



ANNO SEXTO

GEORGIIV. REGIS.

Cap. cxcvi.

An Act for better lighting, watching, and improving the Borough and Township of *Macclesfield* in the County of *Chester*, and regulating the Police thereof. [5th July 1825.]

WHEREAS an Act was passed in the Fifty-fourth Year of the Reign of His late Majesty King George the Third, intituled *An Act for lighting, watching, and regulating the Police within the Borough of Macclesfield in the County of Chester*: And whereas the Mayor, Recorder, Aldermen, and Capital Burgesses of the said Borough of *Macclesfield*, and their Successors from Time to Time, being the Commissioners appointed for putting the said Act into Execution, proceeded to act in the Execution of the Powers and Provisions contained in the same Act, and divers Regulations were made for the several Purposes therein contained; and in pursuance of the Powers and Authorities aforesaid the said Commissioners did cause certain Streets and public Places within the said Borough to be widened and improved, and otherwise carried into Execution the several Powers and Authorities in them vested by the said Act: And whereas since the passing of the said Act the said Borough of *Macclesfield* has greatly increased in Extent and Population: And whereas it is expedient that the several Powers and Authorities hereinafter mentioned and contained, should be adopted and substituted in lieu of the Powers and Provisions of the said recited Act: May it therefore please Your Majesty

54 G. 3. c. 23.

[Local.]

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that

Recited Act
repealed.

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, of the United Kingdom of *Great Britain and Ireland* in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty-ninth Day of *September* One thousand eight hundred and twenty-five the said recited Act, passed in the Fifty-fourth Year of the Reign of His said late Majesty, shall be and the same is hereby repealed, so far as relates to the several Powers, and Provisions, and Authorities in the same Act mentioned and contained, and to be executed and carried into Effect from and after the said Twenty-ninth Day of *September*, and the several Offences and Forfeitures thereby created and incurred, and to be committed after the said Twenty-ninth Day of *September*; but that the same Act shall be and remain in full force and virtue, so far as relates to and concerns all Acts, Matters, and Things which have been done or executed, or which shall or may be done or executed by virtue of the same, on or before the said Twenty-ninth Day of *September*; and also as to all such Penalties as have been incurred, or shall or may be incurred by reason thereof; and all such Rates and Assessments as have been already made, or shall hereafter be made by virtue of the same, on or before the said Twenty-ninth Day of *September*, subject nevertheless to such Provisions and Directions of and concerning the same as are hereinafter mentioned and contained.

Commissioners.

II. And be it further enacted, That the Mayor, Recorder, Aldermen, and Capital Burgesses of the Borough of *Macclesfield* for the Time being, and also all and every other male Person and Persons who shall or may at any Time from and after the said Twenty-ninth Day of *September* be the Occupier or Occupiers of any Messuage, Dwelling-house, Farm, Land, Warehouse, or other Building, Messuages, Dwelling-houses, Farms, Lands, Warehouses, or other Buildings, or of any other Tenement within the said Borough and Township of the Yearly Rent or Value in the whole of Fifty Pounds, shall be and they are hereby appointed and declared to be Commissioners for putting and carrying the several Purposes of this Act into Execution: Provided always, that no Person shall be capable of acting as a Commissioner in the Execution of this Act until he shall have occupied some Messuage or other Premises as aforesaid within the said Borough and Township for the Space of Six Calendar Months.

Property held by Partners or joint Tenants only to give One Qualification.

III. Provided always, and be it enacted, That no Messuages, Lands, or other Premises aforesaid, held by or belonging to Two or more Partners, Tenants in common, or joint Tenants, shall be deemed to be a Qualification for more than One of such Partners, Tenants in common, or joint Tenants; and 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 other Premises within the said Borough and Township of *Macclesfield* of the Yearly Rent or 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

qualified and incapable of acting as a Commissioner or Commissioners under the Powers of this Act.

IV. 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 hereinafter mentioned), until he shall have taken and subscribed before any Seven or more of the Persons qualified as aforesaid, present at any Meeting of the Commissioners for the said Borough and Township to be held by virtue of this Act (and who are hereby authorized and required to administer the same to each other), the Oaths or Affirmations following; that is to say,

‘ I *A. B.* do swear [*or being one of the People called Quakers, do*
 ‘ solemnly declare and affirm], That I am really and *bond fide*
 ‘ Occupier of a Tenement or Tenements, situate in, &c.
 ‘ [*naming the Streets or Places*] within the said Borough and Town-
 ‘ ship of *Macclesfield*, of the Yearly Value or Rent of Fifty
 ‘ 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 and every the Powers and Authorities reposed in me
 ‘ by virtue of an Act passed in the Sixth Year of the Reign of His
 ‘ Majesty King *George the Fourth*, intituled [*here insert the Title of*
 ‘ *this Act*], as a Commissioner. So help me GOD.’

V. Provided always, and be it further enacted, That the Mayor, Recorder, Aldermen, and Capital Burgesses of the said Borough for the Time being, shall and may act as Commissioners, *ex officio*, without any other Qualification; but nevertheless that they and each of them shall take and subscribe the said last-mentioned Oath before they or he shall begin to act in the Execution of the Powers and Authorities of this Act.

VI. Provided also, and be it enacted, That no Person shall be capable of acting as a Commissioner in the Execution of so much of this Act as relates to the cleansing, lighting, and watching the said Borough and Township, who shall not be a Tenant or Occupier of some Tenement of the Value of Fifty Pounds *per Annum*, situated within that Part of the said Borough and Township which shall be subject to the Rate for lighting and watching the said Borough and Township under the Provisions of this Act.

VII. And be it further enacted, That if any Person not being qualified as aforesaid, or being disqualified by any of the Causes herein 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 or interested in any Bargain or Bargains, Contract or Contracts, relating to the Execution of this Act, shall presume to act as a Commissioner

Commissioners to be sworn.

Mayor, &c. not to qualify.

No Commissioner to act for lighting who shall not reside within the Part to be lighted.

Penalty on Commissioners acting not being qualified.

Commissioners being Justices of the Peace may act as such.

Commissioner in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, Privilege, or Wager of Law, or more than One Imparance shall be granted or allowed; and every Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall be subject to pay the said Penalty, on Proof given of his having acted as a Commissioner in the Execution of this Act: Provided always, that 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; and that all Acts and Proceedings of any Person acting as a Commissioner in the Execution of this Act, though not duly qualified, and done previous to his being so convicted, shall be as valid and effectual as if such Person had been qualified as aforesaid.

Meetings of Commissioners.

VIII. And be it further enacted, That the said Commissioners qualified as aforesaid, or any Seven or more of them, shall meet and assemble at the *Macclesfield Arms Hotel* in *Macclesfield* aforesaid, on the Thirtieth Day of *September* One thousand eight hundred and twenty-five, between the Hours of Nine and Twelve of the Clock in the Forenoon, and shall proceed to put this Act into Execution; and the said Commissioners shall then and from Time to Time afterwards adjourn themselves to meet at such Time or Times, and at such proper and convenient Place or Places within the said Borough and Township, as they or any Seven or more of them present at such Meeting shall from Time to Time appoint; and if there shall not appear on the respective Days above mentioned, or at any other of the said Meetings for that Purpose, a sufficient Number of the said Commissioners to act and to adjourn to another Day, or if they shall omit or neglect to adjourn, or if there shall be any particular Occasion to hold a Meeting before the Time of Meeting pursuant to any Adjournment, then and in such Case any Seven or more of the said Commissioners shall and may appoint a Meeting to be holden at the Place aforesaid, or at such other Place or Places within the said Borough and Township at which the Meetings of the said Commissioners shall for the Time being usually be held: Provided always, that no Meeting of the said Commissioners pursuant to this Act, subsequent to the First Meeting hereinbefore directed for putting this Act into Execution, shall be held, unless Notice thereof, signed by some Seven of the said Commissioners, shall be given in a *Macclesfield* Newspaper, if the same shall continue to be published there, or in such other public Manner as the said Commissioners shall direct or appoint, at least Four Days before the holding thereof; and that the said Commissioners shall at all their Meetings defray their own Expences; and at every such Meeting One of the said Commissioners, to be appointed by a Majority of the Commissioners present, shall be Chairman, and shall, besides his own Vote, have a casting Vote in case of an Equality of Voices.

IX. And

IX. And be it further enacted, That no Act, Order, or Proceeding of the said Commissioners, or any of them, shall be valid, unless made or done at some Meeting to be held in pursuance of this Act; and that all Powers and Authorities, Acts and Proceedings, by this Act granted to or vested in the said Commissioners, or authorized or directed to be done by them, shall and may from Time to Time be exercised, done, or transacted by the major Part of them present at their respective Meetings to be holden in pursuance of this Act, except in such Cases wherein the contrary is herein expressly provided, the whole Number present not being less than Seven.

No Act to be valid unless made at Meetings.

X. And be it further enacted, That if it shall at any Time or Times be thought necessary that a Meeting of the Commissioners should be holden on an earlier Day than the Day to which such Meeting shall have been adjourned, then and in every such Case any Two of the said Commissioners, or the Clerk to the said Commissioners (on an Order, signed by Five or more of the said Commissioners, mentioning the Time, Place, and Purpose of such earlier Meeting, being given to him or left at his last or usual Place of Abode), shall forthwith give Notice of the Meeting to be holden on such earlier Day, in Manner before directed, and of the Time, Place, and Purpose, which shall be mentioned in such Notice (such Time not being less than Four Days after such Notice); and all Proceedings of the said Commissioners at such earlier Meeting shall be as good and valid as they would have been in case such Commissioners had met in pursuance of any Adjournment.

Meetings on Emergencies.

XI. And be it further enacted, That no Order which may be made by the said Commissioners by virtue hereof shall be rescinded, except at a regular Meeting, or at some Meeting specially appointed for rescinding the same; nor unless Notice of the Intention to repeal the same shall be previously given by Three Commissioners at a General Meeting, to be entered in the Book containing the Proceedings of such Meeting, and signed by Three such Commissioners; nor unless the Notice of moving to rescind such Order shall be advertised in a *Macclesfield* Newspaper at least Fourteen Days before the Time of holding the next Meeting at which the Proposal shall be made for that Purpose, which Advertisement the Clerk of the said Commissioners is hereby required to cause to be inserted accordingly, under the Penalty of Five Pounds in case of neglecting so to do.

Orders not to be rescinded but at Meetings.

XII. And be it further enacted, That the Clerk 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 and the Clerk to the Commissioners shall always subscribe their Names at the End of the said Proceedings; and the said Clerk shall enter in the said Book or Books the Names of all 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 original Entries, and shall be allowed to be read as Evidence in all Courts and upon all Occasions

Books of Proceedings to be kept.

whatsoever; and at any of the Meetings of the said Commissioners, and at all other convenient and seasonable Times to be directed by the said Commissioners, 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 who shall be rated and assessed for the Purposes of this Act.

Commissioners to appoint Officers.

XIII. And be it further enacted, That it shall and may be lawful for the said Commissioners from Time to Time, at the First or any other of their Meetings to be held in pursuance of this Act, to elect and appoint a Treasurer or Treasurers, or Clerk or Clerks, an Assessor or Assessors, Collector or Collectors, a Receiver or Receivers of the Assessments and Monies to be collected and received by virtue of this Act, and also a Surveyor or Surveyors, and other Officers and Persons for the Execution of this Act, either annually or in any other Manner as the said Commissioners shall think proper; and from Time to Time to remove and displace all or any of such Officers as they shall see Occasion; and to elect and appoint others in the Room or Place of such of them as shall be so removed, or shall die, or shall resign their Offices, but so that Notice shall be given of every Election and Appointment in a *Macclesfield* Newspaper, at least Ten Days before the Election and Appointment of every Treasurer, Clerk, Assessor, Collector, and Receiver as aforesaid: Also, that it shall and may be lawful for the said Commissioners, at any of their Meetings to be held in pursuance of this Act, from Time to Time, by and out of the Monies to be raised or received by virtue of this Act, to pay such Wages and Salaries, and make such Allowances to the said Officers, and to all such other Persons to be employed in or about the Execution of this Act, as they the said Commissioners shall think reasonable and proper; and they shall require and take such Security from every such Treasurer, Collector, and other Officer so to be appointed, for the Execution of their respective Offices, as they the said Commissioners may think proper.

Officers to account.

XIV. And be it further enacted, That all such Officers so to be appointed shall, under their Hands, at such Time and Times and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge, and of all Monies which shall have been received by such Officers and Persons respectively by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the Vouchers for such Payments, and shall pay all such Money as shall remain due from them respectively to the said Commissioners, or to such Person or Persons as they shall appoint; and if any such Officer or Person shall refuse or wilfully neglect to make and render any such Accounts, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or neglect to deliver to the said Commissioners, or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required by the said Commissioners, by Notice in Writing, to be given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and

and Writings in his Custody or Power relating to the Execution of this Act, and to give Information and Satisfaction to the said Commissioners respecting the same, then, and in every such Case, upon Complaint made by the said Commissioners, or any Two or more of them, or by any Person or Persons whom they shall appoint for that Purpose, of any Neglect or Refusal as aforesaid, to any Justice of the Peace for the County, City, Town Corporate, or Place, such Justice may, and he is hereby authorized and required, by a Warrant under his Hand and Seal, to cause the Officer or Person so refusing or neglecting to be brought before him, and upon his appearing, or having been summoned and not appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses, upon Oath or Affirmation (which Oath or Affirmation such Justice is empowered to administer), it shall appear to such Justice that any of the Money which shall have been collected or raised by virtue of this Act shall be in the Hands of such Officer or Person, such Justice may, and he is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer and Person; and if no Goods or Chattels of such Officer or Person can be found, sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the same; or if it shall appear to such Justice, that such Officer or Person shall have refused or wilfully neglected to render or give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relative to the Execution of this Act shall be in the Custody or Power of such Officer or Person, and he shall have refused or wilfully neglected to deliver up or give Satisfaction respecting the same as aforesaid; then and in any of the Cases aforesaid, such Justice shall commit such Offender to the Common Gaol or House of Correction for the County, there to remain without Bail or Mainprize until he shall have made and given a true and perfect Account and Payment as aforesaid, or until he shall compound with the Commissioners for such Money, and shall have paid such Composition in such Manner as they shall appoint, which Composition the said Commissioners are hereby empowered to make and receive, and until he shall have delivered up such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Commissioners; provided that no Person who shall be committed by virtue of this Act, on account of his not having sufficient Goods or Chattels, shall be detained in Prison for any longer Term than Twelve Calendar Months; provided also, that if any Money shall remain due from such Officer or Person, Officers or Persons, the Commitment of him or them to Prison shall not be deemed a Discharge for the same, nor exonerate his or their Surety or Sureties, but such Officer or Person, Officers or Persons, and his and their Surety and Sureties, shall remain liable to the Payment thereof, in the same Manner as if such Officer or Person had not been committed to Prison.

XV. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint the Person

Treasurer
and Clerk
not to be the
same Person.
who

who has been or may be appointed their Clerk in the Execution of this Act, or the Partner or Partners of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, or of his Partner or Partners, the Treasurer for the Purposes of this Act, or to continue or appoint any Person who has been or may be appointed Treasurer, or the Partner or Partners 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 or Persons being the Partner or Partners of any such Clerk, or the Clerk or other Person or Persons 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, 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*, 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 Imparance shall be allowed.

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

XVI. 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 and 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, 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 Twenty Pounds for every such Offence to any Person or Persons who shall sue for the same, together with full Costs of Suit, by Action of Debt, Bill, Plaintiff, or Information, in any of His Majesty's Courts of Record at *Westminster*, or Court of Session at *Chester*, 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 Imparance shall be allowed.

Accounts to
be kept of
Receipts and
Disburse-
ments.

XVII. 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 dis-
bursed,

burséd, laid out, and paid; and such 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 or 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.

XVIII. And be it further enacted, That an Annual Account of the Monies received, paid, and disbursed by virtue hereof, from the Twenty-ninth Day of *September* in each Year to the same Day in the Year following, shall be printed and published as soon as conveniently may be after the End of every such Year, under the Order and Direction of the said Commissioners, gratuitously.

Accounts to be printed and published.

XIX. And be it further enacted, That the said Commissioners may sue and be sued in the Name of any One of the said Commissioners or their Clerk for the Time being; and all Actions and Suits which may be necessary or expedient to be brought for the Recovery of any Penalty or Sum or Sums of Money due or payable by virtue of this Act, or for or in respect of any other Matter or Thing relating to this Act, may be brought in the Name of any One of the said Commissioners, or the said Clerk; and that no Action or Suit 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 of any One of the said Commissioners, or of their Clerk, shall abate or be discontinued by the Death, Suspension, or Remoyal of such Commissioner or Clerk, or by any Act or Default of such Commissioner or Clerk done or suffered without the Consent or Direction of the said Commissioners, but One of the said Commissioners, or the Clerk to the said Commissioners for the Time being, shall be always deemed Plaintiff or Defendant, in every such Action or Suit (as the Case may be), except in such Action or Actions as shall be prosecuted between the said Commissioners and their Clerk for the Time being, in which Action or Suit any One of the said Commissioners shall or may be Plaintiff or Defendant, as the Case may be: Provided always, that every such Commissioner or Clerk in whose Name 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 arise by virtue of this Act, all such Damages, Costs, Charges, and Expences as such Commissioner or Clerk shall be put to, or become chargeable with, by reason of his being so made Plaintiff or Defendant therein; and no such Commissioner or Clerk shall be personally answerable or liable for the Payment of the same, or any Part of the same, unless such Action or Suit shall arise in consequence of his own wilful Neglect or Default, or have been brought or commenced without the Order or Direction of the said Commissioners or any Seven or more of them.

Commissioners may sue and be sued in the Name of their Clerk.

[*Local.*]

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XX. And

Pavements,
Materials,
&c. vested
in the Com-
missioners.

XX. And be it further enacted, That all the present and future Pavements, Stones, Flags, Bricks, Gravel, and other Materials of the several present and future Streets, Lanes, Highways, Passages, and other public Places, as well of the Carriage-ways as Foot-ways within the said Borough and Township; and all the present and future public Drains, Ditches, Sewers, Tunnels, Gutters, Grates, and Sinks in the said Borough and Township; and also all the Lamps, Lamp Irons, Lamp Posts, Pillars, Pilasters, Pipes, and other Articles, Materials, Matters and Things erected, set up, fixed, or provided for the Purposes of this Act; and the Materials of all Houses and other Buildings which shall be purchased and pulled down by the said Commissioners in pursuance of this Act; and all Materials, Tools, Utensils, Carriages, Implements, and other Things which shall be purchased or provided by the said Commissioners for the Purposes of this Act; and all the Soil, Manure, Ashes, Dirt, and Rubbish which shall be deposited or laid, or be swept, gathered, or collected in the said Streets, Lanes, Highways, Passages, and other public Places, or any of them, shall belong to and be the Property of the Commissioners for executing this Act, and shall be and are hereby vested in the said Commissioners for the Time being; and the said Commissioners shall have full Power and Authority to sell and dispose of all or any of the said Articles and Things to such Person or Persons, and in such Manner as the said Commissioners shall think proper, for the Purposes of this Act; 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 the several Articles and Things 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 improving the Borough and Township of *Macclesfield*," without stating or specifying the Names of all or any of the said Commissioners; and if any Person or Persons shall wilfully or maliciously break, throw down, destroy, deface, or otherwise damage or injure any of the Pavements, Articles, or Things hereby vested in the said Commissioners, or any of the Works executed by them, or by their Order, in pursuance of this Act, then every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and shall moreover pay unto the said Commissioners such Sum of Money as shall be a full Satisfaction for the Damages so done as aforesaid; and such Damages, having been ascertained by some Justice or Justices of the Peace, the same shall and may be levied and recovered from such Person or Persons so offending as aforesaid, in the Manner hereinafter directed for the Recovery of Penalties incurred by virtue of this Act, and when so recovered, the same shall be paid to the Treasurer of the said Commissioners, to be applied for the general Purposes of this Act.

XXI. And

XXI. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered to continue any Lamp Irons or Lamp Posts and Gas Pipes already made and set up, or which shall at any Time be made and set up under the Authorities of the said Act passed in the Fifty-fourth Year of the Reign of His late Majesty, and from Time to Time to remove the same; and also from Time to Time to cause Lamp Irons or Lamp Posts to be put up, affixed into, upon, or against the Ground adjoining to, or the Walls or Palisadoes of any of the Houses, Tenements, Bridges, or Buildings, already built or hereafter to be built within the said Borough and Township, or in any other Places or Situations, but so as not to injure any Building or Buildings, or to interfere with or prevent the Right of any Person or Persons building on any Land or Ground, as they the said Commissioners shall from Time to Time think proper and convenient; and also to cause such Number of Lamps of such Sizes and Sorts to be provided and affixed or put upon such Lamp Irons or Lamp Posts already set up or affixed, or hereafter to be set up or affixed, and to cause the same to be altered, taken down, or removed, and do all other Acts as they shall from Time to Time think proper and necessary for well and effectually lighting the said Borough and Township with Gas or Oil; and also to cause such Lamps to be lighted at such Time or Times, and to be kept lighted during the whole or such Part of the Night as they the said Commissioners shall think proper; and to contract and agree with any Person or Persons for a sufficient Number of Lamps necessary to be fixed and set up in the said Borough and Township, and for Lamp Irons, Posts, and other Materials needful for fixing the same from Time to Time, and for furnishing and providing the said Lamps with all Requisites, and for lighting, supporting, attending, and repairing the same, by, with, and under such Regulations and Restrictions, and subject to such Penalties and Forfeitures, not exceeding Forty Shillings for each Offence, as the said Commissioners shall from Time to Time think proper; and that it shall be lawful for the said Commissioners to contract with any Gas Company, now or hereafter to be established within the said Borough and Township, or in the Neighbourhood thereof, or with any other Person or Persons, Body or Bodies Politic or Corporate, for lighting the said Borough and Township with Gas or Gases, 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 Borough and Township with Gas or Gases, and to purchase Ground not exceeding Two Acres, and erect the necessary Buildings, Apparatus, and Machinery, and in the said Streets, Lanes, Highways, Passages, and other public Places, as well as elsewhere, within the said Borough and Township, lay Main and other Pipes for that Purpose, and to effect all other Matters and Things necessary thereto, or for the Purposes thereof: Provided also, that nothing herein contained shall authorise or empower the said Commissioners, or any other Person or Persons, to carry, lay, or fix, or continue any Pipe or Pipes, or any other Thing for the Conveyance of the said Gas or Inflammable Air, through or against any Dwelling-house or private Building,

Commissioners may light the Borough and Township, or contract for the Lighting thereof.

Building, or in, over, and upon any private Lands, Hereditaments, or Premises, without the Consent of the Owner and Occupier thereof respectively for that Purpose: Provided also, that if any Injury or Damage shall be occasioned to any Rail, Palisado, Building, or Wall, by the affixing, setting up, taking down, altering, or removing any such Lamp or Lamps, or any Lamp Iron or Lamp Irons, or other Fastener thereof, the Commissioners shall immediately cause the said Injury and Damage to be well and sufficiently repaired out of the Money to be raised by virtue of this Act.

Penalty on
wilfully
breaking
Lamps.

XXII. And be it further enacted, That if any Person shall wilfully break, take away, throw down, displace, or otherwise destroy or damage any Lamp which shall be erected by Order of the said Commissioners, or by any other Person or Persons, at his, her, or their own Expence, for the Purpose of lighting any of the said Streets, Lanes, Entries, and other public Passages and Places, or any Post, Iron, Cover, or Furniture thereof, or shall wilfully extinguish the Light or Lights of or in any such Lamp or Lamps, it shall and may be lawful to and for any Justice of the Peace, and he is hereby required, upon Complaint to him made by One or more credible Witness or Witnesses of any such Offence having been committed, to summon before him or any other Justice of the Peace the Party or Parties complained of for doing such Damage, and in case of his, her, or their making Default to appear to such Summons (Oath being made that the Party or Parties complained against had been served with such Summons, or that the same had been left at his, her, or their usual Place of Abode (if known), to issue a Warrant for apprehending the Party or Parties accused, or it shall and may be lawful to and for any Person or Persons who shall see such Offence committed to apprehend, and also for any Person or Persons to assist in apprehending the Offender or Offenders, and by Authority of this Act, 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 of the Peace; and such Justice shall and he is hereby required to proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Evidence touching such Offence; and if the Party or Parties accused shall be convicted of such Offence, either on his, her, or their Confession, or upon such Evidence as aforesaid, then and in every such Case he, she, or they shall for every such Offence respectively forfeit and pay any Sum not exceeding Forty Shillings, and shall besides make a full Satisfaction (to be ascertained by such Justice) to the said Commissioners, or to the Party injured, for the Damage so done; and in case such Offender or Offenders shall not upon Conviction forthwith pay such Penalty and Satisfaction as aforesaid, such Justice is hereby authorized and required to commit such Offender or Offenders to the Common Gaol or House of Correction for the said County or Borough, there to be kept to hard Labour for any Time not exceeding Three Calendar Months, unless such Penalty and Satisfaction shall be sooner paid.

Satisfaction
to be made
for acci-
dental Da-
mage.

XXIII. And be it further enacted, That if any Person shall carelessly, negligently, or accidentally break, throw down, or otherwise destroy or damage any Lamp, or the Post, Iron, Cover, or Furniture thereof respectively

respectively, and shall not upon Demand make Satisfaction for the Damage done, then and in every such Case it shall be lawful for any Justice of the Peace, and he is hereby required, upon Complaint thereof made, to summon before him the Party or Parties so complained of; and upon his, her, or their appearing or making Default to appear (Oath being made that the Party complained against had been served with such Summons, or that the same had been left at his, her, or their usual Dwelling or Place of Abode, if known), such Justice shall proceed to examine the Cause of such Complaint, and upon Proof thereof, either by Confession of the Party or the Oath of any credible Witness, shall award and order such Satisfaction to be made by the Party or Parties complained against for the Damage so done, to the said Commissioners, or the Owner or Owners of such Lamp or Lamps, as to such Justice shall appear just and reasonable; and in case the Sum so awarded shall not be paid forthwith, it shall and may be lawful to and for such Justice, and he is hereby required to cause the same to be levied and recovered by Distress, in such and the same Manner as any Fine or Penalty is by this Act directed to be levied and recovered; and for want of such Distress, it shall be lawful for such Justice to commit such Person to the House of Correction for the said County for any Time not exceeding Fourteen Days.

XXIV. 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, Lane, or other Passage or Place within the said Borough and 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 Three Feet at least from the nearest Part of any Water Pipe, Sough, or Water-course already laid down, or hereafter to be laid down, for the Conveyance of Water in, under, through, along, across, or round any of the said Streets, Lanes, or other Passages or Places within the said Borough and Township, except in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the said Water Pipes, Soughs, or Water-courses, in which Cases the said Gas Pipes shall be laid over and above the said Water Pipes, Soughs, and Water-courses, at the greatest practicable Distance therefrom, and shall form therewith a right Angle; and in such Cases the said Gas Pipes, so crossing the said Water Pipes, Soughs, and Water-courses, shall be at least Three 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, Soughs, or Water-courses, than Three Feet at least; and that in laying down the said Gas Pipes the said Commissioners, Contractors, or other Persons supplying Gas, 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 connecting or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively air-tight,

Gas Pipes
to be laid
Three Feet
from Water
Pipes, &c.
and in a par-
ticular Man-
ner.

[Local.]

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and

and in all and every respect prevent the said Gas from escaping therefrom, upon Pain of forfeiting for every Offence the Sum of Five Pounds.

For preventing the Escape of Gas.

XXV. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down in any Markets, Streets, Squares, Lanes, Public Passages or Places within the said Borough and Township, the said Commissioners, or the Body or Bodies Politic or Corporate, or the Person or Persons being the Owner or Owners of such Pipe or Pipes so laying down or causing the same to be laid down in any such Markets, Streets, Squares, Ways, Lanes, and other Public Passages and Places, shall, immediately after Notice given to them or him by Parol or in Writing of any such Escape of Gas, from any Inhabitant or Inhabitants of the said Borough and Township, 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 the Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall not, within Twenty-four Hours next after such Notice given, effectually stop and prevent any future Escape, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Commissioners, or the Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds for each Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty or Penalties shall from Time to Time be recoverable in a summary Way, on the Oath of One or more credible Witness or Witnesses, by Information to be laid before some One or more Justice or Justices of the Peace, and shall and may be recoverable and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the Treasurer of the said Commissioners, or of the Goods and Chattels of the Body or Bodies Politic or Corporate, or of the Person or Persons so contracting to light or lighting as aforesaid.

Penalty on damaging Pipes, &c

XXVI. And be it further enacted, That if any Person or Persons shall wilfully and maliciously remove, destroy, damage, or injure any or any Part of any Pipe, Plug, Post, or other Apparatus, Article, Matter, or Thing belonging to the said Commissioners, or to any Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, or shall wilfully or maliciously waste, or beyond his, her, or their Contract, consume any of the Inflammable Air or Gas supplied by the said Commissioners, or any Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, every Person so offending in any of the respective Premises, and being thereof lawfully convicted, either by Confession, or on the Oath or Affirmation of One credible Witness, before One or more Justice or Justices of the Peace, shall forfeit and pay to the said Commissioners, or the Body or Bodies Politic or Corporate, or Person or Persons aforesaid, any Sum not exceeding Five Pounds, and Three Times the Amount of the Damage done or occasioned by such Conduct, the same to be ascertained by such Justice or Justices; and such Penalty and Damage, together with reasonable Costs, shall be levied by Distress and Sale of the Goods

Goods and Chattels of such Offender, returning the Overplus (if any) on Demand, to the Owner of such Goods and Chattels; or such Offender shall and may be committed to the House of Correction, or to the Common Gaol of the said County, at the Discretion of such Justice or Justices, there to remain for any Time not exceeding Three Calendar Months.

XXVII. Provided always, and be it further enacted, That if the said Commissioners, or Body or Bodies Politic or Corporate, or any Person or Persons making or furnishing or supplying any Gas burnt or consumed within the said Borough and Township for lighting any Street, Lane, or other Public Passage or Place, or any House, Manufactory, or other Building therein, shall at any Time drain or carry, or cause or suffer to be drained, carried, or conveyed, or to run or flow any Washings or other waste Liquids, Substances, or Things whatsoever, which shall arise or be made in the Prosecution of the said Gas Works, into any River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Feeder, Pond, or Spring-head, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Water-way, Feeder, Pond, or Spring-head, whereby the said Water or any Part thereof shall or may be soiled, fouled, or corrupted, then and in every such Case the said Commissioners, or such Body or Bodies Politic or Corporate, or such Person or Persons as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Complaint, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparance shall be allowed; and such Penalty shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Twelve Calendar Months after the Time when such Annoyance, Act, and Thing shall have ceased: Provided also, that in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall or shall not be recovered), 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, or any Reservoir, Canal, Aqueduct, Water-way, Feeder, Pond, or Spring-head, 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 whomsoever to the said Commissioners or any of them, or to such Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, and the said Commissioners or other Person or Persons shall not, within Twenty-four Hours after such Notice given, stop and prevent all and every such Washings, waste Liquids, 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, Act, or Thing from being done as aforesaid, then
and

Penalty for conveying Washings into any Stream, &c.

and in every such Case the said Commissioners, or Body or Bodies Politic or Corporate, or other Person or Persons, shall forfeit and pay the Sum of Twenty Pounds for each Day such Washings, waste Liquids, or noisome or offensive Liquids 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, and shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

Gas Com-
pany to pre-
vent Conta-
mination of
Water, &c.

XXVIII. And be it further enacted, That whenever the Water of the Corporation of the Borough of *Macclesfield*, or any Owner or Company of Proprietors of Water Works, shall be contaminated or affected by the Gas of the said Commissioners, or of any Body or Bodies Politic or Corporate, or any Person or Persons as aforesaid, such Commissioners, or Body or Bodies Politic or Corporate, or other Person or Persons aforesaid, 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 said Corporation, Owner, or Company of Proprietors of the Water Works affected thereby; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case and Cases the said Commissioners, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall, within Twenty-four Hours next after Notice thereof in Writing, signed by the Clerk or Surveyor to the said Corporation, Owner, or Company, or by any Person or Persons consuming the Water, to be left at the usual Office or Place of transacting Business of the said Commissioners, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, 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 the Water of the said Company of Proprietors; and in case the said Commissioners, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, 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, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, shall, on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to the Treasurer for the Time being, or to any One of the Directors for the Time being of the said Corporation, Owner, or Water Company, 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 said Water shall be and remain contaminated, tainted, or affected

by the Gas of the said Commissioners, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid; 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 Mayor for the Time being of the said Borough, or by and in the Name of any One or more of the Directors of any such Water Company, at the Option of the Party or Parties prosecuting such Information against the said Commissioners, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, before any Justice of the Peace, with Costs to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Commissioners, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and such Penalty or Penalties and Costs, when so levied, shall be paid to the Treasurer, or to One of the Directors for the Time being of the said Company, which shall be contaminated or affected by such Gas.

XXIX. And whereas it may be or become a Question upon such Complaint as aforesaid whether the said Water be contaminated or affected by the Gas of the said Commissioners, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid; be it therefore enacted, That in every such Case it shall and may be lawful to and for the said Corporation, or Owner, or any such Water Company, to dig to and about, and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Commissioners, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, for the Purpose of ascertaining whether such Contamination proceeds or be occasioned by the Gas of the said Commissioners, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid; and if it shall appear that the said Water has been contaminated by any Escape of Gas of the said Commissioners, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, 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, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid; 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, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, then and in such Case the said Corporation, Owner, or 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, or Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Commissioners, or Body or Bodies Politic or Corporate, or Per-

For ascer-
taining if
Water is
contaminat-
ed.

son or Persons as aforesaid, 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 some Justice or Justices of the Peace as aforesaid.

This Act not to prevent Commissioners being proceeded against for a Nuisance, &c.

XXX. 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 proceeding by Indictment or otherwise against the said Commissioners, or any Body or Bodies Politic or Corporate, or any Person or Persons making, furnishing, or supplying any Gas, and burnt and consumed within the said Borough and Township, for lighting any Street, Way, or Place, or any House, Manufactory, or Building, or other Premises therein, or his, her, or their respective Officers, Servants, or Workmen, in respect of public or private Nuisances by him, her, or them committed through the Means which shall be adopted in obtaining, making, preparing, or using the said Gas or Inflammable Air.

Appointment of Scavengers.

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

No Ashes, &c. to be taken away by any Person but the Scavengers to be regularly appointed.

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

Not to extend to Ashes, &c. reserved by the Inhabitants for their own Use.

XXXIII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to any Ashes, Dust, Dirt, Filth, Dung, or Rubbish which any of the Inhabitants of the said Borough and Township of *Macclesfield* shall lay or keep within their respective Houses, Buildings, Gardens, or Grounds, so as the same do not become a Nuisance or Annoyance to any other of the Inhabitants, and so as such Ashes, Dust, Dirt, Filth, Soil, Dung, or Rubbish be not laid down or placed in any or either of the said Streets,

Streets, Ways, Lanes, or Passages for any longer Time than shall be necessary for the loading and carrying away the same; but in case the Person or Persons so reserving such Ashes, Dirt, Dust, Filth, Soil, Dung, or Rubbish, shall continue to keep the same for the Space of Three Days after Complaint shall have been made and proved to the said Commissioners of the same being such Nuisance, or Annoyance, and after Notice in Writing given him, her, or them, or left at his, her, or their usual Place of Abode, to remove the same, such Person or Persons shall forfeit and pay any Sum not exceeding Five Pounds for every Day such Nuisance or Annoyance shall be permitted to remain after such Notice given as aforesaid.

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

Contractors may lay Filth in Streets.

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

Penalty on Contractors not fulfilling their Agreements.

XXXVI. And be it further enacted, That the Words "Scavenger's Cart," together with the Number to be appointed by the said Commissioners, shall be painted in large Roman Letters and Figures of at least Two Inches long, upon some conspicuous Part of all the Carts which shall be used by any Person or Persons engaged by or contracting

Scavenger's Cart to be marked.

with the said Commissioners for the Purposes aforesaid; and that every such Person shall forfeit and pay the Sum of Twenty Shillings for every Day on which such Cart shall be so used without having such Letters and Figures so painted thereon as aforesaid.

Footways to
be swept.

XXXVII. And be it further enacted, That all the Occupiers of Houses and other Buildings in the several Streets, Lanes, Public Passages and Places in the said Borough and Township, shall cause the Footways adjoining to their respective Houses or other Buildings to be well and sufficiently swept and cleansed every Morning in the Year between the Hours of Six and Nine of the Clock; and in case of any Frost, if the Constables of the said Borough or any Two of them, or the Surveyors to be appointed by the said Commissioners, shall give Notice in the said Borough by the Bellman of the said Borough, or in some other public Manner, for the Inhabitants of the said Borough to lay and place Sand, Ashes, Dust, or other proper Things on the Footways before their respective Premises for the preventing of Accident thereon, the Occupier of any House or other Building within the said Borough and Township shall, within the Space of One Hour next after the giving of such Notice within the several Streets within which their respective Houses and Buildings shall be situate, well and sufficiently lay and spread Sand, Ashes, Dust, or other proper Things upon the Footways adjoining every such House and Buildings, so as to prevent Accident from the Ice upon such Footways; and that every Person who shall neglect to sweep and cleanse the said Footways, or in case of Frost shall after such Notice as aforesaid neglect to lay and spread Sand, Ashes, Dust, and other proper Things upon the said Footways as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Twenty Shillings.

Power to
provide Fire
Engines, &c.

XXXVIII. 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 Borough and 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 Borough and Township, and to pay and defray all Costs and Expences attending the same respectively out of the Rates to be levied and raised by virtue of this Act.

Commission-
ers to pro-
vide Fire
Plugs, &c.

XXXIX. And be it further enacted, That the said Commissioners at any of their Meetings shall and may from Time to Time order and appoint such and so many Fire Plugs to be put and placed into any Main or other Pipes laid or to be laid along any Part or Parts of the said Streets of the said Borough and Township, and belonging to the Mayor, Aldermen, and Capital Burgesses of the said Borough, or to any other Person or Persons, Proprietor or Proprietors whatsoever, for the better obtaining Water for the working of the Fire Engine or Engines, or otherwise extinguishing of such Fires; they the said Commissioners giving Three Days previous Notice of their Intention to put down Fire Plugs, to the Surveyor of such Water Works, and doing as little
Damage

Damage as may be to the said Main and other Pipes; and that the Owners or Proprietors of any such Water Pipe or Water Pipes for the Time being, shall, upon any Fire happening in the said Borough and Township, force up and supply into such Pipes all such Water as can or may be obtained, and got along and into the same, by Means of the Water Engines or Works subsisting for conveying or bringing Water to the said Borough and Township for the Time being; and that such Pavements so to be taken up, and such Pipes so to be broken, shall be repaired and made good by the said Commissioners out of the Rates and Monies to be raised as hereinafter is mentioned.

XL. And be it further enacted, That if any Person shall wilfully injure any of the Fire Engines, Buckets, Pipes, or Plugs, or other Things provided or to be provided for the Purpose of extinguishing Fires as aforesaid; every Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Ten Pounds, nor less than Forty Shillings, and shall also make such Recompence to the said Commissioners for the Injury to be so committed, as by any One of His Majesty's Justices of the Peace shall be ascertained and awarded in that behalf; and if any Person shall negligently or accidentally injure or damage any of the said Fire Engines, Buckets, Pipes, Plugs, or other Things to be so provided for the extinguishing of Fires, every such Person shall in like Manner make Recompence for such Injury to be ascertained and awarded as aforesaid.

Punishing
Persons in-
juring Fire
Engines, &c.

XLI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to hire and employ such and so many Persons as Watchmen within the said Borough and Township, with such Salaries and Appointments, and to be subject to such Rules, Orders, and Regulations, Penalties and Forfeitures, and also to allow any such Watchmen who may be injured or disabled in the Execution of his Duty, or who shall conduct himself with any particular Merit therein, such Reward or Rewards as the said Commissioners shall from Time to Time think proper; and all and every the said Watchmen shall, and they are hereby empowered and required to use his and their best Endeavours to prevent Mischief by Fire, and also to prevent Murders, Burglaries, and Robberies, and other Felonies and Misdemeanours, and to secure and apprehend all Night-walkers, Malefactors, and all disorderly and suspected Persons, and to detain and safely keep every such Person in any Watchhouse or Place to be provided or appointed by the said Commissioners, or in some or one of the Lock-up Rooms in the present or any future Police Office of the said Borough, until he, she, or they can be conveyed before some Justice of the Peace, to be examined and dealt with according to Law.

Commission-
ers may
appoint
Watchmen.

XLII. 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 Commissioners within the said Borough and Township, for the Purpose of managing, regulating, suspending, and appointing Watchmen as Occasion may from Time to Time require, between the Terms of holding the said Meetings of the said Commissioners as aforesaid; and it shall be lawful for the said Commissioners

Appointing
a Watch-
Committee.

to appoint any One or more Person or Persons with a Salary, or otherwise, as a Superintendant or Superintendants of such Watchmen, with such Powers and Authorities in that behalf, and to provide for the occasional Absence of any Watchman, and for allowing any such Watchmen to provide or procure any approved Substitute for any limited Time as the said Superintendant or Superintendants (subject as aforesaid) shall from Time to Time think proper; and every such Substitute shall be subject to the same Provisions and Regulations as if he had been a Watchman regularly appointed, and to have the same Protection in the Exercise of his Duty.

Watchmen,
&c. guilty of
Misconduct;
liable to be
prosecuted
and pu-
nished.

XLIII. And be it further enacted, That in case any Constable of the Night, or any of the Watchmen or Patrol to be appointed by virtue of this Act, shall be guilty of any Neglect or Misconduct in the Execution of his Duty, it shall be lawful for any Justice of the Peace, upon Complaint against any such Constable, Watchman, or Patrol, of any such Neglect or Misconduct, to commit any such Constable, Watchman, or Patrol to the Common Gaol or House of Correction for the said County or Borough, for any Time not exceeding Three Calendar Months.

Penalty on
assaulting
Watchmen.

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

Punishing
Victuallers
harbouring
Watchmen.

XLV. 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 as aforesaid during any Part of the Time appointed for his being on Duty, every such Victualler or Innkeeper shall on Conviction forfeit and pay for the First Offence any Sum not exceeding Twenty Shillings, and for the Second and every other Offence of the same kind, any Sum not exceeding Five Pounds.

Commission-
ers may per-
form Works
contracted
for and reco-
verExpences
thereof.

XLVI. And be it further enacted, That in case any Person contracting with the said Commissioners for any of the Purposes aforesaid, shall in any respect neglect or fail to perform, observe, and fulfil any such Contract according to the true Intent and Meaning thereof, it shall be lawful to and for the said Commissioners to do and perform all such Matters and Things as shall be stipulated by such Contracts, and shall not be so performed as aforesaid; and that the Person or Persons entering into any such Contracts shall, over and besides the Penalties to which such Person or Persons may be subject in respect of any such Contract, pay and refund to the said Commissioners all such Sum and Sums of Money as shall be expended or incurred by reason of any such Neglect or Failure as aforesaid.

XLVII. And

XLVII. 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 Borough and 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 for their own Use, or to the Treasurer to be appointed by the said Commissioners as a Part of the general Fund for the Purposes of this Act, as the said Commissioners shall direct or appoint; 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, which Person shall make a true and regular Entry in a Book or Books to be kept by him for that Purpose of the Description of Goods weighed, the Weight thereof, and the Name or Names of the Owner or Owners of every Waggon, Cart, or other Carriage, which shall be brought to any such Weighing Machine.

Providing
Weighing
Machines.

XLVIII. And be it further enacted, That the Driver of every Waggon, Cart, or other Carriage loaded with any Goods, brought into the said Borough and Township to be sold therein, 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 the Loading thereof to be weighed at one of the Machines to be so erected and affixed as aforesaid, if any there shall be, for which no additional Charge shall be made, unless such Waggon, Cart, or Carriage shall for the Purpose aforesaid 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 Weighing Machine, 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 Charges for Carriages, 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.

Driver of
Carts, &c. to
go to the
Machines at
the Request
of the Buyer

XLIX. 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 hereinbefore 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

Penalty on
Drivers re-
fusing to go.

so offending, and being thereof convicted before any one Justice of the Peace for the said Borough or 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, nor less than Twenty Shillings, and the Party aggrieved and entitled to such a Penalty shall be deemed a competent Witness for the Proof of such Offence.

Prevent-
ing Frauds
in weighing
Carts, &c.

L. And be it further enacted, That if any Owner or Driver, Owners or Drivers, of any Cart or Carts, Waggon or Waggon, or other Carriage or Carriages, conveying Coals, Hay, or other Goods, Wares, or Merchandizes to the said Borough and Township at any Time after the Commencement of this Act, who shall weigh his, her, or their Cart or Carts, or other Carriage or Carriages, at any Weighing Machine or Engine to be erected or provided as aforesaid, or at any other Weighing Machine or Engine within the said Borough and Township, shall at or before 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, to be delivered at any such Machine or 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 Loadings, 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 without the Loading thereof; or if such Owner or Owners, Driver or Drivers, of any such Waggon or Waggon, 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, upon being paid such Allowance for the same as hereinbefore is mentioned, in case of its 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 Merchandizes, conveyed in any Cart or Carts or other Carriage or Carriages to the said Borough and Township, and which shall have been weighed at any Machine or Engine within the said Borough and 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 placed 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

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 Borough and 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 the same and the Loading thereof was or were 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 Terms in which Applications 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 Merchandizes, 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 whatsoever shall knowingly act or assist in the committing of any Fraud respecting the Weight of any 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 hereinbefore 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.

LI. And be it further enacted, That from and after the Commencement of the Operation of this Act, and from and after the Appointment by the said Commissioners of Surveyors of the Streets and Highways within the said Borough and Township, the Repair and Ordering of all the Streets and Highways within the said Borough and Township shall be wholly under the Management and Direction of the said Commissioners, and the Surveyor or Surveyors to be by them appointed in Manner hereinbefore mentioned; and that the Power and Authority of the Surveyors of the Highways within the said Borough and Township, appointed by virtue of an Act passed in the Thirteenth Year of the Reign of His late Majesty, intituled *An Act to explain, amend, and reduce into One Act of Parliament the Statutes now in being for Amendment and Preservation of the Public Highways* [Local.]

Repairs of Streets to be under the Direction of the Commissioners.

13 G. 3. c. 78.

within that Part of Great Britain called England, and for other Purposes, shall from thenceforth cease and determine.

Trustees of Turnpike Roads not to interfere with any of the Streets of the Borough.

LII. Provided always, and be it enacted, That it shall not be lawful for the Trustees of any Turnpike Roads leading or that shall lead into the said Borough and Township, to repair or amend any Part or Parts of the said Turnpike Roads which shall lie within Half a Mile from the parochial Chapel of *Saint Michael*, commonly called the Old Church, in *Macclesfield*, and being within the said Borough and Township, or in any Manner to interfere with the Powers hereby granted to the said Commissioners; any thing in any Act or Acts contained to the contrary notwithstanding.

Persons liable to Repair of Highways to continue so.

LIII. And be it further enacted, That all and every Person and Persons, Bodies Politic and Corporate, liable by reason of Tenure of Lands, or the general Power and Provisions of Law or otherwise, to the Reparations of the Highways within the said Borough and Township, shall be, remain, and continue liable to the same in all respects as if this Act had not passed.

Streets to be paved.

LIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to cause and order the several Streets and Highways already made and laid out or hereafter to be made and laid out within the said Borough and Township to be paved and flagged, or otherwise made good, and also to cause such Soughs, Drains, and Sewers to be made, continued, altered, and maintained within and through the said several Streets and Highways, and to raise, repair, sink, or alter the said Streets and Highways in such Manner as they the said Commissioners shall from Time to Time think proper, the said Commissioners making Compensation for any Damage or Injury to be committed or incurred therein, to be settled and ascertained in like Manner as by an Act passed in the Thirteenth Year of the Reign of His said late Majesty for the Amendment and Preservation of the Public Highways within that Part of *Great Britain* called *England*, and for other Purposes, is provided touching and concerning any Compensation thereby directed to be made.

Power to declare new Streets to be Public Highways.

LV. And be it further enacted, That when any new Streets or public Ways or Foot Passages already laid out or hereafter to be laid out within the said Borough and Township, shall be well and sufficiently paved, soughed, 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, Highways, or Footpaths, or the Owner or Owners of the Lands or Buildings adjoining thereto, or of the greater Part in Value of such Owners, to declare such Streets, Highways, or Footways to be Public Streets, Highways, or Footways, which Declaration shall specify the Length and average Breadth of such Streets, Highways, and Footways; and from and after such Declaration shall be so made, the same Streets and Passages shall be maintained, repaired, and kept in Repair in like Manner as the ancient Streets, Highways, and Footways within the said Borough and Township, and shall be subject to the several Rules, Orders,

Orders, and Regulations herein mentioned and contained of and concerning the same: Provided always, that the said Commissioners shall not be empowered to make such Declaration of or concerning any front Street which shall be of less Width than Ten Yards in the narrowest Part thereof, or of and concerning any back Streets which 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.

LVI. 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 Borough and Township which are now built upon, but not paved, flagged, and cleansed, or otherwise put into good Order or Condition as aforesaid, and all such other public Streets, Ways, and Passages within the said Borough and Township which are now making or building, or may hereafter be made or built upon, and all other Streets, Lanes, or Passages within the said Borough and Township which are now making or building, or may hereafter be made or built upon, but not laid open to the Public, which now have or shall hereafter have Messuages or Dwelling-houses or other Buildings erected and built at the respective Sides thereof to the Extent of Three-fourth Parts of such last-mentioned Streets, Lanes, or Passages, to be paved, flagged, and cleansed, or otherwise repaired, amended, supported, and put in good Order, in such Manner and with such Materials, and with such Gutters, Sinks, Drains, or Water-courses, as to them the said Commissioners and Surveyor or Surveyors shall seem meet and necessary; and the Charges or Expences attending or in any Manner relating to such new Pavements, Flaggings, Cleansings, or otherwise putting into good Order and Condition, 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, flagged, and cleansed, or otherwise repaired, amended, supported, and put in good Order and Condition as aforesaid, each such Owner or Occupier paying an equal Share or Proportion thereof, according as such new Pavement, Flagging, Cleansing, or Repairing 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; 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 refuse or neglect 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 hereinafter 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, &c.

LVII. Provided always, and be it further enacted, That before the said Commissioners shall cause such Parts of the said public Streets, or other Streets, Ways, and Passages within the said Borough and Township

Notice to be given, before paving by Commission-

ers, to Occupiers of Houses, &c. requiring them to pave.

Township which are now built upon, but not paved, flagged, cleansed, or otherwise put into good Order and Condition, and all such other public Streets, or other Streets, Ways, and Passages within the said Borough and Township which are now making, or Buildings erected thereon, or may hereafter be made or built upon, to be paved, flagged, cleansed, or otherwise repaired, amended, supported, and put in good Order and Condition, in such Manner and with such Materials and Gutters, Sinks, Drains or Water-courses, 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, flagged, and cleansed, or otherwise put into good Order and Condition as aforesaid, requiring him, her, or them, to pave, flag, cleanse, or otherwise repair, amend, and put the same into good Order and Condition in such Manner as they shall direct, 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, flag, cleanse, or otherwise repair, amend, and put the same into good Order and Condition, 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 required 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 hereinbefore is mentioned.

Occupiers may retain Expences from Rent.

LVIII. Provided always, and be it further enacted, That it shall and may be lawful to and for all and every 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, Flagging, Cleansings, or other Repairs and Amendments to be made and done as aforesaid; and in all Cases where Houses, Buildings, Lands, Grounds, or Hereditaments are held upon Leases, of which Twenty-one Years shall be unexpired, or for Lives perpetually renewable; or for the Term of Ninety-nine Years, or any longer Term, such Retention or 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 in Streets not to vote as Commissioners touching such Streets.

LIX. Provided always, and it is hereby further enacted, That no Person being the Owner or Occupier of any Land or Buildings within or adjoining to any Street, Highway, or Footway, proposed to be made a public Street, Highway, or Footway as aforesaid, or within Seventy-five Yards of the same, or being entitled unto any Chief Rent or other Rent issuing out of any such Land or Buildings, shall be entitled to vote as a Commissioner touching the declaring of any such Place to be a Street, Highway, or Footway, or touching the paving, flagging, or souging the same, or any Part thereof.

LX. And be it further enacted, That when the said Commissioners shall have caused any public Streets, or other Streets, Ways, and Passages within the said Borough and Township which are now built upon, but not paved and cleansed, or otherwise repaired, amended, supported, and put in good Order and Condition, or any other public Streets or other Streets, Ways, and Passages within the said Borough and Township now building or making, or hereafter to be built or made, to be paved and cleansed, or otherwise repaired, amended, supported, and put into good Order and Condition, to the Satisfaction of the said Commissioners, 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 of the greater Part in Value of such Owners, to declare such Streets, Ways, or Passages to be Highways, 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 Borough and Township.

Power to declare Streets to be Highways after being paved by Commissioners.

LXI. And be it further enacted, That in all Streets to be hereafter made and laid out within the said Borough and 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 that in all Streets which shall hereafter be made and laid out within the said Borough and 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 the Width of Four Feet at the least; and that 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 Five Feet at the least; and that 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 at least the Width of One-eighth Part of the whole Width of such Streets.

Width of Footways to be regulated according to Width of Streets.

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

Width of Streets to be computed beyond the Areas.

LXIII. And be it further enacted, That this Act, as to the laying out of all such Streets as aforesaid, shall be deemed to operate and take effect from the Twenty-ninth Day of *September* One thousand eight hundred and twenty-five.

Commencement of the Act as to laying out Street.

LXIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, in all Cases where it shall appear to be beneficial and expedient, to flag, sough, and pave, by and out of the Monies to be raised by virtue hereof, any new Street, Highway, or Footway within the said Borough and Township now laid

Power to pave new Streets.

out or hereafter to be laid out, or to contribute any Sum or Sums of Money towards the paving, flagging, and souging of the same, as to them shall seem meet.

Commissioners may make Sewers and Drains.

LXV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby enabled to cause such and so many new Sewers, Drains, and Vaults as they shall think necessary to be dug and made in, along, or across any of the Streets, Squares, or other Places within the said Borough and Township; and also to cause any of the Sewers or public Drains and Vaults which, at the Time of passing of this Act, are or hereafter may be within the said Borough and Township, to be enlarged, raised, widened, altered, removed, repaired, cleaned, and scoured, when and in such Manner as to them shall seem meet; and in all Cases, when it shall appear to the said Commissioners to be necessary to make use of any private Sewers or Drains, in order to form a Communication between any public Sewers, it shall be lawful to and for the said Commissioners to make use of such private Sewers for the Purpose of such Communication; and in case any such private Sewers shall not be sufficient for the Purpose aforesaid, it shall be lawful to and for the said Commissioners to widen and enlarge the same.

No private Sewer to be enlarged without Notice.

LXVI. Provided always, and it is hereby further enacted, That no private Sewers shall be widened or enlarged as aforesaid without giving Seven Days previous Notice in Writing of the Intention to widen or enlarge the same to the Occupier or Occupiers of the Land wherein the same shall be; and that in case within that Time Notice shall be given by such Occupier or Occupiers, or by the Owner or Owners of such Premises, or any other Person or Persons interested in any such private Sewers, of an Intention to appeal at the General Sessions of the Peace for the said County of *Chester* next or next but one after the Time of serving such Notice of Appeal, against the Order for so using, widening, or enlarging the said Sewers, such Sewers shall not be so used, widened, or enlarged, until the Matter of such Appeal shall have been heard and determined.

Not to enter Buildings to enlarge private Sewers.

LXVII. Provided also, and it is hereby further enacted, That it shall not be lawful to enter into any Dwelling-house or other Building in order to make any such Communication by means of any private Sewers, to widen or enlarge any such private Sewer as aforesaid.

Sewers creating any Annoyance to be remedied.

LXVIII. And be it further enacted, That in case any Detriment or Inconvenience shall be sustained by the Owner or Proprietor, Owners or Proprietors of any private Sewer which shall be so made to communicate to any public Sewer as aforesaid, or by any other Person or Persons having any Right or Interest therein, or any Easement by Means thereof, and such Person or Persons shall give Notice in Writing of such Detriment or Inconvenience to the Clerk of the said Commissioners; then and in such Case, if such Detriment or Inconvenience shall not be removed or obviated within Fourteen Days next after the giving of such Notice, it shall be lawful to and for any Two Justices of the Peace in and for the said Borough, upon

upon Complaint of any such Person or Persons as aforesaid, and upon summoning the Clerk of the said Commissioners, to hear and determine the Matter of such Complaint, and to order and direct such Communication to be stopped, or such Alterations to be made, in order to remedy or remove any such Detriment or Inconvenience, by and at the Expence of the said Commissioners, as to the said Justices shall seem meet.

LXIX. Provided always, and be it further enacted, That if it shall be found necessary for the said Commissioners, in the Execution of this Act, to remove or take up any of the Plugs or Pipes belonging to any Person or Persons, Body Politic or Corporate, the same Plugs or Pipes shall be relaid and replaced in the same State as before they were removed and taken up, and the Expence thereof shall, from Time to Time, be paid out of the Money arising or to arise by virtue of this Act; and the Powers of the said Commissioners, and the Persons by them employed in respect of any such Sewers, Drains, and Vaults, shall always be exercised with as little Detriment and Inconvenience to any such Person or Persons, Body Politic or Corporate, as the Circumstances of the Case will admit.

Commissioners may remove Plugs.

LXX. And be it further enacted, That it shall not be lawful to and for any Person or Persons to make, complete, or open any private Sough or to repair any Sough which shall communicate with any public Sewer in any of the public Streets or Highways within the said Borough and Township, without giving Twenty-four Hours previous Notice in Writing of the Intention so to do to the Clerk of the said Commissioners; and when any such Soughs shall be so made or opened the same shall be formed, completed, and repaired in such Manner as the Surveyors of the said Commissioners shall direct or appoint, according to the general Rules and Regulations to be made by the said Commissioners for that Purpose; and the Bottoms of such Soughs shall in all Cases be well and sufficiently made and covered with Bricks, Flags, or Stones; and if any Person shall make, complete, open, or repair any such private Sewer without giving such Notice as aforesaid, and shall not complete and repair the same in such Manner as such Surveyors shall require and appoint as aforesaid, or shall neglect to make and cover the Bottom thereof with Bricks, Flags, or Stones as aforesaid, within a reasonable Time in that Behalf, every Person so offending shall forfeit and pay the Sum of Forty Shillings, and shall also be bound to complete and repair such Sough, and to make and cover the Bottom thereof in the Manner hereinbefore directed, and in case of neglecting so to do, within Two Days after Notice in Writing for that Purpose from the Clerk or Surveyors of the said Commissioners, the said Commissioners may cause the same to be done, and the Person or Persons so neglecting shall, upon Demand, pay to the said Commissioners, or the Person or Persons by them appointed in that behalf, such Expence as shall be sustained and incurred therein, and in Default of Payment thereof the same shall be recovered in like Manner as the Penalties hereby imposed.

No Communication with public Sewers without Notice.

LXXI. And be it further enacted, That where any Opening is now or hereafter may be made in the paving or flagging of any of the said Streets,

Regulating Cellar Doors, &c.

Streets, Lanes, Entries, or other public Passages and Places, as an Entrance into or for the Purpose of carrying Coals or other Articles into any Vault or Cellar, whether such Vault or Cellar be inhabited or uninhabited, or for the Purpose of carrying Light into any Room or Cellar, or for any other Purpose, the Door, Lid or Lids, Flap or Flaps, Covering or Grating to such Opening shall be made (at the Expence of the Occupier of the Cellar, Kitchen, Building, or other Premises to which such Opening shall communicate,) of Iron or such other Materials, and of such Dimensions, and in such Manner and Form as the said Commissioners shall direct and approve of; and every such Door, Lid, Flap, Grating, or Covering, shall from Time to Time be repaired, varied, and altered at the Expence of the Person or Persons for whose Use and Benefit the same shall be possessed and enjoyed, and in such Manner and Form as the said Commissioners shall direct or appoint; and in case any Person or Persons shall cause any such Grating or Covering to be made, repaired, varied, or altered, or shall neglect or refuse to make, repair, or alter any such Grating or Covering, according to such Direction or Appointment as aforesaid, or shall cause or permit any such Cellar Door, Cellar Lid, Flap or Cover, within the said Borough and Township, to be left open at any Time between Sun-setting in the Afternoon and Sun-rising in the Morning, on any Pretence whatsoever, without the same being well and sufficiently lighted and guarded, and the Lid, Flap, or Cover properly secured, so as to prevent Accidents from happening, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, and also any further Sum not exceeding Twenty Shillings, for every Week the said Offence shall be continued.

Streets to be named and Houses numbered.

LXXII. And be it further enacted, That the said Commissioners shall and may, and are hereby required to cause to be placed in some conspicuous Part of some House or Building, at or near each End, Corner, or Entrance of the several Streets, Squares, Lanes, Alleys, and Passages, within the said Borough and Township, and other Streets, Lanes, Passages, Squares, and Places hereafter to be built upon or made as aforesaid, the Name by which every such Street, Square, Lane, Alley, Passage, or Public Place is usually called or known; and also shall and may cause every House, Shop, Warehouse, or Building, in the same Streets, Squares, Lanes, Alleys, Passages, and Public Places, to be marked and numbered in such Manner as they shall think most proper for distinguishing the same; and if any Person or Persons shall wilfully or maliciously destroy, pull down, injure, obliterate, or deface any such Inscription or Number, or any Part thereof, or cause or procure the same to be done, every such Person or Persons so offending shall for every such Offence forfeit and pay the Sum of Ten Shillings.

Occupiers to restore Numbers of Houses defaced.

LXXIII. And be it further enacted, That in case the Number of any House within the said Borough and Township shall happen to be defaced or obliterated, the Occupier or Occupiers of every such House shall, within Three Days Notice for that Purpose given to him, her, or them, by any Officer of the said Commissioners, cause such Number to be restored in painting, of Figures not less than Two Inches in Length; and every Occupier of any such House shall forfeit and pay

pay the Sum of Five Shillings for every Week during which such Number shall not be restored after such Notice as aforesaid.

LXXIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, after giving Three Calendar Months Notice in Writing under the Hand of their Clerk for that Purpose, to the Occupier or Occupiers of any Building or Buildings which are or shall be situate at the Corner of any Street or Streets repaired by the said Commissioners, to round the Corner of such Buildings for the more convenient Passage in such Streets; and it shall also be lawful to and for the said Commissioners to remove and take down all Steps, Scrapers, Bulks, Shew-Glasses, Shew-Boards, Balconies, Porches, Windows, Frames, and Stall-Boards, extending over the Street or Public Places within the said Borough and Township, which shall be repaired at the Expence of the said Commissioners; and also to cause all Steps and Doors opening or leading from any such Public Places into Vaults or Cellars in the said Borough and Township, to be taken away, removed, or altered, in such Manner as they shall judge necessary; and the said Commissioners shall, out of the Monies to be raised by virtue of this Act, pay or tender to all and every Person and Persons who shall be injured by their Proceedings in rounding any such Buildings, or removing any such Projections, or executing any of the Powers last aforesaid, such Recompence as they shall think proper; and in case such Person or Persons shall be dissatisfied with the Recompence so tendered or offered, he, she, or they may apply to the next or Second General or Quarter Sessions of the Peace to be holden in and for the said Borough, or in and for the said County of *Chester*; 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 Person or Persons for such Injury as aforesaid; and thereupon the Justices in such Sessions shall adjudge and order such Recompence so found and assessed by the Jury, to be paid to such Person or Persons accordingly, and such Inquiry and Judgment shall be final to all Intents and Purposes; and the said Justices shall and may award, order, and adjudge Costs to either Party as they shall think proper; provided that nothing herein contained shall empower the said Commissioners to pay or make any Recompence for altering or removing any Steps, Scrapers, Bulks, Shew-Glasses, Shew-Boards, Balconies, Windows, Window Frames, and Stall Boards, or any such Steps and Doors opening or leading into Vaults or Cellars as aforesaid; as are Encroachments upon any Street, Square, Lane, Alley, Passage, or Public Place, in all which Cases the said Commissioners shall be empowered to remove the same at the Expence of the Owner or Owners, Tenant or Tenants of the Premises to which such Steps, Bulks, Shew-Glasses, Shew-Boards, Balconies, Windows, Window Frames, and Stall-Boards, shall respectively belong.

Removal
of Obstruc-
tions.

LXXV. And be it further enacted, That no Hole or Opening shall be made in or adjoining to any Streets, Squares, Lanes, Alleys, Passages, or Public Places within the said Borough and Township

No Opening
to be made
in the Streets
without No-

[*Local.*]

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for

tice to the
Commission-
ers.

for any Purpose whatsoever, without giving Notice in Writing of the Intention to make the same to the Surveyor of the said Commissioners at least Three Days before the same shall be begun to be made; and the Person or Persons employed or concerned in making such Hole or Opening shall cause a Light to be affixed in or near the same for securing Passengers and Cattle from Accidents, such Light to be continued every Night, during the Time that such Hole or Opening shall remain, from Sun-setting to Sun-rising, at the Expence of the Person or Persons concerned in making such Hole or Opening; and every Person or Persons who shall make such Hole or Opening without giving such Notice as aforesaid, or who shall neglect to affix or continue such Light as aforesaid, shall forfeit and pay any Sum not exceeding Forty Shillings for every such Neglect; and that it shall and may be lawful to and for the said Commissioners or their Surveyor, in case of any such Neglect, to cause such Light to be affixed and kept as aforesaid; and the Person or Persons guilty of such Neglect shall, in addition to the said Penalty, pay to the said Commissioners or their Clerk, upon Demand, the Expence to be incurred thereby.

Gratings to
be provided
for Openings
in the Pavement.

LXXVI. And be it further enacted, That where any Opening hath been made or shall be made in the Paving or Flagging of any of the said Streets, Squares, Lanes, Alleys, or Public Places, for the Purpose of conveying Coals or other Things, or for any other Purpose, into any Vault or Cellar under the same, or for the Purpose of admitting Light into any Room, Chamber, or Cellar, the Covering or Grating to such Opening shall be made at the Expence of the Person or Persons requiring the same, and shall be made of Iron or such other Materials, of such Dimensions and in such Manner and Form as the said Commissioners shall direct and approve of; and such Grating and Covering shall from Time to Time be repaired, varied, and altered at the like Expence of the Person or Persons for whose Use and Benefit the same shall be possessed or enjoyed, and in such Manner and Form as the said respective Commissioners shall direct or appoint; and that no Opening shall at any Time after the said Twenty-ninth Day of *September* next be made into any of the said Streets or Public Places (except for the Purpose of admitting Light or of taking in Coals); and in case any Person or Persons shall cause any such Grating or Covering to be made, repaired, varied, or altered, or shall neglect or refuse to make, repair, vary, or alter such Grating or Covering, contrary to the Provisions herein contained as aforesaid, or shall permit or suffer any such Opening into any such Street or Public Place to remain open or not sufficiently secured or covered, except when the same shall be in actual Use, every such Person shall for every such Offence forfeit and pay a Sum not exceeding Forty Shillings, or less than Twenty Shillings, for every Day that such Offence shall be continued.

Penalty on
casting Rub-
bish in the
Streets.

LXXVII. And be it further enacted, That if any Person or Persons whomsoever shall throw, cast, or lay, or cause to be thrown, cast, or laid, any Dust, Dirt, Dung, Offal, Rubbish, Ashes, or other Filth whatsoever, into or in any Street, Square, Lane, Path, Public Passage or
Place

Place within the said Borough and Township, (with the Exception of such Ashes as may be laid down upon any Foot Pavement in Time of Frost for the Prevention of Accident, and with such further Exceptions as are hereinafter specified), every such Person so offending shall for every such Offence forfeit and pay the Sum of Twenty Shillings; or if any Person or Persons whatsoever 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, Sink, Drain, or Water-course within the said Borough and Township, every such Person shall for every such Offence forfeit and pay the Sum of Twenty Shillings.

LXXVIII. 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, Square, Market-place, Lane, Path, Public Passage or 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 of the Highways for the Time being, left in or at the Side of the Street, Square, Market-place, Lane, Path, Public Passage or 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 Sun-set to Sun-rise, 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 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 Dirt 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 of the said Commissioners.

Penalty not to extend to Rubbish occasioned by building.

LXXIX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to require and direct that any Spout or Spouts, Pipe or Pipes, or Things fixed to any Building within the said Borough and Township for the Conveyance of Water, which in the Judgment of the said Commissioners shall be a Nuisance or Annoyance to any Street or Public Passage within the said Borough and Township, to be removed or altered in such Manner as the said Commissioners shall direct; and in case any Owner or Proprietor, Owners or Proprietors, Occupier or Occupiers of any Building or Buildings within the said Borough and Township, shall refuse or neglect by the Space of Thirty Days next after Notice in Writing from the Clerk or Surveyor of the said Commissioners for that Purpose, to such Owner or Proprietor, Owners or Proprietors respectively, or left at the usual Place or Places of his, her, or their respective Abode, or at any such Building as aforesaid, provided the same shall be inhabited or occupied, to remove or alter any such Spout or Pipe or other Things

Regulating Spouts.

Things in such Manner as the said Commissioners shall direct as aforesaid; and every such Owner or Proprietor, Owners or Proprietors, Occupier or Occupiers, so neglecting or refusing as aforesaid, shall forfeit and pay respectively a Sum not exceeding Five Pounds for every such Refusal or Neglect; and every such Owner, Proprietor, and Occupier of such Building shall also forfeit and pay the Sum of Five Shillings for every Day next after the Expiration of the said Thirty Days from the Time of such Notice being given or left as aforesaid, that such Spout or Spouts, Pipe or Pipes, or other Things, shall remain and continue unaltered, or not altered in the Manner to be directed as aforesaid; and it shall be lawful to and for the said Commissioners to cause such Alterations to be made, and the Expence thereof shall be repaid by such Owner or Proprietor, Owners or Proprietors, Occupier or Occupiers, to be recovered as aforesaid: Provided always, that it shall be lawful for any Tenant or Tenants of any House or Houses, or other Buildings aforesaid (in case of such Neglect or Refusal by the Owners and Proprietors thereof respectively as aforesaid), to alter such Spout or Spouts, Pipe or Pipes, or other Things, in the Manner to be directed as aforesaid, and to deduct the Expence thereof out of his, her, or their Rent or Rents; and their respective Landlords are hereby required to allow the same, unless such Pipes, Spouts, or other Things shall have been made or placed by such Tenant or Tenants, or by the Person or Persons under whom they are entitled to the Lease of any such Premises.

Regulations
as to build-
ing Fronts
of Houses
in the Bo-
rough.

LXXX. And be it further enacted, That all Houses and Buildings in any of the present or future Streets, Lanes, Roads, Highways, Passages, or other Public Places within the said Borough and Township, which hereafter shall be erected or built, or new-fronted or rebuilt, shall be made to rise perpendicularly from the Foundations thereof; and no Part of the Front of any ancient House or Building within any of the said Streets, Lanes, Roads, Highways, Passages, or other Public Places, which shall hereafter be new-fronted, nor any Part of the Front of any new House or Building which shall hereafter be rebuilt upon the Scite of any ancient House or Building in any of the said present or future Streets, Lanes, Roads, Highways, Passages, or Public Places, shall on any Pretence whatsoever be brought forwards beyond the old Foundation; and if any Person or Persons shall at any Time hereafter erect or build, or new-front or rebuild, or cause to be erected or built, or new-fronted or rebuilt, any House or other Building in the said present or future Streets, Lanes, Roads, Highways, Passages, or Public Places, or any of them, in any other Manner than so as to rise perpendicularly from the Foundation thereof; or so that any Part of the Front thereof shall be brought forward beyond the old Foundation of any such ancient House or Building as aforesaid, then and in every such Case such House or Building shall be deemed an Encroachment, Nuisance, and Annoyance within the Intent and Meaning of this Act, and it shall be lawful for the said Commissioners to cause the same House or Building so erected, new-fronted, or rebuilt, or so much of the Front thereof as shall have been so erected, new-fronted, or rebuilt contrary to the Directions of this Act, to be pulled down and removed by any Person

Person or Persons who shall be directed so to do, by an Order in Writing signed by Nine or more of the said Commissioners; and the Costs and Charges of pulling down and removing the same shall be paid and reimbursed to the said Commissioners by the Owner or Owners of such House or Building, and in Default of Payment thereof within Twenty-one Days next after Demand in Writing made in that behalf by the Clerk or Clerks to the said Commissioners, the same having been ascertained by some Justice or Justices of the Peace, shall and may be recovered in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered; and when received, the same shall be paid to the Treasurer or Treasurers to the said Commissioners, to be applied to the general Purposes of this Act.

LXXXI. And be it further enacted, That in case any Signs or Sign-irons, Sign-posts, or other Things extending from the Windows or Walls of any Buildings or Building within the said Borough and Township, shall project into any of the Streets or other public Passages or Places within the said Borough and Township, at any Time after the said Twenty-ninth Day of *September* One thousand eight hundred and twenty-five, every Occupier of any House or other Building to which such Signs, Sign-posts, Sign-irons, or other Projection, shall respectively belong, shall, after One Month's Notice from the Commissioners or their Surveyor, forfeit and pay the Sum of Twenty Shillings for every Week that any such Sign, Sign-irons, Sign-post, or other Projection, which ought to be taken down and removed by him or her as aforesaid, shall remain after the Time hereinbefore limited for taking down or removing the same; and that it shall be lawful to and for the said Commissioners, having given such Notice as aforesaid, to take down and remove all such Signs, Sign-posts, Sign-irons, and other Projections, and that the Occupier or Occupiers of all such Houses and other Buildings shall, upon Demand by the Clerk of the said Commissioners, pay the Expence which shall be incurred in removing and taking down the same; and all Tenants and Occupiers of any such Dwelling-houses or other Buildings shall be entitled to deduct out of their Rents the Expences of removing and taking down any such Signs, Sign-posts, Sign-irons, and other Projections, which shall have been affixed to any such Buildings at the Time of the making the Demise by which they are entitled to the same, whether such Expence shall have been incurred by themselves or reimbursed to the said Commissioners.

For Removal
of Signs,
&c.

LXXXII. And be it further enacted, That no Iron, Tin, Copper, or other Pipe or Funnel for conveying Smoke, shall at any Time be fixed, nor shall any such Pipe or Funnel already fixed be suffered to remain next or open into any Street, Square, Lane, Alley, or Passage, or other public Place, on the Front or Side of any House or other Building whatsoever within the said Borough and Township; nor shall any such Pipe or Funnel be fixed, nor shall any such already fixed be suffered to remain on the Inside of any such House or other Building nearer than Nine Inches to any Timber or other combustible Material whatsoever, nor shall any Funnel whatsoever be placed on the Outside of any Front of any House or other Building whatsoever next to any

Preventing
Danger by
Funnels for
conveying
Smoke.

[Local.]

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Street,

Street, Square, Lane, Alley, Passage, or other public Place within the said Borough and Township, so as to extend beyond the general Line of the Houses and other Buildings in the Street, Square, Lane, Alley, Passage or Place, in which the same shall be erected; and if any such Pipe or Funnel shall be fixed or placed, or suffered to remain contrary to this Act, then the same shall be deemed a common Nuisance; and the Tenant or Occupier thereof, and in case of there being no Tenant or Occupier, then the Owner or Owners thereof shall and may be indicted and punished for fixing and placing the same, or for suffering the same, as aforesaid, to remain, in like Manner as Persons committing a general Nuisance at Common Law are liable to be indicted and punished by the Laws of this Realm; and moreover, that it shall be lawful for the said Commissioners to cause every such Pipe or Funnel to be forthwith abated, taken down, and demolished, and to award and order reasonable Charges and Expences attending the same to be paid by the Tenant or Occupier thereof, or in case of no Tenant or Occupier, then by the Owner or Owners thereof, to the Person or Persons authorized by such Commissioners to abate, take down, and demolish the same; such Charges and Expences, in case of Nonpayment thereof, to be recovered in like Manner as any Penalty or Forfeiture hereby imposed.

Regulating
the Con-
struction of
Artificers'
Chimneys
and Steam
Engines.

LXXXIII. And be it further enacted, That all Bakers, Smiths, Founders, Pipe-makers, Cotton-spinners, Dyers, Hatters, and other Artificers, making use of Fires casting up large Quantities of Smoke or Flame within the said Borough and Township, shall construct and build the Chimney and Chimneys, Flues and Furnaces of their respective Works of such Height and such Manner as the said Commissioners shall order and direct for the Purpose of preventing the same, as much as may be, from being a Nuisance; and that the Owner and Owners, Occupier and Occupiers of all and every the Fire Engine and Engines, Steam Engine and Engines within the said Borough and Township, shall construct the Fire-places and Chimneys thereof in such Manner as most effectually to destroy and consume the Smoke arising therefrom; and that it shall be lawful to and for the said Commissioners from Time to Time to make and ordain such Rules touching the Management of any such Steam Engines, Fire Engines, or Chimneys, Flues, and Furnaces, so as to prevent the same being noxious or injurious to the Neighbourhood thereof, as they the said Commissioners shall think proper in that behalf; and that in case the Owner or Occupier of any such Engine or Engines, or of any other Building, whereof the Chimney, Fire-places, Flues, and Furnaces are intended to be hereby regulated as aforesaid, shall neglect or refuse to construct and build the said Chimneys, Fire-places, Flues, and Furnaces in such Manner as shall be so appointed as aforesaid, for the Space of Six Calendar Months next after Notice in Writing shall be given for the Purpose from the said Commissioners or Surveyor, or shall use any such Engine, Chimneys, Fire-places, Flues or Furnaces in any Manner contrary to the Directions of any such Rules to be so made as aforesaid, the Occupier of the Building using such Engine, Chimney, Fire-place, Flue, or Furnace, shall forfeit and pay any Sum not exceeding Five Pounds for every Week that any such Engine, Chimney, Fire-place, Flue, or
Furnace

Furnace shall be in use contrary to the Directions and Provisions herein mentioned and contained.

LXXXIV. And be it further enacted, That if any Chimney or Chimneys, Funnel or Funnels for the conveying of Smoke, within the said Borough and Township, shall at any Time or Times after the Commencement of this Act be wilfully or negligently set on fire, or suffered to be set on fire, or to take fire, the Person or Persons occupying the House, Room, or Building to which the Chimney or Chimneys, Funnel or Funnels to be set on fire, or suffered to be set on fire, or taking fire as aforesaid, shall belong, shall forfeit and pay a Sum not exceeding Forty Shillings, nor less than Five Shillings.

Penalty on Persons suffering Chimneys to take fire.

LXXXV. And be it further enacted, That if any Person or Persons who shall make use of any Oven or Ovens for baking Bread or other Things for Sale or Hire within the said Limits, shall have or keep any Wood, Faggots, Furze, Fuel, Kid or Kids, Stack or Stacks of Fuel, of what Nature or Kind soever, except Coal, Cannel, and Coke, used in their Trade or Business of a Baker, or for heating such Oven or Ovens, within the Distance of Fifteen Yards from any House or other Building whatsoever, within the said Borough and Township, except so much only as shall be sufficient for one Day's Use, by the Space of Twenty-four Hours, every such Person shall forfeit and pay the Sum of Five Shillings for every Day that any such Fuel, except as aforesaid, shall remain and continue within the said Distance from any such House or Building as aforesaid.

Fuel for Ovens to be kept at a Distance therefrom.

LXXXVI. 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 Borough and Township, shall be considered by any of the Inhabitants of the said Borough and 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 Ten Shillings a Day for every Day the same shall continue unremoved after the Expiration of the Time specified in such Notice: Provided always, that when any Person or Persons thinking himself, herself, or themselves aggrieved by such Order as aforesaid shall give Notice to the said Commissioners, or their Clerk, of his, her, or their Intention to appeal against the said Order, and shall enter into a Recognizance within the Time and in the Manner hereinafter mentioned and provided for in respect of Appeals against any Matter or Thing to be done in pursuance of this

For Removal of Slaughter Houses, &c.

this Act, such Person or Persons shall not be subject to or liable to pay any such Penalty or Forfeiture until the Expiration of Fourteen Days next after the Hearing and Determination of such Appeal, and the Confirmation thereupon of the said original Order of the said Commissioners.

Regulations
as to Night
Soil.

LXXXVII. 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 Borough and Township, before the Hour of Ten in the Night, or shall continue to remove the same after the Hour of Eight in the Morning, or shall at any Time negligently spill, or put, or cast away 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.

Preventing
Obstructions
on Footways.

LXXXVIII. And be it further enacted, That if any Person or Persons shall, upon any of the Footways within the said Borough and Township, carry any lighted Flambeau, Link, or Torch, or shall run, draw, drive, or carry on any of the said Footways any Truck, Wheel, Sledge, Wheelbarrow, Bier, Handbarrow, or Carriage whatsoever, or shall roll any Cask, other than the necessary loading or unloading thereof in, upon, from, or out of any Carriage, or shall wilfully ride, lead, or drive any Horse, Mule, or Ass, or other Cattle, or shall bring up, place, or expose to Sale on the Outside of any House or other Building, any Goods, Wares, or Merchandizes, or other Matters or Things, whereby the Passage of such Footway shall be so obstructed, or rendered less commodious, or shall make any Door or Gate opening upon any of the Footways within the said Borough and Township, or shall continue any such Door or Gate already so previously made for the Space of One Week after receiving Notice in Writing under the Hand of the Clerk of the said Commissioners to remove the same, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Prevention
of Nuisances
and Annoy-
ances.

LXXXIX. And be it further enacted, That if the Driver of any Waggon, Cart, Dray, or Sledge, or other Carriage used for the carrying of Goods or Merchandize, shall ride on the Shafts or other Part of such Carriage, or on any of the Horses drawing the same, or shall willingly suffer any Horse or other Cattle drawing any such Carriage to go a faster Pace than a Walk within the said Borough and Township (such Carriage not being driven by any Person holding the Reins); or if any such Cart or other Carriage shall be left or suffered to stand and continue in any Street or public Place within the said Borough and Township, except Carts and other Carriages plying for Hire at such Place or Places as shall be allowed by the said Commissioners for that Purpose, for any longer Time than shall be requisite for the necessary loading, or shall be requisite for the unloading thereof; or if the Driver of any such Carriage shall be at such a Distance from the same, during its Passage through the said Borough, as not to possess the complete Direction over the
Horses;

Horses; or if any such Cart or other Carriage shall be set, placed or left upon any Part of the Foot-Crossings made or to be made on any of the said Streets or public Places; or if any such Cart or other Carriage shall be set or placed athwart or across any Part of any of the said Streets, Squares, Lanes, Alleys, Passages, or public Places, for the Purpose of loading or unloading the same, where there shall not be sufficient Room left for another loaded or unloaded Cart or Carriage to pass, except in Situations and Places where the same shall be absolutely necessary; or if any Wheel of any Carriage separated from any Carriage shall be hurled or drawn on any Part of any of the said Streets or public Places without a Sledge or proper Carriage placed under the same; or if any Timber or other Thing whatsoever be drawn on any such Street or public Place without being placed on a Carriage; or if any Timber of Twenty-five Feet long or upwards shall be carried upon any Waggon, Cart, or other Carriage, through any of the said Streets or public Places, without being attended by One sufficient Person besides the Carter, for the Purpose of guiding the End of such Timber, or, if such Person shall wilfully neglect to guide the same in a proper and sufficient Manner so as to prevent the same from striking against any Person, or against any Building, or against any Carriage, Horse, or other Cattle; or if any Coach, Chaise, or other Carriage for the Conveyance of Persons shall be suffered to stand without Horses in any of the said Streets or public Places, the Owner or Owners of every such Cart or Carriage, or of any such Wheel, Timber, or other Thing, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and the Driver or other Persons having the Care or Charge of any such Cart, Carriage, Wheel, Timber, or other Thing, who shall be wilfully guilty of any such Misconduct or Neglect as aforesaid, shall also be subject to the Payment and Forfeiture of the like Penalty, but no more than One Penalty shall in any Case be levied for One and the same Act or Offence.

XC. And be it further enacted, That if any Person shall wilfully ride or drive any Horse or Cattle in or along any of the Streets or public Places within the said Borough and Township, at so fast a Pace as to be dangerous to Persons passing along such Street or other public Place, or shall show and exhibit any Stallion in any such Street or public Place, otherwise than in the necessary Passage of such Stallion to or from any Yard or other enclosed Place, except in such Place or Places as shall be appointed for that Purpose by the said Mayor and Magistrates of the said Borough, or shall expose to public Sale any Horse or other Cattle, except at any Fair or Market for the Sale of Horses or other Cattle, in the Places usually appropriated for that Purpose, and except at such Place or Places and at such Time or Times as shall be allowed by the said Mayor and Magistrates of the said Borough for that Purpose, or shall shoe, bleed, or turn loose any Horse, Ass, or Mule, or shall turn loose any Bull in any of the said Streets or public Places, or shall bait or worry any Bull or Bear within the said Borough and Township, either in any public Street or otherwise, or shall slaughter, singe, scald, or dress, or permit or suffer to be slaughtered, singed, scalded, or dressed, any Ox, Cow, Calf, Sheep,

Preventing dangerous driving, &c.

Lamb, Swine, or other Cattle, in any of the Streets, Passages, or other public Places within the said Borough and Township; or shall cause or permit any Offal, Blood, Filth, or noisome Matter to run or drain from any Slaughter-house, Shambles, Butcher's Shop, Swine Sty, or Dunghill, into any of the said Streets or other public Places; or shall expose or hang to dry any Clothes in or across the same; or shall hang, suspend, or expose to Sale at the Outside of any Shop Door or other Door or Doors, or Window or Windows, within the said Borough and Township, any Piece or Pieces, or Part or Parts of a Piece or Pieces of manufactured Goods or other Goods, in such Manner as to alarm or frighten, or which may alarm or frighten any Horse or Horses passing by the same; or otherwise annoy or obstruct any Passenger or Passengers; or shall burn, dress, sweep, or cleanse any Piece or Pieces of Cork, or shall hoop, fire, scald, or cleanse any Cask or Tub therein; or shall hew, saw, cut, or bore, or cause to be hewn, sawn, cut, or bored 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 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, Highways, or other public Places within the said Borough and 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, Cracker, Rocket, or other Fireworks whatsoever, or fly Kites, run Races, or play at Football, 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 Borough and Township, or shall slide upon any Pavement or Footway, or occasion any kind of Obstruction or Annoyance in or upon any such Streets 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; 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 in any of the Streets or other Places within the said Borough and Township; or shall permit or suffer any Bulldog or Mastiff, or any ferocious Dog of any other Species, to go at large (not being muzzled) within the said Borough and Township; or shall permit or suffer any Dog whatsoever to go at large within the said Borough and Township after any public Notice given by the Bellman or printed Hand-bills, 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 commit any other public

Nuisance or Annoyance whatsoever within the said Borough and Township, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

XCI. 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 Borough and 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 the common Pound, or in any Pound the said Commissioners may provide, and which they are hereby authorized and empowered to provide and maintain within the said Borough and 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 feeding 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 have been 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, feeding, 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 impounding Cattle suffered to stray.

XCII. And be it further enacted, That in case any Person or Persons shall release or attempt to release any Cow, Horse, Ass, Swine, or other Live Stock or Cattle, which shall be seized for the Purpose of being impounded under the Authority of this Act, or shall take or attempt to take any Cattle from the Pound or Place where the same shall be so impounded, or shall pull down, damage, or destroy the same Pound or Place or any Part thereof, or any Lock or Bolt belonging thereto or with which the same shall be fastened, or shall rescue or release or attempt to rescue or release any Distress or Levy which shall be made under the Authority of this Act, until or before such Cow, Horse, Ass, Swine, or other Live Stock or Cattle seized or so impounded, or such Distress or Levy so made, shall be discharged by due Course of Law, every Person so offending shall upon Conviction thereof before any One of His Majesty's Justices of the Peace for the County or Place where the Offence shall have been committed, either upon Confession of the Party or Parties offending, or upon the Oath of One credible Witness, and which Oath the said Justice is hereby authorized and empowered to administer, be committed by such Justice by Warrant under his Hand and Seal to the Common Gaol or House of Correction

Punishing Persons guilty of Pound-breach.

rection of the County of *Chester*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

Markets and
Fairs.

XCIII. And for obviating the Obstructions and Inconveniences to which the Markets and Fairs within the said Borough of *Macclesfield* are now subject, and preventing Accidents and Injuries to the Persons resorting to the same, be it further enacted, That it shall and may be lawful to and for the Mayor of the said Borough for the Time being, and he is hereby authorized from Time to Time to make and establish such Bye-Laws, Rules, and Orders for the better Order and Regulation of the Markets and Fairs within the said Borough, and of the several Persons resorting thereto, as to the said Mayor for the Time being shall seem meet, and as it hath been anciently the Usage and Custom within the said Borough for the Mayor for the Time being so to do, and also in regard to the fixing and appointing proper Places for the loading and unloading of Waggons, Carts, and Carriages, and for the standing of such Waggons, Carts, and Carriages after the same shall be unladen at any of the said Markets or Fairs, and for regulating by what Streets, Avenues, Roads, and Ways such loaded and unloaded Waggons, Carts, or Carriages shall come into and go out of the Streets of the said Borough during the Time of such Markets or Fairs respectively, and all such other Rules, Orders, and Regulations for the well-being and good Order of the said Markets and Fairs, as to the said Mayor for the Time being in his Judgment and Discretion shall seem meet, and for the Benefit of the said Borough of *Macclesfield*, and the Persons resorting to the Fairs and Markets thereof; and it shall and may be lawful to and for the said Mayor for the Time being to alter or amend such Rules, Orders, and Regulations, or any of them, as to him shall seem right and proper, and to fix, impose, and lay such reasonable Fines and Penalties, not exceeding Forty Shillings, for each Non-observance or other Breach of any such Rules, Orders, and Regulations, or of any Part or Parts thereof, as he shall find requisite and necessary; and all such Rules, Orders, and Regulations, being printed and published as hereinafter mentioned, shall be good and binding upon and observed by all Persons, and shall be sufficient in any Court of Law or Equity to justify any Person who shall act under the same; provided that such Rules, Orders, and Regulations be not inconsistent with or repugnant to the Laws of that Part of the United Kingdom called *England* or this Act; and provided also, that no Rule, Order, or Regulation respecting the said Markets and Fairs, or any Alteration or Amendment thereof, shall have any Force or Effect, until such Rule, Order, or Regulation shall have been signed by the said Mayor, and printed Copies of such Rule, Order, or Regulation, or any Alteration or Amendment thereof, shall have been affixed in some public Place or Places within the said Borough of *Macclesfield* for the Space of Seven Days at the least; and all such Bye-Laws, Rules, Orders, or Regulations shall be valid and in force until the same shall be repealed or altered by the Mayor of the said Borough for the Time being; and all such Rules, Orders, and Regulations shall be subject to Appeal in Manner next hereinafter directed.

XCIV. Pro-

XCIV. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rule or Order to be made by the Mayor of the said Borough for the Time being respecting the Markets and Fairs within the said Borough, and the several Persons resorting thereto, such Person or Persons shall or may appeal to the General or Quarter Sessions of the Peace to be holden for the said County, within Three Calendar Months next after such alleged or supposed Grievance shall arise, such Appellant giving or causing to be given Fourteen Days Notice at least in Writing of his, her, or their Intention to bring such Appeal and of the Matter thereof to the Mayor of the said Borough for the Time being, and within Two Days next after such Notice entering or causing a Recognizance to be entered into before some Justice of the Peace acting in and for the said Borough, with Two sufficient Persons or Sureties, conditioned to try such Appeal and abide the Order thereon, and to pay such Costs as shall be awarded by such Justices at such General Sessions; and such Justices, upon due Proof of Notice being given as aforesaid, and of entering into such Recognizance, shall hear and determine the Causes and Matters of such Appeal in a summary Way, and shall or may mitigate any Fine, Penalty, or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of any such Rule, Order, Regulation, or Determination of the Mayor of the said Borough for the Time being, and may also order such further Satisfaction to be made to the Party injured as the said Justices shall think proper; and the Determination of such Justices at their said General Sessions shall be binding and conclusive.

Appeal respecting the Orders of the Mayor as to the Markets, &c.

XCV. And be it further enacted, That for the Purpose of widening, enlarging, and improving the Market-place, and the usual Place and Places for holding Fairs, and several Streets and public Places within the said Borough, it shall and may be lawful to and for the said Commissioners to treat, contract, and agree for, and purchase of the Owners, Proprietors, and Occupiers thereof, any of the several Houses, Erections, Buildings, or Grounds adjoining or lying near to the same, mentioned in the Schedule hereunto annexed, or such of them, or such Part thereof, as they the same Commissioners shall judge necessary, at such Sum and Sums of Money or Price as shall be agreed upon in that behalf, and to cause such Houses and other Buildings and Land to be so purchased as they shall think necessary to be taken down and appropriated in such Manner and to such Uses as they the same Commissioners shall think will be most beneficial and advantageous to the Public, subject nevertheless to such Restrictions and Conditions as hereinafter mentioned.

Commissioners may purchase Land and Buildings for enlarging Market-place, &c.

XCVI. Provided always, and be it enacted, That in case the said Commissioners shall not purchase or agree for the Purchase of the Lands, Tenements, or Hereditaments mentioned in the Schedule hereunto annexed within Five Years after the passing of this Act, then and in such Case all the Powers and Authorities hereby given to the said Commissioners for purchasing such Lands, Tenements, or Hereditaments, shall cease and determine, except by and with the Consent of the Owners and Proprietors thereof.

Power to purchase limited to Five Years.

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XCVII. And

Power to pay for the Lands and Buildings out of the Rates or Subscriptions.

XCVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to make such Purchases, Alterations, and Improvements last hereinbefore mentioned, either by, from, and out of the Rates and Assessments to be raised within the said Borough as hereinafter is mentioned, or by, from, and out of the Monies to be subscribed and contributed by any Person or Persons for that Purpose, or partly by, from, and out of the said Rates and Assessments, and partly from and out of such Monies to be subscribed and contributed as aforesaid, as they the said Commissioners shall from Time to Time think proper.

Books to be kept open for Subscriptions.

XCVIII. And be it further enacted, That in case of any Subscription being directed or authorized by the same Commissioners for any of the Purposes aforesaid, a Book shall be specially opened at such Place or Places as the said Commissioners shall appoint for that Purpose within the said Borough and Township, specifying the Object and Purpose of such Subscription, the Person or Persons into whose Hands such Subscriptions shall be paid, the Names of any Banker or Bankers with whom the same shall be deposited, the Names of any Trustee or Trustees for superintending the Application of the Money to be so subscribed, the Time or Times at which or within which any Sum or Sums of Money to be so subscribed shall be paid, the Amount of the whole Money to be subscribed within any given Time in order to render such Subscription binding and effectual, and any of the Terms and Conditions to be approved and directed by the same Commissioners in that behalf, and all such Terms and Conditions as shall be so expressed respecting every such Subscription shall be as valid and effectual to all Intents and Purposes whatsoever as if the same had been herein expressly mentioned and contained, and shall be observed and executed accordingly.

Recovery of Subscriptions.

XCIX. And be it further enacted, That all and every Person and Persons subscribing any Sum or Sums of Money for any of the Purposes aforesaid shall pay such Sum and Sums according to the Terms of the said Subscription, and in case of any Delay or Refusal so to do, shall pay in addition to the said Subscriptions the Amount of Two Shillings for every Pound Sterling for every Calendar Month, and so in proportion for any shorter Time that any such Subscription shall remain and continue unpaid; and the same shall and may be recovered by Action or Suit by the said Commissioners in any of His Majesty's Courts of Record at *Westminster*, or in His Majesty's Court of Session for the County Palatine of *Chester*; and in every such Action it shall be sufficient to declare that the Defendant is indebted to the same Commissioners for Money subscribed for the Purposes of this Act, specifying the Date and Title hereof; but it is hereby declared, that no Proof shall be had or allowed under any Commission of Bankrupt for any such Subscription, except to entitle the said Commissioners to be paid out of any Surplus which shall remain after discharging the Debts of any such Bankrupt; and that all such Subscriptions shall in the Administration of the Assets of any Person deceased be postponed to the Payment of the *bonâ fide* Debts of the Persons so deceased.

C. And be it further enacted, That no Part of the Money to arise by the said Rates or Assessments shall be ordered to be raised or applied for the Purpose of such Improvements as aforesaid except at a Meeting to be holden specifically for that Purpose, nor unless Notice shall be published in a *Macclesfield* Newspaper Twice at least, and Fourteen Days next before the holding of such Meeting; and that no such Order shall be made unless Eleven Commissioners at least shall be present at such Meeting; and that no Person being the Owner or Occupier of any Hereditaments within the Space of Seventy-five Yards and in a direct Line from the Place where any such Improvement shall be proposed to be made, shall be entitled to vote as a Commissioner respecting any such Improvement.

No Money to be applied out of Rates for such Improvements but at Special Meetings.

CI. And be it further enacted, That in case any House or Building shall be damaged or injured by or in the taking down of any of the Houses or Buildings to be taken down for the Purposes aforesaid, the said Commissioners shall and they are hereby required to make the Owner or Occupier of such House or Building so damaged and injured such Compensation and Satisfaction for such Damage as they the said Commissioners shall in their Judgment think reasonable; and in case the Owner or Occupier shall think the said Satisfaction not sufficient, then the same shall be settled by a Jury in Manner hereinafter provided for ascertaining the Value of Premises taken and used for the Purposes of this Act.

Making good Damages to Houses.

CII. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, and all Corporations whether Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees of or for Lunatics and Idiots, and other Trustees whomsoever, not only for and on behalf of themselves and their Heirs and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femmes Covert, and also to and for all Femmes Covert who are or shall be seised in their own Right, and to and for all Persons, whether Tenants for Life or Tenants in Tail General or Special, or for Years determinable on any Life or Lives, and to and for all and every Person or Persons whomsoever, who are or shall be seised, possessed of, or interested in the Buildings, Houses, Erections, Lands, Tenements, or other Hereditaments particularly mentioned and described in the Schedule hereunto annexed, or any Part thereof, which the said Commissioners are by this Act enabled to purchase for any of the Purposes of this Act, to treat, contract, and agree with the said Commissioners for the Sale thereof or any Part thereof, and to sell or convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever of, in, and to the same, to the said Commissioners and their Successors for any of the Purposes of this Act; and that all Contracts, Agreements, Bargains, Sales, and Conveyances which shall be made by virtue and in pursuance of this Act shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyance or Assurances in the Law whatsoever, be good, valid, and effectual, to all Intents and Purposes, not only to convey all Estate, Right, Interest, Use, Property, Claim, and Demand whatsoever of the said several and respective Cestuique Trusts, and all

Powers for Bodies Politic to sell.

all claiming or to claim by, from, or under them, any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all other Persons whomsoever, are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

Provisions
in case of
Refusal or
Inability to
sell.

CIII. And be it further enacted, That if any Body Politic, Corporate, or Collegiate, or any Corporation whether Aggregate or Sole, or any Feme Covert, or any Tenant for Life, or any Tenant in Tail General or Special, or for Years determinable on any Life or Lives, Owner or Owners, Occupier or Occupiers, or other Person or Persons whomsoever interested in any Lands, Houses, or other Buildings, Tenements, or Hereditaments, which the said Commissioners are enabled by this Act to purchase or treat for, shall refuse to treat, contract, or agree as aforesaid, or by reason of Absence or otherwise shall be prevented from treating, contracting, or agreeing, or shall decline or refuse to sell, convey, and dispose of the Premises whereof or wherein or whereunto they respectively shall be so seised, possessed, interested or entitled as aforesaid, or their respective Rights, Titles, Claims, or Interests into or upon the same or any Part thereof, unto the said Commissioners, or to such Person or Persons as they shall nominate for the Purposes and according to the Tenor, true Intent and Meaning of this Act, or shall not or cannot produce or make out a clear Title to the Premises they are in the Possession of, or to the Interest they claim therein, to the Satisfaction of the said Commissioners; or if any Dispute or Difference shall arise touching such Purchase or Purchases, then and in every such Case the said Commissioners are hereby empowered and authorized, before any General or Quarter Sessions of the Peace to be holden for the said Borough, or any Adjournment thereof, to give or cause to be given to such Owner or Owners, or the principal Officer or Officers of such Body Politic, Corporate, or Collegiate, or to leave or cause to be left at the House of the Tenant in Possession, Ten Days Notice in Writing, denoting and particularly describing the Lands, Buildings, Houses, Tenements, or other Hereditaments intended to be purchased, and purporting that the Value thereof shall be adjusted and settled by a Jury at the said Sessions or Adjournment thereof; and the Mayor, Recorder, and Justices at the said Sessions, or any Adjournment thereof, upon Proof to them made of such Notice having been given or left, are hereby authorized and required to charge the Grand Jury at such Sessions assembled, or the Jury to try Prisoners at such Sessions, well and truly upon their Oaths to assess the Value of the said Lands, Buildings, Houses, Tenements, or other Hereditaments comprised in the Notices so given, and the Damages and Recompence to be awarded or given for the same to the respective Owner or Owners thereof, according to their respective Interests therein, and to which said Jury the said Commissioners and all Persons interested in the said Lands, Buildings, Houses, Tenements, or other Hereditaments, shall have their lawful Challenges; and the Jury being so sworn and charged as aforesaid, and after proper Evidence on Oath to them given, concerning the Nature, Quality, or Value of the Lands, Houses, Buildings, Tenements,

Tenements, or other Hereditaments, so to be sold or conveyed as aforesaid, shall, by their Verdict, assess the Damages and Recompence to be given for the same to the respective Owner or Owners, Occupier or Occupiers thereof, according to their respective Interests therein; and such Verdict of the said Jury, and the Judgment of the said Mayor, Recorder, and Justices upon the same, shall be final, binding, and conclusive to the said Commissioners, and to all Person and Persons interested in the said Lands, Buildings, Houses, Tenements, and other Hereditaments; and such Verdict, and the Judgment of the Mayor, Recorder, and Justices thereupon, shall be fairly entered and kept among the Records of the Sessions for the said Borough, and the same, or true Copies thereof, shall be taken to be good and effectual Evidence and Proof in any Court of Law or Equity whatsoever, and all Persons may have Recourse to the same *gratis*, and take Copies thereof, paying Sixpence for every One hundred Words, and so in proportion for any greater or less Number of Words: Provided always, that in case the Sum or Sums so assessed by the said Jury, and ordered and adjudged to be paid by the said Commissioners, as a Satisfaction to the Owners, Occupiers, or others for their respective Interests in the said Premises, shall not be paid, tendered, left, or deposited according to the true Intent and Meaning of this Act within Three Calendar Months after the same shall have been so assessed, ordered, and adjudged, then and in such Case the Verdict of the said Jury shall not be binding upon the said Parties; any thing herein contained to the contrary thereof in anywise notwithstanding.

The Verdict of the Jury not to be binding, unless the Money be paid within Three Calendar Months.

CIV. And be it further enacted, That in each and every Case where a Verdict shall be given for more Money or for a greater Annual Rent for Recompence or Satisfaction for the absolute Sale of any Lands, Tenements, or other Hereditaments of or belonging to any Body or Bodies Politic, Corporate, or Collegiate, or to any Person or Persons unknown, or as Compensation for any Damages done or to be done to any Lands, Tenements, or Hereditaments, or other Property, than had been previously offered by or on behalf of the said Commissioners, or where any Verdict shall be found for any Damages where the Dispute is for Damages only, or where no Compensation or a smaller Sum than shall be given by such Verdict had been previously offered or tendered in respect thereof by or on behalf of the said Commissioners, or where, by reason of Absence in foreign Countries or other Impediment or Disability as aforesaid, there shall not be found any Person or Persons at Hand who may be legally capacitated to enter into a Contract with, and make Conveyances to, and receive Compensation from the said Commissioners, as hereinbefore mentioned, then and in all such Cases all the reasonable Costs and Expences of impannelling, summoning, and returning such Jury and taking such Verdict shall be settled by any Two Justices of the Peace for the said Borough or for the said County, and be defrayed by the said Commissioners; and in case such Costs shall not be paid by the said Commissioners within Five Days after the same shall be demanded, the same shall and may be levied by virtue of any Warrant under the Hand and Seal of any Justice of the Peace acting in and for

Expences of Jury how to be defrayed.

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the said Borough, or in and for the County of *Chester*, by Distress and Sale of the Goods and Chattels vested in the said Commissioners or their Treasurer or Treasurers (unless the Treasurer or Treasurers of the said Commissioners shall pay such Costs and Expences out of any Monies received by him or them by virtue of this Act, which he is hereby empowered to do); but if any Verdict shall be given for the same Sum or Rent as had been previously offered by or on Behalf of the said Commissioners, or for a less Sum than had been so previously offered, or in case of such Refusal or Neglect to enter into Treaty with, or make Conveyances to, or receive Compensation from the said Commissioners, by any Body or Bodies Politic, Corporate, or Collegiate, or by any Person or Persons whomsoever, who is or are, by the Provisions of this Act or otherwise, legally capacitated to treat and convey or receive such Compensation as aforesaid, then and in all such Cases (except where by reason of Absence or otherwise any Person or Persons shall have been prevented from treating and agreeing as aforesaid, when such Costs and Expences shall be paid by the said Commissioners), the Costs and Expences of impannelling, summoning, and returning such Jury, and taking such Verdict, shall be settled in like Manner by the said Justices, and be borne and paid in the Manner following, (that is to say) One Moiety or Half-part of such said Costs and Expences shall be borne and paid by the said Commissioners, and the other Moiety or Half-part thereof by the Body or Bodies Politic, Corporate, or Collegiate, or other Person or Persons with whom the said Commissioners shall have such Disputes or Controversies; which said Costs and Expences, having been so settled, shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Body or Bodies Politic, Corporate, or Collegiate, or other Person or Persons as aforesaid, and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed and taken to all Intents and Purposes to be a Payment or Tender of the whole Sum or Sums of Money so assessed and adjudged; and in case no Compensation shall be given by such Verdict, where the Dispute is for Compensation only, such Costs and Expences, after having been so ascertained and settled as aforesaid, shall and may be recovered by the said Commissioners by such Ways and Means as are herein provided for the Recovery of any Penalty or Forfeitures incurred by this Act.

Application
of Compensation Mo-
ney if
amounting
to 200%.

CV. And be it further enacted, That if any Money shall be paid, or agreed or awarded to be paid, for the Purchase of any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trusts, or to any Person whose Lands, Tenements, or other Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall be equal to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant

ant General of the Court of Exchequer, to be placed to his Account there, *ex parte* the Commissioners for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King George the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, and shall when so paid in be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrance or Part thereof as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments, which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing, undetermined, and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon such Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were made.

CVI. Provided always, and be it enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, or Lunacy, to be signified in Writing

Application of Compensation when less than 200*l.* and not less than 20*l.*

Writing under their respective Hands, to be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and to be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Commissioners for executing this Act (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising thereon may be applied in Manner hereinbefore directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Exchequer.

Application of Compensation less than 20%.

CVII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last before mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners shall think fit; or in case of Infancy, Idiocy, or Lunacy, then such Money shall be paid to his or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles, or if Persons cannot be found, Purchase Money to be paid in to the Bank.

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

Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, for such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

CIX. Provided always, and be it further enacted, That when any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer; and the Dividends and Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Where any Questions shall arise as to the Title to Money, &c.

CX. Provided also, and be it enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, and Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said Court of Exchequer to order the Expences of all Purchases to be from Time to Time made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, to be paid by the said Commissioners, out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Court of Exchequer may order Payment of Expences, &c.

CXI. And be it further enacted, That all Sales, Conveyances, and Assurances of any Lands, Tenements, or Hereditaments, to be made to the said Commissioners, shall be in the Form or to the Effect following; *videlicet*,

Form of Conveyance.

I of _____ in consideration of the Sum _____ to me paid by the Commissioners acting by virtue of an Act of Parliament made in the Sixth Year of the Reign of King *George* the Fourth, intituled [*here set forth the Title of this Act*], do hereby grant and convey to the said Commissioners
 [Local.] 66 U sioners

· sioners and their Successors [*here describe the Premises and Estate,*
 · *or Term for which the same are held*], and all my Right, Title, and
 · Interest in and to the same, and every Part thereof, to hold to the
 · said Commissioners and their Successors for ever. In witness
 · whereof I have hereto set my Hand and Seal, this Day of
 · in the Year of our Lord

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

Provision for Payment of Purchase Money.

CXII. And be it further enacted, That every Sum of Money to be agreed for, or awarded or assessed as aforesaid, shall be paid out of the Monies to be received by virtue of this Act; and upon Payment or Tender thereof to the Party or Persons respectively entitled to such Monies, or their Agents, or depositing the same in the Bank of *England* (as the Case may be), in Manner by this Act directed and required, within Three Calendar Months after the same shall have been agreed for, awarded, or assessed as aforesaid, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Person or Persons respectively to whose Credit or Use the same shall have been paid, in, to, and out of such Lands, Buildings, Houses, Tenements, or other Hereditaments, shall vest in the said Commissioners in Trust for effecting the Purposes of this Act, and they shall be deemed in Law to be in the actual Seisin and Possession thereof to all Intents and Purposes whatsoever, as fully and effectually as if every Person having any Estate in the Premises had actually conveyed the same by Lease and Release, Bargain and Sale inrolled, Feoffment with Livery of Seisin, Fine, Common Recovery, Surrender, or any other Conveyance or Assurance whatsoever; and such Payments shall not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons to whose Use or Credit such Payments shall have been made as aforesaid, but also extend to and be deemed and construed to bar Dower of the Wife and Wives of such Person and Persons, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue of such Person, and Persons claiming under them, as effectually as Fines or Common Recoveries would do if levied or suffered by the proper Parties in due Form of Law.

Possession to be delivered up.

CXIII. And be it further enacted, That all and every Person and Persons, Body and Bodies Politic, Corporate, and Collegiate, in Possession of any Houses or Buildings, Lands, Tenements, or Hereditaments, which shall be purchased by and vested in the said Commissioners by virtue of this Act or of any Part thereof, shall, at the End of Six Calendar Months next after Notice shall be given to him, her, or them for that Purpose, under the Hands of Five or more of the said Commissioners, peaceably and quietly deliver up the Possession of the said Premises to such Person or Persons as shall be authorized by the said Commissioners to take Possession thereof, they the said Commissioners making such Satisfaction to every such Person or Persons, Bodies Politic, Corporate, or Collegiate, in case he, she, or they shall be required to quit before the Expiration of his,

his, her, or their Term in the Premises, as the said Commissioners shall deem just and reasonable; and in case any Dispute or Difference shall arise touching or concerning the same, such Satisfaction or Compensation shall be settled and ascertained by a Jury in Manner hereinbefore mentioned; and in case any such Person, or Body Politic, Corporate, or Collegiate, shall refuse to give up such Possession as aforesaid, it shall and may be lawful to and for the said Commissioners to issue their Precept or Warrant, signed by any Five or more of the said Commissioners, to the Serjeant or Serjeants at Mace of and for the said Borough, to deliver Possession of the Premises to such Person or Persons as shall in such Precept or Warrant be nominated to receive the same; and the said Serjeant or Serjeants are hereby required to deliver such Possession accordingly, and to take and levy such Costs as shall accrue upon the issuing or Execution of such Precept or Warrant, on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, and their Goods, returning the Overplus (if any) to the Owner thereof on Demand.

CXIV. And whereas by reason of the Purchases which the said Commissioners are hereby empowered to make, they may happen to be possessed of some Building or Buildings, Piece or Pieces of Ground, over and above what may be necessary for effecting the Improvements hereby directed to be made, or for other the Purposes of this Act; be it further enacted, That it shall be lawful for the said Commissioners to sell and dispose of such Building or Buildings, Piece or Pieces of Ground, either together or in Parcels, as they shall find most advantageous and convenient, to such Person or Persons as shall be willing to contract for and purchase the same; and the Money to arise by Sale of such Building or Buildings, Piece or Pieces of Ground, shall be applied to the respective Purposes of this Act, but the Purchaser or Purchasers thereof shall not be answerable or accountable for the Misapplication or Nonapplication thereof.

Power for Commissioners to sell such Lands as shall not be wanted by them.

CXV. Provided always, and be it further enacted, That the said Commissioners before they shall sell and dispose of any such Buildings or Grounds shall first offer the same for Sale to the Owner or Owners of the adjoining Lands; and in case such Person or Persons shall not then and thereupon agree, or shall refuse to repurchase the same, then and in every such Case, an Affidavit, to be made and sworn before a Master Extraordinary in the High Court of Chancery, or before One or more of His Majesty's Justices of the Peace for the said Borough, by some Person or Persons no way interested in the said Buildings or Grounds, stating that such Offer was made by or on behalf of the said Commissioners, and that such Offer was not then and thereupon agreed to, or was refused by the Person or Persons to whom the same was so offered; shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made and was not agreed to, or was refused by the Person or Persons to whom it was made (as the Case may be); but in case such Owner or Owners shall be desirous of purchasing the same, and cannot agree with the said Commissioners in regard to the Price to be paid for the Purchase thereof, then and in such Case the Price or Value thereof

Owners of adjoining Lands to have the first Offer thereof.

thereof shall be settled and ascertained by a Jury in like Manner as the Price or Value of any Hereditaments to be purchased or taken by the said Commissioners for the Purposes of this Act is hereinbefore directed to be settled and ascertained; and the Costs and Charges of ascertaining and determining the same shall be borne and paid in like Manner as hereinbefore is directed with respect to Purchases made by the said Commissioners, *mutatis mutandis*; and all Monies to arise by any Sales which may be made by the said Commissioners of the said Premises, or any Part or Parts thereof, shall be applied to the Purposes of this Act, but the Purchasers thereof, having paid his, her, or their Purchase Monies to the Treasurer or Treasurers of the said Commissioners, and obtained his or their Receipt or Receipts for the same, shall not be liable to see to the Application of the said Monies, or answerable or accountable for the Misapplication or Nonapplication of the same.

Power to
provide a
Police
Office.

CXVI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to purchase or take upon Lease any Messuages, Buildings, Lands, or Hereditaments, within the said Borough and Township, for the Purpose of converting the same into or erecting a Police Office or otherwise, for the more commodious and convenient Execution of the several Powers and Authorities herein contained.

For making
Rates and
Assessments.

CXVII. And be it further enacted, That for the Purpose of defraying the Expences of preparing, obtaining, and passing this Act, and the Expences of repairing, maintaining, paving, widening, and improving the public Streets, Highways, Markets, Fairs, and other public Places within the said Borough and Township of *Macclesfield*, and for otherwise carrying into Effect the general Purposes of this Act (save as after-mentioned), it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and required at any Meeting to make, levy, and impose, once in every Year or oftener, upon the Owners and Occupiers of all Houses, Messuages, Buildings, Factories, Dye Houses, Coach Houses, Stables, and other Buildings, Yards, Gardens, Farms, Lands, Tenements, and Hereditaments within the said Borough and Township of *Macclesfield*, One or more Rate or Rates, Assessment or Assessments, so that such Rate or Rates, Assessment or Assessments, shall not in any one Year, to be computed from *Michaelmas* to *Michaelmas*, exceed in the whole Two Shillings in the Pound upon the Annual Value of such Houses, Messuages, Buildings, Factories, Dye Houses, Coach Houses, Stables, and other Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments to be let from Year to Year; and that for the Purpose of defraying the Expences of lighting, cleansing, and watching the said Borough of *Macclesfield*, and supporting the Police thereof, and all Costs and Charges incident thereto, it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and required to levy and impose, once in every Year or oftener, upon the Owners or Occupiers of all Houses, Messuages, Shops, Cellars, Vaults, Warehouses, Factories, Dye Houses, Breweries, Coach Houses, Stables, and other Buildings, Yards, Gardens, Tenements, or Hereditaments within the said Borough and Township, One other Rate or Assessment, so

as such last-mentioned Rate or Assessment, Rates or Assessments, shall not in any one Year, to be computed as aforesaid, exceed in the whole the Sum of One Shilling in the Pound upon such Annual Value as aforesaid; which several Rates or Assessments may be levied once or oftener in the Year, as the said Commissioners shall appoint, provided the same shall not respectively exceed the several Amounts hereinbefore mentioned and limited in that behalf as aforesaid; and separate and distinct Books and Accounts shall be kept of the Monies raised by and under the said respective Assessments, and the Investment and Application thereof, so that the same may not be confused or blended together, or applied to other or different Purposes from those for which the same are respectively intended to be levied and raised as aforesaid: Provided always, that no Rate or Assessment shall be made in pursuance of this Act for the Purpose of lighting, cleansing, and watching the said Borough, and for supporting the Police thereof, upon any Person or Persons for or in respect of his, her, or their being the Owner or Owners, Occupier or Occupiers of any Dwelling House or other Building which shall be situate in any Street or Highway within the said Borough and Township, at a greater Distance than One hundred Yards from any Lamp or Set of Lamps already fixed up, or hereafter to be fixed up by the said Commissioners, for the Purpose of and used for lighting the said Town and Borough, under the Provisions of this Act; nor shall any Person or Persons be assessed in the said last-mentioned Rate or Rates for or in respect of any Farm House or Farm Buildings used for the Purposes of Husbandry only, or for or in respect of any arable, meadow, or pasture Land within the said Borough and Township.

CXVIII. And be it further enacted, That it shall and may be lawful for the said Commissioners to appoint such One or more Person or Persons as Assessor or Assessors for the Purpose of making such Assessment and Assessments as aforesaid, and to allow to such Assessor or Assessors such Salary or other Compensation as to the said Commissioners shall seem meet; and every such Assessor shall, before he shall begin to act in the Execution hereof, take and subscribe an Oath before the said Commissioners, in the Words following; (that is to say,)

Appoint-
ment of As-
sessor.

‘ I *A. B.* do swear, That I will faithfully and impartially, according to the best of my Power and Ability, execute the Office of Assessor of the Police Rates within the Borough and Township of *Macclesfield*.
So help me GOD.’

And any Person acting as such Assessor without having first taken the said Oath shall forfeit and pay the Sum of Ten Pounds.

CXIX. And be it further enacted, That the said respective Rates and Assessments shall be paid by the Tenants of the Hereditaments and Premises charged therewith (except in case of Tenements let off to be separately occupied by several Tenants, in which Cases the same shall be paid by the Landlord); and in case the Tenant or Tenants of any of the Premises in respect whereof the Rate or Assessment ought to be paid by the Landlord, shall pay or advance such Rate or Assessment, it shall be lawful to and for such Tenant or Tenants to deduct and retain

Rates to be
paid by
Tenants.

[*Local.*]

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the same from and out of the Rent to be thereafter paid by such Tenant for the same Premises, in case any such shall become due or payable, but in case no such Rent shall become due or payable, the Money to be paid by such Tenant or Tenants in respect of any such Rates or Assessments shall be deemed and taken to be Money paid for the Use of the Landlord or Landlords: Provided always, and it is hereby declared, that nothing herein contained shall extend to vary or defeat any express Agreement to be hereafter made between any such Landlord or Tenant respecting the Payment of such Rates and Assessments as shall become due and payable by virtue hereof; but any Agreement respecting Rates or Assessments shall not extend to the Rates and Assessments to be paid and payable by virtue hereof.

No Premises under a certain Value to be rated.

CXX. Provided always, and be it further enacted, That no Person shall be rated or pay the Rates or Assessments which shall be made by virtue and in pursuance of this Act for the Purpose of lighting, watching, and cleansing the said Borough and Township of *Macclesfield*, who shall not occupy a House or Houses, or other Tenement or Tenements in the said Borough and Township, of the Yearly Value of Four Pounds.

Arrears of Rates how to be recovered.

CXXI. And for the better enforcing the Payment of the Rates or Assessments to be made by virtue of this Act, be it further enacted, That if any Person or Persons liable to pay any of the said Rates or Assessments shall refuse or neglect to pay the Money rated or assessed upon him, her, or them, and all Arrears due thereon; or if any Person or Persons liable to pay any of the said Rates or Assessments, shall at any Time begin to remove his, her, or their Goods or Furniture from the House or Premises in his, her, or their Occupation within the said Borough and Township, or to sell or dispose of such Goods or Furniture therein by public Auction, or sell, dispose of, or carry away his, her, or their Goods or Furniture as aforesaid, without paying all Arrears then due or rated in respect of such House, (in which the current Quarter shall be considered as due,) that then and in any of the said Cases it shall be lawful for the Collector for the Time being to the said Commissioners to collect and levy such Rates or Assessments and all Arrears due thereon, and the Rate or Assessments for such Quarter wherein such Removal or Sale shall begin to be made as aforesaid (although previously to the Time for Payment of the Rate or Assessment for such Quarter), by Warrant under the Hand and Seal or Hands and Seals of any One or more Justice or Justices of the Peace, by Distress and Sale of the Goods and Chattels of the Party so neglecting or refusing, or beginning to remove, take away, or sell any such Goods or Furniture as aforesaid; and if within Five Days after such Distress shall be made the said Rates or Assessments and all Arrears due thereon, together with the reasonable Charges of taking and keeping the said Distress, shall not be paid, the said Collector shall cause the said Goods and Chattels to be appraised and sold, or such Part thereof as shall be sufficient to pay such Rates or Assessments, together with all Arrears due thereon, and the reasonable Charges of taking such Distress and of keeping and selling the same, returning the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively.

CXXII. And

CXXII. And be it further enacted, That where any House, Building, or Tenement, in respect whereof any Rate or Assessment shall be made as aforesaid, shall be let out in Apartments by the Lessee, Tenant, or Landlord thereof, any One or more of such Lodgers shall pay such Rate or Assessment, and all and every such respective Lodger or Lodgers who shall pay any such Rate or Assessment or any Part thereof, or from whom the same or any Part thereof shall be recovered in pursuance of this Act, shall and may deduct the same from and out of the net Rent due and payable or to be due and payable from him, her, or them, to such respective Lessee, Tenant, or Landlord; and the Receipt for such Payment shall be a sufficient Discharge for such Lodger or Lodgers to his, her, or their Landlord, for so much Money as he, she, or they shall pay, or shall be levied on him, her, or them, by virtue of this Act: Provided always, that no such Lodger or Lodgers shall at any Time be required to pay or be subject or liable to pay any greater Sum for or towards the Discharge of the said Rates or Assessments or any of them and Arrears thereof, than the Amount of the Rent actually due and payable by such Lodger or Lodgers to the Lessee, Tenant, or Landlord of the Premises so occupied by him, her, or them.

Lodgers may
be deemed
Occupiers:

CXXIII. And be it further enacted, That if the said Assessor or Assessors shall neglect or omit to rate or assess any Person or Persons liable to be rated or assessed by virtue hereof, or shall rate any such Person or Persons at a less Amount than such Persons should be liable to pay, it shall be lawful for the said Commissioners to rate the Person or Persons so omitted, or to increase the Assessment of such Person or Persons so underrated; and that it shall also be lawful for the said Commissioners to relieve any Person or Persons charged with any of the said Rates or Assessments not being liable thereto, nor rated at a larger Sum than the fair Value of the Premises at which such Person or Persons shall be charged, by expunging the Names of such Person or Persons from the said Assessments, or by reducing the Amount of such Assessments, as the Case may require; and that for that Purpose it shall be lawful to and for any Person or Persons to apply to the said Commissioners as they shall think meet.

Commissioners
to rectify
Omissions of
Assessors.

CXXIV. And be it further enacted, That no Rate or Assessment to be made by virtue hereof shall be of any Force or Validity until the same shall be allowed at a Meeting of the said Commissioners; and that for that Purpose the Assessor or Assessors making the same shall make Three fair Copies thereof, and shall attend the said Commissioners to explain the same, and to give any Information relating thereto, as the said Commissioners shall from Time to Time direct; and the said Rates or Assessments being so allowed, a Copy thereof shall remain in the Hands of the Clerk of the said Commissioners, and all Persons interested therein shall at any seasonable Times have Liberty to inspect the same, and Copies thereof or any Part thereof shall be delivered by such Clerk to any Person or Persons requiring the same, upon Payment of the Sum of One Shilling for the Names of any Number of Premises or Tenements included therein not exceeding Twenty-five.

Rates to be
allowed by
Commissioners.

CXXV. And

For recover-
ing Tenant's
Proportions
of Rates in
case of Re-
moval.

CXXV. And be it further enacted, That in case any Tenant or Tenants, Occupier or Occupiers, shall remove out of or quit Possession of any House, Building, Land, Tenement, or other Hereditaments, before such Rate or Rates, Assessment or Assessments shall be paid by him, her, or them, and shall reside out of the said Borough and Township, then and in every such Case if he, she, or they shall neglect or refuse to pay the same for the Space of Seven Days next after the same shall be demanded by the Collector, or by any Person authorized by the said Commissioners for that Purpose, such Rate or Rates, Assessment or Assessments shall and may be levied by Distress and Sale of the Goods and Chattels of such Tenant or Tenants, Occupier or Occupiers, by Warrant under the Hand and Seal or Hands and Seals of any One or more Justice or Justices of the Peace, which Warrant such Justice or Justices is and are hereby empowered to grant (upon Proof made before him or them upon Oath or Affirmation of such Demand and Nonpayment, together with the Costs and Charges attending the same), such Costs and Charges to be ascertained by such Justice or Justices; and the Goods and Chattels so distrained shall and may be sold and disposed of for and towards the Payment of the said Rates and Assessments, Costs and Charges, rendering the Overplus (if any) to the Owner or Owners thereof, on Demand; and in Default of such Distress it shall and may be lawful for such Justice or Justices to commit such Person to the Common Gaol of the said County, there to remain without Bail or Mainprize for the Space of Six Calendar Months, or until Payment of all such Sum or Sums of Money as shall have been found due and in Arrear upon all or any such Assessment or Assessments as aforesaid, together with all Costs, Charges, and Expences attending the Recovery thereof, such Costs, Charges, and Expences to be ascertained and directed by the Justice or Justices as aforesaid.

Money bor-
rowed under
recited Act
charged on
the Lighting
and Watch-
ing Rates
to be raised
under this
Act.

CXXVI. And whereas the Commissioners acting under the said recited Act did in pursuance of the Powers and Authorities of the same Act borrow and take up at Interest on the Credit of the Rates and Assessments made and to be made under and by virtue of the said recited Act, the Principal Sum of Four thousand Pounds, which said Sum of Four thousand Pounds still remains due and owing upon Mortgage of the said Rates and Assessments; be it therefore further enacted, That the Rates and Assessments hereby directed and authorized to be made for the Purpose of lighting, cleansing, and watching the said Borough and Township, and supporting the Police thereof in Manner aforesaid, shall be and they are hereby made subject to the Payment as well of the said Sum of Four thousand Pounds and the accruing Interest of the same, as of all other Debts and Sums of Money now due, or which shall become and remain due from the said Commissioners before and upon the said Twenty-ninth Day of *September* One thousand eight hundred and twenty-five, to any Person or Persons whomsoever, under any Contract or otherwise relating to the watching and lighting the said Town, and the Regulation of the Police thereof; and that the said last-mentioned Rates and Assessments shall stand charged with and be liable to the said Debts as fully and effectually to all Intents and Purposes as if such Monies had been borrowed or expended on

the Credit of the said last-mentioned Rates or Assessments hereby authorized to be received for the Purposes aforesaid.

CXXVII. And for the more speedily and effectually enabling the Commissioners to execute the Purposes of this Act, be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, from Time to Time when they shall judge necessary, to borrow and take up at Interest any Sum or Sums of Money, not exceeding in the whole (including the said Sum of Four thousand Pounds so borrowed under the Authority of the said recited Act as aforesaid), the Sum of Six thousand Pounds at any one Time, upon the Credit of the Rates and Assessments hereinbefore granted or authorized to be laid, collected, or received, for the Purpose of lighting, cleansing, and watching the said Borough and Township and supporting the Police thereof; and it shall and may be lawful to and for the said Commissioners, and they are hereby empowered, from Time to Time when they shall judge necessary, to borrow and take up at Interest, upon the Credit of the Rates and Assessments hereinbefore granted or authorized to be paid, collected, or received for the Purpose of defraying the Expences of obtaining this Act, and of repairing, maintaining, paving, widening, and improving the public Streets, Highways, Markets, and other public Places within the said Borough and Township, and otherwise carrying into Effect the several Purposes of this Act, except as aforesaid, any Sum or Sums of Money not exceeding in the whole the Sum of Six thousand Pounds at any one Time; and they the said Commissioners shall and lawfully may, by any Writing or Writings under their Hands and Seals, mortgage, demise, grant, or assign over the said Rates or Assessments respectively, or any Part or Parts thereof, to the Person or Persons who shall advance or lend such Money or Monies, or their Trustee or Trustees, as a Security or Securities for the Money so borrowed, together with lawful Interest for the same; and every such Mortgage or Assignment shall be in the Words or to the Effect following; (that is to say),

For borrow-
ing Money
on the Credit
of Rates.

BY virtue of an Act passed in the Sixth Year of the Reign of His Majesty King George the Fourth, intituled *An Act* [*here insert the Title of this Act*] We, _____ of the Commissioners appointed by and in pursuance of the said Act, in consideration of the Sum of _____ advanced and lent by _____ upon the Credit and for the Purposes of the said Act, do grant, bargain, sell, and demise unto the said _____, his Executors, Administrators, and Assigns, such Proportion of the Rates or Assessments arising by virtue of the said Act [*distinguishing which of the respective Rates aforesaid*] as the said Sum of _____ doth or shall bear to the whole Sum which may at any Time become due and owing or charged upon the Credit of the said Rates or Assessments of the said Act; to be had and holden from this _____ Day of _____ in the Year _____ until the said Sum of _____ with Interest at the Rate of _____ *per Centum per Annum* for the same be repaid and satisfied. In Witness whereof
[Local.] _____ 66 Y _____ we

Form of
Mortgage of
Rates.

‘ we have hereunto set our Hands and Seals this Day of
 ‘ in the Year of our Lord ’

And every such Grant or Mortgage shall be good, valid, and effectual in the Law; and Copies of all such Mortgages shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Clerks, Treasurer or Treasurers, to the said Commissioners, and which said Book or Books shall and may at all seasonable Times be perused and inspected without Fee or Reward by any Person or Persons entitled to any such Mortgage on paying the said Rates or Assessments; and all Persons to whom any Mortgage shall be made as aforesaid, or who shall be entitled to the Money thereby secured, may from Time to Time transfer his, her, or their Right, Title, or Interest in or to such Mortgage, and the Principal Money and Interest thereby secured, to any Person or Persons whomsoever, by indorsing on the Back of such Mortgage Security, and in the Presence of One or more credible Witness or Witnesses, the following Words, or Words to the Effect following; (that is to say),

Assignment
 of Mortgage.

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

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

Expences of
 Act.

CXXVIII. And be it further enacted, That all Expences and Charges, with lawful Interest on Monies expended, or which shall be incurred in any Manner incident to and attending the Application for and obtaining and passing this Act, shall be paid and defrayed out of the first Monies to be raised by Assessments or otherwise under this Act.

CXXIX. And

CXXIX. And be it further enacted, That if any Person shall assault or obstruct any Officer or other Person employed in the Execution of any of the Powers or Authorities herein mentioned and contained, in any Case not hereinbefore specifically provided for, every Person so offending, being thereof convicted by any One of His Majesty's Justices of the Peace in and for the said Borough, shall forfeit and pay a Sum not exceeding Ten Pounds, nor less than Forty Shillings.

Punishing
Persons as-
saulting
Officers.

CXXX. 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 hereinbefore made, shall and may in every Case be heard, adjudged, and determined by or before any Justice or Justices of the Peace in and for the Borough of *Macclesfield* in a summary Way, upon Information or Complaint made and exhibited in Writing (and which shall in every Case be made and exhibited within Three Calendar Months at furthest next after the committing of such Offence 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, the Party or Parties accused shall be convicted of having committed such Offence or Offences, then and in every such Case the Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, 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, except in Cases otherwise provided by this Act, the same shall and may, by Warrant or Warrants under the Hand and Seal or Hands and Seals of any such Justice or Justices, (which he and they is and are hereby empowered 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, rendering the Overplus of the Money arising by such Sale (if any) to the Party or Parties whose Goods and Chattels shall be distrained, One Moiety of 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, and applied to the 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, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his, her, or their Appearance before the said Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Five Days from the Time of taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of

Recovery
and Appli-
cation of
Penalties.

Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and such Costs as aforesaid, and the same shall not be forthwith paid; or in case it shall appear to the Satisfaction of such Justice, either by the Confession of the Offender or Offenders, or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, Costs, and Charges may be levied were a Warrant of Distress issued, such Justice shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for the said Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction for the said County of *Chester*, there to remain without Bail or Mainprize for any Term not exceeding Three Calendar Months, or until such Offender or Offenders shall have fully paid such Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and all Costs attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law.

Form of
Conviction.

CXXXI. And for the more easy Conviction of Offenders, be it further enacted, That any Justice of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, or against any Rule, Order, or Bye-Law made in pursuance thereof, shall and may cause the Conviction to be drawn up in the following Form of Words, or in other Words to the same Effect:

‘ Borough of *Macclesfield*, }
‘ to wit. } BE it remembered, That on the
‘ Day of in the
‘ Year of the Reign of His Majesty King
‘ *A.B.* is [*or are*] convicted by me, One of His Majesty’s Justices of
‘ the Peace in and for the said Borough, by virtue of an Act of
‘ Parliament made and passed in the Sixth Year of the Reign of His
‘ Majesty King *George* the Fourth, intituled [*here insert the Title of*
‘ *this Act, specifying the Offence and the Time and Place when and*
‘ *where the Offence was committed, as the Case shall be*], contrary to the
‘ said Act, [*or, as the Case shall be*] contrary to a certain Bye-Law
‘ made on the Day of One thousand
‘ pursuant to the said Act; for which Offence I adjudge the said
‘ to have forfeited the Sum of [and if miti-
‘ gated, which I mitigate to the Sum of]. Given
‘ under my Hand and Seal the Day and Year first above written.’

Limitation
of Time for
Recovery of
Penalties.

CXXXII. Provided always, and be it further enacted, That no Person or Persons shall be subject or liable to the Payment of any of the Penalties or Forfeitures inflicted by virtue of this Act for any Offence or Offences against this Act, or any Rule, Order, or Bye-Law to be made in pursuance thereof, unless some Proceedings shall be had according to the Directions of this Act, or of such Rule, Order, or Bye-Law respecting such Offence or Offences, within Three Calendar Months next after the Offence committed.

CXXXIII. Pro-

CXXXIII. Provided always, and be it enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment which shall be made or be demanded in pursuance of this Act, or by any Bye-Law, or any other Order, Judgment, or Determination of the said Commissioners, or by any Penalty imposed, or by any Conviction made, or by any other Thing done in pursuance of this Act (save and except in such Cases where any Order, Judgment, or Determination is herein directed to be final and conclusive, and save and except in such Cases for which any particular Method of Relief is herein appointed), such Person or Persons may appeal to the Justices of the Peace at the General or Quarter Sessions of the Peace to be holden for the County of *Chester* next after the Causes of Complaint shall have arisen, or at any Adjournment of such Sessions, the Person or Persons appealing first giving or causing to be given to the Person or Persons appealed against, or to the Clerk to the said Commissioners, in case such Appeal shall be made against any Rate or Assessment, Bye-Law, Rule, Order, Judgment, or Determination, Matter or Thing made or done by the said Commissioners, Fourteen Days Notice in Writing of his, her, and their Intention to bring such Appeal and the Cause and Matter thereof, and within Six Days next after such Notice, entering into a Recognizance before some Justice of the Peace for the said County with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order of, and to pay such Costs as shall be awarded by the Justices at such Sessions or Adjournment thereof; and the Justices at such Sessions, upon due Proof of such Notice having been given, and of such Recognizance having been entered into as aforesaid, shall hear and finally determine every such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against, as the said Justices shall think proper, and shall and may at their Discretion discharge or mitigate any Fine, Penalty, or Forfeiture, and may order any Money to be returned which shall be levied in pursuance of any such Bye-Law, Rule, Order, Judgment, or Determination of the said Commissioners, and may also order and award such further Satisfaction to be made to the Party injured, as they shall think reasonable; and the Determination of the said Justices in their said General or Quarter Sessions or Adjournment thereof shall be final, binding, and conclusive to all Intents and Purposes whatsoever.

Appeal.

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

Justices may amend the Rates without quashing the same.

CXXXV. 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,

In case of Nonpayment of Compensation

[Local.]

66 Z

Act,

tion for Damages by the said Commissioners, the same to be levied by Distress of the Goods vested in Commissioners.

Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury of any Nature or Kind whatsoever done or committed by such 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 Ten Days after Demand in Writing shall have been made from the Clerk to the said Commissioners, or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in such Commissioners, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his 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: Provided always, that it shall and may be lawful for such Treasurer to retain out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

Damages and Charges in Cases of Dispute to be settled by Justices.

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

Compelling Attendance of Witnesses.

CXXXVII. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence before any such Justice of the Peace touching any Information or Complaint for any Offence against this Act, or against any Rule, Order, or Bye-Law to be made in pursuance thereof, either on the part of the Prosecutor or of the Person or Persons accused, or if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence at any General or Quarter Sessions of the Peace for the said Borough or for the said County of Chester, upon any Appeal by virtue of this Act, either on the part of the Appellant or Respondent,

spondent; and any such Person or Persons respectively shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for his, her, or their Refusal or Neglect, or appearing shall refuse to be examined upon Oath (or in case of a Quaker or Quakers on solemn Affirmation), and to give Evidence before such Justice of the Peace, or at such Sessions, then and in either of the said Cases every such Person shall for every such Offence forfeit any Sum not exceeding Twenty Pounds.

CXXXVIII. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, Inquiries, and Proceedings whatsoever relating to or concerning the Execution of this Act, or of any Rule, Order, or Bye-Law made in pursuance thereof, any Inhabitant of the said Borough shall be a competent Witness, and admitted to give Evidence, notwithstanding his or her being such Inhabitant, and notwithstanding the Rates made and charged as aforesaid upon any such Inhabitant by virtue of this Act.

Inhabitants
may be Wit-
nesses.

CXXXIX. And be it further enacted and declared, That in all Notices which are directed or required to be given by this Act, or which are or may be required to be given by any Rules, Orders, or Bye-Laws, where the Manner of serving such Notices is not particularly or otherwise directed by this Act, the Service of any such Notices either on the Person to whom the same ought to be given, or leaving the same or a true Copy thereof at his or her Dwelling-house, or usual or last Place of his or her Abode, shall be good and sufficient Service of any such Notices; and that in all Cases whatsoever where any such Notices or Summonses ought to be given to Two or more Persons for or respecting the joint Act or Omission of any such Person, whether the said Person be in Partnership in Trade, or otherwise jointly concerned in any such Act or Omission, the like Service of any such Notices on any One of such Partners or Persons shall also be a good and sufficient Service thereof.

Service of
Notices and
Summonses.

CXL. And be it further enacted, That when any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers *ab initio*, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover Satisfaction for the special Damages in an Action upon the Case; but no Plaintiff or Plaintiffs shall recover in any Action for any such Irregularity or other Proceeding if Tender of sufficient Amends shall be made by or on the behalf of the Party or Parties who shall have committed or caused to be committed by any such Irregularity or wrongful Proceeding before such Action brought; 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 where such Action shall depend, at any Time before Issue joined, to pay
into

Distress not
unlawful for
Want of
Form.

into Court such Sum of Money as he, she, or they shall see fit, whereupon such Proceedings or Orders and Judgments shall be had, made, and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Proceedings
not to be
quashed for
Want of
Form.

CXLI. And be it further enacted, That no Proceeding to be had touching the Conviction of any Offender or Offenders against this Act, or against any Rule, Order, or Bye-Law to be made in pursuance thereof, or any Order made, or other Matter or Thing to be done or transacted in or relating to the Execution of this Act, or of any such Rule, Order, or Bye-Law, shall be made void or quashed for Want of Form, or be removed by *Certiorari* or any other Writ or Process whatsoever into any of His Majesty's Courts of Record at *Westminster*.

Limitation
of Actions.

CXLII. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, or of any Rule, Order, or Bye-Law to be made in pursuance thereof, until Twenty-one Days Notice thereof shall be first given in Writing to the Defendant or Defendants for the Time being, signed by the intended Plaintiff or Plaintiffs, of the Cause and Intention of and for commencing such Action or Suit, nor after Three Calendar Months next after the Act committed for which such Action or Actions, Suit or Suits, shall be so brought; and all such Actions and Suits shall be laid and tried in the County where the Cause of Action shall arise, and not in any other County or Place; and that 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 Actions, Suit or Suits, shall be so brought, was done in pursuance and by the Authority of this Act, or of any Rule, Order, or Bye-Law made in pursuance thereof; and if the said Matter shall appear to have been so done, or if it shall appear that such Action or Suit was brought before Twenty-one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid; or if any such Action or Suit shall not be commenced within the Time before for that Purpose limited, or shall be laid in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants therein; and if a Verdict shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become nonsuited, or suffer a Discontinuance of such Action or Actions, or if Judgments shall be given for the Defendant or Defendants therein, then and in either of the Cases aforesaid, such Defendant or Defendants shall have Double Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants may have for his, her, or their Costs in any other Cases by Law.

General
Issue.

Saving Rights
of Justices of
the Peace for
the County of
Chester.

CXLIII. And be it further enacted, That nothing in this Act contained shall extend to affect the Jurisdiction, Rights, or Privileges of the Justices of the Peace acting in and for the said County of *Chester*, or affect

affect any Jurisdiction that such Justices have or enjoy, or may have or enjoy, within the said Borough and Township.

CXLIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend in any way to change, lessen, abridge, impeach, annul, prejudice, or destroy any Rights, Privileges, Jurisdictions, Immunities, Rents, Tolls, Stallage, Dues, Duties, and Customs belonging, due, or in anywise appertaining to, or which at the passing of this Act are enjoyed or received by the said Mayor, Aldermen, and Capital Burgesses of the said Borough of *Macclesfield*, either as Owners of the Markets and Fairs within the same, or in or by any other Right, Title, or Capacity whatsoever, whether by Charter, Act of Parliament, Custom, or Prescription; but all and every such Rights, Privileges, Jurisdictions, Immunities, Rents, Tolls, Stallage, Dues, Duties, and Customs may be exercised, demanded, executed, received, and enjoyed in as full and ample a Manner to all Intents and Purposes as the same are enjoyed, or as the Mayor, Aldermen, and Capital Burgesses are entitled to enjoy at the passing of this Act.

Saving the Rights of the Mayor, Aldermen, and Capital Burgesses of the Borough of *Macclesfield*.

CXLV. And be it further enacted, That nothing in this Act, or in any Deed, Contract, Lease, or other Instrument hereby authorized 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 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 Clauses, Covenants, Conditions, or Agreements in the same Deed, Contract, Lease, or other Instrument contained, on the Part of the said 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.

Commissioners exempt from personal Responsibility in Contracts, &c.

CXLVI. 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.

Public Act.

The SCHEDULE to which this Act refers.

One Messuage or Shop, with the Appurtenances, situate in the Market-Place, Macclesfield, now in the Occupation of Charles Hadfield, belonging to the Corporation of the Borough of Macclesfield.

Three Messuages, Dwelling Houses, or Shops, with the Appurtenances, situate in the Market-Place, now in the several Occupations of John Verga, John Latham, and James Sherratt, belonging to Thomas Lowe.

The front Part of a Messuage or Public House situate in Chestergate, being a Projection into the Street, now in the Occupation of and belonging to Elizabeth Sympson.

Six Messuages or Dwelling Houses with their Appurtenances, situate in King Edward Street, now in the several Occupations of Matthew Duncalf, John Dale, Thomas Slack, Samuel Moss, and James Williamson, belonging to Mary Broadhurst.

Ten Cottages or Dwelling Houses, with the Yard and Appurtenances thereunto belonging, situate in the Gutters and adjoining to the East Side of the Butchers' Shambles, now in the several Occupations of James Sherratt, Joseph Bayley, Samuel Newton, James Fowler, James Wright, Richard Stubbs, Joseph Harding, Freelope Bayley, Guy Kenworthy, and William Dean, belonging to John Livesley and John Guest; also One Dwelling House adjoining thereto in the Occupation of John Yates, belonging to Isaac Faulkner.

Two Messuages or Dwelling Houses, with the Appurtenances, situate on the North Side of the Butchers' Shambles, and on the South Side of Brunswick Street, now in the several Occupations of Thomas Coley and Edward Farrall, and both belonging to the said Edward Farrall.

Two Messuages or Dwelling Houses, with the Appurtenances, situate on the North Side of the Butchers' Shambles, and on the South Side of Brunswick Street, now in the several Occupations of John Evans and John Watkins, and both belonging to the said John Evans.

Two other Messuages or Dwelling Houses, with the Appurtenances, situate on the North Side of the Butchers' Shambles, and on the South Side of Brunswick Street, now in the several Occupations of Frances Rowson and Elizabeth Walker, and both belonging to the said Frances Rowson.

Two Messuages or Dwelling Houses, with the Yards and Gardens behind the same, with their Appurtenances, situate on the South Side

Side of Brunswick Street, and on the North Side of the Butchers' Shambles, now in the several Occupations of Bridget Latham and John Furness, both belonging to John Brocklehurst, Esquire.

A Piece of Land lately used as a Garden situate in Church Wall Gate, belonging to and in the Occupation of Henry Verdon.

A Plot of Land adjoining thereto, a Blacksmith's Shop, House, and Stable, situate in the Church Wall Gate, in the Occupation of Thomas Barton, all belonging to Matthew Wadsworth, Esquire; and also another Stable adjoining thereto, belonging to and in the Possession of the said Matthew Wadsworth.

A Piece of Building and Land called the Town-well, belonging to the Corporation of the Borough of Macclesfield, situate near the Waters and adjoining to Back Wall Gate.

A Stable in the Occupation of Joseph Gatley in Back Wall Gate, and Three Messuages or Cottages, with their Appurtenances, situate at the Waters (being the usual Place for holding Fairs), and adjoining to the Back Wall Gate, now in the several Occupations of Sarah Bann, Jane Hough, and James Hough, all belonging to the said Jane Hough as Lessee for Lives under the Earl of Derby, the Owner of the Reversion thereof.

Two Messuages or Cottages, with their Appurtenances, situate at the Waters, and adjoining to the Back Wall Gate, now in the several Occupations of James Lovatt and Ann Bann, both belonging to John Bann Goodwin as Lessee for Lives under the Earl of Derby, the Owner of the Reversion thereof.

Three Messuages or Cottages, with their Appurtenances, situate at the Waters and adjoining to the Church Wall Gate, now in the several Occupations of Mary Wilshaw, Sarah Holbrook, and Jeremiah Wilshaw, all belonging to the Heirs of Adam Dawson, deceased, Lessees for Lives under the Earl of Derby, the Owner of the Reversion thereof.

Two Messuages or Cottages, with their Appurtenances, situate at the Waters, and adjoining to the Church Wall Gate, now in the several Occupations of Henry Bennett and John Griffith, both belonging to the said Henry Bennett, as Lessee for Lives under the Earl of Derby, the Owner of the Reversion thereof.

Two Messuages or Cottages, with their Appurtenances, situate at the Waters, and adjoining to the Church Wall Gate, now in the several Occupations of William Oldham and Michael Stedman, both belonging to Henry Oldham, as Lessee for Lives under the Earl of Derby, the Owner of the Reversion thereof.

One Messuage or Cottage, with its Appurtenances, situate at the Waters, lying between the Church Wall Gate and Back Wall Gate, now in the Occupation of Henry Hough, and belonging to William Hough, as Lessee for Lives under the Earl of Derby, the Owner of the Reversion thereof.

Four Cottages or Dwelling Houses, with the Appurtenances, situate on the Waters Green, now in the several Occupations of William Maurice, John Wright, Paul Maurice, and John Mottershead, all belonging to the said Paul Maurice.

A small Piece of Land lying between a House at the Waters, belonging to and in the Occupation of Charlotte Burgess, and a Foot Bridge leading to Cuck-stoll Pit Hill.

One Messuage or Public House, with the Yard and Appurtenances, in the Occupation of John Underhill; and Two Messuages or Dwelling Houses, with their Appurtenances, situate at the Waters Green, in the several Occupations of Charlotte Buckley and James Readall, belonging to Ralph Sutton.

A Garden adjoining thereto, belonging to and in the Occupation of Joseph Janney.

A Garden adjoining thereto, in the Occupation of George Godwin, belonging to the Trustees of the late John Hadfield.

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