuse or neglect to pay any of the Rates, Fares, or Prices authorised by such Bye Laws, the same shall and may be levied and recovered in such and the like Manner as any Penalty or Forfeiture is hereby authorised to be levied and recovered.

Commissioners may erect Weighing Machines.

LXX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to provide, erect, and fix such and so many Machines for the Weighing of Carriages, in such convenient Place or Places within the said Township as they shall think fit; and also to provide or purchase a proper House or Houses for Machine Houses, and to appoint such Person or Persons for the Weighing of Carriages which shall be brought to any such Machine; and from Time to Time to remove such Persons as they shall think proper, and to appoint and regulate the Tolls and Fees to be paid upon the Weighing of all such Carriages, which Tolls and Fees shall be paid, either wholly or in part, to the Persons having the Charge of such Weighing Machines; or it shall be lawful to and for the said Commissioners to pay and allow any Salary to the Person or Persons having the Charge of any such Weighing Machine as they shall think proper.

Drivers of Carts, &c. to go to Weighing Machines at Request of Buyers.

LXXI. And be it further enacted, That the Driver of every Waggon, Cart, or other Carriage loaded with any Goods, shall at the Request of the Buyer or Seller of every such Goods, or the Person or Persons on whose Behalf the same shall be so consigned, or their respective Agents, take and carry such Carriage, with or without the Loading thereof, to be weighed at One of the Machines to be so erected and affixed as aforesaid, if any such there shall be, for which no additional Charge shall be made, unless such Waggon, Cart, or Carriage shall for the Purpose aforesaid be

be required to go a greater Distance from the regular Course of the said Road by which it would be otherwise necessary to pass, in the conveying of the Goods laden in such Waggon, Cart, or Carriage, than Half a Mile, including the going to and returning from any such Engine, in which Case the Owners of such Waggon, Carts, or Carriages shall be allowed to make an additional Charge of Two-pence for every Horse which shall be used in drawing the same, and a further Charge of the like Amount for every additional Half Mile that any such Waggon, Cart, or Carriage shall be taken out of the direct and regular Road for the Purpose aforesaid; and that all such additional Charge for Carriage, together with the Tolls or Fees to be paid for weighing any such Waggon, Cart, or Carriage, shall be paid and borne by the Person or Persons requiring the same to be weighed as aforesaid.

LXXII. And be it further enacted; That in case the Driver or other Person having the Charge of any such Waggon, Cart, or Carriage, shall not, upon being so requested as aforesaid, take the same to such public Weighing Machine as herein-before is directed, or shall refuse to assist in the Weighing of the same in such Manner as the Drivers of Carts and Waggon are used and accustomed to do, every Person so offending, and being thereof convicted before any One Justice of the Peace for the said County, shall forfeit and pay to the Person or Persons requiring such Waggon, Cart, or Carriage to be weighed as aforesaid, any Sum of Money which such Justice shall direct, not exceeding Forty Shillings or less than Twenty Shillings; and the Party aggrieved and entitled to such Penalty shall be deemed a competent Witness for the Proof of such Offence.

Penalty on Drivers refusing to go to Weighing Machines.

LXXIII. And be it further enacted, That if any Owner or Driver, Owners or Drivers, of any Cart or Carts, or other Carriage or Carriages conveying Coals, Hay, or other Goods, Wares, or Merchandize to the said Township of *Hulme*, at any Time after the Commencement of this Act, whose Cart or Carts or other Carriage or Carriages shall be weighed at any Weighing Machine or Engine to be erected or provided as aforesaid, or at any other Machine or Engine within the said Township, shall, at the Time of weighing the same, place or knowingly have any Article, Matter, or Thing in or about any such Cart or Carriage other than and besides the proper Loading thereof; or shall alter any Ticket denoting the Weight of any such Cart or Carriage or of the Loading of the same, which shall be delivered at any such Engine; or shall make or use, or be privy to the making or using any false or fraudulent Ticket respecting the Weight of any such Cart or Carriage, or the Loading thereof; or after the Weighing of any such Cart or Carriage, with the Loading of the same, shall dispose of or remove any Part of such Loading, and shall afterwards deliver or dispose of, or attempt to deliver or dispose of the Residue of such Loading, as being the full Loading denoted by such Ticket; or shall be guilty of any other fraudulent Contrivance touching the Weight of any such Cart or Carriage, or of the Loading thereof; or shall, after the same and the Loading thereof have been so weighed, change the Wheels thereof, and put or place on lighter Wheels, or make any Alteration or do any other Matter or Thing to the said Cart or Carts, Carriage or Carriages, before the same shall be brought back to the same Machine or Engine to be again weighed, with-

Penalty on Carters or Engine Keepers committing Frauds as to the weighing of Carts, &c.

out

out the Loading thereof; or if such Owner or Driver, Owners or Drivers, of any such Waggon or Waggons, Cart or Carts, Carriage or Carriages, which shall have been weighed with the Loading thereof, at any Machine or Engine as aforesaid, shall neglect or refuse to bring back the same without Alteration, to be again weighed at the same Machine or Engine, being paid such Allowance for the same as herein-before is mentioned, in case of it being necessary to deviate from the proper Road of such Cart or Carriage for the Weighing of the same; or if the Purchaser or Purchasers of any Coal, Hay, or other Goods, Wares, or Merchandize, conveyed in any Cart or Carts or other Carriage or Carriages to the said Township, and which shall have been weighed at any Machine or Engine within the said Township, shall, after the same Cart or Carts or other Carriage or Carriages with the Loading thereof have been so weighed as aforesaid, change the Wheels thereof, or cause the same to be changed, and put or place on, or cause to be put or placed on heavier Wheels, or make any Alteration or do any other Matter or Thing to the said Cart or Carts, Carriage or Carriages, before the same shall be brought back to the same Machine or Engine to be again weighed, without the Loading thereof; or if the Master or Keeper of any Weighing Machine or Engine in the said Township, whether erected or provided by virtue hereof or otherwise, shall weigh any Cart or Carts or other Carriage or Carriages, knowing that any Thing had been added to the proper Loading thereof, so as to increase the Weight of the same, or that the Wheels thereof have been changed or altered between the Time of the same and the Loading thereof being last weighed, and the Time of the same coming back to be again weighed, without giving immediate Notice thereof to the Person or Persons interested therein; or if the Master or Keeper of any such Machine or Engine shall wilfully neglect to weigh any Cart or Carts or other Carriage or Carriages that shall come to his or their Machine or Engine to be weighed according to the Turns in which Application shall be made for that Purpose, or shall not fairly and truly weigh the same with or without the Loading thereof, as the Case may be, and deliver to the Purchaser or Purchasers of such Coals, Hay, or other Goods, Wares, or Merchandize, or any other Person interested therein, or the Agents of any such Person, on Application for that Purpose, a Ticket or Account, containing the true Weight of the said Cart or other Carriage, and also the Weight of the Contents thereof; or shall give to the Driver of such Cart or other Carriage a false Ticket or Account of the said Cart or other Carriage; or shall knowingly assist in or connive at any Fraud to be committed or attempted in or concerning the Weighing of any such Cart or Carriage, or the Loading thereof, or any false Report or Representation of the Weight of the same; or if any other Person or Persons whosoever shall knowingly act or assist in the committing of any Fraud respecting the Weight of any such Cart or Carriage to be weighed, or stated and represented to be weighed, at any such Machine or Engine, or the Loading thereof, or in committing any of the Offences herein-before mentioned respecting any such Cart or Carriage which shall be weighed or brought to be weighed at any such Machine or Engine, or which shall be alleged to have been weighed at any such Machine or Engine; then and in every such Case or Cases the Person or Persons from Time to Time offending, and being convicted thereof, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

LXXIV. And

LXXIV. And be it further enacted, That the said Commissioners shall or may cause to be painted, engraved, or otherwise described, and placed on a conspicuous Part of any One or more House or Houses, Building or Buildings, at or near each End, Corner, or Entrance of every Street, Lane, Highway, Passage, and other public Place within the said Township, the Name by which such Street, Lane, Highway, Passage, or public Place now is or shall be called or known; and may also cause every House and Building in the said several Streets, Lanes, Highways, Passages, and public Places, to be marked and numbered with Figures, either on the Door thereof or otherwise, and in such Manner as they shall think most proper for distinguishing the same; and if any Person or Persons shall wilfully destroy, obliterate, deface, remove, or without the Consent of the said Commissioners for that Purpose first obtained, alter any such Name, Number, or Figures, or any Part thereof, or cause or procure the same to be so done, every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Names of
Streets, and
Number of
Houses.

LXXV. And be it further enacted, That when any such Number or Figures painted or placed on any House or other Building within the said Township, or on the Door thereof, shall by Accident, Decay, or otherwise, be defaced or rubbed out, the Occupier or Occupiers of such House or Building, shall, upon Notice in Writing being given in that Behalf, signed by the Clerk or Surveyor of the said Commissioners, cause the same Number, or Figures, to be painted or placed on such House or other Building, or on the Door thereof, within Ten Days after such Notice; and in case of Neglect or Refusal to comply with such Order, every such Occupier shall forfeit and pay for every such Offence any Sum not exceeding Twenty Shillings.

Numbers of
Houses to be
renewed.

LXXVI. And be it further enacted, That the several and respective Occupiers of the Houses and other Buildings situate in the several Streets, Lanes, Highways, Passages, and other public Places within the said Township, and every of them, are hereby authorised and required, at their own respective Costs and Charges, within Thirty Days next after their respectively receiving Notice in Writing from the said Commissioners in that Behalf, signed by any Five or more of the said Commissioners, to cause all Signs, Sign Irons, Sign Posts, Barbers Poles, Stalls, Blocks, Bulks, Show Boards, Butchers Hooks, Spouts, and Water Pipes, which now are or hereafter shall be in anywise affixed or set up against or in Front of their respective Houses or other Buildings, and which in the Judgment of the said Commissioners shall be considered public Annoyances or Nuisances, by reason of their projecting into or encroaching upon, or otherwise annoying or endangering the public Passage along any of the Streets, Lanes, Highways, or other public Places within the said Township, to be taken down, removed, and carried away, or otherwise altered or reformed, and to cause the Water from the Roofs, Cornices, and Penthouses of their respective Houses or other Buildings to be carried down by proper and sufficient Pipes, to be fixed to and down the Sides of the same Houses or Buildings, in such Manner as shall be directed by the said Commissioners; and in case the Occupier of any such House or other Building as aforesaid shall neglect or refuse to cause any such Sign, Sign Iron, Sign Post, Barbers Pole, Stall, Block, Bulk, Show Board, Butchers Hook, Spout, or Water Pipe, which shall

Directions
for the Re-
moval of
Annoyances
and En-
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&c.

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be so considered an Annoyance as aforesaid, to be taken down, removed, and carried away, or otherwise altered or reformed, or cause the Water to be carried down from the Roof, Cornice, or Penthouse of any such House or other Building as aforesaid, within such Time and in such Manner as in such Notice shall be directed, then and in every such Case it shall be lawful for the said Commissioners to cause the same to be forthwith done by their Surveyor, or any other Person or Persons acting under their Authority; and the Costs and Charges attending the same, having been ascertained by some Justice or Justices of the Peace of the County or Place, shall and may be recovered from the Occupier of such House or Building, in like Manner as any Penalties or Forfeitures are by this Act authorised to be recovered; and, when so recovered, the same shall be paid to the Treasurer of the said Commissioners to be applied to the general Purposes of this Act; and it shall be lawful for the Occupier of any such House or other Building, being a Tenant at Rack Rent, and having either paid such Costs and Charges in the first Instance, or having repaid the same to the said Commissioners, to deduct and retain the Amount thereof out of his or her Rent; and the Proprietor or Landlord of every such House or other Building so held at Rack Rent is hereby required to allow the same accordingly; except only in Cases where the Encroachment, Obstruction, or Annoyance so removed or altered shall have been originally occasioned by such Occupier, in which Case he or she shall bear the Expence of altering or removing the same.

For Removal of existing Projections.

LXXVII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to cause all and every or any of the Penthouses, Porches, Sheds, projecting Windows, Palisades, Rails, Posts, Steps, Area Cellar Holes, Cellar Windows, Cellar Doors, Hatchways, and other Obstructions and Projections whatsoever, not herein-before particularly specified, which at the Time of passing this Act are already erected, affixed, set up, or laid down against or in Front of any Houses or other Buildings whatsoever, in any of the Streets, Lanes, Highways, Passages, or other public Places within the said Township, and which in the Judgment of the said Commissioners shall be considered public Annoyances or Nuisances, by reason of their projecting into or encroaching upon, or otherwise annoying or endangering the public Passage along any of the aforesaid Streets, Lanes, Highways, Passages, or other public Places, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed by the Surveyor of the said Commissioners, or any other Person or Persons acting under their Authority, in such Manner as shall be thought most proper and expedient by the said Commissioners; they the said Commissioners, nevertheless, first causing Thirty Days Notice in Writing, under the Hands of Five or more of the said Commissioners, to be given to the respective Owners and Occupiers of such Houses or other Buildings, of their Intention to take down, fill up, remove, alter, or reform such Obstructions or Projections respectively, and causing as little Damage to be done in the effecting of every such Removal or Alteration as aforesaid as the Nature of the Case will allow, and also defraying the whole Costs and Charges of executing the same.

For Removal of

LXXVIII. And be it further enacted, That the several Occupiers of the Houses and other Buildings situate in the several Streets, Lanes, Highways,

ways, Passages, and other public Places within the said Township, and every of them, are hereby authorised and required, at their own respective Costs and Charges, within Thirty Days next after their respectively receiving Notice in Writing from the said Commissioners in that Behalf, signed by any Five or more of the said Commissioners, to cause all and every the Penthouses, Porches, Sheds, Projecting Windows, Palisades, Rails, Posts, Steps, Cellar Windows, Cellar Doors, Hatchways, and other Obstructions and Projections whatsoever, not herein-before particularly specified, which shall in future be erected, set up, affixed, or laid down against or in Front of their respective Houses or other Buildings, and which in the Judgment of the said Commissioners shall be considered public Annoyances or Nuisances, by reason of their projecting into or encroaching upon, or otherwise annoying or endangering the public Passage along any of the Streets, Lanes, Highways, or other public Places within the said Township, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, in such Manner as shall be directed by the said Commissioners; and in case the Occupier of any such House or other Building as aforesaid shall neglect or refuse to cause any such Penthouse, Porch, Shed, Projecting Window, Palisade, Rail, Post, Step, Cellar Window, Cellar Door, Hatchway, or other Obstruction or Projection whatsoever, not herein-before particularly specified, which shall in future be so erected, set up, affixed, or laid down against or in Front of his or her House or other Building, and which shall be so considered an Annoyance or Nuisance as aforesaid, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, within such Time and in such Manner as in such Notice shall be directed, then and in every such Case it shall be lawful for the said Commissioners to cause the same to be forthwith done by their Surveyor, or any other Person or Persons acting under their Authority; and the Costs and Charges attending the same, having been ascertained by some Justice or Justices of the Peace, shall and may be recovered from the Occupier of such House or Building, in like Manner as any Penalties or Forfeitures are by this Act authorised to be recovered; and when so recovered, the same shall be paid to the Treasurer of the said Commissioners, to be applied to the general Purposes of this Act; and it shall be lawful for the Occupier of any such House or other Building, being a Tenant at Rack Rent, and having either paid such Costs and Charges in the first Instance, or having repaid the same to the said Commissioners, to deduct and retain the Amount thereof out of his or her Rent; and the Proprietor or Landlord of every such House or other Building so held at Rack Rent is hereby required to allow the same accordingly, except only in Cases where the Encroachment, Obstruction, Annoyance, or Nuisance so removed or altered, shall have been originally occasioned by such Occupier, in which Case he or she shall bear the Expence of altering or removing the same.

LXXIX. And be it further enacted, That if any Cellar Door, Trap Door, Hatchway, or Flap Window leading into, or giving Light or Air to, or placed over any Cellar, Vault, or Office under Ground within the said Township, shall at any Time be left open in the Evening or in the Night, or shall not be effectually and substantially secured, so as to prevent Accidents; or if any Grate or other Covering placed over any Opening in the Pavement, and used for putting Coals or other Articles into any Cellar,

future Projections.

Cellar Windows and Grates to be secured.

lar, or other Place under Ground, or for any other Purpose, shall at any Hour of the Day or Night be left open, or shall not be well and effectually fastened down and secured, so as to prevent Accidents, then and in each and every of the said Cases, the Occupier or Occupiers of such Cellar, Vault, Office, or other Place under Ground as aforesaid, shall for every such Offence forfeit and pay the Sum of Forty Shillings.

Doors and
Gates to
open in-
wards.

LXXX. And be it further enacted, That the several Occupiers of Houses, Buildings, Yards, Gardens, and Lands within the said Township, and every of them, are hereby respectively authorised and required, at their own Costs and Charges, from Time to Time, within Fourteen Days next after their respectively receiving Notice in Writing from the said Commissioners in that Behalf, signed by any Clerk or Surveyor of the said Commissioners, to cause all the Doors and Gates leading into the several Houses, Buildings, Yards, Gardens, and Lands in their respective Occupations, (and not being Cellar Doors or Trap Doors,) which now do or shall hereafter open outwards, and when open shall project over any of the Streets, Lanes, Highways, Passages, or other public Places within the said Township, to be altered so as that the same Doors or Gates shall thenceforward open inwards and into their said respective Premises; and if any such Occupier of any of the aforesaid Premises shall neglect or refuse to make the Alteration required by the said Commissioners, in any such Door or Gate, within the Period specified by such Notice, such Occupier making Default therein shall forfeit and pay the Sum of Five Shillings a Day for every Day during which any such Door or Gate shall be suffered to remain opening outwards after the Expiration of the Term specified in such Notice: Provided nevertheless, that where the Occupier of any such House, Building, Yard, Garden, or Land, shall cause any such Door or Gate to be duly altered in pursuance of such Notice as aforesaid, it shall be lawful for him or her, if a Tenant at Rack Rent, to deduct and retain out of his or her Rent the reasonable Charges of altering the same; and the Proprietor or Landlord of the Premises is, in every such Case, hereby required to allow the same accordingly; and provided also, that it shall be lawful for the said Commissioners to allow to such Occupier or such Proprietor all or any Part of the Expence of making any such Alteration if the said Commissioners shall consider it reasonable so to do.

To prevent
covering
Houses with
Thatch.

LXXXI. And for the greater Safety of the Inhabitants of the said Township from Danger by Fire, be it further enacted, That no Person or Persons whomsoever shall at any Time hereafter cover any House or other Building within the said Township, other than the Houses or Buildings now covered either wholly or in part with any Straw or Thatch, nor shall renew or repair the Covering of any such House or other Building, other than as aforesaid, either wholly or in part with any Straw or Thatch, nor shall cause or procure any such House or Building other than as aforesaid to be so covered, or the Covering of any such House or Building, other than as aforesaid, to be renewed or repaired with such Materials, under pain of forfeiting and paying for every such Offence the Sum of Five Pounds; and it shall also be lawful for the said Commissioners to order and cause any Straw or Thatch, which shall be placed on any House or Building, other than as aforesaid, within the said Township, contrary to the Provisions aforesaid, to be taken down and removed

moved at such Time and in such Manner as to them shall seem meet; and the same shall and may accordingly be taken down and removed by any Person or Persons authorised or employed by the said Commissioners or their Surveyor for such Purpose, without any previous Notice given to the Owner or Occupier of such House or other Building; and without such Person or Persons so authorised or employed being deemed a Trespasser or Trespassers, or being liable to any Action, Indictment, or other Proceeding at Law, for or by reason of taking down or removing the same.

LXXXII. And be it further enacted, That if any Slaughter House, Swine Stye, Necessary House, Dunghill, or Sewer, or any Dung, Carrion, Offal, Blood, Soil, Filth, or Rubbish, or any other noisome Matter whatsoever, in or near any of the Streets, Lanes, Highways, Passages, or other Places within the said Township, shall be considered by any of the Inhabitants of the said Township as a Nuisance or Annoyance, it shall be lawful for the said Commissioners from Time to Time, upon Complaint thereof being made to them by any such Inhabitant or Inhabitants, to enquire into the Matter complained of; and if they shall deem the same to be a Nuisance or Annoyance, then they are hereby empowered and required by Notice in Writing under the Hands of any Five or more of them, to order such Nuisance or Annoyance to be removed by the Person or Persons causing or occasioning the same, within such Time as shall be specified in such Notice; and in case the same shall not be removed according to such Notice, the Person or Persons who shall be so ordered to remove the same, and shall neglect so to do, shall forfeit and pay the Sum of Twenty Shillings a Day for every Day the same shall continue unremoved, after the Expiration of the Time specified in such Notice.

For Removal
of Slaughter
Houses, &c.

LXXXIII. And be it further enacted, That if any Person or Persons whomsoever shall injure, damage, or deface any Wall, Pillar, Door, Window, or other external Part of any Church, Chapel, public School, or other public Building whatever, within the said Township, or any Tomb, Monumental Stone, or Inscription, in any such Church Yard, or Burial Ground as aforesaid, or shall fix up any Bills or Papers (other than such Notices as may be directed by Parliament, or other competent Authority) against any of the aforesaid Edifices, or any of the Walls or Doors thereof, or shall write with Chalk or any other Matter thereupon, or shall play at Ball or Fives upon or against the same, or shall deposit any Filth or commit any Nuisance upon, in, about, or against any of the aforesaid Edifices, or the Walls, Doors, or Steps thereof, or in or about any such Church Yard or Burial Ground as aforesaid, then and in any of the said Cases every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, nor less than Forty Shillings.

Preventing
Injury to
Chapels, &c.

LXXXIV. And be it further enacted, That if any Horse, Ass, Mule, Swine, or other Beast or Cattle, shall be found straying in any of the Streets, Lanes, Highways, Passages, or other public Places within the said Township, the Owner or Owners thereof shall for every such Beast or Head of Cattle forfeit and pay the Sum of Five Shillings; and it shall be lawful for any Officer or Officers, appointed by the said Commissioners, to impound any such Beast or Cattle found straying as aforesaid in any Pound which the said

For im-
pounding
Cattle suffer-
ed to stray.

Commissioners may provide, and which they are hereby authorised and empowered to provide and maintain within the said Township, for common Use by the Inhabitants thereof, and to detain the same in such Pound until the said Penalty and the Expence of impounding and keeping the same in Pound shall be fully paid and satisfied; and if in any such Case the said Penalty and Expences shall not be paid within Three Days after such Beast or Cattle shall be so impounded, it shall be lawful for any Person or Persons, who shall be appointed by the said Commissioners for that Purpose, to sell or cause the same to be sold, and the Costs and Charges of impounding and keeping such Beast or Cattle in Pound, and of selling the same, and the said Penalty shall be defrayed by such Sale; and the Overplus (if any) of the Monies arising by such Sale shall be paid to the Owner or Owners of the said Beast or Cattle, upon Demand: Provided always, that whether such Beast or Cattle, so found straying, shall be impounded as aforesaid or otherwise, the Owner or Owners thereof shall nevertheless forfeit and pay for every such Beast or Head of Cattle, so found straying as aforesaid, the said Sum of Five Shillings.

For punishing Misbehaviour in Drivers of Carriages.

LXXXV. And be it further enacted, That if the Driver of any Waggon, Cart, Dray, Sledge, or other Carriage of the like Description, shall ride upon the Shafts or upon any other Part of such Carriage, or drive the same faster than a Walk, in any of the said Streets, Lanes, Highways, Passages, or other public Places within the said Township (such Carriage not being conducted by any Person holding the Reins); or if the Driver of any such Carriage shall be at such a Distance from the same, during its Passage through any Part of the said Township as not to possess the complete Direction over the Horses drawing the same; or if the Driver of any Carriage whatsoever, or if any Person riding or driving any Horse or Horses laden with Milk Pans, shall drive or ride the same furiously in any such Street, Lane, Highway, Passage, or public Place; or shall by Negligence or wilful Misbehaviour hinder or interrupt the free Passage of any Carriage or any Passenger along the same; or if the Driver of any empty or unloaded Waggon, Cart, or other like Carriage, shall refuse or neglect to turn aside and make way for any Coach, Chaise, or loaded Carriage of any other Description; or if any Person shall haul or draw, or cause to be hauled or drawn upon any Part of the said Streets, Lanes, Highways, Passages, or other public Places, any Tree or Piece of Timber, or any Stone otherwise than upon a Wheel Carriage, or shall suffer any Part of any Tree, or other Piece of Timber to drag upon any Part of the said Streets, Lanes, Highways, Passages, or other public Places; then and in every such Case such Driver, Rider, or other Person so offending shall for every such Offence forfeit and pay the Sum of Twenty Shillings; and every such Driver, Rider, or other Person offending in any of the said Cases shall and may, by the Authority of this Act, with or without Warrant be apprehended by any Person or Persons who shall see such Offence committed; and it shall be lawful for the Person or Persons so apprehending such Driver, Rider, or other Person, to cause him to be conveyed or delivered to a Peace Officer, in order to be brought before some Justice of the Peace for the said County of *Lancaster*, to be dealt with according to Law; and if any such Driver or Rider, in any of the Cases aforesaid, shall refuse to disclose his Name, the necessary Proceedings may be had against him before such Justice
for

for the said Penalty, by a Description of his Person and the Offence committed, without there being any Necessity for stating his Name.

LXXXVI. And be it further enacted, That if any Waggon, Cart, Dray, or other Carriage of the like Description, shall be left or suffered to stand or continue, with or without Horses, in any of the Streets, Lanes, Highways, Passages, or other public Places within the said Township, except whilst the same shall be actually loading or unloading, or in case the same shall not during such Time be placed so as to interrupt the public Passage as little as possible; or if any Coach, Chaise, or other Carriage of the like Description, shall be left or suffered to stand or continue with or without Horses for any longer Space of Time than One Hour in any of the said Streets, Lanes, Highways, Passages, or other public Places; or if any Timber, Iron, Bricks, Stones, Slates, Tiles, Lime, Mortar, Hay, Straw, Coals, Boards, Casks, Tubs, Barrels, Goods, Wares, Merchandise, Materials, or other Articles, Matters, or Things whatsoever, shall be laid, placed, or left to remain in any such Street, Lane, Highway, Passage, or other public Place longer than shall be necessary for removing and housing the same; then and in every such Case the Owner or Owners of every such Waggon, Cart, Dray, Coach, Chaise, or other Carriage, or of any such Timber, Iron, Bricks, Stones, Slates, Tiles, Lime, Mortar, Hay, Straw, Coals, Boards, Casks, Tubs, Barrels, Goods, Wares, Merchandise, Materials, Articles, Matters, or Things, which shall be so left or suffered to remain in any of the said Streets, Lanes, Highways, Passages, or public Places as aforesaid, as well for himself or themselves or his or their Servants or Workmen, shall for every Offence in any of the aforesaid Particulars forfeit and pay the Sum of Twenty Shillings; and it shall be lawful for the Surveyor or any other Officer of the said Commissioners, or for any other Person or Persons acting under their Authority, without the Presence of any Peace Officer or other Warrant, to seize or cause to be seized any such Waggon, Cart, Dray, Coach, Chaise, or other Carriage so placed or suffered to stand or continue, contrary to the Intent of this Act, together with any Horse or Horses which may be thereunto affixed, or the Timber, Iron, Bricks, Stones, Slates, Tiles, Lime, Mortar, Hay, Straw, Coals, Boards, Casks, Tubs, Barrels, Goods, Wares, Merchandise, Materials, or other Articles, Matters, or Things, so let and suffered to remain as aforesaid, and to remove the same, or cause the same to be removed to any common Pound used by the Inhabitants of the said Township, or to any other Place within the said Township, which shall be appointed for that Purpose by the said Commissioners, there to be kept and detained until the said Penalty shall be paid; and in case such Penalty and Charges shall not be 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 Articles to be sold for defraying the Penalty and Charges; and the Overplus (if any) of the Money arising from such Sale, after deducting the said Penalty and Charges, shall be returned upon Demand to the Owner or Owners of the aforesaid Articles.

Penalties for
Obstructions
in the
Streets.

LXXXVII. Provided always, and be it further enacted, That nothing herein contained shall extend to subject any Person whomsoever to any Penalty by virtue of this Act for or on account of any Timber, Iron, Bricks, Stones, Slates, Tiles, Lime, Mortar, or other Materials for building, being laid

Regulations
as to the
laying of
Materials for
building.

laid or placed in any such Street, Lane, Highway, Passage, or other public Place as aforesaid, in the Course of erecting, pulling down, altering, or repairing any Building or Buildings, so as there be full and sufficient Space, in the Opinion of the said Commissioners or of their Surveyor for the Time being, left in or at the Side of the Street, Lane, Highway, Passage, or public Place, where such Timber, Iron, Bricks, Stones, Slates, Tiles, Lime, Mortar, or other Materials for building shall lie or be placed, for Carriages to pass and repass, and a sufficient Way kept clean for Foot Passengers, by the Person or Persons laying or causing such Materials for building to be laid or placed as aforesaid; and so as a sufficient Light be, at his or their own Expence, set and maintained at the Place where such Materials for building shall be so laid or placed, from Sunset to Sunrise, to prevent any Accident to Passengers or Cattle; and so as such Materials for building be enclosed and fenced about, in such Manner and within such Time as the Surveyor of the said Commissioners shall by any Notice to be by him given to such Person or Persons direct and appoint; and so as such Materials for building be removed at the Expence of the Person or Persons so laying or causing the same to be laid, within such Time as shall be expressed in any Notice to be in like Manner given by the Surveyor of the said Commissioners.

Penalties for
injuring
Footways.

LXXXVIII. And be it further enacted, That if any Person or Persons whomsoever shall run, draw, or drive any Truck, Wheel, Sledge, Wheelbarrow, Handbarrow, or Carriage whatsoever, on any of the Foot Pavements or other Footways in any of the Streets, Lanes, Highways, Passages, or other public Places within the said Township, except only for the Purpose of crossing the same; or shall roll any Cask thereon, except for the Purpose of crossing the same as aforesaid; or shall drag any Timber or Log of Wood along or upon the same; or shall set or place any Stall, Shew Board, Basket, or Goods of any Kind on any of the same; or shall wilfully ride, lead, or drive any Horse, Mule, Ass, Swine, or other Cattle upon any Part of the said Footways; or shall leave any Horse or other Beast, either tied or untied, at any House or Door, so as to obstruct any of the said Footways; or shall set, place, hang up, or otherwise expose to sale the Carcase of any Beast, or any Part or Parts thereof, or any Goods, Wares, or Merchandise, or any other Matter or Thing, so as to obstruct or incommode the public Passage over any of the said Footways; then and in every such Case every Person so offending shall for such Offence forfeit and pay the Sum of Twenty Shillings.

Penalties on
sundry Nui-
sances.

LXXXIX. And be it further enacted, That if any Person or Persons whomsoever shall slaughter, singe, scald, or dress, or permit or suffer to be slaughtered, singed, scalded, or dressed, any Ox, Cow, Calf, Sheep, Lamb, Swine, or other Cattle, in any of the Streets, Lanes, Highways, Passages, or other public Places within the said Township; or shall cause or permit any Offal, Blood, Filth, or noisome Matter to run or drain from any Slaughterhouse, Shambles, Butcher's Shop, Swine Sty, or Dunghill into any of the said Streets, Lanes, Highways, Passages, or other public Places; or shall expose or hang any Clothes to dry in or across the same; or shall hoop, fire, scald, or cleanse any Cask or Tub therein; or shall empty any of the Contents of any Cask or Tub therein; or shall burn, dress, sweep, or cleanse any Piece or Pieces of Cork therein; or shall hew, saw, cut, or bore, or cause to be hewn, sawn, cut, or bored therein,

therein, any Stone or Timber; or shall make or repair any Coach, Chaise, Waggon, Cart, Dray, Sledge, Wheelbarrow, or other Carriage, or any Wheel or other Part of any such Carriage in any of the said Streets, Lanes, Highways, Passages, or public Places, save and except such Carriages as may want repairing from the happening of any sudden Accident therein; or shall shoe, dress, bleed, or farry any Horse or other Beast or Cattle therein, except in case of any such sudden Accident as aforesaid; or shall permit or suffer any Horse, Mare, Ox, Cow, Calf, Sheep, Lamb, Swine, or other Cattle or Animal of those Descriptions, to stray or go at large in any of the Streets, Lanes, Highways, Passages, or other public Places within the said Township; or shall wantonly discharge any Gun, Pistol, or other Fire Arms therein; or shall make or assist in making any Bonfire therein; or shall set fire to, let off, or throw any Squib, Serpent, Rocket, Cracker, or other Fire Works whatsoever, or fly Kites, run Races, or play at Foot Ball, or any other Game or Games whatsoever, to the Annoyance of any Inhabitant or Inhabitants, or Passenger or Passengers, in any Place within the said Township, or shall slide upon any Pavement or Footway, or occasion any Kind of Obstruction or Annoyance in or upon any such Streets, Lanes, Highways, Passages, or other Places; or shall obstruct or incommode, hinder or prevent the free Passage of any Footway or Causeway, or prejudice or annoy, in any Manner whatsoever, any Person or Persons travelling, passing, or going thereon within the said Township, or shall fix up any Flower-pot or Bow-pot or Pots at any Window or Windows, without sufficiently guarding the same, so as to prevent their being blown or thrown down; or shall wilfully break, aid, or abet, or assist in wilfully breaking any Glass or Window Panes or Windows in or belonging to any Dwelling House or Building; or shall cause any Bull, Bear, or other Animal to be baited with Dogs within the said Township; or shall permit or suffer any Bull-dog or Mastiff, or any ferocious Dog of any other Species, to go at large, not being muzzled, within the said Township; or shall permit or suffer any Dog whatsoever to go at large within the said Township after any public Notice given in Two at least of the *Manchester* Newspapers, and in such other Manner as the said Commissioners shall direct, during such Time as such Notice shall direct Dogs to be confined, on account of any Suspicion of the Existence of Canine Madness; or shall shew or expose any Stallion in or near any public Place within the said Township, except in such Place or Places as shall be appointed for that Purpose by the said Commissioners; or shall commit any other public Nuisance or Annoyance whatsoever within the said Township; then and in every such Case every such Person so offending shall for every such Offence forfeit and pay the Sum of Twenty Shillings.

XC. And be it further enacted, That if any Person or Persons shall set fire to, or cause, permit, or suffer the Chimney of any House, Workshop, Outhouse, or other Building in the said Township to be on fire, the Person setting fire to the same, or the Owner or Occupier of every such House, Workshop, Outhouse, or other Building, or of any Part or Parts thereof, from whence such Fire shall commence or happen, shall forfeit and pay for every such Offence any Sum not exceeding Twenty Shillings.

Penalties
on firing
Chimneys.

XCI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to direct any Prosecution or Prosecutions

Commission-
ers may

[Local.]

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at

order Prosecutions for public Nuisances, and pay the Expence out of the Rates.

at the Assizes or Quarter Sessions for the said County, for any public Nuisance whatsoever which shall be committed or suffered within the said Township, and for or concerning any Resistance to the Execution of the Authorities of this Act, or to the Authority of any Person acting under the same; and to direct and order the Expences of such Prosecution to be paid and borne by and out of the Funds to be raised and provided as herein-after is mentioned.

Penalty on Persons obstructing any Person employed in the Execution of this Act.

XCII. And be it further enacted, That if any Person shall assault or obstruct any Officer or other Person employed in the Execution of this Act, or shall wilfully prevent or hinder the Execution of any of the Powers or Authorities herein mentioned and contained, in any Case not herein-before specifically provided for, every Person so offending, being thereof convicted by any One of His Majesty's Justices of the Peace for the said County, shall forfeit and pay a Sum not exceeding Ten Shillings.

Power to provide a Public Office.

XCIII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, and at all Times hereafter, to provide and maintain a fit and convenient Public Office or Offices within the said Township, for holding the Meetings and transacting the Business of the said Commissioners, and for the holding of such other public Meetings, and transacting such other public Business relating to the said Township as the said Commissioners shall from Time to Time direct or allow to be held or transacted therein, and to provide Watch Houses, Lock-up Houses, or other Places of Security within the said Township, wherein may be lodged any Night Walkers, Felons, Malefactors, Vagrants, Beggars, and Disturbers of the Peace within the said Township, until they can be conveniently carried before some Justice of the Peace to be examined and dealt with according to Law; and also to provide Lands and Buildings, fit and convenient, for the Deposit of the Dirt, Dung, Ashes, and other Filth, to be swept and collected under the Authority of this Act, and for the Accommodation and Deposit of all Horses, Carts, Fire Engines, Tools, Implements, and other Articles, Matters, and Things, to be used and employed by or by the Direction of the said Commissioners under the Authority of this Act; and for any of such Purposes to purchase or hire any Lands, Messuages, or Buildings, or any Part of any Messuages or Buildings which shall by the said Commissioners be considered necessary, of and from any Person or Persons who shall be willing to sell or let the same, or otherwise to purchase or hire Ground from any Person or Persons who shall be willing to sell or let the same, and to cause any new Erection or Building to be made upon any Land or Ground which shall be so purchased or hired, and from Time to Time to surrender, give up, sell, or exchange the same, and to purchase or hire any other Lands, Messuages or Buildings, or Parts of Messuages or Buildings, or Land or Ground whereon to erect any Building for the Purposes aforesaid; and the said Commissioners, or any Five or more of them, are hereby authorised and empowered to take and accept any Lease or Leases, Conveyance or Conveyances, of such Lands, Messuages or Buildings, or Parts of Messuages or Buildings, Land or Ground, to them the said Commissioners, in Trust for the Purposes aforesaid, and in like Manner to make any Assignment or Assignments, Conveyance or Conveyances, of any such Place or Places, Messuages or Buildings, or Parts of Messuages or Buildings,
Land

Land or Ground, that they may think proper to sell or exchange as aforesaid; and it shall be lawful for the said Commissioners from Time to Time to make and establish such Rules, Orders, and Provisions, for the Use and Management of such Public Office or Offices, Watch Houses, Lock-up Houses, or other Places of Security, and for airing, warming, lighting, cleansing, and repairing the same, and for the Use and Management of any such Lands and Buildings, and to make such Allowance or Allowances to the Keeper or Keepers of the same Public Office or Offices, for his or their necessary Attendance and Trouble about the same, as shall from Time to Time appear expedient to the said Commissioners.

XCIV. And be it further enacted, That it shall be lawful for the said Commissioners to contract with any fit Person or Persons from Time to Time to keep the different Fire Engines belonging to the said Township, with the Pipes, Buckets, or other Things belonging thereto, in good working Repair and Order; and it shall also be lawful for the said Commissioners from Time to Time to purchase any new Engine or Engines, Pipes, Buckets, or other Things belonging thereto, which they shall consider necessary for the Use of the said Township, and to pay and defray all Costs and Expences attending the same respectively, out of the Improvement Rates to be levied and raised by virtue of this Act.

Commissioners to provide Fire Engines.

XCV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to enter into any Contract or Contracts, as well for cleansing and lighting the several Streets, Lanes, Highways, Passages, and other public Places within the said Township, or any of them, as for doing any other of the Works by this Act authorised to be done, or for furnishing any Materials, Labour, or other necessary Matters and Things whatsoever for the Performance thereof, or for any other of the Purposes of this Act, with any Person or Persons who shall be willing to undertake and engage in the same: Provided always, that no such Contract or Contracts shall be made for a longer Term than Three Years from the making thereof, and that before any such Contract or Contracts shall be entered into, Ten Days Notice shall be given in Two at least of the *Manchester* Newspapers, expressing the Purpose or Purposes of the Contract or Contracts intended to be made, in order that Persons willing to undertake the same may make Proposals to the said Commissioners, at a certain Time and Place in such Notice to be specified; and all such Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time or Times when the said Works are to be completed, together with the Penalties to be incurred in case of Non-performance thereof; and the same shall be signed by the said Commissioners or any Five or more of them, and also by the Person or Persons contracting to perform such Works respectively; and Copies of all such Contracts shall be entered in a Book to be kept for that Purpose by the Clerk of the said Commissioners.

Commissioners may enter into Contracts.

XCVI. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to compound and agree with any Person or Persons, or Body or Bodies Politic or Corporate, who shall have entered into any Contract or Contracts with the said Commissioners, in pursuance or under the Authority of this Act, for any Penalty or Penalties

Composition for Breach of Contracts.

nalties contained in any such Contract or Contracts, or in any Bond or Bonds, or other Security or Securities for the Performance thereof, or for or on account of any Breach or Non-performance of any such Contract or Contracts, Bond or Bonds, or other Security or Securities, for such Sum or Sums of Money, or other Recompence, as the said Commissioners shall think proper.

Commissioners exempt from personal Responsibility in Contracts, &c.

XCVII. And be it further enacted, That nothing in this Act, or in any Deed, Contract, Lease, or other Instrument hereby authorised to be entered into or made by the said Commissioners for executing this Act, or any of them, shall extend to charge the Person or Persons of all or any of the Commissioners executing any such Deed, Contract, Lease, or other Instrument, or the Heirs, Executors, or Administrators of the same Commissioners, or any of them, or their or any of their own proper Lands and Tenements, Goods and Chattels, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in the same Deed, Contract, Lease, or other Instrument contained on the Part of the same Commissioners, or any of them, but the Amount of all Costs, Charges, Damages, and Expences which shall or may be recovered in any Suit or Suits at Law or in Equity against them the said Commissioners, or any of them, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of such last-mentioned Deed, Contract, Lease, or other Instrument, or the Covenants, Conditions, or Agreements therein contained, and also all the Costs, Charges, Damages, and Expences which the said Commissioners shall bear, pay, expend, or be put to, or which shall be occasioned to them, for or by reason or means of any such Deed, Contract, Agreement, Lease, or other Instrument therein contained, or any Action or Actions, Suit or Suits to be brought or prosecuted by or against them or any of them thereupon, shall respectively be paid and discharged by and out of the Monies to be raised or to arise or be received by virtue of this Act.

Rates.

XCVIII. And be it further enacted, That the Charges and Expences attending the Application for preparing, obtaining, and passing this Act, and the Expences of lighting, scavenging and watching the said Streets, Lanes, Highways, Passages, and other public Places within the said Township of *Hulme*, and of otherwise putting this Act into Execution, shall at all Times be borne and defrayed by the Occupiers of Houses, Shops, Cellars, Vaults, Warehouses, Factories, Print Works, Dye Works, Iron Liquor, or other Chemical Works, Breweries, Coach Houses, Stables, and other Buildings, Yards, Gardens, Tenements, and Hereditaments within the said Township; and for that Purpose the said Commissioners shall and they are hereby required, authorised, and empowered, from Time to Time when and so often as they shall think it necessary, to make a just and equal Pound Rate or Assessment, to be signed by the said Commissioners, or any Five or more of them, upon the Occupiers of all such Houses, Shops, Cellars, Vaults, Warehouses, Factories, Print Works, Dye Works, Iron Liquor, or other Chemical Works, Breweries, Coach Houses, Stables, and other Buildings, Yards, Gardens, and other Tenements, and Hereditaments, according to the Annual Value of the same respectively; such Annual Value to be from Time to Time settled and ascertained by the said Commissioners, according to the then next preceding annual Assessment made for the Relief of the Poor within
the

the said Township, so long as such Assessment shall continue to be made, and afterwards to be settled and ascertained as the said Commissioners may determine; and the Money or Monies to be so rated or assessed on the said 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 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 Five Days after personal Demand thereof, or Demand in Writing left at the Place of Abode or Occupation of such Occupier, the same shall be levied and recovered on all and every such 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 in and for the said County of *Lancaster*; and the Overplus (if any) of the Monies to be raised by such Distress and Sale shall be returned 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, or otherwise it shall be lawful for the said Commissioners to recover any such Rate or Assessment so due and payable by virtue of this Act, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*, or Court of Common Pleas at *Lancaster*, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance, shall be allowed.

XCIX. And be it further enacted, That no Rates or Assessments whatsoever shall be made in pursuance of this Act upon any Person or Persons for or in respect only of his, her, or their being the Occupier or Occupiers of any Dwelling House under the Annual Value of Five Pounds. Exemption from Rates.

C. And be it further enacted, That every Person being a Landlord or Tenant, who shall let his or her House in separate Apartments or ready furnished to a Lodger or Lodgers, or for any less Term than a 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 where Houses are let to several Tenants.

CI. Provided always, and be it further enacted, That no Rate or Assessment shall by virtue of this Act be charged or made payable by any Person who, by reason of his or her Poverty only, is or shall be excused from paying any Rate made for the Relief of the Poor, nor shall any Person be charged or rated in or by such Rate or Assessment as aforesaid for or on account of any Gate, Room, Yard, Close, Barn, Stable, House, or other Building used for the Purposes of Husbandry only, nor for any Arable, Meadow, or Pasture Land within the said Township. Persons, Lands, &c. which are exempted from being rated.

CII. Provided always, and be it further enacted, That no House, Warehouse, Building, Tenement, or Hereditament, hereby made liable to be rated or assessed, shall be charged or chargeable with any Rate or Assessment as aforesaid, during the Time the same shall be empty or unoccupied, Empty Houses exempted.

in case the same shall be empty or unoccupied for the Space of One whole Year preceding the making of such Rate or Assessment.

Rates to be apportioned on Persons removing from their Houses.

CIII. And be it further enacted, That in all Cases where any Person shall remove from or quit any House, Shop, Warehouse, Factory, Print Works, Coach House, Stable, Yard, Garden, Cellar, Vault, or Hereditament which shall be rated or assessed by virtue of this Act, such Person 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 had not removed from or quitted the same; and in all Cases when any Person shall come into or occupy any such House, Shop, Warehouse, Factory, Print Works, Coach House, Stable, Yard, Garden, Cellar, Vault, or other Building or Hereditament 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 only 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 House, Shop, Warehouse, Factory, Print Works, Coach House, Stable, Yard, Garden, Cellar, Vault, or other Building or Hereditament; 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 House, Shop, Warehouse, Factory, Print Works, Coach House, Stable, Yard, Garden, Cellar, Vault, or other Building 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 County of *Lancaster*, 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, or Affirmation, being a Quaker, of the Amount of the Sum due, and of such Removal, Demand, and Non-payment, 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, Distress, and Sale thereof, unto the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Amendment of Rates by Commissioners.

CIV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to amend any Rate or Assessment to be made by virtue of this Act, by inserting therein the Name or Names of any Person or Persons who ought to have been rated, or by striking out the Name or Names of any Person or Persons who ought not to have been rated therein, or by making such other Amendments therein as will in the Judgment of the said Commissioners make such Rate or Assessment conformable to the true Intent and Meaning of this Act; and that

that no such Amendment so to be made by the said Commissioners in any such Rate or Assessment shall be held to vitiate the same.

CV. And be it further enacted, That Duplicates of all Rates and Assessments laid or assessed by virtue of this Act shall be deposited with the Clerk or Clerks of the said Commissioners, who shall permit any Person rated by virtue of this Act, or any Creditor on any of the said Rates or Assessments, to inspect the same, or to take Copies thereof, at all reasonable Times, upon Payment of One Shilling; and such Clerk or Clerks shall, within Ten Days after Demand, deliver a true Copy of such Rates or Assessments, or any of them, or any Portion thereof, to any Person rated as aforesaid, or any such Creditor on the said Rates, having been first paid for the making of such Copy after the Rate of Sixpence for every Seventy-two Words.

Rates may be inspected, and Copies thereof demanded.

CVI. And, for the more speedily and effectually enabling the said Commissioners to execute the general Purposes of this Act, be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorised and empowered from Time to Time when they shall think it expedient, to borrow and take up at Interest any Sum or Sums of Money not exceeding in the Whole the Sum of Four thousand Pounds, upon the Credit of the said Rates and Assessments hereby authorised to be laid and collected; and by any Writing or Writings under the Hands and Seals of the said Commissioners, or any Five or more of them, to mortgage, demise, grant, or assign the same Rates or Assessments, or any Part or Parts thereof, to the Person or Persons who shall advance or lend such Money, or their Trustee or Trustees, as a Security or Securities for the Money so to be borrowed, together with Interest for the same; and a separate and distinct Mortgage shall be made in respect of each and every Sum of Two hundred Pounds so to be borrowed; and every such Mortgage shall be in the Words, or to the Effect following; (that is to say,)

Power to mortgage the Rates.

‘ No. . BY virtue of an Act made and passed in the Fifth
 ‘ Year of the Reign of King George the Fourth, intituled [*here set*
 ‘ *forth the Title of the Act*], We, whose Hands and Seals are hereunto
 ‘ subscribed, being Five or more of the Commissioners acting in the
 ‘ Execution of the said Act, in consideration of the Sum of Two hun-
 ‘ dred Pounds advanced and lent by _____ upon
 ‘ the Credit and for the general Purposes of the said Act, and paid by
 ‘ him [*or her, or them, as the Case may be,*] to the Treasurer of the said
 ‘ Commissioners, do grant, bargain, sell, and assign unto the said
 ‘ _____, Executors, Administrators, and
 ‘ Assigns, such Proportion of the Rates and Assessments authorised by
 ‘ the said Act to be assessed and collected, as the said Sum of Two
 ‘ hundred Pounds doth or shall bear to the whole Sum borrowed and
 ‘ to be borrowed by virtue of the said Act, upon the Credit of the same
 ‘ Rates and Assessments, to be had and holden from the Day of the
 ‘ Date of these Presents until the said Sum of Two hundred Pounds,
 ‘ with Interest for the same, by Half-yearly Portions, after the Rate of
 ‘ _____ *per Centum per Annum*, shall be fully re-
 ‘ paid and satisfied. In Witness whereof we have hereunto set our
 ‘ Hands and Seals the _____ Day of _____
 ‘ in the Year of our Lord _____

Form of Mortgage.

And

And every such Mortgage shall be valid and effectual in the Law; and all such Mortgages shall be numbered, commencing with Number One, and so proceeding in arithmetical Progression ascending, whereof the Difference shall always be One in respect of every Sum of Two hundred Pounds, for which a separate Mortgage shall be so granted as aforesaid.

Register
Book to be
kept of
Mortgages
and Annuities.

CVII. And be it further enacted, That a Book shall be provided by the said Commissioners, and kept by their Clerk or Clerks, in which shall be entered and registered Copies of all Mortgages made in pursuance of this Act; which Book shall be open to the Inspection of the several Holders of Mortgages made by virtue of this Act, and their respective Executors, Administrators, and Assigns, at all seasonable Times, without Fee or Reward.

Mortgages
may be
transferred.

CVIII. And be it further enacted, That it shall be lawful for the several Persons entitled for the Time being to any of the Mortgages for the Money which shall be borrowed, or their respective Executors, Administrators, or Assigns (as the Case may be), at any Time by Writing under their respective Hands and Seals, to assign or transfer the same to any Person or Persons being a Subject or Subjects of this Realm; and every such Assignment or Transfer shall be in the Form or to the Effect following; (that is to say,)

Form of
Transfer.

‘ I *A. B.* of _____ being entitled to the Sum of
‘ _____ by virtue of a Mortgage bearing Date the
‘ _____ Day of _____ in the Year of our Lord
‘ _____, under the Hands and Seals of
‘ _____ of the Commissioners for putting in Execution an Act passed in
‘ the Fifth Year of the Reign of His Majesty King *George* the Fourth,
‘ intituled [*here set forth the Title of this Act*], upon the Credit of
‘ certain Rates and Assessments payable by virtue of the said Act, do
‘ hereby, in consideration of the Sum of _____ to
‘ me paid by _____, assign and transfer unto the
‘ said _____ Executors, Administrators, and
‘ Assigns, all my Right and Interest in and to the said Principal Sum of
‘ _____ thereby secured, and all Interest
‘ now due and hereafter to grow due thereon. In Witness whereof I
‘ have hereunto set my Hand and Seal the _____ Day of
‘ _____ in the Year of our Lord _____

Transfer to
be register-
ed.

Which Transfer shall, within Twenty Days after the Date thereof, be produced to the Clerk or Clerks of the said Commissioners, who shall cause an Entry or Memorial to be made thereof, containing the Date, Names of the Parties, and the Sum of Money thereby transferred in the said Register Book to be kept for entering Copies of the original Mortgages, for which Entry the said Clerk or Clerks shall be paid the Sum of Five Shillings and no more; and after such Entry made, but not before, every such Assignment shall entitle the Assignee or Assignees, and his, her, and their Executors, Administrators, and Assigns, to the Benefit of the Monies thereby assigned or transferred, without any further Registry or Memorial thereof, except as aforesaid.

Money may
be borrowed
at lower In-

CIX. And be it further enacted, That in case the said Commissioners shall at any Time be able to borrow or take up any Sum or Sums of Money

Money at a lower Rate of Interest than shall happen to be payable upon any of the original or other Mortgages which may have been granted by the said Commissioners, and which may happen to be then existing, it shall be lawful for the said Commissioners from Time to Time to charge the said Rates or Assessments, in Manner aforesaid, with any Sum or Sums of Money to be borrowed at such lower Rate of Interest, and the Interest thereof at such lower Rate as aforesaid, and therewith to pay off and discharge any of the said original or other Mortgages bearing a higher Rate of Interest, according to the Directions and Regulations herein-after prescribed for paying off Mortgages.

Interest to pay
off existing
Mortgages.

CX. And for making effectual Provision for the paying off all the said Mortgages, be it further enacted, That when and so often as there shall be in the Hands of the said Commissioners or of their Treasurer the Sum of Four hundred Pounds over and above what is sufficient for executing the Purposes of this Act, the said Commissioners shall cause the several Numbers of all the Mortgages granted and then in force to be written upon distinct Pieces of Paper of an equal Size; and all such Papers shall be rolled up in the same Form and be put into a Box, and the Clerk or Clerks of the said Commissioners shall, in the Presence of Five or more of the said Commissioners, draw separately out of the said Box One of the said Numbers for each Mortgage then intended to be paid off by the said Commissioners; and thereupon the Mortgage or Mortgages corresponding with the Number or Numbers which shall be so drawn shall be accordingly paid off by the said Commissioners; and after every such Ballot the said Commissioners shall cause Notice signed by their Clerk or Clerks to be given to the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot, which Notice shall express the Principal Sums to be paid off, and that the same will be paid together with Interest due thereon at a Place specified in such Notice, at the Expiration of Three Calendar Months from the Date of giving such Notice; and the Interest of the Principal Money to be paid off shall, from and after the End of the said Three Calendar Months, cease and be no longer paid or payable, unless the Money shall be demanded pursuant to such Notice and not paid, but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the End of the said Three Calendar Months, shall nevertheless be payable on Demand.

Provision for
Payment of
Mortgages
by Ballot.

CXI. 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, and all Rates, or Compensation Monies, for the supplying of Gas for private Purposes, and other Monies received 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 preparing, 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 cleansing, lighting, watching, improving, and

Application
of Money
raised by
Authority of
this Act;

and the
Treasurer to
pay the same
as Commis-
sioners
direct.

regulating the Streets, Lanes, Highways, Passages, and other public Places within the Township of *Hulme* aforesaid; for removing and preventing Nuisances, Annoyances, Obstructions, and Encroachments therein, in Manner hereby directed; and in paying and defraying all Expences which the said Commissioners and their Officers shall of necessity be put to in carrying this Act into Execution, and for such other Uses and Purposes as are herein expressed, and to and for no other Use, Intent, or Purpose whatsoever; and the Treasurer for the Time being to the Commissioners shall and is hereby authorised and required to pay and apply all such Monies as he or they shall respectively receive by virtue hereof, to such Person or Persons, and in such Manner, and at such Time and Times, as the Commissioners shall from Time to Time, by any Order or Orders under their Hands, direct and appoint; and the Commissioners are hereby empowered to make such Order or Orders accordingly.

Surveyor to
lay Inform-
ations.

CXII. And be it further enacted, That the said Commissioners are hereby directed from Time to Time to give Instructions to their Surveyor or Surveyors for the Time being, and the said Surveyor or Surveyors is or are hereby expressly enjoined to search for, inquire, and examine into and upon any Complaint to be made or given to him thereof by any Inhabitant of the said Township, forthwith personally to view and inspect all Nuisances, Annoyances, Obstructions, and other Offences, done, committed, or suffered within the said Township, contrary to any of the Provisions of this Act; and thereupon to lay an Information or Informations against the Offender or Offenders, before any One or more of the Justices of the Peace for the said County of *Lancaster*, in order that such Offender or Offenders may be dealt with for the same according to the Powers and Provisions of this Act; and if any such Surveyor shall, after any such Direction given to him as aforesaid, at any Time wilfully neglect or refuse to search for, inquire, and examine into any such Nuisances, Annoyances, Obstructions, or other Offences as aforesaid, or after any such Complaint made to him as aforesaid, personally to view or inspect the Matters of such Complaint, or shall neglect or refuse to lay any such Information or Informations against any such Offender or Offenders as aforesaid, then and in every such Case the said Surveyor so refusing or neglecting shall forfeit and pay for every such Refusal or Neglect the Penalty or Sum of Five Pounds.

In case of
Non-pay-
ment of
Compensa-
tion for Ma-
terials, &c.
done by the
said Commis-
sioners, &c.
the same to
be levied by
Distress.

CXIII. Provided always, and be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury, of any Nature or Kind whatsoever, done or committed by the said Commissioners, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Commissioners to the Party or Parties entitled to receive the same, within Five Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices from the Clerk to the said Commissioners, or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the

the Goods and Chattels vested in the said Commissioners by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace; which Warrant any such Justice or Justices is and are hereby authorised and required to grant under his Hand and Seal, or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money, as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in Dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Commissioners or to their Treasurer for the Time being, as the Case may be.

CXIV. And be it further enacted, That all Offences whatsoever which by virtue or under the Authority of this Act, or by or under any Bye Law, Rule, Order, or Regulation to be made in pursuance or by the Authority of this Act, are or shall be subject to or punishable with any pecuniary Penalties, Fines, or Forfeitures for the Recovery of which no express Provision is herein-before made, shall and may in every Case be heard, adjudged, and determined by and before any One or more Justice or Justices of the Peace for the said County of *Lancaster*, in a summary Way, upon Information or Complaint made and exhibited in Writing, (and which shall in every Case be made and exhibited within Two Calendar Months at the furthest next after the committing of such Offences respectively, and not afterwards,) and upon any such Information or Complaint as aforesaid the said Justice or Justices shall examine into the Matter thereof; and if upon the Confession of the Party or Parties accused, or on the Oath of any One or more credible Witness or Witnesses, or being a Quaker, upon his or her Affirmation, the said Party or Parties accused shall be convicted of having committed such Offence or Offences, then and in every such Case the Penalty or Penalties hereby made payable in respect of such Offence or Offences, together with the Costs of Conviction to be ascertained by such Justice or Justices, shall be forthwith paid by the Party or Parties so convicted as aforesaid; and in case such Party or Parties so convicted shall refuse or neglect to pay the same forthwith, then the said Penalty or Penalties shall and may by Warrant or Warrants under the Hand and Seal or Hands and Seals of any such Justice or Justices (which he or they is and are hereby empowered and required to grant) be levied and recovered, together with the Costs of Conviction and Recovery thereof, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of such Offender or Offenders, wherever such Goods or Chattels can be found, rendering the Overplus of the Money arising by such Sale (if any) to the Party or Parties whose Goods or Chattels shall be so distrained; One Moiety of all which Penalties, not herein directed to be otherwise applied, shall be paid to the Informer, and the other Moiety shall be paid to the Treasurer of the said Commissioners for the Time being, to be applied to the general Purposes of this Act; and it shall and may be lawful for the said Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody, until Return can be conveniently made to such Warrant or Warrants of Dis-

Recovery
and Appli-
cation of
Penalties.

tress,

' *the same was committed,*] contrary to an Act of Parliament [*or contrary*
 ' to a Bye Law duly made in pursuance of an Act of Parliament, *as the*
 ' *Case may be,*] passed in the Fifth Year of the Reign of His Majesty
 ' King George the Fourth, intituled [*here insert the Title of this Act*]; for
 ' which Offence I [*or we, as the Case may be,*] do adjudge the said
 ' to have forfeited the Sum of [*here state the Amount*
 ' *of the Penalty, Fine, or Forfeiture for the Offence,*] according to the said
 ' Act of Parliament [*and in any Case where the Justice or Justices may see*
 ' *cause to mitigate the Penalty, here insert, And I, or we, the said Justice, or*
 ' Justices, seeing Cause to mitigate and lessen the said Penalty, do, accord-
 ' ing to the Provisions of the said Act of Parliament, mitigate and lessen
 ' the same to the Sum of] ; which said Sum of
 ' [*here name the Amount of the Penalty or mitigated Penalty, as the Case*
 ' *may be*] is to be distributed and applied in Manner following ; that is to
 ' say, One Moiety thereof to the Use of the Commissioners for putting
 ' the said Act into Execution, and the other Moiety thereof to the Use
 ' of A. B. [*here name the Informer*], according to the Provisions of the
 ' said Act of Parliament. Given under my Hand and Seal [*or our*
 ' Hands and Seals, *as the Case may be,*] the Day and Year first above
 ' written.'

CXVII. And be it further enacted, That it shall and may be lawful for
 any of the said Commissioners, or their Collectors, Surveyors, or other
 Officers respectively, and such Person or Persons as they or any of them
 shall call to their Assistance, without any Warrant or other Authority
 than this Act, to seize and detain any Person or Persons (being unknown
 to such Commissioners, Collectors, Surveyors, or other Officers,) who
 shall commit any Offence or Offences against this Act, and take him, her,
 or them before any Justice or Justices of the Peace for the County or
 Place where the Offence or Offences shall be committed, or such Offender
 or Offenders shall be seized and apprehended ; and such Justice and
 Justices shall and is and are hereby required to proceed and act with
 respect to such Offender or Offenders according to the Provisions of
 this Act.

For securing
transient
Offenders.

CXVIII. And be it further enacted, That if any Person shall be sum-
 moned as a Witness to give Evidence before any Justice or Justices of the
 Peace, touching any Matter contained in any Information or Complaint for
 any Offence against this Act, or against any such Bye Law, Rule,
 Order, or Regulation as aforesaid, either on Behalf of the Prosecution, or
 on Behalf of the Person or Persons accused, and shall refuse or neglect
 to appear at the Time and Place to be for that Purpose appointed, after
 having been paid or tendered a reasonable Sum of Money for his or her
 Costs and Expences, without a satisfactory Excuse being given for such
 Non-appearance, or appearing, shall refuse to be examined upon Oath,
 (or in case of a Quaker or Quakers, on solemn Affirmation ; which Oath
 or Affirmation any Justice or Justices of the Peace is and are hereby ex-
 pressly authorised and required to administer in all Cases whatsoever,
 where the Provisions of this Act require the Oath or Affirmation of any
 Witness or Witnesses to be had in any Proceeding before such Justice or
 Justices,) and to give Evidence touching the Matter in question before
 such Justice or Justices, then and in every such Case every such Person

Witnesses
may be sum-
moned.

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

Persons paying Rates, &c. may be Witnesses.

CXIX. And be it further enacted, That no Person whomsoever shall be disqualified from being a competent Witness, and being admitted to give Evidence in any Informations, Prosecutions, Appeals, Causes, or Proceedings whatsoever relating to the Execution of this Act, or any Bye Law, Order, or Determination made in pursuance thereof, by reason of his paying or being charged with or liable to pay any of the Rates or Assessments hereby authorised to be made, or any other Rate or Assessment within the said Township, or by reason of his being an Inhabitant of the said Township, or being one of the Commissioners for putting this Act into Execution, or holding any Office under the said Commissioners.

Distress not to be avoided for Want of Form.

CXX. 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 shall the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect of Form in any Proceeding relating thereto, nor a Trespasser or Trespassers *ab initio* on account of any subsequent Irregularity in the prosecuting of such Distress; but the Person or Persons aggrieved by such Irregularity may recover Satisfaction for special Damages in an Action upon the Case.

Proceedings not to be quashed nor removed by Certiorari.

CXXI. And be it further enacted, That no Order, Verdict, Rate, Assessment, Judgment, Conviction, or other Proceeding touching or concerning any Offence against this Act, or against any such Bye Law as aforesaid, or any other of the Matters aforesaid, shall be quashed or vacated for Want of Form only, or be removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary thereof in anywise notwithstanding.

Tender of Amends.

CXXII. And be it further enacted, That no Action or Suit shall be commenced or prosecuted against the said Commissioners, or any of them, or any other Person or Persons for any Thing done or to be done in pursuance or under the Authority of this Act, unless a Notice in Writing shall be given Thirty Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action, nor shall the Plaintiff or Plaintiffs recover in such Action, if Tender of sufficient Amends hath been made to him, her, or them, or his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants, before the commencing of such Action; and in case no such Tender shall have been made, it shall be lawful 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 of Money as he, she, or they shall think fit; whereupon such Proceedings, Orders, and Judgments shall be had, made, and given in and by the Court as in any other Actions where the Defendant is allowed to pay Money into Court.

CXXIII. Pro-

CXXIII. Provided always, and be it further enacted, That any Person or Persons thinking himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of any Rule, Bye Law, or Order made in the Manner herein-before directed, or by the Order or Determination of any Justice or Justices of the Peace, or by any Thing done in pursuance of this Act, may within Three Calendar Months next after the Cause of Complaint shall have arisen appeal to the Justices of the Peace at the General or Quarter Sessions of the Peace to be holden in and for the said County of *Lancaster* (the Person or Persons appealing having first given at least Fourteen Days clear Notice of such Appeal, and of the Nature and Matter thereof, to the Person or Persons appealed against, and forthwith, after such Notice, entering into a Recognizance before some Justice of the said County, with Two sufficient Sureties conditioned to try such Appeal, and to abide the Order and Award of the said Court thereupon); and the said Justices, upon due Proof of such Notice and Recognizance having been given and entered into, shall in a summary Way hear and determine such Complaint at such General or Quarter Sessions of the Peace to be holden for the said County; or if they think proper, adjourn the Hearing thereof until the next General or Quarter Sessions of the Peace to be holden for the said County; and if they see cause may mitigate any Forfeitures or Fines, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Regulation, Order, or Determination, and shall and may also award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties as they shall judge reasonable and proper; and all such Determinations of the said Justices shall be final, binding, and conclusive upon all Parties, to all Intents and Purposes whatsoever.

Appeal to
Quarter
Sessions.

CXXIV. And be it further enacted, That upon all Appeals from any Rate or Assessment made in pursuance of this Act, the Court of General or Quarter Sessions of the Peace shall, and such Court is hereby authorised and required (in all Cases where they shall see just Cause to give Relief) to amend such Rate or Assessment, either by inserting therein or striking out the Name or Names of any Person or Persons, or by altering the Sum or Sums therein charged on any Person or Persons, or in any other Manner which the said Court shall think necessary for giving such Relief, and without quashing or wholly setting aside such Rate or Assessment: Provided always, that if the said Court shall be of Opinion that it is necessary, for the Purpose of giving Relief to the Person or Persons appealing, that the Rate or Assessment should be wholly quashed, then the said Court may quash the same, and order a new one to be made.

On Appeal
from Rate
the Quarter
Sessions
may amend
it without
quashing it.

CXXV. And be it further enacted, That no Action or Suit shall be commenced or prosecuted against the said Commissioners or any of them, or any other Person or Persons, for any Thing done or to be done in pursuance or under the Authority of this Act, after the Expiration of Three Calendar Months next after the Fact committed; and all such Actions and Suits shall be laid and tried where the Cause of Action shall have arisen and not elsewhere; and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial or Trials which shall be had thereupon, and that the Matter or Thing, for which such Action or Suit shall be so brought,

Limitation
of Actions.

General
Issue.

brought, was done in pursuance and by the Authority of this Act; and if upon such Trial the said Matter or Thing shall appear to have been so done, or if such Action or Suit shall have been brought before Fourteen Days Notice thereof shall have been given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time herein-before limited for bringing the same, or if the same shall be brought in any other County or Place than as aforesaid, then and in any of the said Cases the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict being given, or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of such Action after the Defendant or Defendants shall have appeared thereto, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall have Treble Costs, and shall have such and the like Remedy for recovering the same as any Defendant hath for recovering Costs of Suit in other Cases by Law.

Protection
for Lands
belonging to
the Trus-
tees of the
late Duke of
Bridgew-
water.

CXXVI. Provided always, and be it further enacted, That nothing herein contained relative to the lighting with Gas and the Preparations for that Purpose, the regulating the Width of Footways in Streets to be hereafter made and laid out, the making, altering, enlarging, repairing, or cleansing Common Sewers, Drains, Vaults, Culverts, Watercourses, public Wells, or Pumps, (except as to repairing and cleansing such Common Sewers, Drains, Vaults, Culverts, Watercourses, public Wells or Pumps, as are now used and enjoyed by the Inhabitants of the said Township,) the turning or altering any Gutter or Channel, or the erecting or fixing Weighing Machines, shall extend or be construed to extend to enable or empower the said Commissioners or their Agents, Servants or Workmen, or any other Person or Persons employed by or under them, for the said several last-mentioned Purposes or any of them, except as aforesaid, to take or make use of any of the Lands, Grounds, or Premises belonging to or in the Possession of or held under the Trustees named in the last Will and Testament of the Most Noble *Francis* late Duke of *Bridgewater*, or their Successors, situate, lying, and being within the said Township of *Hulme*, without the previous Consent in Writing of the said Trustees or their Successors first had and obtained.

Public Act.

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

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