



ANNO DECIMO SEPTIMO

VICTORIÆ REGINÆ.

Cap. viii.

An Act for the Improvement of the Borough of *Warrington*, and for enabling the Council thereof to erect a covered Market, and for other Purposes. [12th *May* 1854.]

WHEREAS an Act was passed in the Fifty-third Year of 53 G. 3. the Reign of King *George* the Third, intituled *An Act* c. cxviii. *for paving and improving the Town of Warrington in the County of Lancaster, and for building a new Bridewell in the said Town*, and the said Act was to be carried into execution by Commissioners, who were authorized to levy certain Rates on the Tenants or Occupiers of all Houses, Shops, Malshouses, Warehouses, Coach-houses, Yards, Gardens, Stables, Cellars, Vaults, or Buildings, except as therein mentioned, in the Town of *Warrington*, and certain other Rates upon the Tenants or Occupiers of all Lands, Tenements, Houses, Shops, Malshouses, Warehouses, Coach-houses, Yards, Gardens, Stables, Cellars, Vaults, Buildings, and Hereditaments, except as therein mentioned, in the Town and Township of *Warrington*, and to borrow Money, not exceeding in the whole the Sum of Two thousand Pounds, on the Credit of the aforesaid Rates: And whereas the said Commissioners accordingly borrowed and took up at Interest

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Charter of
Incorporation,
dated
3d April
1847.

11 & 12 Vict.
c. 93.

the Sum of Two thousand Pounds, and the same is still due and owing: And whereas by Her Majesty's Royal Charter of Incorporation, bearing Date at *Westminster*, the Third Day of *April* in the Tenth Year of Her said Majesty's Reign, Her said Majesty did grant and declare that the Inhabitants of the Borough of *Warrington*, comprised within the District therein described, and their Successors, should be for ever thereafter One Body Politic and Corporate, in Deed, Fact, and Name, and that the said Body Corporate should be called the Mayor, Aldermen, and Burgesses of the Borough of *Warrington*, and them, by the Name of the Mayor, Aldermen, and Burgesses of the Borough of *Warrington*, into One Body Politic and Corporate, in Deed, Fact, and Name, did erect and constitute, and did extend to the Inhabitants of the said Borough all the Powers and Provisions of the Act for regulating Municipal Corporations in *England* and *Wales*, and of all and every other Acts or Act of Parliament made and passed for altering, amending, or enlarging the same: And whereas by an Act passed in the Twelfth Year of the Reign of Her Majesty, intituled *An Act to confirm the Incorporation of certain Boroughs*, it was declared that the said Charter of Incorporation, and certain other Charters of Incorporation granted to other Municipal Boroughs, should be deemed good and lawful, and that the Districts set forth in the said several Charters as those intended to be comprised in such Charters respectively should be deemed and taken to be the Extent of such Municipal Boroughs respectively: And whereas the District set forth in the said recited Charter of Incorporation as the Municipal Borough of *Warrington* includes the whole of the said Town of *Warrington*, but excludes a considerable Portion of the said Township of *Warrington* within which the Commissioners acting in execution of the firstly herein-before recited Act of Parliament were authorized to levy Rates, and the said District also includes Portions of the Townships of *Latchford* and *Thelwall* in the County of *Chester* which were not comprised within the Limits of or in any Manner affected by the said firstly herein-before recited Act: And whereas by a certain Indenture bearing Date the Fifteenth Day of *July* One thousand eight hundred and forty-seven the said Commissioners did, at a Meeting duly called for that Purpose, in pursuance and in exercise of the Powers contained in the Seventy-fifth Section of the said Act for regulating Municipal Corporations in *England* and *Wales*, transfer in Writing under their Hands and Seals all the Powers, Property, and Effects vested in them to the Body Corporate of the said Borough, and the said Body Corporate thenceforth became Trustee for executing by the Council of the said Borough the several Powers and Provisions of the said first-mentioned Act of Parliament: And whereas Two weekly Markets and Two annual Fairs have been held at *Warrington* from a very ancient Period, and

confirmed

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confirmed by Royal Charters in the Reigns of King *Henry* the Third and King *Edward* the First, and by virtue of such Charters, and according to immemorial Usage, certain Tolls and Duties have been payable to the Lord of the Manor of *Warrington*, and in the Year One thousand eight hundred and fifty-one the Council of the said Borough, with a view to the eventual Erection of a covered Market in the said Borough, purchased the said Tolls and Duties from *John Ireland Blackburne* Esquire, the Lord of the said Manor, for the Sum of One thousand five hundred Pounds, and accordingly, by Indenture bearing Date on or about the Tenth Day of *April* One thousand eight hundred and fifty-one, and made between the said *John Ireland Blackburne* and *John Ireland Blackburne* the younger, Esquires, of the First Part, *Edwin Corbett* and *John Wilson Patten*, Esquires, of the Second Part, and the said Mayor, Aldermen, and Burgesses of the Borough of *Warrington* of the Third Part, all those the Tolls and Duties from Time to Time accruing and arising and then or at any Time theretofore payable to the Lord of the Manor of *Warrington* aforesaid, on all Goods, Wares, and Commodities sold or exposed for Sale at the Markets and Fairs held within the said Manor, and on all Stalls, Standings, and Booths in the said Markets and Fairs, or otherwise accruing or arising in relation to the said Markets and Fairs, (but so nevertheless that the Conveyance thereby made should not include or be deemed or construed to include or to authorize the Collection of any Tolls on Goods exposed for Sale in any Shops, Shambles, Cloth Halls, or Fish Stones then belonging to the said *John Ireland Blackburne*, or forming Part of his settled Estates, by the actual rated Occupier of such Premises, but should include the Tolls which might be payable on any Goods exposed for Sale at any such Shops, Shambles, Cloth Halls, or Fish Stones by any Person not being such rated Occupier,) were conveyed and assured unto and to the Use of the said Mayor, Aldermen, and Burgesses of the Borough of *Warrington*, their Successors and Assigns for ever: And whereas by Indenture of Mortgage bearing Date on or about the Eighth Day of *May* One thousand eight hundred and fifty-one, and made between the said Mayor, Aldermen, and Burgesses of the Borough of *Warrington* of the First Part, *Charles Chorley*, Treasurer of the said Borough, of the Second Part, Sir *William Gibson Craig* Baronet and *Richard Montesquieu Bellew* Esquire, Two of the Lords Commissioners of Her Majesty's Treasury; of the Third Part, *John Urmson* Gentleman of the Fourth Part, and *Joseph Houghton* and *Hamlet Houghton* of the Fifth Part, the said Tolls and Duties were, with the Assent of the said Lords Commissioners of Her Majesty's Treasury (obtained on Memorial in manner directed by the said Act for the Regulation of Municipal Corporations in *England* and *Wales*), conveyed and assured unto and to the Use of the said *Joseph Houghton* and

Indenture of
Mortgage,
dated 8th
May 1851.

Hamlet

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Hamlet Houghton, their Heirs and Assigns, in the Shares and Proportions therein mentioned, by way of Mortgage, for securing the Repayment of the Sum of One thousand five hundred Pounds then lent and advanced by them to the said Mayor, Aldermen, and Burgesses of the Borough of *Warrington*, (and which was applied in paying the said Purchase Money for the said Tolls and Duties), and Interest for the same, as therein mentioned: And whereas there is no covered Market in the said Borough, and many of the Streets therein are narrow and inconvenient, and it would much conduce to the Advantage of the Inhabitants of the said Borough if a covered Market were erected therein, and if the Powers and Provisions of the said first-mentioned Act were repealed, and if further Powers were granted to the Mayor, Aldermen, and Burgesses of the said Borough to pave, cleanse, light, watch, sewer, drain, and improve the same, and to widen and improve the several existing Streets, and to make the several new Streets herein-after mentioned; that is to say,

To widen a certain Street called *Buttermarket Street*, by purchasing the Houses situate on the North Side of such Street between the Entrance to the *Exchange* News-room and the Court called *Percival's Fold*; and in like Manner to widen another Street called *Bridge Street*, by purchasing the Houses situate on the East Side of such Street from the North Side of a certain Inn called the *Star and Garter*, in the Occupation of *Samuel Butterworth*, to the South Side of a certain House and Shop in the Occupation of *Ann Podmore*; and in like Manner to widen other Part of *Bridge Street* aforesaid, and a certain other Street called *Mersey Street*, at the Junction of the said Two last-mentioned Streets, by purchasing the Houses and Land between the North Side of a certain Inn in *Bridge Street* aforesaid called the *Old Quay Packet House*, in the Occupation of *John Blyth*, and the Corner of *Mersey Street* aforesaid, and between the last-mentioned Point and the East Side of a certain Garden and Shed in *Mersey Street* aforesaid, in the Occupation of *John McGowan*; and in like Manner to widen another Street called *Heath Side*, by purchasing the Houses and Land situate on the West Side thereof between the North End of a certain Dwelling House in the Occupation of *John Padon* and the South Side of a certain Garden in the Occupation of *Elizabeth Leather*; to make a new Street from *Heath Side* aforesaid at the most Northerly Point to which it is proposed to be so widened as last aforesaid to the South End of *Brown Street*, and also a new Street from the North End of *Hill Street* otherwise called *Angel Yard* to the South Side of *Town Hill* at a Point immediately opposite thereto, and also a new Street from the South Side of the Corn Market to the North Side of *Sankey Street* at a Point immediately opposite thereto, and also a new Street from

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from the East End of *Suez Street* to the West Side of *Bridge Street* aforesaid at or near to the Inn called the *Black Boy*, in the Occupation of *James Woods*, and also a new Street from the South End of *Upper Bank Street* to the East Side of *Bridge Street* aforesaid at or near to the Inn called the *Ship*, in the Occupation of *William Forster*, and also a new Street from the East End of *Silver Street* to the West Side of *Pinner's Brow* at or near the Point immediately opposite to *Silver Street* aforesaid :

And whereas Plans of the proposed widening and improving of the said existing Streets, and Plans and Sections of the said proposed new Streets, together with Books of Reference to the said Plans, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands and Property, which may be required to be taken for the Purposes aforesaid, have been deposited with the Clerks of the Peace for the Counties of *Lancaster and Chester* : And whereas Doubts have been entertained as to the Validity of certain Elections of Aldermen under the said Charter of Incorporation, and it is expedient to remove such Doubts, and to make Provision for the regular Election of Aldermen in future : And whereas the said several Objects cannot be effected without the 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 of the same, as follows ; that is to say,

I. That this Act shall commence and have Effect on and from the First Day of *September* One thousand eight hundred and fifty-four, and on and from that Day the said firstly herein-before recited Act shall be and the same is hereby repealed.

Commencement of this Act and Repeal of former Act.

II. That in citing this Act for any Purpose it shall be sufficient to use the Expression "The *Warrington* Improvement and Market Act, 1854."

Short Title.

III. That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them respectively; unless there be something in the Subject or Context repugnant to such Construction ; that is to say,

Interpretation of Terms.

The Expression "the said Borough" shall mean the Municipal Borough of *Warrington* as defined and set forth in Her Majesty's Charter of Incorporation herein-before recited :

The Expression "the Corporation" shall mean the Mayor, Aldermen, and Burgesses of the Borough of *Warrington* acting by the Council of the said Borough, and by any Com-

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X

mittee

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mittee thereof, under the Authority of this Act and the Acts for the Time being in force for the Regulation of Municipal Corporations in *England and Wales* :

The Expression "Quarter Sessions" shall mean, as well in this Act as in any Act incorporated herewith, the General or Quarter Sessions of the Peace for the County of *Lancaster* holden by Adjournment at *Kirkdale*, or such Quarter Sessions as would, if this Act had not been passed, have had Jurisdiction over Offences committed in that Portion of the said Borough which is within the Township of *Warrington* ; and in case a separate Court of Quarter Sessions shall be hereafter granted to the said Borough, the said Expression shall thenceforth be deemed and construed to mean the Quarter Sessions holden in and for the said Borough accordingly :

The Expression "the Municipal Corporation Act" shall mean the Act passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in England and Wales*, and shall extend to and include all other Acts of Parliament heretofore passed or hereafter to be passed for altering, amending, or enlarging the same, or extending the Provisions of the same Acts or any of them to other Boroughs than those named in the Schedules thereto :

The Words "Lease," "Market," "Fair," "Cart," "Driver," "Cattle," and "Collector" shall have the several Meanings assigned to them respectively in the "Markets and Fairs Clauses Act, 1847," whether or not the same be used with reference to the Provisions of the same Acts.

Limits of Act.

IV. That the said Borough shall be the Limits of this Act, and the same shall be put in force for all the Purposes thereof within and throughout the said Borough, and no further, except as herein-after is provided.

Corporation to execute Act.

V. That this Act shall be carried into effect by the Corporation.

Council may appoint Committees.

VI. That the Council of the said Borough may appoint out of their own Body from Time to Time such and so many Committees, and consisting of such Number of Persons as they shall think fit, for all or any of the Purposes of this Act which in the Discretion of such Council would be better regulated and managed by means of such Committees: Provided always, that the Acts of every such Committee shall be submitted to the Council for their Approval.

Meetings of Committees.

VII. That every Committee so appointed may meet from Time to Time, and may adjourn as they may think proper, and shall be subject

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subject to such Regulations in respect of the Number of Members who shall form a Quorum, the Appointment of a Chairman, with or without a Casting Vote, and other Matters as shall from Time to Time be made by the Council; and in the Absence of such Regulations, and so far as any such shall not extend, no Business shall be transacted at any Meeting of such Committee unless Three Members be present; and the Chairman at every Meeting, whether appointed for a Year or other Period, or chosen to preside at that Meeting, shall in case of an Equality of Votes have a Casting Vote, in addition to his Vote as a Member of the Committee.

VIII. That all Lands, Buildings, Sewers, Pavements, Hereditaments, Monies, Choses in Action, Chattels, fixed and moveable, Chattels Real, and Effects whatsoever, which at the Date of the herein-before recited Indenture of the Fifteenth Day of *July* One thousand eight hundred and forty-seven were at Law or in Equity vested in, or belonging, due, or owing to the said Commissioners, or have since become at Law or in Equity vested in, or belonging, due, or owing to them, or to the Body Corporate of the said Borough as their Assigns, shall henceforth be vested in, belong to, and be recovered by the Corporation as Part of their Corporate Estates, Property, and Effects; and the Corporation shall be liable for all Acts, Matters, and Things which may have been done or left undone by the said Commissioners, and for all Torts, Penalties, and Forfeitures incurred by the said Commissioners before the passing of this Act, as fully and effectually as the Commissioners would themselves have been liable if this Act had not been passed.

Property of
Commission-
ers vested in
Corporation.

Liabilities
of Commis-
sioners ex-
tended to
Corporation.

IX. That the Repeal of the firstly-recited Act, or such vesting in the Corporation, shall not annul or in anywise prejudicially affect any Deed, Contract, Covenant, Security, Rate, Assessment, or other Act, Matter, or Thing whatsoever, made, done, entered into, executed, or instituted under or by virtue or in pursuance of the same Act or with reference to the Purposes of the same, but, notwithstanding this Act or anything therein contained, all such Acts, Matters, and Things shall be as good, valid, and effectual, to all Intents and Purposes whatsoever, for, against, and with reference to the Corporation, instead of the said Commissioners, or the said Body Corporate as their Assigns, and may be proceeded on and enforced in the same Manner, to all Intents and Purposes whatsoever, as if the Corporation had been party or privy thereto, and the Name of the Corporation had been used or referred to therein or with reference thereto.

Contracts,
&c. under
repealed Act
to remain
valid.

X. That all Persons who immediately before the Commencement of this Act owed any Money to the said Commissioners, or to the said Body Corporate as their Assigns, or to any Person on their Behalf, shall

Corporation
entitled to
Credits and
liable to
Debts of

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Commis-
sioners.

shall pay the same, with all Interest (if any) due or to accrue due for the same, to the Corporation; and all Debts and Monies which immediately before such Commencement were due, owing, or recoverable by or from such Commissioners, or the said Body Corporate as their Assigns, or for the Payment of which they respectively are, or but for this Act would be liable, shall, subject to the Provisions herein contained as to the said Mortgage Debt of Two thousand Pounds, be paid according to the Provisions of this Act, with all Interest (if any) due or to accrue due thereon by or be recoverable from the Corporation, and shall be paid and satisfied by the Corporation out of such Parts of the said transferred Property, Monies, and Estate of the Commissioners, as would or ought to have been charged or chargeable in respect of the same, and shall, as near as Circumstances will permit, have the same Priority, and be paid and satisfied within the same Times, and be recovered from the Corporation, as the same might have been recovered from such Commissioners.

Actions, &c.
not to abate,
and Penal-
ties to be
recoverable.

XI. That any Action, Suit, Prosecution, or other Proceeding commenced either by or against the said Commissioners, or the said Body Corporate as their Assigns, shall not abate or be discontinued or be prejudicially affected by this Act, but, on the contrary, the same shall continue and take effect both in favour of and against the Corporation, in like Manner in all respects as the same would have continued and taken effect if this Act had not been passed; and all Offences committed against the Provisions of the said first-mentioned Act or any of them may be prosecuted, and all Penalties incurred by reason of such Offences may be sued for, by the Corporation, in like Manner in all respects as if this Act had not been passed.

Regulations
of Commis-
sioners to
remain in
force until
altered by the
Corporation.

XII. That all Regulations, Rules, Byelaws, and Orders made under the Authority and according to the Provisions of the said first-mentioned Act, and in force at the Commencement of this Act, shall continue in full Force until the same be repealed, altered, or varied under the Authority of this Act; and such Regulations, Rules, Byelaws, and Orders, and all Penalties and Forfeitures thereby respectively imposed, may and shall be enforced, recovered, and applied in the same Manner in all respects as the same respectively might be enforced, recovered, and applied in case the same had been made and imposed respectively under the Authority of this Act.

Officers to
account.

XIII. That all Officers and Persons who have or shall have in their Possession or under their Control any Money, Books, Documents, Papers, Writings, or Effects belonging to the said Commissioners, or to which they, or the said Body Corporate as their Assigns, are or but for this Act would be entitled, shall be liable to account
for

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for and to deliver up the same to the Corporation, or to such Persons as they appoint to receive the same, in like Manner, and subject to the like Process, Pains, and Penalties for Refusal or Neglect, as if such Officers and Persons had been appointed by or become possessed of such Money, Books, Documents, Papers, Writings, or other Effects for the Corporation.

XIV. That all Books and other Documents by the said first-mentioned Act authorized or directed to be kept, and which would but for this Act have been admissible in Evidence, shall be admitted as Evidence in all Courts of Law and Equity and elsewhere, as fully and effectually as if this Act had not been passed.

Books to remain Evidence.

XV. That the Corporation shall, within Two Months after the passing of this Act, give Notice to the Persons holding any of the said Mortgages granted by the said Commissioners, and also to the said *Joseph Houghton* and *Hamlet Houghton*, their Executors, Administrators, or Assigns, of this Section, and of the Intention of the Corporation to call in and cancel all the Mortgages held by such Persons respectively, and to take a Reconveyance of the Tolls and Duties conveyed as aforesaid to the last-named Persons; and the said Corporation shall, within Six Months from the passing of this Act, call in and cancel the said Mortgages, and take such Reconveyance, and in lieu of the Mortgages and Securities so cancelled or reconveyed respectively, or any of them, may execute Mortgages for the like Amount, in One or more Sums, to the Persons entitled thereto, or to any Person or Persons who may advance the Principal Money necessary to pay off the same Sums; and the Mortgages so granted shall be a Charge on the Improvement Rates authorized by this Act, and the Monies secured thereby shall be deemed to be Monies borrowed on the Security thereof: Provided always, that if the Holders of the said existing Mortgages shall, within Three Months from the passing of this Act, intimate to the said Corporation, by Notice to the Town Clerk, their Wish to be paid the Principal Sum and Interest secured by the said Mortgages, the Corporation shall, at the Expiration of the said Period of Six Months, pay the said Sum, with Interest thereon, to the Persons entitled to and demanding the same; and provided also, that until the said Sum shall be so paid, or until fresh Mortgages shall be granted in the Stead thereof, (as the Case may be,) the said Mortgages granted by the Commissioners shall be deemed to be a Charge on the Improvement Rates authorized by this Act.

New Security may be given for certain existing Debts.

XVI. That the Corporation may for the Purposes of this Act (exclusive of the Purposes for which under the Authority of the "Towns Improvement Clauses Act," incorporated herewith, they may
[Local.] Y be

Power to Corporation to borrow Money on Mortgage.

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be empowered to borrow Money by Mortgage of Special and General Sewer Rates, or for Private Improvement Expenses,) from Time to Time borrow and take up at Interest any Sum of Money which, together with any Sums previously borrowed under this Act (exclusive of the said Two Sums of Two thousand Pounds and One thousand five hundred Pounds), shall not exceed the Sum of Twenty thousand Pounds, on the Credit of the Improvement Rates, to be levied under the Authority of this Act, and for the Purpose of securing the Monies charged on the said Improvement Rates the several Sections of the "Commissioners Clauses Consolidation Act, 1847," "with respect to Mortgages to be executed by the Commissioners," shall be incorporated with and form Part of this Act, and in construing such incorporated Clauses the Word "Commissioners" shall mean the Corporation.

Debts to be
paid off in
Thirty Years.

XVII. That in order to discharge the said several Sums of Two thousand Pounds and One thousand five hundred Pounds, and also any Sums which under the Authority of this Act, or the "Towns Improvement Clauses Act," herein-after incorporated herewith, the Corporation may borrow on Mortgage of the Improvement Rates, or of the Special or General Sewer Rates, or for Private Improvement Expenses, they shall in every Year pay off not less than One Thirtieth Part of the said several Principal Sums, or such a Sum as, with the Interest to accrue thereon, will in a Period of Thirty Years amount to a Sum sufficient to repay the said Principal Sums, and the Interest thereof, and may agree with the Person or Persons advancing the same for the Repayment of any Principal Sum so borrowed, and the Interest to accrue due thereon, by Thirty equal annual Instalments.

Improve-
ment Rate.

XVIII. That the Costs, Charges, and Expenses attending the obtaining of this Act, and carrying the same into execution, and of keeping down the Interest, and repaying the Principal, as well of the said Two several Sums of Two thousand Pounds and One thousand five hundred Pounds as of the other Monies herein-before authorized to be borrowed on the Credit of the said Improvement Rates, and all such Costs, Charges, and Expenses as have heretofore by virtue of the firstly herein-before recited Act been chargeable on either of the Rates thereby authorized, save and except such Costs, Charges, and Expenses as may be legally chargeable upon and be paid out of the Borough Rates or Watch Rates levied in the said Borough, or the Special or General Sewer Rates, or any other Rates authorized by this Act, or any Act incorporated therewith, shall be defrayed out of a General Rate to be levied throughout the said Borough, to be called the Improvement Rate, and the Corporation shall make the said Improvement Rate of such Amount as will raise Money sufficient, not only to defray the current Expenses to which it is by this Act made
liable,

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liable, but also to pay off all Monies borrowed on the Security thereof, within a Period not longer than Thirty Years from the Time of such Monies respectively being borrowed.

XIX. That the Corporation may enter upon, take, and use, by Compulsion or Agreement, all or any of the Lands delineated on the said Plans and referred to in the said Books of Reference so deposited as aforesaid, and may also, for the Purpose of improving the Market, and erecting such Market Houses, Slaughter Houses, and Weighing Houses as herein-after mentioned, and Works and Conveniences connected therewith, in like Manner take and use, by Compulsion or Agreement, all or any of the Lands mentioned in the Schedule (A.) to this Act annexed.

As to compulsory Purchase of Lands.

XX. That "The Lands Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act.

8 & 9 Vict. c. 18. incorporated.

XXI. That the Powers of the Corporation for the compulsory Purchase of the Lands mentioned in the said Schedule (A.) for the Purpose of improving the Market, and erecting such Market Houses, Slaughter Houses, and Weighing Houses as aforesaid, and Works and Conveniences connected therewith, shall not be exercised after the Expiration of Three Years, or for the compulsory Purchase of any other Lands after the Expiration of Seven Years from the passing of this Act.

Time for compulsory Purchase of Lands limited.

XXII. That the Corporation may, at such Times as they think fit, within the Ten Years prescribed by the 127th Section of the said "Lands Clauses Consolidation Act," make sale of any Lands which may become vested in them under the Powers of this Act, without the Approbation of the Commissioners of Her Majesty's Treasury or any of them; but they shall not be compelled to make sale of such Lands within Ten Years, under the Provisions of the same Section.

Sale of Lands.

XXIII. That the Corporation may widen and improve the several existing Streets and make the several new Streets herein-before mentioned, as shown on the said Plans, or within the Limits of Deviation delineated thereon.

Street Improvements.

XXIV. That the Corporation may hold and maintain a Market and such Fairs as have been heretofore accustomed in the said Borough, and may construct, provide, establish, and maintain, in and upon any Lands to be taken or purchased by them under the Powers of this Act or any Act incorporated therewith, or on Land forming Part of any Street, but which in the Judgment of the Corporation may advantageously form Part of the Site of any such Markets, One or

Corporation may erect Market Houses, &c.

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or more Market Houses, with or without Slaughter Houses and Weighing Machines, and Market Places for the Sale of Cattle, Hay, Straw, and other Articles and Things, and Ground for holding Fairs, and such Streets, Roads, and Approaches to all or any of such Market Houses, Slaughter Houses, Weighing Machines, Market Places, and Fair Ground as they may think necessary.

Certain Parts of 10 & 11 Vict. c. 14. incorporated with this Act.

XXV. That "The Markets and Fairs Clauses Act, 1847," except the Thirty-first Section thereof, directing that Stallages, Rents, or Tolls are not to be demanded until Market or Fair completed, and except the Fiftieth Section thereof, with respect to the Receipts and Expenditure of the Undertakers, and except so far as any of the other Sections thereof are varied by this Act, shall be incorporated with and form Part of this Act; and the Expression "the Undertakers" in the said Markets and Fairs Clauses Act contained shall be construed to mean the Corporation as defined by this Act.

Quantity of Land for extraordinary Purposes limited.

XXVI. That the prescribed Number of Acres of Land to be appropriated or purchased for the extraordinary Purposes provided for by the 9th Section of the said Markets and Fairs Clauses Act shall be Ten.

Prescribed Limits of Market.

XXVII. That the prescribed Limits of the said Market for the Purposes of this Act, but without Prejudice to the Rights of the Corporation under the aforesaid Charters, or the Remedies for the Infringement thereof, shall be the said Borough.

Prescribed Market Days.

XXVIII. That the prescribed Days for holding Markets, in addition to such other Days as the Corporation shall appoint by By-law, shall be *Wednesday* and *Saturday*, and the prescribed Days for holding Fairs shall be those on which the same have been heretofore held according to Charter and ancient Custom.

As to Stallages, Rents, and Tolls.

XXIX. That it shall be lawful for the Corporation to demand and take such Stallages, Rents, and Tolls as they shall from Time to Time appoint, not exceeding the several Stallages, Rents, and Tolls specified in the Schedule (B.) to this Act, in respect of the several Matters specified in the said Schedule.

Application of Tolls.

XXX. That, subject to the said Mortgage of the Eighth Day of *May* One thousand eight hundred and fifty-one (until the same shall be reconveyed as herein-before authorized), and to the Payment of the Principal and Interest secured thereby, the Tolls levied under the Authority of this Act shall be applied by the Corporation to the several Purposes for which Improvement Rates are hereby authorized to be levied, and in aid of such Improvement Rates.

XXXI. That

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XXXI. That until a covered Market Place shall be completed, and fit for public Use, the Corporation may demand Stallages, Rents, and Tolls not exceeding those authorized by the said Schedule (B.) to this Act in respect of Stalls, Standings, and Space not covered over from the Weather. Tolls before Completion of Market.

XXXII. That the Tolls in respect of Cattle brought for Sale to the accustomed Fairs held within the said Borough shall become due as soon as the Cattle in respect whereof they are demandable are brought within the prescribed Limits; and all Cattle brought within the prescribed Limits by any Person not being an Inhabitant of the Borough, during such accustomed Fairs, or on the Day preceding the same, shall be deemed to be brought for Sale, until the contrary be shown. Tolls at Fairs, when payable.

XXXIII. That no Person shall hold any Fair, or sell or expose for Sale, or try or exhibit with a view to Sale, any Horse or other Animal, or erect, set up, or open to the Public any Booth or public Exhibition, or any Place, Instrument, or Machine of Recreation for Admission to or Use of which any Fee shall be demanded, except in such Fair Ground, Market, Square, or other Situation as the Corporation shall appoint, and on Payment of the Tolls by this Act authorized; and every Person offending against this Enactment shall be liable to the Penalty imposed by the Thirteenth Section of the said Market and Fairs Clauses Act. Holding of Fairs.

XXXIV. That the Accounts and Abstracts of the Receipts and Expenditure of the Corporation as such Undertakers as aforesaid shall be prepared, audited, certified, and transmitted in like Manner as the Accounts of the Treasurers of Boroughs are directed to be prepared, audited, certified, and transmitted by the Municipal Corporation Act, and not otherwise. Accounts of Undertakers to be audited, &c.

XXXV. That the Corporation may from Time to Time demise and let the Market Places or any part of them, and the Slaughter Houses, Weighing Houses or Places and Machines, or any of them, and the Stallages, Rent, or Tolls granted by this Act, or any of them, for any Period not exceeding Three Years, upon such Terms as are agreed upon between the Corporation and the Person to whom such Lease is made. Power to lease Tolls.

XXXVI. That the Corporation may let any of the Stalls, Standing Places, Benches, or other Conveniences in the Market Places to any Person for any Term not exceeding Three Years. Power to lease Stalls, &c.

[Local.]

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XXXVII. That

The Warrington Improvement and Market Act, 1854.

Power to
assign
Leases.

XXXVII. That the Lessee of any such Stall, Standing Place, or other Convenience, his Executors, Administrators, and Assigns, with the Consent of the Corporation, but not otherwise, may assign the same for the Residue of his Term.

Appoint-
ment of
Inspectors of
Weights and
Measures.

XXXVIII. That the Corporation may from Time to Time appoint One or more Inspectors of Weights and Measures to act within the Limits of this Act, and the Parts within those Limits shall be a separate District for the Inspection of Weights and Measures accordingly, and the Corporation may provide for the Purposes of this Act such Copies of the Imperial Standard Weights and Measures as they think fit; and every Person appointed by the Corporation an Inspector of Weights and Measures may and shall execute the Duties of his Office with the like Powers, Liberties, and Indemnities, and be subject to the like Provisions, Restrictions, Pains, and Penalties, as if he had been duly appointed to the Office by the General or Quarter Sessions, and the Parts within those Limits had been duly assigned by the General or Quarter Sessions as a separate District for such Inspection: Provided always, that nothing herein contained shall be construed to exempt the said Borough from contributing as heretofore to the Expenses of inspecting and examining Weights and Measures out of the General County Rate; provided also, that in case Her Majesty shall at any Time hereafter grant to the said Borough a separate Court of Quarter Sessions, nothing in this Act contained shall be construed to take away any Right of the Recorder or Quarter Sessions for the said Borough in respect of the Inspectors of Weights and Measures, or the Exemption of the said Borough under the Provisions of the Fifth Section of the Municipal Corporations Act, 1853.

10 & 11 Vict.
c. 34. incor-
porated with
this Act.

XXXIX. That "The Towns Improvement Clauses Act, 1847," shall be incorporated with and form Part of this Act, save and except so far as any of the Clauses and Provisions thereof are excepted or varied by the Provisions of this Act; and the Expression "the Commissioners" in the said Towns Improvement Clauses Act contained shall be construed to mean "the Corporation" as defined by this Act.

Approval of
Secretary of
State not
necessary to
Appoint-
ment, &c. of
Local Sur-
veyor, &c.

XL. That nothing in the said Towns Improvement Clauses Act or this Act contained shall extend to subject any Appointment or Removal of a local Surveyor, Officer of Health, or other Officer acting in the Execution of this Act, or the Salary fixed to be paid to any such Officer, to the Approval of One of Her Majesty's Principal Secretaries of State, but every such Appointment and Removal may be made and Salary fixed by the Corporation without any such Approval as aforesaid.

XLI. That

The Warrington Improvement and Market Act, 1854.

XLI. That where any Person shall have borne the Expense of making any new public Sewer, at the Request of the Corporation, prior to the passing of this Act, such Request being evidenced by the Minutes of the Proceedings of the Corporation or some Committee thereof, it shall be lawful for the Corporation, if they shall think fit, in lieu of the Deduction from special Sewer Rates to which the Occupiers of the Premises drained by such Sewer would otherwise have been entitled by virtue of the Proviso contained in the Twenty-eighth Section of the said " Towns Improvement Clauses Act," to secure to such Person, his Executors, Administrators, or Assigns, by a Mortgage of the Rates which would have been applicable to the making of such Sewer if made by the Corporation, or to pay to him or them out of the Monies borrowed under the Powers of this Act, the whole or such Portion of the Money so expended as they shall deem to be just, and the Money so paid or secured shall be deemed to be Money borrowed under the Powers of this Act for making new Sewers.

Power to pay Expense of Sewers made before passing of this Act.

XLII. That it shall be lawful for the Corporation, from Time to Time, as they may think fit, to construct and provide, upon any Land belonging to or hereafter acquired by them, within the said Borough or elsewhere, such Buildings, Cesspools, Tanks, or other Receptacles, as may be necessary for the Purpose of collecting and depositing the Sewage Water and Refuse from the Drains and Sewers and other Places in the said Borough, and also such Apparatus and Machinery as they may think necessary or requisite for disinfecting the same, and therewith to disinfect the same, and to provide and lay such Pipes, Pumps, and Apparatus in such Manner and in such Places as may be necessary for the collecting and distributing the same on any Land belonging to or in the Occupation of the Corporation, or for Sale or otherwise, to any Person who may from Time to Time agree with the Corporation to take the same, either within or beyond the Limits of this Act.

Power to provide Receptacles for Sewage Water, &c.

XLIII. That it shall be lawful for the Corporation from Time to Time to contract and agree with any Person for the Sale of the Sewage and Refuse of the Sewers vested in or belonging to them, or of the Manure, Dung, Soil, or Filth vested in them or of which they may have Power to dispose, to any Person willing to take or purchase the same, on such Terms, for such Period, and subject to such Agreements and Conditions, as to the Manufacture thereof into Manure, or the Payments to be made to the Corporation out of any Profit which may arise from the Manufacture and Sale thereof as Manure, or the Erection of any Buildings, Cesspools, Tanks, or other Receptacles, Apparatus, and Machinery necessary for the Purpose of receiving or storing such Sewage or Manure, or the Expense of lifting

Corporation may contract for Sale of Sewage.

The Warrington Improvement and Market Act, 1854.

lifting the said Sewage, or the disinfecting the same, and to grant a Lease of any Land purchased by the Corporation under the Powers of this Act, or other Matters relating thereto, as any such Person and the Corporation may mutually agree, and without rendering the Corporation liable as Partners with any such Person, by reason of any Payments which may be made to the Corporation out of any Profit to arise from the Manufacture or Sale of such Manure: Provided always, that every such Contract shall be for a Period not exceeding Twenty-one Years: Provided also, that nothing in this Act contained shall extend to exempt the Corporation from being indicted, or from being liable to Actions for having created a Nuisance.

Private Liabilities to repair Roads continued.

XLIV. That nothing in this Act or the said Towns Improvement Act contained shall extend to take away or limit the Liability of any Person or public Body, except the Trustees of any Turnpike Road, to repair any Street heretofore repaired by him or them, *ratione tenuræ*, or by reason of any Contract, Arrangement, Covenant, prescriptive Liability, or otherwise.

Apportionment of Assets of previous Surveyors of Highways.

XLV. That the Persons who at the Time of this Act coming into operation shall be the Surveyors of Highways for the respective Townships of *Warrington*, *Latchford*, and *Theilwall* shall continue to be Surveyors of Highways for the said Townships respectively in respect of the Repair of the Highways within such Parts of the said Townships respectively as are not comprised in the said Borough, and shall forthwith after this Act shall come into operation cause an Account and Valuation to be made of the Monies, Materials, and Effects then belonging to them respectively, and an Apportionment thereof between such Parts of the said Townships respectively as are within and such Parts thereof as are without the Boundary of the said Borough, and shall pay and deliver to the Corporation the Share apportioned to that Part of the said Townships which is within the said Borough, and may pay or receive any Sum of Money necessary for adjusting such Apportionment; and in case any Dispute shall arise between the Corporation and the said last-mentioned Surveyors of Highways, or any of them, with respect to such Apportionment, the same shall be referred to the Determination of any One Justice of the County of *Lancaster*, in like Manner as is provided for by the "Railway Clauses Consolidation Act, 1845," and for that Purpose the Hundred and forty-second Section of the said last-mentioned Act shall be incorporated with and form Part of this Act.

As to Obstructions and Projections.

XLVI. That all such Obstructions and Projections as are mentioned in the Sixty-ninth Section of the said "Towns Improvement Clauses Act," and which, if this Act had not been passed, would have been liable, under the Provisions of the said repealed Act, to be deemed

The Warrington Improvement and Market Act, 1854.

deemed Obstructions or Annoyances to any of the Inhabitants or Passengers, and to be removed or altered under the Powers of the said last-mentioned Act, shall be subject to the Provisions of the said Sixty-ninth Section, in like Manner as if the same had been erected or placed after the passing of the Special Act.

XLVII. That the Eighty-eighth Section of the said "Towns Improvement Clauses Act" shall not extend to require any Person to sweep and cleanse in any One Day a greater Length of Footway and Pavement than Sixty Feet, in respect of each and every distinct Tenement occupied by such Person, except in such Portions of the Streets as the Corporation shall from Time to Time, by public Notice, declare to be continuously built upon, and to be proper to be swept and cleansed by the Occupiers of the Buildings adjoining thereto.

Limiting
Liability to
cleanse Foot-
paths.

XLVIII. That when any Person shall be liable to pave, flag, or make good the whole or Part of any Street, whether the same shall have been previously dedicated to the Public or not, or to make any Sewer within the said Borough, or if not so liable shall be willing to bear the Cost thereof, it shall be lawful for the Corporation to contract with such Person for the Execution of such Works by the Corporation, either in consideration of a fixed Sum, or on such other Terms as may be agreed upon, and to execute the same accordingly.

Corporation
may contract
for paving
and sewer-
ing.

XLIX. That the Justice or Justices before whom any Person shall be summoned may remit the Penalties imposed by the One hundred and eighth Section of the "Towns Improvement Act, 1847," if he or they shall be of opinion that such Person has so constructed or altered his Furnace as to consume or burn as far as possible all the Smoke arising from such Furnace, and has carefully attended to the same, and consumed or burned as far as possible the Smoke arising from such Furnace.

Power to
Justices to
remit Pe-
nalties im-
posed by
Sect. 108. of
10 & 11 Vict.
c. 34. as to
Prevention
of Smoke
arising from
Furnaces.

L. That the Clauses of the Towns Improvement Clauses Act "with respect to Lodging Houses" shall not extend to this Act.

Provisions of
10 & 11 Vict.
c. 34. as to
Lodging
Houses not
to extend to
this Act.

LI. That the Corporation may from Time to Time cause Lamp Irons or Lamp Posts to be put up and fixed into or upon the Walls or Palisadoes of any of the Houses, Tenements, or Buildings already built or hereafter to be built in the said Borough, or may continue any Lamp Irons or Lamp Posts which may have been so put up under the Authority of the said repealed Act, and may cause the same to be altered, taken down, and removed from Time to Time as they may think proper.

Lamp Posts.

[*Local.*]

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LII. That

The Warrington Improvement and Market Act, 1854.

Unwhole-
some Meat.

LII. That the One hundred and thirty-first Section of the said Towns Improvement Clauses Act, authorizing Officers to enter and inspect Slaughter-houses, shall extend to authorize any such Officer as therein mentioned to enter into and inspect any Building or Place in which he may have Reason to suspect that any Cattle, or the Carcase of any Cattle, or any other Provisions intended for the Food of Man, are or is kept for the Purpose of Sale or preparing for Sale, and also to inspect and examine any Food or Provisions hawked about for Sale in any Street; and all the Provisions of the said Section with reference to any Cattle, Carcase, or Part of Carcase shall extend to all other Food and Provisions unfit for the Food of Man which may be found upon such Inspection and Examination.

“ Special
Order.”

LIII. That in the Clauses of the said Towns Improvement Clauses Act “ with respect to Things to be done by the Commissioners by Special Order only,” the Expression “ the Ratepayers having Votes in the Election of the Commissioners ” shall be construed to mean the Burgesses of the said Borough.

Proportion
of Rates to
be assessed
on Occupiers
of Land,
Railways,&c.

LIV. That the prescribed Proportion of the net annual Value in respect of which every Person occupying Lands used as Arable, Meadow, or Pasture Ground only, or as Woodlands, or Market Gardens or Nursery Grounds, shall be rated in respect of the same as directed by the Hundred and sixty-seventh Section of the said Towns Improvement Clauses Act, shall be One-fourth Part of such net annual Value; and the Owners and Occupiers of any Land covered with Water, or used only as a Canal or Towing Path, or as a Railway, constructed under the Powers of any Act of Parliament for public Conveyance, shall be assessed in respect of the same in the like Proportion only.

Further
Exemptions
from Rates.

LV. That no Person shall be rated to any Rate made in pursuance of the said Towns Improvement Clauses Act or this Act in respect of any Lands, Buildings, or Hereditaments which shall be exempt from local Rates as belonging to any Society instituted for Purposes of Science, Literature, or the Fine Arts, and used for such Purposes exclusively, or used exclusively for the Purposes of any public School or Charity, or occupied by any Master of any such public School, or by any Person employed by the Trustees of any such public School or Charity as Part or in aid of the Salary or Emoluments of such Master or other Person.

Manner of
making
Rates.

LVI. That it shall not be necessary that any Rate made in pursuance of the said Towns Improvement Clauses Act or this Act shall be signed by not less than Six or by any other Number of Commissioners, but every such Rate shall in lieu thereof be sealed with

The Warrington Improvement and Market Act, 1854.

with the Common Seal of the said Borough by Order of the Corporation.

LVII. That the prescribed Sum at and beneath which the Owners of rateable Property shall be rated as directed by the Hundred and eighty-first Section of the said Towns Improvement Clauses Act shall be Six Pounds; and it shall be lawful for the Corporation to make and enter into Compositions with any Owners of rateable Property who shall be desirous of paying such Rates in respect of all such Tenements belonging to such Owners, whether occupied or not; and in such Case every such Owner shall be assessed in respect of all such Tenements at a Sum of Money amounting to Two-third Parts only of the Sum at which the respective Occupiers would otherwise have been liable to be rated in respect of such Tenements.

Rating of
Owners.

LVIII. That the Manner in which Byelaws made under the Authority of this Act shall be published shall be as follows; that is to say, the same shall be printed, and the Town Clerk of the said Borough shall deliver a printed Copy thereof to every Person applying for the same, without Charge, and a Copy thereof shall be published in some Newspaper circulating in the said Borough, and the Production of a Copy of the Newspaper containing such Copy shall be Evidence of the due Publication of such Byelaws.

Publication
of Byelaws.

LIX. That the "Town Police Clauses Act, 1847," save and except so far as any of the Clauses and Provisions thereof are varied by this Act, shall be incorporated with and form Part of this Act; and the Expression "the Commissioners" in the said Town Police Clauses Act contained shall be construed to mean the Corporation: Provided nevertheless, that nothing in the said Town Police Clauses Act or this Act contained shall extend to take away, abridge, or lessen any Powers which now or at any Time hereafter may by Law belong to or may be exercised by the Council or the Watch Committee of the said Borough, or the Powers or Duties of any Constable at Common Law or by Statute.

Provisions of
10 & 11 Vict.
c. 89. incor-
porated with
this Act.

LX. That the several Persons who at the Time of this Act coming into operation shall be the Chief Constable and other Constables of the said Borough, and every Constable hereafter to be appointed by the Watch Committee of the said Borough, shall for all the Purposes of the said Town Police Clauses Act incorporated herewith be deemed to be Constables appointed under the said last-mentioned Act and this Act.

Present
Constables
deemed to
have been
appointed
under this
Act.

LXI. That the Corporation may from Time to Time make Byelaws for the Purpose of regulating the Conduct of Constables, and

Corporation
to make
Byelaws for
regulating

The Warrington Improvement and Market Act, 1854.

Police Force,
and levying
Fines, &c.

Application
of Fines.

Amount of
Penalty im-
posed by
Byelaws
limited.

for the Purpose of punishing by Fines and Forfeitures any Breaches thereof in respect of which the Corporation may not think fit to prosecute such Constables by Information before Two Justices for Neglect or Violation of Duty, and for the Purpose of regulating the Appropriation of such Fines and Forfeitures to any Fund for the Reward of meritorious Officers, or otherwise for the Benefit of the Police Force of the said Borough, and such Fines and Forfeitures may be deducted out of any Wages or Allowances payable to the Constables on whom the same may be imposed: Provided nevertheless, that no Penalty imposed by any such Byelaws as last aforesaid shall exceed the Sum of One Pound for any One Offence, and that such Byelaws shall be so framed as to allow the Corporation to order a Part only of such Penalty to be paid, if they shall think fit.

Preventing
Obstructions
on the River.

LXII. That the Corporation shall have such and the like Powers for the Regulation of Boats, Barges, and other Vessels anchored in or passing over any Part of the River *Mersey* within or adjacent to the said Borough, and preventing Obstructions thereon at the Time of launching any Vessel, or on any other Occasion when the said River is thronged or liable to be obstructed, and with such and the like Penalties for Breach of such Orders and Regulations as are contained in the Twenty-first Section of the said "Town Police Clauses Act, 1847," with reference to Regulations for preventing Obstructions in the Streets; and every Person who at any Time anchors any Boat or Vessel in the River *Mersey* in such a Situation as to obstruct the free Passage of the said River shall be liable to the same Penalty, and to be taken into Custody and dealt with in like Manner, as Persons committing any of the Offences specified in the Twenty-eighth Section of the said "Town Police Clauses Act, 1847:" Provided nevertheless, that no such Powers shall be exercised by the Corporation, or any Penalty for any Offence under the Provisions of this Section shall be sued for or recovered, without the Consent in Writing, from Time to Time, of the Company of Proprietors of the *Mersey and Irwell* Navigation, or of some One of the authorized Agents of the said Company.

Application
of Penalties.

LXIII. That all Penalties imposed for any Offences against the Provisions of this Act the Application whereof is not herein otherwise provided for shall be paid to the Treasurer of the said Borough, to be applied in aid of the Borough Fund thereof.

Ratepayers,
&c. not dis-
qualified as
Justices.

LXIV. That no Person acting as a Justice of the Peace in any Matter in which he may have Jurisdiction under this Act or any Act incorporated herewith shall be deemed to be interested by reason only of such Person being a Ratepayer or Burgess of the said Borough,
or

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or a Member of the Council thereof, or of any Committee appointed by such Council.

LXV. That where in this Act, or any Act incorporated herewith, any Act is required to be done or Notice left at the Office of the Commissioners, such Act may be done or Notice left at the Office of the Town Clerk of the said Borough; and where any Act is required to be done by the Clerk to the Commissioners, the same shall be done by the Town Clerk of the said Borough, or such other Officer as the Corporation shall from Time to Time direct in that Behalf.

Office of the
Commissioners.

LXVI. And whereas by Her Majesty's said Charter of Incorporation it was declared that the Council of the said Borough should consist of a Mayor, Nine Aldermen, and Twenty-seven Councillors, to be respectively elected at such Times and Places and in such Manner as the Mayor, Aldermen, and Councillors for the Boroughs named in the Schedules to the said Act for regulating Municipal Corporations in *England* and *Wales*, except that the First Mayor, Aldermen, and Councillors for the said Borough should be respectively elected at such Times and in such Manner as therein-after mentioned; and by the same Charter the said Borough was divided into Five Wards, called North-west Ward, South-east Ward, North-east Ward, South-west Ward, and *Latchford* Ward; and it was declared that each of the said Four first-mentioned Wards should return Six Councillors, and *Latchford* Ward aforesaid should return Three Councillors: And whereas the Council of the said Borough, acting in the Belief that according to the said Charter One Half of the said Aldermen were to go out of Office on the Ninth Day of *November* One thousand eight hundred and forty-nine and the Ninth Day of *November* One thousand eight hundred and fifty-two respectively, did on those Days respectively elect Aldermen to supply the Places of those who as it was then believed were bound to go out of Office by Rotation, and did go out of Office accordingly: And whereas it has recently been discovered that according to a Decision by a Court of Law in a similar Case such Elections ought to have taken place in the Years One thousand eight hundred and forty-seven and One thousand eight hundred and fifty respectively: And whereas, in consequence of the Number of Aldermen prescribed by the said Charter not being divisible by Two, it was impossible that One Half of the Persons elected to be Aldermen should go out of Office in every Third Year, in manner directed by the Municipal Corporation Act, and consequently on the Ninth Day of *November* One thousand eight hundred and forty-nine the Aldermen appointed by the Council to go out, and who accordingly went out of Office by Rotation, were Four only, being One assigned to each of the said first-mentioned Four Wards respec-

Certain
Elections of
Aldermen
confirmed.

[*Local.*]

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tively,

The Warrington Improvement and Market Act, 1854.

tively, and on the Ninth Day of *November* One thousand eight hundred and fifty-two the Aldermen who went out of Office by Rotation were Five, namely, the remaining Aldermen assigned to the said first-mentioned Four Wards respectively, and the Aldermen assigned to the said *Latchford* Ward: Be it enacted, That the said Elections so as aforesaid held on the Ninth Day of *November* One thousand eight hundred and forty-nine and the Ninth Day of *November* One thousand eight hundred and fifty-two respectively shall be deemed and taken to have been valid Elections, and all Proceedings of the said Council heretofore had or hereafter to be had shall be as valid and effectual as if the said Elections had taken place at such Times and in such Manner as is mentioned in the Municipal Corporation Act; and the several Persons who were elected Aldermen on the Ninth Day of *November* One thousand eight hundred and forty-nine, or the Persons who may have been elected Aldermen in their or any of their Places to supply extraordinary Vacancies, shall go out of Office by Rotation on the Ninth Day of *November* One thousand eight hundred and fifty-six, and not earlier; and the several Persons who were elected Aldermen on the Ninth Day of *November*, One thousand eight hundred and fifty-two, or the Persons who may have been elected Aldermen in their or any of their Places to supply extraordinary Vacancies, shall go out of Office by Rotation on the Ninth Day of *November* One thousand eight hundred and fifty-nine, and not earlier; and at the Expiration of each succeeding Period of Three Years the Number of Aldermen who shall go out of Office by Rotation shall be alternately Four and Five, instead of One Half of the whole Number of Aldermen for the said Borough.

Saving of
Rights.

LXVII. That nothing in this Act contained shall extend to take away, lessen, alter, or prejudice any of the Rights, Privileges, Powers, or Authorities vested in or belonging to the Corporation, or the Lord of the Manor of *Warrington* for the Time being, or the Lord for the Time being of the Manor of *Little Sankey* within *Warrington* aforesaid, so far as concerns the Right to hold Courts Baron for the said Manor, or so far as concerns any Customs, Powers, or Authorities of such Courts, or the Officers appointed thereat.

SCHE-

The Warrington Improvement and Market Act, 1854.

SCHEDULE (A.)

HOUSES and LANDS within the Parish of WARRINGTON in the County of LANCASTER, and within the said Borough, and which may be taken under compulsory Powers for the Purpose of improving the Market, and erecting Market Houses, Slaughter Houses, and Weighing Houses.

Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Office and Cellar under	Thomas Legh -	James Hephherd and Abel Pennington.	Thomas Geddes and Elizabeth Mitchell.
House and Shop -	Same -	Same -	Elizabeth Mitchell.
Barley Mow Inn, Brewhouse, and Outbuildings.	Same -	James Hephherd -	Abel Pennington.
Yard and Passage -	Same -	James Hephherd and Abel Pennington.	Abel Pennington and Elizabeth Mitchell.
House -	Same -	Same -	Elizabeth Winstanley.
House -	Same -	Same -	William Griffiths.
House -	Same -	Same -	Edward Taylor.
Privy -	Same -	Same -	Elizabeth Winstanley, William Griffiths, and Edward Taylor.
House and Shop, and Part of Office over same.	William Beamont -	-	Ann Wood, William Beamont, and John Urmson.
Office -	Same -	-	William Beamont and John Urmson.
House -	Same -	-	Thomas Sutton.
Cooperage, Cooper's Yard, and Shed.	Same -	-	Ann Wood, and her Under-tenant, Samuel Sutton.
Cottage -	Same -	-	Henry Draper.
Cottage -	Same -	-	Peter Tomlinson.
Cottage -	Same -	-	William Atherton.
Yard and Privies -	Same -	-	Henry Draper, Peter Tomlinson, and William Atherton.
Vacant Land -	Thomas Legh -	William Beamont -	Unoccupied.
Cottage -	William Beamont -	-	Ellen Ashton.
Cottage -	Same -	-	Demetrius Lawrenson.
Common Yard and Privies.	Same -	-	William Beamont, John Urmson, Thomas Sutton, Ellen Ashton, and Demetrius Lawrenson.
Garden -	Rebecca Gaskell, Guardian of Rebecca Gaskell the younger, and Agnes Gaskell.	-	John Sutton.
Garden -	Same -	-	Richard Rowson.
Privies and Yards -	Same -	-	Richard Rowson, Joseph Hesketh, and John Sutton.
Spirit Vaults, Warehouse, and Buildings.	Same -	-	Richard Rowson.

The Warrington Improvement and Market Act, 1854.

Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
House, Shop, and Out-buildings.	Same - -	- - -	John Sutton.
House and Shop -	Benjamin Pierpoint -	- - -	Elizabeth Cross.
House and Shop -	Same - -	- - -	Thomas Ashton.
House, Yard, and Out-building.	Thomas Parr - -	- - -	James Ward.
House, Workshop, and Cellar under.	Same - -	- - -	Joseph Hesketh and Richard Rowson.
House, Yard, and Out-buildings.	Representatives of Elizabeth Gaskell.	- - -	Samuel Pickton.
Cottage, Malthouse, Stable, Loft, and Middenstead.	John Ireland Blackburne.	- - -	Rachael Howard.
Coach-house - -	Same - -	- - -	John Sutton.
House and Shop -	Same - -	- - -	Robert Lawton.
House and Stable -	Same - -	- - -	John Sutton.
Stable - -	Same - -	George Hatton	Margaret Banks.
Part of Public House -	Same - -	Same - -	Same.
Blue Lion Public House.	George Hatton -	- - -	Margaret Banks.
House - - -	Sarah Brown -	- - -	Sarah Brown.
Yard - - -	John Ireland Blackburne.	- - -	Sarah Brown, Margaret Banks, John Sutton, Robert Lawton, and Rachael Howard.
Stable and Yard -	Benjamin Pierpoint, John Dakin, and George Hughes, Representatives of the late Jane Hughes.	- - -	Peter Lawless.
Stable - - -	Thomas Lyon and Gilbert Greenall.	- - -	Margaret Banks.
Stables and Yard -	Same - -	- - -	John Bolsworth.
House - - -	Same - -	- - -	Ann Massey.
House - - -	Same - -	- - -	Harriet Fisher.
House and Cellar under.	Same - -	- - -	John Johnson and John Bolsworth.
Office and Shop -	Benjamin Pierpoint, John Dakin, and George Hughes, Representatives of the late Jane Hughes.	- - -	Henry Wallington and John Longshaw.
Nag's Head Hotel, Outbuildings, and Yard.	Same - -	- - -	Jane Chorley.
House, Shop, and Warehouse, and Part of Hotel.	Same - -	- - -	James Bentley and Jane Chorley.
Offices, Warehouse, and Cloth Hall, let in Stalls.	John Ireland Blackburne.	- - -	Thomas Frederick Lowe, Reuben Ledger, Robert Garnett, John Marratt, Thomas Bird, Samuel Ditchfield, Thomas Crank, Jane Blears, James Welsby, Kate Leigh, and Mary Caldwell.
Concert Room, Warehouse, Cellars, and Yard.	Same - -	- - -	Warrington Musical Society, James Welsby, and Mary Ann Bather.
Shop - - -	Joseph Baxter Edelsten	- - -	William Massey.

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Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
House - - -	Joseph Forrest -	- - -	Margaret Hayes.
Blackburne Arms Inn, Stables, Outbuildings, and Yard.	John Ireland Blackburne.	- - -	Mary Ann Bather.
Cottage - - -	Joseph Forrest -	- - -	John Cruikshank.
Cottage - - -	Same - - -	- - -	Margaret Stanton.
Passage, vacant Land, and Privies.	Same - - -	- - -	Margaret Hayes, John Cruikshank, and Margaret Stanton.
House and Shop -	Thomas Legh -	- - -	Unoccupied.
House, Shop, Kitchen, and Yard.	Thomas Legh and Benjamin Sharp.	Benjamin Sharp -	Benjamin Sharp.
House and Shop -	Thomas Legh -	Same - - -	John Bailey.
Printing Office -	John Ireland Blackburne.	George Fell, Thomas Fell, and William Neild, Representatives of the late William Edward Milner.	John Thompson and James Clegg.
Shop - - -	Thomas Legh - - -	Same - - -	Same.
House and Shop -	Same - - -	Same - - -	Susanna Forster.
Yard, Passage, and Outbuildings.	John Ireland Blackburne and Thomas Legh.	Same - - -	John Thompson, James Clegg, Susannah Forster, and Maria Fairhurst.
House and Shop -	Thomas Legh -	Thomas Whitby, and John Whitby, and William Wilson, Representative of the late Robert Whitby.	Jane Cunningham.
Cottage and Part of House.	Thomas Legh or John Ireland Blackburne.	George Fell, Thomas Fell, and William Neild, Representatives of the late William Edward Milner.	Maria Fairhurst and Susanna Forster.
Cottage - - -	William Mallett -	- - -	Sarah Rowlinson.
House and Shop -	John Ireland Blackburne.	- - -	Peter Lawless.
House, Warehouse, and Shop, and Warehouse over.	John Ireland Blackburne and Margaret Woodruffe and James Kendrick, Devisees of Thomas Woodruffe.	- - -	Robert Jones, Joseph Harlock, and John Warburton.
House and Shop -	Margaret Woodruffe and James Kendrick, Devisees of Thomas Woodruffe.	- - -	Robert Jones.
House and Shop -	Same - - -	- - -	Samuel Woods.
Shop - - -	Same - - -	- - -	Charles Bowcock.
Shop - - -	Same - - -	- - -	Joseph Harlock.
House, Shop, and Warehouse.	George Hatton -	- - -	Unoccupied.
Shop - - -	Same - - -	James Wainwright -	John Goulden.
House and Shop -	Thomas Lyon -	- - -	John Hatton.
House, Shop, Yard, and Outbuilding.	William Gandy and Martha Hinde.	- - -	William Gandy.
House and Shop -	Same - - -	- - -	James Caton.
Shop - - -	John Ireland Blackburne.	- - -	Peter Lawless.
Fish Stones and Stall	Same - - -	- - -	Peter Lawless and James Welsby.

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 SCHEDULE (B.)

STALLAGES, RENTS, and TOLLS authorized by this Act to be taken in the MARKETS and FAIRS.

I.—*Stallages, Rents, and Tolls to be taken in any covered Market Place.*

	£	s.	d.
From every Person occupying any enclosed Stall or Shop for any Purpose, for every superficial Square Yard thereof or fractional Part of a superficial Square Yard, per Day or fractional Part of a Day, the Sum of -	0	0	3
From every Person using any Stall, Shed, Bulk, Block, Trestle, Standing-place, or Station for exposing for Sale any Provisions, live or dead Stock, or other Goods, Commodities, or Things whatsoever, except as herein-after specified, but not being an enclosed Stall or Shop, for every superficial Square Yard or fractional Part of a superficial Square Yard, per Day or fractional Part of a Day, the Sum of - - -	0	0	2
From every Person exposing Butter for Sale in Baskets or other Packages, or by Hand, and not occupying any defined Space in such Market, except the Benches provided for that Purpose, in case the Quantity of Butter exposed for Sale by such Person shall not exceed Twelve Pounds Weight, the Sum of - -	0	0	1
And in case the Quantity of Butter so exposed for Sale shall exceed Twelve Pounds Weight, then for every additional Quantity of Six Pounds Weight or fractional Part thereof, the Sum of -	0	0	1
From every Person exposing for Sale in like Manner as last aforesaid any live or dead Poultry, Chickens, Ducks, Wild Fowl, or Rabbits, in case the Quantity so exposed for Sale shall not exceed Three Couples, the Sum of - - - - -	0	0	1
And in case the Quantity of live or dead Poultry, Chickens, Ducks, Wild Fowl, or Rabbits so exposed for Sale shall exceed Three Couples, then for every additional Quantity of Three Couples or fractional Part thereof, the Sum of - - - - -	0	0	1

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	£	s.	d.
From every Person exposing for Sale any vegetable Produce or other Matter or Thing in any Sack, not being in any such enclosed Stall or Shop, or in any such Stall, Shed, Bulk, Block, Trestle, Standing-place, or Station as herein-before mentioned, or occupying a defined Space in the said Market, then for every such Sack not exceeding the Size known as a Half-load Sack, the Sum of - - - - -	0	0	1
And for every larger Sack than above mentioned, the Sum of - - - - -	0	0	2
From every Person in like Manner exposing for Sale any Goods, Commodities, or Things whatsoever, except as herein-before mentioned, in any Basket, Hamper, Crate, Box, Tub, Barrel, Barrow, or other Package, for every such Basket, Hamper, Crate, Box, Tub, Barrel, Barrow, or other Package not exceeding in Diameter in any One Way the Length of Two Feet, the Sum of - - - - -	0	0	1
And for every such Basket, Hamper, Crate, Box, Tub, Barrow, or other Package exceeding the Dimensions aforesaid, but not exceeding One superficial Square Yard in horizontal Measurement, the Sum of	0	0	2
And if any such Basket, Hamper, Crate, Box, Tub, Barrel, Barrow, or other Package shall exceed One superficial Square Yard in horizontal Measurement, then for every superficial Square Yard or fractional Part of a superficial Square Yard thereof, the Sum of - - - - -	0	0	2
From every Person selling by Hand any Goods, Commodities, or Things whatsoever, except as herein-before mentioned, the Sum of - - - - -	0	0	2
For every Carcase of any Cow or Bull, the Sum of - - - - -	0	1	0
For every Carcase of any Calf, Sheep, Lamb, Pig, or other Animal, the Sum of - - - - -	0	0	6

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 II.—*Stallages and Tolls to be taken in respect of Stalls, Standings, and Space not covered over from the Weather, and Cattle and agricultural Produce.*

		£	s.	d.
From every Person occupying any Stall, Shed, Bulk, Block, Trestle, Cart, Standing-place, or Station for exposing for Sale any Provisions, live or dead Stock, or other Goods, Commodities, or Things whatsoever, except as herein-after specified, or for the Purpose of any public Exhibition or Place of Amusement or Recreation allowed by the Corporation, for every superficial Square Yard or fractional Part of a superficial Square Yard, per Day or fractional Part of a Day, the Sum of	-	0	0	1½
From every Person selling any Goods, Commodities, or Things by Auction, or by any Mode of Sale in the Nature of an Auction or public Bidding, in addition to the Toll herein-before authorized in respect of the Occupation of any Stall, Cart, Standing-place, or Station, for every Hour or fractional Part of an Hour, the Sum of	- - - - -	0	1	0
From every Person exposing for Sale any Hay, Straw, Vegetables, Fruit, or agricultural Produce in Carts, and not being packed in separate Hampers, Sacks, or other Packages, for every such Cart, if usually drawn by Two Horses, the Sum of	- - - - -	0	2	0
And if usually drawn by One Horse, the Sum of	-	0	1	6
And if usually drawn by an Ass or Asses, Mule or Mules, the Sum of	- - - - -	0	1	0
For every Turkey or Goose exposed for Sale alive, the Sum of	- - - - -	0	0	0½
For every Duck exposed for Sale alive, the Sum of	-	0	0	0¼
For every Calf, Pig, Sheep, Lamb, or Goat exposed for Sale, the Sum of	- - - - -	0	0	0¾
For every Gig, Carriage, Cart, or other Vehicle exposed for Sale, the Sum of	- - - - -	0	1	0
For every Horse, Mare, Gelding, Colt, or Filly exposed for Sale in the Markets, the Sum of	- - - - -	0	0	8
For every Cow, Bull, Ox, or Heifer exposed for Sale in the Markets, the Sum of	- - - - -	0	0	4

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	£	s.	d.
For every Ass or Mule exposed for Sale in the Markets, the Sum of - - - - -	0	0	2
For every Horse, Mare, Gelding, Colt, or Filly, and for every Cow, Bull, Ox, or Heifer, and for every Ass or Mule exposed for Sale at either of the accustomed annual Fairs - - - - -			
			} One Half of the Tolls herein-before authorized.
For every Person exposing for Sale any Goods, Commo- dities, or Things whatsoever in respect of which if sold in the covered Market the Tolls are herein-before specified, but which the Corporation may by any Bye- laws allow to be exposed for Sale elsewhere - - - - -			
			} Three-fourth Parts of the Tolls autho- rized in the First Part of this Schedule.

III.—*Tolls for Weighing and Measuring.*

For every Quantity of Meat or other Thing weighing not exceeding Twenty Pounds Avoirdupois, the Sum of -	0	0	0½
For every Quantity of Meat or other Thing weighing more than Twenty Pounds and not exceeding One hundred and twelve Pounds, the Sum of - - -	0	0	1
For every additional Quantity of One hundred and twelve Pounds or fractional Part of One hundred and twelve Pounds, the Sum of - - - - -	0	0	0½
For every Quantity of Goods or Things sold by Measure, and not exceeding One Bushel, the Sum of - - -	0	0	0½
For every Quantity more than a Bushel and not exceed- ing Two Bushels, the Sum of - - - - -	0	0	1
For every Bushel or fractional Part of a Bushel beyond Two Bushels the Sum of - - - - -	0	0	0½
For every Cart or other Carriage, with the Loading thereof, not exceeding One Ton, the Sum of - - -	0	0	2
For every Cart or other Carriage, with the Loading thereof, exceeding One Ton, the Sum of - - - - -	0	0	4

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IV.—*Tolls for the Use of Slaughter-houses.*

	£	s.	d.
For every Bull, Ox, Cow, or Bullock, the Sum of -	-	0	1 0
For every Calf, the Sum of - - -	-	0	0 6
For every Sheep or Lamb, the Sum of - - -	-	0	0 3
For every Hog or Pig, the Sum of - - -	-	0	0 4
For every other Beast, the Sum of - - -	-	0	1 0

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