



ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

Cap. ccli.

An Act for paving, lighting, watching, draining, cleansing, regulating, and otherwise improving the Town of *Lytham* in the County Palatine of *Lancaster*; for supplying the Inhabitants thereof with Water; and for establishing and regulating a Market and Market Places therein.

[22d July 1847.]

WHEREAS the Town or Village of *Lytham* in the Parish of *Lytham* and County Palatine of *Lancaster* is a Place of great Resort by Persons residing in the Manufacturing Districts: And whereas it would be of material Benefit and Advantage to the Inhabitants of the said Town or Village if Powers were granted for paving, lighting, watching, draining, cleansing, supplying with Water, and otherwise regulating the same, and also for establishing, holding, and regulating a Market therein; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority

[*Local.*]

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Incorporation of general Acts.

rity of the same, That the several Acts of Parliament following; (that is to say), "The Lands Clauses Consolidation Act, 1845," "The Commissioners Clauses Act, 1847," "The Towns Improvement Clauses Act, 1847," "The Gasworks Clauses Act, 1847," "The Waterworks Clauses Act, 1847," "The Markets and Fairs Clauses Act, 1847," and "The Town Police Clauses Act, 1847," shall be incorporated with and form Part of this Act.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The *Lytham* Improvement Act, 1847."

Limits of Act.

III. And be it enacted, That the Limits of this Act shall comprise and include so much of the said Parish of *Lytham* as is situate within an external Boundary Line, coloured Red, on a Map or Plan signed by *Thomas Greene* Esquire, Member of Parliament, and deposited at the Office of the Clerk of the Peace for the said County.

Commissioners.

IV. And be it enacted, That every Male Person of the Age of Twenty-one Years, being either a resident Inhabitant within the Limits of this Act who shall be liable to be rated under this Act for any Messuages or Hereditaments within the Limits of this Act of the annual Value of Twenty Pounds or upwards, or being seised or possessed as Owner or Lessee or in the Enjoyment for his own Use of the Rents and Profits of any Messuages or Hereditaments within the Limits of this Act, so liable to be rated as aforesaid, of the annual Value of Thirty Pounds, for an original Estate, Term, or Period of not less than Fifty Years, shall be a Commissioner for the Purposes of this Act, and for making and maintaining all Works and Conveniences which the Commissioners may deem necessary for such Purposes, subject to the Provisions contained in this Act and the Acts incorporated herewith.

Sum to be borrowed on Mortgage.

V. And be it enacted, That it shall be lawful for the Commissioners to borrow on Mortgage any Sums not exceeding in the whole the Sum of Ten thousand Pounds.

Commissioners to pave, &c.

VI. And be it enacted, That the Commissioners shall and may, subject to the Provisions of this Act and the Acts incorporated herewith, cause to be paved, cleansed, lighted, watched, and otherwise improved the Town of *Lytham* within the Limits aforesaid, and do all necessary Acts for promoting the Health and Convenience of the said Town, and for that Purpose may exercise all the Powers vested in them by this Act and the Acts incorporated herewith.

Power to keep Beach in good order.

VII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to level and lay with Sods or Turf, or otherwise to improve and keep in good Order and Condition, so much of the Beach or Ground within the Limits of this Act as is already levelled and forms a Frontage to the Houses facing the River or Sea, and to repair and keep in repair the Posts, Stiles, Fences, and Chains inclosing or bounding the same, and also, if they shall think proper so to do, to level and lay with Sods or Turf, or otherwise to improve

improve and keep in good Order and Condition, any Part or Parts of the Beach or Ground on either Side of that which is already levelled as aforesaid which may be hereafter laid open to the Public, and to enclose or bound the same with Fences of any Description, and to place convenient Gates, Stiles, or other Means of Approach thereto, and to keep the same in good Order, Repair, and Condition; Provided always, that nothing herein contained shall extend or be construed to vest in the Commissioners the Fee of the said Beach or Ground.

VIII. And be it enacted, That it shall be lawful for the Commissioners to build Sea Walls for preventing the Encroachments of the Sea or Tide upon any of the Lands within the Limits of this Act: Provided always, that no such Sea Wall shall be built as aforesaid without the Consent in Writing of the Owner and Occupier of the Ground whereon such Wall shall be built.

Power to build Sea Walls and prevent Encroachments of the Sea.

IX. And be it enacted, That subject to the Provisions in this and the incorporated Acts contained it shall be lawful for the Commissioners, from Time to Time, upon any Lands to be purchased by them, to construct and maintain such Gasworks and Apparatus, and such Buildings, with Approaches, from Time to Time, according to the Provisions of this Act and any Act incorporated herewith, and to lay such Pipes, and to make all such other Works and do all such other Acts as they may think necessary for lighting the said Town of *Lytham*, within the Limits aforesaid, with Gas; and to manufacture Gas, and to sell and dispose of the Coke and other Residue arising from the Materials used in the Manufacture of Gas, in such Manner as they shall think proper.

Power to Commissioners to construct Gasworks.

X. And be it enacted, That it shall be lawful for the Commissioners to supply with Water the Town of *Lytham* within the Limits aforesaid, and the Inhabitants, Buildings, and Lands thereof, and, subject to the Provisions of this Act and the Acts incorporated herewith, to make such Water and other Works, with such Conveniences connected therewith, as may be necessary for the Purposes aforesaid.

Power to supply Water and construct Works.

XI. And whereas Plans and Sections showing the Lines and Levels of the Waterworks, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers of the Lands and Streams in or through which the same are intended to be made and pass, have been deposited with the Clerk of the Peace of the County of *Lancaster*; be it enacted, That it shall be lawful for Commissioners to make and maintain the Waterworks on the Line and on the Levels and upon the Lands delineated on the said Plans and described in the said Book of Reference, and enter upon, take, and use such of the Lands, Streams, and Waters mentioned in the said Plan and Book of Reference as shall be necessary for that Purpose.

Waterworks to be made according to deposited Plan.

XII. And in order to satisfy the Requirements of the "Waterworks Clauses Act, 1847," as to a constant Supply of Water being laid on

Constant Supply of Water to be given.

on under Pressure, be it enacted, That the Commissioners shall and they are hereby required to afford a constant Supply of Water, as provided by the last-mentioned Act and this Act, to a Height of not less than Thirty Feet above the Surface of the principal Street within the said Town of *Lytham* within the Limits aforesaid.

Period for
Completion
of Water-
works.

XIII. And be it enacted, That the said Waterworks shall be completed within Five Years after the passing of this Act, and on the Expiration of such Period the Powers by this Act and the Acts incorporated herewith given to the Commissioners for executing the said Works shall cease to be exercised, except as to so much of the said Works as shall then be completed.

Power to
make and
maintain
Market, &c.

XIV. And be it enacted, That, subject to the Provisions in this Act and the Acts incorporated herewith contained, it shall be lawful for the Commissioners to make and maintain a new Market in the Town of *Lytham*, and to make, improve, and maintain such Market Stalls, Market Houses, Market Places, and Works as they shall think proper, together with all necessary Rooms, Approaches, and Conveniences thereto, for the Exposure and Sale of such marketable Commodities as are in the Schedule hereunto annexed mentioned or referred to.

Land for ex-
traordinary
Purposes.

XV. And be it enacted, That the Lands to be taken by the Commissioners for extraordinary Purposes in respect of the Gasworks and Market shall not exceed Six Acres.

Rates at
which Water
is to be sup-
plied for
domestic
Purposes.

XVI. And be it enacted, That the Commissioners shall, at the Request of the Owner or Occupier of any House or Part of a House in any Street in which any Pipe of the Commissioners shall be laid, or of any Person who, under the Provisions of this Act or any Act incorporated herewith, shall be entitled to demand a Supply of Water for domestic Purposes, furnish to such Owner or Occupier or other Person a sufficient Supply of Water for their domestic Uses, at a Rate *per Centum per Annum* not exceeding Ten Pounds upon the annual Rack Rent or Value to let of the Premises so supplied with Water: Provided nevertheless, that the Commissioners shall not be entitled to receive from any such Owner or Occupier in respect of any one Dwelling House or Part of a Dwelling House more than the Sum of Ten Pounds in any One Year for such Supply, nor shall the Commissioners be obliged to furnish such Supply to any Occupier for any less Sum than Ten Shillings in any One Year; provided also, that a Supply of Water for domestic Purposes shall not include a Supply of Water for Baths, Horses, or Cattle, or for washing Carriages, or for any Trade or Business whatsoever.

Tolls to be
taken for the
Markets.

XVII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to demand and take from any Person occupying or using any Stand, Stall, Shed, Pen, or Place in the said Market, or in any Market House or Market Place for holding any Market, or bringing into any such Market, Market House, or Market Place any marketable Commodities specified in the Schedule to this Act annexed, such Stallages, Rents, and Tolls as the Commis-
sioners

sioners shall from Time to Time appoint, not exceeding the several Stallages, Rents, and Tolls specified in the said Schedule.

XVIII. And be it enacted, That it shall be lawful for the Person for the Time being appointed to attend the Weighing Houses or Places for weighing or measuring any Article sold in any Market, Market House, or Market Place by Weight or Measure, from Time to Time to demand and take such Tolls as the Commissioners shall from Time to Time appoint, not exceeding in any Case the Amount set forth in the Schedule to this Act annexed.

Tolls for weighing and measuring.

XIX. And be it enacted, That it shall be lawful for the Person for the Time being appointed to attend the Machines for weighing Waggon, Carts, or Carriages within the Town of *Lytham* to demand and receive from the Person requiring the same to be weighed such Tolls as the Commissioners may appoint, not exceeding in any Case the Amount set forth in the Schedule to this Act annexed, and such Tolls shall be paid before any Waggon, Cart, or Carriage in respect of which the same are payable shall be weighed.

Tolls for weighing Carts.

XX. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to demise and let the said Market Place or Places, or Market House or Market Houses, or any Part of them respectively, and the said Slaughter-houses, Weighing-houses, or Places and Machines, or any of them, or the said Stallages, Rents, or Tolls, or any of them, for any Period not exceeding Three Years, upon such Terms as shall be agreed upon between the Commissioners and the Person to whom such Lease shall be made.

Power to lease Markets, &c. for Three Years.

XXI. And be it enacted, That it shall be lawful for the Commissioners to let any of the Stalls, Standing Places, Benches, or other Conveniences in the said Market Place or Places, or Market House or Houses, to any Person for any Term not exceeding Three Years.

Power to lease Standings in Markets.

XXII. And be it enacted, That it shall be lawful for the Lessee of any such Stall, Standing Places, or other Conveniences, his Executors, Administrators, and Assigns, with Consent of the Commissioners, but not otherwise, to assign the same for the Residue of his Term.

Power to assign Lease of Standings.

XXIII. And in order to raise Money for the Purposes of this Act, be it enacted, That it shall be lawful for the Commissioners, once in every Year, or oftener if they shall think it necessary, to make One or more Rate or Rates, Assessment or Assessments, upon the Occupiers of all Messuages, Buildings, Lands, Tenements, and Hereditaments whatsoever within the Limits of this Act, according to the net annual Value thereof respectively, to be signed by Five or more of the Commissioners, but so that any such Rates or Assessments shall not exceed in any One Year in the whole the Sum of Two Shillings and Sixpence in the Pound upon such net annual Value, unless Two Thirds of such Occupiers, at a Meeting convened as herein-after pro-

Power to levy Rates.

vided, shall expressly authorize the making or levying of a Rate or Rates in any Year or Years beyond the Amount of Two Shillings and Sixpence in the Pound, but not exceeding in the whole in any one Year the Sum of Three Shillings and Sixpence in the Pound, and shall from Time to Time fix the Amount of Excess of such Rate which shall be made in any One Year beyond Two Shillings and Sixpence in the Pound on such net annual Value.

Notice to be given of Meetings to increase Rates.

XXIV. Provided always, and be it enacted, That Notice of the Intention of the Commissioners to make any Increase in the Rates or Assessments by this Act authorized to be made, and specifying the Time and Place of Meeting, shall from Time to Time be given by them One Month previous to such Meeting by Advertisement in some Newspaper printed or circulated within the Limits of this Act, or by a Notice posted on or on some conspicuous Place near to the Entrance to the Office of the Commissioners.

Power to Commissioners or Justices to remit Rates.

XXV. Provided always, and be it enacted, That it shall be lawful for the Commissioners, or any Two Justices in Petty Sessions assembled, to reduce or remit the Payment of any Rate on account of the Poverty or Sickness of any Person liable to the Payment thereof.

Public Act.

XXVI. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

SCHEDULE referred to in the foregoing Act.

TOLLS PAYABLE.

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

	£	s.	d.
Not exceeding Six Feet by Five Feet	0	0	6
Not exceeding Nine Feet by Five Feet	0	0	9
Not exceeding Twelve Feet by Five Feet	0	1	0

For every Three Feet above, for Stations only, One Penny Halfpenny in addition.

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

Carts :

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

If drawn by One Horse	0	0	9
If drawn by Two or more Horses	0	1	0
For every Waggon drawn by One or more Horses, when used for the like Purpose, per Day	0	1	9
For every Cart or Waggon, if drawn by One Mule, Ass, or other Beast of Burden (except a Horse)	0	0	6
And if drawn by Two or more	0	0	9

Butter :

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

For every Basket, Parcel, or Quantity of Butter, not exceeding Twelve Pounds Weight, per Day	0	0	1
For each additional Six Pounds Weight, per Day	0	0	1

Poultry and Pigs :

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

Not exceeding Three Couple, per Day	0	0	1
For each additional Three Couple, per Day	0	0	1
For every Turkey, Goose, Hog, or Pig, per Day	0	0	1

Eggs :

	£	s.	d.
For every Basket, Parcel, or Quantity of Eggs, under Two Dozen	0	0	0½
For each additional Dozen	0	0	0½

Weighing and measuring :

For weighing every Piece of Meat or other Thing weighing not more than Twenty Pounds Avoirdupois	0	0	0½
For weighing every Piece of Meat or Thing weighing more than Twenty Pounds, and not exceeding One hundred Pounds	0	0	1
And so in proportion for any greater or smaller Quantity than One hundred Pounds Weight over and above One hundred Pounds Weight.			
For measuring every Quantity of Goods and Things sold by Measure, not exceeding One Bushel	0	0	0½
For measuring every Quantity more than a Bushel, and not exceeding Two Bushels	0	0	1
And for every Bushel beyond Two Bushels	0	0	1

Weighing Machines :

For weighing any Cart, Waggon, or other Carriage not exceeding One Ton, and so in proportion for any greater Weight than One Ton	0	0	3
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GENERAL TOLLS.

For every Basket, Hamper, Parcel, or Quantity of any other Goods, Commodity, Article, or Thing exposed or offered for Sale there, not before specifically charged or enumerated, or falling within any of the preceding Heads ; (that is to say, Not containing more than One Bushel	0	0	1
Every additional Half-bushel	0	0	0½

Slaughter-houses.

For every Bull, Ox, Cow, Bullock, Steer, or Heifer	0	1	0
For every Calf	0	0	6
For every Sheep or Lamb	0	0	3
For every Hog or Pig	0	0	4
For any other Beast	0	1	0